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The recorded meeting of JACOB 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 JACOB DARDEN:

2 BY MR. WASHINGTON:

3 Q Today's date is January 26, 2016. Time, 3:37
4 p.m. My name is trooper Mike Washington with
5 the Louisiana State police. We will be
6 interviewing Jacob Darden who is a tribal
7 council member. And present, Sergeant Preston
8 Savoy who is a supervisor here at Cypress Bayou
9 Casino will be participating and sitting in on
10 the interview.

11 Mr. Darden, can you state your name and
12 address for the record?

13 A My name is Jacob Darden. [REDACTED]

14 [REDACTED].

15 Q Okay. And you are currently, I guess you'd say
16 employed with the -- as a tribal member?

17 A No. I am not employed by the tribe. I was
18 elected as a tribal council member.

19 Q Okay. So you're currently an elected official?

20 A Yes, sir.

21 Q On the tribal council?

22 A Yes, sir.

23 Q Okay.

24 A I do not work for the tribe.

25 Q Okay. How long have you been there?

1 A Council member?

2 Q Yes.

3 A I'm still in my first term.

4 Q Okay, your first --

5 A First term.

6 Q Congratulations.

7 A About a year and a half into it, thank you.

8 Q Okay. Well what we have, we received a
9 complaint from the gaming commission about some
10 bonus moneys that were paid out to persons or a
11 person who may not have been authorized to
12 receive it and one of those people were Chairman
13 O'Neil Darden.

14 A Okay.

15 Q And so, that's why we're here. From my
16 knowledge in looking at the paperwork, I think
17 you were on the committee to -- I think who
18 voted to approve the pay raise, or the bonuses
19 for 2015.

20 And so, we just want to get your side of the
21 story as to how it relates to the -- O'Neil
22 Darden's name being a part of the list. Because
23 if I'm not mistaken, I think you were one of the
24 ones to object to it or was not --

25 A Yes.

1 Q -- in -- can you explain then?

2 A We had the lists. We had an informal meeting
3 with Anthony Patrone to go over the bonuses and
4 the employees that get the bonuses.

5 Q Uh-huh (affirmative response).

6 A O'Neil's name was mentioned briefly but nothing
7 -- well Anthony asked if we can proceed with
8 giving the employees the bonuses. And we was
9 like, yeah, that's fine. Well when we got the
10 official list, the breakdown of who got what is
11 when we noticed that O'Neil's name was on it.

12 Q He was on it?

13 A Yeah. We then started talking about it as a
14 group. And before we could come up with any
15 formal vote, yes or no, we were sent an email
16 that O'Neil declined the bonus.

17 Q Okay.

18 A So we informally voted, didn't vote on O'Neil,
19 and then when it came time to the actual vote on
20 paper for resolution, it was voted yes because
21 O'Neil's name was not on there.

22 Q Did you -- how many lists did you guys see?

23 A One list. Well, two lists. We saw the list
24 before with Patrone and then the formal lists
25 after.

1 Q Okay. Did you see a list without O'Neil's name
2 -- name on it?

3 A The list that we got to approve at final was
4 without O'Neil's name on it.

5 Q Okay.

6 A the first one --

7 Q What about the first list?

8 A The first list was with O'Neil's name on it.
9 And that's what threw the red flag with
10 everybody.

11 Q Okay. And that was, if I'm not mistaken, when
12 it got to you guys for its ratification,
13 resolution, however -- without the name -- with
14 his name on it, if I'm not mistaken, were the
15 moneys already issued at that time?

16 A I don't know anything about that.

17 Q Okay.

18 A I don't know if the moneys were issued or not.
19 I know it was mentioned that it was in process.
20 But when it came time to do the final vote, he
21 declined it and he wasn't getting it.

22 Q This is what he told you?

23 A No, this is what I know is -- everybody else on
24 council. I mean, this was --

25 Q Okay. So it was understood throughout the

1 council?

2 A Yes.

3 Q That he did not -- that he declined it?

4 A That he declined it. I heard a rumor that it
5 was paid to him and that he paid them back, but
6 I don't know any truth to that story. O'Neil
7 and I never discussed it. We haven't talked
8 about it.

9 Q Okay. So as far as your understanding, he never
10 received the money as far as --

11 A Again, I heard a rumor that he did and that he
12 paid it back, but to say that I saw that he got
13 it, I didn't see that he got it. It wasn't
14 approved for him to get. Again, he said that
15 the process was in place and he was declining
16 it. And the rumor was that he had to pay it
17 back.

18 Q Did you remember the date of that, you probably
19 wouldn't remember, the date or email records of
20 the day you guys ratified the --

21 A It was last council meeting that we had. Last
22 official council meeting.

23 Q Do you remember the exact date or --

24 A It was --

25 Q I know you guys meet officially and then you

1 kind of do some email --

2 A We do email polls, yeah.

3 Q -- and that type of stuff, so that's fine.

4 A What's today's date?

5 Q Today is the 26th, January 26th.

6 A So it must've been the 7th that we had the
7 meeting. January 7.

8 Q January 7th.

9 A Yeah. Was when it was voted upon. Then it was,
10 you know, he was -- declined it before the
11 meeting started.

12 Q Okay. Was he present at the meeting?

13 A Yes, the chairman was present at the --

14 Q Okay. Is he present at all the meetings?

15 A Yes.

16 Q Okay.

17 A It was a very uncomfortable conversation, you
18 know, saying that he couldn't get his bonus.
19 But he understood it and he knew that it wasn't
20 the right thing to do.

21 Q Was he upset or --

22 A Uh-uh. No. He knew it wasn't -- wasn't right.

23 Q Well you said it was uncomfortable, I mean,
24 comfortable for who?

25 A Well just uncomfortable for everyone saying,

1 hey, you can't have, you know, we've got to take
2 this money away from you, you know, or you can't
3 have this money that, you know, your work half a
4 year for. But being the chairman, you can't
5 have it.

6 Q Is there a policy or something prohibiting?

7 A Not that I know of. For me it was just right is
8 right and wrong is wrong. I don't think
9 everybody else felt the same way.

10 Q Okay. Any other conversations you guys have?
11 About the O'Neil situation?

12 A April and I had a conversation about it before,
13 before we brought it up as a group. But other
14 than that, that was it.

15 Q And who all were -- were half of the council
16 members in favor or were you all in --

17 A Toby was in favor, Jackie and myself were
18 against it, and April was ultimately against it
19 but she wanted to think about it before.

20 Q Okay.

21 A But again, none of that was official. That was
22 all just at the table, us talking.

23 Q Right.

24 A So when it came down to the official vote for
25 the bonuses, everyone was in favor but O'Neil's

1 name is taken off the bonus.

2 Q Everyone was in favor of what?

3 A The casino employees getting bonuses.

4 Q Okay. Without --

5 A Without O'Neil's name on it.

6 Q Yeah. Any other employees where you guys had to
7 settle an issue with?

8 A Not since I've been on council.

9 Q Okay.

10 MR. WASHINGTON:

11 Preston, you got any?

12 MR. SAVOY:

13 There was a list that was generated, or
14 requests for a verbal approval before --
15 before the casino issue the checks?

16 A Yes.

17 MR. SAVOY:

18 For disbursement?

19 A Yes.

20 MR. SAVOY:

21 I guess they approached y'all for
22 verbal authorization?

23 A Yes.

24 MR. SAVOY:

25 Did you see that list?

1 A Yes, but I didn't see O'Neil's name on it.

2 MR. SAVOY:

3 But that list that came out like before
4 Christmas, you didn't see O'Neil's name on
5 that list?

6 A No. Not to say that it wasn't on there, but I

7 --

8 MR. SAVOY:

9 You just didn't notice it on there?

10 A I didn't notice it on there. Because O'Neil
11 had mentioned when he first got in the office
12 that -- we were talking about the employee bonus
13 structure and he had mentioned that he wasn't
14 getting his and that his wife wasn't going to
15 get hers. Because he was elected to council and
16 chairman doesn't receive a bonus from the
17 casino.

18 MR. SAVOY:

19 And when was this about?

20 A This was August -- June, July, August.

21 MR. SAVOY:

22 Right after you took office.

23 BY MR. WASHINGTON:

24 Q Okay. So he's aware of --

25 A He knew the rules. Yeah, so he knew that he

1 wasn't getting the bonus.

2 Q Well why did he attempt to get it?

3 A I don't think he attempted to get it. I think it
4 was misinterpretation by somebody else that he
5 was allowed to get it before it was agreed upon.

6 Q Is that what you know for certain?

7 A No, I just said that's what I think.

8 Q Okay.

9 A You can try me, it's okay.

10 Q Oh no, I'm not trying you. I'm just, I know
11 there's a lot of conversation and a lot of
12 people, you know, are saying a lot of stuff.

13 A But there wasn't much conversation about
14 O'Neil's bonus and all. Except that he
15 shouldn't get it.

16 Q Okay. And I kind of heard you were -- I think,
17 I don't know who it was, but was that you were
18 one of the first ones to confront him about it
19 or something. I don't know.

20 A I just asked him about it.

21 Q Yeah.

22 A I talked to him and asked him if he should get
23 it or not, you know, he asked me why I think he
24 shouldn't. And I told him, he goes, okay I
25 agree with that.

1 Q What did you tell him?

2 A Right is right, he doesn't work for the casino
3 anymore. If an employee quits, that employee
4 isn't entitled to a bonus.

5 Q Right.

6 A And he quit.

7 Q Okay. I'm trying to think of anything else.
8 Let me check this sheet while we have you here.
9 If you think of something, Preston, but I think
10 we got -- you pretty much confirmed some of the
11 stuff, information that we already had.

12 MR. SAVOY:

13 You got your packet too, via email,
14 your packet before the council vote?

15 A Yes, everybody does.

16 MR. SAVOY:

17 Y'all get y'all's like the 6th?
18 Council meeting was the 7th, so the day of
19 the 6th, y'all get y'all's packet for review
20 before y'all --

21 A Either the 5th or the 6th and there are some
22 items that come to us right before the council
23 meeting.

24 MR. SAVOY:

25 Okay.

1 A But this one was sent to us probably to 5th.
2 Well, I'm sorry, it was sent to us a couple days
3 before to review, and then the day of, we got
4 the amended list with O'Neil's name taken out
5 after he said no, I'm not on the list. I don't
6 want my name on the list.

7 MR. SAVOY:

8 Did you see any list with his name on
9 it?

10 A Yeah, the first one. And that's why we talked
11 about it.

12 BY MR. WASHINGTON:

13 Q Okay. Let's see. Okay, yeah, so the first
14 list. Because there was no list initially, you
15 guys gave a verbal -- well, it was a list, but
16 you guys didn't --

17 A Yeah, we didn't ask to see a list.

18 Q Y'all didn't see it actually, it just was a
19 verbal approval for the disbursement prior to
20 Christmas.

21 A And then when the first list we saw had O'Neil's
22 name on it --

23 Q Right. I got it.

24 A That threw up the red flag.

25 Q Okay. That's about good, I can't think of

1 anything else. I think that's pretty much,
2 well, let me -- did you guys sit on Mr.
3 Patrone's increase?

4 A Yes.

5 Q Okay. And that's something that you guys also -
6 -

7 A Agreed upon.

8 Q -- agreed upon, okay.

9 A And that was something with his contract,
10 whenever he signed it, that was agreed upon with
11 the council then and we approved his bonus.

12 Q I knew he had to meet a certain --

13 A Yes.

14 Q -- criteria for --

15 A But it's meet this certain criteria or the
16 approval of the council.

17 Q Okay.

18 A And he was a little short of the --

19 Q The max --

20 A He was a little short of his goal but as a
21 council, we decided to give it to him.

22 Q Okay.

23 A Instead.

24 Q Okay.

25 A Well, I'm sorry, I mean all the council except

1 for O'Neil, I mean, O'Neil's being the chairman,
2 he doesn't have a vote unless it's a tie.

3 Q Is that something who -- did somebody have to
4 recommend it?

5 A I did, yes.

6 Q For the resolution, or --

7 A No, it was just in formal. We approved it, and
8 at the council meeting it was formally approved.

9 Q Okay. So you recommended to the council?

10 A Yes.

11 Q To give him an increase?

12 A To give him his full bonus.

13 Q Okay. Well, that's all, Jacob. I mean, I
14 appreciate you taking the time out and coming.
15 I know the weather is bad, so I didn't --

16 A It was okay.

17 Q And I apologize for, sorry to hear about your
18 grandma.

19 A Thank you, I appreciate it.

20 Q That's -- I didn't really, I mean, if you needed
21 more time --

22 A No. No.

23 Q You didn't have to come in here.

24 A I had to get back to work one of these days.

25 Q Yeah. So -- let's end this.

1 MR. SAVOY:

2 Sequester and --

3 BY MR. SAVOY:

4 Q Yeah, we don't want you to leave here and go out
5 and talking about what transpired here, so, just
6 -- if somebody asks you, just say, you know,
7 just tell them they can call us if they want to
8 get some information, until at least -- because
9 we've got a few more people to interview. At
10 least until we can complete this investigation.
11 And I'm sure the gaming commission and you all
12 will have a lot to talk about.

13 A Yeah. I'd like to know what brought it on.

14 Q Right. As I say, but it'll come out. Like I
15 say, it's ongoing, I wish I could tell you more.
16 But there is, how can I say, we've got some
17 problems, is all I can tell you, and you guys
18 are -- have part, what you're saying is correct
19 but there's more to the story. Is all I can
20 tell you. But -- so he did decline it, you're
21 right, refused it. But there's more to it.

22 A Okay.

23 Q And we're looking into it. You know, so, but as
24 soon as we get it all done, I mean, we'll issue
25 a verdict and see what happens, you know. But I

1 appreciate you coming in and like I said, if you
2 need to get in touch, I have a card if you want
3 to grab one, man. But whatever, you know, if
4 you have any information or remember something,
5 and want to contact us, we're here. Were going
6 to go ahead and officially in this meeting,
7 January 26, 2016 at 3:51 p.m.

8 (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 JACOB DARDEN as
conducted by Mike Washington, on the 26th 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]

<p style="text-align: center;">A</p> <p>ability 19:11 actual 5:19 address 3:12,13 affirmative 5:5 agree 12:25 agreed 12:5 15:7 15:8,10 ahead 18:6 allowed 12:5 amended 14:4 and/or 2:6,11,16 Anthony 5:3,7 anymore 13:3 apologize 16:17 appreciate 16:14 16:19 18:1 approached 10:21 approval 10:14 14:19 15:16 approve 4:18 6:3 approved 7:14 15:11 16:7,8 April 9:12,18 Article 2:6 asked 5:7 12:20 12:22,23 asks 17:6 associated 19:16 attempt 12:2 attempted 12:3 audio 18:8 19:5 August 11:20,20 authorization 10:22 authorized 4:11 aware 11:24</p> <hr/> <p style="text-align: center;">B</p> <p>back 7:5,12,17 16:24 bad 16:15 Bayou 3:8 Bend 3:14 best 19:11 bonus 4:10 5:16 8:18 10:1 11:12 11:16 12:1,14 13:4 15:11 16:12 bonuses 4:18 5:3,4</p>	<p>5:8 9:25 10:3 breakdown 5:10 briefly 5:6 brought 9:13 17:13</p> <hr/> <p style="text-align: center;">C</p> <p>call 17:7 can't 9:1,2,4 14:25 card 18:2 casino 3:9 10:3,15 11:17 13:2 CCR 19:24 certain 12:6 15:12 15:15 CERTIFICATE 19:1 Certified 2:3 19:3 certify 19:4 chairman 4:12 8:13 9:4 11:16 16:1 changes 2:11 check 13:8 checks 10:15 Christmas 11:4 14:20 Civil 2:5,7 Code 2:7 come 5:14 13:22 16:23 17:14 comfortable 8:24 coming 16:14 18:1 commission 4:9 17:11 committee 4:17 complaint 4:9 complete 17:10 concerned 19:17 CONCLUDED 18:8 conducted 19:7 confirmed 13:10 confront 12:18 Congratulations 4:6 contact 18:5 contract 15:9 conversation 8:17 9:12 12:11,13</p>	<p>conversations 9:10 correct 17:18 19:11 couldn't 8:18 council 3:7,18,21 4:1 6:24 7:1,21 7:22 9:15 10:8 11:15 13:14,18 13:22 15:11,16 15:21,25 16:8,9 counsel 19:15,16 couple 14:2 Court 2:3,13 19:3 criteria 15:14,15 currently 3:15,19 Cypress 3:8</p> <hr/> <p style="text-align: center;">D</p> <p>Darden 1:6 3:1,6 3:11,13 4:13 19:6 Darden's 4:22 dashes 2:10,14 date 3:3 7:18,19 7:23 8:4 day 7:20 13:18 14:3 19:7,19 days 14:2 16:24 December 19:19 decided 15:21 decline 17:20 declined 5:16 6:21 7:3,4 8:10 declining 7:15 defined 2:4 denoted 2:18 didn't 5:18 7:13 11:1,4,9,10 14:16,17,18 16:15,20,23 digital 19:5 disbursement 10:18 14:19 discourse 2:10 discussed 7:7 doesn't 11:16 13:2 16:2 don't 6:16,18 7:6 9:8 12:3,17,19 14:5 17:4</p>	<p>due 2:9</p> <hr/> <p style="text-align: center;">E</p> <p>Either 13:21 elected 3:18,19 11:15 email 5:15 7:19 8:1,2 13:13 employed 3:16,17 employee 11:12 13:3,3 employees 5:4,8 10:3,6 entitled 13:4 everybody 6:10 6:23 9:9 13:15 exact 7:23 explain 5:1</p> <hr/> <p style="text-align: center;">F</p> <p>far 7:9,10 favor 9:16,17,25 10:2 Federal 2:5 felt 9:9 final 6:3,20 fine 5:9 8:3 first 4:3,4,5 6:6,7 6:8 11:11 12:18 14:10,13,21 flag 6:9 14:24 foregoing 19:9 formal 5:15,24 16:7 formally 16:8 forth 19:8 Franklin 3:14 full 16:12</p> <hr/> <p style="text-align: center;">G</p> <p>gaming 4:9 17:11 generated 10:13 getting 6:21 10:3 11:14 12:1 give 15:21 16:11 16:12 giving 5:8 go 5:3 17:4 18:6 goal 15:20 goes 12:24 going 11:14 18:5 good 14:25</p>	<p>grab 18:3 grandma 16:18 group 5:14 9:13 guess 3:15 10:21 guys 5:22 6:12 7:20,25 9:10 10:6 14:15,16 15:2,5 17:17</p> <hr/> <p style="text-align: center;">H</p> <p>half 4:7 9:3,15 happens 17:25 haven't 7:7 he's 11:24 hear 16:17 heard 7:4,11 12:16 hereinbefore 19:8 hey 9:1</p> <hr/> <p style="text-align: center;">I</p> <p>I'd 17:13 I'm 4:3,23 6:11,14 12:10,10 13:7 14:2,5 15:25 17:11 I've 10:8 identity 19:14 increase 15:3 16:11 indicate 2:11,14 informal 5:2 informally 5:18 information 13:11 17:8 18:4 initially 14:14 interaction 2:9 interested 19:16 interview 3:10 17:9 interviewing 3:6 investigation 17:10 Iris 3:14 isn't 13:4 issue 10:7,15 17:24 issued 6:15,18 it'll 17:14 it's 12:9 15:15 16:2 17:15</p>
---	---	--	--	--

items 13:22	mean 6:24 8:23 15:25 16:1,13 16:20 17:24	official 3:19 5:10 7:22 9:21,24	prepared 19:9	right 8:20,22 9:7,8 9:23 11:22 13:2 13:2,5,22 14:23 17:14,21
J	meet 7:25 15:12 15:15	officially 7:25 18:6	present 3:7 8:12 8:13,14 19:12	Road 3:14
Jackie 9:17	meeting 1:6 5:2 7:21,22 8:7,11 8:12 13:18,23 16:8 18:6	Oh 12:10	Preston 3:7 10:11 13:9	Rule 2:5
Jacob 1:6 3:1,6,13 16:13 19:6	meetings 8:14	okay 3:15,19,23 3:25 4:4,8,14 5:17 6:1,5,11,17 6:25 7:9 8:12,14 8:16 9:10,20 10:4,9 11:24 12:8,9,16,24 13:7,25 14:13 14:13,25 15:5,8 15:17,22,24 16:9,13,16 17:22	pretty 13:10 15:1	rules 2:5 11:25
January 3:3 8:5,7 8:8 18:7 19:8	member 3:7,16,18 4:1	ones 4:24 12:18	prior 14:19	rumor 7:4,11,16
John 2:3 19:3,24	members 9:16	ongoing 17:15	probably 7:18 14:1	S
July 11:20	mentioned 5:6 6:19 11:11,13	outcome 19:18	problems 17:17	Savoy 3:8 10:12 10:17,20,24 11:2,8,18,21 13:12,16,24 14:7 17:1,3
June 11:20	method 2:12	P 19:24	Procedure 2:5,7	see 5:22 6:1 7:13 10:25 11:1,4 14:8,13,17,18 17:25
K	Mike 3:4 19:7	p.m 3:4 18:7	proceed 5:7	sent 5:15 14:1,2
kind 8:1 12:16	misinterpretation 12:4	packet 13:13,14 13:19	proceeding 2:7,10 2:13 19:14	Sequester 17:2
knew 8:19,22 11:25,25 15:12	mistaken 4:23 6:11,14	PAGE 2:1	process 6:19 7:15	Sergeant 3:7
know 6:16,18,19 6:23 7:6,25 8:10 8:18 9:1,2,3,7 12:6,10,12,17,19 12:23 16:15 17:6,13,23,25 18:3	money 7:10 9:2,3 monies 4:10 6:15 6:18	pages 19:9	prohibiting 9:6	set 19:8
knowledge 4:16	must've 8:6	paid 4:10 7:5,5,12	proper 2:12	settle 10:7
L	N	paper 5:20	purported 19:6,13	sheet 13:8
Lafayette 19:19	name 3:4,11,13 4:22 5:6,11,21 6:1,2,4,8,13,14 10:1,5 11:1,4 14:4,6,8,22	paperwork 4:16	Q	short 15:18,20
leave 17:4	names 2:16	part 4:22 17:18	quit 13:6	shouldn't 12:15 12:24
left 2:15	need 18:2	participants 19:14	quits 13:3	side 4:20
let's 14:13 16:25	needed 16:20	participating 3:9	R	signed 15:10
list 4:22 5:10,23 5:23 6:1,3,7,8 10:13,25 11:3,5 14:4,5,6,8,14,14 14:15,17,21	never 7:7,9	parties 19:17	raise 4:18	sir 3:20,22
lists 5:2,22,23,24	notice 11:9,10	Patrone 5:3,24	ratification 6:12	sit 15:2
little 15:18,20	noticed 5:11	Patrone's 15:3	ratified 7:20	sitting 3:9
long 3:25	O	pauses 2:11	really 16:20	situation 9:11
looking 4:16 17:23	O'Neil 4:13,21 5:16,18 7:6 9:11 11:10 16:1	pay 4:18 7:16	receive 4:12 11:16	somebody 12:4 16:3 17:6
lot 12:11,11,12 17:12	O'Neil's 5:6,11,21 6:1,4,8 9:25 10:5 11:1,4 12:14 14:4,21 16:1	people 4:12 12:12 17:9	received 4:8 7:10	soon 17:24
Louisiana 2:4,6 3:5,14 19:4,20	object 4:24	person 4:11	recommend 16:4	sorry 14:2 15:25 16:17
M	office 11:11,22	personal 19:10	recommended 16:9	spelled 2:18
man 18:3	officer 2:4	persons 4:10	record 2:8 3:12	spontaneous 2:9
manner 19:15		phonetically 2:18	recorded 1:6	started 5:13 8:11
material 2:17		phrase 2:18	recording 19:5,12	state 2:4,8 3:5,11 19:4
matter 19:17		phrases 2:15	records 7:19	statement 3:1 19:6 19:13
max 15:19		place 7:15	red 6:9 14:24	story 4:21 7:6
McGlothlin 2:3 19:3,24		police 3:5	reference 2:17	
		policy 9:6	refused 17:21	
		polls 8:2	related 19:15	
			relates 4:21	
			remember 7:18,19 7:23 18:4	
			Reporter 2:3 19:3	
			Reporter's 2:1,13	
			requests 10:14	
			resolution 5:20 6:13 16:6	
			response 5:5	
			review 13:19 14:3	

17:19 structure 11:13 stuff 8:3 12:12 13:11 supervision 19:10 supervisor 3:8 sure 17:11	tribal 3:6,16,18,21 tribe 3:17,24 trooper 3:4 true 19:10 truth 7:6 try 12:9 trying 12:10 13:7 two 5:23 type 8:3	wife 11:14 wish 17:15 words 2:14,16 work 3:24 9:3 13:2 16:24 wouldn't 7:19 wrong 9:8,8	<hr/> 6 <hr/> 6th 13:17,19,21 <hr/> 7 <hr/> 7 8:7 7th 8:6,8 13:18
<hr/> T <hr/> table 9:22 take 9:1 taken 2:8 10:1 14:4 talk 17:12 talked 7:7 12:22 14:10 talking 5:13 9:22 11:12 17:5 talkovers 2:12 TAPED 3:1 tell 13:1 17:7,15 17:17,20 term 4:3,5 thank 4:7 16:19 that's 4:15 5:9 6:9 8:3 12:7 14:10 14:25 15:1,5 16:13,20 there's 12:11 17:19,21 thereof 19:18 thing 8:20 think 4:16,17,23 9:8,19 12:3,3,7 12:16,23 13:7,9 13:9 14:25 15:1 thought 2:11 threw 6:9 14:24 tie 16:2 time 3:3 5:19 6:15 6:20 16:14,21 Toby 9:17 Today 8:5 today's 3:3 8:4 told 6:22 12:24 touch 18:2 transcribed 19:9 transcript 2:15 19:5 transcription 2:13 transpired 17:5	<hr/> U <hr/> Uh-huh 5:5 Uh-uh 8:22 ultimately 9:18 uncomfortable 8:17,23,25 understanding 7:9 19:11 understood 6:25 8:19 upset 8:21	<hr/> X <hr/> <hr/> Y <hr/> y'all 10:21 13:17 13:19,20 14:18 y'all's 13:17,19 yeah 5:9,13 8:2,9 10:6 11:25 12:21 14:10,13 14:17 16:25 17:4,13 year 4:7 9:4 you'd 3:15 you're 3:19 17:18 17:20	
	<hr/> V <hr/> verbal 10:14,22 14:15,19 verdict 17:25 verified 2:17 verify 19:13 vote 5:15,18,19 6:20 9:24 13:14 16:2 voted 4:18 5:18,20 8:9	<hr/> Z <hr/> <hr/> 0 <hr/> <hr/> 1 <hr/> 1434(B) 2:6 18 19:9 19th 19:19	
	<hr/> W <hr/> want 4:20 14:6 17:4,7 18:2,5 wanted 9:19 Washington 3:2,4 10:10 11:23 14:12 19:7 wasn't 6:21 7:13 8:19,22,22 11:6 11:13,14 12:1 12:13 way 9:9 19:17 we'll 17:24 we're 4:15 17:23 18:5 we've 9:1 17:9,16 weather 16:15 What's 8:4	<hr/> 2 <hr/> 2012007 19:24 2015 4:19 2016 3:3 18:7 19:8 19:19 2422 3:13 26 3:3 18:7 26th 8:5,5 19:7 28 2:5	
		<hr/> 3 <hr/> 3:37 3:3 3:51 18:7	
		<hr/> 4 <hr/> <hr/> 5 <hr/> 5th 13:21 14:1	