

**From:** Robert@SoundOffLA.com  
**Sent:** Monday, August 2, 2021 12:08 PM  
**To:** 'smorris@daiglefisse.com'  
**Cc:** 'Matthew Block'  
**Subject:** You May Want to Check Just How Solid Your Legal Grounds Are for Going into Executive Session on  
**Attachments:** LALB\_May\_2012\_Minutes.pdf

Ms. Morris:

As you know, I attended many Auctioneer Licensing Board meetings over the years and witnessed some outrageous conduct at those meetings. Having said that, nothing at ANY of those meetings could remotely compare to the scene put on by the Cosmetology Board Chairman Edwin Neill earlier today. For him to openly push me in front of all the witnesses there at the end of the meeting and openly ask me, "What are you going to do about it?" after I responded to his push with, "You better back off!" again in front of everyone is WAY, WAY, WAY beyond anything I EVER encountered at the Auctioneer Licensing Board meetings! Nothing even comes remotely close to Neill's outrageous conduct today!

Having said that, the one thing I can assure you now is that Edwin Neill just solidified my presence at EVERY Cosmetology Board meeting, every committee meeting (most especially this Advanced Esthetics Committee being formed), and, given his outrageous conduct and the verbiage that he used above entailing me, I can assure you that if I notice even one minor open meetings violation (of which I've observed MANY over the years at the meetings but felt it wasn't worth going to war over with the notable exception of Nelda Dural: <https://www.soundoffla.com/robert-burns-schools-attorneys-celia-cangelosi-and-sheri-morris-of-louisiana-state-board-of-cosmetology/>), you can take it to the bank that I'm suing each individual board member present at the meeting for such a violation! I notice that when you and Mr. Landry met privately in the office of the Executive Director entailing Dural, and I gave you the statute whereby Dural could insist the negotiation transpire in an open forum (R. S. 42:17(A)(1), you wasted little time notifying Ms. Cangelosi (presumably via text given the flippant words she said when Landry notified her that Dural wanted the deliberations in the open of, "So noted,") that she better disband the closed-door deliberations. I note the were quickly disbanded! In fact, if you'll recall, we had to wait almost an hour for a court reporter to show up once you and Ms. Cangelosi got educated that conducting those deliberations in executive session against her direct wishes that it be in the open was a VERY obvious violation of the open meetings statute I just cited.

Which takes me to an item on today's agenda which was deferred to the next meeting, which follows:

THE FOLLOWING ITEM(S) MAY BE DISCUSSED IN EXECUTIVE SESSION pursuant to La. R.S. 42: 17(2) authorizing discussion regarding "[s]trategy sessions or negotiations with respect to ... litigation" in executive session "when an open meeting would have a detrimental effect of the bargaining or litigating position of the public body":

1. Waldina Ayestas OBA Princess Nails
2. Waldina Ayestas

I notice you left out one little small detail that's required for such an executive session, so let's expand a bit, shall we?

(2) Strategy sessions or negotiations with respect to collective bargaining, prospective litigation **after formal written demand**, or litigation when an open meeting would have a detrimental effect on the bargaining or litigating position of the public body.

We're obviously not talking about an active lawsuit (trust me, I checked at the EBRP Clerk of Court's Office), so the language for "prospective litigation" kicks in. I notice you conveniently left out the section about "after formal written demand." You did so despite the relatively small number of words involved!

One thing about Larry Bankston, he may be crooked (and has the Federal prison time to back it up), but there's no denying that he is a VERY intelligent lawyer and, after watching an absolutely masterful performance he put on during a six-day trial in 19<sup>th</sup> JDC entailing a class action lawsuit involving the Amite River Basin Commission, I can state first-hand that he is very, very good at posing arguments in front of a jury. I attended that whole trial, and I'm not going to take anything away from his performance! I could elaborate on just how effective he was (ESPECIALLY on closing arguments), but I won't.

What I will say is that Bankston was confronted with the same issue you are facing now, and Bankston was smart enough to tell his LALB members (right after being hired) that, since there was no "formal written demand," they COULD NOT enter into executive session. I've attached the minutes of the May 12, 2012 meeting at which, based on the superior guidance of Mr. Bankston, the Board reversed itself and opted NOT to enter into executive session after having first voted to enter into executive session. That section of the minutes are highlighted for your reference.

If you've been provided with formal written demand (which I doubt is the case), then why would you leave those words out of the agenda item and replace them with "...."? I cannot imagine a more deceptive means to try and pull off an illegal executive session than to leave the portion of the statute out which you MUST have in order to enter into executive session (i.e. formal written demand).

Now, I get that Chairman Edwin Neill has anger issues with me. I fully comprehend that! He thought Rep. Vilio's HB-327, which literally died on the vine in the Louisiana Senate (never even heard by the Commerce Committee) after sailing through the House of Representatives, would fly right through the Legislature, be signed by Gov. Edwards and, BAM, he'd fall into a pot full of money by forcing students to take ANOTHER 250 hours of coursework that even practitioners showed up at the meeting (after they'd been blindsided that the bill was even filed) stated to the Board that the 250 hours were completely unnecessary and one even having the guts to confront the Board Members that, as school owners, they had a vested interest in the bill passing!

I have no doubt that Mr. Neill holds me personally responsible for the bill's demise. I certainly don't mind taking the credit for its demise if he wishes to attribute it to me. That fact notwithstanding, for any Chairman of any Board or Commission in this State to slam a gavel down in the manner Neill did and, thereafter, follow up after the meeting openly asking a member of the public (albeit one he views with great disdain), "What are you going to do about it?" after forcefully pushing me away from him and me warning him not to touch me and that he better "back off," is WAY, WAY beyond the pale! The mere fact that Steve Young felt a need to apologize to me for Neill's conduct speaks volumes! Any self-respecting Governor would remove the individual engaging in such conduct from the Board, but I won't hold my breath awaiting any such action by the current Governor. He has already excused away FAR too much egregious conduct by Louisiana State Police and buried his head in the sand as if everything was fine when nothing could be further from the truth!

Look forward to seeing you at next month's meeting.

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