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The recorded meeting of APRIL WYATT

REPORTER'S PAGE

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1 TAPED STATEMENT OF APRIL WYATT:

2 BY MR. WASHINGTON:

3 Q My name is Trooper Mike Washington. Today's
4 date is January 22nd. Time, 8:05 a.m. I'm here
5 with Sergeant Preston Savoy, who's a supervisor
6 here at Cypress Bayou, State Police Cypress
7 Bayou. And we'll be interviewing Ms. April, is
8 it Wyatt? The vice-chairman of the Tribe of
9 Chitimacha. And you're also the --

10 A HR Director.

11 Q -- okay, the human resource director. Okay.
12 Ms. Wyatt, you're considered a witness. We
13 received a complaint about some moneys that
14 were, allegedly bonuses that were allegedly
15 given to O'Neil Darden, who's a chairman.

16 And it's a criminal investigation and we
17 have a lot of facets to the investigation. It's
18 still in the preliminary stages but we are
19 investigating it as a criminal investigation.
20 But we understand that a lot of the -- since you
21 work for the tribal council, you guys have to
22 approve some of these resolutions.

23 And so I just want you to explain your
24 position and your understanding of what
25 transpired with the O'Neil Darden bonus

1 situation. From start, I mean, where did all
2 this come from?

3 A Okay. So earlier during the year we start
4 working on the bonus plan. So the bonus plan
5 includes everybody from staff level on up to the
6 GM. We approve the plan, they disburse the
7 bonuses in, I think, November I want to say,
8 November. However, we didn't pass the
9 resolution. We had to go back and pass the
10 resolution after. When we passed the resolution
11 on January 7th, it includes a spreadsheet of
12 every single person that got the bonus and how
13 much.

14 Q Uh-huh (affirmative response).

15 A Just to verify that it's based on the plan that
16 was approved.

17 Q Uh-huh (affirmative response).

18 A It's also checked by the auditors.

19 Q Okay.

20 A When we got the resolution --

21 Q Is that McGladrey Auditors?

22 A Uh-huh (affirmative response).

23 Q Okay.

24 A When we got the resolution and the spreadsheet
25 there was O'Neil's name on it. It was sent to

1 us via email for an email poll --

2 Q Uh-huh (affirmative response).

3 A -- so it wasn't done at a council meeting like
4 we normally do because they needed it quickly
5 for the auditors.

6 Q Okay.

7 A Two people voted on it; me, myself, and another
8 councilor didn't vote on because of O'Neil's
9 name on it. We saw the name --

10 Q Who is the other council member?

11 A Ms. Jackie and Toby voted yes. But I --

12 Q What's her last name?

13 A Junca.

14 Q Junca. Okay.

15 A But I don't think she -- I don't think they
16 accurately saw who was on the spreadsheet
17 because they were approving the bonuses that
18 were approved. They didn't realize, I don't
19 think, I don't know, that his name was on it.
20 Because it was done by email poll so it wasn't
21 discussed. We weren't doing it as -- it wasn't
22 done as a group like we normally do.

23 Q Uh-huh (affirmative response).

24 A Because they needed it in a quick manner. So
25 because we didn't vote on it just kind of tabled

1 it until the next council meeting which was
2 January 7th.

3 Q And you -- wait, let me back. So you voted for
4 or against?

5 A We didn't vote.

6 Q Okay.

7 A Myself and another council --

8 Q You didn't vote at that point?

9 A That's why we tabled it because we wanted to
10 just talk about why that was happening.

11 Q Okay. So you tabled it and that means that it -
12 - what does that mean?

13 A It just means it would have to wait until we
14 meet.

15 Q Okay. I got you.

16 A So it just stopped.

17 Q As a collective group?

18 A It wasn't approved, it wasn't voted down. It
19 just was tabled.

20 Q Right. Okay. And can you give me -- who are
21 all the council members with voting powers?

22 A Myself, vice-chairman. Toby Darden, councilman.
23 Jacob Darden, councilman. And Jacqueline Junca,
24 Secretary-treasurer.

25 Q What about O'Neil?

1 A O'Neil only votes in a tie.

2 Q Okay. You can continue.

3 A So it was tabled. We discussed it, we met the
4 night before the council meeting and we talked
5 about it. And we all voiced some concerns that
6 it was not, it was against the ordinance
7 basically. And so I did, the next day, I did
8 some more research to prepare for the meeting to
9 vote. I did some more research and basically
10 confirmed that we couldn't give him the bonus.
11 Before the --

12 Q Based on what research?

13 A Ordinance, I read the ordinance. The ordinance
14 doesn't specifically -- see that was the
15 confusion because it doesn't specifically say
16 bonuses. Because, technically he earned the
17 bonus but he earned the bonus prior to being
18 chairman. And the problem with it is is you
19 can't get compensation from the casino once
20 you're sworn in.

21 Q As a public officer?

22 A Once you're sworn in.

23 Q Once you're sworn in, yeah.

24 A So it was just confusing because we've never had
25 this situation before. We've never had a tribal

1 chairman come from the casino as far as I can
2 remember. I mean, all the chairmans that we've
3 had before haven't worked here within that time
4 period.

5 Q Uh-huh (affirmative response).

6 A So I just wanted to make sure I was making the
7 right decision. So I called Guy, I just went
8 Guy, you know, am I right in what I'm thinking?
9 And he said yes, you're right. And you know,
10 and I was --

11 Q Now who is Guy?

12 A Guy's Guy Michael.

13 Q Guy Michael with Bob --

14 A Legal counsel.

15 Q Yeah, the legal counsel. Okay.

16 A I asked him if I was correct in what I was
17 thinking and he said yes, you're correct. And
18 then I asked him what do we do, what happens if
19 there's a tie? Because O'Neil can't break that
20 tie. You know, what if two vote for and two
21 vote against? Of course, that didn't happen.
22 It would have been three -- it wouldn't have
23 passed if we would have voted on.

24 Q So did you guys pass the resolution?

25 A No. Well -- hold on. But right before the

1 meeting I got an email from Jill, who is
2 O'Neil's secretary, saying that he pulled his
3 name off.

4 Q Jill, what's her last name?

5 A Louviere.

6 Q Okay.

7 A She pulled -- she emailed us all and said he
8 pulled his name off the list. He voluntarily.

9 Q What point you got an email?

10 A Right before the council meeting, around 5:30, I
11 want to say.

12 Q No, I'm saying what date or what time frame?

13 A January 7th, 5:30 p.m.

14 Q And when was the initial resolution attempted or
15 when was it --

16 A I have to look in my phone. It was an email.

17 Q You can look at it if you have it. The, the
18 initial awareness of the bonus for O'Neil when
19 was that resolution?

20 A 12/18 I got an email with the resolution.

21 Q 12/18?

22 A Uh-huh (affirmative response). And it tabled
23 until January 7th.

24 Q Okay. Okay. And so who made the, let's see,
25 who made the initial request?

1 A I don't know. We -- the request for what?

2 Q I mean, to add that to request for O'Neil to
3 receive a bonus?

4 A The first time we --

5 Q Who brought it?

6 A -- saw --

7 Q Who brought that? I'm sure somebody has to
8 bring a resolution or --

9 A Well Ms. Patty Perry drafted the resolution and
10 requested the spreadsheet from Montie, who is
11 our CFO here. Montie prepares the spreadsheet.

12 Q Okay.

13 A So whoever told --

14 Q Okay. So he was just added initially --

15 A Yeah.

16 Q -- by Montie, I guess?

17 A By whoever told him -- yeah, by Montie or
18 whoever. Because he was probably on the
19 spreadsheet before he was chairman. And they
20 just either added him back or never took him
21 off. I don't know how that -- I don't know. We
22 don't see that side of it.

23 Q That's -- it didn't work that way.

24 A Okay. Well we don't see that side of it. But
25 Ms. Patty just does the resolution and requests

1 the spreadsheet --

2 Q Okay.

3 A -- from here. And the first we saw of it was
4 when it came in the email.

5 Q Okay.

6 A And I don't think all of the counsel -- because
7 it's done by email and it's a huge spreadsheet,
8 I don't really think that they noticed his name
9 on there. They may have, I don't know. I mean,
10 because when we discussed it the night before
11 the council meeting they weren't in agreement to
12 paying him. So it wouldn't have passed even if
13 he wouldn't have pulled his name. In my
14 opinion.

15 Q Yeah.

16 A So yes, we approved the incentive plan that
17 night without his name on it. Because we had to
18 approve it because it was everybody's bonuses.

19 Q Okay. Did someone make a -- so his name got
20 removed?

21 A Yes. He voluntarily removed it, is what Jill
22 told us.

23 Q Okay. So he voluntarily removed his name?

24 A Yes.

25 Q And what did he do to facilitate that removal

1 process?

2 A I don't know. The only thing I know is what
3 Jill told us.

4 Q Yeah, I know that's a lot of people saying this
5 and that. But nobody's explaining what does
6 that process entail to remove it. I mean, so
7 that's not controlled by you guys?

8 A Well he wasn't -- see all the bonuses were
9 already paid back in November.

10 Q Uh-huh (affirmative response).

11 A So his bonus was the only one that was really in
12 question. And because it really wasn't -- we
13 didn't know it was even an issue until it came
14 through the email pole. We didn't even know it
15 was gonna be an issue, like, we all assumed you
16 don't get a bonus --

17 Q Well you didn't know that he would be -- or
18 someone would be requesting a bonus or --

19 A No.

20 Q -- he would be -- I don't know if he requested
21 or somebody recommended? You guys, I guess, you
22 guys -- Well in terms of the ordinance, let's
23 get back to that. Does O'Neil qualify or you
24 qualify, well I guess you never worked at the
25 casino, but does O'Neil qualify? What does the

1 ordinance say in terms of public officials or
2 the chairman or tribal people receiving any type
3 of bonuses from --

4 A Well it's two things. It doesn't reference
5 bonuses. It just says that any tribal --

6 Q Or revenue or --

7 A -- any elected official cannot -- elected
8 official cannot work for any entity run -- any
9 gaming, I forget the exact language, but any
10 gaming enterprise, so. And they can't work a
11 year after they're in office. So it -- you
12 can't receive compensation from the casino, you
13 can't financially benefit from the casino.

14 Q So in essence he --

15 A So my family members can't -- my husband can't
16 work here.

17 Q Right.

18 A You can't financially benefit in any way.

19 Q We're the same way. I mean, my wife can't
20 gamble anywhere in the state of Louisiana. His
21 wife can't either. And we can't either. So
22 it's similar because you got an ethics thing.

23 A And -- well we also have a ethics policy on the
24 tribe side which I referenced. That has, but
25 none of it's directly relating to bonuses.

1 Because, like I said, we've never had this
2 situation.

3 Q Uh-huh (affirmative response). Let me reference
4 some of this. So I'm trying to understand, I
5 mean, I know the resolution was eventually
6 tabled. And it was tabled -- was there an
7 objection to table it by whom, you, is what
8 you're saying? And someone else?

9 A We -- no. Whenever, okay, so we got the email,
10 we saw that two tribal council members
11 responded. Me and Jacob, who is another council
12 member discussed it.

13 Q Jacob Darden?

14 A Yes. And we both were not in favor of it but we
15 wanted to talk as a group on why that was --

16 Q So you were not in favor of it and Jacob was not
17 in favor of it.

18 A Right, on the 18th.

19 Q On the 18th, December 18th?

20 A Uh-huh (affirmative response).

21 Q 2015? So you guys requested it to be --

22 A Yes, tabled.

23 Q -- tabled? Okay. So that you can -- did you
24 guys do anything, contact any of the chairman,
25 any of the council members to discuss anything?

1 A Well when we got back together, it was the
2 holidays so we didn't get back together until
3 after the 1st.

4 Q Okay.

5 A And that's when we discussed it. And that's
6 when it was brought up that his name was on the
7 list.

8 Q Okay.

9 A That I didn't it was -- I thought it was a
10 violation.

11 Q Okay.

12 A And everybody agreed.

13 Q Okay. And that should have been the -- and to
14 me, I'm looking at the context in which you're
15 telling me O'Neil eventually reneged or said he
16 did not -- or refused the bonus or whatever or
17 did not want it. It looks like it's in context
18 of after you guys discovered that it was not
19 appropriate for him to receive the bonus?

20 A I don't even think he thought to look at the
21 ordinance. I don't think, because he's never
22 been, this is his first time being in an office,
23 maybe, and because he's never worked -- it's
24 been so longed since he's worked on the
25 government side, maybe, he's been here so long I

1 don't think he thought --

2 Q Okay. But you didn't -- But at that time, I
3 understand that, but at that time you did, did
4 you guys notify O'Neil in any way or did someone
5 -- I'm sure he had to -- somebody --

6 A Yes. Yes.

7 Q What did you tell him?

8 A Well I didn't talk to him because Jacob had
9 already called him.

10 Q Okay.

11 A And Jacob called him and said look I don't think
12 that's right. Well, you know, but I don't think
13 he specifically referenced the ordinance. I'm
14 the one that brought up the ordinance and the
15 code of ethics.

16 Q Uh-huh (affirmative response).

17 A Jacob just said --

18 Q And what did O'Neil say?

19 A That the reason -- that he was fine with
20 whatever we decided. That the reason he was
21 even entertaining accepting it was because he
22 did, he felt like he earned that portion.
23 Because it was a prorated portion --

24 Q Uh-huh (affirmative response).

25 A -- based on the amount of time he was here. He

1 felt like he earned it.

2 Q It couldn't be anything else. I mean, if he
3 only worked a, you know --

4 A Right. Right, right, right.

5 Q Right.

6 A No, but that was -- he said it was fine with
7 whatever we said, we decided. But that he, you
8 know, he understood but that he felt like, you
9 know, he did earn that. And we all agreed that
10 he did earn it. That's not the issue, the issue
11 is --

12 Q Right.

13 A --- he was already sworn in.

14 Q Well he's a public official.

15 A The issue is he was already sworn in.

16 Q Yeah, he earned it, right. He's not a current
17 employee, I mean, --

18 A Right.

19 Q The rules change once you because a chairman --

20 A Right.

21 Q -- or public official and for us too. I mean,
22 we can't just do what we want to do and accept
23 payments and different things. So, okay. So
24 you guys made O'Neil -- so what did O'Neil say?
25 Did he somehow --

1 A He tabled it because like I said we didn't back
2 together until after the 1st of the year. So
3 that the end of the discussion until January
4 6th. January 6th we talked about --

5 Q And what --

6 A -- it as a group.

7 Q Okay. And what did you guys talk about as a
8 group?

9 A That we all decide -- we talked about his name
10 was on the list.

11 Q Uh-huh (affirmative response).

12 A And how we didn't feel like it was ethical to
13 pay the bonus. And everybody agreed.

14 Q How much was the bonus?

15 A It was like fifty-seven hundred dollars.

16 Q Okay.

17 A It's not a huge -- not worth all this. So
18 anyway --

19 Q Well he should have figured that. I mean, that
20 should have been in his mind set. I mean, if
21 that's, you know. Okay. So you -- and what
22 happened during --

23 A So we discussed it and, you know, they don't,
24 you know, was like the issue of well we got to
25 vote on it. Do we pull -- because that was my

1 question. Do we pull it off before the meeting
2 or do we pull it off during the meeting?
3 Because we had to do it publicly, you know,
4 unless we go into executive session.

5 So that's the -- that and the next morning
6 is when I called Guy and just was asking him,
7 you know, am I right in what I'm saying?
8 Because I'm not an attorney. I needed to know.
9 I wanted to make sure I was correct in what I
10 was saying. And he confirmed it. And then I
11 said well okay. So worse case scenario when it
12 was that time --

13 Q When you did all that?

14 A The 7th, the morning of the 7th.

15 Q Okay --

16 A When we met it was late on the 6th.

17 Q Okay.

18 A So I called him on the 7th, in the morning, with
19 Ms. Patty. She was with me. And, you know,
20 just to confirm that I was right because I
21 wanted to make sure. And then to see what would
22 happen, worse case scenario, if there was a tie.

23 Q Uh-huh (affirmative response).

24 A Because, I mean, O'Neil can't vote on his own
25 bonus obviously. So we were all set to vote, I

1 mean, I knew it wasn't going to pass because I
2 knew what Ms. Jackie was gonna do. I knew what
3 Jacob was gonna do and I knew what I was gonna
4 do. I wasn't sure what Toby was gonna do. So I
5 knew it wasn't gonna pass because it would be
6 three, it would be three at least --

7 Q So you guys voted or --

8 A No. We didn't. We never --

9 Q And then --

10 A Before the council meeting I got the email from
11 Jill saying he pulled his name off the list. So
12 when we voted on it, at the council meeting, his
13 name wasn't on the list so we approved it.

14 Q Uh-huh (affirmative response). I don't know if
15 we can, I don't know if there -- do you have any
16 -- I don't know if we -- can send those
17 documents. Is there any way you can provide us
18 with some of the emails and correspondence to
19 confirm?

20 A Bob said it has to be subpoenaed.

21 MR. SAVOY:

22 Yeah, we probably have to subpoena
23 that.

24 BY MR. WASHINGTON:

25 Q Okay. We got to subpoena. Okay.

1 A Yeah. I mean, that's just what he told us. I
2 don't know.

3 Q Okay.

4 A Yeah. I have all my stuff. I didn't delete
5 anything.

6 Q Okay. Was that -- and you guys -- well we kind
7 of side tracked a little bit. But what do you
8 guys do? I'm trying to understand how this
9 council actually works. I know you guys, like,
10 let's say the casino presents or say they want
11 to do certain projects --

12 A Uh-huh (affirmative response).

13 Q -- is that something, say they want to do
14 renovations or whatever, or they want to decide
15 to give people bonuses or -- it has to be
16 drafted into the form of a resolution and
17 presented to you guys?

18 A Uh-huh (affirmative response).

19 Q Is it presented -- how is it? Is it -- can
20 anybody do that or is that done through Bob and
21 Guy or does --

22 A No. It's done through Jill, who's our
23 secretary.

24 Q Uh-huh (affirmative response).

25 A But there's a lot of work that goes before the

1 resolution comes. Like, if you want to do a
2 renovation or if you want to do bonuses, there's
3 meetings that take place well before the
4 resolution's even drafted. Because we have to
5 come to some kind of agreement on what that's
6 gonna be.

7 Q Meetings with whom?

8 A With, in this case, it would management. It
9 would be the GM --

10 Q The general manager?

11 A Yes.

12 Q And who else?

13 A For bonuses it was just the general manager.
14 For the renovation it's Jack, Tara, it's the
15 executive team which is Jack, Tara and Anthony,
16 usually.

17 Q Okay.

18 A And then we have our development director, which
19 is --

20 Q And what happens? Say they want to do ten
21 million dollars in renovations? How does it get
22 approved by you guys?

23 A Well we meet as a group and we talk about it.
24 And then we see, we try to determine what our
25 needs are and if we agree. And then if we can

1 afford it. And then if there -- if it's a
2 renovation you have to go and get the documents
3 and once you get the documents in place, the
4 loan in place, the money in place, whatever,
5 then it comes to council for formal approval.

6 Q Uh-huh (affirmative response).

7 A So sometimes there's a lot of steps that happen
8 before the formal approval, in our case.

9 Q Now what about the bonuses?

10 A Same thing. There was a lot of meetings. It
11 took us almost the whole budget year to get to
12 the budget plan. Because it's kind of a wait
13 and see throughout the year to see how the
14 casino's gonna even do.

15 Q Uh-huh (affirmative response).

16 A So we didn't actually make that decision until
17 late October, early November on what the bonus
18 plan looked like.

19 Q And you guys, you don't have any input?

20 A No, we do. We say yes or no.

21 Q Yeah. I understand that. But in terms of
22 drafting or making decisions on the amounts? I
23 understand you guys approve it, but who
24 compiles? Do you guys participate in --

25 A Anthony --

1 Q -- compiling the list?

2 A Anthony came with a proposal and we sent him
3 back, a couple of times, but whenever we had a
4 different chairman, because the staff level, we
5 didn't feel the staff level got enough.

6 Q Uh-huh (affirmative response).

7 A So that was a little back and forth on that.
8 Anthony would come up with a proposal. Mr.
9 John, Paul who was our chairman at the time,
10 would send it back and say look we want some
11 more at the staff level. Or this person --
12 there was a lot of back and forth. He would
13 propose it, we would go back and forth on it.

14 Q Okay.

15 A The final plan wasn't approved until late
16 October, early November.

17 Q And so there is no -- so I would assume there is
18 no criteria or limitations imposed in any of
19 your laws or policies governing what happens
20 with casino projects or how revenue is spent?
21 You guys, so they can -- what I'm saying, if the
22 general manager decides well I want to give
23 myself a million dollar bonus --

24 A We have a budget that we approve.

25 Q Uh-huh (affirmative response).

1 A And anything that's outside that budget has to
2 come to council for approval. They can't just
3 decide one day that they want to spend a million
4 dollars on a roof or ten thousand on a desk.
5 They have -- if it's not in the budget already
6 approved or if it's not in the capital
7 expenditure list that's already approved, then
8 they have to come back to us.

9 Q Okay. When it's approved --

10 A And we monitor that monthly.

11 Q Okay. When it's approved, what about
12 modifications? Because from what I'm
13 understanding you guys approved the bonuses.

14 A We do.

15 Q But it was modified seven or eight times after
16 the approval. Did you guys receive it seven or
17 eight times?

18 A I'm not aware of any modifications.

19 Q Okay. Well I'm just letting you know.

20 A Okay.

21 Q Some stuff was -- that you guys approved it but
22 they modified it, from my understanding, at
23 least seven or eight times.

24 A Okay. See, I'm not aware.

25 Q So you -- okay. So I guess you're implying

1 there is no accountability?

2 A No. We have auditors that are in place. We
3 have two -- a CFO that monitors it. We have a -
4 -

5 Q Well is that Patty Perry?

6 A -- CFO that's supposed to monitor it. The two
7 CFOs meet at least monthly to go over the
8 financial statements to verify and then we have
9 the auditors behind them that's supposed to be
10 checking it.

11 Q What CFO? You're talking about Montie?

12 A Montie and Patty meet along with our finance
13 director Nikina. They meet --

14 Q They meet --

15 A -- on a monthly basis to go over everything.
16 And then if there's an issue they're supposed to
17 bring it to the council.

18 Q Okay. And you're confident that those people
19 meet? Those people meet?

20 A I'm confident that they meet, but I'm not sure
21 they're aware of modifications. I mean, I don't
22 know how that would be missed.

23 Q But I know -- so, okay. You're saying the CFO
24 of the casino, the tribal CFO, Ms. Patty, the
25 general manager and who?

1 A No. It's just Montie, the CFO here, Patty
2 Perry, the CFO with us, and Nikina Davis, our
3 finance director. Those three people meet.

4 Q Okay.

5 A And then we meet with the casino every other
6 week.

7 Q I don't know if -- I never heard of Nikina
8 Davis. I never heard of that name.

9 A She's our finance director.

10 Q Okay. And they meet and determine what?

11 A They meet and review the financial statements to
12 see if there's anything that's out of whack.

13 Q Okay. Okay. And so did you guys approve the
14 resolution to increase Mr. Patrone's, Anthony
15 Patrone's bonus?

16 A That resolution was passed. That resolution was
17 passed on the 18th.

18 Q Who was it proposed by?

19 A Anthony made -- he came to the council with a
20 case for why he thought he should get the full
21 bonus. It's not an additional, it was just the
22 top tier of his bonus structure. It wasn't an
23 additional, it was just the top, the max he
24 could get which was hundred percent.

25 Q Well I thought the max was seventy five, based

1 on performance indicators and -- I mean, I'm
2 sure he --

3 A I --

4 Q From my understanding, I don't know, I thought
5 he qualified or maybe it was -- maybe I'm wrong.
6 But I remember seeing something about seventy-
7 five percent is what he was initially eligible
8 for.

9 A I could be wrong. I could be misstating that.
10 But it was proposed by him. He made a case that
11 he thought, you know, because of the healthcare
12 and because of different issues, that he should
13 get the max bonus what he could get. And it was
14 approved; we approved it.

15 Q And the resolution?

16 A Uh-huh (affirmative response).

17 Q Okay.

18 A The same, it was on the 18th. That was the one
19 the auditors really needed.

20 Q So, Okay. So he can bring his own resolutions
21 in to you guys?

22 A He didn't write the resolution; Patty Perry did.
23 He just proposed it.

24 Q Patty Perry wrote it for him?

25 A (non-verbal response)

1 Q Okay. Okay.

2 A All she did was edit it based on what she was
3 asked to do.

4 Q So Patty got -- can unilaterally do what she
5 wants to do, in terms of approving this stuff?

6 A No. She just gets told what to put in a
7 resolution. And then we approve it.

8 Q Gets told by who?

9 A The council.

10 Q Okay. So you guys told her to do it?

11 A Yes.

12 Q Okay. So you guys approved this?

13 A Approved it.

14 Q Okay. I got you. Okay. So after you guys
15 approve it, it goes to finance?

16 A Uh-huh (affirmative response).

17 Q To implement it?

18 A Uh-huh (affirmative response). And then it
19 comes back to council for formal approval.

20 Q So y'all didn't feel any objection to it?

21 A Uh-uh (negative response).

22 Q Why not?

23 A There were several factors this year that were
24 out of our control that we felt, I mean, there
25 was just, there was a lot of reasons. We felt

1 like the number wasn't directly affected by his
2 management. It was -- healthcare cost went from
3 --

4 Q No, I --

5 A -- two million to three point eight million. I
6 mean, that's kind of out of our control. So if
7 you take those factors out, we would have made
8 our max number. The Affordable Care Act has
9 killed us. We literally went from two point one
10 --

11 Q I don't know if that's true. It could be our
12 reaction to it because it's so much negativity
13 also that we give anything a chance. So I --
14 you might be right.

15 A No, we're giving it a chance. We're paying
16 seventy-five percent of the healthcare cost at
17 the casino, which is awesome. That's great.
18 I'm just saying financially it's been a burden.
19 It's been a blessing for people to have awesome
20 -- great healthcare. That's no doubt. I mean,
21 we pay seventy-five percent of people's
22 premiums. That is unheard of. I mean, that's
23 above and beyond what people get everywhere
24 else.

25 I mean, we have -- I know of people that

1 only get fifty percent of their premiums paid by
2 their employer. But it's a financial burden, no
3 doubt. It's also a reporting nightmare. But
4 we're working through it.

5 Q Yeah, but I mean that's all a part of -- I mean,
6 I understand. I mean, you use that as a, I
7 guess, a justification to get someone a pay
8 raise but I don't see how that's improving the
9 situation either.

10 So, I mean, I understand, yeah, you probably
11 would have made it but we can't -- that's all a
12 part of where you got smart people in place to
13 offset some of that stuff. And to try to figure
14 out ways to, you know, to save money. I mean,
15 but you can't use that as an excuse to say, but,
16 you know, whether he deserves it or not deserve
17 it.

18 I mean, okay, so you guys voted on it. You
19 voted to give him a pay raise. It was sent to
20 Patty and was that O'Neil resolution a part of
21 that? That came -- was that presented at the
22 same time?

23 A Yeah. It was in the same meeting, yes, sir.

24 Q Okay. That's what I thought it was at.

25 A One was approved, one wasn't.

1 Q Okay.

2 A Yeah, you're correct.

3 Q All right. Well let me check my list to see if
4 there's anything else. I was -- I noticed you
5 guys -- so I guess the way it's set up, I guess
6 Bob and Guy, they are the legal consultants for
7 you guys.

8 A Uh-huh (affirmative response).

9 Q Okay. So any issues, financial issues, or
10 anything, I mean, how do they fit in to all of
11 this?

12 A They don't really consult on financial issues.
13 They -- legal issues like what I called them
14 about. I mean, those kind of things.

15 Q Oh, okay. So you just if you have any concerns
16 or anything they are there address --

17 A Uh-huh (affirmative response).

18 Q -- to give you advice --

19 A Right.

20 Q -- is what you're saying? And counsel?

21 A Not on a personal level, but yes, as a tribe.

22 Q Okay, Ms. April.

23 MR. WASHINGTON:

24 Preston, you got anything you want to
25 ask?

1 MR. SAVOY:

2 If I understand correctly, all the
3 bonuses were paid December before the
4 resolution was formally signed.

5 A Yes. Uh-huh (affirmative response).

6 MR. SAVOY:

7 And that list --

8 A Didn't include O'Neil.

9 MR. SAVOY:

10 Did not include O'Neil?

11 A Did not include O'Neil.

12 MR. SAVOY:

13 So the bonuses were paid and the list
14 without O'Neil's name was approved?

15 A Yes.

16 MR. SAVOY:

17 There was no list with his name
18 approved?

19 A Correct.

20 BY MR. WASHINGTON:

21 Q Okay.

22 A It was done the wrong way. We did it -- we
23 should have approved the bonuses via resolution
24 prior to giving the money out. But we didn't.
25 We did it the backwards way. The resolution

1 covered that, it was actually, it was approved
2 what was done already.

3 Q Uh-huh (affirmative response).

4 A That's how it read. But we never, it never
5 dawned on me that we would have this issue.
6 That there would be --

7 Q So you guys just approved the money --

8 A Uh-huh (affirmative response).

9 Q -- is what you're saying?

10 A Yes.

11 Q And then the casino --

12 A We approved the plan, which the plan was just
13 telling us, like, okay, managers get this,
14 specialists get this --

15 Q Okay. I see it clear.

16 A That, we approved that.

17 Q No the individual distribution --

18 A Yes.

19 Q -- per employee?

20 A We had to improve the whole list with the --

21 Q Why did y'all do it that way?

22 A I don't know, we just shouldn't have. Next time
23 we will not. Made for a lot of confusion.

24 Q Okay. How was it done in the past?

25 A Oh, it's been done like that in the past. But

1 it doesn't make it right, it just makes it
2 confusing.

3 Q Okay.

4 A I don't know if it's been done like that every
5 time in the past.

6 Q So as far as you know O'Neil -- proposal was
7 made overtime give O'Neil a bonus, O'Neil
8 Darden, it was basically refused or denied by
9 the council and therefore that was the end of
10 it.

11 A Yes. But it was, I guess, it was refused as a
12 group but not formally until -- because it never
13 came at a formal meeting.

14 Q Uh-huh (affirmative response).

15 A Well I don't know. It was kind of formal. It
16 was all five of us in a meeting where we said we
17 didn't think it should be paid, but that was the
18 night before. But, like, we never formally
19 voted to say, at a council meeting, no. Because
20 it never came to that. He reneged before the
21 council meeting.

22 Q All right. So you don't know if you would have
23 voted for or against?

24 A No. I know what I would have voted for. I
25 talked to Guy about it.

1 Q Well you, but I'm saying you don't know if the
2 committee would have approved it? The council
3 or not --

4 A Based on the --

5 Q -- as a group?

6 A -- conversation we had the night before I don't
7 think it would have passed at all. I know for
8 sure three of us would have voted no. I just
9 don't know what Toby -- because I don't -- I
10 didn't get to talk to Toby. But I don't --

11 Q So basically -- so from that point on it was
12 retracted and so, is that it? Was that it? I
13 mean, you had never heard anything else since or
14 --

15 A Uh-huh (affirmative response).

16 Q -- did anything transpire?

17 A That's all that's --

18 Q That you know of?

19 A I thought it was done. I thought it was over.
20 I thought it was --

21 Q Yeah. Because O'Neil was made aware.

22 A Uh-huh (affirmative response).

23 Q Did you guys make him aware that -- well he said
24 -- well I guess he sent the -- who sent the
25 retraction letter?

1 A Jill did. Jill sent an email out right before
2 the council meeting saying that he pulled his
3 name off the list. And he did.

4 Q Right.

5 A And so his name wasn't on the list so when we
6 went to council we approved it. His name -- we
7 approved the list without his name on it.

8 Q Okay.

9 MR. SAVOY:

10 And you have that email too, though,
11 right?

12 A Yes.

13 BY MR. WASHINGTON:

14 Q And we're gonna have to get those emails. We'll
15 just have to do a subpoena to get them.

16 MR. SAVOY:

17 Yeah, we'll have to subpoena them,
18 yeah.

19 BY MR. WASHINGTON:

20 Q And we gonna need to get it. So don't delete
21 any of that information, ma'am. And we gonna
22 have to get subpoenas for those emails and
23 correspondence. Do you save all your emails,
24 typically?

25 A The council stuff, yes.

1 Q Okay. You're probably required to do that, huh?

2 A Nope.

3 Q Okay.

4 A Well maybe something we need to require, but no.
5 That's not a requirement.

6 MR. SAVOY:

7 All the minutes and all that was saved
8 for the council meeting?

9 A That was saved.

10 BY MR. WASHINGTON:

11 Q We're probably request -- well some stuff is not
12 in minutes, is what she's saying.

13 A Right. Well no, because, well the meeting
14 before that was an informal council meeting. It
15 wasn't a formal one, so there's no minutes.

16 Q The meeting before the meeting?

17 A The meeting before the meeting.

18 Q Right.

19 MR. SAVOY:

20 Did the council discuss, councilmen
21 have a discussion about O'Neil's potential
22 bonus?

23 A Bonus. The night before.

24 MR. SAVOY:

25 On the night before. Then whenever the

1 formal meeting that was recorded his name
2 was not submitted on that --

3 A Right.

4 MR. SAVOY:

5 -- proposal list?

6 A So it didn't even come up in the meeting.

7 BY MR. WASHINGTON:

8 Q And then someone recommended, that's what -- I
9 mean, I understand. I mean, I know how stuff
10 works. Everybody know everybody, some people
11 related to each other and all. I mean, did
12 someone, you think, call Jill, I mean, and tell
13 her well he needs to, you know, somebody needs
14 to get in touch with O'Neil to have that name
15 removed? Did any of that --

16 A I don't know. What -- I'm assuming that came
17 from O'Neil to send the email. I'm assuming.

18 Q Okay.

19 A She doesn't normally send, I mean, she mainly
20 works for him, but she also assists council, so.

21 Q Is that Jill Louviere?

22 A Yes, sir.

23 MR. SAVOY:

24 Now did Toby have a discussion with
25 O'Neil about the ordinance?

1 A Not that I'm aware of other than the meetings we
2 had together.

3 BY MR. WASHINGTON:

4 Q Okay. So let me make a few notes, ma'am, here.
5 So Jill Louviere. And she's the financial?

6 A No. She is the executive assistant of the
7 tribal chairman and council.

8 Q She's the executive assistant to O'Neil?

9 A Uh-huh (affirmative response). And council but
10 mainly O'Neil. She works in his office.

11 Q Okay. O'Neil and tribal council?

12 A Uh-huh (affirmative response). She does all of
13 our, she gets our council packets together. So
14 she was aware of his name being on the list.

15 Q Okay.

16 A From the 18th on. She sees everything is my
17 point.

18 Q Okay. Okay. Jill -- And Toby also, you're
19 certain, disapproved of O'Neil receiving a
20 bonus?

21 A I'm not certain because we never voted
22 officially.

23 Q But didn't you mention that earlier?

24 A No. I'm certain on Jackie, Jacob and me.

25 Q Okay.

1 A I'm not certain on Toby because I never got to
2 talk to him.

3 Q Okay. So Jackie --

4 A But that's why I knew it wouldn't pass.

5 Q Junca?

6 A Yes, sir. Jacob Darden.

7 Q Okay.

8 A And me. So I knew it wouldn't pass even if it
9 came. But it never came to that.

10 Q But those -- so Jackie, Jacob and you --

11 A Uh-huh (affirmative response).

12 Q -- dissented?

13 A Yes.

14 Q Okay. All right. And Patty Perry, well now
15 she's the tribal CFO; right?

16 A Uh-huh (affirmative response). Yes.

17 Q Okay. Okay. So she basically receives
18 information from the council?

19 A Uh-huh (affirmative response).

20 Q Okay. In terms of -- she has nothing to do with
21 the approval and all that --

22 A Uh-uh (negative response).

23 Q -- stuff? I got you. She just kind of help
24 facilitate the --

25 A Paperwork

1 Q -- paperwork. I got you.

2 A And then tells us if we can spend money.

3 MR. SAVOY:

4 Does she offer any opinions or
5 suggestions or anything in just
6 conversation?

7 A She'll suggest stuff if it's compliance-related
8 or related to any financial rules. But she
9 doesn't offer her opinion, wasn't or not.

10 BY MR. WASHINGTON:

11 Q But -- well I'm under the impression, I mean,
12 correct me if I'm wrong, that she hadn't been to
13 a meeting in months?

14 A She would not --

15 Q And she's not invited to any of the meetings?

16 A She is. She's -- only council meeting -- only
17 meeting she's not invited to are the ones here.
18 Because it's basically renovation updates. It's
19 not financial, it's just renovation. It's just
20 logistics. It's the only meeting she's not --

21 Q You don't think she should be here?

22 A If I asked her about the -- huh?

23 Q You don't think she should be here?

24 A She doesn't have to be, no. She's in every
25 other meeting at the office.

1 Q She should be in all the meetings.

2 A If you ask -- I had that conversation with her a
3 couple weeks ago. I said -- because someone
4 else had asked me why she wasn't invited to
5 meetings anymore. I said, Ms. Patty, are you
6 not invited? What meetings are you not invited
7 to? She goes, I'm invited to everything.

8 Q I don't know who told me, but --

9 A I keep hearing that --

10 Q -- I mean, somebody --

11 A But it's like --

12 Q Yeah, and it was brought to my attention that
13 she used to be invited but for reason the last
14 six, seven, eight months she hadn't been to a
15 meeting or to the meetings that she would
16 normally attend.

17 A She's involved in all our enterprise meetings
18 because she is kind of like our -- she receives
19 all the financials for the enterprises, all of
20 them. And she monitors them. So she's involved
21 in all those meetings. And she --

22 Q In terms of making decisions?

23 A No. She's just monitoring them to see if
24 there's any deviations or changes that weren't
25 approved. She, like, would --

1 Q Okay. So --

2 A -- on a monthly basis she gets ones from -- from
3 the casino, from the Raintree Market, from
4 Trading Post. She also assists with their books
5 if they need help, you know, at the Trading
6 Post. So she's very involved.

7 Q Uh-huh (affirmative response).

8 A To the point where she probably gets
9 overwhelmed.

10 Q Okay.

11 A But yeah, I have heard that she wasn't invited
12 but that's not -- just the ones over here.

13 Q Has anybody ever offered you guys any moneys or
14 bonuses or anything?

15 A No. We don't get any bonuses.

16 Q Or gratuities or anything of that sort?

17 A Nope.

18 Q Okay.

19 A I don't think I've ever received a bonus in my
20 entire life because I've always worked for a
21 government.

22 Q So you never worked in the private sector or
23 anywhere other than the tribe or --

24 A When I first graduated college I worked in a
25 private sector in Lafayette, but it wasn't a

1 bonus situation.

2 Q Okay. Well we'll -- if you -- do you have
3 anything else to share before we -- Preston,
4 have you got anything to think -- I can't think
5 of anything. I got a few more people I got to
6 interview.

7 But is there anything else? Because, I
8 mean, we got -- I'm gonna talk to a bunch of
9 more people on your side, on the council side
10 and also casino. So is there anybody else or
11 anything you want to tell me while, I mean, this
12 is the opportunity.

13 A I can't add -- there's nothing else, that's it.

14 Q Okay. So I don't know if anybody's gonna tell
15 me anything that may conflict with what you told
16 me. But if that's the case we may have to call
17 you back.

18 A Okay.

19 Q But hopefully not. But we will like to subpoena
20 those emails and probably minutes and
21 information because --

22 MR. SAVOY:

23 Anthony Patrone's contract, are y'all
24 familiar with what his max bonus is?

25 A I don't have it memorized but I can pull it up,

1 I think.

2 MR. SAVOY:

3 Was that reviewed prior, when he made
4 his proposal for the justification to
5 receive a hundred percent, when he made that
6 proposal, I'm assuming that y'all reviewed?

7 A Yes, but we're well within our rights to pay him
8 whatever we want; right?

9 MR. SAVOY:

10 Yeah. That's what I'm -- with the way
11 his contract, what his maximum bonus is?

12 A Yeah, I don't remember. Like I said, I might --
13 we are kind of disagreeing on what that is so I
14 can pull it up. Because, like I said, I don't
15 have it memorized.

16 BY MR. WASHINGTON:

17 Q I mean, I got a lot of this paperwork so just
18 bear with me. I'm trying to sort through all
19 this.

20 A Exactly.

21 Q I haven't gotten a chance to look so I think I
22 may have -- so if you can --

23 A I read so much stuff during the day.

24 Q Yeah, if you could help us out with some of this
25 stuff eventually I'll get to a lot of it, the

1 contracts and --

2 A Yeah, I mean, I haven't read that since, let me
3 see if I can --

4 MR. SAVOY:

5 I guess my question is, I realize that
6 y'all can approve -- y'all have the
7 authority to approve whatever the
8 contractual bonus is if that's a hundred
9 percent, a hundred fifty percent. But if
10 his employment or his bonus contract was
11 reviewed saying this is the max he can be
12 approved.

13 Now generally, based on his performance
14 standards at the casino, or whatever
15 financial outcome is at the end of the
16 fiscal year, if his contractual bonus
17 maximum is seventy-five or a hundred
18 percent. And what was proposed? If it was
19 proposed fifty percent and based on his
20 analogy he is qualified for the max and if
21 the max is seventy-five or a hundred or one-
22 twenty, whatever that is. You know, or just
23 he said I want the maximum and you'd say yes
24 we approved the max, whatever the max is.

25 A Well what -- and this --

1 MR. SAVOY:

2 If the council is fully aware what the
3 max is.

4 A In this case what happened was, it was seventy-
5 five percent with the max. What we did was a
6 contract amendment, via resolution to make it a
7 hundred percent.

8 MR. SAVOY:

9 Okay.

10 A So that's what happened.

11 MR. SAVOY:

12 That's what happened.

13 A But when y'all subpoena that you'll see it.

14 BY MR. WASHINGTON:

15 Q Yeah, I thought I remember seeing seventy-five
16 percent.

17 A Yeah. And I remembered a hundred, so, yeah.

18 MR. SAVOY:

19 It was initially seventy-five --

20 A Uh-huh (affirmative response).

21 MR. SAVOY:

22 -- then the resolution raised it to a
23 hundred percent.

24 BY MR. WASHINGTON:

25 Q Based on what?

1 A Based on council approval on what we decide.

2 Q I understand that, but what -- just -- Okay. So
3 I mean it, so if you're the general manager I
4 guess you're God. You can just say give me ten
5 million.

6 A No. Because we could have said no.

7 Q And you guys will --

8 A We just felt to say yes.

9 Q I'm just saying, what standard? I understand
10 you said -- you didn't tell me anything about
11 profits but you spoke about deficits and --

12 A I don't have -- I'd have to have a big old
13 spreadsheet to explain that.

14 Q Okay.

15 A I mean, it was several factors --

16 Q Okay.

17 A -- that went into it. And I'm not prepared to
18 answer that right now.

19 Q Oh, okay.

20 A I mean, it was --

21 Q Okay.

22 A -- healthcare was just the one I can remember.

23 Q Okay.

24 A It was just several different things.

25 Q Okay. That's no problem. But -- it's not

1 problem. Well I -- if you don't have anything
2 else then that's it. We'll just get that
3 information. We'll do the subpoena.

4 A Okay.

5 MR. SAVOY:

6 And due to confidentiality of the --

7 BY MR. WASHINGTON:

8 Q Yeah. This is a criminal investigation so we're
9 gonna ask that you not or demand that you not go
10 out and tell anybody about the nature of this
11 conversation. It is a criminal investigation.
12 We don't work for Bob or Guy either. We don't
13 work for the commission. We work for Louisiana
14 State Police.

15 A Right.

16 Q So this is privy information. And, I mean,
17 whatever you got work-related, I'm not trying to
18 interfere with whatever you guys -- you know,
19 whatever. But I'm just letting you know it is a
20 criminal investigation. We don't want you
21 talking to other council members and telling
22 them, you know, about what we talked about here
23 because, I mean, we -- not that you guys are
24 involved in some conspiracy. That's not what
25 we're implying but it's just that we still got

1 other people to interview.

2 A Yeah, that's fine.

3 Q And --

4 A I don't -- I'm not, definitely not -- proud of
5 it, so --

6 Q But we appreciate you taking the time out and
7 talking to us. I know you got stuff to do
8 probably more important. And so right now I'm
9 gonna end this interview at 8:49 a.m.

10 (AUDIO CONCLUDED)

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CERTIFICATE

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I, [REDACTED], Certified Court Reporter in and for the State of Louisiana, do hereby certify the transcript of the digital audio recording purported to be the statement APRIL WYATT as conducted by Mr. Mike Washington, on the 22nd day of January, 2016, as hereinbefore set forth in the foregoing 51 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]

A		B		C	
a.m 3:4 51:9	anybody's 45:14	back 4:9 6:3 10:20	15:6 16:14	call 39:12 45:16	Chitimacha 3:9
ability 52:11	anymore 43:5	12:9,23 15:1,2	43:12	called 8:7 16:9,11	Civil 2:5,7
accept 17:22	anyway 18:18	18:1 24:3,7,10	budget 23:11,12	19:6,18 32:13	clear 34:15
accepting 16:21	appreciate 51:6	24:12,13 25:8	24:24 25:1,5	capital 25:6	code 2:7 16:15
accountability	appropriate 15:19	29:19 45:17	bunch 45:8	Care 30:8	collective 6:17
26:1	approval 23:5,8	backwards 33:25	burden 30:18 31:2	case 19:11,22 22:8	college 44:24
accurately 5:16	25:2,16 29:19	based 4:15 7:12		23:8 27:20	come 4:2 8:1 22:5
Act 30:8	41:21 49:1	16:25 27:25		28:10 45:16	24:8 25:2,8 39:6
add 10:2 45:13	approve 3:22 4:6	29:2 36:4 47:13		48:4	comes 22:1 23:5
added 10:14,20	11:18 23:23	47:19 48:25		casino 7:19 8:1	29:19
additional 27:21	24:24 27:13	49:1		12:25 13:12,13	commission 50:13
27:23	29:7,15 47:6,7	basically 7:7,9		21:10 24:20	committee 36:2
address 32:16	approved 4:16	35:8 36:11		26:24 27:5	compensation
advice 32:18	5:18 6:18 11:16	41:17 42:18		30:17 34:11	7:19 13:12
affirmative 4:14	20:13 22:22	basis 26:15 44:2		44:3 45:10	compiles 23:24
4:17,22 5:2,23	24:15 25:6,7,9	Bayou 3:6,7		47:14	compiling 24:1
8:5 9:22 12:10	25:11,13,21	bear 46:18		casino's 23:14	complaint 3:13
14:3,20 16:16	28:14,14 29:12	benefit 13:13,18		CCR 52:24	compliance-rela...
16:24 18:11	29:13 31:25	best 52:11		certain 21:11	42:7
19:23 20:14	33:14,18,23	beyond 30:23		40:19,21,24	concerned 52:17
21:12,18,24	34:1,7,12,16	big 49:12		41:1	concerns 7:5
23:6,15 24:6,25	36:2 37:6,7	bit 21:7		CERTIFICATE	32:15
28:16 29:16,18	43:25 47:12,24	bit 21:7		52:1	CONCLUDED
32:8,17 33:5	approving 5:17	bit 21:7		Certified 2:3 52:3	51:10
34:3,8 35:14	29:5	blending 30:19		certify 52:4	conducted 52:7
36:15,22 40:9	April 1:6 3:1,7	Bob 8:13 20:20		CFO 10:11 26:3,6	confident 26:18
40:12 41:11,16	32:22 52:6	21:20 32:6		26:11,23,24	26:20
41:19 44:7	Article 2:6	50:12		27:1,2 41:15	confidentiality
48:20	asked 8:16,18	bonus 3:25 4:4,4		CFOs 26:7	50:6
afford 23:1	29:3 42:22 43:4	4:12 7:10,17,17		chairman 3:15	confirm 19:20
Affordable 30:8	asking 19:6	9:18 10:3 12:11		7:18 8:1 10:19	20:19
ago 43:3	assistant 40:6,8	12:16,18 15:16		13:2 14:24	confirmed 7:10
agree 22:25	assists 39:20 44:4	15:19 18:13,14		17:19 24:4,9	19:10
agreed 15:12 17:9	associated 52:16	19:25 23:17		40:7	conflict 45:15
18:13	assume 24:17	24:23 27:15,21		chairmans 8:2	confusing 7:24
agreement 11:11	assume 24:17	27:22 28:13		chance 30:13,15	35:2
22:5	assumed 12:15	35:7 38:22,23		46:21	confusion 7:15
allegedly 3:14,14	assuming 39:16	40:20 44:19		change 17:19	34:23
amendment 48:6	39:17 46:6	45:1,24 46:11		changes 2:11	considered 3:12
amount 16:25	attempted 9:14	47:8,10,16		43:24	conspiracy 50:24
amounts 23:22	attend 43:16	bonuses 3:14 4:7		check 32:3	consult 32:12
analogy 47:20	attention 43:12	5:17 7:16 11:18		checked 4:18	consultants 32:6
and/or 2:6,11,16	attorney 19:8	12:8 13:3,5,25		checking 26:10	contact 14:24
answer 49:18	audio 51:10 52:5	21:15 22:2,13			context 15:14,17
Anthony 22:15	auditors 4:18,21	23:9 25:13 33:3			continue 7:2
23:25 24:2,8	5:5 26:2,9 28:19	33:13,23 44:14			contract 45:23
27:14,19 45:23	authority 47:7	44:15			46:11 47:10
anybody 21:20	aware 25:18,24	books 44:4			48:6
44:13 45:10	26:21 36:21,23	break 8:19			contracts 47:1
50:10	40:1,14 48:2	bring 10:8 26:17			47:16
	awareness 9:18	28:20			
	awesome 30:17,19	brought 10:5,7			

control 29:24 30:6	52:7,19	23:2,3	eventually 14:5	35:16 48:5
controlled 12:7	December 14:19	doing 5:21	15:15 46:25	foregoing 52:9
conversation 36:6	33:3 52:19	dollar 24:23	everybody 4:5	forget 13:9
42:6 43:2 50:11	decide 18:9 21:14	dollars 18:15	15:12 18:13	form 21:16
correct 8:16,17	25:3 49:1	22:21 25:4	39:10,10	formal 23:5,8
19:9 32:2 33:19	decided 16:20	don't 20:15	everybody's 11:18	29:19 35:13,15
42:12 52:11	17:7	doubt 30:20 31:3	exact 13:9	38:15 39:1
correctly 33:2	decides 24:22	drafted 10:9	Exactly 46:20	formally 33:4
correspondence	decision 8:7 23:16	21:16 22:4	excuse 31:15	35:12,18
20:18 37:23	decisions 23:22	drafting 23:22	executive 19:4	forth 24:7,12,13
cost 30:2,16	43:22	due 2:9 50:6	22:15 40:6,8	52:8
council 3:21 5:3	deficits 49:11		expenditure 25:7	frame 9:12
5:10 6:1,7,21	defined 2:4	E	explain 3:23 49:13	full 27:20
7:4 9:10 11:11	definitely 51:4	earlier 4:3 40:23	explaining 12:5	fully 48:2
14:10,11,25	delete 21:4 37:20	early 23:17 24:16		G
20:10,12 21:9	demand 50:9	earn 17:9,10	F	gamble 13:20
23:5 25:2 26:17	denied 35:8	earned 7:16,17	facets 3:17	gaming 13:9,10
27:19 29:9,19	denoted 2:18	16:22 17:1,16	facilitate 11:25	general 22:10,13
35:9,19,21 36:2	deserve 31:16	edit 29:2	41:24	24:22 26:25
37:2,6,25 38:8	deserves 31:16	eight 25:15,17,23	factors 29:23 30:7	49:3
38:14,20 39:20	desk 25:4	30:5 43:14	49:15	generally 47:13
40:7,9,11,13	determine 22:24	either 10:20 13:21	familiar 45:24	give 6:20 7:10
41:18 42:16	27:10	13:21 31:9	family 13:15	21:15 24:22
45:9 48:2 49:1	development	50:12	far 8:1 35:6	30:13 31:19
50:21	22:18	elected 13:7,7	favor 14:14,16,17	32:18 35:7 49:4
councilman 6:22	deviations 43:24	eligible 28:7	Federal 2:5	given 3:15
6:23	different 17:23	email 5:1,1,20 9:1	feel 18:12 24:5	giving 30:15 33:24
councilmen 38:20	24:4 28:12	9:9,16,20 11:4,7	29:20	GM 4:6 22:9
councilor 5:8	49:24	12:14 14:9	felt 16:22 17:1,8	go 4:9 19:4 23:2
counsel 8:14,15	digital 52:5	20:10 37:1,10	29:24,25 49:8	24:13 26:7,15
11:6 32:20	directly 13:25	39:17	fifty 31:1 47:9,19	50:9
52:15,16	30:1	emailed 9:7	fifty-seven 18:15	God 49:4
couple 24:3 43:3	director 3:10,11	emails 20:18	figure 31:13	goes 21:25 29:15
course 8:21	22:18 26:13	37:14,22,23	figured 18:19	43:7
Court 2:3,13 52:3	27:3,9	45:20	final 24:15	going 20:1
covered 34:1	disagreeing 46:13	employee 17:17	finance 26:12 27:3	gonna 12:15 20:2
criminal 3:16,19	disapproved	34:19	27:9 29:15	20:3,3,4,5 22:6
50:8,11,20	40:19	employer 31:2	financial 26:8	23:14 37:14,20
criteria 24:18	disburse 4:6	employment	27:11 31:2 32:9	37:21 45:8,14
current 17:16	discourse 2:10	47:10	32:12 40:5 42:8	50:9 51:9
Cypress 3:6,6	discovered 15:18	entail 12:6	42:19 47:15	gotten 46:21
	discuss 14:25	enterprise 13:10	financially 13:13	governing 24:19
D	38:20	43:17	13:18 30:18	government 15:25
Darden 3:15,25	discussed 5:21 7:3	enterprises 43:19	financials 43:19	44:21
6:22,23 14:13	11:10 14:12	entertaining 16:21	fine 16:19 17:6	graduated 44:24
35:8 41:6	15:5 18:23	entire 44:20	51:2	gratuities 44:16
dashes 2:10,14	discussion 18:3	entity 13:8	first 10:4 11:3	great 30:17,20
date 3:4 9:12	38:21 39:24	essence 13:14	15:22 44:24	group 5:22 6:17
Davis 27:2,8	dissented 41:12	ethical 18:12	fiscal 47:16	14:15 18:6,8
dawned 34:5	distribution 34:17	ethics 13:22,23	fit 32:10	22:23 35:12
day 7:7 25:3 46:23	documents 20:17	16:15	five 27:25 28:7	

36:5	27:24 46:5 47:8	J	47:22 50:18,19	ma'am 37:21 40:4
guess 10:16 12:21	47:9,17,21 48:7	Jack 22:14,15	50:22 51:7	making 8:6 23:22
12:24 25:25	48:17,23	Jackie 5:11 20:2		43:22
31:7 32:5,5	husband 13:15	40:24 41:3,10	L	management 22:8
35:11 36:24		Jacob 6:23 14:11	Lafayette 44:25	30:2
47:5 49:4	I	14:13,16 16:8	52:19	manager 22:10,13
Guy 8:7,8,11,12	identity 52:14	16:11,17 20:3	language 13:9	24:22 26:25
8:13 19:6 21:21	implement 29:17	40:24 41:6,10	late 19:16 23:17	49:3
32:6 35:25	implying 25:25	Jacqueline 6:23	24:15	managers 34:13
50:12	50:25	January 3:4 4:11	laws 24:19	manner 5:24
Guy's 8:12	important 51:8	6:2 9:13,23 18:3	left 2:15	52:15
guys 3:21 8:24	imposed 24:18	18:4 52:8	legal 8:14,15 32:6	Market 44:3
12:7,21,22	impression 42:11	Jill 9:1,4 11:21	32:13	material 2:17
14:21,24 15:18	improve 34:20	12:3 20:11	let's 9:24 12:22	matter 52:17
16:4 17:24 18:7	improving 31:8	21:22 37:1,1	21:10	max 27:23,25
20:7 21:6,8,9,17	incentive 11:16	39:12,21 40:5	letter 36:25	28:13 30:8
22:22 23:19,23	include 33:8,10,11	40:18	letting 25:19	45:24 47:11,20
23:24 24:21	includes 4:5,11	John 2:3 24:9 52:3	50:19	47:21,24,24
25:13,16,21	increase 27:14	52:24	level 4:5 24:4,5,11	48:3,5
27:13 28:21	indicate 2:11,14	Junca 5:13,14	32:21	maximum 46:11
29:10,12,14	indicators 28:1	6:23 41:5	life 44:20	47:17,23
31:18 32:5,7	individual 34:17	justification 31:7	limitations 24:18	McGladrey 4:21
34:7 36:23	informal 38:14	46:4	list 9:8 15:7 18:10	McGlothlin 2:3
44:13 49:7	information 37:21	K	20:11,13 24:1	52:3,24
50:18,23	41:18 45:21	keep 43:9	25:7 32:3 33:7	mean 4:1 6:12 8:2
H	50:3,16	killed 30:9	33:13,17 34:20	10:2 11:9 12:6
happen 8:21 19:22	initial 9:14,18,25	kind 5:25 21:6	37:3,5,7 39:5	13:19 14:5 17:2
23:7	initially 10:14	22:5 23:12 30:6	40:14	17:17,21 18:19
happened 18:22	28:7 48:19	32:14 35:15	literally 30:9	18:20 19:24
48:4,10,12	input 23:19	41:23 43:18	little 21:7 24:7	20:1 21:1 26:21
happening 6:10	interaction 2:9	46:13	loan 23:4	28:1 29:24 30:6
happens 8:18	interested 52:16	knew 20:1,2,2,3,5	logistics 42:20	30:20,22,25
22:20 24:19	interfere 50:18	41:4,8	long 15:25	31:5,5,6,10,14
healthcare 28:11	interview 45:6	know 5:19 8:8,9	longed 15:24	31:18 32:10,14
30:2,16,20	51:1,9	8:20 10:1,21,21	look 9:16,17 15:20	36:13 39:9,9,11
49:22	interviewing 3:7	11:9 12:2,2,4,13	16:11 24:10	39:12,19 42:11
heard 27:7,8	investigating 3:19	12:14,17,20	46:21	43:10 45:8,11
36:13 44:11	investigation 3:16	14:5 16:12 17:3	looked 23:18	46:17 47:2 49:3
hearing 43:9	3:17,19 50:8,11	17:8,9 18:21,23	looking 15:14	49:15,20 50:16
help 41:23 44:5	50:20	18:24 19:3,7,8	looks 15:17	50:23
46:24	invited 42:15,17	19:19 20:14,15	lot 3:17,20 12:4	means 6:11,13
hereinbefore 52:8	43:4,6,6,7,13	20:16 21:2,9	21:25 23:7,10	meet 6:14 22:23
hold 8:25	44:11	25:19 26:22,23	24:12 29:25	26:7,12,13,14,19
holidays 15:2	involved 43:17,20	27:7 28:4,11	34:23 46:17,25	26:19,20 27:3,5
hopefully 45:19	44:6 50:24	30:11,25 31:14	Louisiana 2:4,6	27:10,11
HR 3:10	issue 12:13,15	31:16 34:22	13:20 50:13	meeting 1:6 5:3
huge 11:7 18:17	17:10,10,15	35:4,6,15,22,24	52:4,20	6:1 7:4,8 9:1,10
huh 38:1 42:22	18:24 26:16	36:1,7,9,18 39:9	Louviere 9:5	11:11 19:1,2
human 3:11	34:5	39:10,13,16	39:21 40:5	20:10,12 31:23
hundred 18:15	issues 28:12 32:9	43:8 44:5 45:14	M	35:13,16,19,21
	32:9,12,13			37:2 38:8,13,14

38:16,16,17,17 39:1,6 42:13,16 42:17,20,25 43:15 meetings 22:3,7 23:10 40:1 42:15 43:1,5,6 43:15,17,21 member 5:10 14:12 members 6:21 13:15 14:10,25 50:21 memorized 45:25 46:15 mention 40:23 met 7:3 19:16 method 2:12 Michael 8:12,13 Mike 3:3 52:7 million 22:21 24:23 25:3 30:5 30:5 49:5 mind 18:20 minutes 38:7,12 38:15 45:20 missed 26:22 misstating 28:9 modifications 25:12,18 26:21 modified 25:15,22 money 23:4 31:14 33:24 34:7 42:2 moneys 3:13 44:13 monitor 25:10 26:6 monitoring 43:23 monitors 26:3 43:20 monthly 25:10 26:7,15 44:2 months 42:13 43:14 Montie 10:10,11 10:16,17 26:11 26:12 27:1 morning 19:5,14 19:18	name 3:3 4:25 5:9 5:9,12,19 9:3,4,8 11:8,13,17,19,23 15:6 18:9 20:11 20:13 27:8 33:14,17 37:3,5 37:6,7 39:1,14 40:14 names 2:16 nature 50:10 need 37:20 38:4 44:5 needed 5:4,24 19:8 28:19 needs 22:25 39:13 39:13 negative 29:21 41:22 negativity 30:12 never 7:24,25 10:20 12:24 14:1 15:21,23 20:8 27:7,8 34:4 34:4 35:12,18 35:20 36:13 40:21 41:1,9 44:22 night 7:4 11:10,17 35:18 36:6 38:23,25 nightmare 31:3 Nikina 26:13 27:2 27:7 nobody's 12:5 non-verbal 28:25 Nope 38:2 44:17 normally 5:4,22 39:19 43:16 notes 40:4 noticed 11:8 32:4 notify 16:4 November 4:7,8 12:9 23:17 24:16 number 30:1,8	16:4,18 17:24 17:24 19:24 31:20 33:8,10 33:11 35:6,7,7 36:21 39:14,17 39:25 40:8,10 40:11,19 O'Neil's 4:25 5:8 9:2 33:14 O'Neil's 38:21 objection 14:7 29:20 obviously 19:25 October 23:17 24:16 offer 42:4,9 offered 44:13 office 13:11 15:22 40:10 42:25 officer 2:4 7:21 official 13:7,8 17:14,21 officially 40:22 officials 13:1 offset 31:13 Oh 32:15 34:25 49:19 okay 3:11,11 4:3 4:19,23 5:6,14 6:6,11,15,20 7:2 8:15 9:6,24,24 10:12,14,24 11:2,5,19,23 14:9,23 15:4,8 15:11,13 16:2 16:10 17:23 18:7,16,21 19:11,15,17 20:25,25 21:3,6 22:17 24:14 25:9,11,19,20,24 25:25 26:18,23 27:4,10,13,13 28:17,20 29:1,1 29:10,12,14,14 31:18,24 32:1,9 32:15,22 33:21 34:13,15,24 35:3 37:8 38:1,3 39:18 40:4,11 40:15,18,18,25	41:3,7,14,17,17 41:20 44:1,10 44:18 45:2,14 45:18 48:9 49:2 49:14,16,19,21 49:23,25 50:4 old 49:12 once 7:19,22,23 17:19 23:3 one- 47:21 ones 42:17 44:2 44:12 opinion 11:14 42:9 opinions 42:4 opportunity 45:12 ordinance 7:6,13 7:13,13 12:22 13:1 15:21 16:13,14 39:25 outcome 47:15 52:18 outside 25:1 overtime 35:7 overwhelmed 44:9	31:20 41:14 43:5 Paul 24:9 pauses 2:11 pay 18:13 30:21 31:7,19 46:7 paying 11:12 30:15 payments 17:23 people 5:7 12:4 13:2 21:15 26:18,19 27:3 30:19,23,25 31:12 39:10 45:5,9 51:1 people's 30:21 percent 27:24 28:7 30:16,21 31:1 46:5 47:9,9 47:18,19 48:5,7 48:16,23 performance 28:1 47:13 period 8:4 Perry 10:9 26:5 27:2 28:22,24 41:14 person 4:12 24:11 personal 32:21 52:10 phone 9:16 phonetically 2:18 phrase 2:18 phrases 2:15 place 22:3 23:3,4 23:4 26:2 31:12 plan 4:4,4,6,15 11:16 23:12,18 24:15 34:12,12 point 6:8 9:9 30:5 30:9 36:11 40:17 44:8 pole 12:14 Police 3:6 50:14 policies 24:19 policy 13:23 poll 5:1,20 portion 16:22,23 position 3:24 Post 44:4,6 potential 38:21
N	O		P	
	O'Neil 3:15,25 6:25 7:1 8:19 9:18 10:2 12:23 12:25 15:15		P 52:24 p.m 9:13 packets 40:13 PAGE 2:1 pages 52:9 paid 12:9 31:1 33:3,13 35:17 paperwork 41:25 42:1 46:17 part 31:5,12,20 participants 52:14 participate 23:24 parties 52:17 pass 4:8,9 8:24 20:1,5 41:4,8 passed 4:10 8:23 11:12 27:16,17 36:7 Patrone's 27:14 27:15 45:23 Patty 10:9,25 19:19 26:5,12 26:24 27:1 28:22,24 29:4	

7:15 16:13 spelled 2:18 spend 25:3 42:2 spent 24:20 spoke 49:11 spontaneous 2:9 spreadsheet 4:11 4:24 5:16 10:10 10:11,19 11:1,7 49:13 staff 4:5 24:4,5,11 stages 3:18 standard 49:9 standards 47:14 start 4:1,3 state 2:4,8 3:6 13:20 50:14 52:4 statement 3:1 52:6 52:13 statements 26:8 27:11 steps 23:7 stopped 6:16 structure 27:22 stuff 21:4 25:21 29:5 31:13 37:25 38:11 39:9 41:23 42:7 46:23,25 51:7 submitted 39:2 subpoena 20:22 20:25 37:15,17 45:19 48:13 50:3 subpoenaed 20:20 subpoenas 37:22 suggest 42:7 suggestions 42:5 supervision 52:10 supervisor 3:5 supposed 26:6,9 26:16 sure 8:6 10:7 16:5 19:9,21 20:4 26:20 28:2 36:8 sworn 7:20,22,23 17:13,15	tabled 5:25 6:9,11 6:19 7:3 9:22 14:6,6,22,23 18:1 take 22:3 30:7 taken 2:8 talk 6:10 14:15 16:8 18:7 22:23 36:10 41:2 45:8 talked 7:4 18:4,9 35:25 50:22 talking 26:11 50:21 51:7 talkovers 2:12 TAPED 3:1 Tara 22:14,15 team 22:15 technically 7:16 tell 16:7 39:12 45:11,14 49:10 50:10 telling 15:15 34:13 50:21 tells 42:2 ten 22:20 25:4 49:4 terms 12:22 13:1 23:21 29:5 41:20 43:22 thereof 52:18 thing 12:2 13:22 23:10 things 13:4 17:23 32:14 49:24 think 4:7 5:15,15 5:19 11:6,8 15:20,21 16:1 16:11,12 35:17 36:7 39:12 42:21,23 44:19 45:4,4 46:1,21 thinking 8:8,17 thought 2:11 15:9 15:20 16:1 27:20,25 28:4 28:11 31:24 36:19,19,20 48:15 thousand 25:4 three 8:22 20:6,6 27:3 30:5 36:8	tie 7:1 8:19,20 19:22 tier 27:22 time 3:4 8:3 9:12 10:4 15:22 16:2 16:3,25 19:12 24:9 31:22 34:22 35:5 51:6 times 24:3 25:15 25:17,23 Toby 5:11 6:22 20:4 36:9,10 39:24 40:18 41:1 Today's 3:3 told 10:13,17 11:22 12:3 21:1 29:6,8,10 43:8 45:15 top 27:22,23 touch 39:14 tracked 21:7 Trading 44:4,5 transcribed 52:9 transcript 2:15 52:5 transcription 2:13 transpire 36:16 transpired 3:25 tribal 3:21 7:25 13:2,5 14:10 26:24 40:7,11 41:15 tribe 3:8 13:24 32:21 44:23 Trooper 3:3 true 30:11 52:10 try 22:24 31:13 trying 14:4 21:8 46:18 50:17 twenty 47:22 two 5:7 8:20,20 13:4 14:10 26:3 26:6 30:5,9 type 13:2 typically 37:24	14:20 16:16,24 18:11 19:23 20:14 21:12,18 21:24 23:6,15 24:6,25 28:16 29:16,18 32:8 32:17 33:5 34:3 34:8 35:14 36:15,22 40:9 40:12 41:11,16 41:19 44:7 48:20 Uh-uh 29:21 41:22 understand 3:20 14:4 16:3 21:8 23:21,23 31:6 31:10 33:2 39:9 49:2,9 understanding 3:24 25:13,22 28:4 52:11 understood 17:8 unheard 30:22 unilaterally 29:4 updates 42:18 use 31:6,15 usually 22:16	wait 6:3,13 23:12 want 3:23 4:7 9:11 15:17 17:22 21:10,13,14 22:1,2,20 24:10 24:22 25:3 32:24 45:11 46:8 47:23 50:20 wanted 6:9 8:6 14:15 19:9,21 wants 29:5 Washington 3:2,3 20:24 32:23 33:20 37:13,19 38:10 39:7 40:3 42:10 46:16 48:14,24 50:7 52:7 wasn't 5:3,20,21 6:18,18 12:8,12 20:1,4,5,13 24:15 27:22 30:1 31:25 37:5 38:15 42:9 43:4 44:11,25 way 10:23 13:18 13:19 16:4 20:17 32:5 33:22,25 34:21 46:10 52:17 ways 31:14 we'll 3:7 37:14,17 45:2 50:2,3 we're 13:19 30:15 30:15 31:4 37:14 38:11 46:7 50:8,25 we've 7:24,25 8:2 14:1 week 27:6 weeks 43:3 went 8:7 30:2,9 37:6 49:17 weren't 5:21 11:11 43:24 whack 27:12 wife 13:19,21 witness 3:12 words 2:14,16 work 3:21 10:23
<hr/> T <hr/> table 14:7		<hr/> U <hr/> Uh-huh 4:14,17 4:22 5:2,23 8:5 9:22 12:10 14:3	<hr/> V <hr/> verified 2:17 verify 4:15 26:8 52:13 vice-chairman 3:8 6:22 violation 15:10 voiced 7:5 voluntarily 9:8 11:21,23 vote 5:8,25 6:5,8 7:9 8:20,21 18:25 19:24,25 voted 5:7,11 6:3 6:18 8:23 20:7 20:12 31:18,19 35:19,23,24 36:8 40:21 votes 7:1 voting 6:21	<hr/> W <hr/>

13:8,10,16 21:25 50:12,13 50:13 work-related 50:17 worked 8:3 12:24 15:23,24 17:3 44:20,22,24 working 4:4 31:4 works 21:9 39:10 39:20 40:10 worse 19:11,22 worth 18:17 wouldn't 8:22 11:12,13 41:4,8 write 28:22 wrong 28:5,9 33:22 42:12 wrote 28:24 Wyatt 1:6 3:1,8 3:12 52:6	40:16 19th 52:19 1st 15:3 18:2			
	<hr/> 2 <hr/>			
	2012007 52:24 2015 14:21 2016 52:8,19 22nd 3:4 52:7 28 2:5			
	<hr/> 3 <hr/>			
	<hr/> 4 <hr/>			
	<hr/> 5 <hr/>			
	5:30 9:10,13 51 52:9			
	<hr/> 6 <hr/>			
	6th 18:4,4 19:16			
	<hr/> 7 <hr/>			
	7th 4:11 6:2 9:13 9:23 19:14,14 19:18			
	<hr/> 8 <hr/>			
	8:05 3:4 8:49 51:9			
<hr/> X <hr/>				
<hr/> Y <hr/>				
y'all 29:20 34:21 45:23 46:6 47:6 47:6 48:13 yeah 7:23 8:15 10:15,17 11:15 12:4 17:16 20:22 21:1,4 23:21 31:5,10 31:23 32:2 36:21 37:17,18 43:12 44:11 46:10,12,24 47:2 48:15,17 48:17 50:8 51:2 year 4:3 13:11 18:2 23:11,13 29:23 47:16				
<hr/> Z <hr/>				
<hr/> 0 <hr/>				
<hr/> 1 <hr/>				
12/18 9:20,21 1434(B) 2:6 18th 14:18,19,19 27:17 28:18				