

BOARD OF LOUISIANA RIVER  
PILOT REVIEW AND OVERSIGHT

MEETING HELD ON  
TUESDAY, SEPTEMBER 3, 2024  
COMMENCING AT 11:00 A.M.

At the office of the State of Louisiana,  
Board of River Port Pilot Commissioners, 2728  
Athania Parkway, Metairie, Louisiana 70006

REPORTED BY:  
LESLIE L. NICOSIA  
CERTIFIED COURT REPORTER

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A P P E A R A N C E S

MEMBERS OF THE BOARD

CAPTAIN LEE JACKSON, CHAIRMAN  
JENNIFER MARUSAK, VICE CHAIRMAN  
CAPTAIN JACK ANDERSON  
CAPTAIN ADAM BURAS  
CAPTAIN TIM LONG  
JUDGE CONN REGAN  
ROY QUEZAIRE

GENERAL COUNSEL FOR THE STATE OF LOUISIANA NEW  
ORLEANS - BATON ROUGE STEAMSHIP PILOTS:

PHILLIP ROBINSON, ESQUIRE  
2805 Harvard Avenue  
Metairie, Louisiana 70006

ALSO PRESENT:

Brian Eiselen, Esquire  
Michael Delesdernier, Esquire  
William Dutel, Esquire  
Walter Leger, Jr., Esquire

1 \*\*\*\*\*

2 Leslie L. Nicosia, a Certified Court Reporter in  
3 and for the State of Louisiana,  
4 did report the following:

5 BY CAPTAIN LEE JACKSON:

6 Good morning, everyone. We can  
7 get started. It's 11:00 on the dot.  
8 We will call the roll.

9 Lee Jackson, chairman.

10 BY CAPTAIN JACK ANDERSON:

11 Jack Anderson, board member.

12 BY CAPTAIN ADAM BURAS:

13 Adam Buras, board member.

14 BY MR. ROY QUEZAIRE:

15 Board member.

16 BY MS. JENNIFER MARUSAK:

17 Jennifer Marusak, vice  
18 chairman.

19 BY JUDGE CONN REGAN:

20 Conn Regan, board member.

21 BY CAPTAIN TIM LONG:

22 Tim Long, board member.

23 BY MR. PHILLIP ROBINSON:

24 Phillip Robinson, general  
25 counsel.

1 BY CAPTAIN LEE JACKSON:

2 First I want to just extend my  
3 thank yous to Mr. Delesdernier and  
4 Mr. Anderson for allowing us to be a  
5 part of their great location here. We  
6 had some challenges on my side, so I  
7 really appreciate you guys.

8 BY MR. MICHAEL DELESDESNIER:

9 My pleasure.

10 BY CAPTAIN LEE JACKSON:

11 We will move on to the agenda.  
12 Any public comments from anyone?

13 (NO RESPONSE)

14 BY CAPTAIN LEE JACKSON:

15 Going once, going twice, gone.  
16 Everyone should have a copy of  
17 the minutes from our last meeting,  
18 which was November 1st of 2023.

19 BY MS. JENNIFER MARUSAK:

20 I move to approve.

21 BY MR. PHILLIP ROBINSON:

22 Second.

23 BY CAPTAIN LEE JACKSON:

24 Seconded. All in favor?

25 COLLECTIVELY:

1                   Aye.

2                   BY CAPTAIN LEE JACKSON:

3                   That has been adopted.

4                   Is there any old business in  
5 front of the board?

6                   (NO RESPONSE)

7                   BY CAPTAIN LEE JACKSON:

8                   We will move on to new  
9 business. First off, I want to  
10 congratulate everyone for being  
11 reappointed by Governor Landry. We  
12 still have one spot that's still open.  
13 That spot is for LABI. I think they  
14 will get to it at some point whenever  
15 the time is appropriate. From the  
16 governor's office, I'm being told  
17 they're waiting on them to provide  
18 that.

19                   We have a new member onboard,  
20 Adam from the bar pilots. Do you have  
21 anything you want to say?

22                   BY CAPTAIN ADAM BURAS:

23                   Thanks for having me.

24                   BY MR. ROY QUEZAIRE:

25                   New members are supposed to

1 stand and sing a solo.

2 BY CAPTAIN ADAM BURAS:

3 You don't want me to do that.

4 BY CAPTAIN LEE JACKSON:

5 I will remember that next time.

6 Next thing on the agenda is to  
7 ratify payments of Board of Review  
8 bills. The only thing that you have  
9 in your packet right now is --  
10 Unfortunately, I apologize for this.  
11 Mike is still hosting our website. He  
12 has, basically, some hosting charges  
13 for -- you can see in your packet that  
14 equals up to \$300. With the board's  
15 approval, I would ask --

16 BY MS. JENNIFER MARUSAK:

17 I move to approve payment.

18 BY MR. ROY QUEZAIRE:

19 Second.

20 BY CAPTAIN LEE JACKSON:

21 All in favor?

22 COLLECTIVELY:

23 Aye.

24 BY CAPTAIN LEE JACKSON:

25 General counsel will give us an

1           update on our finances as it stands  
2           today.

3                     Phil.

4           BY MR. PHILLIP ROBINSON:

5                     As of today, the most recent  
6           statement we have is from July 1st to  
7           July 31, 2024. We have a balance --  
8           actual balance of \$46,633.95. The new  
9           statement more likely will be  
10          available next week. That's what  
11          we've got.

12          BY CAPTAIN LEE JACKSON:

13                    It looks like we will do our  
14          true-up, everyone, probably at our  
15          last meeting for the year. As statute  
16          requires, we are required to have two  
17          meetings. We will discuss that  
18          probably in December or whenever the  
19          board deems necessary is the next time  
20          to have a meeting. I suspect that  
21          number won't move drastically, other  
22          than legal fees. We will talk about  
23          that at our next meeting so we can  
24          have the account trued up for January  
25          2025.



1                   Next item on the agenda is Act  
2                   393 of the 2023 Legislative Regular  
3                   Session, ADA compliance. I'm going to  
4                   hand that over to Jennifer to give the  
5                   board some update on that.

6                   BY MS. JENNIFER MARUSAK:

7                   Sure. I spoke with the  
8                   legislative auditor about this issue  
9                   back after it was passed, that  
10                  section, because of all the port  
11                  boards. Some of them are one-man  
12                  shows, and they have a board that  
13                  comes and meets in their warehouse.  
14                  The legislative auditor said it's  
15                  preferable for each board to have in  
16                  place a plan in case someone that has  
17                  ADA needs to access the meeting.

18                  It can be as simple as a policy  
19                  that says if someone cannot attend the  
20                  meeting physically in person, they can  
21                  call in to the chairman's cell phone  
22                  and hear it over speaker phone, in  
23                  case we are not at a place -- We don't  
24                  have one general number. Several of  
25                  my port boards are so small that they

1 don't have a general number. They  
2 have their executive director cell  
3 phone number, like Powell does.

4 That's all we have to do. It's  
5 preferable to have it in place ahead  
6 of a request, but if we don't do it  
7 until a request is made, that's not  
8 bad, that's not against the law, just  
9 that we have a plan in place if  
10 someone requested to participate in  
11 the meeting who can't appear in  
12 person.

13 BY CAPTAIN LEE JACKSON:

14 You are saying a plan can be as  
15 simple as --

16 BY MS. JENNIFER MARUSAK:

17 It can be as simple as the  
18 person who requested to participate  
19 cannot appear in person, that they or  
20 their caregiver can call in to the  
21 chairman's cell phone number and be on  
22 speaker phone.

23 BY CAPTAIN TIM LONG:

24 You don't have to publish the  
25 cell phone number, do you?

1 BY MS. JENNIFER MARUSAK:

2 No. It's if somebody makes a  
3 request. It can be as simple as that.

4 BY CAPTAIN LEE JACKSON:

5 What -- All we'd have to do on  
6 that compliance would have to be on  
7 the website, or this would be  
8 something back of the house, just  
9 holding it?

10 BY MS. JENNIFER MARUSAK:

11 Holding it in case someone  
12 calls and asks to participate, says  
13 they are not able to come because of  
14 ADA, not just because they can't show  
15 up. You know, they have to say they  
16 are disabled.

17 BY CAPTAIN LEE JACKSON:

18 We have heard all kind of ways  
19 that you can accomplish satisfying  
20 that. All of them seem to be pretty  
21 overwhelming.

22 BY MS. JENNIFER MARUSAK:

23 This is real simple because --  
24 Like I said, the legislative auditor  
25 scared the heck out of my port

1           directors because they sent them all,  
2           you know, "Be advised this law was  
3           passed. You need to -- It's  
4           preferable to have a plan in place in  
5           advance." I talked with them at  
6           length and then was able to tell our  
7           port boards it can be two sentences,  
8           this is what -- We will vote on it at  
9           our next meeting," two sentences to  
10          say, "This is what we are going to do  
11          if somebody calls and says they want  
12          to participate, but can't."

13                       That would also be my question  
14          about if they are a pilot, why are  
15          they disabled? That's a whole  
16          different story. It's really that  
17          simple.

18          BY CAPTAIN LEE JACKSON:

19                       Cool. All right. I guess,  
20          Jennifer, you will take the lead on  
21          drafting up something?

22          BY MS. JENNIFER MARUSAK:

23                       Sure. I will draft something  
24          up and email it to you.

25          BY CAPTAIN LEE JACKSON:

1                   We will move on in the agenda  
2                   to the final item. Let's go through  
3                   2024 incident reports to the BR, Board  
4                   of Review. That will be incidents  
5                   through the -- incidents or  
6                   adjudications through Q3 of 2024. I  
7                   will get started.

8                   For the Board of Examiners for  
9                   NOBRA, we have active -- we currently  
10                  have active six events along our route  
11                  through Q3 of '24. Because of extreme  
12                  low water, most of those are soft  
13                  groundings.

14                 We did -- With no injuries or  
15                 damage to property, we did have one --  
16                 a couple, loss of power and a minor  
17                 contact with a tow. From the  
18                 adjudication standpoint, we did have  
19                 one pilot that tested positive for  
20                 alcohol during a random test. Please  
21                 note the BOE standard is zero  
22                 tolerance. The Coast Guard is .040.  
23                 That individual tested below the Coast  
24                 Guard standard.

25                 So, we initiated an initial

1 preliminary investigation, but before  
2 we could even get started, the  
3 individual said pilot retired. That  
4 closed out that particular incident.  
5 Nothing else is happening thus far.

6 BY CAPTAIN TIM LONG:

7 Loss-of-power incident, should  
8 that be considered a pilot incident?

9 BY CAPTAIN LEE JACKSON:

10 Not necessarily. The loss of  
11 power is based on the mechanical side  
12 of the ship. The pilot himself, as  
13 you know, Tim, when he boards, there's  
14 an MPX, pilot master exchange. He's  
15 basing that information on the  
16 information that the captain or the  
17 master provides to him. What we have  
18 found is that most of our power losses  
19 are, should I say, minimal RPMs, have  
20 been centered around low sulfur.

21 BY CAPTAIN TIM LONG:

22 I think they should all be  
23 investigated. I think -- I don't  
24 think the onus falls on the pilot on  
25 this. I think the responsibility is

1           the technical operator of the vessel.  
2           I wouldn't want to see pilots put in a  
3           position where they have to defend  
4           something they have no control over.

5           BY CAPTAIN LEE JACKSON:

6                     That's fair. Really and truly,  
7           based on that, you are probably right.  
8           I was just making note of it. In the  
9           future, if the board absolutely wants  
10          to take that approach from a power-  
11          loss standpoint, obviously, that is,  
12          in fact, out of the hands of the  
13          pilot, we would bring it to --

14                    Jack, do you have any thoughts  
15          on that?

16          BY CAPTAIN JACK ANDERSON:

17                    No. I think the larger problem  
18          is the engine limiters. We have had  
19          several incidents where ships have not  
20          been able to get more than a half a  
21          head. We didn't consider it an  
22          incident because power wasn't lost  
23          completely. The ship was able to  
24          maneuver, at which case we bring them  
25          up, whatever.

1 BY CAPTAIN LEE JACKSON:

2 We do report them when we have  
3 these as a regular situation. Power  
4 loss, it is reported to the Coast  
5 Guard, as per the requirements.

6 BY CAPTAIN JACK ANDERSON:

7 We have had several of those  
8 that we reported to the Coast Guard as  
9 well.

10 BY MR. MICHAEL DELESDERNIER:

11 As a policy, we maintain  
12 records of that so we can have a  
13 policy for the Coast Guard for them to  
14 enact the policy because they don't  
15 have the information. The ships  
16 aren't going to self-report. It's a  
17 very internal, complicated issue, of  
18 which NOBRA has done their stuff.

19 They did a big seminar in  
20 Houston. I participated in one. The  
21 guy came and said, basically, under  
22 these ship standards, the ship  
23 management system, if they deviate  
24 from the engine limiters, they have to  
25 file a report. It's less likely to



1           indicate they're going to deviate  
2           because they don't get to file a  
3           report, and now the captain of the  
4           port is putting in NAVIG stating the  
5           limiters have to be off.

6                     Then there is a question of  
7           when are they off and when they're on.  
8           The reality of it is, if we don't  
9           maintain a record of when these  
10          limiters go off, the port body has no  
11          database to make these decisions.  
12          Every time there's an incident occurs,  
13          they can argue that's a one-off. We  
14          probably have two dozen a year that  
15          happened like that. We present that  
16          information to the Coast Guard  
17          informally on a periodic basis.

18          BY CAPTAIN LEE JACKSON:

19                     I think the pilot routes along  
20          the Mississippi River have been able  
21          to mitigate that for the most part,  
22          but it's been a challenge. Knock on  
23          wood. We haven't had a serious  
24          incident along the river because of  
25          these limitations that are happening.

1 BY CAPTAIN TIM LONG:

2 My major concern about it, this  
3 is just from me bringing ships in, we  
4 are at low water. Having minimal  
5 power is not exactly -- I wouldn't say  
6 it's not a problem. It's not a  
7 problem that is -- when you've got  
8 plus 17 river. If there are ships  
9 that are saying, "We won't do it  
10 because of some regulatory  
11 compliance," if my understanding of  
12 the regulations is correct, all they  
13 have to do is report it.

14 That's not -- It's a deviation.  
15 It's not even held against the vessel.  
16 We went into port. There's an MSIB  
17 that says, "I can do this. The pilot  
18 requests this off." They turn it off.  
19 There may be an hour delay if it's the  
20 -- I think that's the mechanical one.

21 BY CAPTAIN ADAM BURAS:

22 They were pretty quick.

23 BY CAPTAIN TIM LONG:

24 30 minutes. Operation, to me,  
25 it's a no-brainer to get that damn

1           thing off and bring the thing up the  
2           river. I think recording it, I think  
3           you are absolutely right, it has to be  
4           done. That should not be considered a  
5           ding against the pilots.

6           BY CAPTAIN LEE JACKSON:

7                     I agree. We do -- Mike knows  
8           this. What we do is we keep a little  
9           file. Basically, that's just in case  
10          -- Like most incidents, there's no  
11          follow-up to it. We want to make sure  
12          we have everything that's needed.

13          BY CAPTAIN ADAM BURAS:

14                    This is a power-loss reduction.  
15          This ship doesn't go aground.

16          BY CAPTAIN LEE JACKSON:

17                    There's no damage or anything.  
18          It's just recording the incident.

19          BY CAPTAIN ADAM BURAS:

20                    The Coast Guard requires some  
21          kind of survey so you can get back  
22          underway.

23          BY CAPTAIN LEE JACKSON:

24                    Typically, when that happens,  
25          as a pilot, we put the ship to anchor.

1           If the captains are honest with you,  
2           you can have that -- you can prevent  
3           that from happening by telling them to  
4           do X, Y, or Z. Unfortunately, those  
5           here know what we deal with when we  
6           ask for honesty because the captains  
7           are afraid. Time is everything for  
8           them. If they can get away with it,  
9           they will.

10          BY CAPTAIN TIM LONG:

11                 From the petroleum industry  
12           side, time is not everything. We want  
13           to maintain the safe protection of the  
14           environment at all costs. Delaying,  
15           putting it in anchor for six to 12  
16           hours clears it. Maybe I'm just  
17           speaking for my particular company,  
18           but I doubt it. We are okay with  
19           that.

20          BY CAPTAIN LEE JACKSON:

21                 We love to hear that. Without  
22           safety, we have nothing. I do have  
23           the from Lake Charles. They have  
24           nothing to report. Charles gives his  
25           regards. He missed this meeting. He

1 had no reports from his standpoint.

2 Jack.

3 BY CAPTAIN JACK ANDERSON:

4 We had some that we had to  
5 finish the investigation on. One was  
6 a vessel in Chalmette Slip. During  
7 the docking, he did some damage to the  
8 tugboat going in the Chalmette Slip.  
9 It's a difficult maneuver. High river  
10 sat down on the dolphin and did a  
11 little damage to the tugboat.

12 The next one was a ship down at  
13 UBT, which was minor, really  
14 unreportable damage under the CFR. We  
15 included it since it was some damage  
16 there.

17 The next one we have was a  
18 vessel that a pilot put to anchor. It  
19 was an engine limiter problem. He  
20 failed to report it to the Coast  
21 Guard. He was instructed on how to do  
22 it and placed on probation and fined  
23 for failure to report.

24 The other one was a complaint  
25 from a pilot about a pilot refusing

1 service. Upon looking at the  
2 complaint and going through the MRTIS  
3 record of it, it's pretty much without  
4 merit. We refused that complaint.  
5 That was it.

6 BY CAPTAIN LEE JACKSON:

7 You guys fined somebody for not  
8 recording a --

9 BY CAPTAIN JACK ANDERSON:

10 Yes. Suspended if he does it  
11 again. We suspended the fine, put him  
12 on probation, instructed him in the  
13 future don't let it happen again.

14 BY CAPTAIN ADAM BURAS:

15 I have one incident that we  
16 closed. I brought the report for  
17 everybody, if anybody wants one.

18 BY CAPTAIN LEE JACKSON:

19 30,000 feet?

20 BY CAPTAIN ADAM BURAS:

21 It's a load limiter problem,  
22 ship crossing in, rate of turnover,  
23 20-plus degrees per minute. The  
24 engine went from full to dead slow to  
25 save itself. The ship wouldn't stop

1 swinging and ran aground, 24 hours  
2 aground before it was towed off right  
3 above the lighthouse. We concluded no  
4 fault of the pilot.

5 The only other thing, we  
6 commissioned four pilots in June. I  
7 don't know if this is the appropriate  
8 time. That's the only two things.

9 BY CAPTAIN LEE JACKSON:

10 As everyone can see, the  
11 limiter problems, it will continue to  
12 haunt us. I think as an industry, we  
13 have been fortunate. I don't like  
14 luck. I don't think it's where we  
15 need to be. We need to be proactive  
16 on what we can do. Everybody's  
17 scratching their head.

18 Brian, you have some comments?

19 BY MR. BRIAN EISELEN:

20 Brian Eiselen, counsel for  
21 NOBRA. It seems to be a common theme,  
22 the load limiter. Some of you guys in  
23 here were at the seminar we put on  
24 year before last with the NTSB.

25 Mr. Turrell, who is the head of

1           the marine division, unexpectedly  
2           passed away about this time last year.  
3           We have been since trying to reach out  
4           to the NTSB to see who is going to  
5           head up the marine division relative  
6           to some of these issues.

7                     I wanted to mention this, since  
8           Mike brought it up. If the NTSB folks  
9           won't mention who's going to be  
10          heading up the NTSB, we would be  
11          interested to know that because we are  
12          trying to reestablish communications  
13          with them to keep our relationship  
14          ongoing relative to some of these  
15          issues, especially since so much  
16          attention has been placed on the GNO  
17          bridge with the Super Bowl coming up  
18          and the lights they are putting on the  
19          bridge.

20                    We wanted to meet with the  
21          NTSB relative to any preliminary  
22          findings they can share with us, since  
23          there are seven bridges at least NOBRA  
24          traverses under. I mention that to  
25          you guys. I don't know who has been



1           appointed as new head of the NTSB  
2           marine division, but you may want to  
3           keep your eyes and ears open for that.

4                     Mr. Turrell, who was the  
5           presenter for us last year,  
6           unexpectedly passed away. I don't  
7           know what the new chain of command is.  
8           It would benefit all of us, all  
9           aspects of the pilots, to find out who  
10          that is to continue the communication,  
11          especially in light of the fact you  
12          guys are speaking about load limiter  
13          issues and also the Houston meeting  
14          that was mentioned.

15          BY CAPTAIN TIM LONG:

16                     I do know the inspector on the  
17          bridge incident. We went to school  
18          together. We are casual friends. I  
19          can reach out to him.

20          BY MR. BRIAN EISELEN:

21                     I reached out to the NTSB many  
22          times since the incident in order to  
23          have an informal meeting just to get  
24          any insight they may have. There was  
25          a focus on security with the Super

1 Bowl coming up at the beginning of  
2 next year. They have been swamped  
3 with Morgan passing away unexpectedly  
4 and a few months later having this  
5 monumental incident. I know they are  
6 snowed under right now.

7 At some point, I hope to get up  
8 there and meet with them and establish  
9 communications with them. It's a huge  
10 loss. Morgan was one of you guys. He  
11 was a mariner. He understood what you  
12 guys did. He actually worked on the  
13 river. I have no idea who his  
14 replacement is going to be. So, it's  
15 important for all of us to find out  
16 who that is so we can kind of embrace  
17 whoever that is, as we did with  
18 Morgan.

19 BY CAPTAIN LEE JACKSON:

20 I will share with the board  
21 that, like all things, post incidents  
22 that are pretty glaring -- the DALI in  
23 and the Key Bridge was a big one -- my  
24 concern is that big brother comes down  
25 and overcompensates.

1                   I would ask that at the  
2                   appropriate time this board really  
3                   puts its head together to see if  
4                   there's something we can think about  
5                   as groups and see if there's something  
6                   we can work together on. Having no  
7                   plan I think is a prelude for big  
8                   brother coming in and using his heavy  
9                   hand.

10                  Like all things, anyone here  
11                  who is a mariner knows, if you expect  
12                  nothing to come out of the DALI  
13                  incident, you are sadly mistaken.  
14                  There's going to be a lot of  
15                  overreach, more than likely. We just  
16                  have to be the ones to try to push  
17                  back at it.

18                  Because not really knowing  
19                  what's going to happen, what kind of  
20                  rules or regulations they are going to  
21                  suggest or recommend, NTSB is all  
22                  recommending, no one has the current  
23                  that we have in this river. No one  
24                  deals with the things we do. We are  
25                  the local agents, the local subject

1 experts who can really deal with that.

2 I don't know when as a board we  
3 want to sit down and have a working  
4 session on something like that. I  
5 think the members, we need to be ready  
6 and prepared for whatever is going to  
7 come out of this. Either one, we are  
8 going to fight what they are trying to  
9 push down, or we are going to have to  
10 come up with something ourselves.

11 Maybe the individual Board of  
12 Examiners can do their thing, and  
13 collectively we can come together for  
14 recommendations. That's just one  
15 final thing I will add to that.

16 The only other business we  
17 have, unless there's other comments  
18 from board members -- Anyone?

19 (NO RESPONSE)

20 BY CAPTAIN LEE JACKSON:

21 Because of -- We do have a  
22 secretary/treasurer spot that is open  
23 because of Chris's move. I don't know  
24 if Adam wants to just delegate himself  
25 to take it, or should we put it up.

1                   Nothing has to be decided today.

2                   That's something in the next meeting

3                   we can talk about.

4                   BY MS. JENNIFER MARUSAK:

5                   You really don't have to do

6                   anything.

7                   BY CAPTAIN LEE JACKSON:

8                   Unless there's something else

9                   in front of the board, I will

10                  entertain a motion.

11                  BY MS. JENNIFER MARUSAK:

12                  I move to adjourn.

13                  BY CAPTAIN TIM LONG:

14                  Second.

15                  BY CAPTAIN LEE JACKSON:

16                  All in favor?

17                  COLLECTIVELY:

18                  Aye.

19                  [WHEREUPON THE MEETING WAS CONCLUDED]

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1 REPORTER'S PAGE

2

3 I, Leslie L. Nicosia, Certified Court  
4 Reporter, in and for the State of Louisiana, the  
5 officer, as defined in Rule 28 of the Federal  
6 Rules of Civil Procedure and/or Article 1434 (B)  
7 of the Louisiana Code of Civil Procedure, before  
8 whom this testimony was taken, do hereby state  
9 on the record;

10 That due to the interaction and the  
11 spontaneous discourse of this proceeding, dashes  
12 (--) have been used to indicate pauses, changes  
13 in thought, and/or talk-overs; that same is the  
14 proper method for a court reporter's  
15 transcription of proceeding, and that the dashes  
16 (--) do not indicate that words or phrases have  
17 been left out of this transcript; that any words  
18 and/or names which could not be verified through  
19 reference material have been denoted with the  
20 phrase "phonetically spelled."

21

22

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Leslie L. Nicosia, C.C.R.

23

24

25

## 1 C E R T I F I C A T E

2 This certification is valid only for a transcript with my  
3 original signature and original required seal on this page.

4 I, LESLIE L. NICOSIA, Certified Court Reporter in and for  
5 the State of Louisiana, the "Officer" before whom this  
6 testimony was taken, do hereby certify:

7 That this proceeding and testimony was reported by me in  
8 stenotype method, was prepared and transcribed by me or under  
9 my personal direction and supervision, and is a true and  
10 correct transcript to the best of my ability and  
11 understanding;

12 That this transcript has been prepared in compliance with  
13 transcript format guidelines required by statute or rules of  
14 the Board, and I am informed about the complete arrangement,  
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16 arrangements for deposition services;

17 That I have acted in compliance with the prohibition on  
18 contractual relationships as defined by Louisiana Code of  
19 Civil Procedure Article 1434 and in rules and advisory  
20 opinions of the Board;

21 That I have no actual knowledge of any prohibited  
22 employment or contractual relationship, direct or indirect,  
23 between a court reporting firm and any party litigant in this  
24 matter, nor is there any such relationship between myself and  
25 a party litigant in this matter;

26 That I am not related to counsel or to the parties  
27 herein, nor am I otherwise interested in the outcome of this  
28 matter.

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31 LESLIE L. NICOSIA, CCR  
Cert. No. 95004

32

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