

PRIVATE INVESTIGATORS LICENSING BOARD
MINUTES
BOARD MEETING
June 5, 2013

MEMBERS PRESENT:

JIM NADEAU: BOARD MEMBER (ACTING CHAIRMAN)
ROBERT UITHOVEN: BOARD MEMBER
MARK ZANE: BOARD MEMBER

MEMBERS ABSENT:

DAVID SPENCER: CHAIRMAN
RICHARD PUTNAM: BOARD MEMBER

OTHERS:

KEVIN INGRAM: EXECUTIVE DIRECTOR
KIMBERLY CHRISTENSEN: INVESTIGATIVE ASSISTANT
SHELLY DONALD: ASSISTANT TO THE DIRECTOR
TOM FERRARA: INVESTIGATOR
BRUCE YARBOROUGH: INVESTIGATOR
LORI IRIZARRY: INVESTIGATOR
MATTHEW SCHMELZER: CRIMINAL INVESTIGATOR
ROBERT HIGHT: CRIMINAL INVESTIGATOR

***The Board meeting was delayed approximately 30 minutes due to an unexpected fire alarm at the Grant Sawyer location in Las Vegas.*

FINANCIAL REPORT:

Director Ingram informed the Board the financial reports were sent along with the investigative reports. He asked if the Board had any questions and they did not. Director Ingram informed the Board that he is in the process of carrying money over from FY13 to FY14. A full report will be available at the September Board meeting.

REPORT FROM STAFF:

Director Ingram pointed out that two Board Members were absent and that a quorum was met with the remaining 3 members.

Director Ingram announced Kimberly Christensen will be leaving the Private Investigator's Licensing Board at the end of June due to her accepting a promotion within a different division of the Office of the Attorney General. Board Members expressed their gratitude towards Ms. Christensen and thanked her for her service.

Director Ingram asked if the Board would move agenda items 19 and 20 to the front of the agenda due to the delay caused by the fire alarm to accommodate the out of state attendees flight schedules. Director Ingram also informed the Board that item number 8 on the agenda, Dustin Grate, had asked to be postponed until the September Board meeting.

SWEARING IN:

Persons present in Carson City and Las Vegas who were to testify or comment during the meeting were sworn in.

PUBLIC COMMENT:

Board opened floor to public comment- Jay Purves (Lic# 1621) and William Overly (Lic# 620) spoke. Mr. Purves' concern was with subcontractors versus general contractors and who is held

accountable. He added that if a general contractor is going to contract with multiple companies they feel they should be liable for some of the violations/duties/fines just as well as the subcontractor. Director Ingram addressed the Board stating he had a prior conversation with Purves and would like to elaborate on what they were trying to convey. Director Ingram identified the problem as licensees working an event, such as Electric Daisy Carnival, rushing to gather people to work the event. However, they end up employing a lot of unregistered people. This in turn imposes a fine onto the subcontractor when in fact Purves and Overly feel the general contractor should take some responsibility as well and receive a fine too. The general contractors should be held to a higher standard considering they hold the contract with the event and hire subcontractors that tend to be less experienced. The Board appreciated Purves' and Overly's insight and stated the topic will be discussed at a later meeting.

Michael Julian a private patrolman, from National Business Investigations, complimented how the Private Investigator's Licensing Board handles business here in Nevada as opposed to California. He would like to see also see more opportunities in the future for California and Nevada to work together so more California Private Patrolman can work in Nevada.

CHANGE OF LICENSING STATUS

Board Member Zane requested agenda items 5, 6, and 7 be handled as a block and moved to approve. The motion was seconded and unanimously passed.*

5. Ed Napier, License number 1592, requested a change in licensing status. Mr. Napier requested his qualifying agent status in the category of Private Patrol be transferred from Green Valley Security, Inc., License number 1592, to Real Estate Property Analysis, LLC, dba CPSWest and will be the sole member.

6. Michael Allen, License number 1766, requested a change in licensing status. Mr. Allen requested he become the Qualifying Agent for a new Nevada Limited Liability Company, Allen Investigations, LLC, under the categories of Private Investigator and Process Server and be the sole member.

7. John Kelly, License number 1147, requested a change in licensing status. Mr. Kelly an individual canine handler requested to keep his individual license in abeyance and become the Qualifying Agent for G4S Secure Solutions (USA, Inc.)

PRIVATE PATROL AGENDA ITEMS MOVED

James Rambo from San Francisco, California applied for an Individual Private Patrol license, dba Rambo Security Services High Sierra Division. Rambo briefly outlined his previous work experience. The Board did not have any further questions. Board Member Zane moved that Rambo be approved for his individual Private Patrol license. Board Member Uithoven seconded. The motion passed unanimously.

National Business Investigations, Inc. dba MPS Security from Murrieta, California applied for a corporate Private Patrol license. Michael Julian requested that his individual Private Patrol license be placed into abeyance so that he may become the qualifying agent and sole corporate officer. Julian briefly spoke about his prior work experience. The Board did not have any further questions. Board Member Uithoven moved that Julian be approved for his individual Private Patrol license. Board Member Zane seconded. The motion passed unanimously.

CORPORATE OFFICERS

Talentwise, Inc., dba Talentwise Nevada, License number 1616, requested corporate officer approval for Naveen Jain and Todd Owens. Randall Powers, an independent private investigator and private patrolman in Nevada, was present as Talentwise's qualified agent (lic #1616). Board Member Zane noted the persons he has questions for were not present. Specifically he had questions for Naveen Jain regarding his background and prior litigation(s). Powers explained he will do his best as acting representative to answer any questions the Board may have. Investigator Bruce Yarborough stated Naveen Jain has had issues with lawsuits for insider trading for his Washington Company regarding internet marketing. Board Member Zane also questioned the percentage of ownership because it seemed another company owned a large amount of the company stock. Powers stated this wasn't true and that on May 31st a 'spinoff' of the company occurred. Zane asked if Powers could answer questions regarding the company's debt or equity. Powers expressed to the Board he was not qualified to answer such questions. Board Member Uithoven queried if all lawsuits had been adjudicated. Powers said *the majority* of them have been adjudicated. Yarborough added most lawsuits were from 2003 or older, and he did not find any active lawsuits when he conducted his background. Zane inquired if there was a full disclosure for credit report. Yarborough indicated he was unable to get the report. Board Member Nadeau opened the floor for any public comment. Board Member Zane moved that the matter be postponed until the next meeting and request Naveen Jain appear before the Board so they could question him and get a clearer picture of the business; such as who owns it, who benefits from it, and stock delegation. Powers asked for clarification regarding what exactly they need by the next meeting. Zane clarified they would like someone who has authority to answer questions on Naveen Jain and the companies behalf. The Board is still confused by the overall corporate structure because of so many different entities. Board Member Zane moved to table the motion until the next Board meeting. Board Member Uithoven seconded. The motion passed unanimously.

US Investigations Services, LLC., License number 825, requested member approval for Sterling Phillips. Board Member Zane moved that Phillips be approved. Board Member Uithoven seconded. The motion passed unanimously.

Sedgwick Factual Photo, Inc., License number 1658, requested corporate officer approval for Robert Johnson Jr. Board Member Zane moved for approval. Board Member Uithoven seconded. The motion passed unanimously.

Criterion Healthcare Security Inc., License number 1777, requested corporate officer approval for Chad Killian. Board Member Zane moved for approval. Board Member Uithoven seconded. The motion passed unanimously.

Stroz Friedberg, LLC., License number 1784, requested member approval for Scott Brown and Anthony Valenti. Parent Company, Stroz Friedberg, Inc. requested corporate officer approval for Scott Brown. Board Member Zane moved for approval. Board Member Uithoven seconded. The motion passed unanimously.

PRIVATE INVESTIGATOR

Susan Shingleton from Las Vegas, Nevada applied for an Individual Private Investigator license. Shingleton stated she has been a retired police officer for 24 years and would like to be a criminal/civil support for litigation. Board Member Uithoven moved that Singleton be approved for her individual private investigator license. Board Member Zane seconded. The motion was passed unanimously.

Lucille Monterde from Henderson, Nevada applied for an Individual Private Investigator license. No questions were asked. Board Member Uithoven moved that Monterde be approved for her individual private investigator license. Board Member Zane seconded. The motion passed unanimously.

David Fritsche from Reno, Nevada applied for an Individual Private Investigator license. The Board asked Fritsche about his recent chapter seven bankruptcy. Fritsche stated many of the bills are medical, and he is working to improve his credit since the unfortunate medical expenses. Board Member Zane moved that Fritsche be approved for his individual private investigator license. Board Member Uithoven seconded. The motion passed unanimously.

Mary Poquette from Bloomington, Minnesota applied for an Individual Private Investigator license to be placed into abeyance so that she may become the qualifying agent for Verifications, Inc., License number 1144. Investigator Robbie Hight pointed out Poquette has much more experience besides investigations. Board Member Uithoven moved that Poquette be approved for her individual private investigator license be placed in abeyance. Board Member Zane seconded, and asked if the Board could limit her license to exclude mystery shopping. Board counsel read aloud the NRS statute entitling the approved person to a full license. The motion passed unanimously.

PRIVATE INVESTIGATOR, PROCESS SERVER

Eric Ducharme from Las Vegas, Nevada applied for Individual Private Investigator and Process Server licenses. Ducharme is a retired police officer, worked for metro for 26 years- twenty of which as an investigator. Board Member Zane asked Ducharme to explain the event and circumstances regarding the demotion at metro. Ducharme explained he was demoted for a policy violation regarding inappropriate comments. Zane also noted Ducharme's company (Clubright) was cited for unlicensed activity and the fine was paid. Ducharme expanded on the illegal activity stating while working for MGM Grand the company did not realize they were not in compliance. Once cited they ceased activity, paid their fine, and received counsel from their attorney about how to gain licensure. Board Member Zane asked who was in charge of the company at the time of the unlicensed activity. Ducharme stated it was Eric Killebrew. Zane also questioned why Mr. Vigna didn't apply to be the qualified agent? Ducharme explained due to the nature of business being undercover he did not apply, but they intend apply at the September meeting. Board Member Zane moved that Ducharme be approved for his individual private investigator and process server licenses. Board Member Uithoven seconded.

Chuck Henderson a member from the Nevada Society of Professional Investigators opposed this application. Henderson recommended one year "cooling off" period. Investigator Bruce Yarborough addressed the Board emphasizing the unlicensed activity was limited to the Palms only. The company did not have people all around town. Board Member Nadeau stated Henderson seems to have misunderstood what the Board has done in the past. The motion to approve passed unanimously.

PRIVATE PATROL

Thomas Martin from Henderson, Nevada applied for an Individual Private Patrol license to be placed into abeyance so that he may become the qualifying agent for Green Valley Security, Inc., License number 1592. Board Member Zane asked for more verification regarding the circumstances regarding bankruptcy. Martin stated he was having issues with his house and bills so he declared bankruptcy. He also retired two days prior as a metro officer. Board Member Uithoven moved that

Martin be approved for his individual private patrol license. Board Member Zane seconded. The motion passed unanimously.

Sizemore, Inc. from Augusta, Georgia was applying for a corporate Private Patrol license. Allan Davis was requesting that his individual Private Patrol license be placed into abeyance so that he may become the qualifying agent. This agenda item was rescheduled.

Marksman Security Corporation, from Fort Lauderdale, Florida applied for a corporate Private Patrol license. Mark Radi requested that his individual Private Patrol license be placed into abeyance so that he may become the qualifying agent. Corporate officers to be approved are Mark Radi and Ezekiel "Zeke" Kaufman. The Board had no questions. Board Member Uithoven moved all approved. Board Member Zane seconded. The motion passed unanimously.

PROCESS SERVER

Ronald Ezell, dba EZ Messenger from Tucson, Arizona applied for an Individual Process Server license. Board Member Uithoven asked Ezell to explain his financial situation regarding tax liens. Ezell stated the tax liens came from issues in 2009 with a controller who was terminated. Ezell also is uncertain if the liens have been resolved however states the liens are all business- none were personal. Ezell implied he sent his lien information to Investigator Tom Ferrara. Ferrara stated he has had a difficult time determining the outcome of the liens. Uithoven expressed concern about not having substantial information regarding the tax liens; most importantly five in particular totaling close to 3 million dollars. Board Member Nadeau requested the matter be moved to the September meeting allowing Ezell more time to gather tax lien information. Ezell interjected explaining he has been unable to find any additional information since 2010. Uithoven pointed out a denial from the Board would require a year until he is able to reapply; however he is allowed to postpone his request and he would not have to wait one year. Ezell asked the Board to postpone his request until September's Board meeting. Board Member Uithoven moved to postpone. Board Member Zane seconded. The motion passed unanimously.

PRIVATE INVESTIGATOR, PRIVATE PATROL

Richard Shields from Las Vegas, Nevada applied for Individual Private Investigator and Private Patrol licenses. Shields stated his is a former police officer who is looking at retirement. He would like his license held in abeyance until retirement. The Board did not have any questions. Board Member Zane moved Shields be approved for his individual private investigator and private patrol license to be held in abeyance. Board Member Uithoven seconded. The motion passed unanimously.

OTHER BUSINESS

US Investigations Services, LLC., License number 825, requested member approval for Sterling Phillips. This item was tabled to the end of the meeting. The Board had no questions. Board Member Zane approved a motion. Board Member Uithoven seconded the motion passed unanimously.

BOARD COMMENT AND FUTURE AGENDA ITEMS

Director Ingram addressed the Board stating in the past Board meetings used to only last one day. He would like the Board to considering going back to condensing their meetings into one day. The

Board suggested tabling the discussion to September's meeting so the other two Board Members could weigh in on the topic.

Board counsel will look into the recent passage of law that will take effect 10/01/2013 surrounding open meeting laws and will discuss any changes at the next meeting.

PULIC COMMENT

There was no further public comment.

MEETING ADJOURNED

Board Member Uithoven moved to adjourn the meeting, Board Member Zane seconded the motion and the motion passed unanimously.