

In the Matter of:

**THE LOUISIANA OIL & GAS ASSOCIATION**

**Versus**

**HONORABLE JAMES D. "BUDDY" CALDWELL**

**DONALD BRIGGS**

*February 20, 2014*





## 1 A P P E A R A N C E S

2

3 REPRESENTING THE LOUISIANA OIL & GAS ASSOCIATES,  
4 INC.:

5

6 MAHTOOK & LAFLEUR  
7 (BY: ROBERT A. MAHTOOK, JR., ESQ.)  
8 (BY: AMY GOODE, ESQ.)  
9 600 JEFFERSON STREET, SUITE 1000  
10 LAFAYETTE, LOUISIANA 70501  
11 (337)266-2189  
12 rmahtook@mandllaw.com

13

14 REPRESENTING HONORABLE JAMES D. "BUDDY" CALDWELL,  
15 IN HIS CAPACITY AS ATTORNEY GENERAL OF THE STATE  
16 OF LOUISIANA, ET AL:

17 SHOWS, CALI & WALSH, LLP  
18 (BY: E. WADE SHOWS, ESQ.)  
19 (BY: MARY ANN M. WHITE, ESQ.)  
20 (BY: GRANT J. GUILLOT, ESQ.)  
21 628 ST. LOUIS STREET  
22 BATON ROUGE, LOUISIANA 70802  
23 (225)346-1461  
24 wade@scwllp.com  
25 maryannw@scwllp.com  
grantg@scwllp.com

STATE OF LOUISIANA DEPARTMENT OF JUSTICE  
(BY: MEGAN K. TERRELL, ESQ.)  
POST OFFICE BOX 94005  
BATON ROUGE, LOUISIANA 70804  
(225)326-6085  
terrellm@ag.state.la.us

VERON, BICE, PALERMO & WILSON  
(BY: J. ROCK PALERMO, III, ESQ.)  
721 KIRBY STREET  
LAKE CHARLES, LOUISIANA 70602  
(337)310-1600  
rock@veronbice.com

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES CONTINUED

JONES, SWANSON, HUDDALL & GARRISON, LLC  
(BY: GLADSTONE N. JONES, III, ESQ.)  
(BY: BERNARD E. BOUDREAUX, JR., ESQ.)  
601 POYDRAS STREET, SUITE 2655  
NEW ORLEANS, LOUISIANA 70130  
(504)523-2500  
gjones@jonesswanson.com  
bboudreaux@jonesswanson.com

ALSO PRESENT FOR A BRIEF CONFERENCE:

ELZIE ALFORD  
LORI ACHEE

ALSO PRESENT:

JOHN T. ARNOLD

1	INDEX	
2		PAGE
3	STIPULATION.....	5
4	EXAMINATION BY:	
5	MR. PALERMO.....	6
6	MR. SHOWS.....	84
7	MR. PALERMO.....	138
8	CERTIFICATE.....	143
9		
10	EXHIBITS	
11		
12	EXHIBIT 1 NOT ATTACHED TO TRANSCRIPT (MAP)....	28
13	EXHIBIT 2 (ENVIRONMENTAL IMPACT REPORT).....	36
14	EXHIBIT 3 (May 7, 2013 PRESS RELEASE).....	78
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

S T I P U L A T I O N

It is stipulated by and between counsel that the deposition of DONALD G. BRIGGS is being taken under the Louisiana Code of Civil Procedure, Article 1421, in accordance with the law.

The formalities of reading and signing are specifically saved;

The formalities of filing, sealing, and certification are specifically waived;

All objections, except those as to the form of the questions and/or the responsiveness of the answers, are reserved until the time of the trial of this case.

\* \* \* \* \*

Ashley Roussel, Certified Court Reporter, in and for the State of Louisiana, officiated in administering the oath to the witness.

1 DONALD G. BRIGGS,  
2 after having been first duly sworn as a witness,  
3 was examined and testified as follows:

4 EXAMINATION BY MR. PALERMO:

5 Q Good afternoon, Mr. Briggs. My name is  
6 Rock Palermo. I introduced myself prior to  
7 starting. If you could, please give us your name  
8 and address, your business address would be fine.

9 A It's Don Briggs and President of Louisiana  
10 Oil & Gas Association, and my address is P.O. Box  
11 4069, Baton Rouge 70821.

12 Q Mr. Briggs, how long have you been with  
13 the Louisiana Oil & Gas Association?

14 A Since 1972.

15 Q If you could, give us the progression of  
16 the positions you've held in that association.

17 A I've been the president.

18 Q Has it changed its name over the years?

19 A We did.

20 Q When did that name change occur?

21 A I'm not quite sure what date -- what year  
22 it was, but we changed it from the Louisiana  
23 Independent Oil & Gas Association to the Louisiana  
24 Oil & Gas Association a few years ago.

25 Q And why was that change made?

1           A     Because we just wanted to re-brand  
2 ourselves.

3           Q     Have you ever had your deposition taken  
4 before?

5           A     No.

6           Q     Let me give you some grounds rules that  
7 hopefully will make it go smoother. As you see, the  
8 court reporter is taking down everything we say  
9 today, and it's going to be very important that we  
10 don't talk over each other, so please wait until I  
11 finish asking the question before you start  
12 answering, fair?

13          A     (Nods head.)

14          Q     The other part is you have to answer out  
15 loud.

16          A     Yes.

17          Q     Good. Everybody does it. So the other  
18 thing is try and avoid uh-huh and uh-uh and nodding  
19 your head because those are difficult for the court  
20 reporter to record properly, fair?

21          A     I understand.

22          Q     I'm perfectly capable of asking a bad  
23 question. So if I ask a bad question or one that  
24 you don't understand, let me know, and I'll try and  
25 rephrase it for you, okay?



1           A     Yes.

2           Q     That way the record will be clear that  
3 you've understood my questions along the way during  
4 today's deposition. All right?

5           A     I understand.

6           Q     There is no 24-second clock as there is in  
7 MBA basketball, so take your time and give me an  
8 answer to my questions. All right?

9           A     Yes.

10          Q     I think yesterday your son, Gifford  
11 Briggs, gave a state-of-the-industry presentation to  
12 the South Central Industrial Association. Was it  
13 yesterday or the day before?

14          A     It was the day before, or maybe it was  
15 yesterday. I think it was yesterday.

16          Q     Did you assist him in preparing that  
17 presentation?

18          A     No, he did that one on his own.

19          Q     One of the things he mentioned is that he  
20 had not seen the U.S. Geological Survey report or  
21 the map. Have you seen that map?

22          A     No.

23          Q     Would you have liked to see data from the  
24 U.S. Geological Survey prior to making comments  
25 about whether the oil and gas industry is

1 responsible for any of the coastal erosion in the  
2 State of Louisiana?

3 MR. MAHTOOK:

4 I'm going to object to the form of the  
5 question. It's got nothing to do with the  
6 declaration -- the action with the Attorney  
7 General's office.

8 MR. PALERMO:

9 It has to do with credibility, which is an  
10 issue in the case.

11 MR. MAHTOOK:

12 Well, I'm going to object to it.

13 MR. PALERMO:

14 Object to the form and we'll keep going.

15 Read back my question, please.

16 (Previous question read back by court reporter).

17 MR. MAHTOOK:

18 I'm going to instruct him not to answer  
19 it.

20 MR. PALERMO:

21 On what basis?

22 MR. MAHTOOK:

23 It's irrelevant, totally irrelevant, has  
24 nothing to do -- since the Judge is here, she can  
25 come in and rule on it right now.

1 MR. PALERMO:

2 I'm going to provide you with a copy of  
3 Article 1443 of the Code of Civil Procedure, and on  
4 what basis are you instructing him not to answer?  
5 Because Paragraph D gives the basis in which you can  
6 instruct a witness not to answer.

7 MR. MAHTOOK:

8 I'm instructing him not to answer the  
9 question because there are no facts in that question  
10 that play any role in the action that's before the  
11 Court that we're here for today.

12 MR. PALERMO:

13 That's not one of the reasons, so we'll --

14 BY MR. PALERMO:

15 Q You are going to stand by your attorney's  
16 instruction --

17 A Yes.

18 Q -- not to answer that question?

19 A Yes.

20 MR. SHOWS:

21 I just want to say for the record I don't  
22 know if the parameters for discovery is relevancy as  
23 much to as whether it has some relevancy or it can  
24 lead to discoverable information, so not anything  
25 that's merely irrelevant is something that can be

1 asserted as a privilege.

2 MR. PALERMO:

3 Let me read you Article 1443 via the Code  
4 of Civil Procedure and see if you want to reconsider  
5 your instruction. "Unless otherwise stipulated or  
6 is provided in Article 1455, objections are  
7 considered reserved until trial or other use of the  
8 deposition. A party may instruct the deponent not  
9 to answer only when necessary to preserve a  
10 privilege, to enforce the limitation on evidence  
11 imposed by the Court, to prevent harassing or  
12 repetitious questions or to prevent questions which  
13 seek information that is neither admissible at trial  
14 nor reasonably calculated to lead to the discovery  
15 of admissible evidence."

16 MR. MAHTOOK:

17 Maybe we didn't take care of all of the  
18 housekeeping. I'm not going to waive any objections  
19 here, so we can enter all of our objections at this  
20 time.

21 This matter, let me just say for the  
22 record, was noticed under Docket No. 626798, D, and  
23 the facts regarding that cause of action, Mr. Briggs  
24 can answer questions that he knows of and answers  
25 that he has -- he can answer to those questions

1 relevant to that cause of action.

2 MR. PALERMO:

3 Well, the relevancy of whether Oil & Gas  
4 is responsible in the complexity of what it would  
5 take to bring such an action is relevant, and that's  
6 why I asked him if he's reviewed the USGS survey,  
7 and that is certainly relevant as to whether outside  
8 counsel is necessary to pursue a cause of action --

9 MR. MAHTOOK:

10 And, respectfully, I disagree with you,  
11 and so we're going to instruct him not to answer  
12 that because I think you're getting way out --  
13 outside the boundaries of what this deposition is  
14 for.

15 BY MR. PALERMO:

16 Q Mr. Briggs, what do you understand this  
17 deposition is for?

18 A I understand it to be about the contract.

19 Q Which contract?

20 A The contract that the Attorney General has  
21 with the levee board.

22 Q And what is your understanding about the  
23 contract the Attorney General has with the levee  
24 board?

25 A Based on my counsel's -- okay, my

1 counsel's opinion of the contract, that's illegal.

2 That's what I understand about it.

3 Q Any other facts or data that you have to  
4 support that?

5 A No. I'm not an attorney, and that's what  
6 I depend on my counsel for.

7 Q Prior to bringing the lawsuit against the  
8 Attorney General, did any of your members suggest  
9 that LOGA file this lawsuit?

10 A Suggested?

11 Q That was my question.

12 A No.

13 Q Any members request that LOGA file this  
14 lawsuit?

15 A No.

16 Q Did you poll any of your members asking  
17 whether LOGA should file the lawsuit prior to filing  
18 it?

19 A A board.

20 Q When was that done?

21 A In our board meeting this past year.

22 Q And that's your board of directors?

23 A Yes.

24 Q Are any members of the board of directors  
25 one of the defendants in the South Louisiana Flood

1 Protection Authority East lawsuit?

2 A I don't know.

3 Q Who are on the board of directors?

4 A I have 70 board members.

5 Q What was the vote?

6 A Unanimous.

7 Q Was there a resolution?

8 A No.

9 Q Was there minutes?

10 A No.

11 Q Anything in writing?

12 A No.

13 Q Does LOGA have bylaws?

14 A Yes.

15 Q Do those bylaws require resolution before  
16 the institution of any legal proceeding by the  
17 association?

18 A No.

19 Q What does it require?

20 A Doesn't require anything. I have that  
21 authority to act on behalf of the board.

22 Q Is there a record of the board vote?

23 A No.

24 Q Is LOGA -- and when I say LOGA, that's the  
25 Louisiana Oil & Gas Association, correct?

1 A Yes.

2 Q Is LOGA a 501(C)(3) organization, or a  
3 (C)(4) or what is it?

4 A I think it's (C)(3).

5 Q And who are the officers?

6 A I'm the president.

7 Q Does it have a secretary?

8 A Yes, Don Solanas, I think. I'm not really  
9 sure who my secretary is.

10 Q In the lawsuit LOGA claims that there is  
11 irreparable injury because of the chilling effect on  
12 oil and gas production. Do you recall that language  
13 in the lawsuit?

14 A I don't know. It may be. I don't know.  
15 I'm sure it does.

16 Q In Paragraph 35 of the Petition for  
17 Declaratory Judgment Injunctive Relief, LOGA states,  
18 "Implementation and performance of said contract  
19 pursuant to the Attorney General's invalid approval  
20 of the resolution will result in irreparable injury  
21 to the petitioner as a result of this chilling  
22 effect on the exploration, production, development  
23 and transportation of the oil and gas resources of  
24 the state and resulting diminution in sales taxes,  
25 severance taxes, royalties on state leases and other



1 funds that would otherwise be available for public  
2 use."

3 That sound familiar to you?

4 A Yes.

5 MR. PALERMO:

6 You stand by your instruction not to  
7 answer it?

8 MR. MAHTOOK:

9 He can answer that question. You want to  
10 know whether or not it's going to have a chilling  
11 effect on the oil and gas industry? Is that the  
12 question?

13 MR. SHOWS:

14 Yeah, but this is the argument: Is it  
15 going to have a chilling effect, he doesn't know  
16 that unless he knows the extent to which there's  
17 production going on in the fields. I mean, that is  
18 certainly a relevant question as to what he's aware  
19 of. To make a blanket statement to say it's going  
20 to have a chilling effect without knowing the extent  
21 to which there's activity is really relevant.

22 MR. MAHTOOK:

23 Why don't you lay a better foundation for  
24 that, and then we'll see where he goes with it.  
25 Maybe he can answer the question. What you want to

1 do is educate him now in order to answer the  
2 question. We want to know what facts he had at the  
3 time that that was filed.

4 BY MR. PALERMO:

5 Q What facts did you have at the time to  
6 support that statement that we just read in  
7 Paragraph 35 of the petition?

8 A These types of lawsuits, okay, have a  
9 chilling impact on what our companies do and how  
10 they invest in Louisiana, and that's what I make  
11 that statement on.

12 MR. PALERMO:

13 Objection, nonresponsive.

14 BY MR. PALERMO:

15 Q My question to you is, what facts or data  
16 or evidence do you have to support your statement in  
17 Paragraph 35 of the petition which I previously  
18 read?

19 A I talk to my members, they talk to me and  
20 they tell me how they feel about it.

21 MR. PALERMO:

22 Objection, nonresponsive.

23 BY MR. PALERMO:

24 Q I'm not asking for anybody's feelings.  
25 I'm asking what facts, data or evidence do you have

1 to support Paragraph 35?

2 MR. MAHTOOK:

3 If you have any here now, you can go ahead  
4 and answer it. If you don't have the answer, tell  
5 him you don't have the answer.

6 MR. PALERMO:

7 You can object to the form --

8 THE WITNESS:

9 I don't have anything.

10 MR. PALERMO:

11 -- otherwise don't coach the witness.

12 MR. MAHTOOK:

13 I'm not objecting to the form.

14 MR. PALERMO:

15 Then either instruct him not to answer or  
16 object to the form; otherwise, I prefer you not to  
17 coach the witness.

18 MR. MAHTOOK:

19 Well, I'm going to coach the witness to  
20 the extent that I need to be able to explain to him  
21 what he has to do.

22 MR. PALERMO:

23 Let's go ahead and get the Judge because I  
24 don't want you answering --

25 MR. SHOWS:

1 Grant went back there.

2 MR. PALERMO:

3 We'll stop. You think the witness needs  
4 your coaching before he answers the question?

5 MR. MAHTOOK:

6 You want to use the word "coaching." I'm  
7 going to give him the instructions that he needs in  
8 order to answer the question. I'm not going to let  
9 him guess. I'm not going to let him assume your  
10 facts. I'm telling him to answer the question with  
11 the information that he has. Is that not correct?

12 MR. PALERMO:

13 Is that the end of your instruction?

14 MR. MAHTOOK:

15 That's the end of my instruction.

16 BY MR. PALERMO:

17 Q You can answer it.

18 A Once again, my members who drill and  
19 develop oil and gas production in the State of  
20 Louisiana have a choice where they drill, and this  
21 type of legal action, this type of legacy-type  
22 lawsuits, as we call them, have a chilling impact on  
23 our industry doing business here in this state.  
24 That's it.

25 MR. PALERMO:

1                   Objection, nonresponsive.

2   BY MR. PALERMO:

3           Q     Is there a fact, is there one oil company,  
4   is there one well that you can point to that was not  
5   drilled because of the lawsuit brought by the Flood  
6   Protection Authority?

7           MR. GUILLOT:

8                   We need to interrupt the deposition for a  
9   minute if we take a quick little break.

10          MR. ALFORD:

11                   We talked with the Judge about the  
12   relevancy issue, and she's going to do pretty much,  
13   all you guys probably know the standard deal.  
14   You'll answer the question, then she'll rule on the  
15   degree of relevancy.

16          MR. PALERMO:

17                   Thank you.

18          MR. MAHTOOK:

19                   Well, there's some questions we don't want  
20   him to answer. For those we would like to reserve  
21   for the Judge.

22          MR. ALFORD:

23                   What do you mean?

24          MR. MAHTOOK:

25                   Well, there are some things that we

1 believe that are outside the four corners of the  
2 lawsuit that they may want to get into, and to just  
3 open it up for any and everything that's unrelated  
4 to this lawsuit as we see it is objectionable.

5 MR. PALERMO:

6 There's been an instruction not to answer.

7 MR. MAHTOOK:

8 So we are going to need some rulings by  
9 the Court. I think that's why she put us here, but  
10 we're going to need some rulings by the Court in  
11 order to see how we're going to go forward on some  
12 of these areas that they want to go into.

13 MR. SHOWS:

14 Elzie, if you are going to talk back to  
15 the Judge, it's my understanding what you're telling  
16 us is that every question needs to be answered  
17 except if it involves a privilege, whether it's  
18 attorney/client privilege or doctor/patient  
19 privilege or something like that; is that her normal  
20 standard?

21 MR. ALFORD:

22 That's the normal standard. So if there  
23 is a privilege, then that question, you'll stop at  
24 that point. If you assert a privilege, you'll stop,  
25 and then you'll get a ruling right then; otherwise,

1 you answer the question as far as relevancy and  
2 stuff of that nature, and we'll determine it if it  
3 comes up. Does that work?

4 MR. MAHTOOK:

5 It doesn't work, but we'll try to -- if  
6 not, we'll bring the Judge back.

7 MR. ALFORD:

8 I don't know how broad they're going with  
9 it, you know, but hopefully they are not asking  
10 about his third cousin somewhere.

11 MR. MAHTOOK:

12 They might. The point of all that is that  
13 we have to -- we have to protect -- I have to do  
14 what I have to do in order to protect the record,  
15 protect my client, so I'm going to try to go as far  
16 as I can with it, but if not, we may need the Judge  
17 to come in because I may instruct him not to answer  
18 because I just think, as far as this litigation  
19 goes, that is something that we are going to have to  
20 rely upon the Judge for.

21 MR. ALFORD:

22 When we get to a question like that so  
23 maybe we can get a better understanding, maybe we'll  
24 see where you're talking about because, you know,  
25 you're making kind of a real blanket statement. So

1 once we get to a question like that, maybe that will  
2 give us a better understanding.

3 MR. MAHTOOK:

4 Well, we've already gotten to a question  
5 like that.

6 MR. PALERMO:

7 About the second question out of the  
8 blocks.

9 MR. MAHTOOK:

10 The second question out of the blocks had  
11 to do with him looking at geological maps, which we  
12 haven't even established if he's competent enough to  
13 look at geological maps. So I don't want new facts  
14 and presentations being brought over here today for  
15 him to start issuing opinions on, which were before  
16 today unknown to him. I think that's fair.

17 MR. SHOWS:

18 It's not privileged.

19 MR. ALFORD:

20 But it's not privileged.

21 MR. MAHTOOK:

22 It still has to be relevant --

23 MR. ALFORD:

24 And I'm going to be honest with you, Wade  
25 has captioned it really, really well. That's our



1 normal standard of what we do. If you assert a  
2 privilege, then we'll go there. And the reason I'm  
3 telling you this is we can put the Judge on the  
4 phone every five minutes, but I know what the ruling  
5 is going to be anyway. Trust me, I can pretty much  
6 tell you how she's going to rule on 90 percent.

7 MR. MAHTOOK:

8 We may need to make a record so that we  
9 can take this up. That's all I can say. We may  
10 have to get the Judge --

11 MR. SHOWS:

12 You can make the record right there.

13 MR. MAHTOOK:

14 -- so we can take it up. The record is  
15 going to be --

16 MR. ALFORD:

17 Did you make your objection?

18 MR. SHOWS:

19 Yeah.

20 MR. ALFORD:

21 Well, that's what you should be doing  
22 anyway.

23 MR. MAHTOOK:

24 No, listen. I'm making my objections, but  
25 there are things that he may not be able to answer,

1 that we're not going to want to let him answer, so  
2 those things are going to have to be decided by the  
3 Judge, and we're not going to let the cat out the  
4 bag and then wait some time down the line for us to  
5 get a ruling on it because by then it's too late.

6 MR. GUILLOT:

7 She's not going to wait until the end of  
8 the line. She's going to rule tonight or tomorrow  
9 morning.

10 MR. SHOWS:

11 Elzie, when you talk back to her, one  
12 other concern we have, and y'all run across it all  
13 the time, is talking objections, where the basis of  
14 the objection is it's privileged, it's hearsay, it's  
15 this, that or the other and not, well, make sure,  
16 Mr. Briggs, that you understand the question to be  
17 such and such, and remember we talked about it three  
18 weeks ago and your answer was.

19 You know, those kind of objections are  
20 problematic, and I want the court reporter to read  
21 back the statement from Mr. Mahtook where he said, I  
22 am going to coach the witness.

23 MR. MAHTOOK:

24 They asked me -- that's the whole problem.

25 MR. SHOWS:

1 Did he not say that?

2 MR. MAHTOOK:

3 I said that, and that has to do with  
4 informing -- that has to do with providing him with  
5 instructions as to how to answer the lawsuit -- I  
6 mean, how to answer the question.

7 MR. ALFORD:

8 You don't want to --

9 MR. MAHTOOK:

10 In other words, I can't tell him that he  
11 should only answer those for information that he  
12 knows?

13 MR. SHOWS:

14 That's telling him.

15 MR. JONES:

16 Say you don't know.

17 MR. ALFORD:

18 You can tell him that. I'll say this,  
19 that's fine. What you're saying, if you don't know  
20 the answer to something, then don't answer it.

21 MR. SHOWS:

22 But he can tell him one time upfront.

23 MR. ALFORD:

24 There you go. And that should be done  
25 ahead of time really. It doesn't go every little --

1 BY MR. PALERMO:

2 Q Here is an easy one: Mr. Briggs, do you  
3 remember our standard instructions we had before we  
4 started the deposition, right after we started the  
5 deposition, 24-second clock, speak out loud?

6 A Yes.

7 Q If you don't know the answer to a  
8 question, "I don't know" is a perfectly fine answer;  
9 all right?

10 A Yes.

11 MR. ALFORD:

12 That's exactly right. If he doesn't know,  
13 he doesn't know, and go from there. But if you do  
14 make an objection, it does help if you're not making  
15 a talking objection because it's hard to rule on  
16 those when you read it to her for her to know.

17 MR. MAHTOOK:

18 The talking objection he's complaining  
19 about was the coaching that he's complaining about  
20 which was really instructing the witness what he was  
21 supposed to do.

22 MR. ALFORD:

23 Okay.

24 MR. SHOWS:

25 Thank you.

1 MR. GUILLOT:

2 Thank you, Elzie.

3 BY MR. PALERMO:

4 Q All right. Mr. Briggs, let me go back to  
5 a question earlier regarding the USGS survey data,  
6 and I think you told me you had not seen the U.S.  
7 Geological Survey data map?

8 A Yes.

9 Q I'm going to show it to you.

10 MR. MAHTOOK:

11 And I'll make my objection. I'll make it  
12 continuing.

13 MR. PALERMO:

14 Sure. We will go ahead and mark this as  
15 Briggs No. 1. I will put it in the bottom right.  
16 That's where people start looking for them anyway.

17 (Exhibit 1 was marked for identification.)

18 BY MR. PALERMO:

19 Q This map, at the top you see it has  
20 Louisiana Marine Coastal Geological Program, you see  
21 that up at the very top?

22 A Yeah.

23 Q And you see at the bottom left the USGS  
24 logo?

25 A Uh-huh, yes.

1 Q And it's entitled, "Process Classification  
2 of Coastal Land Loss Between 1932 and 1990 in the  
3 Mississippi River Delta Plain, Southeastern  
4 Louisiana," correct?

5 A Yes.

6 Q You have not seen this document before,  
7 correct?

8 A No.

9 Q And I think you've testified -- well, let  
10 me ask you, would you have preferred to see this  
11 document before you made statements as to whether  
12 the oil and gas industry has any affect on coastal  
13 land loss in Louisiana?

14 A Ask that question again.

15 Q Would you have preferred to see this map  
16 before making statements regarding whether the oil  
17 and gas --

18 A No.

19 Q -- industry contributed --

20 A No.

21 Q -- to any coastal land loss in Louisiana?

22 A No.

23 Q Why not?

24 A Didn't need to see it.

25 Q Why not?

1 A I've seen other maps.

2 Q What other maps have you seen?

3 A I don't know.

4 Q If you look at this map, it has Table 1  
5 that lists agencies, companies and organizations  
6 that participated in workshops and reviews of the  
7 GIS coastal land loss classification maps; you see  
8 that?

9 A Yeah, I see it.

10 Q And among those are Louisiana Department  
11 of Environmental Quality, right?

12 A Yes.

13 Q Louisiana Department of Natural Resources,  
14 right?

15 A Yes.

16 Q Louisiana Department of Wildlife and  
17 Fisheries, correct?

18 A I can see that.

19 Q Louisiana Governor's office, correct?

20 A Yes.

21 Q Louisiana Land Exploration Company?

22 A Yes.

23 Q Are they a member of LOGA?

24 A They used to be. They're not a -- they  
25 are not in existence now.

1 Q U.S. Army Corps of Engineers, you see  
2 that?

3 A Yes.

4 Q Louisiana State University, correct?

5 A Yes.

6 Q Southern University, correct?

7 A Yes.

8 Q It goes on and lists at least a couple  
9 dozen, if not more, other companies and agencies  
10 that contributed to the GIS coastal land loss  
11 classification map, correct?

12 A That's correct.

13 Q Including BP Oil Company, right?

14 A Yes.

15 Q Shell Offshore, correct?

16 A Yes.

17 Q Exxon Company, correct?

18 A Yes.

19 Q Then it has a section entitled "Process  
20 Classification Results." You see that?

21 A Yes.

22 Q And then the third paragraph it states, of  
23 the possible process combinations within the  
24 submergence process category, nine classes were  
25 delineated. Within the submergence class, altered



1 hydrology: Oil/gas accounted for 172,174 acres or  
2 24.92 percent of the total loss followed by altered  
3 hydrology: Multiple at 21.52 percent, natural water  
4 logging at 3.05 percent, so forth. Did I read that  
5 correctly?

6 A Yes.

7 Q And then the next paragraph it says, "Of  
8 the possible direct removal combinations, eight  
9 classes were delineated."

10 First of all, do you know what they mean  
11 by "direct removal --

12 A No.

13 Q -- combination"?

14 It says, "Within the direct removal class,  
15 oil and gas channels are the highest at 76,978 acres  
16 or 11.14 percent of the total loss followed by  
17 navigation channels at 1.63 percent, water pits at  
18 1.61 percent, access channels at 0.19 percent,  
19 burned areas at 0.11 percent, sewerage ponds at  
20 0.04 percent, agriculture ponds at 0.03 percent and  
21 drainage channels at 0.02 percent." Did I read that  
22 correctly?

23 A Yes, good job.

24 Q Now, you said earlier you did not -- you  
25 weren't familiar with the term direct removal,

1 correct?

2 A Direct what?

3 Q Direct removal?

4 A You said --

5 Q Direct removal combinations, are you  
6 familiar with --

7 A You didn't say direct removal. You said  
8 delineated.

9 MR. PALERMO:

10 Court reporter, read back the paragraph  
11 and see whether I said --

12 MR. MAHTOOK:

13 Can you just say it again?

14 BY MR. PALERMO:

15 Q It starts out this fourth paragraph under  
16 "Process Classification Results, of the possible  
17 direct removal combinations." You see that?

18 A Yes.

19 Q Do you know what direct removal that  
20 phrase of art refers to?

21 A Yes.

22 Q What does it refer to?

23 A I presume it refers to removing the marsh  
24 or whatever.

25 Q Would include oil and gas channels?

1 A Yes.

2 Q Are you familiar with the term  
3 submergence?

4 A No -- well, I've heard of it, but I'm not  
5 familiar with it.

6 Q I don't want you to guess, but do you know  
7 what it means?

8 A No.

9 Q Do you know what subsidence means?

10 A Yes.

11 Q What does that mean?

12 A It means when the marsh sinks.

13 Q And under coastal land loss process, it  
14 has a tree of the different processes, and it breaks  
15 them down into three: Erosion, submergence and  
16 direct removal, correct?

17 A Yes.

18 Q And under submergence, the second one  
19 listed is altered hydrology, oil and gas, correct?

20 A Yes.

21 Q And under direct removal, the first one is  
22 oil and gas channel, correct?

23 A Yes.

24 Q It goes on in Table 3, in the bottom  
25 right-hand corner, and it gives what's entitled

1 "Table 3, Delta Plain Coastal Land Loss Ranking,"  
2 and it has class name, acreage and percent. You see  
3 that?

4 A Yes.

5 Q And what is the first class name that it  
6 provides?

7 A Oil and gas.

8 Q And what is the acreage?

9 A You can read it.

10 Q Did I read correctly it's 249,152 acres?

11 A Yes.

12 Q And as far as the percentage of the  
13 different causes of delta plain coastal land loss  
14 ranking, what percent is attributed to oil and gas?

15 A 36 percent.

16 Q And after reading this, you're still of  
17 the opinion you would not have wanted to see this  
18 before giving opinions on whether oil and gas  
19 contributed to coastal land loss in Louisiana?

20 A I want you to state that clearly before I  
21 answer that.

22 MR. PALERMO:

23 Why don't you read it back.

24 (Previous question read back by court reporter.)

25 THE WITNESS:

1 Yes.

2 MR. PALERMO:

3 I'm going to mark as Exhibit 2 a document  
4 entitled "Environmental Impact of Produced Water  
5 Discharged in Coastal Louisiana," report of the  
6 Louisiana Division of the Mid-Continent Oil and Gas  
7 Association dated July 1989, prepared by the  
8 Louisiana Universities Marine Consortium in  
9 collaboration with Louisiana State University and  
10 A&M College and Aero-Data Corporation.

11 (Exhibit 2 was marked for identification.)

12 BY MR. PALERMO:

13 Q And I have it tabbed. I'm not going to  
14 ask you but probably a few pages of this document.  
15 Have you seen this document before?

16 A (Views documents.) No.

17 Q Are you familiar with the Mid-Continent  
18 Oil and Gas Association?

19 A Yes.

20 Q Tell me how you're familiar with it.

21 A They're a trade association, just like  
22 mine.

23 Q Are you a member of the Mid-Continent Oil  
24 and Gas Association?

25 A No.

1 Q Are many of your members also members of  
2 the Mid-Continent Oil and Gas Association?

3 A No.

4 Q Do y'all share any members?

5 A Yes.

6 Q About how many?

7 A I wouldn't know.

8 Q Turn to -- it's Page 12, I think it's  
9 probably the first tab of Exhibit 2. Actually, the  
10 second tab. I have it highlighted, and it's Roman  
11 numeral 12, "Effects of Wetland Vegetation," and it  
12 states, "Based on the analysis of historical aerial  
13 photographs of the three study sites, there was  
14 extensive conversion of wetlands to open water  
15 habitats at the Lafitte and Golden Meadow study  
16 sites since the early 1950s. Approximately one-half  
17 of the losses of wetlands was directly attributable  
18 to canal construction between 1952 and 1978.  
19 Wetland losses at the Bayou Sale site were less  
20 extensive and were mainly directly attributable to  
21 canal construction and widening."

22 Did I read that correctly?

23 A Yes.

24 Q Were you familiar with this study?

25 A No.

1 Q Were you familiar with this analysis of  
2 historical aerial photographs?

3 A No.

4 Q Would you have liked to have been familiar  
5 with it before making statements regarding whether  
6 oil and gas activity caused or contributed to any  
7 coastal land loss in Louisiana?

8 A No.

9 MR. MAHTOOK:

10 Since this is different, I make my  
11 objection to this one as well.

12 BY MR. PALERMO:

13 Q And then that last sentence that's  
14 highlighted in Paragraph 1, it says, "Rather, it  
15 appeared that the pattern of wetland loss not  
16 directly attributed to canals is related to  
17 hydrological modifications caused by canal  
18 construction, particularly semi-impoundment of marsh  
19 by spoil banks."

20 Did I read that correctly?

21 A Yes.

22 Q Do you agree with that statement?

23 A I have no knowledge of that.

24 Q Turn to Page 84. I think it's the next  
25 tabbed -- under Section 3.4, Discussion, the second

1 paragraph, it says, "Analyses of historical aerial  
2 imagery at the three study sites uncovered no  
3 suggestive evidence of wetland losses caused by  
4 produced water discharges. At each study site,  
5 dredging of canals in the marsh, the filling of  
6 marsh with dredge spoil and indirect effects  
7 associated with impounding wetlands by spoil banks  
8 appeared to be the principal causes of wetland loss  
9 since the early 1950s."

10 Do you agree with that statement?

11 A No.

12 Q Do you have any facts or evidence to --

13 A No.

14 Q -- support your disagreement?

15 A I just disagree with it.

16 Q Would you have liked to have seen this  
17 statement before making any statements regarding  
18 coastal land loss and oil and gas contribution to  
19 it?

20 A No.

21 Q Let's go ahead and turn to page -- the  
22 next tab, it's not a page number. It's Chapter 9.  
23 Go on to the next page, the last two paragraphs.  
24 And the chapter is entitled "Synthesis and  
25 Conclusions" by Donald F. Boesch and Nancy N.



1 Rabalais.

2 Are you familiar with either of those two  
3 individuals?

4 A No.

5 Q Turn to the second to last paragraph. It  
6 says, "All oil and gas fields within wetland  
7 habitats in coastal Louisiana are characterized by  
8 extensive canal development which confounds the  
9 effects produced waters may have on wetland  
10 vegetation in two ways. First, spoil banks tend to  
11 partially isolate the marsh surface from the waters  
12 of canals or bayous which receive the produced water  
13 effluents. Second, the direct and indirect effects  
14 of canal development tend to be the overwhelming  
15 cause of wetland losses within the field. These two  
16 factors are likely to be equally important in any  
17 other field which could have been selected."

18 Would you have liked to have that  
19 information before making any statements regarding  
20 oil and gas activities causing or contributing to  
21 coastal land loss in Louisiana?

22 A No.

23 Q Do you have any facts or data that refute  
24 that paragraph?

25 A No.

1           Q     The next paragraph, the second sentence  
2     says, "In such cases, the high salinity produced  
3     water will locally stress wetland vegetation and may  
4     be a cause of marsh loss. The effects of these  
5     practices were not examined because the sponsor  
6     wished to investigate the potential impacts of only  
7     these discharges that the state would reasonably be  
8     expected to continue to permit. Rather, this study  
9     focused on discharges which are made directly into  
10    tidal waters."

11                    Did I read that correctly?

12           A     Yes.

13           Q     Go to the next page, and this will be the  
14    last thing I ask you about with regarding Briggs  
15    No. 2.

16                    It says, "The analysis of historical  
17    aerial imagery clearly demonstrated the major effect  
18    construction of dense network of canals for access  
19    to well sites and pipeline transportation has on  
20    wetland loss."

21                    It goes on to say, "Nonetheless, a large  
22    portion of the losses observed since the 1940s in  
23    these fields (10 to 30 percent) were directly  
24    attributable to canals and associated spoil banks.  
25    Much of the remainder of the losses were within

1 marsh areas which were partially impounded by the  
2 spoil bank system and presumed to be an indirect  
3 effect of canal construction."

4 Did I read that correctly?

5 A Yes, you did.

6 Q Would you have liked to have seen this  
7 information before making these statements regarding  
8 oil and gas activities contributing or causing  
9 coastal wetland loss?

10 A No.

11 Q Do you have any facts or data to rebut  
12 this information we just read?

13 A No.

14 Q Mr. Briggs, do you agree that oil and gas  
15 contributed to coastal loss?

16 MR. MAHTOOK:

17 I'm going to object.

18 BY MR. PALERMO:

19 Q You can answer.

20 A No.

21 Q Do you have any facts or data that support  
22 your answer?

23 A Yes.

24 Q Tell me.

25 A I don't have them to tell you, but I don't

1 believe it, and I don't have the facts in front of  
2 me, obviously.

3 Q Do you have any facts or information that  
4 you can share with us that supports your opinion?

5 A None that I have that I can share with you  
6 right now.

7 Q Have you prepared a file or any written  
8 data that would give us facts or evidence --

9 A No.

10 Q -- that support your opinion?

11 A No.

12 Q So you have nothing?

13 A Nothing.

14 Q Not here, not at home, not at your office?

15 A No.

16 Q Am I correct?

17 A Yes.

18 Q You have called the South Louisiana Flood  
19 Protection East lawsuit frivolous, correct?

20 A Yes.

21 Q What are the names of the attorneys -- and  
22 I don't want to get into what was discussed. What  
23 are the names of the attorneys you consulted with in  
24 this case in preparing to bring this lawsuit?

25 A Mr. Mahtook.

1 Q Anyone else?

2 A No.

3 Q Is it your opinion that the South  
4 Louisiana Flood Production lawsuit is frivolous  
5 after reviewing the data which was provided to you  
6 in Briggs Exhibits 1 and 2?

7 A Yes.

8 Q Have you discussed this lawsuit, the one  
9 that you filed, at all with Garret Graves or  
10 representatives of the Governor?

11 A Yes.

12 Q Who?

13 A I mentioned it to Garret.

14 Q When?

15 A I don't remember.

16 Q How many times?

17 A I don't remember.

18 Q Anyone else with the Governor's office?

19 A No one else. I don't remember.

20 Q If you remember during the course of the  
21 deposition, if you could please --

22 A I would be glad to tell you, but I don't  
23 remember.

24 Q Should oil companies obey their contracts?

25 A I'm sorry, what?

1 Q Should oil companies obey their contracts?

2 A Certainly.

3 Q Should oil companies protect other  
4 industries that are important to Louisiana?

5 A I don't know what that means.

6 Q Do you know how many people in the state  
7 are employed in the restaurant, seafood and tourism  
8 industries compared to the oil industry?

9 A No.

10 Q Have you looked at the Governor's budget  
11 for those kind of numbers?

12 A I have, but I don't remember them.

13 Q Now, do you recall when many of the major  
14 oil companies left Louisiana years ago?

15 A Yes.

16 Q When was that?

17 A Well, they've been buying and selling  
18 properties for decades now, so it's just many  
19 different times.

20 Q Which major oil companies left Louisiana  
21 in the late '90s?

22 A Left? What does that mean?

23 Q They left their offices in New Orleans and  
24 went to Houston, for example?

25 A I don't know.

1 Q Do you believe that the price of gas is  
2 influenced by lawsuits or verdicts against oil  
3 companies?

4 A The price of gas?

5 Q Yes.

6 A Gasoline or natural gas?

7 Q Gasoline.

8 A No.

9 Q Do you believe the price of natural gas is  
10 affected or influenced by lawsuits or verdicts  
11 against oil companies?

12 A No.

13 Q Do you believe that the price of oil is  
14 influenced by lawsuits or verdicts against oil  
15 companies?

16 A No.

17 Q Do you have any evidence that Exxon Oil  
18 Company considers Louisiana's legal climate in  
19 deciding whether they drill for oil and gas in  
20 Louisiana?

21 A You'd have to ask that question to Exxon.

22 Q And I have, and I'm just wondering if  
23 you've ever asked those questions to major oil  
24 companies or companies in your organization?

25 A No, not to majors.

1 Q Is Apache a member of your organization?

2 A Yes.

3 Q Do you have any evidence that Apache Oil  
4 Company considers Louisiana legal climate in  
5 deciding whether they drill for oil and gas in  
6 Louisiana?

7 A No.

8 Q Is Justice Oil Company a member of your  
9 organization?

10 A Yes.

11 Q Do you have any evidence that Justice Oil  
12 Company considers Louisiana legal climate in  
13 deciding whether they will drill for oil and gas in  
14 Louisiana?

15 A No.

16 Q How about Four Rivers Exploration, Inc.,  
17 are they a member of your organization?

18 A I'm not sure.

19 Q Do you have any evidence that any oil  
20 company considers Louisiana's legal climate in  
21 deciding whether they will drill for oil and gas in  
22 Louisiana?

23 A No.

24 Q Is it your opinion that oil and gas  
25 companies are leaving Louisiana because of the



1 threat of lawsuits?

2 A Yes.

3 Q Which oil companies have left Louisiana  
4 because of lawsuits?

5 A I don't know.

6 Q Do you have any facts or data to support  
7 your opinion?

8 A No.

9 Q Is it your belief that oil and gas  
10 companies are not coming to Louisiana because of the  
11 threat of lawsuits?

12 A Yes.

13 Q Which oil companies have decided not to  
14 drill in Louisiana because of the threat of  
15 lawsuits?

16 A I don't know.

17 Q Do you have any facts or data to support  
18 your opinion?

19 A No.

20 MR. JONES:

21 Rock, did he answer?

22 BY MR. PALERMO:

23 Q You answer was no, correct?

24 A Yes.

25 Q Are you aware of oil companies that face

1 armed local opposition in countries such as Nigeria?

2 A I'm sorry?

3 Q Are you aware of oil companies that face  
4 armed local opposition in countries such as Nigeria?

5 A Face what?

6 Q Armed people with guns that seek to  
7 sabotage or interrupt oil company operations in  
8 countries such as Nigeria, are you aware of that?

9 MR. MAHTOOK:

10 Are you aware of that?

11 THE WITNESS:

12 No, I'm not aware of that. I'm sure they  
13 do, but I don't know.

14 BY MR. PALERMO:

15 Q Are you aware that oil companies hire  
16 private security forces in those countries to  
17 protect their infrastructure, operations and  
18 personnel from gunfire and sabotage?

19 A I'm sure they do.

20 Q Do you have any evidence that oil  
21 companies are more concerned about lawsuits than  
22 they are about armed local resistance when deciding  
23 whether to drill for oil and gas?

24 MR. MAHTOOK:

25 Let me just object.

1 THE WITNESS:

2 No.

3 BY MR. PALERMO:

4 Q Is it your opinion that oil companies are  
5 more afraid of lawsuits than they are of gunfire and  
6 sabotage?

7 THE WITNESS:

8 This is ridiculous.

9 MR. MAHTOOK:

10 Go ahead and answer the question.

11 THE WITNESS:

12 Repeat the question.

13 MR. PALERMO:

14 Read it back for me, please.

15 (Previous question read back by court reporter.)

16 MR. MAHTOOK:

17 I'll object to the question.

18 THE WITNESS:

19 I have no idea.

20 BY MR. PALERMO:

21 Q Your group states that, quote, low natural  
22 gas prices have prompted more than 60 billion in  
23 refinery, chemical and manufacturing investment just  
24 in south Louisiana, close quote, correct?

25 A Yes.

1 Q And your group suggests that, quote, the  
2 \$60 billion is only a fraction of the investment  
3 Louisiana would see if it were not for a legal  
4 environment that has pushed the state to the bottom  
5 of the desirable drilling areas, close quote,  
6 correct?

7 A Yes.

8 Q What evidence do you have to support that  
9 statement?

10 A I don't have any.

11 Q Any at home?

12 A No.

13 Q Any at your office?

14 A No.

15 Q Do you know what the fraction is?

16 A No.

17 Q What evidence do you have that Louisiana  
18 is at the, quote, bottom of the desirable drilling  
19 areas, close quote?

20 A Because my members don't like to come here  
21 because of the lawsuits, and they don't like to  
22 drill here because of the lawsuits.

23 Q Which members --

24 A I don't know.

25 Q First I was going to ask which members

1 don't like to come here because of the lawsuits?

2 A I don't know.

3 Q Which members don't like to drill here  
4 because of the lawsuits?

5 A I don't know.

6 Q Does that statement address just oil or  
7 gas or both?

8 A Both.

9 Q What percentage of your members don't want  
10 to drill for oil in Louisiana because of lawsuits?

11 A I don't know what percentage.

12 Q I take it you wouldn't know the percentage  
13 of gas either?

14 A No.

15 Q Is the Haynesville Shale a desirable  
16 drilling area?

17 A Obviously, it is.

18 Q Is the Tuscaloosa Trend a desirable  
19 drilling area?

20 A Yes.

21 Q How long has the Tuscaloosa Trend been a  
22 desirable drilling area?

23 A It's a very old field. There is no rigs  
24 drilling in Tuscaloosa right now in Louisiana.

25 Q Do you know of any oil companies that plan

1 to drill wells in the Tuscaloosa Shale?

2 A Yes.

3 Q Which ones?

4 A I don't know.

5 Q Are you familiar with Goodrich Petroleum?

6 A Yes.

7 Q Are you familiar that Goodrich Petroleum  
8 said as recently as this past Wednesday it plans to  
9 spend \$300 million to drill 32 wells in the  
10 Tuscaloosa Marine Shale in 2014 with roughly \$34  
11 million to \$45 million of that coming in the first  
12 three months of the year?

13 A I saw that.

14 Q Any reason to disagree with their  
15 projections?

16 A That's their projection.

17 Q My question is, do you have any reason to  
18 disagree with it?

19 A No, I don't.

20 Q Now, you said there is no rigs now in the  
21 Tuscaloosa Shale?

22 A No.

23 Q Goodrich says it has two rigs drilling  
24 now, one in Tangipahoa Parish, another in Amite  
25 County, Mississippi, a third rig will begin working

1 in early March. Are you aware of that?

2 A No.

3 Q That's inconsistent with your statement,  
4 correct?

5 A Obviously.

6 Q Have you talked with Goodrich about the --

7 THE WITNESS:

8 Can you --

9 MR. PALERMO:

10 Sure.

11 THE WITNESS:

12 Can you stop a minute?

13 (Whereupon, Mr. Briggs and Mr. Mahtook confer.)

14 BY MR. PALERMO:

15 Q Mr. Briggs, did you have any conversation  
16 with your attorney regarding your testimony?

17 A When?

18 Q Just now.

19 A No.

20 Q Do you have a question regarding your  
21 future answers?

22 A No.

23 Q Do you have a question about whether the  
24 deposition should continue?

25 A I really don't think this deposition has

1 got anything to do with the fact whether it's a  
2 legal contract or not.

3 Q You understand the Court will decide that,  
4 correct?

5 MR. MAHTOOK:

6 We are ready to answer your questions.  
7 He's ready to answer your questions.

8 MR. PALERMO:

9 That was one of them.

10 THE WITNESS:

11 What's your question?

12 MR. PALERMO:

13 Read it back, please.

14 (Previous question read back by court reporter.)

15 THE WITNESS:

16 Yes.

17 BY MR. PALERMO:

18 Q You made comments about the court system  
19 in Louisiana in the past, have you not?

20 MR. MAHTOOK:

21 I'm going to object.

22 BY MR. PALERMO:

23 Q You can answer.

24 A Yes.

25 Q And what is your opinion as to the



1 Louisiana court system?

2 MR. MAHTOOK:

3 Again, I'll object.

4 THE WITNESS:

5 Based on the judicial hell hole rating we  
6 have and the National Chamber of Commerce saying  
7 that our court system is one of the worse in the  
8 country, that's what I base that on.

9 BY MR. PALERMO:

10 Q Anything else?

11 A No.

12 Q Now, what factors contributes to the  
13 number of drilling rigs in south Louisiana nearing a  
14 record low this winter with 16 operating as of  
15 February 14th?

16 A Legacy lawsuits had a lot to do with it.

17 Q Anything else?

18 A Possibly low natural gas prices.

19 Q Anything else?

20 A No.

21 Q Between low natural gas prices and legacy  
22 lawsuits, how would you compare the two factors?

23 A Legacy lawsuits is the biggest reason.

24 Q Could you give it to me in percentage?

25 A Not really.

1 Q What facts or data do you have to support  
2 that either legacy lawsuits or low natural gas  
3 prices influence the number of drilling rigs in  
4 south Louisiana nearing record low this past winter?

5 A My members tell me they don't want to  
6 drill in Louisiana because of legacy lawsuits.

7 Q Anything else?

8 A No.

9 Q Is Goodrich a member of LOGA?

10 A Yes.

11 Q How long have they been a member?

12 A Since its inception.

13 Q Have you talked to Goodrich about the fact  
14 that we have this judicial hell hole?

15 A No.

16 Q You think they are aware of your comments  
17 on it?

18 A I have no idea.

19 Q Well, do you send out press releases to  
20 your members?

21 A Yes.

22 Q And those press releases have included  
23 those statements about legacy lawsuits, about our  
24 terrible legal climate?

25 A Yes.

1 Q True?

2 A True.

3 Q About judges not following the law, right?

4 A I don't know about that, no.

5 Q Now, we talked about south Louisiana. How  
6 did that compare with north Louisiana this past  
7 winter?

8 A The vast majority of the legacy lawsuits  
9 are filed -- are in south Louisiana versus north  
10 Louisiana.

11 MR. PALERMO:

12 Objection, nonresponsive.

13 BY MR. PALERMO:

14 Q How did -- one of those bad questions.  
15 Let me help you. Not that you gave a bad answer,  
16 let me just clarify for you.

17 We talked about the number of drilling  
18 rigs in south Louisiana as of this past winter, as  
19 of February 14th. My question is, how did that  
20 number compare with north Louisiana during the same  
21 time period?

22 A It was low.

23 Q South was low compared to north?

24 A Historically low.

25 Q Can you give me numbers?

1           A       Normally -- normally in south Louisiana we  
2 have probably 40 to 50 rigs running in south  
3 Louisiana. We had 11 to 12 at different times.

4           Q       I think you said 16.

5           A       Huh? It's up at 16 now.

6           Q       And my question to you, is how many rigs  
7 in north Louisiana?

8           A       North Louisiana, 30 or 40. Probably 30,  
9 35.

10          Q       Is that all drilling rigs or just LOGA  
11 member rigs?

12          A       All drilling rigs from the DNR website.

13          Q       What factors contributed to the number of  
14 drilling rigs in north Louisiana?

15          A       In north Louisiana?

16          Q       Yes, sir.

17          A       Natural gas prices in north Louisiana more  
18 than anything.

19          Q       Do you agree that hydraulic fracturing  
20 opened up new parts of the country for oil and gas  
21 exploration?

22          A       Yes.

23          Q       North Louisiana one of them?

24          A       Yes.

25          Q       Would you agree that the advent of

1 hydraulic fracturing draws investors away from older  
2 fields in south Louisiana to those fields in north  
3 Louisiana?

4 A No.

5 Q Do you have any facts or data to support  
6 that?

7 A No.

8 Q South Louisiana is also rich in natural  
9 gas, correct?

10 A Yes.

11 Q And natural gas is at historic lows now,  
12 right?

13 A Yes.

14 Q Would you agree that oil and gas companies  
15 are now migrating to areas where they are more  
16 likely to hit oil such as the Eagle Ford Shale in  
17 Texas?

18 A Yes.

19 Q And also the Bacon Shale in North Dakota?

20 A Yes.

21 Q Now, your organization has stated, quote,  
22 we made it okay to sue the oil and gas industry in  
23 Louisiana, close quote, correct?

24 A Yes.

25 Q Do oil and gas companies enjoy any special

1 immunities that make them unaccountable in our legal  
2 system?

3 A I have no idea.

4 Q Should the oil and gas companies be  
5 treated to a different standard in our legal system  
6 for any reason?

7 A No.

8 Q Should there be a different set of rules  
9 for oil and gas companies than there are for  
10 everyone else?

11 A No.

12 Q Recently you said that even though we are  
13 in a boom, quote, there are issues in Louisiana that  
14 are preventing us from doing all the things we could  
15 do, close quote, correct?

16 A Yes.

17 Q What issues?

18 A The legal climate.

19 Q Anything else?

20 A No.

21 Q And you say, "preventing us from doing all  
22 the things we could do." What are all the things we  
23 could do?

24 A We could drill more.

25 Q Anything else?

1 A That's it.

2 Q Do you know of any oil companies that  
3 specifically have not drilled because of the legal  
4 climate?

5 A No.

6 Q Tell us what will happen if lawsuits  
7 against oil companies for environmental damage are  
8 outlawed.

9 MR. MAHTOOK:

10 Object.

11 THE WITNESS:

12 I have no idea what would happen.

13 BY MR. PALERMO:

14 Q Give us a name of an oil company that has  
15 refused to do business in Louisiana because of  
16 lawsuits.

17 A I don't know any.

18 Q You don't have any facts or data anywhere  
19 else?

20 A No.

21 Q That's one of those questions that's tough  
22 to read back.

23 A I got you.

24 Q So you would agree with me you have no  
25 facts or data to support that?

1 A That's correct.

2 Q Can you name any wells that were not  
3 drilled because of lawsuits?

4 A No.

5 Q Are you familiar with the Carbello case?

6 A Yes.

7 Q Deep wells are much more expensive to  
8 drill than shallow wells, true?

9 A Yes.

10 Q Is it your opinion that oil companies have  
11 not drilled because of the Carbello case?

12 A Yes.

13 Q Are you aware that the Carbello property  
14 had been top leased for the deep rights within the  
15 last two years?

16 A No.

17 Q Does that surprise you?

18 A No.

19 Q So despite the Carbello case, an oil  
20 company and its investors are putting up millions of  
21 dollars to drill right in the middle of the Carbello  
22 property; are you aware of that?

23 A No.

24 Q If you are correct that liability for  
25 contamination is keeping oil companies from doing



1 business in Louisiana, how do you explain that?

2 A Repeat that question.

3 Q If you're correct that liability for  
4 contamination or environmental damage is keeping oil  
5 companies from doing business in Louisiana, how do  
6 you explain that the Carbello case, which you  
7 contend keeps people away, oil companies went back  
8 to the same property and leased the deep rights?

9 A I'm sure that they negotiated that  
10 contract very closely.

11 Q You don't have any facts or evidence to  
12 support that?

13 A Of course not.

14 Q Where are the companies that are leaving  
15 Louisiana going?

16 A To Bacon, Eagle Ford, Alabama,  
17 Mississippi.

18 Q And we discussed some of the reasons for  
19 that earlier, that they are more likely to hit oil  
20 in such places as Eagle Ford Shale in Texas or the  
21 Bacon Shale in North Dakota, right?

22 A They hit oil, yes. But we have plenty of  
23 oil in south Louisiana along with our liquids, and  
24 that's what makes Louisiana such a good place to  
25 drill in south Louisiana. We have natural gas and

1 liquids with it. There's a difference between that  
2 and the Haynesville.

3 Q You can't name a single company that has  
4 not drilled because of lawsuits?

5 A No.

6 Q You would agree with that?

7 A I agree. I just said I didn't.

8 Q That's just one of those questions when  
9 you read the transcript, it's going to be tough to  
10 understand. That's why I asked it twice.

11 A I understand.

12 Q You are doing fine.

13 Do you believe that oil companies should  
14 be allowed to contaminate soil and water in  
15 Louisiana?

16 A No.

17 Q What recourse should the state or  
18 landowners have when oil companies do environmental  
19 damage to Louisiana land?

20 A Recourse from who?

21 Q From the oil companies.

22 A You are talking about the landowner?

23 Q Landowner, whether it's a private  
24 landowner or state landowner?

25 A You can go to the Office of Conservation

1 and ask for a cleanup.

2 Q Any other recourse you think that  
3 landowners should have?

4 A No. No, that's not true. If he goes  
5 there and it doesn't get cleanup, he has a right to  
6 his own legal action like anyone would have.

7 Q Tell me how that process works.

8 A He gets an attorney.

9 Q And he does what? He goes to the Office  
10 of Conservation, and who does he go to?

11 A I have no idea. I have never had to do  
12 it.

13 Q Can you tell me anything about the process  
14 that you just explained?

15 A No.

16 Q Do you know if there is a process like  
17 that?

18 A There is a process like that.

19 Q Do you know what it's called or where it  
20 is in the law?

21 A No.

22 Q Have any of your members been subject to  
23 it?

24 A I have no idea.

25 Q Would you agree that it is in the best

1 interest of the state to respond to environmental  
2 damage claims as expeditiously as possible?

3 MR. MAHTOOK:

4 Let me just object.

5 BY MR. PALERMO:

6 Q Let me help you out here. You remember a  
7 LOGA state-of-the-industry presentation in Houston?

8 A Yes.

9 Q Do you recall a slide stating, quote, it  
10 is in the best interest of the state to respond to  
11 environmental damage claims as expeditiously as  
12 possible?

13 A I don't remember the slide. It wasn't my  
14 presentation.

15 Q Do you agree with the statement that it is  
16 in the best interest of the state to respond to  
17 environmental damage claims as expeditiously as  
18 possible?

19 A Certainly.

20 Q Do you agree that, quote, ensures that the  
21 environment is cleaned up as quickly as possible and  
22 encourage drilling investment in Louisiana?

23 A Yes.

24 Q Do you agree that remediation should  
25 ensure that the environment comes first?

1 A Yes.

2 Q Is Melissa Landry with your organization?

3 A No.

4 Q In the World Energy, Volume 7, No. 2 in  
5 2004, you were quoted as stating, quote, the decline  
6 of oil and gas activities was due to a combination  
7 of impediments with one more prominent than others:  
8 Trial lawyers seeking retribution for environmental  
9 damages on what is commonly referred to as legacy  
10 sites. Is that quote correct?

11 A If it says it's a quote from me, I'm sure  
12 it is.

13 Q It says, a combination of impediments.  
14 What other impediments other than legacy sites were  
15 you referring to?

16 A I don't know.

17 Q Now, also in that same World Energy  
18 publication, Volume 7, No. 2, 2004, you were quoted  
19 as stating, quote, Louisiana has thousands of miles  
20 of canals through its marshes dredged to reach drill  
21 sites, close quote.

22 Do you know how many thousands of miles of  
23 canals were dredged to reach drill sites by oil  
24 companies?

25 A No.

1 MR. MAHTOOK:

2 Just object.

3 BY MR. PALERMO:

4 Q In that same publication you were quoted  
5 as saying, quote, legacy site litigation is the new  
6 tobacco or asbestos in Louisiana, close quote. Do  
7 you recall that?

8 A Yes.

9 MR. MAHTOOK:

10 Objection. Rock, let me just make them  
11 ongoing so I don't have to keep interrupting.

12 MR. PALERMO:

13 Sure, absolutely.

14 MR. MAHTOOK:

15 If that's okay.

16 BY MR. PALERMO:

17 Q Did LOGA take a stance on the tobacco suit  
18 when it came out?

19 A No.

20 Q Did it take any stance on the asbestos  
21 suits?

22 A No.

23 Q Does LOGA believe the tobacco suit was  
24 good for Louisiana or not?

25 A I have no idea. It doesn't take a stance

1 on it.

2 Q You have not done any investigation as to  
3 whether that was a worthwhile lawsuit or not?

4 A No.

5 Q You consider the tobacco suit frivolous?

6 A I'm not sure.

7 Q And I'm stating specifically about the  
8 state's case against the major tobacco companies.  
9 You recall that lawsuit?

10 A I remember, yeah.

11 Q You consider it frivolous?

12 A I don't know.

13 Q Are you familiar with asbestos suits?

14 A Yes.

15 Q Do you consider those frivolous?

16 A I don't know.

17 Q Same publication, World Energy, Volume 7,  
18 No. 2. In 2004 you were quoted as saying, quote,  
19 restoring the property where there have been  
20 operations may involve such things as  
21 decontamination of soil in which chemicals may be  
22 present or refilling canals by obtaining fill from  
23 other sources. Few landowners are actually  
24 interested in obtaining restoration of the land,  
25 close quote.

1 Did I read that correctly?

2 A I don't know.

3 Q Do you recall making that statement?

4 A I may have.

5 Q Do you know whether the South Louisiana  
6 Flood Protection Authority in its petition asked for  
7 restoration of the land?

8 A Say that again.

9 Q Do you know whether or not the South  
10 Louisiana Flood Protection Authority in its petition  
11 asked for relief that would include restoration of  
12 the land?

13 A I don't know. I didn't read the petition.

14 Q You didn't read the South Louisiana Flood  
15 Protection Authority East petition against 97 oil  
16 companies?

17 A No.

18 Q And you haven't as of today?

19 A No.

20 Q Am I correct?

21 A I said no.

22 Q The problem is whether you're saying no,  
23 that I'm not correct, or I'm incorrect.

24 Would you agree with me that you have not  
25 read up until today the lawsuit by the South



1 Louisiana Flood Production Authority East against 97  
2 oil companies?

3 A Yes.

4 Q Do you know of any oil companies that have  
5 voluntarily filled dredge canals in coastal  
6 Louisiana?

7 A No.

8 Q Are you familiar with permits which  
9 required that oil companies fill the canals that  
10 they dredged after their use?

11 A No.

12 Q Now, are you familiar with the Louisiana  
13 record of publication entitled Louisiana Record?

14 A I'm not sure.

15 Q Do you know a Kyle Barnett?

16 A No.

17 Q You were quoted in a June 23, 2013 article  
18 by Kyle Barnett entitled "Legacy Lawsuit Reforms  
19 Mostly Ignored by Judges Say Industry Advocate and  
20 Legal Reform Group," and you were quoted in that  
21 article, quote, the law is very clear, and it's not  
22 being followed by the judicial system, close quote.  
23 He said, quote, consequently if the judges don't pay  
24 any attention to the law, then it's kind of  
25 difficult to have good jurisprudence, close quote.

1           You recall making that statement?

2           A     Yes.

3           Q     The law you are referring to, which law  
4 was that?

5           A     Act 312.

6           Q     Which judges were not paying attention to  
7 the law?

8           A     I don't know.

9           Q     At the time you made this statement, did  
10 you have some judges' names --

11          A     No.

12          Q     -- on the top of your head?

13          A     I don't remember, no.

14          Q     Did you have any evidence at all that  
15 judges weren't following the law when you made that  
16 statement?

17          A     No.

18          Q     You also said that failure of the courts  
19 to properly apply legacy lawsuit reforms has  
20 emboldened plaintiffs' attorneys to bring further  
21 suits without merit. Which lawsuits were you  
22 referring to?

23          A     Repeat that again.

24          Q     "Briggs said the failure of courts to  
25 properly apply legacy lawsuit reforms has emboldened

1 plaintiffs' attorneys to further bring suits without  
2 merit."

3 Which particular lawsuits were you  
4 referring?

5 A Probably Carbello.

6 Q Well, this was in 2013 when you made this  
7 statement. Carbello was when?

8 A 2003 or four.

9 Q You were talking about further bring  
10 suits, like in the future?

11 A Right.

12 Q Which --

13 A I don't remember.

14 Q You said you don't remember any judges.  
15 Do you remember --

16 A No.

17 Q -- any particular courts --

18 A No.

19 Q -- which you think --

20 A No.

21 Q -- did not pay attention to the law?

22 A No.

23 Q Did you have a basis to make that  
24 statement when you made it?

25 A I'm sure I did.

1 Q Right now you can't give us any facts at  
2 all --

3 A No.

4 Q -- to support it?

5 A I don't remember back what that was.

6 Q On or about December 13, 2011, you were  
7 quoted as stating 30 of the top 50 producers in  
8 Louisiana are getting out as a result of the legacy  
9 lawsuits. Do you recall that statement?

10 A No.

11 Q Do you recall stating the economic damage  
12 to the state's most lucrative industries from this  
13 is significant?

14 A I'm sorry?

15 Q I'm going to give you a copy of the page I  
16 was reading from. See if that refreshes your  
17 memory.

18 MR. MAHTOOK:

19 Can you tell us where it's from?

20 MR. PALERMO:

21 It's from an article entitled "Notes and  
22 Thoughts on the Legislative Orientation Yesterday"  
23 posted by M-A-C, first name, last name is,  
24 A-O-I-D-H, on Tuesday, December 13, 2011.

25 THE WITNESS:

1                   You're talking about what's highlighted  
2 here?

3 BY MR. PALERMO:

4           Q     Yes, sir.

5           A     I mean, this guy wrote that. I don't  
6 know. I didn't say that.

7           Q     Okay. Now, on October 2, 2013, you penned  
8 an article entitled "Poor Legal Climate Stealing the  
9 Show," correct?

10          A     I guess so.

11          Q     And in it you stated, "Louisiana is  
12 experiencing an unprecedented economic development  
13 boom," correct?

14          A     Yes.

15          Q     And you cited that over \$62 billion in  
16 economic development investments have been committed  
17 to the State of Louisiana over the next eight years,  
18 right?

19          A     Yes.

20          Q     And you stated that Shell announced a  
21 potential gas to liquids project that could bring an  
22 additional 12.5 billion economic impact to the State  
23 of Louisiana, right?

24          A     Yes.

25          Q     And you went on to say this recent

1 announcement pushes the investments committed to  
2 Louisiana well over the \$75 billion range, right?

3 A Yes.

4 Q And those investments happened even  
5 despite what you have described as lawsuit threats  
6 against oil companies, right?

7 A Yes.

8 Q Did you discuss with Shell the lawsuit  
9 threats or the lawsuit climate in Louisiana?

10 A No.

11 Q And you say that these companies see an  
12 opportunity to make financial investments in  
13 Louisiana due to our vast and cheap supply of  
14 natural resources, right?

15 A That's right.

16 Q Does our cheap supply of natural resources  
17 have anything to do with Louisiana's historic lack  
18 of enforcement of environmental regulations on oil  
19 companies?

20 A Cheap supply of natural resources is cheap  
21 supply of natural gas, which we have in the  
22 Haynesville, and that's what created all that.

23 Q You know of no oil company that considers  
24 in its economic analysis whether to drill for oil  
25 and gas in Louisiana the legal climate in Louisiana,

1 correct?

2 A Yes.

3 MR. PALERMO:

4 I'm going to show you a copy of a May 7,  
5 2013 press release that I'll mark as Briggs No. 3.

6 (Exhibit 3 was marked for identification.)

7 BY MR. PALERMO:

8 Q It's a two-page document, and it's  
9 entitled "Louisiana Earns its Highest Ranking Ever  
10 in CEO Survey of State Business Climates." You see  
11 that?

12 A Yes.

13 Q It says in the first sentence, "Today,  
14 Chief Executive revealed that CEOs nationwide rank  
15 Louisiana No. 11 in the U.S., the state's highest  
16 position ever, in the magazine's annual ranking of  
17 Best and Worst States for Business."

18 Did I read that correctly?

19 A No. 2?

20 Q Did I read that first sentence correctly?

21 A Where is that at?

22 Q That's the first sentence right after  
23 Baton Rouge up at the top.

24 MR. MAHTOOK:

25 We have a different thing.

1 MR. PALERMO:

2 Actually, you do.

3 BY MR. PALERMO:

4 Q Governor's press release dated May 7, 2013  
5 entitled, "Louisiana Earns Its Highest Ranking Ever  
6 in CEO Survey of State Business Climates." You see  
7 that?

8 A Uh-huh.

9 Q That's where you need to say yes or no.

10 A Yes.

11 Q His first sentence it says, "Today, Chief  
12 Executive revealed that CEOs nationwide ranked  
13 Louisiana No. 11 in the U.S., the state's highest  
14 position ever, in the magazine's annual ranking of  
15 Best and Worst States for Business."

16 Did I read that correctly?

17 A Yes, you did.

18 Q Do you have any evidence or data that  
19 rebuts the Governor's statement?

20 A No.

21 Q "The report continues the state's ascent  
22 in national business climate ranking, with Louisiana  
23 showing the greatest improvement of any state in the  
24 U.S. over the past four years. Since 2009,  
25 Louisiana has improved a nation-best 33 spots in the



1 Chief Executive Survey."

2 Are you familiar with the survey?

3 A No.

4 Q Would you have liked to have seen this  
5 before making statements about the poor business  
6 climate in Louisiana?

7 A No.

8 Q You consider the Governor's press releases  
9 on business climate in the State of Louisiana  
10 immaterial?

11 A No.

12 Q Do you value the Governor's statements on  
13 the business climate in Louisiana?

14 MR. MAHTOOK:

15 Objection.

16 THE WITNESS:

17 No.

18 BY MR. PALERMO:

19 Q You see in that fourth paragraph it says,  
20 "Chief Executive Editor-in-Chief JP Donlon, who last  
21 year described Louisiana as "the Cinderella of  
22 business improvement," writes in 2013 that,  
23 "Louisiana has come a long way since 2006 when it  
24 ranked 47th."

25 Do you disagree with the statement that

1 Louisiana has come a long way since 2006 when it  
2 ranked 47th?

3 A No.

4 Q Do you agree with Mr. Donlon when he  
5 described Louisiana as, quote, the Cinderella of  
6 business improvement?

7 A No, I don't disagree.

8 Q There is some bullet points at the bottom.  
9 Do you see where Site Selection magazine ranked  
10 Louisiana's business climate No. 7 in the U.S. in  
11 its November 2012 issue, Louisiana's highest ranking  
12 ever. You see that?

13 A I see that.

14 Q Were you familiar with that?

15 A No.

16 Q That second bullet says, area development  
17 magazine ranked Louisiana No. 6 among top states for  
18 doing business in 2012. Louisiana's highest  
19 ranked -- excuse me, highest ever ranking.

20 Are you familiar with that?

21 A No.

22 Q And the fourth bullet, "Pollina Corporate  
23 Real Estate, which named Louisiana the nation's  
24 most-improved state in 2010, ranked Louisiana No. 16  
25 among the top pro-business states in the U.S. for

1 2012, Louisiana's highest ever ranking. Since 2008,  
2 Louisiana has improved 24 spots in the Pollina  
3 report, more than any other state."

4 Were you familiar with that report?

5 A No, I'm not familiar with any of those.

6 Q On the next page, Page 2 of Exhibit 3, it  
7 says, "Southern Business & Development magazine  
8 reported that Louisiana secured more significant  
9 business development projects per capita than any  
10 other state in the South for the last four years in  
11 a row."

12 Were you familiar with that report?

13 A No.

14 Q Are you an officer in Change Louisiana,  
15 Incorporated?

16 A Yes.

17 Q And what is your title?

18 A President.

19 Q I'm sorry?

20 A President.

21 Q Who are any of the other officers?

22 A Gifford Briggs and Ginger Sawyer. No,  
23 just Gifford Briggs and myself. She's a director.

24 Q Is Change Louisiana, Incorporated, a  
25 501(C)(3, (C)(4) or another type of entity?

1 A (C)(4).

2 Q Anyone else on the board?

3 A No, just three of us.

4 Q Does it have any employees?

5 A No.

6 Q Where are its offices?

7 A I'm president and Gifford is the  
8 secretary/treasurer.

9 Q Are its offices conducted out of either  
10 Gifford or your households?

11 A Gifford.

12 Q I think earlier you were telling me LOGA,  
13 it's a 501(C)(3) or (C)(4)?

14 A I'm not sure. I think it's a (C)(3).

15 Q Does LOGA contribute to legislative  
16 campaigns?

17 A No, our PAC does.

18 Q What is the name of the PAC?

19 A LOG PAC.

20 Q And who are the directors?

21 A I'd have to look at that. I don't  
22 remember.

23 Q Are you a director of the LOG PAC?

24 A I'm not sure.

25 Q Do you know how much money LOG PAC has

1 contributed to legislative campaigns since  
2 September 1, 2013?

3 A No.

4 Q Where would we find that information?

5 A I imagine we have to file reports on it,  
6 so I'm sure it's there.

7 MR. PALERMO:

8 Mr. Briggs, that's all the question I have  
9 for you now. I'm going to pass the questions on to  
10 one of the other attorneys here, and I'll have maybe  
11 some more questions for you later. Thank you.

12 (Brief recess.)

13 EXAMINATION BY MR. SHOWS:

14 Q Mr. Briggs, my name is Wade Shows, and I  
15 represent the defendant in a lawsuit that was  
16 instituted by Louisiana Oil & Gas Association; that  
17 is, Honorable James D. "Buddy" Caldwell in his  
18 capacity as Attorney General for the State of  
19 Louisiana.

20 I want to limit my questions somewhat to  
21 the area of the lawsuit and the reconventional  
22 demand that's been filed by the Attorney General's  
23 Office. And as Mr. Palermo indicated to you, if you  
24 don't understand my question, please feel free to  
25 stop me. If you don't know the answer, that's an

1 appropriate response.

2 I'd like to start out with the first step.  
3 How did LOGA, or its representatives, either the  
4 executive committee or the board, determine that the  
5 lawsuit, meaning the lawsuit that was filed by the  
6 authority in Orleans Parish, that that lawsuit  
7 warranted intervention by LOGA and expenditure of  
8 their assets without the president ever having even  
9 read the lawsuit?

10 A I defer to my counsel on that. I mean,  
11 we -- my counsel, my legal counsel, which is  
12 Mr. Mahtook here is the one that advised us on  
13 whether that was legal or not legal.

14 Q I understand, but it couldn't have  
15 happened in a vacuum. Did you get a copy of the  
16 lawsuit?

17 A Yes.

18 Q And at that point you turned it over to  
19 Mahtook and said you make a decision?

20 A No. I have in-house counsel that looked  
21 at it as well.

22 Q Who is the in-house counsel?

23 A Her name is Lauren Estopinal; now it's  
24 Chauvin, Lauren Chauvin.

25 Q And she's employed by LOGA, and that's

1 strictly her job?

2 A Uh-huh.

3 Q So somebody did read the lawsuit --

4 A Of course.

5 Q -- by LOGA and you may not have read it?

6 A Of course.

7 Q Were you given some kind of executive  
8 summary of the lawsuit by anybody?

9 A Yes.

10 Q And who gave that to you?

11 A I think Lauren gave me an executive  
12 summary of it.

13 Q Now, I'm curious to know this: There is a  
14 lawsuit that's filed in Orleans Parish that  
15 precipitated this declaratory judgment in East Baton  
16 Rouge Parish. Who did you discuss with whether you  
17 ought to file a separate lawsuit in East Baton Rouge  
18 Parish or intervene in Orleans Parish and seek the  
19 disqualification of the law firm that filed the suit  
20 based on the fact that LOGA's position was they did  
21 not have the appropriate authority to file the  
22 lawsuit? Tell me what went into that thought  
23 process.

24 A That's a legal question that I have no  
25 idea how to answer that.

1 Q You didn't participate in that decision  
2 whatsoever?

3 A I'm sure I did.

4 Q Okay. Tell me what participation --

5 A But I don't understand the legal aspects  
6 of it.

7 Q I understand. And I want to know what  
8 participation you had in the decision-making process  
9 not to seek disqualification in Orleans Parish as  
10 opposed to bring it in East Baton Rouge Parish?

11 A Orleans Parish --

12 MR. MAHTOOK:

13 I think that's a legal question. I think  
14 the venue is established by the statute.

15 BY MR. SHOWS:

16 Q I understand. But, theoretically, you can  
17 intervene in Orleans Parish, or you could have filed  
18 a separate lawsuit. Certainly, LOGA had the ability  
19 to say this contract with this law firm was not  
20 proper and, therefore, they ought to be  
21 disqualified. My question was: Was that a  
22 discussion that you had?

23 MR. MAHTOOK:

24 I'm going to object to the form of the  
25 question.



1 THE WITNESS:

2 I don't understand what you're asking.

3 BY MR. SHOWS:

4 Q Tell me what discussion you had as  
5 president with any board member about the  
6 appropriate venue to file the lawsuit.

7 A I'm sorry. This is a legal question. I  
8 can't tell you the answer.

9 Q A legal question?

10 MR. MAHTOOK:

11 Ask it again.

12 BY MR. SHOWS:

13 Q It's a simple question. What discussion  
14 -- that's not legal. What discussion did you have  
15 with other board members about the selection of the  
16 venue?

17 A Didn't have any with any other board  
18 members that I know of. Well, I'm sure I did. I  
19 had it with some.

20 Q All right. Well, tell me what the nature  
21 of that discussion was.

22 A I don't know what the nature of it was.

23 Q You don't remember?

24 A No.

25 Q Who did you have the discussion with?

1           A     I talked with my chairman, and I talked to  
2 other board members.

3           Q     And what is the chairman's name?

4           A     It was Brian Hanks.

5           Q     And the board members you talked to?

6           A     I don't remember.

7           Q     And what was the nature of the discussion?  
8 Did you discuss that Orleans Parish may not have  
9 been an appropriate climate that you criticized in  
10 some of the articles to bring forth the particular  
11 issue; did you discuss that?

12          A     No, not that I remember.

13          Q     To me, not that I remember and no are two  
14 different things.

15          A     I don't know.

16          Q     Was there a possibility --

17          A     I don't know.

18          MR. MAHTOOK:

19                 Let me object. He's already answered the  
20 question.

21 BY MR. SHOWS:

22          Q     Was it a possibility that you did discuss  
23 that with them?

24          MR. MAHTOOK:

25                 I'm going to object. He said he doesn't

1 know.

2 THE WITNESS:

3 I said I don't know.

4 MR. SHOWS:

5 That's a complete different question.

6 MR. MAHTOOK:

7 Say it again.

8 MR. SHOWS:

9 I said it's a different question.

10 MR. MAHTOOK:

11 Say it again.

12 BY MR. SHOWS:

13 Q Is there a possibility that you have  
14 discussed that with the board members?

15 A I don't know.

16 Q Tell me when this matter was brought  
17 before the executive committee. I think you said  
18 the matter of the lawsuit was brought before the  
19 executive committee first, correct?

20 A No.

21 Q It was brought before the full board  
22 first?

23 A It went before the board and then the  
24 executive committee or maybe vice-versa. I don't  
25 remember. Whatever we put in our --

1 MR. MAHTOOK:

2 Wait. I'm going to object to the whole  
3 issue -- the whole line of questioning.

4 MR. SHOWS:

5 Okay. I mean, I think I have the ability  
6 to find out if, just as y'all have challenged the  
7 authority of -- the authority to bring the lawsuit,  
8 I need to know if he exercised the appropriate  
9 authority under his Articles of Incorporation and  
10 bylaws, and that's what I'm trying to --

11 MR. MAHTOOK:

12 But I don't think he's asserted in any of  
13 that in your answers, did you? You didn't raise  
14 that as a defense or --

15 MR. SHOWS:

16 I haven't, but that may lead to  
17 discoverable information.

18 BY MR. SHOWS:

19 Q So with that said, let's start out with  
20 the Answers to Interrogatories that I think you  
21 furnished yesterday, and that may refresh your  
22 recollection.

23 I think that the discovery indicates that  
24 the first order of business was to bring it to the  
25 executive committee?

1           A     Okay.

2           Q     Do you recall who was on the executive  
3 committee at the time of that discussion?

4           A     Not sure.

5           Q     You're not sure?

6           A     No.

7           Q     Do you know when it was?

8           A     In August or September.

9           Q     It was in August.

10                   Interrogatory No. 16 that was propounded  
11 to you through your counsel says, "Please describe  
12 the process by which LOGA obtained the authority  
13 from the board members to file the instant lawsuit."  
14 And your answer was: "On August 26th, the president  
15 of LOGA, Don Briggs, called an executive committee  
16 meeting during which he presented, without  
17 objection, LOGA's plan of action regarding the  
18 lawsuit, which included sending a letter and a draft  
19 petition to the Attorney General and allowing him  
20 time to revoke his approval of the resolution. This  
21 letter and draft petition was sent to the Attorney  
22 General on August 28th," which is two days after.  
23 "September 24th, Mr. Robbie Mahtook presented the  
24 proposed lawsuit to LOGA's Board of Directors  
25 without objection."

1           So it went to the executive committee  
2 first, right?

3           A     Correct.

4           Q     How many members are there in the  
5 executive committee?

6           A     I think we have eight.

7           Q     And how many members were -- when you  
8 called this meeting on August 26th, how many members  
9 were present?

10          A     I don't remember how many we had. We had  
11 close to 30 to 40 members.

12          Q     And the executive committee has how many  
13 members?

14          A     Eight.

15          Q     So if the executive committee had eight  
16 members, and you called an executive committee  
17 meeting, and this lawsuit was presented without  
18 objection, how many of the eight members first --  
19 how many of the eight members were present?

20          A     Six, I think. I'm not sure if everyone  
21 was available. That was -- I have no idea. I don't  
22 remember.

23          Q     Was there at least four members present?

24          A     Of course.

25          Q     Was it a special called executive

1 committee meeting?

2 A Yes, it was conference call.

3 Q It was a conference call?

4 A Yes.

5 Q And how much time -- how much notification  
6 did you give them for the conference call?

7 A I don't remember.

8 Q It was less than two hours, wasn't it?

9 A I don't remember.

10 Q Do the bylaws allow you to have -- do the  
11 bylaws allow you to have a telephone conference call  
12 to conduct business?

13 A Sure.

14 Q They do?

15 A I don't know if it does or not.

16 Q Because I have a copy of it. I don't see  
17 where it does.

18 A No. I don't know if it says I can or  
19 cannot.

20 Q Do you have a resolution that authorizes  
21 you to have minutes -- have special executive  
22 committee by virtue of a telephone conference?

23 A No.

24 Q I have a document from a C.C. Richter,  
25 R-I-C-H-T-E-R. Is she a staff person at LOGA?

1           A     Yes, my assistant.

2           Q     And it's dated February 18, 2014 to Lauren  
3 Estopinal.

4           MR. SHOWS:

5                   I guess that's somebody in your office,  
6 Rob?

7           MR. MAHTOOK:

8                   No, it's actually general counsel to LOGA.

9           BY MR. SHOWS:

10          Q     Okay.  Where it gives us -- it forwards us  
11 a copy of an August 26, 2013 e-mail at 12:17:29 p.m.  
12 Central Daylight Time.  That's 12:17.  And it says,  
13 "Executive conference call today at 3:30."  This was  
14 at 12:17.  So it was a little over a three-hour  
15 notice for this conference call, correct?

16          A     Okay.

17          Q     Was there any agenda that was given with  
18 this, of this 3:30 telephone conference?

19          A     Not that I remember.

20          Q     Was there any minutes that were taken of  
21 that executive --

22          A     Not that I remember.

23          Q     So if the Court were to want to know the  
24 authority under which this executive committee  
25 acted, that would be based on your testimony alone;



1 there is no documentation to support that?

2 A No.

3 Q At this executive committee conference  
4 call, was there any discussion about whether the  
5 lawsuit would be filed in Orleans Parish or in East  
6 Baton Rouge Parish?

7 A It was going to be filed here.

8 Q In East Baton Rouge Parish?

9 A Yeah.

10 Q So there was discussion?

11 A I'm sure because that's where we were  
12 going to file it.

13 Q What was the pros and cons of filing it in  
14 Orleans Parish as opposed to East Baton Rouge  
15 Parish?

16 A I don't know.

17 Q You don't remember that discussion?

18 A No.

19 Q Who was on the conference call?

20 A I can't remember.

21 Q Who are the members of the board -- who  
22 were the members of the executive committee in  
23 August of 2013?

24 A I'm not sure who all was on that list that  
25 day. I'd have to look at it.

1 Q If you would, look at this and tell me if  
2 that helps refresh your memory. That's an e-mail  
3 with certain e-mail addresses.

4 A Sure. I'd be glad to. (Views document.)  
5 That's all of them.

6 Q But I need to know the names.

7 A It has their names right here.

8 Q Do me a favor and tell me who they are. I  
9 can't read it from the e-mail addresses. I don't  
10 know which -- it's a list of names. I don't know  
11 which ones are being sent courtesy copies or which  
12 one is secretary. I need to know the members.

13 A Their names are right besides each one of  
14 the e-mails.

15 MR. MAHTOOK:

16 Can we identify who the executive  
17 committee members are?

18 THE WITNESS:

19 Ray Lasseigne, Diana Chance, Phil  
20 Fenstamaker, Mitch Ackel, Brian Hanks, Dan Fulnarek,  
21 he's deceased, Irvin O'Brien, Bruce Smith. That's  
22 all of them.

23 BY MR. SHOWS:

24 Q Thank you. And do you know which ones  
25 were present and which ones weren't?

1           A     I think most of them were there.

2           Q     Was it a dial-in type conference call, or  
3 does your secretary dial each one of the  
4 individuals, or was it a dial-in number? How is  
5 that generated; do you know?

6           A     I don't know how that one was generated.  
7 We have a dial-in number we use, but it could have  
8 been a secure -- a secure conference call. I don't  
9 know.

10          Q     On here the e-mail says dial-in number  
11 866 --

12          A     Yeah, that's our regular dial-in number.

13          Q     So there would have been a record as to  
14 how many people participated --

15          A     I'm not sure.

16          Q     -- in that conference call?

17          A     I guess.

18          Q     Now, if we go -- after that executive  
19 committee meeting, the interrogatory indicates that  
20 it was presented to the LOGA board meeting, at the  
21 2013 board meeting, and they list a copy of the  
22 agenda; is that correct?

23          A     Yes.

24          Q     Do we know or can you tell me how many  
25 board members were present at that meeting?

1 A I don't remember. I don't remember.

2 Q How many board members are there?

3 A Seventy.

4 Q And how many members does LOGA have?

5 A 1600.

6 Q There is an agenda item, Roman numeral IV,  
7 that talks about Louisiana legal climate, Don  
8 Briggs, No. 1 was SLFPA-E lawsuit. That was on the  
9 agenda. Tell me what was discussed about that  
10 lawsuit.

11 MR. MAHTOOK:

12 I'm going to object because I was the one  
13 that participated -- I was the one that presented it  
14 to the board.

15 MR. SHOWS:

16 And you presented all four of them?

17 MR. MAHTOOK:

18 No, to the SLFPA-E lawsuit.

19 MR. SHOWS:

20 The SLFPA-E lawsuit. So your objection is  
21 that it's privileged?

22 MR. MAHTOOK:

23 Yes.

24 BY MR. SHOWS:

25 Q Was there any other individuals at that

1 meeting besides board members?

2 A There may have been.

3 MR. SHOWS:

4 Do you still assert the privilege?

5 MR. MAHTOOK:

6 I still assert the privilege.

7 MR. SHOWS:

8 With people other than the clients being  
9 present?

10 MR. MAHTOOK:

11 Other than the people -- other than the  
12 assistant to Mr. Briggs who's part of the -- who's  
13 part of LOGA and is considered a client.

14 MR. SHOWS:

15 I understand.

16 MR. MAHTOOK:

17 So whether or not there were any outside  
18 people not related to LOGA, I do not recall any of  
19 those people --

20 MR. SHOWS:

21 Well, I thought his answer was that there  
22 may have been other people besides LOGA board  
23 members.

24 THE WITNESS:

25 Sometimes we let outside people sit in a

1 meeting if they're there. That's all. I don't  
2 know.

3 MR. MAHTOOK:

4 I'm telling you there wasn't anybody  
5 there, and I'm asserting the attorney/client  
6 privilege. That's all I can do.

7 BY MR. SHOWS:

8 Q Were there any outside people present?

9 A I have no idea. I don't believe so.

10 Q Before, you told me there may have. Now  
11 you're telling me you don't believe so?

12 A There may have. I do not know.

13 Q Do we have the ability to look at a roster  
14 or sign-in sheet to see who was present?

15 A There was no sign-in sheet.

16 Q Do board members usually invite their  
17 wives and/or husbands to this discussion?

18 A To this? No.

19 Q Was it the practice at the LOGA board  
20 meetings to have people other than board members  
21 present in the normal course?

22 A No.

23 Q It was not the practice?

24 A No.

25 Q But sometimes it happened?

1 A Sometimes.

2 Q Other than legal advice of this agenda  
3 item, did you make any presentation on the SLFPA-E  
4 lawsuit?

5 A I don't remember making that.

6 Q Did you make any comment about it?

7 A I don't remember that.

8 Q And what about the LOGA AG suit; who made  
9 a presentation on that?

10 A Our counsel did.

11 MR. SHOWS:

12 Legacy lawsuits, you made that also?

13 MR. MAHTOOK:

14 Yes.

15 BY MR. SHOWS:

16 Q And the LOGA POA, what is that?

17 A I don't know.

18 Q What's LOGA POA stand for?

19 A I don't know. Let me see that. That's  
20 LOGA plan of action.

21 Q LOGA plan of action. And that was  
22 something that Mr. Mahtook presented or you  
23 presented?

24 A We just discussed what we do next. That's  
25 probably when we took a vote.

1 Q When you say "we," you discussed that  
2 with --

3 A The board.

4 Q Tell me what the discussion was.

5 MR. MAHTOOK:

6 Let me just object --

7 THE WITNESS:

8 I don't remember what the discussion was.

9 MR. MAHTOOK:

10 Let me object to the extent that the  
11 discussion was about the lawsuit and legal advice,  
12 and I instruct him not to answer anything regarding  
13 legal advice that was given to the board.

14 MR. SHOWS:

15 I'm asking what they as board members  
16 discussed.

17 THE WITNESS:

18 I don't remember.

19 BY MR. SHOWS:

20 Q Do y'all have minutes, Mr. Briggs?

21 A No, I already said no.

22 Q Is it recorded?

23 A No.

24 Q So almost everything I read that you talk  
25 about is about the legacy issue, and you're telling



1 me at the board meeting in 2013, under category of  
2 legacy lawsuits, that you had no discussion with  
3 that topic with the board members?

4 A On legacy?

5 Q Yeah, legacy lawsuits?

6 A We discussed the issue, yes.

7 Q Mr. Mahtook said he's the only one --

8 A I'm the only one to lead the meeting. I  
9 led the meeting, I'm sure.

10 Q Tell me what you --

11 A I introduced him. He's our legal counsel.

12 Q And that's the extent to which you talked  
13 about legacy lawsuits?

14 A That's it.

15 Q Notwithstanding the fact that that is  
16 something that you always seem to talk about to the  
17 public, as well as the board members; you just said,  
18 this is Robbie Mahtook?

19 A Absolutely.

20 Q Absolutely. Tell me the name of five  
21 board members that were present that you remember.

22 A I don't know. I don't remember who was  
23 present then.

24 Q A meeting of the board of LOGA in 2013,  
25 less than a year ago?

1           A     Yes.

2           Q     You are going to tell the Judge you can't  
3 remember five board members that were present?  If I  
4 file a rule to compel an answer to that, under oath  
5 you are going to tell the Judge the same thing you  
6 just said?  You don't remember five of them of 70  
7 people?

8           A     I don't remember five.  I don't know who  
9 was there of the 70 people.

10          MR. SHOWS:

11                 I want to take a break and get the Judge  
12 on the phone.

13          THE WITNESS:

14                 You got to understand something.  I don't  
15 remember who was in that room.

16          MR. SHOWS:

17                 Mr. Briggs, I appreciate that response.

18          MR. MAHTOOK:

19                 Just tell that to the Judge.

20          MR. SHOWS:

21                 It's the easiest response for somebody to  
22 say "I don't remember."

23                 Rob, let's continue while he's doing this.

24          BY MR. SHOWS:

25           Q     Let me ask you this:  Who is Bruce Smith?

1 A He's our secretary-treasurer.

2 Q He's on the board?

3 A Yes.

4 Q So he was there?

5 A He was, I believe.

6 Q Who is Ben Broussard?

7 A Ben Broussard is one of my employees. He  
8 wasn't there. I mean, he was there, but he's not a  
9 board member.

10 Q Reagan Dixon?

11 A He works for me, employee.

12 Q When this Louisiana Legal Climate report  
13 was presented, was Steven Waguespack present?

14 A Present where?

15 MR. GUILLOT:

16 Whoever wants to participate on the phone  
17 call, it's going to take place in the courtroom.

18 MR. SHOWS:

19 Okay.

20 BY MR. SHOWS:

21 Q The LOGA board meeting says guest speaker,  
22 Steven Waguespack, lobby present. My question was:  
23 Was Steven Waguespack present when LOGA discussed  
24 the Louisiana legal climate?

25 A I don't know if he stayed in the room or

1 left after he presented.

2 Q You don't know whether he was present  
3 before or after?

4 A I don't know if he -- if he presented,  
5 okay; I don't know if he stayed.

6 Q What about Bill Cassidy; did he stay?

7 A No.

8 MR. GUILLOT:

9 Wade, I think they're out there.

10 (Conference with Judge)

11 BY MR. SHOWS:

12 Q Mr. Briggs, let me ask you this: The  
13 lawsuit, your lawsuit -- well, did you read your  
14 lawsuit, the one in the 19th Judicial District?

15 A No.

16 Q Do you know that your lawsuit makes a  
17 distinction between the Attorney General approving  
18 the resolution and actually approving the contract  
19 that the authority entered into with the lawyer; do  
20 you understand that distinction?

21 A I don't know.

22 THE WITNESS:

23 Does it?

24 BY MR. SHOWS:

25 Q You want to read it for the first time?

1           A     I'm not a lawyer.

2           Q     Okay. But, Mr. Briggs, I need to ask you  
3 these questions because a lot of times you are  
4 making certain facts, certain factual statements,  
5 that have no evidence to support them, and I want to  
6 know what evidence you have to support the fact that  
7 Attorney General Buddy Caldwell approved the lawsuit  
8 or approved the lawyers that were hired for the  
9 lawsuit?

10          A     I make that based on what my legal counsel  
11 told me.

12          Q     Did your legal counsel tell you that  
13 Attorney General Caldwell approved the contract?

14          A     I don't know what they told me.

15          Q     But isn't it true in public you said  
16 Attorney General Caldwell approved the contract?

17          A     I don't know what -- when in public did I  
18 say that?

19          Q     Do you remember saying that?

20          A     I don't know.

21          Q     You don't remember?

22          A     No, I don't remember.

23          Q     You don't know if you remember?

24          A     I don't know if I remember, no.

25          Q     You don't remember?

1 A No.

2 MR. MAHTOOK:

3 If it helps, we can stipulate that the  
4 Attorney General didn't sign the contract, if  
5 that's -- I mean, we know that, right?

6 MR. SHOWS:

7 Would you tell Mr. Briggs that we would  
8 appreciate --

9 MR. MAHTOOK:

10 If you let me tell him.

11 MR. SHOWS:

12 Tell him.

13 MR. MAHTOOK:

14 If you appreciate to tell him what?

15 MR. SHOWS:

16 You said you are going to let me -- tell  
17 him that the Attorney General did not approve the  
18 contract.

19 MR. MAHTOOK:

20 Well, I can tell him what the Attorney  
21 General did approve.

22 MR. SHOWS:

23 Yeah.

24 MR. MAHTOOK:

25 He approved the compensation for the

1 contract, as well as the resolution. We agree on  
2 that?

3 MR. SHOWS:

4 No, I agree he approved the resolution,  
5 but neither one of us can agree he approved the  
6 contract, nor did he see the contract.

7 MR. MAHTOOK:

8 I said the compensation.

9 MR. SHOWS:

10 I understand. I want to talk about the  
11 contract first. Can we stipulate, based on what you  
12 have, that he did not even see the contract?

13 MR. MAHTOOK:

14 I can stipulate that he says he did not --  
15 I don't have any proof that he did. I mean, we'll  
16 talk to the AG's office tomorrow in a deposition,  
17 but I will tell you that I have no evidence here  
18 today that Mr. Caldwell reviewed the contract  
19 himself; is that fair enough?

20 MR. SHOWS:

21 I appreciate it. And if you don't have  
22 that, I assume Mr. Briggs doesn't have that  
23 information?

24 A You know that.

25 Q The answer was, "you know that," which

1 means if Mr. Mahtook doesn't have the evidence to  
2 indicate Caldwell approved the contract, then you  
3 don't have any evidence to say he approved the  
4 contract?

5 MR. MAHTOOK:

6 I thought we talked about reading the  
7 contract.

8 MR. SHOWS:

9 I'm talking about -- I would assume he  
10 wouldn't approve a contract unless he read it. And  
11 you said that he --

12 MR. MAHTOOK:

13 I don't have any evidence to suggest that  
14 Mr. Caldwell read the contract. I believe that  
15 Mr. Caldwell, or his office, or whoever is the AG,  
16 approved the compensation to be paid in the  
17 contract. He had to have, right?

18 BY MR. SHOWS:

19 Q Mr. Briggs, do you have any information to  
20 indicate that the Attorney General approved the  
21 contract, other than what Mr. Mahtook has? Yes or  
22 no? Do you have any indication --

23 A I don't even understand the question.

24 Q Really? It's a simple --

25 A Yes, I don't.



1 Q It's a simple question. What --

2 A It's a legal issue. I will not get  
3 involved in that.

4 Q What evidence do you have to show or  
5 demonstrate that Buddy Caldwell approved the  
6 contract?

7 MR. SHOWS:

8 In the record I want you to -- I want the  
9 record to reflect how long it took him to answer  
10 each question in this area.

11 MR. MAHTOOK:

12 Mr. Palermo told him to take his time.

13 MR. SHOWS:

14 I want the record to reflect that you keep  
15 looking toward your lawyer for guidance, too.

16 THE WITNESS:

17 Absolutely. He's my lawyer.

18 BY MR. SHOWS:

19 Q Okay.

20 A Thank you.

21 Q So what is the answer?

22 A I don't know.

23 Q You don't know if you have any evidence?

24 A I do not know.

25 Q But you do make statements --

1           A     I do not know.

2           Q     But you do make statements that the  
3 Attorney General approved the contract, don't you,  
4 Mr. Briggs?

5           A     I don't know if I made that statement.

6           Q     If you have made the statement that the  
7 Attorney General approved the contract, what  
8 evidence do you have to support it?

9           MR. MAHTOOK:

10                    If he made the statement that the Attorney  
11 General approved the contract, we will agree that  
12 that was in error and that the Attorney General,  
13 based upon the information that we have, the  
14 Attorney General did not approve the contract as a  
15 whole, as opposed to him being -- I mean, we're  
16 talking about some legal issues here.  So...

17           MR. SHOWS:

18                    Let's stop there, okay.

19           MR. MAHTOOK:

20                    Well, you know, it's easy to go and  
21 distort questions so that we can get an answer, but  
22 if we can just put it all out so that it can all be  
23 on the table, and understand exactly what it is --

24           MR. SHOWS:

25                    I would like a stipulation from you and

1 maybe we can work it out. I look at it this way:  
2 There is a contract that was presented to the law  
3 firm by the authority. I looked to see that there  
4 is a resolution from the Attorney General  
5 authorizing the authority to go forward. The  
6 Attorney General did not approve the contract. The  
7 Attorney General approved the resolution. Can we  
8 stipulate to that?

9 MR. MAHTOOK:

10 Yes.

11 BY MR. SHOWS:

12 Q Mr. Briggs, do you accept your lawyer's  
13 stipulation?

14 A (Nods head.)

15 Q Yes?

16 A Yes.

17 Q Now, is it LOGA's position that the  
18 Attorney General selected the lawyers that the  
19 authority desired to move forward in this  
20 litigation?

21 MR. MAHTOOK:

22 I'm just going to object. You're asking  
23 him for --

24 THE WITNESS:

25 That's a legal question. I have no idea.

1 BY MR. SHOWS:

2 Q You haven't made the statement that Buddy  
3 Caldwell hired his friends to bring this lawsuit  
4 forward?

5 A I may have said that.

6 Q Tell me what evidence you have to indicate  
7 that, first, they're Buddy's friends. Tell me what  
8 evidence you have for that.

9 A Because Buddy told me that he's very good  
10 friends with them.

11 Q Buddy Caldwell told you he was very good  
12 friends with who?

13 A Carmouche.

14 Q Well, I guess that's a fair answer, since  
15 you haven't read the lawsuit in federal court in New  
16 Orleans?

17 A I understand about that.

18 Q Mr. Carmouche is not even --

19 A I understand Carmouche is not in this,  
20 absolutely.

21 Q So tell me if you made the statement  
22 that --

23 A I don't know if I made that statement  
24 about this particular lawsuit. I could have been  
25 referring to the coastal lawsuits instead of that,

1 okay?

2 Q I understand.

3 A But I lump them altogether when I talk.

4 Q I really appreciate that, but there are  
5 differences and those differences are significant.  
6 And I would beg that somehow when those discussions  
7 come up, you talk about the difference in them, if  
8 you want to talk about them.

9 So tell me what evidence you have, if any,  
10 to support the fact that the lawsuit that's brought  
11 in federal court in the Eastern District, the one  
12 you're seeking a declaratory judgment on, that that  
13 was given to Buddy Caldwell's friends. Do you have  
14 any evidence to that effect?

15 A No.

16 Q Tell me what evidence you have to  
17 demonstrate that Buddy Caldwell made the  
18 recommendation of that law firm to the authority.

19 A I have none.

20 Q I appreciate your position not being a  
21 lawyer is that you left it up to the lawyers to  
22 determine whether the authority acted appropriately  
23 under the law?

24 A That's correct.

25 Q And your board as a governing organization

1 followed your lawyer's advice, to the best of your  
2 knowledge?

3 A That's correct.

4 Q So what it really boils down to is the  
5 Judge is going to have to decide whether the legal  
6 advice is appropriate or whether the authority did  
7 something that they thought was appropriate. That's  
8 what the suit is about, isn't it? You don't have to  
9 answer.

10 Let's turn to Paragraph 15 of your  
11 lawsuit, and I know you said you didn't read that,  
12 but let's --

13 MR. SHOWS:

14 Do you have a copy, Rob?

15 MR. MAHTOOK:

16 I don't.

17 MR. SHOWS:

18 Does anybody else have a copy of our  
19 lawsuit, of Robbie's lawsuit? Let me look at it and  
20 let him read.

21 BY MR. SHOWS:

22 Q Let's talk about Paragraph No. 15.

23 MR. MAHTOOK:

24 You want it back?

25 BY MR. SHOWS:

1 Q You need it in front of you, Mr. Briggs?

2 A No.

3 Q Paragraph No. 15, and I want to understand  
4 if you can tell me what LOGA's position is on this  
5 authority and this contract. It says, "SLFPA-E must  
6 rely solely on the Attorney General as counsel," and  
7 then it says, "If the Attorney General and his  
8 assistants are unable to represent the protection  
9 authority because of the need for expertise and  
10 experience, then the Attorney General would hire  
11 special counsel."

12 Do you understand that to be the position?

13 MR. MAHTOOK:

14 Let me just object. You're asking him  
15 what his -- what the allegations that his lawyers  
16 filed in his lawsuit that actually mean to him.

17 MR. SHOWS:

18 Yeah. In response to that, first of all,  
19 as I appreciate it, a petition is supposed to be a  
20 concise statement of facts. If this is a fact, then  
21 LOGA needs to -- notwithstanding what legalese may  
22 be in it, it's a statement of fact as opposed by  
23 LOGA, so I'm asking him factually what this means to  
24 him.

25 MR. MAHTOOK:

1           And just him individually as opposed to --  
2 I mean, all he can answer is what he personally  
3 knows, so you're asking him for a legal opinion.

4           MR. SHOWS:

5           I'm asking him factually what this means  
6 in Paragraph No. 15 of LOGA's petition.

7 BY MR. SHOWS:

8           Q     If you know.

9           A     No, I don't know. That -- that's all  
10 legal stuff to me, and I have not a clue.

11          Q     Is it LOGA's position that -- and I know  
12 y'all are successful Louisiana independent -- when  
13 it was the independent, I guess, in the Meredith  
14 case, and I know you know a lot about at least  
15 Meredith.

16                   Is it LOGA's position that Meredith  
17 prohibits the Attorney General from entering into  
18 any contingency fee contract regardless of the  
19 nature of the funds that the Attorney General seeks  
20 to recover?

21          MR. MAHTOOK:

22                   Again, I'm going to have to object because  
23 you're asking him for a legal opinion, but if he can  
24 answer, he can answer.

25          THE WITNESS:



1           Pretty much so that but you still have to  
2 add to that with the consent of the legislature.

3 BY MR. SHOWS:

4           Q     Okay. So if the legislature -- if the  
5 legislature says by statute, if a successful suit is  
6 brought attorney's fees can be awarded by the Court,  
7 is that not an expression of the legislature in your  
8 mind?

9           A     If they have authorized it --

10          Q     So let me ask you this: If the Attorney  
11 General is the authority to bring this lawsuit in  
12 the Eastern District in Louisiana, the sole  
13 authority based on what your contentions are, and it  
14 seeks to recover not state money, the Attorney  
15 General seeks to recover not state money, but  
16 authority damages, their property, their fists, is  
17 it your position that the Attorney General is  
18 prohibited from hiring those people other than on an  
19 hourly basis?

20          MR. MAHTOOK:

21                 I'm going to object. I think you're  
22 asking him for a legal opinion.

23          THE WITNESS:

24                 That's a legal question.

25 BY MR. SHOWS:

1 Q So you don't know the answer?

2 A No.

3 Q But LOGA has taken the position  
4 historically -- and correct me if I'm wrong -- that  
5 the -- and I'm going to call them legacy cases. I'm  
6 not talking about the SLFPA-E, but I'm talking about  
7 Title 30 cases. We're on the same page?

8 A (Nods head.)

9 Q Yes, sir?

10 A Yes.

11 Q The Title 30 legacy suit, LOGA has always  
12 taken the position that the Attorney General cannot  
13 hire private attorneys in those cases, other than an  
14 hourly basis; is that the position?

15 MR. MAHTOOK:

16 I'm going to object.

17 THE WITNESS:

18 That's the authority of the legislature.

19 BY MR. SHOWS:

20 Q I understand. So that is the position of  
21 LOGA and its membership, correct?

22 MR. MAHTOOK:

23 Let me object to the form.

24 THE WITNESS:

25 You know, I don't know the answer to that

1 question, not the way you're wording it.

2 BY MR. SHOWS:

3 Q Well, tell me what your position is about  
4 Title 30 legacy lawsuits, LOGA's position?

5 A I don't know.

6 MR. MAHTOOK:

7 About the lawsuits?

8 MR. SHOWS:

9 Yeah.

10 BY MR. SHOWS:

11 Q What's the prohibition that LOGA thinks is  
12 contained in the law for attorneys?

13 A I don't know.

14 MR. MAHTOOK:

15 Wait, wait, wait.

16 THE WITNESS:

17 First of all --

18 MR. MAHTOOK:

19 Wait, please. The only -- LOGA's position  
20 has been a contingency fee -- no, no, no.

21 MR. SHOWS:

22 I want him to testify. I don't want you  
23 to tell him what to testify.

24 MR. MAHTOOK:

25 Well, I don't think he understands the

1 question. I think it's confusing.

2 MR. PALERMO:

3 He can ask for -- early on I asked, if he  
4 doesn't understand the question, he can ask to  
5 rephrase it.

6 MR. MAHTOOK:

7 You told him to take his time and then  
8 they want -- you said the same thing.

9 THE WITNESS:

10 The answer to your question, I don't know.

11 BY MR. SHOWS:

12 Q That's a good answer, but I'm going to  
13 keep probing to see what you really know about it.

14 A Fine. Have at it.

15 Q I've tried to be civil with you,  
16 Mr. Briggs, and I'd appreciate the same respect.  
17 The Judge is going to read this thing, and I hope  
18 she appreciates when you tell me "Have at it," that  
19 that's not being civil.

20 A You said you're going to keep coming at  
21 it, so I'm just saying come on, but I'm trying to  
22 understand you, but you have to understand, I don't  
23 understand all the legalities you're asking me.

24 Q And I really, really appreciate that, but  
25 when I'm reading all these articles and I'm reading

1 mission statements and I'm reading discussions that  
2 you have appearing in forums, you are the expert in  
3 Meredith versus Ieyoub, and you are the expert in  
4 legacy cases.

5 MR. MAHTOOK:

6 Object. You're argumentative now.

7 BY MR. SHOWS:

8 Q Don't your membership look to you for  
9 discussions about Meredith versus Ieyoub?

10 A No, I don't -- no.

11 Q They don't?

12 A I wasn't the attorney then.

13 Q Tell me what LOGA's -- one of their goals  
14 or mission statements are as contained on your  
15 website?

16 A To protect our industry from excess  
17 litigation, et cetera, et cetera.

18 Q What about preventing contingency  
19 contracts for the Attorney General's offices; is  
20 that one?

21 A Yeah.

22 Q And that is the mission, and you, as  
23 president of an organization with over 1200  
24 members --

25 A Right.

1 Q -- you cannot discuss with your membership  
2 Meredith versus Ieyoub?

3 A Yes, I can discuss it with them, but not  
4 in the detail that you'd like.

5 Q Well, I want to know the extent to which  
6 you can discuss it with them. Is it your opinion,  
7 Meredith versus Ieyoub, based on your position,  
8 prohibits the Attorney General from entering into  
9 any contingency fee contract?

10 A Without the explicit authority and  
11 authorization of the state legislature.

12 Q I understand. So if --

13 A That's what I understand about it.

14 Q If the Attorney General were to institute  
15 a suit to recover funds of the authority, is that  
16 prohibited by Meredith versus Ieyoub, in your  
17 opinion?

18 MR. MAHTOOK:

19 I'm going to object.

20 BY MR. SHOWS:

21 Q Sir?

22 A The authority is the state agency.

23 Q So your answer would be --

24 A You have to get permission from the  
25 legislature, which it didn't get.

1 Q But if a Court were to rule that that is  
2 not state moneys that are being sought, is it your  
3 opinion that Meredith versus Ieyoub prohibits that?

4 A I wouldn't think so then.

5 Q Would not?

6 A I said if they rule -- if it is not a  
7 state agency, then more than likely not, it's not  
8 state money then, is it?

9 Q No. So we agree that if the Attorney  
10 General is not going against going after state  
11 moneys, then contingency fee contracts are not  
12 prohibited?

13 A I agree that the Attorney General has to  
14 follow the statutes. Whatever the statutes are,  
15 that's what I agree to.

16 Q So if the statute says that in addition to  
17 what the state's recovery is, the Court may award  
18 attorney's fees; that's not prohibited by Meredith,  
19 is sit?

20 MR. MAHTOOK:

21 We are going to object because it's all  
22 legal. You're asking him for all legal conclusions,  
23 Wade.

24 THE WITNESS:

25 I do not know. I do not understand the

1 legalities of it, so I can't answer those kind of  
2 questions, and I'm not going to. That's all I can  
3 give you, Wade.

4 BY MR. SHOWS:

5 Q I understand. But do you know the  
6 distinction between a contingency fee and a fee  
7 shifting fee?

8 A No. Fee shifting?

9 Q Fee shifting?

10 A No.

11 Q If the state bought a computer and the  
12 computer is defective, and the state paid \$10,000  
13 for that computer, and the Attorney General says,  
14 Mr. Jones, I want you to hire and get the state's  
15 money back on a \$10,000 computer, and if the Court  
16 awards you attorney's fees for doing that, then you  
17 can get the attorney's fees by ward of the Court,  
18 but I want the \$10,000 for the computer; is that a  
19 violation of Meredith?

20 MR. MAHTOOK:

21 I'm going to object. How would he know?

22 THE WITNESS:

23 I don't know.

24 BY MR. SHOWS:

25 Q You don't have any idea?



1 A I have no idea.

2 Q But you understand that there --

3 A No. Look, believe me. I do not have any  
4 idea of what you're talking about.

5 Q All right. But in not having any idea,  
6 there is not every case that the Attorney General  
7 files is a violation of Meredith; you understand  
8 that?

9 A Of course.

10 Q You also understand that the Attorney  
11 General has the ability to hire some lawyers other  
12 than an hourly basis?

13 A Yes.

14 Q And so LOGA has no problem with that?

15 MR. MAHTOOK:

16 Those are that allowed by statute you're  
17 talking about?

18 MR. SHOWS:

19 Yeah.

20 THE WITNESS:

21 No.

22 BY MR. SHOWS:

23 Q So back to Title 30.

24 A I don't know what Title 30 is.

25 Q Legacy suit, the legacy statute, Act 312.

1 A Okay.

2 Q Act 312, in some circumstances, does allow  
3 the awarding of attorney's fees, doesn't it?

4 A Yeah, it does.

5 Q And so if the Attorney General were to  
6 hire a law firm to pursue an action under Act 312,  
7 and the Court were to award an attorney's fee --

8 A I could not even begin to answer that  
9 question correctly.

10 Q The legislature authorized attorney's  
11 fees, didn't it?

12 A It did.

13 Q And you told me that if the legislature  
14 authorizes the collection of attorney's fees, it  
15 wasn't a violation of Meredith, is it?

16 MR. MAHTOOK:

17 He said if the -- no, that's not what he  
18 said. He said if the legislature approved  
19 contingency fee contract. That's what he said.

20 MR. SHOWS:

21 He never once said that.

22 THE WITNESS:

23 I did, too.

24 MR. SHOWS:

25 He never once said that. He did say --

1 I'll give you this, he did say if the legislature  
2 approved the award of attorney's fees, then that was  
3 okay. That's what he said. He never once said the  
4 legislature had to approve a contingency fee.

5 THE WITNESS:

6 Yes, sir, I did.

7 BY MR. SHOWS:

8 Q You did not. We'll just disagree. So now  
9 your statement is the legislature has to approve a  
10 contingency fee contract?

11 A That's what Meredith was about.

12 Q No, it wasn't. But tell me how the  
13 legislature is going to approve a contingency fee.  
14 It waits every year, a bill comes up for a  
15 contingency fee?

16 MR. MAHTOOK:

17 I'm going to object. You're asking him to  
18 discuss legislative stuff that --

19 MR. SHOWS:

20 I'm asking him questions because I have a  
21 reconventional demand.

22 MR. MAHTOOK:

23 I understand that. On something that's  
24 not involving --

25 MR. SHOWS:

1           That it is right for the Court to decide  
2 whether Act 312, Title 13, allows the Attorney  
3 General to enter into a contract with lawyers to be  
4 awarded a fee shifting statute, and if he doesn't  
5 know, then that's fine, but I can --

6           THE WITNESS:

7           I don't know. I don't know, Wade.

8 BY MR. SHOWS:

9           Q     But we can agree that one of the missions  
10 of LOGA is to prevent contingency fee contracts,  
11 right?

12          A     Without the consent of the legislature,  
13 yes.

14          Q     And we can agree, I guess, that in the  
15 prayer, or at least in your petition, I'm talking  
16 about an Act 312 contract, if the Attorney General  
17 were to give this type of contract, that the  
18 implementation -- the implementation of that kind of  
19 contract will result in irreparable injury to LOGA  
20 and its members, correct?

21          MR. MAHTOOK:

22                I'm going to object to the --

23          THE WITNESS:

24                I don't know what you're talking about.

25 BY MR. SHOWS:

1 Q You didn't read the petition?

2 A No.

3 Q Tell me on Monday, when we have this  
4 trial, what evidence are you or LOGA going to  
5 present, or if you're going to leave it up to your  
6 lawyer, I understand that, to present to show that  
7 the proceeding forward with this SLFPA-E lawsuit is  
8 going to result in a chilling effect on exploration,  
9 production and development in transportation of the  
10 oil and gas reserve; how are you going to show that  
11 to the Judge?

12 A I have no idea. My attorney is doing  
13 that.

14 Q Well, when people bring lawsuits, we bring  
15 it with good faith belief that we can prove what's  
16 in this lawsuit. So tell me what LOGA's good faith  
17 belief is. How are they going to prove that it's  
18 going to have a chilling effect on the exploration,  
19 production and development of oil and gas resources?

20 MR. MAHTOOK:

21 Again, we're going to object to the form  
22 of the question.

23 THE WITNESS:

24 I think what we are going to prove is the  
25 contract is illegal.

1 BY MR. SHOWS:

2 Q Okay. But I'm talking about you asked for  
3 an injunction --

4 A Oh --

5 Q You asked for an injunction against the  
6 Attorney General of the State of Louisiana saying  
7 what he did was improper and illegal, and I'm asking  
8 you how are you going to prove injunctive relief?  
9 That's a pretty bold statement when you say, I filed  
10 a suit for an injunction against the Attorney  
11 General, and now you tell me all we talked about was  
12 the contract. What are you going to prove for  
13 injunctive relief?

14 A I don't know.

15 Q You don't think, Mr. Briggs, that when you  
16 bring a lawsuit such as that, if a business, one of  
17 your businesses, or one of your members was sued,  
18 and somebody said what they are doing is having a  
19 chilling effect, that wouldn't upset them when  
20 somebody says that, and then they say, you know  
21 what, I'm not going to prove it?

22 A Wade, there are 3,200 defendants and 387  
23 lawsuits. That's enough to chill anyone.

24 Q I understand. But tell us what proof you  
25 are going to tell the Judge. I'm not asking for

1 your heart. I'm not asking for your gut.

2 A That's what you got is my heart.

3 Q Your heart and your gut. That's what  
4 we're going to talk about to the Judge?

5 A Yes.

6 Q That's fair enough.

7 A He's going to present that. I'm not.

8 Q But to your knowledge, LOGA does not have  
9 any evidence to be able to support that other than  
10 Don Briggs saying that's what I feel?

11 MR. MAHTOOK:

12 I'm going to object to the form.

13 BY MR. SHOWS:

14 Q Yes? Mr. Briggs?

15 MR. MAHTOOK:

16 You're asking Mr. Briggs what his counsel  
17 is going to do. And --

18 MR. SHOWS:

19 No, I'm really not. I'm asking him what  
20 LOGA is going to present --

21 MR. MAHTOOK:

22 Well, LOGA is going to present -- they are  
23 going to present through their counsel.

24 MR. SHOWS:

25 Well, I mean, I understand that, Robbie,

1 but I get an answer to an interrogatory and it says,  
2 tell me who your witnesses are going to be, and you  
3 tell me it's going to be Rick McGimsey and Buddy  
4 Caldwell.

5 BY MR. SHOWS:

6 Q You are going to prove irreparable injury  
7 to LOGA by Buddy Caldwell and Rick McGimsey?

8 MR. MAHTOOK:

9 Well, then, shouldn't that be directed to  
10 me then?

11 MR. SHOWS:

12 That's why I'm asking him, if he has any  
13 other thing, because I don't want to have to  
14 question you. You've told me, but I want to know if  
15 he has any information.

16 THE WITNESS:

17 No.

18 BY MR. SHOWS:

19 Q No, other than what Mr. Mahtook has?

20 A Yes.

21 Q And I don't know this, so I get to claim  
22 the benefit of it, 501(C)(3) has some limitations,  
23 does it not, on what they can engage in before they  
24 lose their nonprofit status?

25 A I don't know. I mean, I'm sure there are



1 limitations.

2 Q Have you ever received from the IRS or  
3 some other governing authority some warnings about  
4 what LOGA is doing that may have exceeded the  
5 authorization to maintain the 501(C)(3) status?

6 A Not that I'm aware of.

7 Q And it's your belief that under 501(C)(3),  
8 you can maintain that status and still institute the  
9 type of lawsuit that you have instituted against the  
10 Attorney General for the State of Louisiana?

11 A Yeah, correct.

12 Q And I guess you still believe that LOGA  
13 can maintain its 501(C)(3) status by engaging in  
14 lobbying and legislative activity to prevent  
15 contingency fee contracts?

16 A Yes.

17 Q And nobody has ever told you that that's  
18 some area that you need to think about?

19 A No.

20 Q Why was it separate -- why was a separate  
21 PAC formed to make contributions for legislative  
22 races --

23 MR. MAHTOOK:

24 Again, let me object.

25 BY MR. SHOWS:

1 Q -- as opposed to going directly through  
2 LOGA, if you know?

3 A What is your question?

4 Q I said, why was a separate PAC formed so  
5 that a contribution --

6 A PAC?

7 Q Yeah, P-A-C, formed so that contributions  
8 could be made in legislative races as opposed to  
9 merely going through the LOGA organization?

10 A I think we had to have the PAC to be able  
11 to do that.

12 Q Because of the 501(C)(3) status?

13 A I guess so.

14 Q Do you know if the draft lawsuit that was  
15 present at the 2013 board meeting, was that  
16 presented in form to be circulated to all the board  
17 members, or was it just a report by Mr. Mahtook, if  
18 you remember?

19 A I don't remember.

20 Q And it's your statement, both in the board  
21 of directors meeting, as well as in executive  
22 meeting, there was no written minutes of either one  
23 of those meetings?

24 A No.

25 Q And if the bylaws require a certain amount

1 of time for notice for an executive committee  
2 meeting, there was no waiver of that time limitation  
3 in that notice, correct?

4 A No.

5 Q And if I started asking you questions  
6 about whether there was a real necessity for the  
7 authority to hire a law firm, that's something that  
8 you wouldn't know one way or the other?

9 A No.

10 Q That's merely something that was advanced  
11 by the law firm, by your lawyer?

12 A That's correct.

13 MR. SHOWS:

14 Thank you. That's everything I have.

15 RE-EXAMINATION BY MR. PALERMO:

16 Q Mr. Briggs, earlier I was asking you  
17 questions about what recourse landowners should have  
18 or may have when oil companies cause environmental  
19 damage to either private property or public  
20 property; do you remember those questions?

21 A (Nods head.)

22 Q You have to answer.

23 A Yes.

24 Q And you suggested that the Office of  
25 Conservation was the remedy for landowners, correct?

1 A It is a remedy.

2 Q Are you aware or do you know whether  
3 Statewide Order 29B applies to landowners?

4 A Does it apply to landowners?

5 Q Yes, sir.

6 A It applies to oil and gas operations.

7 Q Do you know if it is a remedy for  
8 landowners?

9 A It is, I would think.

10 Q Do you know whether -- are you familiar  
11 with RECAP?

12 A Yes.

13 Q Do you know whether RECAP applies to  
14 landowners?

15 A It can, yes. Environmental, that's DEQ  
16 and that's their standard EPA.

17 Q If someone -- have you ever been in an  
18 automobile accident?

19 A No. Well, I have but little fender  
20 benders.

21 Q And was the fender bender repaired?

22 A Yeah.

23 Q Was the person responsible for the fender  
24 bender, did they pay for the damage?

25 A Yes.

1 Q Would you have been okay with the person  
2 responsible for the fender bender saying, look, you  
3 only need to have your vehicle pass inspection and  
4 that fender is not necessary, so I don't need to pay  
5 you to replace or to repair your fender?

6 MR. MAHTOOK:

7 Object.

8 BY MR. PALERMO:

9 Q Would you be okay with that?

10 A I don't know what you're referring to.  
11 What do you mean?

12 Q Would you expect the person that is  
13 responsible for damaging your vehicle to pay to put  
14 your vehicle in the position it was before it was  
15 damaged?

16 A Yes, I would.

17 Q You would not be okay with being limited  
18 to only repairing what is necessary for your vehicle  
19 to pass a brake inspection, true?

20 A I'd want it repaired.

21 Q Mr. Briggs, in my earlier questions today,  
22 did you understand all the questions that I asked  
23 you?

24 A Yes.

25 Q We communicated well, correct?

1 A I tried. I know I'm difficult. Sorry.

2 Q And you understood that you were answering  
3 those questions under oath?

4 A Yes.

5 Q Do you have any changes that you would  
6 like to make to any of the answers that you gave me  
7 today?

8 A No.

9 MR. PALERMO:

10 That's all the questions I have for you.  
11 Thank you, Mr. Briggs.

12 MR. MAHTOOK:

13 We will read and sign.

14 MR. SHOWS:

15 Let's take a break before we finish.

16 (Brief recess.)

17 BY MR. PALERMO:

18 Q Mr. Briggs, you understand that our  
19 questions today and your answers, we need to rely on  
20 your answers today at the court date that we have  
21 for Monday at 9:30 a.m., correct?

22 A (Nods head.)

23 Q You need to answer out loud.

24 A Yes.

25 Q Do you intend to be present at the trial

1 on Monday at 9:30 a.m.?

2 A Not unless I have to be.

3 Q Are you aware that there has been a  
4 subpoena issued for your presence?

5 A Yes.

6 MR. SHOWS:

7 You got served; did you get served?

8 THE WITNESS:

9 My wife said I got served.

10 MR. PALERMO:

11 That's all the questions I have. Thank  
12 you, Mr. Briggs.

13

14 (Deposition concluded.)

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

I, ASHLEY ROUSSEL, Certified Court Reporter, in and for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that DONALD G. BRIGGS, after having been duly sworn by me upon authority of R.S. 37:2554, did testify as hereinbefore set forth in the foregoing 142 pages; that this testimony was reported by me in the stenotype reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding; that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board, that I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board; that I am not related to counsel or to the parties herein, nor am I otherwise interested in the outcome of this matter.

Dated this 21st day of February, 2014.

---

ASHLEY ROUSSEL, CCR, RPR  
CSR #23004  
STATE OF LOUISIANA



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

WITNESS' CERTIFICATE

I have read or have had the foregoing testimony read to me and hereby certify that it is a true and correct transcription of my testimony with the exception of any attached corrections or changes.

\_\_\_\_\_  
DONALD G. BRIGGS

PLEASE INDICATE  
( ) NO CORRECTIONS  
( ) CORRECTIONS; ERRATA SHEET(S) ENCLOSED

<hr/> <b>\$</b> <hr/>	<b>1600</b> 99:5	<b>28th</b> 92:22
<b>\$10,000</b> 127:12,15,18	<b>172,174</b> 32:1	<b>29B</b> 139:3
<b>\$300</b> 53:9	<b>18</b> 95:2	<hr/> <b>3</b> <hr/>
<b>\$34</b> 53:10	<b>1932</b> 29:2	<b>3</b> 34:24 35:1 78:5, 82:6
<b>\$45</b> 53:11	<b>1940s</b> 41:22	<b>3,200</b> 133:22
<b>\$60</b> 51:2	<b>1950s</b> 37:16 39:9	<b>3.05</b> 32:4
<b>\$62</b> 76:15	<b>1952</b> 37:18	<b>3.4</b> 38:25
<b>\$75</b> 77:2	<b>1972</b> 6:14	<b>30</b> 41:23 59:8 75:7 93:11 121:7, 11 122:4 128:23,24
<hr/> <b>0</b> <hr/>	<b>1978</b> 37:18	<b>312</b> 73:5 128:25 129:2,6 131:2, 16
<b>0.02</b> 32:21	<b>1989</b> 36:7	<b>32</b> 53:9
<b>0.03</b> 32:20	<b>1990</b> 29:2	<b>33</b> 79:25
<b>0.04</b> 32:20	<b>19th</b> 107:14	<b>35</b> 15:16 17:7,17 18:1 59:9
<b>0.11</b> 32:19	<hr/> <b>2</b> <hr/>	<b>36</b> 35:15
<b>0.19</b> 32:18	<b>2</b> 36:3,11 37:9 41:15 44:6 68:4, 70:18 76:7 78:19 82:6	<b>387</b> 133:22
<hr/> <b>1</b> <hr/>	<b>2003</b> 74:8	<b>3:30</b> 95:13,18
<b>1</b> 28:15,17 30:4 38:14 44:6 84:2 99:8	<b>2004</b> 68:5, 70:18	<hr/> <b>4</b> <hr/>
<b>1.61</b> 32:18	<b>2006</b> 80:23 81:1	<b>40</b> 59:2,8 93:11
<b>1.63</b> 32:17	<b>2008</b> 82:1	<b>4069</b> 6:11
<b>10</b> 41:23	<b>2009</b> 79:24	<b>47th</b> 80:24 81:2
<b>11</b> 59:3 78:15 79:13	<b>2010</b> 81:24	<hr/> <b>5</b> <hr/>
<b>11.14</b> 32:16	<b>2011</b> 75:6,24	<b>50</b> 59:2 75:7
<b>12</b> 37:8,11 59:3	<b>2012</b> 81:11,18 82:1	<b>501(C)(3)</b> 82:25
<b>12.5</b> 76:22	<b>2013</b> 72:17 74:6 76:7 78:5 79:4 80:22 84:2 95:11 96:23 98:21 104:1,24 137:15	<b>501(C)(3)</b> 15:2 83:13 135:22 136:5,7,13 137:12
<b>1200</b> 124:23	<b>2014</b> 53:10 95:2	<hr/> <b>6</b> <hr/>
<b>12:17</b> 95:12,14	<b>21.52</b> 32:3	<b>6</b> 81:17
<b>12:17:29</b> 95:11	<b>23</b> 72:17	<b>60</b> 50:22
<b>13</b> 75:6,24 131:2	<b>24</b> 82:2	<b>626798</b> 11:22
<b>1443</b> 11:3	<b>24-second</b> 8:6 27:5	<hr/> <b>7</b> <hr/>
<b>1455</b> 11:6	<b>24.92</b> 32:2	<b>7</b> 68:4,18 70:17 79:4 81:10
<b>14th</b> 56:15 58:19	<b>249,152</b> 35:10	
<b>15</b> 117:10,22 118:3 119:6	<b>24th</b> 92:23	
<b>16</b> 56:14 59:4,5 81:24 92:10	<b>26</b> 95:11	
	<b>26th</b> 92:14 93:8	

<b>70</b> 14:4 105:6,9	<b>add</b> 120:2	<b>Amite</b> 53:24
<b>70821</b> 6:11	<b>addition</b> 126:16	<b>amount</b> 137:25
<b>76,978</b> 32:15	<b>additional</b> 76:22	<b>Analyses</b> 39:1
<hr/>	<b>address</b> 6:8,10 52:6	<b>analysis</b> 37:12 38:1 41:16 77:24
<b>8</b>	<b>addresses</b> 97:3,9	<b>and/or</b> 101:17
<hr/>	<b>admissible</b> 11:13,15	<b>announced</b> 76:20
<b>84</b> 38:24	<b>advanced</b> 138:10	<b>announcement</b> 77:1
<b>866</b> 98:11	<b>advent</b> 59:25	<b>annual</b> 78:16 79:14
<hr/>	<b>advice</b> 102:2 103:11,13 117:1,6	<b>answering</b> 7:12 18:24 141:2
<b>9</b>	<b>advised</b> 85:12	<b>answers</b> 11:24 19:4 54:21 91:13,20 141:6,19,20
<hr/>	<b>Advocate</b> 72:19	<b>anybody's</b> 17:24
<b>9</b> 39:22	<b>aerial</b> 37:12 38:2 39:1 41:17	<b>Apache</b> 47:1,3
<b>90</b> 24:6	<b>Aero-data</b> 36:10	<b>appeared</b> 38:15 39:8
<b>90s</b> 45:21	<b>affect</b> 29:12	<b>appearing</b> 124:2
<b>97</b> 71:15 72:1	<b>affected</b> 46:10	<b>applies</b> 139:3,6,13
<b>9:30</b> 141:21	<b>afraid</b> 50:5	<b>apply</b> 73:19,25 139:4
<hr/>	<b>afternoon</b> 6:5	<b>appreciates</b> 123:18
<b>A</b>	<b>AG</b> 102:8 111:15	<b>appropriately</b> 116:22
<hr/>	<b>AG'S</b> 110:16	<b>approval</b> 15:19 92:20
<b>A&amp;m</b> 36:10	<b>agencies</b> 30:5 31:9	<b>approve</b> 109:17,21 111:10 113:14 114:6 130:4,9,13
<b>A-o-i-d-h</b> 75:24	<b>agency</b> 125:22 126:7	<b>approved</b> 108:7,8,13,16 109:25 110:4,5 111:2,3,16,20 112:5 113:3,7,11 114:7 129:18 130:2
<b>a.m.</b> 141:21	<b>agenda</b> 95:17 98:22 99:6,9 102:2	<b>approving</b> 107:17,18
<b>ability</b> 87:18 91:5 101:13 128:11	<b>agree</b> 38:22 39:10 42:14 59:19, 25 60:14 62:24 65:6,7 66:25 67:15,20, 71:24 81:4 110:1,4,5 113:11 126:9,13,15 131:9,14	<b>Approximately</b> 37:16
<b>absolutely</b> 69:13 104:19,20 112:17 115:20	<b>agriculture</b> 32:20	<b>area</b> 52:16,19,22 81:16 84:21 112:10 136:18
<b>accept</b> 114:12	<b>ahead</b> 18:3,23 26:25 28:14 39:21 50:10	<b>areas</b> 21:12 32:19 42:1 51:5,19 60:15
<b>access</b> 41:18	<b>Alabama</b> 64:16	<b>argument</b> 16:14
<b>accident</b> 139:18	<b>ALFORD</b> 20:10,22 21:21 22:7, 21 23:19,23 24:16,20 26:7,17, 23 27:11,22	<b>argumentative</b> 124:6
<b>accounted</b> 32:1	<b>allegations</b> 118:15	<b>armed</b> 49:1,4,6,22
<b>Ackel</b> 97:20	<b>allowed</b> 65:14 128:16	<b>Army</b> 31:1
<b>acreage</b> 35:2,8	<b>allowing</b> 92:19	<b>art</b> 33:20
<b>acres</b> 32:1,15 35:10	<b>altered</b> 31:25 32:2 34:19	<b>article</b> 11:3,6 72:17, 75:21 76:8
<b>act</b> 14:21 73:5 128:25 129:2,6 131:2,16	<b>altogether</b> 116:3	<b>articles</b> 89:10 91:9 123:25
<b>acted</b> 95:25 116:22		
<b>action</b> 9:6 10:10 11:23 12:1,5,8 19:21 66:6 92:17 102:20,21 129:6		
<b>activities</b> 40:20 42:8 68:6		
<b>activity</b> 16:21 38:6 136:14		

<p><b>asbestos</b> 69:6,20 70:13</p> <p><b>ascent</b> 79:21</p> <p><b>aspects</b> 87:5</p> <p><b>assert</b> 21:24 24:1 100:4,6</p> <p><b>asserted</b> 11:1 91:12</p> <p><b>asserting</b> 101:5</p> <p><b>assets</b> 85:8</p> <p><b>assist</b> 8:16</p> <p><b>assistant</b> 95:1 100:12</p> <p><b>assistants</b> 118:8</p> <p><b>association</b> 6:10,13,16,23,24 8:12 14:17,25 36:7,18,21,24 37:2 84:16</p> <p><b>assume</b> 19:9 110:22 111:9</p> <p><b>attention</b> 72:24 73:6 74:21</p> <p><b>attorney</b> 9:6 12:20,23 13:5,8 15:19 54:16 66:8 84:18,22 92:19,21 107:17 108:7,13,16 109:4,17, 111:20 113:3,7,10,12, 14 114:4,6,7,18 118:6,7,10 119:17,19 120:10,14,17 124:12, 19 125:8,14 126:9, 127:13 128:6,10 129:5 131:2,16 132:12 133:6, 136:10</p> <p><b>attorney's</b> 10:15 120:6 126:18 127:16,17 129:3,7,10,14 130:2</p> <p><b>attorney/client</b> 21:18 101:5</p> <p><b>attorneys</b> 43:21,23 73:20 74:1 84:10 121:13 122:12</p> <p><b>attributable</b> 37:17,20 41:24</p> <p><b>attributed</b> 35:14 38:16</p> <p><b>August</b> 92:8,9,14,22 93:8 95:11 96:23</p> <p><b>authority</b> 14:1,21 71:6,10,15 72:1 85:6 86:21 91:7,9 92:12 95:24 107:19 114:3,5,19 116:18,22 117:6 118:5,9 120:11,13,16 121:18 125:10,15, 22 136:3 138:7</p> <p><b>authorization</b> 125:11 136:5</p> <p><b>authorized</b> 120:9 129:10</p> <p><b>authorizes</b> 94:20 129:14</p>	<p><b>authorizing</b> 114:5</p> <p><b>automobile</b> 139:18</p> <p><b>avoid</b> 7:18</p> <p><b>award</b> 126:17 129:7 130:2</p> <p><b>awarded</b> 120:6 131:4</p> <p><b>awarding</b> 129:3</p> <p><b>awards</b> 127:16</p> <p><b>aware</b> 16:18 48:25 49:3,8,10, 12,15 54:1 57:16 63:13,22 136:6 139:2</p> <hr/> <p style="text-align: center;"><b>B</b></p> <hr/> <p><b>back</b> 9:15,16 19:1 21:14 22:6 25:11,21 28:4 33:10 35:23,24 50:14,15 55:13,14 62:22 64:7 75:5 117:24 127:15 128:23</p> <p><b>Bacon</b> 60:19 64:16,21</p> <p><b>bad</b> 7:22,23 58:14,15</p> <p><b>bag</b> 25:4</p> <p><b>bank</b> 42:2</p> <p><b>banks</b> 38:19 39:7 40:10 41:24</p> <p><b>Barnett</b> 72:15,18</p> <p><b>base</b> 56:8</p> <p><b>based</b> 12:25 37:12 56:5 86:20 95:25 108:10 110:11 120:13 125:7</p> <p><b>basis</b> 9:21 10:4,5 25:13 74:23 120:19 121:14 128:12</p> <p><b>basketball</b> 8:7</p> <p><b>Baton</b> 6:11 78:23 86:15,17 87:10 96:6,8,14</p> <p><b>Bayou</b> 37:19</p> <p><b>bayous</b> 40:12</p> <p><b>beg</b> 116:6</p> <p><b>begin</b> 53:25 129:8</p> <p><b>behalf</b> 14:21</p> <p><b>belief</b> 48:9 132:15,17 136:7</p> <p><b>Ben</b> 106:6,7</p> <p><b>bender</b> 139:21,24 140:2</p>	<p><b>benders</b> 139:20</p> <p><b>benefit</b> 135:22</p> <p><b>biggest</b> 56:23</p> <p><b>bill</b> 107:6 130:14</p> <p><b>billion</b> 50:22 51:2 76:15,22 77:2</p> <p><b>blanket</b> 16:19 22:25</p> <p><b>blocks</b> 23:8,10</p> <p><b>board</b> 12:21,24 13:19,21,22,24 14:3,4,21,22 83:2 85:4 88:5,15, 17 89:2,5 90:14,21,23 92:13,24 96:21 98:20,21,25 99:2,14 100:1,22 101:16,19,20 103:3, 13,15 104:1,3,17,21,24 105:3 106:2,9,21 116:25 137:15,16,20</p> <p><b>Boesch</b> 39:25</p> <p><b>boils</b> 117:4</p> <p><b>bold</b> 133:9</p> <p><b>boom</b> 76:13</p> <p><b>bottom</b> 28:15,23 34:24 51:4,18 81:8</p> <p><b>bought</b> 127:11</p> <p><b>boundaries</b> 12:13</p> <p><b>Box</b> 6:10</p> <p><b>BP</b> 31:13</p> <p><b>brake</b> 140:19</p> <p><b>break</b> 20:9 105:11 141:15</p> <p><b>breaks</b> 34:14</p> <p><b>Brian</b> 89:4 97:20</p> <p><b>Briggs</b> 6:1,5,9,12 8:11 11:23 25:16 27:2 28:4,15 42:14 44:6 54:13,15 73:24 78:5 82:22,23 84:8,14 92:15 99:8 100:12 103:20 105:17 107:12 108:2 109:7 110:22 111:19 113:4 114:12 118:1 123:16 133:15 134:10,14, 138:16 140:21 141:11,18</p> <p><b>bring</b> 12:5 22:6 43:24 73:20 74:1,9 76:21 89:10 91:7,24 115:3 120:11 132:14 133:16</p> <p><b>bringing</b> 13:7</p> <p><b>broad</b> 22:8</p>
--	--	--

<b>brought</b> 20:5 23:14 90:16,18, 21 116:10 120:6	<b>captioned</b> 23:25	<b>Cinderella</b> 80:21 81:5
<b>Broussard</b> 106:6,7	<b>Carbello</b> 63:5,11,13,19,21 64:6 74:5,7	<b>circulated</b> 137:16
<b>Bruce</b> 97:21 105:25	<b>care</b> 11:17	<b>circumstances</b> 129:2
<b>Buddy</b> 84:17 108:7 112:5 115:2,9,11 116:13,17 135:3,7	<b>Carmouche</b> 115:13,18,19	<b>cited</b> 76:15
<b>Buddy's</b> 115:7	<b>case</b> 9:10 43:24 63:5,11,19 64:6 70:8 119:14 128:6	<b>civil</b> 10:3 11:4 123:15,19
<b>budget</b> 45:10	<b>cases</b> 41:2 121:5,7,13 124:4	<b>claim</b> 135:21
<b>bullet</b> 81:8,16,22	<b>Cassidy</b> 107:6	<b>claims</b> 15:10 67:2,11,17
<b>burned</b> 32:19	<b>cat</b> 25:3	<b>clarify</b> 58:16
<b>business</b> 6:8 19:23 62:15 64:1, 5 78:10,17 79:6,15,22 80:5,9, 13,22 81:6,10,18 82:7,9 91:24 94:12 133:16	<b>category</b> 31:24 104:1	<b>class</b> 31:25 32:14 35:2,5
<b>businesses</b> 133:17	<b>caused</b> 38:6,17 39:3	<b>classes</b> 31:24 32:9
<b>buying</b> 45:17	<b>causing</b> 40:20 42:8	<b>classification</b> 29:1 30:7 31:11, 20 33:16
<b>bylaws</b> 14:13,15 94:10,11 137:25	<b>Central</b> 95:12	<b>cleaned</b> 67:21
	<b>CEO</b> 78:10 79:6	<b>cleanup</b> 66:1,5
<hr/> <b>C</b> <hr/>	<b>CEOS</b> 78:14 79:12	<b>clear</b> 8:2 72:21
	<b>cetera</b> 124:17	<b>client</b> 22:15 100:13
	<b>chairman</b> 89:1	<b>clients</b> 100:8
<b>C)(3)</b> 15:4 83:14	<b>chairman's</b> 89:3	<b>climate</b> 46:18 47:4,12,20 57:24 61:18 62:4 76:8 77:9,25 79:22 80:6,9,13 81:10 89:9 99:7 106:12,24
<b>C)(4)</b> 15:3 82:25 83:1,13	<b>challenged</b> 91:6	<b>Climates</b> 78:10 79:6
<b>C.C.</b> 94:24	<b>Chamber</b> 56:6	<b>clock</b> 8:6 27:5
<b>calculated</b> 11:14	<b>Chance</b> 97:19	<b>close</b> 50:24 51:5,19 60:23 61:15 68:21 69:6 70:25 72:22, 25 93:11
<b>Caldwell</b> 84:17 108:7,13,16 110:18 111:2,14,15 112:5 115:3,11 116:17 135:4,7	<b>change</b> 6:20,25 82:14,24	<b>closely</b> 64:10
<b>Caldwell's</b> 116:13	<b>changed</b> 6:18,22	<b>clue</b> 119:10
<b>call</b> 19:22 94:2,3,6,11 95:13,15 96:4,19 98:2,8,16 106:17 121:5	<b>channel</b> 34:22	<b>coach</b> 18:11,17,19 25:22
<b>called</b> 43:18 66:19 92:15 93:8, 16,25	<b>channels</b> 32:15,17,18,21 33:25	<b>coaching</b> 19:4,6 27:19
<b>campaigns</b> 83:16 84:1	<b>chapter</b> 39:22,24	<b>coastal</b> 9:1 28:20 29:2,12,21 30:7 31:10 34:13 35:1,13,19 36:5 38:7 39:18 40:7,21 42:9,15 72:5 115:25
<b>canal</b> 37:18,21 38:17 40:8,14 42:3	<b>characterized</b> 40:7	<b>Code</b> 11:3
<b>canals</b> 38:16 39:5 40:12 41:18, 24 68:20,23 70:22 72:5,9	<b>Chauvin</b> 85:24	<b>collaboration</b> 36:9
<b>capable</b> 7:22	<b>cheap</b> 77:13,16,20	<b>collection</b> 129:14
<b>capacity</b> 84:18	<b>chemical</b> 50:23	<b>College</b> 36:10
<b>capita</b> 82:9	<b>chemicals</b> 70:21	<b>combination</b> 32:13 68:6,13
	<b>Chief</b> 78:14 79:11 80:1,20	
	<b>chill</b> 133:23	
	<b>chilling</b> 15:11,21 16:10,15,20 17:9 19:22 132:8,18 133:19	
	<b>choice</b> 19:20	

<b>combinations</b> 31:23 32:8 33:5, 17	<b>confounds</b> 40:8	<b>contributions</b> 136:21 137:7
<b>comment</b> 102:6	<b>confusing</b> 123:1	<b>conversation</b> 54:15
<b>comments</b> 8:24 55:18 57:16	<b>cons</b> 96:13	<b>conversion</b> 37:14
<b>Commerce</b> 56:6	<b>consent</b> 120:2 131:12	<b>copies</b> 97:11
<b>committed</b> 76:16 77:1	<b>Conservation</b> 65:25 66:10 138:25	<b>copy</b> 10:2 75:15 78:4 85:15 94:16 95:11 98:21 117:14,18
<b>committee</b> 85:4 90:17,19,24 91:25 92:3,15 93:1,5,12,15,16 94:1,22 95:24 96:3,22 97:17 98:19 138:1	<b>considered</b> 11:7 100:13	<b>corner</b> 34:25
<b>commonly</b> 68:9	<b>considers</b> 46:18 47:4,12,20 77:23	<b>corners</b> 21:1
<b>communicated</b> 140:25	<b>Consortium</b> 36:8	<b>Corporate</b> 81:22
<b>companies</b> 17:9 30:5 31:9 44:24 45:1,3,14,20 46:3,11,15, 24 47:25 48:3,10,13,25 49:3,15, 21 50:4 52:25 60:14,25 61:4,9 62:2,7 63:10,25 64:5,7,14 65:13,18,21 68:24 70:8 71:16 72:2,4,9 77:6,11,19 138:18	<b>construction</b> 37:18,21 41:18 42:3	<b>Corporation</b> 36:10
<b>company</b> 20:3 30:21 31:13,17 46:18 47:4,8,12,20 49:7 62:14 63:20 65:3 77:23	<b>consulted</b> 43:23	<b>Corps</b> 31:1
<b>compare</b> 56:22 58:6,20	<b>contained</b> 122:12 124:14	<b>correct</b> 14:25 19:11 29:4,7 30:17,19 31:4,6,11,12,15,17 33:1 34:16,19,22 43:16,19 48:23 50:24 51:6 55:4 60:9,23 61:15 63:1,24 64:3 68:10 71:20, 23 76:9,13 78:1 90:19 93:3 95:15 98:22 116:24 117:3 121:4,21 131:20 136:11 138:3, 12, 140:25 141:21
<b>compared</b> 45:8 58:23	<b>contaminate</b> 65:14	<b>correctly</b> 32:5,22 35:10 37:22 38:20 41:11 42:4 71:1 78:18,20 79:16 129:9
<b>compel</b> 105:4	<b>contamination</b> 63:25 64:4	<b>counsel</b> 12:8 13:6 85:10,11,20, 22 92:11 95:8 102:10 104:11 108:10,12 118:6,11 134:16,23
<b>compensation</b> 109:25 110:8 111:16	<b>contend</b> 64:7	<b>counsel's</b> 12:25 13:1
<b>competent</b> 23:12	<b>contentions</b> 120:13	<b>countries</b> 49:1,4,8,16
<b>complaining</b> 27:18,19	<b>contingency</b> 119:18 122:20 124:18 125:9 126:11 127:6 129:19 130:4,10,13,15 131:10 136:15	<b>country</b> 56:8 59:20
<b>complete</b> 90:5	<b>continue</b> 41:8 54:24 105:23	<b>County</b> 53:25
<b>complexity</b> 12:4	<b>continues</b> 79:21	<b>couple</b> 31:8
<b>computer</b> 127:11,12,13,15,18	<b>continuing</b> 28:12	<b>court</b> 7:8,19 9:16 11:11 21:9,10 25:20 33:10 35:24 50:15 55:3, 14,18 56:1,7 95:23 115:15 116:11 120:6 126:1,17 127:15, 17 129:7 131:1 141:20
<b>concern</b> 25:12	<b>contract</b> 12:18,19,20,23 13:1 15:18 55:2 64:10 87:19 107:18 108:13,16 109:4,18 110:1,6,11, 12,18 111:2,4,7,10,14,17,21 112:6 113:3,7,11,14 114:2,6 118:5 119:18 125:9 129:19 130:10 131:3,16,17,19 132:25 133:12	<b>courtesy</b> 97:11
<b>concerned</b> 49:21	<b>contracts</b> 44:24 45:1 124:19 126:11 131:10 136:15	<b>courtroom</b> 106:17
<b>concise</b> 118:20	<b>contribute</b> 83:15	<b>courts</b> 73:18,24 74:17
<b>conclusions</b> 39:25 126:22	<b>contributed</b> 29:19 31:10 35:19 38:6 42:15 59:13 84:1	<b>cousin</b> 22:10
<b>conduct</b> 94:12	<b>contributes</b> 56:12	<b>created</b> 77:22
<b>conducted</b> 83:9	<b>contributing</b> 40:20 42:8	<b>credibility</b> 9:9
<b>confer</b> 54:13	<b>contribution</b> 39:18 137:5	
<b>conference</b> 94:2,3,6,11,22 95:13,15,18 96:3,19 98:2,8,16 107:10		

<b>criticized</b> 89:9	<b>defense</b> 91:14	<b>disagree</b> 12:10 39:15 53:14,18 80:25 81:7 130:8
<b>curious</b> 86:13	<b>defer</b> 85:10	<b>disagreement</b> 39:14
<hr/> <b>D</b> <hr/>	<b>degree</b> 20:15	<b>Discharged</b> 36:5
<b>Dakota</b> 60:19 64:21	<b>delineated</b> 31:25 32:9 33:8	<b>discharges</b> 39:4 41:7,9
<b>damage</b> 62:7 64:4 65:19 67:2, 11,17 75:11 138:19 139:24	<b>delta</b> 29:3 35:1,13	<b>discoverable</b> 10:24 91:17
<b>damaged</b> 140:15	<b>demand</b> 84:22 130:21	<b>discovery</b> 10:22 11:14 91:23
<b>damages</b> 68:9 120:16	<b>demonstrate</b> 112:5 116:17	<b>discuss</b> 77:8 86:16 89:8,11,22 125:1,3,6 130:18
<b>damaging</b> 140:13	<b>demonstrated</b> 41:17	<b>discussed</b> 43:22 44:8 64:18 90:14 99:9 102:24 103:1,16 104:6 106:23
<b>Dan</b> 97:20	<b>dense</b> 41:18	<b>discussion</b> 38:25 87:22 88:4, 13,14,21,25 89:7 92:3 96:4,10, 101:17 103:4,8,11 104:2
<b>data</b> 8:23 13:3 17:15,25 28:5,7 40:23 42:11,21 43:8 44:5 48:6, 17 57:1 60:5 62:18,25 79:18	<b>Department</b> 30:10,13,16	<b>discussions</b> 116:6 124:1,9
<b>date</b> 6:21 141:20	<b>depend</b> 13:6	<b>disqualification</b> 86:19 87:9
<b>dated</b> 36:7 79:4 95:2	<b>deponent</b> 11:8	<b>disqualified</b> 87:21
<b>day</b> 8:13,14 96:25	<b>deposition</b> 7:3 8:4 11:8 12:13, 17 20:8 27:4,5 44:21 54:24,25 110:16	<b>distinction</b> 107:17,20 127:6
<b>Daylight</b> 95:12	<b>DEQ</b> 139:15	<b>distort</b> 113:21
<b>days</b> 92:22	<b>describe</b> 92:11	<b>District</b> 107:14 116:11 120:12
<b>deal</b> 20:13	<b>desirable</b> 51:5,18 52:15,18,22	<b>Division</b> 36:6
<b>decades</b> 45:18	<b>desired</b> 114:19	<b>Dixon</b> 106:10
<b>deceased</b> 97:21	<b>detail</b> 125:4	<b>DNR</b> 59:12
<b>December</b> 75:6,24	<b>determine</b> 22:2 85:4 116:22	<b>Docket</b> 11:22
<b>decide</b> 55:3 117:5 131:1	<b>develop</b> 19:19	<b>doctor/patient</b> 21:18
<b>decided</b> 25:2 48:13	<b>development</b> 15:22 40:8,14 76:12, 81:16 82:7, 132:9,19	<b>document</b> 29:6,11 36:3,14,15 78:8 94:24 97:4
<b>deciding</b> 46:19 47:5,13,21 49:22	<b>dial</b> 98:3	<b>documentation</b> 96:1
<b>decision</b> 85:19 87:1	<b>dial-in</b> 98:2,4,7,10,12	<b>documents</b> 36:16
<b>decision-making</b> 87:8	<b>Diana</b> 97:19	<b>dollars</b> 63:21
<b>declaration</b> 9:6	<b>difference</b> 65:1 116:7	<b>Don</b> 6:9 15:8 92:15 99:7 134:10
<b>declaratory</b> 15:17 86:15 116:12	<b>differences</b> 116:5	<b>Donald</b> 6:1 39:25
<b>decline</b> 68:5	<b>difficult</b> 7:19 72:25 141:1	<b>Donlon</b> 80:20 81:4
<b>decontamination</b> 70:21	<b>diminution</b> 15:24	<b>dozen</b> 31:9
<b>deep</b> 63:7,14 64:8	<b>direct</b> 32:8,11,14,25 33:2,3,5,7, 17,19 34:16,21 40:13	<b>draft</b> 92:18,21 137:14
<b>defective</b> 127:12	<b>directed</b> 135:9	<b>drainage</b> 32:21
<b>defendant</b> 84:15	<b>directly</b> 37:17,20 38:16 41:9,23 137:1	<b>draws</b> 60:1
<b>defendants</b> 13:25 133:22	<b>director</b> 83:23	<b>dredge</b> 39:6 72:5
	<b>directors</b> 13:22,24 14:3 83:20 92:24 137:21	

<b>dredged</b> 68:20,23 72:10	<b>encourage</b> 67:22	<b>excuse</b> 81:19
<b>dredging</b> 39:5	<b>end</b> 19:13,15 25:7	<b>executive</b> 78:14 79:12 80:1,20 85:4 86:7,11 90:17,19,24 91:25 92:2,15 93:1,5,12,15,16,25 94:21 95:13,21,24 96:3,22 97:16 98:18 137:21 138:1
<b>drill</b> 19:18,20 46:19 47:5,13,21 48:14 49:23 51:22 52:3,10 53:1, 9 57:6 61:24 63:8,21 64:25 68:20,23 77:24	<b>Energy</b> 68:4, 70:17	<b>exercised</b> 91:8
<b>drilled</b> 20:5 63:3,11 65:4	<b>enforce</b> 11:10	<b>exhibit</b> 28:17 36:3,11 37:9 82:6
<b>drilling</b> 51:5,18 52:16,19,22,24 53:23 56:13 57:3 58:17 59:10, 12,14 67:22	<b>enforcement</b> 77:18	<b>Exhibits</b> 44:6
<b>due</b> 68:6 77:13	<b>engage</b> 135:23	<b>existence</b> 30:25
<b>duly</b> 6:2	<b>engaging</b> 136:13	<b>expect</b> 140:12
<hr/> <b>E</b> <hr/>	<b>Engineers</b> 31:1	<b>expected</b> 41:8
<b>e-mail</b> 95:11 97:2,3,9 98:10	<b>enjoy</b> 60:25	<b>expeditiously</b> 67:2,11,17
<b>e-mails</b> 97:14	<b>ensure</b> 67:25	<b>expenditure</b> 85:7
<b>Eagle</b> 64:16,20	<b>ensures</b> 67:20	<b>expensive</b> 63:7
<b>earlier</b> 28:5 32:24 64:19 83:12 138:16 140:21	<b>enter</b> 11:19 131:3	<b>experience</b> 118:10
<b>early</b> 37:16 39:9 54:1 123:3	<b>entered</b> 107:19	<b>experiencing</b> 76:12
<b>Earns</b> 78:9 79:5	<b>entering</b> 119:17 125:8	<b>expert</b> 124:2,3
<b>easiest</b> 105:21	<b>entitled</b> 29:1 31:19 34:25 36:4 39:24 72:13,18 75:21 76:8 78:9 79:5	<b>expertise</b> 118:9
<b>East</b> 14:1 43:19 71:15 72:1 86:15,17 87:10 96:5,8,14	<b>entity</b> 82:25	<b>explain</b> 18:20 64:1,6
<b>Eastern</b> 116:11 120:12	<b>environment</b> 51:4 67:21,25	<b>explained</b> 66:14
<b>easy</b> 27:2 113:20	<b>environmental</b> 30:11 36:4 62:7 64:4 65:18 67:1,11,17 68:8 138:18 139:15	<b>explicit</b> 125:10
<b>economic</b> 75:11 76:12,16,22 77:24	<b>EPA</b> 139:16	<b>exploration</b> 15:22 30:21 47:16 59:21 132:8,18
<b>Editor-in-chief</b> 80:20	<b>equally</b> 40:16	<b>expression</b> 120:7
<b>educate</b> 17:1	<b>erosion</b> 9:1 34:15	<b>extensive</b> 37:14,20 40:8
<b>effect</b> 15:11,22 16:11,15,20 41:17 42:3 116:14 132:8,18 133:19	<b>error</b> 113:12	<b>extent</b> 16:16, 18:20 103:10 104:12 125:5
<b>effects</b> 37:11 39:6 40:9,13 41:4	<b>established</b> 23:12 87:14	<b>Exxon</b> 46:17,21
<b>effluents</b> 40:13	<b>Estate</b> 81:23	<hr/> <b>F</b> <hr/>
<b>Elzie</b> 21:14 25:11 28:2	<b>Estopinal</b> 85:23 95:3	<b>face</b> 48:25 49:3,5
<b>emboldened</b> 73:20,25	<b>evidence</b> 11:10,15 17:16,25 39:3,12 43:8 46:17 47:3,11,19 49:20 51:8,17 64:11 73:14 79:18 108:5,6 110:17 111:1,3, 13 112:4,23 113:8 115:6,8 116:9,14,16 132:4 134:9	<b>fact</b> 20:3 55:1 57:13 86:20 104:15 108:6 116:10 118:20,22
<b>employed</b> 45:7 85:25	<b>EXAMINATION</b> 6:4 84:13	<b>factors</b> 40:16 56:12,22 59:13
<b>employee</b> 106:11	<b>examined</b> 6:3 41:5	<b>facts</b> 10:9 11:23 13:3 17:2,5,15, 25 19:10 23:13 39:12 40:23 42:11,21 43:1,3,8 48:6,17 57:1 60:5 62:18,25 64:11 75:1 108:4 118:20
<b>employees</b> 83:4 106:7	<b>exceeded</b> 136:4	
	<b>excess</b> 124:16	



<p><b>factual</b> 108:4</p> <p><b>factually</b> 118:23 119:5</p> <p><b>failure</b> 73:18,24</p> <p><b>fair</b> 7:12,20 23:16 110:19 115:14 134:6</p> <p><b>faith</b> 132:15,16</p> <p><b>familiar</b> 16:3 32:25 33:6 34:2,5 36:17,20 37:24 38:1,4 40:2 53:5,7 63:5 70:13 72:8,12 80:2 81:14,20 82:4,5,12 139:10</p> <p><b>favor</b> 97:8</p> <p><b>February</b> 56:15 58:19 95:2</p> <p><b>federal</b> 115:15 116:11</p> <p><b>fee</b> 119:18 122:20 125:9 126:11 127:6,7,8,9 129:7,19 130:4,10, 13,15 131:4,10 136:15</p> <p><b>feel</b> 17:20 84:24 134:10</p> <p><b>feelings</b> 17:24</p> <p><b>fees</b> 120:6 126:18 127:16,17 129:3,11,14 130:2</p> <p><b>fender</b> 139:19,21,23 140:2,4,5</p> <p><b>Fenstamaker</b> 97:20</p> <p><b>field</b> 40:15,17 52:23</p> <p><b>fields</b> 16:17 40:6 41:23 60:2</p> <p><b>file</b> 13:9,13,17 43:7 84:5 86:17, 21 88:6 92:13 96:12 105:4</p> <p><b>filed</b> 17:3 58:9 84:22 85:5 86:14,19 87:17 96:5,7 118:16 133:9</p> <p><b>files</b> 128:7</p> <p><b>filing</b> 13:17 96:13</p> <p><b>fill</b> 70:22 72:9</p> <p><b>filled</b> 72:5</p> <p><b>filling</b> 39:5</p> <p><b>financial</b> 77:12</p> <p><b>find</b> 84:4 91:6</p> <p><b>fine</b> 6:8 26:19 27:8 65:12 123:14 131:5</p> <p><b>finish</b> 7:11 141:15</p> <p><b>firm</b> 87:19 114:3 116:18 129:6 138:7,11</p>	<p><b>Fisheries</b> 30:17</p> <p><b>fists</b> 120:16</p> <p><b>Flood</b> 13:25 20:5 43:18 44:4 71:6,10,14 72:1</p> <p><b>focused</b> 41:9</p> <p><b>follow</b> 126:14</p> <p><b>forces</b> 49:16</p> <p><b>Ford</b> 64:16,20</p> <p><b>form</b> 9:4,14 18:7,13,16 87:24 121:23 132:21 134:12 137:16</p> <p><b>formed</b> 136:21 137:4,7</p> <p><b>forums</b> 124:2</p> <p><b>forward</b> 21:11 114:5,19 115:4 132:7</p> <p><b>forwards</b> 95:10</p> <p><b>foundation</b> 16:23</p> <p><b>fourth</b> 33:15 80:19 81:22</p> <p><b>fraction</b> 51:2,15</p> <p><b>fracturing</b> 59:19 60:1</p> <p><b>free</b> 84:24</p> <p><b>friends</b> 115:3,7,10,12 116:13</p> <p><b>frivolous</b> 43:19 44:4 70:5,11,15</p> <p><b>front</b> 118:1</p> <p><b>full</b> 90:21</p> <p><b>Fulnarek</b> 97:20</p> <p><b>funds</b> 16:1 119:19 125:15</p> <p><b>furnished</b> 91:21</p> <p><b>future</b> 54:21 74:10</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>Garret</b> 44:9,13</p> <p><b>gas</b> 6:10,13,23,24 8:25 12:3 14:25 15:12,23 16:11 19:19 29:12,17 32:15 33:25 34:19,22 35:7,14,18 36:6,18,24 37:2 38:6 39:18 40:6,20 42:8,14 46:1,4,6, 9,19 47:5,13,21,24 48:9 49:23 50:22 52:7,13 56:18,21 57:2 59:17,20 60:9,11,14,22,25 61:4, 9 64:25 68:6 77:21,25 84:16 132:10,19 139:6</p>	<p><b>Gasoline</b> 46:6,7</p> <p><b>gave</b> 8:11 58:15 86:10,11 141:6</p> <p><b>general</b> 12:20,23 13:8 84:18 92:19,22 95:8 107:17 108:7,13, 16 109:4,17,21 111:20 113:3,7, 11,12,14 114:4,6,7,18 118:6,7, 10 119:17,19 120:11,15,17 121:12 125:8,14 126:10, 127:13 128:6,11 129:5 131:3,16 133:6, 11 136:10</p> <p><b>General's</b> 9:7 15:19 84:22 124:19</p> <p><b>generated</b> 98:5,6</p> <p><b>geological</b> 8:20,24 23:11,13 28:7,20</p> <p><b>Gifford</b> 8:10 82:22,23 83:7,10, 11</p> <p><b>Ginger</b> 82:22</p> <p><b>GIS</b> 30:7 31:10</p> <p><b>give</b> 6:7,15 7:6 19:7 23:2 43:8 56:24 58:25 62:14 75:1,15 94:6 127:3 130:1 131:17</p> <p><b>giving</b> 35:18</p> <p><b>glad</b> 44:22 97:4</p> <p><b>goals</b> 124:13</p> <p><b>Golden</b> 37:15</p> <p><b>good</b> 6:5 7:17 32:23 69:24 72:25 115:9,11 123:12 132:15, 16</p> <p><b>Goodrich</b> 53:5,7,23 54:6 57:9, 13</p> <p><b>governing</b> 116:25 136:3</p> <p><b>Governor</b> 44:10</p> <p><b>Governor's</b> 30:19 44:18 45:10 79:4,19 80:8,12</p> <p><b>Grant</b> 19:1</p> <p><b>Graves</b> 44:9</p> <p><b>greatest</b> 79:23</p> <p><b>grounds</b> 7:6</p> <p><b>group</b> 50:21 51:1 72:20</p> <p><b>guess</b> 19:9 34:6 76:10 95:5 98:17 115:14 119:13 131:14 136:12 137:13</p>
---	---	---

<b>guest</b> 106:21	<b>hit</b> 60:16 64:19,22	<b>improper</b> 133:7
<b>guidance</b> 112:15	<b>hole</b> 56:5 57:14	<b>improved</b> 79:25 82:2
<b>GUILLOT</b> 20:7 25:6 28:1 106:15 107:8	<b>home</b> 43:14 51:11	<b>improvement</b> 79:23 80:22 81:6
<b>gunfire</b> 49:18 50:5	<b>honest</b> 23:24	<b>in-house</b> 85:20,22
<b>guns</b> 49:6	<b>Honorable</b> 84:17	<b>inception</b> 57:12
<b>gut</b> 134:1,3	<b>hope</b> 123:17	<b>include</b> 33:25 71:11
<b>guy</b> 76:5	<b>hourly</b> 120:19 121:14 128:12	<b>included</b> 57:22 92:18
<b>guys</b> 20:13	<b>hours</b> 94:8	<b>Including</b> 31:13
<hr/> <b>H</b> <hr/>	<b>households</b> 83:10	<b>inconsistent</b> 54:3
<b>habitats</b> 37:15 40:7	<b>housekeeping</b> 11:18	<b>Incorporated</b> 82:15,24
<b>Hanks</b> 89:4 97:20	<b>Houston</b> 45:24 67:7	<b>Incorporation</b> 91:9
<b>happen</b> 62:6,12	<b>husbands</b> 101:17	<b>incorrect</b> 71:23
<b>happened</b> 77:4 85:15 101:25	<b>hydraulic</b> 59:19 60:1	<b>independent</b> 6:23 119:12,13
<b>harassing</b> 11:11	<b>hydrological</b> 38:17	<b>indication</b> 111:22
<b>hard</b> 27:15	<b>hydrology</b> 32:1,3 34:19	<b>indirect</b> 39:6 40:13 42:2
<b>Haynesville</b> 52:15 65:2 77:22	<hr/> <b>I</b> <hr/>	<b>individually</b> 119:1
<b>head</b> 7:13,19 73:12 114:14 121:8 138:21 141:22	<b>idea</b> 50:19 57:18 61:3 62:12 66:11,24 86:25 93:21 101:9 127:25 128:1,4,5 132:12	<b>individuals</b> 40:3 98:4 99:25
<b>heard</b> 34:4	<b>identification</b> 28:17 36:11 78:6	<b>Industrial</b> 8:12
<b>hearsay</b> 25:14	<b>identify</b> 97:16	<b>industries</b> 45:4,8 75:12
<b>heart</b> 134:1,2,3	<b>leyoub</b> 124:3,9 125:2,7,16 126:3	<b>industry</b> 8:25 16:11 19:23 29:12,19 45:8 60:22 72:19 124:16
<b>held</b> 6:16	<b>illegal</b> 13:1 132:25 133:7	<b>influence</b> 57:3
<b>hell</b> 56:5 57:14	<b>imagery</b> 39:2 41:17	<b>influenced</b> 46:2,10,14
<b>helps</b> 97:2 109:3	<b>imagine</b> 84:5	<b>information</b> 10:24 11:13 26:11 40:19 42:7,12 43:3 84:4 91:17 110:23 111:19 113:13 135:15
<b>high</b> 41:2	<b>immaterial</b> 80:10	<b>informing</b> 26:4
<b>highest</b> 32:15 78:9,15 79:5,13 81:11,18,19 82:1	<b>immunities</b> 61:1	<b>infrastructure</b> 49:17
<b>highlighted</b> 37:10 38:14 76:1	<b>impact</b> 17:9 19:22 36:4 76:22	<b>injunction</b> 133:3,5,10
<b>hire</b> 49:15 118:10 121:13 127:14 128:11 129:6 138:7	<b>impacts</b> 41:6	<b>injunctive</b> 15:17 133:8,13
<b>hired</b> 108:8 115:3	<b>impediments</b> 68:7,13,14	<b>injury</b> 15:11,20 131:19 135:6
<b>hiring</b> 120:18	<b>implementation</b> 131:18	<b>inspection</b> 140:3,19
<b>historic</b> 60:11 77:17	<b>important</b> 7:9 40:16 45:4	<b>instant</b> 92:13
<b>historical</b> 37:12 38:2 39:1 41:16	<b>imposed</b> 11:11	<b>institute</b> 125:14 136:8
<b>historically</b> 58:24 121:4	<b>impounded</b> 42:1	<b>instituted</b> 84:16 136:9
	<b>impounding</b> 39:7	<b>institution</b> 14:16

<b>instruct</b> 9:18 10:6 11:8 12:11 18:15 22:17 103:12	<b>issuing</b> 23:15	<b>landowners</b> 65:18 66:3 70:23 138:17,25 139:3,4,8,14
<b>instructing</b> 10:4,8 27:20	<b>item</b> 99:6 102:3	<b>Landry</b> 68:2
<b>instruction</b> 10:16 11:5 16:6 19:13,15 21:6	<b>IV</b> 99:6	<b>language</b> 15:12
<b>instructions</b> 19:7 26:5 27:3	<hr/> <b>J</b> <hr/>	<b>large</b> 41:21
<b>intend</b> 141:25	<b>James</b> 84:17	<b>Lasseigne</b> 97:19
<b>interest</b> 67:1,10,16	<b>job</b> 32:23 86:1	<b>late</b> 25:5 45:21
<b>interested</b> 70:24	<b>Jones</b> 26:15 48:20 127:14	<b>Lauren</b> 85:23,24 86:11 95:2
<b>Interrogatories</b> 91:20	<b>JP</b> 80:20	<b>law</b> 58:3 66:20 72:21,24 73:3,7, 15 74:21 87:19 114:2 116:18,23 122:12 129:6 138:7,11
<b>interrogatory</b> 92:10 98:19 135:1	<b>Judge</b> 9:24 18:23 20:11,21 21:15 22:6,16,20 24:3,10 25:3 105:2,5,11,19 107:10 117:5 123:17 132:11 133:25 134:4	<b>lawsuit</b> 13:7,9,14,17 14:1 15:10,13 20:5 21:2,4 26:5 43:19,24 44:4,8 70:3,9 71:25 72:18 73:19,25 77:5,8,9 84:15, 21 85:5,6,9,16 86:3,8,14,17,22 87:18 88:6 90:18 91:7 92:13,18, 24 93:17 96:5 99:8,10,18,20 102:4 103:11 107:13,14,16 108:7,9 115:3,15,24 116:10 117:11,19 118:16 120:11 132:7, 133:16 136:9 137:14
<b>interrupt</b> 20:8 49:7	<b>judges</b> 58:3 72:19,23 73:6,15 74:14	<b>lawsuits</b> 17:8 19:22 46:2,10,14 48:1,4,11,15 49:21 50:5 51:21, 22 52:1,4,10 56:16,22,23 57:2, 6,23 58:8 62:6,16 63:3 65:4 73:21 74:3 75:9 102:12 104:2,5, 13 115:25 122:4,7 132:14 133:23
<b>interrupting</b> 69:11	<b>judges'</b> 73:10	<b>lawyer</b> 107:19 108:1 112:15,17 116:21 132:6 138:11
<b>intervene</b> 86:18 87:17	<b>judgment</b> 15:17 86:15 116:12	<b>lawyer's</b> 114:12 117:1
<b>intervention</b> 85:7	<b>judgment</b> 15:17 86:15 116:12	<b>lawyers</b> 108:8 114:18 116:21 118:15 128:11 131:3
<b>introduced</b> 6:6 104:11	<b>judicial</b> 56:5 57:14 72:22 107:14	<b>lay</b> 16:23
<b>invalid</b> 15:19	<b>July</b> 36:7	<b>lead</b> 10:24 11:14 91:16 104:8
<b>invest</b> 17:10	<b>June</b> 72:17	<b>leased</b> 63:14 64:8
<b>investigate</b> 41:6	<b>jurisprudence</b> 72:25	<b>leases</b> 15:25
<b>investigation</b> 70:2	<b>Justice</b> 47:8,11	<b>leave</b> 132:5
<b>investment</b> 50:23 51:2 67:22	<hr/> <b>K</b> <hr/>	<b>leaving</b> 47:25 64:14
<b>investments</b> 76:16 77:1,4,12	<b>keeping</b> 63:25 64:4	<b>led</b> 104:9
<b>investors</b> 60:1 63:20	<b>kind</b> 22:25 25:19 45:11 72:24 86:7 127:1 131:18	<b>left</b> 28:23 45:14,20,22,23 48:3 107:1 116:21
<b>invite</b> 101:16	<b>knowing</b> 16:20	<b>legacy</b> 56:16,21,23 57:2,6,23
<b>involve</b> 70:20	<b>knowledge</b> 38:23 117:2 134:8	
<b>involved</b> 112:3	<b>Kyle</b> 72:15,18	
<b>involves</b> 21:17	<hr/> <b>L</b> <hr/>	
<b>involving</b> 130:24	<b>lack</b> 77:17	
<b>irrelevant</b> 9:23 10:25	<b>Lafitte</b> 37:15	
<b>irreparable</b> 15:11,20 131:19 135:6	<b>land</b> 29:2,13,21 30:7,21 31:10 34:13 35:1,13,19 38:7 39:18 40:21 65:19 70:24 71:7,12	
<b>IRS</b> 136:2	<b>landowner</b> 65:22,23,24	
<b>Irvin</b> 97:21		
<b>isolate</b> 40:11		
<b>issue</b> 9:10 20:12 89:11 91:3 103:25 104:6 112:2		
<b>issues</b> 61:13,17 113:16		

58:8 68:9,14 69:5 72:18 73:19, 25 75:8 102:12 103:25 104:2,4, 5,13 121:5,11 124:4 128:25	95:8 98:20 99:4 100:13,18,22 101:19 102:8,16,18,20,21 104:24 106:21,23 118:21,23 121:3,11,21 122:11 128:14 131:10,19 132:4 134:8,20,22 135:7 136:4,12 137:2,9	<b>M</b>
<b>legacy-type</b> 19:21	<b>LOGA'S</b> 86:20 92:17,24 114:17 118:4 119:6,11,16 122:4,19 124:13 132:16	<b>M-a-c</b> 75:23
<b>legal</b> 14:16 19:21 46:18 47:4, 12,20 51:3 55:2 57:24 61:1,5,18 62:3 66:6 72:20 76:8 77:25 85:11,13 86:24 87:5,13 88:7,9, 14 99:7 102:2 103:11,13 104:11 106:12,24 108:10,12 112:2 113:16 114:25 117:5 119:3,10, 23 120:22,24 126:22	<b>logging</b> 32:4	<b>made</b> 6:25 29:11 41:9 55:18 60:22 73:9,15 74:6,24 102:8,12 113:5,6,10 115:2,21,23 116:17 137:8
<b>legalese</b> 118:21	<b>logo</b> 28:24	<b>magazine</b> 81:9,17 82:7
<b>legalities</b> 123:23 127:1	<b>long</b> 6:12 52:21 57:11 80:23 81:1 112:9	<b>magazine's</b> 78:16 79:14
<b>legislative</b> 75:22 83:15 84:1 130:18 136:14,21 137:8	<b>looked</b> 45:10 85:20 114:3	<b>Mahtook</b> 9:3,11,17,22 10:7 11:16 12:9 16:8,22 18:2,12,18 19:5,14 20:18,24 21:7 22:4,11 23:3,9,21 24:7,13,23 25:21,23 26:2,9 27:17 28:10 33:12 38:9 42:16 43:25 49:9,24 50:9,16 54:13 55:5,20 56:2 62:9 67:3 69:1,9,14 75:18 78:24 80:14 85:12,19 87:12,23 88:10 89:18, 24 90:6,10 91:1,11 92:23 95:7 97:15 99:11,17,22 100:5,10,16 101:3 102:13,22 103:5,9 104:7, 105:18 109:2,9,13,19,24 110:7, 13 111:1,5,12,21 112:11 113:9, 19 114:9,21 117:15,23 118:13, 25 119:21 120:20 121:15,22 122:6,14,18,24 123:6 124:5 125:18 127:20 128:15 130:16, 22 131:21 132:20 134:11,15,21 135:8,19 136:23 137:17 140:6 141:12
<b>legislature</b> 120:2,4,5,7 121:18 125:11,25 129:10,13,18 130:1, 4,9,13 131:12	<b>lose</b> 135:24	<b>maintain</b> 136:5,8,13
<b>letter</b> 92:18,21	<b>loss</b> 29:2,13,21 30:7 31:10 32:2, 16 34:13 35:1,13,19 38:7,15 39:8,18 40:21 41:4,20 42:9,15	<b>major</b> 41:17 45:13,20 46:23 70:8
<b>levee</b> 12:21,23	<b>losses</b> 37:17,19 39:3 40:15 41:22,25	<b>majority</b> 58:8
<b>liability</b> 63:24 64:3	<b>lot</b> 56:16 108:3 119:14	<b>majors</b> 46:25
<b>limit</b> 84:20	<b>loud</b> 7:15 27:5 141:23	<b>make</b> 7:7 16:19 17:10 24:8,12, 17 25:15 27:14 28:11 38:10 61:1 69:10 74:23 77:12 85:19 102:3,6 108:10 112:25 113:2 136:21 141:6
<b>limitation</b> 11:10 138:2	<b>Louisiana</b> 6:9,13,22,23 9:2 14:25 17:10 28:20 29:4,13,21 30:10,13,16,19,21 31:4 35:19 36:5,6,8,9 40:7,21 43:18 45:4, 14, 46:20 47:4,6,12,14,22,25 48:3,10,14 50:24 51:3,17 52:10, 24 55:19 56:1,13 57:4,6 58:5,6, 9,10,18,20 59:1,3,7,8,14,15,17, 23 60:2,3,8,23 61:13 62:15 64:1,5,15,23,24,25 65:15,19 67:22 68:19 69:6,24 71:5,10,14 72:1,6,12,13 75:8 76:11,17,23 77:2,9,13,25 78:9,15 79:5,13, 22,25 80:6,9,13,21,23 81:1,5, 17,23,24 82:2,8,14,24 84:16,19 99:7 106:12,24 120:12 133:6 136:10	<b>making</b> 8:24 22:25 24:24 27:14 29:16 38:5 39:17 40:19 42:7 71:3 73:1 102:5 108:4
<b>limitations</b> 135:22 136:1	<b>Louisiana's</b> 46:18 47:20 77:17 81:10,11,18 82:1	<b>manufacturing</b> 50:23
<b>limited</b> 140:17	<b>low</b> 50:21 56:14,18,21 57:2,4 58:22,23,24	<b>map</b> 8:21 28:7,19 29:15 30:4 31:11
<b>liquids</b> 64:23 65:1 76:21	<b>lows</b> 60:11	
<b>list</b> 96:24 97:10 98:21	<b>lucrative</b> 75:12	
<b>listed</b> 34:19	<b>lump</b> 116:3	
<b>listen</b> 24:24		
<b>lists</b> 30:5 31:8		
<b>litigation</b> 22:18 69:5 114:20 124:17		
<b>lobby</b> 106:22		
<b>lobbying</b> 136:14		
<b>local</b> 49:1,4,22		
<b>locally</b> 41:3		
<b>LOG</b> 83:19,23,25		
<b>LOGA</b> 13:9,13,17 14:13,24 15:2,10,17 30:23 57:9 59:10 67:7 69:17,23 83:12,15 85:3,7, 25 86:5 87:18 92:12,15 94:25		

<b>maps</b> 23:11,13 30:1,2,7	<b>miles</b> 68:19,22	<b>nearing</b> 56:13 57:4
<b>March</b> 54:1	<b>million</b> 53:9,11	<b>necessity</b> 138:6
<b>Marine</b> 28:20 36:8 53:10	<b>millions</b> 63:20	<b>negotiated</b> 64:9
<b>mark</b> 28:14 36:3 78:5	<b>mind</b> 120:8	<b>network</b> 41:18
<b>marked</b> 28:17 36:11 78:6	<b>mine</b> 36:22	<b>Nigeria</b> 49:1,4,8
<b>marsh</b> 33:23 34:12 38:18 39:5,6 40:11 41:4 42:1	<b>minute</b> 20:9 54:12	<b>nodding</b> 7:18
<b>marshes</b> 68:20	<b>minutes</b> 14:9 24:4 94:21 103:20 137:22	<b>nods</b> 7:13 114:14 121:8 138:21 141:22
<b>matter</b> 11:21 90:16,18	<b>mission</b> 124:1,14,22	<b>Nonetheless</b> 41:21
<b>MBA</b> 8:7	<b>missions</b> 131:9	<b>nonprofit</b> 135:24
<b>Mcginsey</b> 135:3,7	<b>Mississippi</b> 29:3 53:25 64:17	<b>nonresponsive</b> 17:13,22 20:1 58:12
<b>Meadow</b> 37:15	<b>Mitch</b> 97:20	<b>normal</b> 21:19,22 24:1 101:21
<b>meaning</b> 85:5	<b>modifications</b> 38:17	<b>north</b> 58:6,9,20,23 59:7,8,14, 15,17,23 60:2,19 64:21
<b>means</b> 34:7,9,12 45:5 111:1 118:23 119:5	<b>Monday</b> 132:3 141:21	<b>Notes</b> 75:21
<b>meeting</b> 13:21 92:16 93:8,17 94:1 98:19,20,21,25 104:1,8,9, 24 106:21 137:15,21,22 138:2	<b>money</b> 83:25 120:14,15 126:8 127:15	<b>notice</b> 95:15 138:1,3
<b>meetings</b> 101:20 137:23	<b>moneys</b> 126:2,11	<b>noticed</b> 11:22
<b>Melissa</b> 68:2	<b>months</b> 53:12	<b>notification</b> 94:5
<b>member</b> 36:23 47:1,8,17 57:9, 59:11 88:5 106:9	<b>morning</b> 25:9	<b>notwithstanding</b> 104:15 118:21
<b>members</b> 13:8,13,16,24 14:4 17:19 19:18 37:1,4 51:20,23,25 52:3,9 57:5,20 66:22 88:15,18 89:2,5 90:14 92:13 93:4,7,8,11, 13,16,18,19,23 96:21,22 97:12, 17 98:25 99:2,4 100:1,23 101:16,20 103:15 104:3,17,21 105:3 124:24 131:20 137:17	<b>most-improved</b> 81:24	<b>November</b> 81:11
<b>membership</b> 121:21 124:8 125:1	<b>move</b> 114:19	<b>number</b> 39:22 56:13 57:3 58:17,20 59:13 98:4,7,10,12
<b>memory</b> 75:17 97:2	<b>Multiple</b> 32:3	<b>numbers</b> 45:11 58:25
<b>mentioned</b> 8:19 44:13	<b>N</b>	<b>numeral</b> 37:11 99:6
<b>Meredith</b> 119:13,15,16 124:3,9 125:2,7,16 126:3,18 127:19 128:7 129:15 130:11	<b>named</b> 81:23	<b>O</b>
<b>merit</b> 73:21 74:2	<b>names</b> 43:21,23 73:10 97:6,7, 10,13	<b>O'brien</b> 97:21
<b>Mid-continent</b> 36:6,17,23 37:2	<b>Nancy</b> 39:25	<b>oath</b> 105:4 141:3
<b>middle</b> 63:21	<b>nation's</b> 81:23	<b>obey</b> 44:24 45:1
<b>migrating</b> 60:15	<b>nation-best</b> 79:25	<b>object</b> 9:4,12,14 18:7,16 42:17 49:25 50:17 55:21 56:3 62:10 67:4 69:2 87:24 89:19,25 91:2 99:12 103:6,10 114:22 118:14 119:22 120:21 121:16,23 124:6 125:19 127:21 130:17 131:22 132:21 134:12 136:24 140:7
	<b>national</b> 56:6 79:22	<b>objecting</b> 18:13
	<b>nationwide</b> 78:14 79:12	<b>objection</b> 17:13,22 20:1 24:17 27:14,15,18 38:11 58:12 69:10
	<b>natural</b> 30:13 32:3 46:6,9 50:21 56:18,21 57:2 59:17 60:8,11 64:25 77:14,16,20,21	
	<b>nature</b> 22:2 88:20,22 89:7 119:19	
	<b>navigation</b> 32:17	

80:15 92:17,25 93:18 99:20	<b>opinions</b> 23:15 35:18	87:9,10,11,17 89:8 96:5,6,8,14,15
<b>objectionable</b> 21:4	<b>opportunity</b> 77:12	<b>part</b> 7:14 100:12,13
<b>objections</b> 11:6,18,19 24:24 25:13,19	<b>opposed</b> 87:10 96:14 113:15 118:22 137:1,8	<b>partially</b> 40:11 42:1
<b>observed</b> 41:22	<b>opposition</b> 49:1,4	<b>participate</b> 87:1 106:16
<b>obtained</b> 92:12	<b>order</b> 17:1 19:8 21:11 22:14 91:24 139:3	<b>participated</b> 30:6 98:14 99:13
<b>obtaining</b> 70:22,24	<b>organization</b> 15:2 46:24 47:1,9,17 60:21 68:2 116:25 124:23 137:9	<b>participation</b> 87:4,8
<b>occur</b> 6:20	<b>organizations</b> 30:5	<b>parts</b> 59:20
<b>October</b> 76:7	<b>Orientation</b> 75:22	<b>party</b> 11:8
<b>office</b> 9:7 30:19 43:14 44:18 51:13 65:25 66:9 84:23 95:5 110:16 111:15 138:24	<b>Orleans</b> 45:23 85:6 86:14,18 87:9,11,17 89:8 96:5,14 115:16	<b>pass</b> 84:9 140:3,19
<b>officer</b> 82:14	<b>outlawed</b> 62:8	<b>past</b> 13:21 53:8 55:19 57:4 58:6,18 79:24
<b>officers</b> 15:5 82:21	<b>overwhelming</b> 40:14	<b>pattern</b> 38:15
<b>offices</b> 45:23 83:6,9 124:19		<b>pay</b> 72:23 74:21 139:24 140:4,13
<b>Offshore</b> 31:15		<b>paying</b> 73:6
<b>oil</b> 6:10,13,23,24 8:25 12:3 14:25 15:12,23 16:11 19:19 20:3 29:12,16 31:13 32:15 33:25 34:19,22 35:7,14,18 36:6,18,23 37:2 38:6 39:18 40:6,20 42:8,14 44:24 45:1,3,8,14,20 46:2,11,13,14,17,19,23 47:3,5,8,11,13,19,21,24 48:3,9,13,25 49:3,7,15,20,23 50:4 52:6,10,25 59:20 60:14,16,22,25 61:4,9 62:2,7,14 63:10,19,25 64:4,7,19,22,23 65:13,18,21 68:6,23 71:15 72:2,4,9 77:6,18,23,24 84:16 132:10,19 138:18 139:6	<b>P</b>	<b>penned</b> 76:7
<b>Oil/gas</b> 32:1	<b>P-a-c</b> 137:7	<b>people</b> 28:16 49:6 64:7 98:14 100:8,11,18,19,22,25 101:8,20 105:7,9 120:18 132:14
<b>older</b> 60:1	<b>p.m.</b> 95:11	<b>percent</b> 24:6 32:2,3,4,16,17,18,19,20,21 35:2,14,15 41:23
<b>one-half</b> 37:16	<b>P.O.</b> 6:10	<b>percentage</b> 35:12 52:9,11,12 56:24
<b>ongoing</b> 69:11	<b>PAC</b> 83:17,18,19,23,25 136:21 137:4,6,10	<b>perfectly</b> 7:22 27:8
<b>open</b> 21:3 37:14	<b>pages</b> 36:14	<b>performance</b> 15:18
<b>opened</b> 59:20	<b>paid</b> 111:16 127:12	<b>period</b> 58:21
<b>operating</b> 56:14	<b>Palermo</b> 6:4,6 9:8,13,20 10:1,12,14 12:2,15 16:5 17:4,12,14,21,23 18:6,10,14,22 19:2,12,16,25 20:2,16 21:5 23:6 27:1 28:3,13,18 33:9,14 35:22 36:2, 38:12 42:18 48:22 49:14 50:3,13,20 54:9,14 55:8,12,17,22 56:9 58:11, 62:13 67:5 69:3,12,16 75:20 78:3,7 79:1,3 80:18 84:7,23 112:12 123:2 138:15 140:8 141:9,17	<b>permit</b> 41:8
<b>operations</b> 49:7,17 70:20 139:6	<b>paragraph</b> 10:5 15:16 17:7,17 18:1 31:22 32:7 33:10,15 38:14 39:1 40:5,24 41:1 80:19 117:10,22 118:3 119:6	<b>permits</b> 72:8
<b>opinion</b> 13:1 35:17 43:4,10 44:3 47:24 48:7,18 50:4 55:25 63:10 119:3,23 120:22 125:6,17 126:3	<b>paragraphs</b> 39:23	<b>person</b> 94:25 139:23 140:1,12
	<b>parameters</b> 10:22	<b>personally</b> 119:2
	<b>Parish</b> 53:24 85:6 86:14,16,18	<b>personnel</b> 49:18
		<b>petition</b> 15:16 17:7,17 71:6,10,13,15 92:19,21 118:19 119:6 131:15 132:1
		<b>petitioner</b> 15:21
		<b>Petroleum</b> 53:5,7
		<b>Phil</b> 97:19

<b>phone</b> 24:4 105:12 106:16	<b>preparing</b> 8:16 43:24	<b>proceeding</b> 14:16 132:7
<b>photographs</b> 37:13 38:2	<b>present</b> 70:22 93:9,19,23 98:25 100:9 101:8,14, 104:21,23 105:3 106:13,14,22,23 107:2 132:5,6 134:7,20,22,23 137:15 141:25	<b>process</b> 29:1 31:19,23,24 33:16 34:13 66:7,13,16,18 86:23 87:8 92:12
<b>phrase</b> 33:20	<b>presentation</b> 8:11,17 67:7,14 102:3,9	<b>processes</b> 34:14
<b>pipeline</b> 41:19	<b>presentations</b> 23:14	<b>produced</b> 39:4 40:9,12 41:2
<b>pits</b> 32:17	<b>presented</b> 92:16,23 93:17 98:20 99:13,16 102:22,23 106:13 107:1,4 114:2 137:16	<b>producers</b> 75:7
<b>place</b> 64:24 106:17	<b>preserve</b> 11:9	<b>production</b> 15:12,22 16:17 19:19 44:4 72:1 132:9,19
<b>places</b> 64:20	<b>president</b> 6:9,17 15:6 82:18,20 83:7 85:8 88:5 92:14 124:23	<b>Program</b> 28:20
<b>plain</b> 29:3 35:1,13	<b>press</b> 57:19,22 78:5 79:4 80:8	<b>progression</b> 6:15
<b>plaintiffs'</b> 73:20 74:1	<b>presume</b> 33:23	<b>prohibited</b> 120:18 125:16 126:12,18
<b>plan</b> 52:25 92:17 102:20,21	<b>presumed</b> 42:2	<b>prohibition</b> 122:11
<b>plans</b> 53:8	<b>pretty</b> 20:12 24:5 120:1 133:9	<b>prohibits</b> 119:17 125:8 126:3
<b>play</b> 10:10	<b>prevent</b> 11:11,12 131:10 136:14	<b>project</b> 76:21
<b>plenty</b> 64:22	<b>preventing</b> 61:14,21 124:18	<b>projection</b> 53:16
<b>POA</b> 102:16,18	<b>previous</b> 9:16 35:24 50:15 55:14	<b>projections</b> 53:15
<b>point</b> 20:4 21:24 22:12 85:18	<b>previously</b> 17:17	<b>projects</b> 82:9
<b>points</b> 81:8	<b>price</b> 46:1,4,9,13	<b>prominent</b> 68:7
<b>poll</b> 13:16	<b>prices</b> 50:22 56:18,21 57:3 59:17	<b>prompted</b> 50:22
<b>Pollina</b> 81:22 82:2	<b>principal</b> 39:8	<b>proof</b> 110:15 133:24
<b>ponds</b> 32:19,20	<b>prior</b> 6:6 8:24 13:7,17	<b>proper</b> 87:20
<b>poor</b> 76:8 80:5	<b>private</b> 49:16 65:23 121:13 138:19	<b>properly</b> 7:20 73:19,25
<b>portion</b> 41:22	<b>privilege</b> 11:1,10 21:17,18,19, 23,24 24:2 100:4, 101:6	<b>properties</b> 45:18
<b>position</b> 78:16 79:14 86:20 114:17 116:20 118:4,12 119:11, 16 120:17 121:3,12,14,20 122:3,4,19 125:7 140:14	<b>privileged</b> 23:18,20 25:14 99:21	<b>property</b> 63:13,22 64:8 70:19 120:16 138:19,20
<b>positions</b> 6:16	<b>pro-business</b> 81:25	<b>proposed</b> 92:24
<b>possibility</b> 89:16,22 90:13	<b>probing</b> 123:13	<b>propounded</b> 92:10
<b>Possibly</b> 56:18	<b>problem</b> 25:24 71:22 128:14	<b>pros</b> 96:13
<b>posted</b> 75:23	<b>problematic</b> 25:20	<b>protect</b> 22:13,14,15 45:3 49:17 124:16
<b>potential</b> 41:6 76:21	<b>Procedure</b> 10:3 11:4	<b>protection</b> 14:1 20:6 43:19 71:6,10,15 118:8
<b>practice</b> 101:19,23		<b>prove</b> 132:15,17,24 133:8,12,21 135:6
<b>practices</b> 41:5		<b>provide</b> 10:2
<b>prayer</b> 131:15		<b>provided</b> 11:6 44:5
<b>precipitated</b> 86:15		<b>providing</b> 26:4
<b>prefer</b> 18:16		
<b>preferred</b> 29:10,15		
<b>prepared</b> 43:7		

<p><b>public</b> 16:1 104:17 108:15,17 138:19</p> <p><b>publication</b> 68:18 69:4 70:17 72:13</p> <p><b>pursuant</b> 15:19</p> <p><b>pursue</b> 12:8 129:6</p> <p><b>pushed</b> 51:4</p> <p><b>pushes</b> 77:1</p> <p><b>put</b> 21:9 24:3 28:15 90:25 113:22 140:13</p> <p><b>putting</b> 63:20</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>Quality</b> 30:11</p> <p><b>question</b> 7:11,23 9:5,15,16 10:9,18 13:11 16:9,12,18,25 17:2,15 19:4,8,10 20:14 21:16, 23 22:1,22 23:1,4,7,10 25:16 26:6 27:8 28:5 29:14 35:24 46:21 50:10,12,15, 53:17 54:20, 23 55:11,14 58:19 59:6 64:2 84:8, 86:24 87:13,21,25 88:7,9, 13 89:20 90:5,9 106:22 111:23 112:1,10 114:25 120:24 123:1, 4,10 129:9 132:22 135:14 137:3</p> <p><b>questioning</b> 91:3</p> <p><b>questions</b> 8:3,8 11:12,24,25 20:19 46:23 55:6,7 58:14 62:21 65:8 84:9,11,20 108:3 113:21 127:2 130:20 138:5,17,20 140:21,22 141:3,10,19</p> <p><b>quick</b> 20:9</p> <p><b>quickly</b> 67:21</p> <p><b>quote</b> 50:21,24 51:1,5,18,19 60:21,23 61:13,15 67:9,20 68:5, 10,11,19,21 69:5,6 70:18,25 72:21,22,23,25 81:5</p> <p><b>quoted</b> 68:5,18 69:4 70:18 72:17,20 75:7</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p><b>R-i-c-h-t-e-r</b> 94:25</p> <p><b>Rabalais</b> 40:1</p>	<p><b>races</b> 136:22 137:8</p> <p><b>raise</b> 91:13</p> <p><b>range</b> 77:2</p> <p><b>rank</b> 78:14</p> <p><b>ranked</b> 79:12 80:24 81:2,9,17, 19,24</p> <p><b>ranking</b> 35:1,14 78:9,16 79:5, 14,22 81:11,19 82:1</p> <p><b>rating</b> 56:5</p> <p><b>Ray</b> 97:19</p> <p><b>re-brand</b> 7:1</p> <p><b>RE-EXAMINATION</b> 138:15</p> <p><b>reach</b> 68:20,23</p> <p><b>read</b> 9:15,16 11:3 17:6,18 25:20 27:16 32:4,21 33:10 35:9,10,23, 24 37:22 38:20 41:11 42:4,12 50:14,15 55:13,14 62:22 65:9 71:1,13,14,25 78:18,20 79:16 85:9 86:3,5 97:9 103:24 107:13, 25 111:10,14 115:15 117:11,20 123:17 132:1 141:13</p> <p><b>reading</b> 75:16 111:6 123:25 124:1</p> <p><b>ready</b> 55:6,7</p> <p><b>Reagan</b> 106:10</p> <p><b>real</b> 22:25 81:23 138:6</p> <p><b>reason</b> 24:2 53:14,17 56:23 61:6</p> <p><b>reasons</b> 10:13 64:18</p> <p><b>rebut</b> 42:11</p> <p><b>rebutts</b> 79:19</p> <p><b>recall</b> 15:12 45:13 67:9 69:7 70:9 71:3 73:1 75:9,11 92:2 100:18</p> <p><b>RECAP</b> 139:11,13</p> <p><b>receive</b> 40:12</p> <p><b>received</b> 136:2</p> <p><b>recent</b> 76:25</p> <p><b>recently</b> 53:8 61:12</p> <p><b>recess</b> 84:12 141:16</p> <p><b>recollection</b> 91:22</p>	<p><b>recommendation</b> 116:18</p> <p><b>reconsider</b> 11:4</p> <p><b>reconventional</b> 130:21</p> <p><b>record</b> 7:20 8:2 10:21 14:22 22:14 24:8,12, 56:14 57:4 98:13 112:8,9,14</p> <p><b>recorded</b> 103:22</p> <p><b>recourse</b> 65:17,20 66:2 138:17</p> <p><b>recover</b> 119:20 120:14, 125:15</p> <p><b>recovery</b> 126:17</p> <p><b>refer</b> 33:22</p> <p><b>referred</b> 68:9</p> <p><b>referring</b> 68:15 73:3,22 74:4 115:25 140:10</p> <p><b>refers</b> 33:20,23</p> <p><b>refilling</b> 70:22</p> <p><b>refinery</b> 50:23</p> <p><b>reflect</b> 112:9,14</p> <p><b>Reform</b> 72:20</p> <p><b>reforms</b> 72:18 73:19,25</p> <p><b>refresh</b> 91:21 97:2</p> <p><b>refreshes</b> 75:16</p> <p><b>refused</b> 62:15</p> <p><b>refute</b> 40:23</p> <p><b>regular</b> 98:12</p> <p><b>regulations</b> 77:18</p> <p><b>related</b> 38:16 100:18</p> <p><b>release</b> 78:5 79:4</p> <p><b>releases</b> 57:19,22 80:8</p> <p><b>relevancy</b> 10:22,23 12:3 20:12, 15 22:1</p> <p><b>relevant</b> 12:1,5,7 16:18,21 23:22</p> <p><b>relief</b> 15:17 71:11 133:8,13</p> <p><b>rely</b> 22:20 118:6 141:19</p> <p><b>remainder</b> 41:25</p> <p><b>remediation</b> 67:24</p> <p><b>remedy</b> 138:25 139:1,7</p>
---	---	---



<b>remember</b> 25:17 27:3 44:15, 17,19,20,23 45:12 67:6,13 70:10 74:13,14,15 75:5 83:22 88:23 89:6,12,13 90:25 93:10, 22 94:7,9 95:19,22 96:17,20 99:1 102:5,7 103:8,18 104:21, 22 105:3,6,8,15,22 108:19,21, 22,23,24,25 137:18,19 138:20	<b>responsible</b> 9:1 12:4 139:23 140:2,13	<b>royalties</b> 15:25
<b>removal</b> 32:8,11,14,25 33:3,5, 7,17,19 34:16,21	<b>restaurant</b> 45:7	<b>rule</b> 9:25 20:14 24:6 25:8 27:15 105:4 126:1,6
<b>removing</b> 33:23	<b>restoration</b> 70:24 71:7,11	<b>rules</b> 7:6 61:8
<b>repair</b> 140:5	<b>restoring</b> 70:19	<b>ruling</b> 21:25 24:4 25:5
<b>repaired</b> 139:21 140:20	<b>result</b> 15:20,21 75:8 131:19 132:8	<b>rulings</b> 21:8,10
<b>repairing</b> 140:18	<b>resulting</b> 15:24	<b>run</b> 25:12
<b>Repeat</b> 50:12 64:2 73:23	<b>Results</b> 31:20 33:16	<b>running</b> 59:2
<b>repetitious</b> 11:12	<b>retribution</b> 68:8	<hr/> <b>S</b> <hr/>
<b>rephrase</b> 7:25 123:5	<b>revealed</b> 78:14 79:12	<b>sabotage</b> 49:7,18 50:6
<b>replace</b> 140:5	<b>reviewed</b> 12:6 110:18	<b>Sale</b> 37:19
<b>report</b> 8:20 36:5 79:21 82:3,4, 106:12 137:17	<b>reviewing</b> 44:5	<b>sales</b> 15:24
<b>reported</b> 82:8	<b>reviews</b> 30:6	<b>salinity</b> 41:2
<b>reporter</b> 7:8,20 9:16 25:20 33:10 35:24 50:15 55:14	<b>revoke</b> 92:20	<b>Sawyer</b> 82:22
<b>reports</b> 84:5	<b>rich</b> 60:8	<b>seafood</b> 45:7
<b>represent</b> 84:15 118:8	<b>Richter</b> 94:24	<b>secretary</b> 15:7,9 97:12 98:3
<b>representatives</b> 44:10 85:3	<b>Rick</b> 135:3,7	<b>secretary-treasurer</b> 106:1
<b>request</b> 13:13	<b>ridiculous</b> 50:8	<b>secretary/treasurer</b> 83:8
<b>require</b> 14:15,19,20 137:25	<b>rig</b> 53:25	<b>section</b> 31:19 38:25
<b>required</b> 72:9	<b>right-hand</b> 34:25	<b>secure</b> 98:8
<b>reserve</b> 20:20 132:10	<b>rights</b> 63:14 64:8	<b>secured</b> 82:8
<b>reserved</b> 11:7	<b>rigs</b> 52:23 53:20,23 56:13 57:3 58:18 59:2,6,10,11,12,14	<b>security</b> 49:16
<b>resistance</b> 49:22	<b>River</b> 29:3	<b>seek</b> 11:13 49:6 86:18 87:9
<b>resolution</b> 14:7,15 94:20 107:18 110:1, 114:4,7	<b>Rivers</b> 47:16	<b>seeking</b> 68:8 116:12
<b>resources</b> 15:23 30:13 77:14, 16,20 132:19	<b>Rob</b> 95:6 105:23 117:14	<b>seeks</b> 119:19 120:14,15
<b>respect</b> 123:16	<b>Robbie</b> 92:23 104:18 134:25	<b>selected</b> 40:17 114:18
<b>respectfully</b> 12:10	<b>Robbie's</b> 117:19	<b>selection</b> 81:9 88:15
<b>respond</b> 67:1,10,16	<b>Rock</b> 6:6 48:21 69:10	<b>selling</b> 45:17
<b>response</b> 85:1 105:17,21 118:18	<b>role</b> 10:10	<b>semi-impoundment</b> 38:18
	<b>Roman</b> 37:10 99:6	<b>send</b> 57:19
	<b>room</b> 105:15 106:25	<b>sending</b> 92:18
	<b>roster</b> 101:13	<b>sentence</b> 38:13 41:1 78:13,20, 22 79:11
	<b>Rouge</b> 6:11 78:23 86:16,17 87:10 96:6,8,14	<b>separate</b> 86:17 87:18 136:20 137:4
	<b>roughly</b> 53:10	<b>September</b> 84:2 92:8,23
	<b>row</b> 82:11	

<p><b>set</b> 61:8</p> <p><b>Seventy</b> 99:3</p> <p><b>severance</b> 15:25</p> <p><b>sewerage</b> 32:19</p> <p><b>Shale</b> 52:15 53:1,10,21 60:16, 19 64:20,21</p> <p><b>shallow</b> 63:8</p> <p><b>share</b> 43:4,5</p> <p><b>she'll</b> 20:14</p> <p><b>sheet</b> 101:14,15</p> <p><b>Shell</b> 31:15 76:20 77:8</p> <p><b>shifting</b> 127:7,8,9 131:4</p> <p><b>show</b> 76:9 112:4 132:6,10</p> <p><b>showing</b> 79:23</p> <p><b>Shows</b> 10:20 16:13 18:25 21:13 23:17 24:11,18 25:10,25 26:13, 21 27:24 84:13,14 87:15 88:3, 12 89:21 90:4,8,12 91:4,15,18 95:4,9 97:23 99:15,19,24 100:3, 7,14,20 101:7 102:11,15 103:14,19 105:10,16,20,24 106:18,20 107:11,24 109:6,11, 15,22 110:3,9,20 111:8,18 112:7,13,18 113:17,24 114:11 115:1 117:13,17,21,25 118:17 119:4,7 120:3,25 121:19 122:2, 8,10,21 123:11 124:7 125:20 127:4,24 128:18,22 129:20,24 130:7,19,25 131:8,25 133:1 134:13,18,24 135:5,11,18 136:25 138:13 141:14</p> <p><b>sign</b> 109:4 141:13</p> <p><b>sign-in</b> 101:14,15</p> <p><b>significant</b> 75:13 82:8 116:5</p> <p><b>simple</b> 88:13 111:24 112:1</p> <p><b>single</b> 65:3</p> <p><b>sinks</b> 34:12</p> <p><b>sir</b> 59:16 76:4 121:9 125:21 130:6 139:5</p> <p><b>sit</b> 100:25 126:19</p> <p><b>site</b> 37:19 39:4 69:5 81:9</p> <p><b>sites</b> 37:13,16 39:2 41:19 68:10,14,21,23</p>	<p><b>SLFPA-E</b> 99:8,18,20 102:3 118:5 121:6 132:7</p> <p><b>slide</b> 67:9,13</p> <p><b>Smith</b> 97:21 105:25</p> <p><b>smoother</b> 7:7</p> <p><b>soil</b> 65:14 70:21</p> <p><b>Solanas</b> 15:8</p> <p><b>sole</b> 120:12</p> <p><b>solely</b> 118:6</p> <p><b>son</b> 8:10</p> <p><b>sought</b> 126:2</p> <p><b>sound</b> 16:3</p> <p><b>sources</b> 70:23</p> <p><b>south</b> 8:12 13:25 43:18 44:3 50:24 56:13 57:4 58:5,9,18,23 59:1, 60:2,8 64:23,25 71:5,9,14, 25 82:10</p> <p><b>Southeastern</b> 29:3</p> <p><b>Southern</b> 31:6 82:7</p> <p><b>speak</b> 27:5</p> <p><b>speaker</b> 106:21</p> <p><b>special</b> 93:25 94:21 118:11</p> <p><b>specifically</b> 62:3 70:7</p> <p><b>spend</b> 53:9</p> <p><b>spoil</b> 38:19 39:6,7 40:10 41:24 42:2</p> <p><b>sponsor</b> 41:5</p> <p><b>spots</b> 79:25 82:2</p> <p><b>staff</b> 94:25</p> <p><b>stance</b> 69:17,20,25</p> <p><b>stand</b> 10:15 16:6 102:18</p> <p><b>standard</b> 20:13 21:20,22 24:1 27:3 61:5 139:16</p> <p><b>start</b> 7:11 23:15 28:16 85:2 91:19</p> <p><b>started</b> 27:4 138:5</p> <p><b>starting</b> 6:7</p> <p><b>starts</b> 33:15</p> <p><b>state</b> 9:2 15:24,25 19:19,23</p>	<p>31:4 35:20 36:9 41:7 45:6 51:4 65:17,24 67:1,10,16 76:17,22 78:10 79:6,23 80:9 81:24 82:3, 10 84:18 120:14,15 125:11,22 126:2,7,8,10 127:11,12 133:6 136:10</p> <p><b>state's</b> 70:8 75:12 78:15 79:13, 21 126:17 127:14</p> <p><b>state-of-the-industry</b> 8:11 67:7</p> <p><b>stated</b> 60:21 76:11,20</p> <p><b>statement</b> 16:19 17:6,11,16 22:25 25:21 38:22 39:10,17 51:9 52:6 54:3 67:15 71:3 73:1, 9,16 74:7,24 75:9 79:19 80:25 113:5,6,10 115:2,21,23 118:20, 22 133:9 137:20</p> <p><b>statements</b> 29:11,16 38:5 39:17 40:19 42:7 57:23 80:5,12 108:4 112:25 113:2 124:1,14</p> <p><b>states</b> 15:17 31:22 37:12 50:21 78:17 79:15 81:17,25</p> <p><b>Statewide</b> 139:3</p> <p><b>stating</b> 67:9 68:5,19 75:7,11</p> <p><b>statues</b> 126:14</p> <p><b>status</b> 135:24 136:5,8,13 137:12</p> <p><b>statute</b> 87:14 120:5 128:16,25 131:4</p> <p><b>statutes</b> 126:14</p> <p><b>stay</b> 107:6</p> <p><b>stayed</b> 106:25 107:5</p> <p><b>Stealing</b> 76:8</p> <p><b>step</b> 85:2</p> <p><b>Steven</b> 106:13,22,23</p> <p><b>stipulate</b> 109:3 110:11,14 114:8</p> <p><b>stipulated</b> 11:5</p> <p><b>stipulation</b> 113:25 114:13</p> <p><b>stop</b> 19:3 21:23,24 54:12 84:25 113:18</p> <p><b>stress</b> 41:3</p> <p><b>strictly</b> 86:1</p>
--	--	---

<b>study</b> 37:13,15,24 39:2,4 41:8	<b>talk</b> 7:10 17:19 21:14 25:11 103:24 104:16 110:10,16 116:3, 7,8 117:22 134:4	<b>title</b> 82:17 121:7,11 122:4 128:23,24 131:2
<b>stuff</b> 22:2 119:10 130:18	<b>talked</b> 20:11 25:17 54:6 57:13 58:5,17 89:1,5 104:12 111:6 133:11	<b>tobacco</b> 69:6,17,23 70:5,8
<b>subject</b> 66:22	<b>talking</b> 22:24 25:13 27:15,18 65:22 74:9 76:1 111:9 113:16 121:6 128:4,17 131:15,24 133:2	<b>today</b> 7:9 10:11 23:14,16 71:18, 25 78:13 79:11 95:13 110:18 140:21 141:7,19,20
<b>submergence</b> 31:24,25 34:3, 15,18	<b>talks</b> 99:7	<b>today's</b> 8:4
<b>subsidence</b> 34:9	<b>Tangipahoa</b> 53:24	<b>told</b> 28:6 101:10 108:11,14 112:12 115:9,11 123:7 129:13 135:14 136:17
<b>successful</b> 119:12 120:5	<b>taxes</b> 15:24,25	<b>tomorrow</b> 25:8 110:16
<b>sue</b> 60:22	<b>telephone</b> 94:11,22 95:18	<b>tonight</b> 25:8
<b>sued</b> 133:17	<b>telling</b> 19:10 21:15 24:3 26:14 83:12 101:4,11 103:25	<b>top</b> 28:19,21 63:14 73:12 75:7 78:23 81:17,25
<b>suggest</b> 13:8 111:13	<b>tend</b> 40:10,14	<b>topic</b> 104:3
<b>suggested</b> 13:10 138:24	<b>term</b> 32:25 34:2	<b>total</b> 32:2,16
<b>suggestive</b> 39:3	<b>terrible</b> 57:24	<b>totally</b> 9:23
<b>suggests</b> 51:1	<b>testified</b> 6:3 29:9	<b>tough</b> 62:21 65:9
<b>suit</b> 69:17,23 70:5 86:19 117:8 120:5 121:11 125:15 128:25 133:10	<b>testify</b> 122:22,23	<b>tourism</b> 45:7
<b>suits</b> 69:21 70:13 73:21 74:1,10	<b>testimony</b> 54:16 95:25	<b>trade</b> 36:21
<b>summary</b> 86:8,12	<b>Texas</b> 60:17 64:20	<b>transcript</b> 65:9
<b>supply</b> 77:13,16,20,21	<b>theoretically</b> 87:16	<b>transportation</b> 15:23 41:19 132:9
<b>support</b> 13:4 17:6,16 18:1 39:14 42:21 43:10 48:6,17 51:8 57:1 60:5 62:25 64:12 75:4 96:1 108:5,6 113:8 116:10 134:9	<b>thing</b> 7:18 41:14 78:25 105:5 123:8,17 135:13	<b>treated</b> 61:5
<b>supports</b> 43:4	<b>things</b> 8:19 24:25 25:2 61:14,22 70:20 89:14	<b>tree</b> 34:14
<b>supposed</b> 27:21 118:19	<b>thinks</b> 122:11	<b>Trend</b> 52:18,21
<b>surface</b> 40:11	<b>thought</b> 86:22 100:21 111:6 117:7	<b>trial</b> 11:7,13 68:8 132:4 141:25
<b>surprise</b> 63:17	<b>Thoughts</b> 75:22	<b>true</b> 58:1,2 63:8 66:4 108:15 140:19
<b>survey</b> 8:20,24 12:6 28:5,7 78:10 79:6 80:1,2	<b>thousands</b> 68:19,22	<b>Trust</b> 24:5
<b>sworn</b> 6:2	<b>threat</b> 48:1,11,14	<b>Tuesday</b> 75:24
<b>Synthesis</b> 39:24	<b>threats</b> 77:5,9	<b>turn</b> 37:8 38:24 39:21 40:5 117:10
<b>system</b> 42:2 55:18 56:1,7 61:2, 5 72:22	<b>three-hour</b> 95:14	<b>turned</b> 85:18
<hr/> <b>T</b> <hr/>	<b>tidal</b> 41:10	<b>Tuscaloosa</b> 52:18,21,24 53:1, 10,21
<b>tab</b> 37:9,10 39:22	<b>time</b> 8:7 11:20 17:3,5 25:4,13 26:22,25 58:21 73:9 92:3,20 94:5 95:12 107:25 112:12 123:7 138:1,2	<b>two-page</b> 78:8
<b>tabbed</b> 36:13 38:25	<b>times</b> 44:16 45:19 108:3	<b>type</b> 19:21 82:25 98:2 131:17 136:9
<b>table</b> 30:4 34:24 35:1 113:23		<b>types</b> 17:8
<b>taking</b> 7:8		

<hr/> <b>U</b> <hr/>	<b>versus</b> 58:9 124:3,9 125:2,7,16 126:3	<b>wished</b> 41:6
<b>U.S.</b> 8:20,24 28:6 31:1 78:15 79:13,24 81:10,25	<b>vice-versa</b> 90:24	<b>witnesses</b> 135:2
<b>uh-huh</b> 7:18 28:25 79:8 86:2	<b>views</b> 36:16 97:4	<b>wives</b> 101:17
<b>uh-uh</b> 7:18	<b>violation</b> 127:19 128:7 129:15	<b>wondering</b> 46:22
<b>unable</b> 118:8	<b>virtue</b> 94:22	<b>word</b> 19:6
<b>unaccountable</b> 61:1	<b>Volume</b> 68:4,18 70:17	<b>wording</b> 122:1
<b>Unanimous</b> 14:6	<b>voluntarily</b> 72:5	<b>words</b> 26:10
<b>uncovered</b> 39:2	<b>vote</b> 14:5,22 102:25	<b>work</b> 22:3,5 114:1
<b>understand</b> 7:21,24 8:5 12:16, 18 13:2 25:16 55:3 65:10,11 84:24 85:14 87:5,7,16 88:2 100:15 105:14 107:20 110:10 113:23 115:17,19 116:2 118:3, 12 121:20 123:4,22,23 125:12, 13 126:25 127:5 128:2,7,10 130:23 132:6 133:24 134:25 140:22 141:18	<hr/> <b>W</b> <hr/>	<b>working</b> 53:25
<b>understanding</b> 12:22 21:15 22:23 23:2	<b>Wade</b> 23:24 84:14 107:9 126:23 127:3 131:7 133:22	<b>works</b> 66:7 106:11
<b>understands</b> 122:25	<b>Waguespack</b> 106:13,22,23	<b>workshops</b> 30:6
<b>understood</b> 8:3 141:2	<b>wait</b> 7:10 25:4,7 91:2 122:15,19	<b>World</b> 68:4, 70:17
<b>Universities</b> 36:8	<b>waits</b> 130:14	<b>worse</b> 56:7
<b>University</b> 31:4,6 36:9	<b>waive</b> 11:18	<b>Worst</b> 78:17 79:15
<b>unknown</b> 23:16	<b>waiver</b> 138:2	<b>worthwhile</b> 70:3
<b>unprecedented</b> 76:12	<b>wanted</b> 7:1 35:17	<b>writes</b> 80:22
<b>unrelated</b> 21:3	<b>ward</b> 127:17	<b>writing</b> 14:11
<b>upfront</b> 26:22	<b>warnings</b> 136:3	<b>written</b> 43:7 137:22
<b>upset</b> 133:19	<b>warranted</b> 85:7	<b>wrong</b> 121:4
<b>USGS</b> 12:6 28:5,23	<b>water</b> 32:3,17 36:4 37:14 39:4 40:12 41:3 65:14	<b>wrote</b> 76:5
<hr/> <b>V</b> <hr/>	<b>waters</b> 40:9,11 41:10	<hr/> <b>Y</b> <hr/>
<b>vacuum</b> 85:15	<b>ways</b> 40:10	<b>y'all</b> 25:12 37:4 91:6 103:20 119:12
<b>vast</b> 58:8 77:13	<b>website</b> 59:12 124:15	<b>year</b> 13:21 53:12 80:21 104:25 130:14
<b>vegetation</b> 37:11 40:10 41:3	<b>Wednesday</b> 53:8	<b>years</b> 6:18,24 45:14 63:15 76:17 79:24 82:10
<b>vehicle</b> 140:3,13,14,18	<b>weeks</b> 25:18	<b>yesterday</b> 8:10,13,15 75:22 91:21
<b>venue</b> 87:14 88:6,16	<b>wells</b> 53:1,9 63:2,7,8	
<b>verdicts</b> 46:2,10,14	<b>wetland</b> 37:11,19 38:15 39:3,8 40:6,9,15 41:3,20 42:9	
	<b>wetlands</b> 37:14,17 39:7	
	<b>whatsoever</b> 87:2	
	<b>widening</b> 37:21	
	<b>Wildlife</b> 30:16	
	<b>winter</b> 56:14 57:4 58:7,18	