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The recorded meeting of JACK DARDEN

REPORTER'S PAGE

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3 I, [REDACTED], in and
4 for the State of Louisiana, the officer as defined
5 in Rule 28 of the Federal Rules of Civil Procedure
6 and/or Article 1434(B) of the Louisiana
7 Code of Civil Procedure, before whom this proceeding
8 was taken, do hereby state on the record:

9 That due to the interaction in the spontaneous
10 discourse of this proceeding, dashes (--) have been
11 used to indicate pauses, changes in thought, and/or
12 talkovers; that same is the proper method for a
13 Court Reporter's transcription of proceeding, and
14 that the dashes (--) do not indicate that words or
15 phrases have been left out of this transcript;

16 That any words and/or names which could not be
17 verified through reference material have been
18 denoted with the phrase "(spelled phonetically)."
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1 TAPED STATEMENT OF JACK DARDEN:

2 BY MR. WASHINGTON:

3 Q Today's date is January 22nd, 2016. Time is
4 approximately 4:18 p.m. My name is Trooper Mike
5 Washington, we have Sergeant Preston Savoy
6 present, Louisiana State Police, and we'll be
7 interviewing Jack Darden. And what's your
8 title, Jack?

9 A Executive director of facilities.

10 Q Executive director of facilities here at Cypress
11 Bayou. So like I stated, Jack, we received a
12 complaint. It is a criminal investigation that
13 we're working. It involves several persons. I
14 mean, I'm not going to call any names but I
15 mentioned O'Neil because he was the target.
16 That's how the complaint originated to the
17 commission. And like I say, just to officially
18 -- just tell us your involvement on the record.

19 A Well as the executive director, we sat down and
20 looked at our list of -- this year everybody got
21 a bonus.

22 Q Uh-huh (affirmative response).

23 A Casino met its criteria for us to get a bonus
24 program. And I know I looked at a list, where,
25 you know, everybody at what salary levels you

1 are, executive directors, directors on that list
2 don't show what they're getting. It just shows
3 your salary and a decision is going to be made
4 from upper to me about what each person gets.

5 Q Okay.

6 A I can tell you, I never saw O'Neil's name on
7 that list.

8 Q Have you seen it on any list?

9 A No.

10 Q Because I understand there was several lists
11 floating around, modifications. I know you
12 were, from my understanding, you were part of
13 the executive committee so that means -- you,
14 Tara, and Anthony Patrone, general manager?

15 A Uh-huh (affirmative response).

16 Q You guys made decisions in terms of, I know
17 renovations. Is that --

18 A The renovations project, I'm more on the
19 executive side of all the facility stuff that
20 happens, housekeeping, renovations. Tara's more
21 of the compliance executive director.

22 Q Okay.

23 A So you know, we both have an independent, I
24 guess relationship with Anthony as a GM.

25 Q Okay.

1 A But I can say this. As I think back on this
2 now, I was up in Rox one day for our employee
3 meeting in December. I was up in Rox, we was
4 having an employee meeting. O'Neil was up
5 there.

6 I do remember telling O'Neil, hey look, you
7 know, you're up here for a meeting, we working
8 on bonus stuff. But I said, hey, none of this
9 stuff applies to you, you know. You left here,
10 you made your bed, you don't get one.

11 And he did say, well, that some decisions
12 were made, council approved that looks like I
13 may get one while I'm there but that hasn't been
14 all official.

15 And I was just joking when I said it about,
16 hey -- because he wasn't on our list. That's
17 about all I can tell you that -- what my
18 knowledge is, that he's getting it. He said
19 something about getting some money, which if a
20 council approves something, I don't know about
21 the regulation on how does that apply. Who does
22 that go through, who gets asked, I don't know
23 that part.

24 Q So you -- are you familiar with the tribal
25 policies in terms of -- well obviously you must

1 if you told him he couldn't -- I know you said
2 you were joking but --

3 A No, he really didn't work here no more, is why
4 I'm saying. If you're not working, then I
5 figured he wasn't going to get it. But I know
6 he had worked here for a period of time.

7 Q Right, right.

8 A So that's the only thing, and now whether he got
9 -- now that's the part that he told me. Was
10 well the council approved, so I may be getting
11 it. And I'm like, well I was just messing with
12 him about, you're not -- why you at this meeting
13 today.

14 Because it was just an employee meeting up
15 in Rox. It wasn't -- it was about a bonus
16 distribution, what the business is doing, what
17 the organization is doing. But never saw his
18 name on the list otherwise I wouldn't have never
19 made an off remark. Man, I'm always joking
20 about something like that, messing with him more
21 than anything.

22 Q Right.

23 A Because I said, you know, you went over there.
24 You don't get the bonus this year.

25 Q Right. Okay. So --

1 A So whether he got it or not Mike, I can't tell
2 you. I don't know.

3 Q Did you talk to him about this, anything related
4 to this?

5 A No. That was a meeting back in December.

6 Q Did you talk to anyone else, Anthony or anyone -
7 -

8 A No. Like I said, I was wondering what y'all was
9 calling me up here for. But I'm trying to think
10 back. You know, you're going to put me on
11 record and I'm going to tell you, I've always
12 been an honest guy, and I'll tell you what I do
13 know. But that's not saying I know anything,
14 it's a comment and then what he said.

15 Q Right.

16 A You know.

17 Q Okay.

18 A Now if the council approved that, how does that
19 work for us? That's the part I can't tell you.

20 Q Yeah, I don't --

21 A Does the council deal with the commission on
22 that? I don't know.

23 Q Yeah, I don't think they approved it from my
24 knowledge.

25 A Okay. I don't know that part --

1 Q - received paperwork. I mean, we're still in
2 the process but from what preliminary, it's
3 uncertain, unclear if they --

4 A I know --

5 Q Otherwise we probably wouldn't be here.

6 A My involvement in it on bonuses with Anthony was
7 we got leads, we got specialists, we got every
8 employee. You know, what's fair to give every
9 employee, what's fair that a supervisor should
10 earn, what lead person maybe did more as a lead
11 than another lead done. You got managers that
12 get a certain percentage and you got directors
13 that get certain percentage, then you have the
14 executive director team.

15 Q Right.

16 A So dollar amounts applied to that is a given for
17 the low -- you know, the one that's going to get
18 the smallest amount versus the supervisors
19 versus the leads versus the specialists. We
20 know those amounts because they're a given, the
21 rest of it you don't see. But like I said,
22 O'Neil's name was never on the list that I saw.

23 Q Okay. So you -- once you guys -- you help
24 basically determine how the budgeted, I guess
25 moneys, will be spent and allocated to the

1 employees --

2 A I think it's more of a dialog about hey GM, you
3 know, Anthony, what do you think about this
4 position, what do y'all think this person done.
5 We might say well, you know, Candace works for
6 me, she works for the GM. If she's getting this
7 much at this position, then I might say well
8 yeah, but she does media for us, she does
9 internet, she does social media. Does that rank
10 her to get a little bit more than this person
11 right here might get because this person done
12 this duty but this person's at that.

13 That meeting that we had was more of that
14 from our standpoint and our input as we run the
15 operation. Who's your most valuable people, who
16 helps contribute the most to it because not
17 everybody contributes all at the same levels.

18 Q Right.

19 A You might have the same titles, I might have
20 three supervisors all with the supervisor title
21 but I got a supervisor that got an electrical
22 degree, an HVAC degree that might do a little
23 bit more. But across the board those people are
24 the same anyway.

25 Q Right.

1 A But as an example.

2 Q Right.

3 A That's our involvement with this meeting. It's
4 not determining who got what amount except for
5 those given positions that had a couple of
6 adjustments. We never saw each others' as a
7 director. That's not something that we was at
8 the table to decide what I get or what she gets.

9 Q Yeah.

10 A That was totally made by the general manager's
11 decision based on what we each do. Which would
12 be awkward to involve us in a meeting and then
13 discuss each of our stuff. So that was never
14 done on our level.

15 Q So you don't -- so that's done separate. You
16 said Anthony Patrone determines the executive
17 salaries or --

18 A I guess so. I mean that'd be the only way it
19 can be done because he's the last one to decide.
20 You know I'm not the -- CFO I guess, whoever cut
21 the check, it had to be Montie. It's a pretty
22 tight list I'm sure, of who knows about it
23 because --

24 Q Yeah. Does it go anywhere? Does the council
25 have to approve it?

1 A The council approves, as far as I've always
2 known here, like even when Tom was here, if this
3 casino was to pay a distribution, the GM is
4 supposed to get approval from the council before
5 they approve a distribution.

6 Q Uh-huh (affirmative response).

7 A So they say hey look, we met the criteria and
8 there's a bonus distribution to happen --
9 through each month, we take a certain percentage
10 off each month's profit and that goes towards a
11 bonus accumulation. If we meet the target of
12 what we projected that the business would make
13 this year, then you're in a bonus.

14 If you don't meet it, you do not pay it.
15 That money goes back into the tribe to help run
16 our government and our operations. So it's not
17 a guaranteed payment unless we meet the target.

18 Q Right.

19 A So the council has to approve you in that basis
20 to say you're gonna pay it out. That's the
21 history that I know from Tom to what Mr. Pete
22 done, to what Anthony has to -- should follow
23 the same criteria. I don't think we changed any
24 of that criteria from that tribal standpoint.

25 Q Okay.

1 A Now knowing, I'm over here on this end. I'm not
2 involved on the government council end so I
3 don't go to meetings over there and I'm not
4 involved with all the policies and the rules and
5 regulations.

6 At one time on school board, I probably had
7 more governmental involvement my first years
8 here because I was involved with the school
9 board aspect. Where now, I'm mostly jut a
10 casino guy. But if I know something, I mean, I
11 --

12 Q Yeah.

13 A -- I'll be involved and give some input on what
14 I think should be done.

15 Q Okay.

16 A So that's my knowledge of the whole thing. Then
17 like I said, I'm not sure if O'Neil got
18 something, but it sounds like that's a problem.

19 Q Okay.

20 MR. WASHINGTON:

21 Sarge, if you've got --

22 BY MR. WASHINGTON:

23 Q Like I say, our intentions weren't to hold you
24 up or anything or interrogate you or anything.
25 So, I mean, I apologize for this --

1 A No.

2 Q -- environment. But we've got to be
3 professional. And that's all, we put everybody
4 through the same process. And I knew you were
5 one of the top people here, and I figured you
6 made -- that's why we called Tara in, for the
7 same reason. And --

8 A Our involvements are different.

9 Q Right.

10 A You know, she's got a different relationship in
11 what she does.

12 Q Uh-huh (affirmative response).

13 A And what her responsibilities are for us from a
14 regulatory standpoint versus me.

15 Q Right.

16 A There's a lot of times I got to go to her and
17 ask maybe some regulatory.

18 Q Right.

19 A No different than, she's not gonna be able to
20 tell you how the facility fully runs.

21 Q Right.

22 A So my expertise is not maybe everything, but I
23 know a little bit about a lot of things but --
24 you know, I'll always give you what you want to
25 know, Mike.

1 Q Okay. Well I appreciate it. I mean, if you
2 don't have anything else. This is a -- like I
3 say, this is a criminal investigation. We'd
4 appreciate it if you don't go out and talk to
5 others, you know, tell them about what the
6 nature of this conversation was because
7 investigation is ongoing.

8 A Okay.

9 Q And we don't want to -- you know, try to keep
10 the integrity of the investigation intact. I do
11 understand, I know y'all are going to a meeting.
12 I don't know what it's about, but I'm hearing
13 all the directors and managers are going
14 somewhere, what I heard.

15 A Anthony had an all-manager meeting today at
16 3:00, but that's a regular scheduled, regular
17 meeting.

18 Q I heard y'all are going out of town, is what I'm
19 hearing.

20 A Monday?

21 Q Next week for like for three days is what I'm
22 hearing. Three, four days.

23 A I don't know nothing about that. Monday we're
24 going on a trip to big St. Louis to see a couple
25 casinos that they told me about this week.

1 O'Neil and them's going, tribal council, Brian
2 Headley, in their Yukon, we're going in ours to
3 look at some other casino properties.

4 Q I don't know if that's --

5 A I don't even know what -- if I'm going to look
6 at them, it's no different than when I went to
7 the Golden Nugget in September, me and my wife
8 kind of looked at the L'Auberge, look at Golden
9 Nugget and see, I'm looking at facility stuff.
10 What does the cans look like, how they run the
11 operation, is the restaurants open, what does
12 their cage operation look like. I'm shopping to
13 see -- we're not the Golden Nugget, believe me.

14 Q Yeah.

15 A We go for ideas and stuff and that's what we're
16 going for. But we return back here Monday.

17 Q Is that general manager and all of them involved
18 in that?

19 A Yes, the executive team. We've got Anthony, and
20 we've got executives, which are, you know, table
21 games, slots, food and beverage, Montie, Tara
22 and myself, and marketing. That's an executive
23 group and then you got the rest of the other
24 directors. But not all of us can fit in the
25 Yukon. There's just like six of us going.

1 Q Oh, okay.

2 A I don't know about no three-day trip, because we
3 coming back. We ain't packing clothes they told
4 me.

5 Q Okay. Well I appreciate you, if you don't have
6 anything else to share --

7 A No.

8 Q -- we can end --

9 A Like I said, I been here eighteen and a half
10 years. The first time called upstairs and it
11 ain't never fun to be involved in any
12 investigation, to be honest.

13 Q Yeah, well I mean, you were called up here as a
14 witness so that's not bad. But when you're on
15 the other side is when --

16 A No, I know. Just --

17 Q Right.

18 A I'm always the type, that I wish if I'd known
19 something, I knew could have been prevented --
20 been prevented or something's been done wrong --

21 Q Right.

22 A I dang sure would have been the guy, saying if
23 something shouldn't have been done, it shouldn't
24 have been done. Now what you have to determine
25 in your investigation --

1 Q Yeah, right.

2 A -- whether it was intentional ill-intent.

3 Q Right.

4 A Or was an incidental, thinking somebody was
5 maybe entitled to something is the way I can
6 logically deduct from a situation like this.

7 Q Yeah.

8 A Because I've worked for only three GMs right
9 now. And I can tell you from me working for
10 three different GMs, know what I'm doing right
11 now on this project has been the most up board
12 on anything that I've done, I can tell you that.
13 The way we run this project, the way we're doing
14 renovations, the way we're trying to track
15 everything that we do, we never want another
16 shortest event to happen to this casino.

17 Q Uh-huh (affirmative response).

18 A And I know I feel like my contribution from that
19 is always gonna be that, no matter whether the
20 GM agrees with me or not. But on this
21 particular situation, I think we on the same
22 page. So all I can tell you is if I would have
23 known something that wasn't gonna be right, I'm
24 gonna be the first one to be talking about it.

25 Q Okay.

1 A Because on the other GMs that it didn't work, me
2 and my tribe was the first ones talking about
3 things. Never anything illegal.

4 Q Right.

5 A Just things that may not just be right, that
6 just doesn't come off right. But never
7 criminal.

8 Q Yeah.

9 A Or from an intent of anything like what you're
10 talking to me about today.

11 Q Okay. Well I appreciate you taking the time and
12 coming and we'll officially end it here.

13 Today's date, January 22nd at 4:32 p.m.

14 (AUDIO CONCLUDED)

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CERTIFICATE

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I, [REDACTED] in
and for the State of Louisiana, do hereby certify
the transcript of the digital audio recording
purported to be the statement of JACK DARDEN as
conducted by Mr. Mike Washington, on the 22nd day of
January, 2016, as hereinbefore set forth in the
foregoing 18 pages, was prepared and transcribed by
me or under my personal supervision, and is true and
correct to the best of my ability and understanding;
that I was not present during the recording of the
purported statement and therefore cannot verify the
identity of the participants in said proceeding;
that I am not related to counsel, I am in no manner
associated with counsel for or any of the interested
parties to this matter, and I am in no way concerned
with the outcome thereof.

This 19th day of December, 2016, Lafayette,
Louisiana.

[REDACTED]

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