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STATE OF NEVADA

PRIVATE INVESTIGATORS LICENSING BOARD

In re:)
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Private Investigators Licensing)
Board Meeting.)
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_____)

BOARD MEETING

Taken at 7230 Amigo Street
Las Vegas, Nevada 89119

On Wednesday, September 18, 2024
At 9:04 a.m.

Reported by: Sarah M. Winn-Boddie, RPR, CCR No. 868
Job No. 55292, Firm No. 116F

1 APPEARANCES:

2 Board Counsel: Angela M. Lee, Esq.

3 Executive Director: Vincent Saladino

4 Madam Chair: Tammy A. Nixon

5 Board Member: Katherine Cortez

6 Board Member: Robert Gronauer

7 Board Member: Timothy Bezick (Via Zoom)

8 Board Member: Rick Brown (Via Zoom)

9 Investigator: Enrique Diaz (Via Zoom)

10 Investigator: Jessie Dumas (Via Zoom)

11 Investigator: Zachary Swarthout

12 Investigator: Cassandra Blackmore

13 Also Present: Juliet Alvarez

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1	I N D E X	
2		PAGE
3	Meeting Called to Order	4
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5		
6		
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1 WEDNESDAY, SEPTEMBER 18, 2024; LAS VEGAS, NEVADA

2 9:04 a.m.

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4 MADAM CHAIR NIXON: Okay. Thank you, everyone, for
5 your patience while we get accommodated to this room. Welcome
6 to the PILB meeting. This is the September meeting,
7 September 19th [sic], 2024. I'll go ahead and have
8 Executive Director do roll call.

9 EXECUTIVE DIRECTOR SALADINO: Good morning. We'll
10 start roll call.

11 Chair Nixon?

12 MADAM CHAIR NIXON: Here.

13 EXECUTIVE DIRECTOR SALADINO: Board Member Bezick?

14 BOARD MEMBER BEZICK: Here.

15 EXECUTIVE DIRECTOR SALADINO: Board Member Brown?

16 BOARD MEMBER BROWN: Here.

17 EXECUTIVE DIRECTOR SALADINO: Board Member Cortez?

18 BOARD MEMBER CORTEZ: Here.

19 EXECUTIVE DIRECTOR SALADINO: Board Member Gronauer?

20 BOARD MEMBER GRONAUER: Present.

21 EXECUTIVE DIRECTOR SALADINO: Madam Chair, we have a
22 quorum. All the board members are accounted for.

23 MADAM CHAIR NIXON: Thank you.

24 Agenda Item No. 2 is public comment. Members of the
25 general public may make comment on matters appearing on the

1 agenda, and may bring matters not appearing on the agenda to
2 the attention of the board. The board may discuss the matters
3 not appearing on the agenda, but will -- may not act on the
4 matters. If the board desires, the matters will be placed in
5 future agenda action. Public comments may be limited to five
6 minutes per person at the discretion of the chairman, but will
7 not be restricted due to viewpoint.

8 Are there any -- is there any public comment down
9 South?

10 Hearing there's no public comment down South, is
11 there any public comment up North.

12 BOARD MEMBER BROWN: No, Madam Chair. There is
13 none.

14 MADAM CHAIR NIXON: Okay. Thank you.

15 We'll go to Agenda Item No. 3, Board Executive
16 Director announcements, reports, and updates.

17 EXECUTIVE DIRECTOR SALADINO: Thank you, Madam
18 Chair. Executive Director Saladino. I've already sent over
19 the FY25 budget for approval, if the board has any questions
20 regarding that. Also, we sent over the financial -- the
21 finances, as well.

22 Is there any questions regarding the financials?

23 MADAM CHAIR NIXON: Board will take a minute to
24 review.

25 EXECUTIVE DIRECTOR SALADINO: Madam Chair, while the

1 board reviews those, I had a little bit prepared in regards to
2 the finances. Regarding the budget, licensing fees came in a
3 little bit higher than expected. We've noticed the cost for
4 IT and database services have increased a bit. Personnel
5 costs did go up due to the governor issuing a pay raise for
6 all the State employees. That was at 11 percent. Our
7 reserves are looking good. We were able to budget some --
8 some moneys for new computers and a new card printer.

9 Also, our Las Vegas office rental agreement will be
10 renewed this year. It's going to be about the same -- it's
11 going to be the same rate as it was in previous years, which
12 is a 3 percent increase every other year, which is standard
13 for State contracts.

14 So if there's any other questions regarding the
15 finances, just let me know.

16 MADAM CHAIR NIXON: Are there any questions from the
17 board?

18 Okay. Seeing there are no questions -- take action?

19 EXECUTIVE DIRECTOR SALADINO: Yes. I need an
20 approval for the Y25 budget.

21 MADAM CHAIR NIXON: Okay. So seeing there's no
22 questions, I'll take a motion for the budget.

23 BOARD MEMBER CORTEZ: This is Board Member Cortez
24 motioning to approve the budget for 2025.

25 MADAM CHAIR NIXON: We have a motion. Do we have a

1 second?

2 BOARD MEMBER BROWN: This is Brown. I'll second.

3 MADAM CHAIR NIXON: We have a motion. We have a
4 second. All in favor say "aye."

5 BOARD MEMBERS: Aye (in unison).

6 MADAM CHAIR NIXON: Motion passes.

7 EXECUTIVE DIRECTOR SALADINO: Madam Chair, if I
8 could, I'll have Supervisory Investigator Swarthout give us a
9 rundown on this quarter's stats.

10 INVESTIGATOR SWARTHOUT: Investigator Swarthout. So
11 for June '23, we processed 32 applications for that board
12 meeting; 23 were approved, 9 were withdrawn or denied. For
13 June of 2024, we had 35 applications; 21 were approved, 14
14 were either withdrawn or denied. For the work cards for --
15 for the quarter in that for 2023, we processed 3,217. Of
16 that, 2,806 are active, 239 were withdrawn, 172 were denied.
17 For the same quarter in 2024, we processed 3,240 work cards.
18 Of that, 200 -- or 2,771 are active, 41 are still provisional,
19 242 were withdrawn, and 180 -- 186 were denied. A lot of
20 those 41, their fingerprints were rejected, so we had to have
21 them redo fingerprint cards for the FBI.

22 For complaints, on second quarter of this year, we
23 processed 33; 29 of them are closed, 4 are still open, and 2
24 violations were issued. We saw a spike because LVMPD, their
25 SOAP, which is their Sex Offender Apprehension Team, started

1 reaching out to us directly instead of going through SIS, so
2 just about anyone that has anything that they're looking for,
3 they are asking for their information that we had.

4 And for the unlicensed activity comparison, in the
5 second quarter of 2023, we issued five; four of them were the
6 first offense, one was the second offense, and then for the
7 second quarter of 2024, four -- four were issued; two were the
8 first offense, one was a second, and one was a third and
9 suspension.

10 And then the individual that had appealed the
11 citation back in December, we did end up going to court on
12 him. He was arrested by Metro and he was just convicted in
13 August.

14 MADAM CHAIR NIXON: Any questions from the board?

15 BOARD MEMBER GRONAUER: Board Member Gronauer.
16 Investigator, can you explain the process when somebody makes
17 a complaint, process what we have to go through?

18 INVESTIGATOR SWARTHOUT: Investigator Swarthout. So
19 when we get the complaint, it gets assigned out to an
20 investigator. We review it, and then we start contacting the
21 complainant and any of the individuals that are associated
22 with it. So if it's on a company, we'll contact the company
23 and get their side of it to figure out what's going on, or if
24 it was an arrest, we start pulling the police reports.

25 BOARD MEMBER GRONAUER: Board Member Gronauer. How

1 do you contact the complainant?

2 INVESTIGATOR SWARTHOUT: If they give us a phone
3 number, we call them, or most of them will come into the
4 office and we interview them in the office or we'll email them
5 if all they did was give us an email.

6 BOARD MEMBER GRONAUER: Okay. Thank you.

7 MADAM CHAIR NIXON: Any further questions from the
8 board?

9 Okay. Agenda Item No. 4, review of transcripts,
10 review and approve transcripts. Are there any questions on
11 June 12th and 13th's board meeting?

12 Okay. Seeing there are no questions, I'll entertain
13 a motion.

14 BOARD MEMBER CORTEZ: Board Member Cortez motioning
15 to approve transcripts as written for the June 12th and 13th
16 board meeting -- 2024 board meeting.

17 MADAM CHAIR NIXON: We have a motion. Do we have a
18 second?

19 BOARD MEMBER BEZICK: Bezick, second.

20 MADAM CHAIR NIXON: Okay. We have a motion. We
21 have a second. All in favor say "aye."

22 BOARD MEMBERS: Aye (in unison).

23 MADAM CHAIR NIXON: Motion passes.

24 So we have -- the next agenda item is -- oh. Sorry.
25 All applicants or anybody that's going to testify here today,

1 could you please stand up and get sworn in?

2 MS. LEE: Please raise your right hand. Do you
3 swear under penalty of perjury that the testimony you're about
4 to give is the truth, the whole truth, and nothing but the
5 truth?

6 (Audience answers in the affirmative.)

7 MS. LEE: Thank you. You can be seated.

8 MADAM CHAIR NIXON: Thank you, everyone.

9 Okay. The next agenda items is potential block vote
10 for consent items. As it stands right now, we have consent
11 items 6 through 25. Were there any questions or concerns
12 within the block vote from the board?

13 BOARD MEMBER BROWN: Madam Chair, this is Board
14 Member Brown for the record. Question, I guess, for Executive
15 Director Saladino, do we have any update on number 26? Are
16 they going to be included in the block vote?

17 EXECUTIVE DIRECTOR SALADINO: Executive Director
18 Saladino. Mr. Miller's prints have not been returned yet from
19 DPS. There was -- I think there was an issue with the payment
20 and the submission of the fingerprint card. We have been in
21 contact with Mr. Miller. He is aware of it. We were looking
22 possibly to do a contingent vote, being his -- the way his
23 background was, very professional individual. We're not
24 expecting any kind of arrest history to come back.

25 Also, on agenda item 29 for corporate status, Stern,

1 Applicant Stern, their fingerprints were rejected by DPS, you
2 know, unable to read them, so we have been in contact with
3 Stern. They have resubmitted thus far, and we're just now
4 waiting to hear back from DPS.

5 BOARD MEMBER BROWN: Thank you.

6 MADAM CHAIR NIXON: Okay. So we're going to
7 leave -- if in agreement, leave the potential block vote for
8 items 6 through 25, and then we'll tackle 26 when we get there
9 just because it may be a contingent vote.

10 So are there any other questions on the potential
11 block vote, 6 through 25? Okay. Hearing there are no
12 questions, I'll entertain a motion.

13 BOARD MEMBER CORTEZ: This is Board Member Cortez
14 motioning to approve consent items 6 through 25.

15 MADAM CHAIR NIXON: We have a motion. Do we have a
16 second?

17 BOARD MEMBER GRONAUER: Board Member Gronauer.
18 Second.

19 MADAM CHAIR NIXON: We have a motion. We have a
20 second. All in favor say "aye."

21 BOARD MEMBERS: Aye (in unison).

22 MADAM CHAIR NIXON: Motion passes.

23 Okay. Agenda Item No. 26, Ryan Miller applying for
24 individual private investigator license. As stated earlier,
25 his fingerprints have not come back, but I'll open that up for

1 a motion, if we want to do either a contingent vote or --
2 until his fingerprints come back or if we want to just push it
3 until the following meeting, so -- any questions from the
4 board?

5 Okay. Hearing no questions, I'll entertain a
6 motion.

7 BOARD MEMBER BROWN: This is Board Member Brown. I
8 move that we approve on a contingent basis Ryan Miller's
9 application for individual private investigator license,
10 subject to all statutory and regulatory requirements.

11 MADAM CHAIR NIXON: And that was contingent, right?
12 Did he say that? Okay.

13 Okay. We have a motion. Do we have a second?

14 BOARD MEMBER BROWN: Sorry. Was just going to say
15 yes, ma'am, contingent on his fingerprints returning with no
16 issues.

17 MADAM CHAIR NIXON: So we have a motion. Do we have
18 a second?

19 BOARD MEMBER BEZICK: Bezick. Second.

20 MADAM CHAIR NIXON: Okay. We have a motion. We
21 have a second. All in favor say "aye."

22 BOARD MEMBERS: Aye (in unison).

23 MADAM CHAIR NIXON: Motion passes.

24 EXECUTIVE DIRECTOR SALADINO: Madam Chair, Executive
25 Director Saladino, for the record. In regards to agenda

1 item 28, I had agendized them only because we had some issues
2 with the Nevada Secretary of State. At the time they were
3 trying to submit their updated corporate documents, but for
4 whatever reason, the Secretary of State's system that generate
5 those was down. Since we've been in contact with them and
6 this Nevada Secretary of State, we have received all of the
7 updated corporate documents to show that they are in good
8 standing and their business license is current, so they could
9 actually be a contingent item. I do have them available via
10 the telephone, having them call in, being that they're not
11 present in the state, but I did explain to them that they
12 would be considered for a block vote.

13 MADAM CHAIR NIXON: Board, do we want to move
14 forward? I'll entertain a motion on Agenda Item No. 28.
15 Are they on the phone now?

16 EXECUTIVE DIRECTOR SALADINO: I'd have to check with
17 the folks in the back.

18 BOARD MEMBER CORTEZ: This is Board Member Cortez.
19 Just for clarification, are we adding 28 to the block vote?
20 Would that be easiest?

21 EXECUTIVE DIRECTOR SALADINO: Well, we've already
22 done the block vote. I was just stating that we could, you
23 know, have them approved without being present.

24 BOARD MEMBER CORTEZ: I see what you're saying.

25 MADAM CHAIR NIXON: Are they -- who do we need to

1 check with to see if they're on the phone?

2 UNIDENTIFIED SPEAKER: This is broadcast. They are
3 on the phone currently.

4 MADAM CHAIR NIXON: Okay. Thank you.

5 Board, are there any questions from the board to
6 AccuSource, Mr. Daniel Filby, or Todd Brown?

7 MR. FILBY: Yes. Dan Filby here.

8 MADAM CHAIR NIXON: Thank you, sir.

9 Hearing there is no questions, I'll entertain --

10 MR. BROWN: And Todd Brown is here, as well.

11 MADAM CHAIR NIXON: Thank you.

12 I only had one quick question when I was reviewing
13 this. Why -- why the name change?

14 MR. FILBY: Really, it's just a recognition that the
15 customers we serve are human resources, so it's more of a
16 change from a branding perspective to aligning closer to our
17 customer base.

18 MADAM CHAIR NIXON: Okay. That was my only
19 question.

20 Board, any questions?

21 Okay. Hearing there are no questions, I'll
22 entertain a motion.

23 BOARD MEMBER CORTEZ: This is Board Member Cortez
24 motioning to approval AccuSource, Inc., License No. 2711, a
25 now corporate name change to AccuSource HR, Inc. Mr. Daniel

1 A. Filby will remain the qualifying agent. Corporate officer
2 to be approved is Mr. Todd R. Brown, all subject to statutory
3 and regulatory requirements.

4 MADAM CHAIR NIXON: So we have a motion. Do we --
5 we have a motion. Do we have a second?

6 BOARD MEMBER BROWN: Board Member Brown. Second.

7 MADAM CHAIR NIXON: Okay. We have a motion. We
8 have a second. All in favor say "aye."

9 BOARD MEMBERS: Aye (in unison).

10 MADAM CHAIR NIXON: Motion passes. Thank you,
11 gentlemen.

12 Okay. Next is Agenda Item No. 27, is Michele
13 Blackwill and Kimberly Charles. Are you here? Yep. Please
14 come up to the front. Thank you.

15 Could you please tell us a little bit about yourself
16 and the intention with your license or the name change?

17 MS. BLACKWILL: Yeah. I'm Michele Blackwill -- oh.
18 Can you hear me?

19 BOARD MEMBER CORTEZ: If you push on that little
20 button. Right there. There you are.

21 MS. BLACKWILL: Is that better? Okay. My name is
22 Michele Blackwill. I applied for my PI license back in 2014
23 and it was in abeyance until 2022 because I worked for the
24 federal public defender. I resigned in 2022 and went out on
25 my own and activated my PI license, and since then I have been

1 working with Pyramid Investigations, LLC, and they asked me if
2 I was interested in becoming their qualified agent, so that's
3 what brings me here today, to switch my license over.

4 MADAM CHAIR NIXON: Thank you.

5 Ms. Charles?

6 MS. CHARLES: Yes, ma'am. I am Kimberly Charles and
7 we are -- I'm from Tennessee and we're going to be expanding
8 our private investigation company throughout the areas.
9 That's why I need to get my license here, to help facilitate
10 that.

11 MADAM CHAIR NIXON: Thank you.

12 Board, any questions?

13 BOARD MEMBER GRONAUER: Board Member Gronauer.

14 Good morning, both of you. Ms. Charles, only
15 question I have is, did you complete the alcohol safety
16 school?

17 MS. CHARLES: Yes, sir, I did in 2006.

18 BOARD MEMBER GRONAUER: Do we have any documentation
19 on that?

20 INVESTIGATOR SWARTHOUT: Investigator Swarthout. We
21 do not have any documentation on that.

22 MS. CHARLES: I believe I emailed the paperwork
23 showing I completed everything. Someone emailed me about it a
24 few months ago and I submitted it back, the proof of case
25 disposal and that I completed the alcohol safety school,

1 community service. I can go through my phone and try to find
2 it or my laptop.

3 BOARD MEMBER CORTEZ: This is Board Member Cortez.
4 Ms. Charles, are you actively on probation?

5 MS. CHARLES: No, ma'am.

6 BOARD MEMBER CORTEZ: Have you completed all court
7 requirements?

8 MS. CHARLES: Yes, ma'am.

9 BOARD MEMBER CORTEZ: Disposition of the case,
10 closed?

11 MS. CHARLES: Yes. It was disposed.

12 BOARD MEMBER CORTEZ: Positively?

13 MS. CHARLES: All fees paid, everything.

14 BOARD MEMBER CORTEZ: Thank you.

15 BOARD MEMBER GRONAUER: Ms. Charles, what's your
16 position? What's your position going to be with this?

17 MS. CHARLES: I'm going to be the president of the
18 company.

19 BOARD MEMBER GRONAUER: Okay. As the president --
20 as the president, what's your role?

21 MS. CHARLES: To manage everything that's going on
22 within the agency and help with the expansion into other
23 areas.

24 BOARD MEMBER GRONAUER: Ms. Blackwill -- Gronauer
25 again -- what is your understanding of your role?

1 MS. BLACKWILL: So my understanding is that I will
2 be the qualified agent. I will be taking cases as needed, and
3 there will be some other part-time work for others who want to
4 do the work, possibly under my license. They would have to
5 get a work card, obviously, and I would be taking the major
6 role on the investigation side of the business.

7 BOARD MEMBER GRONAUER: Your major role will
8 probably be more towards making sure everybody has work
9 cards --

10 MS. BLACKWILL: Correct.

11 BOARD MEMBER GRONAUER: -- gun qualifications. The
12 main thing is going to be your payroll area with the people
13 that you -- are under you.

14 MS. BLACKWILL: We have -- we have a payroll, so
15 everybody would be responsible for submitting their own hours
16 into our QuickBooks for our accountant, and then once we -- I
17 would look over the invoices, make sure that the hours reflect
18 what was approved for billable hours before submitting them
19 to -- for payment.

20 BOARD MEMBER GRONAUER: Okay. I may -- Gronauer. I
21 may have misspoke, "payroll." The role of qualified agent is
22 to oversee the business, make sure everybody is in compliance.

23 MS. BLACKWILL: Correct.

24 BOARD MEMBER GRONAUER: Okay. Do you understand
25 that? It's not just investigations.

1 MS. BLACKWILL: Correct.

2 BOARD MEMBER GRONAUER: All right. Because you just
3 said you were taking on new investigations and stuff. We're
4 just talking about personnel.

5 MS. BLACKWILL: I would be overseeing all the cases
6 that come in. I would be overseeing all the work being done
7 on it. I would be overseeing all the bills before they are
8 submitted for approval.

9 BOARD MEMBER GRONAUER: Okay. It's a very important
10 role, and so I'm just telling you, this is a serious role.

11 All right. Thank you. No more questions.

12 MADAM CHAIR NIXON: Okay. Are there any further
13 questions from the board?

14 Okay. Hearing there are no further questions, I'll
15 entertain a motion.

16 BOARD MEMBER BEZICK: This is Bezick. I move that
17 we approve Pyramid Investigations, doing business as Blackwill
18 Investigations for a new corporate private investigator's
19 license, and that Michele Blackwill's License No. 1841 be
20 placed in abeyance so that she may become the qualifying
21 agent, and member to be approved is Kimberly R. Charles. This
22 is subject to all statutory and regulatory requirements.

23 MADAM CHAIR NIXON: We have a motion. Do we have a
24 second?

25 BOARD MEMBER BROWN: Board Member Brown will second.

1 MADAM CHAIR NIXON: We have a motion. We have a
2 second. All in favor say "aye."

3 BOARD MEMBERS: Aye (in unison).

4 MADAM CHAIR NIXON: Motion passes. Congratulations,
5 ladies. Good luck to you.

6 MS. BLACKWILL: Thank you.

7 MS. CHARLES: Thank you.

8 MADAM CHAIR NIXON: Okay. Then we skip to Agenda
9 Item No. 29, AYC Security. We have Michael Conti and Simcha
10 Stern.

11 Good morning. Please tell us a little bit about
12 yourselves and the intention with your license.

13 And just a reminder to the board, this is the one
14 that we don't have fingerprints on, but we do have the ability
15 to make a contingent motion, so thank you.

16 MR. STERN: Hello. My name is Simcha Stern. Hi.
17 Hi. I'm Simcha Stern. I live in Boca Raton, Florida, and we
18 got into the security business, it got licensed, started off
19 in Florida and I am looking to expand in Nevada. I believe we
20 can bring excellent service to the state. I believe that we
21 can do it legally, professionally, and excellently, and I look
22 to be a good actor in this state and do things according to
23 the rules and regulations and do things professionally, as
24 well.

25 MADAM CHAIR NIXON: Thank you, sir. Thank you.

1 MR. CONTI: Good morning, ladies and gentlemen of
2 the board, Executive Director. Thank you for your time here
3 today and for having us here. I have been an operator -- my
4 name is Michael Conti. I've been a QA, a license holder here
5 for almost ten years now, currently a -- one of the owners of
6 Southwest Protective Agency. I have an independent license,
7 which I now have, that I currently have, that has not been
8 active.

9 I have recently got married in 2022, and at that
10 time, I then placed my license as an inactive status, and my
11 business partner, John Davis, then took up the license as QA.
12 We were here in a board meeting to do that, and that was
13 approved by the board at the time. So I'm currently living in
14 California at the moment right now with my wife, and my
15 relationship here with Mr. Stern came about through my
16 colleagues, my business partners. They had introduced me and
17 we had built a genuine relationship over the last year or so
18 and just have been talking about the idea of them expanding
19 here and their need for a license holder, a QA that is
20 responsible that has been operating here in the state for the
21 last ten years or so.

22 I've been a resident here in Nevada for almost 25
23 years until I moved, and I knew that they had a need of a
24 qualified agent and I was looking to support them and build
25 that relationship, and found that they were professional, that

1 they were conscientious and had a legitimate desire to do
2 business here and expand their operations, and I'm looking
3 forward to doing that and to assisting them, obviously, now
4 and in the future.

5 MADAM CHAIR NIXON: Thank you, gentlemen.

6 Any questions from the board?

7 BOARD MEMBER GRONAUER: Board Member Gronauer. Sir,
8 as qualified agent, where is your office?

9 MR. CONTI: I am not a currently active qualified
10 agent.

11 BOARD MEMBER GRONAUER: Oh, I thought you said
12 you --

13 MR. CONTI: No. I'm looking to be an active
14 qualified agent for AYC Security. Right now I do not have an
15 active qualified agent status. I have a license, but I do not
16 have an active qualified agent status currently.

17 BOARD MEMBER GRONAUER: Okay.

18 MADAM CHAIR NIXON: So my question would be, then,
19 are you -- will you move back here to run the business? Is
20 that how that's going to work or is that -- who is going to be
21 the, you know, local person that's going to run the business?

22 MR. STERN: We've been in conversations about this
23 and -- I mean, it's geared at you, but we are developing a
24 plan for as we acquire the business, to put the necessary
25 boots on the ground and to have office space and to have a

1 full operations team. We currently have an operations team
2 and we will apply the resources and invest in making sure that
3 we're set up to run the business with a physical presence as
4 the State requires.

5 MADAM CHAIR NIXON: Okay. Thank you.

6 Board, any further questions?

7 BOARD MEMBER BROWN: This is Board Member Brown.
8 Question for Mr. Stern. Are you currently licensed in the
9 state of Florida?

10 MR. STERN: Yes, we are. Yes, we are.

11 BOARD MEMBER BROWN: Are you personally licensed?

12 MR. STERN: Yes.

13 BOARD MEMBER BROWN: Okay. Thank you.

14 MADAM CHAIR NIXON: Okay. Any further questions?

15 Okay. Hearing there's no further questions, I'll
16 entertain a motion. And remember, they do not have --
17 Mr. Stern does not have his fingerprints returned yet.

18 BOARD MEMBER BROWN: This is Board Member Brown. I
19 move that we approve AYC Security, Incorporated, a new
20 corporate private patrol officer license, and that we approve
21 Michael W. Conti, License No. 4238 to place his individual
22 license in abeyance so that he may become the qualifying
23 agent. I also move that we grant on a contingent basis,
24 contingent that the fingerprint check comes back clear,
25 corporate officer status to Simcha Stern, and this is subject

1 to all statutory and regulatory requirements.

2 MADAM CHAIR NIXON: Thank you.

3 We have a motion. Do we have a second?

4 BOARD MEMBER CORTEZ: This is Board Member Cortez.
5 I'll second that motion.

6 MADAM CHAIR NIXON: Okay. We have a motion. We
7 have a second. All in favor say "aye."

8 BOARD MEMBERS: Aye (in unison).

9 MADAM CHAIR NIXON: Thank you. Motion passes.
10 Thank you, gentlemen. Congratulations. Good luck
11 to you.

12 EXECUTIVE DIRECTOR SALADINO: Madam Chair, Executive
13 Director Saladino, for the record. Agenda Item No. 30, we are
14 removing Robert S. Tucker as a member. Mr. Tucker was
15 recently appointed as the New York City Fire Commissioner, and
16 as his role as the fire commissioner in New York, that is why
17 he's withdrawing.

18 MADAM CHAIR NIXON: Good morning, gentlemen. Please
19 tell us a little bit about yourself and the intention with the
20 license.

21 MR. SKAHILL: I'm Robert Skahill. I'm currently the
22 owner and qualified agent for Elite Security Specialist. I
23 live here in Las Vegas and I own this business along with
24 Frank Giardina, sitting here next to me, for the past two and
25 a half years.

1 Frank?

2 MR. GIARDINA: Good morning. My name is Frank
3 Giardina and I'm from Chicago, and as Bob said, we've owned
4 Elite Security in August of -- since August of 2022, and we're
5 looking to make the name change from Elite Security Specialist
6 to Elite Security Specialists with an S. At the time we did
7 it, we didn't have the necessary paperwork and the name wasn't
8 released to us from the previous owner.

9 MADAM CHAIR NIXON: Okay. Any questions from the
10 board?

11 Okay. Hearing there are no questions, I'll
12 entertain a motion.

13 BOARD MEMBER CORTEZ: Board Member Cortez motioning
14 to approve Elite Security Specialist, LLC, License No. 1392, a
15 new corporation name change to Elite Security Specialists,
16 LLC. Mr. Robert Skahill will remain the qualifying agent.
17 Member to be approved is Mr. Frank P. Giardina, Jr., all
18 subject to statutory and regulatory requirements.

19 MADAM CHAIR NIXON: We have a motion. Do we have a
20 second?

21 BOARD MEMBER GRONAUER: Board Member Gronauer.
22 Second.

23 MADAM CHAIR NIXON: We have a motion. We have a
24 second. All in favor say "aye."

25 BOARD MEMBERS: Aye (in unison).

1 MADAM CHAIR NIXON: Motion passes. Congratulations,
2 gentlemen. Thank you.

3 Okay. The next agenda item is Agenda Item No. 31,
4 Battle Tested Security, LLC applying for a new corporate
5 license.

6 Good morning, sir.

7 MR. HOLLIDAY: Good morning.

8 MADAM CHAIR NIXON: Tell us -- good morning. Tell
9 us a little bit about yourself and the intention with the
10 license.

11 THE WITNESS: Yeah. My name is Casey Holliday. I'm
12 the CEO and founder of Battle Tested Security. We are a
13 service-disabled veteran-owned small business that provides
14 jobs for our veterans and our Reserve and active duty members
15 within the entertainment space. Our intention with the
16 license is to open a branch here in Nevada to provide jobs for
17 Nevada veterans within the large entertainment space.

18 MADAM CHAIR NIXON: Thank you.

19 Any questions from the board?

20 I have a question. When you say "in the
21 entertainment space," does that mean executive protection or
22 what does that mean?

23 MR. HOLLIDAY: No. We'll do the NASCARs of the
24 world, the Formula 1s, and we'll bring veterans from around
25 the country, get them licensed, and then, yeah, work with the

1 local community, as well.

2 MADAM CHAIR NIXON: Okay. So like event services?

3 MR. HOLLIDAY: Event, yes.

4 MADAM CHAIR NIXON: Gotcha. Okay.

5 Okay. Hearing there's no questions from the board,
6 I'll entertain a motion.

7 BOARD MEMBER BROWN: This is Board Member Brown.

8 First off, sir, thank you for bringing this type of company to
9 Nevada. As a veteran, I really appreciate that. And I move
10 that we grant Battle Tested Security, LLC a new corporate
11 private patrol officer license and grant Casey Holliday his
12 individual private patrol officer license, which he will place
13 in abeyance so that he may become the qualifying agent.

14 Mr. Casey Holliday is also to be approved as a member. This
15 is subject to all statutory and regulatory requirements.

16 MADAM CHAIR NIXON: Okay. So we have a motion. Do
17 we have a second?

18 BOARD MEMBER CORTEZ: Board Member Cortez
19 motioning --

20 BOARD MEMBER BEZICK: Bezick. Second.

21 BOARD MEMBER CORTEZ: -- seconding the motion.
22 Either one.

23 MADAM CHAIR NIXON: So we have a motion. We have a
24 second. All in favor say "aye."

25 BOARD MEMBERS: Aye (in unison).

1 MADAM CHAIR NIXON: Thank you.

2 And I echo Board Member Bezick. Thank you so much
3 for, you know, your service and what you do with the veterans,
4 and good luck to you, sir, so thank you.

5 MR. HOLLIDAY: Thank you.

6 MADAM CHAIR NIXON: Okay. The next agenda item
7 is 32, Luis Leal Contreras.

8 MR. CONTRERAS: Leal Contreras, ma'am.

9 MADAM CHAIR NIXON: Thank you. Good morning.

10 MR. CONTRERAS: Good morning.

11 MADAM CHAIR NIXON: So tell us a little bit about
12 yourself and your intentions with the license.

13 THE WITNESS: Sure. My name is Luis Leal Contreras.
14 I'm 42 years old. I'm a combat veteran. I was in the
15 Marine Corps and in the Army from 2001 to 2013. I started --
16 (Reporter interjection.)

17 THE WITNESS: I'm so sorry. That's my nature. I'm
18 sorry.

19 And I was a police officer from 2011 to 2016, and
20 then I'm currently executive vice president of Global Threat
21 Solutions, which is based out of New York City, and I
22 currently live in Nevada. And the purpose of the business, we
23 have a lot of clients in the high luxury retail space here in
24 Nevada, so we are trying to move our way into Nevada now.
25 We've already done it in LA, so now we're trying to gain a

1 foothold here in Nevada.

2 MADAM CHAIR NIXON: Thank you.

3 Any questions from the board?

4 BOARD MEMBER GRONAUER: Board Member Gronauer.

5 Thank you for your service, also. Were you a Marine and then
6 went to the Army or Army and then went to Marines?

7 MR. CONTRERAS: Marines first, sir.

8 BOARD MEMBER GRONAUER: Then went to the Army?

9 MR. CONTRERAS: Yes, sir.

10 BOARD MEMBER GRONAUER: Okay. You've had some --
11 tell me the incidents which created your problems with the
12 police department.

13 MR. CONTRERAS: Absolutely. On a night -- I don't
14 remember the date, but I was at a -- working patrol. I had a
15 burglary call at a dealership that night, and just I -- I'd
16 like the board to know, me reading this report, seeing how it
17 reads is completely an injustice to -- I know what happened,
18 and if we were allowed to review cameras, which they didn't
19 allow me to, it would be completely different.

20 But on that night, I went to a call of an active
21 burglary in progress for the sixth time at the same location.
22 This was around 2 in the morning. I arrived as a solo unit.
23 I got out of the vehicle. I staked out the place. I knew
24 the -- someone was in there because dispatch kept relaying to
25 me that cameras were going off inside of the parking area.

1 The parking area was about -- a car dealership with 500 cars
2 in there, so it was a lot of space to cover. I called for
3 more units to assist me. We did a quadrant around the block.

4 When units that were there to assist me, we jumped
5 the fence. We cleared the dealership from left to right. We
6 were not able to find the suspect. We did another search
7 again, again did not find the suspect. We called in the K9.
8 The K9 was able to pick up the scent. We found him inside of
9 a vehicle. We conducted a plan, how to exit him out.

10 Once we pulled him out of the vehicle, the suspect
11 obviously fought three officers, me -- including me. So he
12 was actively fighting the officers, which we later found out
13 he was a parolee at large, so he wasn't going to go to jail
14 easily. So he fought us actively. He reached for my firearm
15 that I had on my -- my backup firearm that I carried on my
16 right ankle. When he did that, I kicked him one time in the
17 face while he was actively fighting us. Then he came into
18 compliance and we put him in handcuffs.

19 The way it reads on your report, it said that he was
20 already detained and I kicked him repeatedly. That is
21 completely false. I kicked him one time. And so when my
22 report came out, obviously I had to take the suspect to the
23 hospital because it was my call, to the hospital, got him
24 cleared. Before I got him cleared, they asked me to come back
25 to the police department to start writing my report, which I

1 did, and at that time, I gave custody of the suspect to
2 another officer. I came back, they asked me to write my
3 report. I did. Submitted my report that night, and then they
4 let me go home. I wrote the report as-is what happened, and I
5 even put in my report I was asked to write my report and I'm
6 clocking off for duty. That was the end of my report.

7 When I went to my Skelly meeting, when I talked to
8 the chief and I got to see my report for the first time again,
9 because I did not have access to it, someone had added that I
10 had submitted -- that I had submitted something into the
11 property and evidence room, which was found on the suspect,
12 which was later found to be, I believe, methamphetamines and a
13 pipe. I searched the suspect on scene. I never once went to
14 property and evidence to submit it because I was at the
15 hospital the whole time.

16 When I brought that up during my hearing with the
17 chief, because that's where they got me where they said that I
18 was lying about the report, they said that they never received
19 the property in evidence, the methamphetamine and the pipe,
20 that it was submitted by me, that someone logged into my
21 account and submitted by me, that someone logged into my
22 account and submitted the property under my name, which was
23 false because I never admitted it into the property and
24 evidence room because I went directly to the police department
25 and wrote my report.

1 Property evidence and police department, two
2 different buildings, both monitored by cameras. When I
3 brought it up to the chief, I said, I can prove to you that I
4 never once stepped inside that room if we can review video
5 from that night. Obviously they did not afford me that
6 opportunity, so I went -- I challenged -- challenged the
7 termination, and literally they upheld that I was going to be
8 terminated, so I went forth and just became terminated from
9 that police department, which later I got into private
10 security, and a couple months later, I got into policing again
11 on the federal side, and then I left it to join Global Threat
12 Solutions full-time.

13 BOARD MEMBER GRONAUER: All right. This is all with
14 the Garden Grove Police Department?

15 MR. CONTRERAS: Yes, sir.

16 BOARD MEMBER GRONAUER: Okay. There's a couple
17 incidents, one for untruthfulness?

18 MR. CONTRERAS: That stems from the same -- same
19 one.

20 BOARD MEMBER GRONAUER: Okay.

21 MR. CONTRERAS: Bullet points 1 and 4 are from the
22 same incident.

23 BOARD MEMBER GRONAUER: Okay. And then your written
24 reprimand for inappropriate language?

25 MR. CONTRERAS: Yes. That was a school principal.

1 I believe she was assistant principal. I commented to her how
2 lovely she looked. I literally said, You look very nice
3 today. One of her students was passing by and actually heard
4 that and then spread a rumor that I was dating the assistant
5 principal, and at the same time, the assistant principal was
6 trying to contact me at the police department. I had never
7 set up a phone line for myself. I didn't even know I had one.
8 Mind you, I was still a rookie at the time, so I didn't know I
9 had a line they could call to contact me because I never gave
10 anyone my phone number.

11 And they called me in and asked me that if I made
12 that comment. I said yes, I did, and they said, Okay. Are
13 you texting her offline? I said no, I'm not. They took my
14 phone and reviewed it and said, Okay, so how is this getting
15 by? I have no clue. And then I told them, This is what I did
16 say. And then when they went to the principal, she said yes,
17 and one of her students was spreading the rumor that I was
18 dating her, which was obviously untrue. So obviously I got a
19 written reprimand for that, so I learned my lesson and never
20 spoke to anyone like that ever again.

21 BOARD MEMBER GRONAUER: And one for initiating a
22 police pursuit?

23 MR. CONTRERAS: Yes, sir. I was on a vehicle -- a
24 stolen occupied vehicle at a residence, and when the vehicle
25 went mobile, I had a ride-along in my vehicle. I know the

1 report says that the lights were not activated. The lights
2 were activated after 30 seconds. So yes, initially it was
3 late getting it on. I did turn on the lights overhead. When
4 the vehicle started driving erratically and blowing through
5 red lights is when I terminated the pursuit. It was excess
6 speeds of maybe 110, so when I terminated the pursuit, the
7 car -- I let off the gas, but the car was still going and I
8 deactivated my lights, but I was still going at a fast speed
9 since I didn't slam on the brakes, I just let the car die out,
10 and so I got written up for that.

11 BOARD MEMBER GRONAUER: How long did you spend with
12 the Garden Grove Police Department?

13 MR. CONTRERAS: Six years.

14 BOARD MEMBER GRONAUER: Pardon?

15 MR. CONTRERAS: Six years.

16 BOARD MEMBER GRONAUER: Did you have some personal
17 problems with them or --

18 MR. CONTRERAS: I can tell you this, sir: I joined
19 the -- when I got on the police department, within three
20 months I made the SWAT team and I became their medical chief
21 officer. Personally, I don't consume any alcohol. I was
22 always given grief for not consuming alcohol, for not being
23 one of the boys. That's okay. That's my choice. I choose
24 not to consume alcohol. So is there a personal grief? One
25 can speculate. I have people that are retired now that still

1 call me, like, Hey, that was messed up when they did to you.
2 I don't really know. That's not my concern, that's their
3 concern.

4 I know I always got grief for not drinking alcohol,
5 for not staying out late. I was married, I have two young
6 children. That's not what I do. I got grief about not
7 drinking while I was in the military. They had a big -- it
8 was hard for me to get hired because they thought I was lying.
9 When I got hired at the Garden Grove Police Department, they
10 didn't care nothing about my background. They focused on why
11 I did not drink.

12 BOARD MEMBER GRONAUER: You got hired by whom?

13 MR. CONTRERAS: By the Garden Grove Police
14 Department. During their background, they asked me, kept
15 harping on me, Why don't you drink? Like if I -- they thought
16 I was lying about that. And every person they spoke to said,
17 I have never seen him drink alcohol. So I'm not sure, sir.
18 If you're asking that question, I'm not sure if they had
19 something with me.

20 BOARD MEMBER GRONAUER: My concern is with such a
21 short amount of time, same police department, your judgment
22 calls seem to be suspect to me. I spent 29 years as a police
23 officer. I'm also a combat veteran, Vietnam Marine, so I'm
24 just looking -- in the 29 years I had, I had one internal
25 affairs complaint, and I made plenty of arrests and did a lot

1 of different things. It just concerns me to give you a
2 license with this much -- have you gone to -- switching, have
3 you gone to anger management classes?

4 MR. CONTRERAS: Yes, sir.

5 BOARD MEMBER GRONAUER: Have you completed them?

6 MR. CONTRERAS: Absolutely. I go to the VA. I
7 still talk to my -- my case manager, and I do that about every
8 three weeks now.

9 BOARD MEMBER GRONAUER: That's something to bring up
10 sometimes, okay?

11 MR. CONTRERAS: Yes, sir.

12 BOARD MEMBER GRONAUER: I'm -- I'm okay right now.

13 BOARD MEMBER CORTEZ: This is Board Member Cortez.
14 Does -- the Garden Grove Police Department, do they have a
15 collective bargaining unit, a union?

16 MR. CONTRERAS: They do. Yes.

17 BOARD MEMBER CORTEZ: Were you a member at the time?

18 MR. CONTRERAS: I was, yes.

19 BOARD MEMBER CORTEZ: Did you have any
20 representation?

21 MR. CONTRERAS: I did, yes.

22 BOARD MEMBER CORTEZ: So I'm also going to concur
23 that I do have the same concerns that within a small amount of
24 time, you found yourself in conflict with the department. You
25 also had collective bargaining. It's really difficult to get

1 fired from a police agency, unless you have some egregious
2 behavior.

3 You indicated that you struck -- when describing
4 your incident with the individual, that you struck an
5 individual in the face. According to the report, it was
6 several times. You indicated it was one time, and even if it
7 was one time, you caused significant damage. I didn't hear
8 that part. What I heard was a lot of the -- the illegal
9 narcotics that were found.

10 The main one is that -- the big one, and especially
11 coming from a law enforcement agency, when you have something
12 in the record that -- your untruthfulness and your lack of
13 integrity, that's huge. And despite what military background
14 you served, it doesn't discredit the fact that you have some
15 personnel problems. And then you cursed out or had some kind
16 of inappropriate conversation with a principal.

17 It's -- it's -- I also share the same concerns.
18 Once you have a badge, there is a level of standard that
19 you're expected to hold. And I also know that a lot of ego
20 kicks in once you obtain that badge. I used to have one, so I
21 used to work with plenty of individuals who once the badge was
22 on their waist, a whole nother persona came around. That's my
23 concern, and I'm not if anything would change if we were to
24 move forward. It's not a good look. I'm going to be very
25 honest with you. It's not a good look.

1 MR. CONTRERAS: No. That's --

2 BOARD MEMBER CORTEZ: No further comments.

3 MR. CONTRERAS: I totally understand, ma'am. That's
4 something I've been dealing with since I've been terminated.
5 Everyone brings it up. If I were to have people here to say
6 otherwise -- yes, the inappropriate comment, I literally was
7 being nice. I literally said, You're looking very nice today.
8 Someone took that out of context and said something else. I
9 can't help that. It was students going around saying that.
10 There's nothing much I could really do to that. I was
11 truthful in that matter when they asked me about it.

12 MADAM CHAIR NIXON: So I'm going to -- yeah. In
13 efforts to get through the agenda today, board, are there any
14 other questions?

15 BOARD MEMBER BROWN: This is Board Member Brown.
16 Sir, did you go through a background investigation for Morongo
17 Tribal PD?

18 MR. CONTRERAS: I believe so, sir. I don't
19 remember.

20 BOARD MEMBER BROWN: Okay. I would think that if
21 you went through one, there would be significant questions
22 about the possible Brady issues coming from your dismissal
23 from Garden Grove. Did you get asked any questions about
24 that?

25 MR. CONTRERAS: Yes, I did.

1 BOARD MEMBER BROWN: Okay. And they were apparently
2 okay and hired you?

3 MR. CONTRERAS: Yes. The chief of police, I asked
4 him if he could read over the full report and talk to people
5 that were there on site, and he did so. He talked to the
6 current chief of police and one of the sergeants that was on
7 site that night, and what he got from them was something
8 totally different.

9 BOARD MEMBER BROWN: Okay. And then questions --
10 you talked about the methamphetamine that was found on the
11 suspect in the burglary case, that you did not book it into
12 evidence. Did you actually find any narcotics or
13 paraphernalia on the suspect?

14 MR. CONTRERAS: Yes, I did, sir. I'm the one that
15 actually searched him once we handcuffed him, and I found some
16 methamphetamine and a pipe, and then I gave those items up to
17 another officer because I knew I was going straight to the
18 hospital with the suspect.

19 BOARD MEMBER BROWN: Okay. And apparently that
20 officer did not book those items into evidence?

21 MR. CONTRERAS: I do not know, sir. I do not know
22 what happened to any of those things.

23 BOARD MEMBER BROWN: Okay. Thank you.

24 MADAM CHAIR NIXON: Okay. Board, any further
25 questions?

1 Okay. Hearing there's no further questions, I'll
2 entertain a motion.

3 BOARD MEMBER GRONAUER: This is Gronauer. A motion
4 to deny Luis Leal Contreras, who is applying for individual
5 private patrol officer license.

6 MADAM CHAIR NIXON: Okay. We have a motion. Do we
7 have a second?

8 BOARD MEMBER BROWN: This is Board Member Brown. I
9 will second, and this is based on the actual upholding by the
10 department and their people for integrity and honesty issues,
11 as well as excessive use of force.

12 MADAM CHAIR NIXON: Okay. We have a motion. We
13 have a second. All in favor say "aye."

14 BOARD MEMBERS: Aye (in unison).

15 MADAM CHAIR NIXON: So unfortunately, at this time
16 you will not be afforded your license. You are more than
17 welcome to apply later, and speak with the office and they
18 will help you go through that process.

19 MR. CONTRERAS: Okay. Perfect.

20 MADAM CHAIR NIXON: For a license, is it still a
21 year?

22 Okay. All right. So just get with the office and
23 they'll help you through.

24 MR. CONTRERAS: Okay. Perfect.

25 MADAM CHAIR NIXON: Thank you.

1 MR. CONTRERAS: Thank you so much.

2 MADAM CHAIR NIXON: Okay. Agenda Item No. 33, I
3 think they might be up North. On this one, I will have to
4 recuse myself. Mr. Durr does work for -- and I work for the
5 same company, and at some point, I have had interaction with
6 him, so I'm going to recuse myself.

7 Mr. Durr, please tell us a little bit about yourself
8 and the intention with the license.

9 MR. DURR: Hi. My name is William Durr. I've been
10 a resident in Nevada for the past 25 years. I've held a
11 qualifying agent license here before, number 1094. In 2009
12 during the economic crunch, we lost a lot of business in a
13 short amount of time. I sold my business, and unfortunately
14 due to the sale, we did not recoup enough to meet all of our
15 financial needs, so I did wind up having to file bankruptcy,
16 and I've been just working as a licensed security officer for
17 the past ten years. So with my license, I hope to be able to
18 move back into the market and be able to pursue another career
19 as a business owner providing security and patrol services.

20 MADAM CHAIR NIXON: Okay. Board, are there any
21 questions for Mr. Durr?

22 BOARD MEMBER CORTEZ: This is Board Member Cortez.
23 Mr. Durr, I just want to confirm there are no current liens
24 against any properties or businesses?

25 MR. DURR: No, ma'am. All of that has been taken

1 care of.

2 BOARD MEMBER CORTEZ: Understood. Thank you.

3 BOARD MEMBER BROWN: This is Board Member Brown.

4 Question for Investigator Diaz. Do we have the print return
5 yet?

6 INVESTIGATOR DIAZ: Investigator Diaz, for the
7 record. From what I show, no, we do not have his fingerprint
8 results yet.

9 MADAM CHAIR NIXON: Okay. So are there any further
10 questions from the board?

11 So at this time, I guess we can do the same thing,
12 we could entertain a motion with a contingent status, but if
13 there's no further questions, I'll entertain a motion.

14 BOARD MEMBER GRONAUER: This is Gronauer. Make a
15 motion to approve Mountain West Protection Services, LLC as
16 applying for a new corporate private patrol officer license.
17 William J. Durr, III is applying for an individual private
18 patrol officer license. If approved, he's requesting his
19 individual license be placed in abeyance so that he may become
20 the qualified agent. Member to be approved is William J.
21 Durr, III, subject to statutory and regulatory and contingent
22 on a return of the fingerprints.

23 MADAM CHAIR NIXON: Okay. We have a motion. Do we
24 have a second?

25 BOARD MEMBER BROWN: This is Board Member Brown. I

1 will second.

2 MADAM CHAIR NIXON: Okay. We have a motion. We
3 have a second. All in favor say "aye."

4 BOARD MEMBER GRONAUER: Aye.

5 BOARD MEMBER BEZICK: Aye.

6 BOARD MEMBER CORTEZ: Aye.

7 BOARD MEMBER BROWN: Aye.

8 BOARD MEMBER CORTEZ: Madam Chair, I just want to
9 clarify that just the contingency is that there are no
10 positive hits on the background, just not just the receipt of?

11 MADAM CHAIR NIXON: Yes.

12 Okay. So we have four ayes, and I myself will have
13 to abstain, so motion passes. Congratulations. As a
14 reminder, the motion depends on your fingerprints coming back
15 with no -- no negative impact, okay?

16 MR. DURR: Thank you for your time.

17 MADAM CHAIR NIXON: Thank you.

18 So with the board's indulgence, can we take a
19 ten-minute break and then come back at 10 after 10? Okay.
20 Thank you. Ten minutes.

21 (Recess taken from 10:01 a.m. to 10:12 a.m.)

22 MADAM CHAIR NIXON: Okay. We are on Agenda No. 34,
23 Guardian Sports & Entertainment. Is Rene Lapan here? And
24 Gregory Lazaroff?

25 MR. LAPAN: Yes, ma'am.

1 MADAM CHAIR NIXON: Thank you. Gentlemen, tell us a
2 little bit about yourself and the intention with the license.

3 MR. LAPAN: Good morning. My name is Rene Philip
4 Lapan. I've been a Nevada resident for the last 14 years,
5 since 2010. I've been in the security industry for just a
6 little over 30 years. We look to bring quality high-end
7 protection teams to provide a safe haven for local, in and
8 out. That's what our intentions are with this.

9 MADAM CHAIR NIXON: Sir?

10 MR. LAZAROFF: There we go. Green light. My name
11 is Greg Lazaroff. Twenty-six years in Las Vegas, left
12 in 2016. I run companies in several states. I'm an owner in
13 Kansas, private investigations company, Missouri, private
14 investigations company, and Texas, PPO owner. My intent has
15 always been to bring a company here to the state of Nevada.
16 Residency or hours that I had to show to be that owner, it was
17 kind of fuzzy, you know, about that, so what I did is I spoke
18 to some of my colleagues that I've worked with over the last
19 ten years and asked them if they would be interested in going
20 into business with us to open up an executive protection
21 company, and Phil Lapan went ahead and stepped forward, as
22 well as another friend of us ours who never got his paperwork
23 in in time. So I'm pleased to be here. It's real exciting
24 for me to be here. It's a dream come true.

25 MADAM CHAIR NIXON: Okay. And just so that I'm

1 clear, your security will focus on executive protection?

2 MR. LAPAN: Yes, ma'am.

3 MADAM CHAIR NIXON: Okay. Board, are there any
4 questions?

5 Okay. Hearing there are no questions, I'll
6 entertain a motion.

7 BOARD MEMBER CORTEZ: This is Board Member Cortez
8 motioning to approve Premier Guardian Sports & Entertainment
9 Group, LLC, a new corporate private patrol officer license,
10 Mr. Rene P. Lapan approved for individual private patrol
11 license, and that it be placed in abeyance so that he can
12 become the qualifying agent. Member to also be approved is
13 Mr. Rene P. Lapan and Gregory P. Lazaroff, both subject to all
14 statutory and regulatory requirements.

15 MADAM CHAIR NIXON: Okay. We have a motion. Do we
16 have a second?

17 BOARD MEMBER BROWN: Board Member Brown. I'll
18 second.

19 MADAM CHAIR NIXON: Okay. We have a motion. We
20 have a second. All in favor say "aye."

21 BOARD MEMBERS: Aye (in unison).

22 MADAM CHAIR NIXON: Okay. Motion passes.
23 Congratulations, gentlemen. Good luck to you.

24 MR. LAPAN: Thank you, ma'am.

25 MR. LAZAROFF: Thank you, ma'am.

1 MADAM CHAIR NIXON: Okay. Agenda Item No. 35, IPS
2 Security, Inc.

3 Welcome. Could you state your name?

4 MR. MASINA: My name is Moetai Masina. Good
5 morning, board.

6 MADAM CHAIR NIXON: Nice to meet you. Good morning.
7 Tell us a little bit about yourself and the intention for the
8 license.

9 THE WITNESS: Been with IPS for ten-plus years. I'm
10 here to apply for a QA, and been part of Nevada.

11 MADAM CHAIR NIXON: Okay. Board, are there any
12 questions for Mr. Moetai?

13 MR. MASINA: Moetai.

14 MADAM CHAIR NIXON: Moetai. Okay.

15 BOARD MEMBER GRONAUER: This is Gronauer. This is
16 Gronauer. Sir, good morning to you.

17 MR. MASINA: Morning.

18 BOARD MEMBER GRONAUER: It says on here that you've
19 been issued three violations since you've been licensed in
20 Nevada. What's that all about?

21 MR. MASINA: I believe one is we have some of the
22 staff that didn't have their PILB license with them when
23 they're working. The other one was we have 300-plus staff
24 that work an event, and be managed to -- one of -- just passed
25 us and we got cited for that. And then I believe the third

1 one was with Metro, one of our staff didn't want to give up
2 his PILB license to Metro, and that was something that we tell
3 everyone to do. If they ask for your license, you got to give
4 it to them.

5 BOARD MEMBER GRONAUER: What is your role at the
6 company now?

7 MR. MASINA: I'm the COO for the company and
8 applying for the QA here in Vegas.

9 BOARD MEMBER GRONAUER: All right. It seems like
10 you don't take -- the company doesn't take these violations
11 serious enough, '17, '19, '23, '24, and also having problems
12 with your business license being on probation. What's --
13 what's the probation for the business license?

14 MR. MASINA: So the business license, I think we had
15 the -- the -- our -- I think it was -- I'm not too sure what
16 was the -- the business license issues there. You had --
17 because everything that we -- the State asks for us to do,
18 we -- we comply with it and make sure that it's been taken
19 care.

20 BOARD MEMBER GRONAUER: Investigator Swarthout, can
21 you clarify anything with the business license?

22 INVESTIGATOR SWARTHOUT: So it is -- the Clark
23 County business license is currently on probation. Metro had
24 multiple incidents with them throughout different events, and
25 then Metro filed a -- what is that, a cause action report?

1 Show cause report dealing with it. So they're currently on
2 probation for a year and they had certain stipulations on what
3 they can and cannot do with the County.

4 MADAM CHAIR NIXON: So if -- what does that mean,
5 probation? Can they work in the state?

6 INVESTIGATOR SWARTHOUT: Yes. They can still work
7 in the state with the County, they just have to report and
8 keep a list of all the employees working for the event. If it
9 has -- I think it's over -- if it has more than 5,000
10 attendees, they have to notify the County before they do the
11 event within a certain amount of business time and notify them
12 who is going to be the manager on site and all that, and their
13 contact info.

14 BOARD MEMBER GRONAUER: Gronauer again. Sir,
15 what -- what's the necessity for a name change?

16 MR. MASINA: It's just adding nationwide to our name
17 change just for branding. We're not changing the ownership,
18 we're not changing our address, we're not changing our tax
19 number, it's just the brand --

20 BOARD MEMBER GRONAUER: You're not trying to hide?

21 MR. MASINA: No. No, sir, we're not. I...

22 BOARD MEMBER GRONAUER: I definitely have some
23 concerns with all these citations, and you're the COO. You
24 weren't so sure why you have some of the stuff, and I'm
25 thinking that somebody is not in charge of this company.

1 MR. MASINA: Yeah, I'm -- I do apologize on that
2 one, sir, but we are working hard to be compliant and making
3 sure that all training with our staff and our team here in
4 Vegas.

5 BOARD MEMBER GRONAUER: I could see if it was 2017
6 and then 2019, but then you've got '23 and '24. I mean, it
7 just seems like it's out of control. And again, I feel like
8 nobody is running this company, nobody is overseeing it. And
9 you're not the qualified agent?

10 MR. MASINA: No, sir.

11 BOARD MEMBER GRONAUER: All right. I just have some
12 problems. Thank you.

13 MADAM CHAIR NIXON: Sir, is the qualifying agent
14 here?

15 MR. MASINA: Yes.

16 MADAM CHAIR NIXON: Okay. Do you want to talk to
17 him?

18 BOARD MEMBER GRONAUER: You're here?

19 MR. MASINA: He's here.

20 BOARD MEMBER GRONAUER: Yeah, please.

21 MADAM CHAIR NIXON: While he comes up, Investigator
22 Swarthout, you had some information? Sorry.

23 EXECUTIVE DIRECTOR SALADINO: Madam Chair, Executive
24 Director Saladino, for the record. I think I can clarify a
25 little bit of this situation in the report. You see the dates

1 as 2017, 2018, 2019. This was only brought to us recently as
2 of 20- -- what, '22? '23?

3 INVESTIGATOR SWARTHOUT: The cause of action was
4 late '23. That's when the last violation --

5 EXECUTIVE DIRECTOR SALADINO: So late -- late
6 in 2023, we were notified by the Special Investigation Unit
7 for Las Vegas Metro. So they oversee a lot of the specialty
8 licenses that are held in the County. They had put together a
9 show cause for the Clark County business licensing to address
10 these issues. What we found was nobody was reporting these
11 issues to us at the time. They seemed to wait on it, and then
12 all of a sudden now that it's become a bigger issue, they
13 bring it to our attention at the board. We then contacted
14 IPS, we contact the current qualifying agent, Mr. Shaun Umi,
15 who is present, and also David Sayed, who is the owner, who is
16 located in California.

17 Basically, these issues were not addressed when they
18 were currently happening. Las Vegas PD kind of waited. They
19 didn't notify us. So once we now knew what we know, we
20 contacted the company and said, Okay, this is what's going on,
21 how are we going to fix this?

22 When the County put the requirements on them for the
23 probation of the business license, the company in turn
24 initiated internal training for how their staff is to respond
25 to law enforcement contact. In other words, there was issues

1 at certain events where incidents got a little out of hand.
2 When the PD would ask for, you know, who's in charge, let me
3 see your work card, they weren't providing it. So the company
4 then initiated the training on how to deal with law
5 enforcement at the time that you present your work card, you
6 present your licensing credentials at that time. They have
7 held all company wide training for this. They rolled it out
8 in California. They had an incident there where one of the
9 staff members had been accused of theft, so they, you know,
10 wind up all their staff members for the PD to be able to
11 question them. We had a large meeting with the lieutenant at
12 the time for the LVMPD Special Investigation and addressed all
13 these issues.

14 The changing of the qualifying agent, I believe,
15 is -- and, you know, correct me if I'm wrong, a direct
16 reflection of this. This is to put a person in place that has
17 a better understanding -- and, you know, not that Mr. Umi was
18 unprofessional. He didn't know what he didn't know at the
19 time. So the training went, you know, company wide. They've
20 now addressed all the issues that were in the stipulation or
21 show cause from the business licensing. They've moved to put
22 another qualifying agent in place that has been updated on all
23 this training, and we even contacted the Clark County business
24 licensing in regards to the show cause or the probation with
25 the name change, and they had no problems with the name

1 change. They're aware of it.

2 IPS also notified the County, as well, that they
3 were looking to do this name change. So they've adhered to
4 the probation standards and taken steps to correct all of the
5 incidents that were addressed over those years. That -- and
6 that's one of the reasons why we work very closely with the
7 PD, to make sure that these things don't get drawn out like
8 this, you know. There's no reason to wait this many years to
9 tell us about issues that happened back in 2017, we can
10 address them now. So I think that's -- that's why they're
11 here today and, you know, if I'm wrong, correct me.

12 MADAM CHAIR NIXON: So just to be clear, sir, you're
13 the qualifying agent now? You're the new qualifying agent or
14 the past qualifying agent?

15 MR. UMI: I'm the current, yes.

16 MADAM CHAIR NIXON: The current. The new one.
17 Okay.

18 Board, are there any questions?

19 BOARD MEMBER GRONAUER: When were you approved as
20 the qualifying agent by the board?

21 MR. UMI: I believe two years ago, sir.

22 BOARD MEMBER GRONAUER: Okay. To the executive
23 director, you said these things didn't come to light until
24 late '23. There's citations in '24, and there was citations
25 in '17, so how do you get a complaint in '23 incited in '17?

1 I don't -- I'm not understanding that.

2 EXECUTIVE DIRECTOR SALADINO: Executive Director
3 Saladino, for the record. Okay. I misspoke. The violations
4 that were issued for EDC were for employees working without
5 registered work cards and one for not being on the roster.
6 These citations or violations that were issued, these are what
7 we consider minor citations or violations to companies.
8 There's numerous companies that would have received the same
9 type of citation back in 2017.

10 What I was addressing was the issues that they were
11 having with the PD with not identifying themselves, so I
12 misspoke. We did address this in '17 with the violations;
13 however, there was underlying issues that the PD needed
14 addressed that we weren't aware of, which caused this, you
15 know, whole other thing to happen with the business licensing.

16 BOARD MEMBER GRONAUER: All right. Just for -- get
17 off the whole discussion, I guess, gut the idea is it just
18 seems like they're doing business, don't care. Give me a
19 citation, I'll pay it and go on again about their business,
20 and give me a citation, I'll pay it and go about their
21 business, and that just doesn't seem like a good way of doing
22 business with what we try to regulate. I have a tremendous
23 amount of concern about this. Thank you.

24 BOARD MEMBER CORTEZ: This is Board Member Cortez.
25 ED Saladino, how long does a -- or actually, it might be the

1 investigator. Either one can answer. How long are they on
2 probation until? Generally speaking, how long does the
3 probation last?

4 INVESTIGATOR SWARTHOUT: The probation was for one
5 year. It should -- it looks like it expires March 31st of
6 2025.

7 BOARD MEMBER BROWN: This is Board Member Brown.
8 Question for Mr. Masina. Mr. Masina, what was your -- were
9 you chief operating officer for the company in '17, '19,
10 and '23?

11 MR. MASINA: '17, no. '23, yes.

12 BOARD MEMBER BROWN: How about 2019?

13 MR. MASINA: 2019, no.

14 BOARD MEMBER BROWN: Okay. I have concerns that you
15 may not be qualified to be the qualifying agent. I would
16 assume that you knew of these issues when you came here and
17 you might have to address them, and you don't really seem to
18 have the knowledge of them. I understand that you weren't
19 qualifying agent when some of these things happened, but you
20 were in a position of authority that could have taken action
21 over some of these things, and I would have expected you to
22 have some type of information for us here today when we asked
23 these questions. You may not be prepared to take this
24 position, in my opinion. Thank you.

25 MADAM CHAIR NIXON: Okay. Any further questions

1 from the board?

2 BOARD MEMBER BEZICK: This is Board Member Bezick.
3 Executive Director Saladino, in your view, are they -- is IPS
4 making an effort towards rectifying these issues?

5 EXECUTIVE DIRECTOR SALADINO: Executive Director
6 Saladino, for the record. Yes. I would say yes. After the
7 issuance of this probation that the company had -- you know,
8 knowing that this was coming, they had initiated special
9 training for all their staff. They took ownership of it in
10 regards to David Sayed, who is the owner, who I'm surprised is
11 not here today, you know, made every effort to abide by the
12 probation stipulations that was issued. They're in constant
13 contact with the County business licensing in with regards to
14 the stipulations. They've been in touch with LVMPD Special
15 Investigations, with our office.

16 I would say that they have taken the steps to
17 correct all of these issues, and like I said, the underlying
18 issue was the dealings that they had with the Las Vegas
19 Metropolitan Police Department during certain issues -- during
20 certain events. That was unknown to the company at the time
21 that this was happening. And again, like when we found out in
22 late 2023 and, you know, we reached out to them, you know,
23 they had already been working on correcting all these issues.
24 So to answer your question, yes.

25 BOARD MEMBER GRONAUER: This is Gronauer. I

1 appreciate them trying to work it out, but then again, you --
2 three months ago, they just got cited again in California. I
3 mean, if they started this in '23, they shouldn't be cited
4 anywhere. I -- I'm just -- it's a difficult time for me to
5 understand. And I'd take maybe one violation as a minor
6 violation, second one, a little less than minor -- a lit more
7 than minor. The third, fourth, and on is major. And again, I
8 have that problem. Thank you.

9 MADAM CHAIR NIXON: Any further questions from the
10 board?

11 I have one question. Mr. Masina, were you -- who
12 initiated the corporate training for your individuals?

13 MR. MASINA: We have a team that prepares everything
14 for the training and -- and then we sit in there and we train
15 ourselves in it. Myself and Shaun, we're the ones that are
16 training the team.

17 MADAM CHAIR NIXON: Okay. So when this started to
18 happen, were you -- who spoke up and said, Hey, we need to do
19 some training, make sure we get this right?

20 MR. UMI: Ma'am, can I -- I'm sorry. I apologize.
21 I'm sorry. I apologize I didn't introduce myself. My name is
22 Shaun Umi. Retired Army in 2017, and when my brother Moetai,
23 so he's been doing this for, you know, a minute now, and when
24 I retired in 2017 as a targeting officer, I dedicated myself
25 to devote my time to my kids and my family since I missed --

1 you know, did the deployments and everything, so it's been a
2 year that I've one doing this.

3 In 2019, he asked me to come and help out with EDC.
4 So when I came to EDC and helped out, these violations that we
5 talked about and we discussed, and it's on our -- our records,
6 every event, we always communicate with the command post and
7 with the Metro and ask them, Hey, how is everything, is there
8 anything that we need to focus on for the next event? And all
9 we get is, Oh, you guys did good, we did everything great, you
10 know, so we move on to the next event until. 2023 when that
11 incident happened, that's when our focus and our training was
12 more about, you know, the perimeters and everything about the
13 festival, safety of the attendees and our clients.

14 But these individuals that we hire, majority of
15 them, 80, 90 percent of these individuals that we hire, any
16 companies, they're temp workers. They work at another
17 company, they come to our company, and then they -- they bring
18 all these different -- you know, different skills with them,
19 different attitude and everything, so it's our -- it's my duty
20 as a QA to train and to make sure when they come on our -- we
21 add them on our roster and then when we check in for us, we've
22 got to make sure that we give all the briefing material, they
23 do the right thing, and they do by our standards, tuck in your
24 shirt, remove your earrings and everything.

25 MADAM CHAIR NIXON: Right. So -- so just -- because

1 we've got a lot of stuff to get through, I just want to make
2 sure -- I think the issue we have is not shirts being tucked
3 in and those type of things. The compliances that we're
4 worried about is licensing, right? And so you have quite a
5 few different license compliance issues. Who initiated that
6 training for your staff, or has there been training for all of
7 your staff from the admin person to the -- you know, through
8 the manager on site that -- that understands that compliance
9 is needed, like you have to have a guard card? Who has -- who
10 has initiated and how are you maintaining that training?

11 MR. MASINA: So we -- oh. We have a team that
12 creates all the training. So like I said, when that happens,
13 we send our training to PD, Metro PD for them to look at it.
14 And Shawn over here, he's the one that's been giving training,
15 myself, as well, if I'm available, making sure --

16 MADAM CHAIR NIXON: For your managers?

17 MR. MASINA: Yes. Managers, and then -- our
18 managers and our supervisors have been trained.

19 MADAM CHAIR NIXON: Okay. So they all know to
20 check -- before these guys come on duty, to check and make
21 sure that they have the guard cards, that they understand --

22 MR. MASINA: We have an admin team that checks
23 everybody that signs in our time sheet to make sure that they
24 have their card on them.

25 MADAM CHAIR NIXON: Okay. And when was that

1 initiated? When did you start doing that?

2 MR. UMI: We've been -- we've been doing our
3 training at least twice a year ever since 2019.

4 MADAM CHAIR NIXON: Okay.

5 MR. UMI: We have another training coming up on
6 the 27th. Our last training was almost six months ago, and
7 we invited the Metro, the PILB, and the County to come in and,
8 you know, help us, you know, so we can work together and then
9 add on our training and see, ask -- ask any question, we can
10 answer it.

11 MADAM CHAIR NIXON: Okay. And do you have a
12 compliance officer in your company? Because you have a
13 training team. Do you have a compliance officer for the --
14 that oversees all of your company's compliances?

15 MR. UMI: Correct.

16 MADAM CHAIR NIXON: And where is that person at?
17 Are they here in Nevada? Are they in California? Where are
18 they at?

19 MR. UMI: The corporate in California.

20 MADAM CHAIR NIXON: California. Okay.

21 Board, are there any further questions?

22 Okay. Hearing there are no further questions, I'll
23 entertain a motion.

24 BOARD MEMBER GRONAUER: This is Gronauer. There's
25 two parts to this they're requesting; one is a corporate name

1 change, and the other one is for a qualified agent. I'd like
2 to break that up into two pieces and make a motion to approve
3 IPS Security, License No. 2279 requesting a corporate name
4 change to IPS Nationwide.

5 MADAM CHAIR NIXON: Okay. We have a motion. Do we
6 have a second?

7 BOARD MEMBER BROWN: Board Member Brown. I'll
8 second.

9 MADAM CHAIR NIXON: Okay. We have a motion. We
10 have a second. All in favor say "aye."

11 BOARD MEMBERS: Aye (in unison).

12 MADAM CHAIR NIXON: Okay. The first part of the
13 motion passes.

14 BOARD MEMBER GRONAUER: The second part is Moetai R.
15 Masina is applying for individual private patrol officer
16 license. If approved, he's requested his individual license
17 be placed in abeyance so that he may become the qualifying
18 agent. I deny that request. My motion is to deny that
19 request and -- for some reason, he doesn't seem to be prepared
20 to be a qualifying agent at this point.

21 MADAM CHAIR NIXON: Okay. We have a motion. Do we
22 have a second?

23 BOARD MEMBER BROWN: This is Board Member Brown. I
24 share those concerns and will second.

25 MADAM CHAIR NIXON: Okay. So we have a motion.

1 Do we have -- we have a second. All in favor say "aye."

2 BOARD MEMBERS: Aye (in unison).

3 MADAM CHAIR NIXON: Okay. That motion passes. So
4 on the name change passes, but you becoming the qualified
5 agent does not.

6 Do they currently have a qualifying agent?

7 Okay. So then, sir, you -- you know, you need to
8 remain until you find someone that's qualified that could pass
9 the board's muster when it comes to, you know, making
10 decisions and making sure that folks are in compliance within
11 the state laws, okay? All right. Thank you.

12 MR. UMI: Thank you.

13 MADAM CHAIR NIXON: Good luck to you.

14 Okay. Agenda Item No. 36, 44West, Phillip Martin.
15 Are you here, sir?

16 MR. MARTIN: Yeah. Hello.

17 MADAM CHAIR NIXON: Just to make sure, because I
18 haven't really been paying attention, have you been sworn in?

19 MR. MARTIN: No.

20 MADAM CHAIR NIXON: No. Okay.

21 Is there anybody in the audience that has not been
22 sworn in yet? Okay. Could you please stand, and we'll have
23 you sworn in again.

24 Is there anybody up north?

25 BOARD MEMBER BROWN: No, Madam Chair.

1 MADAM CHAIR NIXON: Okay.

2 MS. LEE: Please raise your right hand. Oh, sorry.
3 Angela Lee, for the record.

4 Do you swear under penalty of perjury that the
5 testimony you're about to give is the truth, the whole truth,
6 and nothing but the truth?

7 (Audience answers in the affirmative.)

8 MS. LEE: You can be seated. Thank you.

9 MADAM CHAIR NIXON: Thank you.

10 Sir, tell us a little bit about yourself and the
11 intentions with the license.

12 MR. MARTIN: My name is Phillip Martin from -- oh.
13 My name is Phillip Martin. I'm a native south side Chicagoan.
14 I've retired -- I'm a retired Cook County Sheriff officer. I
15 was in corrections for 18 years. I worked mostly in maximum
16 security areas, division 1 and division 10. I recently
17 retired three years ago and I -- I'm now a native of Nevada,
18 and I'm here to receive my license so that I could provide
19 great services for my contractors when I do land some
20 contracts for my company.

21 MADAM CHAIR NIXON: Okay. Board, any questions for
22 Mr. Martin?

23 Okay. Hearing there are no questions, I'll
24 entertain a motion.

25 BOARD MEMBER CORTEZ: This is Board Member Cortez.

1 My apologies, Madam Chair. I do have a question.

2 Mr. Martin, talk to me about that fine under the
3 Blackstone Consulting.

4 THE WITNESS: I don't know anything about it. I was
5 an employee. I worked for Apple. I was just a part-time
6 officer at Apple during -- during that incident, so I have
7 no -- no inside. I have -- I don't know anything about that.

8 BOARD MEMBER CORTEZ: You are still currently
9 employed with Blackstone Consulting, correct?

10 MR. MARTIN: On paper, yes. I haven't received any
11 work from them --

12 BOARD MEMBER CORTEZ: Got it.

13 MR. MARTIN: -- in recent.

14 BOARD MEMBER CORTEZ: Okay. Thank you.

15 MADAM CHAIR NIXON: Okay. Any further questions
16 from the board?

17 Okay. Hearing there are no questions, I'll
18 entertain a motion.

19 BOARD MEMBER BROWN: This is Board Member Brown. I
20 move that 44West, Incorporated be granted a new corporate
21 private patrol officer license, and that Phillip C. Martin be
22 granted his private patrol officer license, which will be
23 placed in abeyance so that he may become the qualifying agent.
24 Mr. Martin -- Phillip C. Martin should also be approved as a
25 corporate officer subject to all statutory and regulatory

1 requirements.

2 MADAM CHAIR NIXON: We have a motion. Do we have a
3 second?

4 BOARD MEMBER GRONAUER: Gronauer. Second.

5 MADAM CHAIR NIXON: We have a motion. We have a
6 second. All in favor say "aye."

7 BOARD MEMBERS: Aye (in unison).

8 MADAM CHAIR NIXON: Okay. Motion passes. Good luck
9 to you.

10 MR. MARTIN: Thank you.

11 MADAM CHAIR NIXON: Okay. Agenda Item No. 37, Rex
12 Group. Do we have Sirko?

13 MR. SIRKO: Yes, ma'am.

14 MADAM CHAIR NIXON: And Burt?

15 MR. BURT: Yes, ma'am.

16 MADAM CHAIR NIXON: Thank you. Good morning,
17 gentlemen. Welcome. Please tell us a little bit about
18 yourself and the intention with the license.

19 MR. BURT: I'll get started. I'm Dustin, president
20 and the CEO of Rex Group. I've been in security for around 17
21 years, all the way from being a guard through owning my
22 business. I've now changed my company from California to The
23 Rex Group because it previously was the Superior Protection,
24 and I'm looking for --

25 (Reporter interjection.)

1 MR. BURT: With Superior Protection Consultants out
2 of California, now The Rex Group, and looking for licensure
3 here in Las Vegas, ma'am.

4 MR. SIRKO: Good morning. My name is Gregory Sirko.
5 I'm currently the director of operations for our California
6 division of Rex Group. Five-year Marine Corps veteran, combat
7 veteran. Also served six years with the LA County Sheriffs.

8 MADAM CHAIR NIXON: Okay. Board, any questions?

9 BOARD MEMBER GRONAUER: This is Gronauer.

10 BOARD MEMBER BROWN: This -- go ahead, Mr. Gronauer.

11 BOARD MEMBER GRONAUER: All right. This is
12 Gronauer. Investigator Blackmore, did you get any information
13 on any of these tax liens?

14 INVESTIGATOR BLACKMORE: This is Investigator
15 Blackmore, for the record. Yes. So we did request the EDD's
16 from the State of California, which basically is through
17 provisions of the California Unemployment Insurance Code, the
18 revenue and taxation code are both. Looks like they had a
19 total of 49,150.01. That was a total for the tax liens. As
20 of now, \$21,195.08 has been paid. There's still \$27,954.93
21 that has not been paid. That is for Superior Protection
22 Consultants out of California. I believe that was between
23 Mr. Burt and his previous partner at the time.

24 BOARD MEMBER GRONAUER: Thank you. Thank you.

25 Mr. Burt, can you explain some of these here

1 delinquencies -- some of the -- some of these delinquencies?

2 MR. BURT: Yes, sir. So that was -- my business
3 partner's side of the business was keeping up with some of
4 those. Obviously going through COVID was tough times so we
5 had some loans and different things for that. Where that loan
6 is currently at, I don't know. I have not been a part of that
7 company since last March. When we dissolved our relationship,
8 Seth had agreed to make sure that all of these liens were
9 taken care of on his behalf and Superior Protection.

10 BOARD MEMBER GRONAUER: Okay. When did you depart
11 ways with the company?

12 MR. BURT: Last March.

13 BOARD MEMBER GRONAUER: Last March?

14 MR. BURT: Mm-hmm.

15 BOARD MEMBER GRONAUER: All right. There's some
16 delinquencies on your American Express card. What's that
17 about?

18 MR. BURT: Those have since been taken care of.

19 BOARD MEMBER GRONAUER: The latest is July 2024,
20 so...

21 MR. BURT: Mm-hmm. They have been taken since then.
22 It was a credit card that was linked to Superior Protection in
23 my name, which I went ahead and cleared as of two weeks ago.

24 BOARD MEMBER GRONAUER: All right. You were
25 conducting unlicensed activity here in the state of Nevada?

1 MR. BURT: We had an individual that was paid. I
2 didn't want him to go past 15 days, and he hadn't been rolled
3 over to our local contractor's payroll. We went ahead and
4 paid him and we were cited for that.

5 BOARD MEMBER GRONAUER: I'm sorry. I'm ignorant. I
6 don't understand.

7 MR. BURT: So we have a master contract with a local
8 corporation out here, the UFC, and we had an individual that
9 hadn't rolled over to our local partner's roster. That
10 individual was paid by us, which was deemed unnecessary -- or
11 unlicensed activity.

12 MADAM CHAIR NIXON: So Investigator Blackmore, could
13 you give us a little bit more information about that?

14 INVESTIGATOR BLACKMORE: Yes. Investigator
15 Blackmore, for the record. So just to be clear, The Rex Group
16 Corporation has been cited twice. They were cited in June
17 of 2023 and then again in July of 2024. So I believe the 2023
18 citation that was issued out was for -- someone came forward
19 saying that they were not getting wages paid to them, which
20 resulted in the fine for the unlicensed activity.

21 MADAM CHAIR NIXON: So my -- I'm trying to
22 understand, because I do master service agreements, as well.
23 You have a master service agreement to provide services with
24 UFC, right?

25 MR. BURT: Correct.

1 MADAM CHAIR NIXON: Do you have a license here?

2 MR. BURT: No, we do not. We utilize a local
3 company.

4 MADAM CHAIR NIXON: Okay. Who is your local
5 company?

6 MR. BURT: It was Vegas Protection, now Green Light
7 (phonetic).

8 MADAM CHAIR NIXON: And are they in good standing?

9 INVESTIGATOR BLACKMORE: Investigator Blackmore. So
10 right now Vegas Protection was just bought out by Green Light.
11 They are scheduled to go to the next board meeting as a
12 corporate name change, but Vegas Protection is in good
13 standing with us and they are licensed.

14 MADAM CHAIR NIXON: Okay. Go ahead.

15 BOARD MEMBER GRONAUER: This is Gronauer. Okay.
16 What's the situation with the citation that's still
17 outstanding?

18 INVESTIGATOR BLACKMORE: Investigator Blackmore, for
19 the record. So we did receive payment, I believe, on --
20 sorry. So we did receive payment for the citation on
21 September 13th, so that is now paid off.

22 BOARD MEMBER GRONAUER: All right. Thank you.

23 I just don't like the idea of getting citations,
24 paying them off, getting citations, paying them off. There's
25 got to be some type of standard that stops that from

1 happening. I'm good.

2 MADAM CHAIR NIXON: So I -- I have a follow-up
3 question. You have a -- an employee that's working for the
4 other company or there's someone working for the other
5 company. Why aren't -- were they on the roster, on their
6 roster?

7 INVESTIGATOR BLACKMORE: For that complaint that was
8 issued back in '23, I do not know that information, if they
9 were on the roster or not for that incident.

10 MADAM CHAIR NIXON: Okay. And so 2024, what was the
11 incident that they were cited for?

12 INVESTIGATOR BLACKMORE: So we were getting
13 complaints from numerous people stating that they were here in
14 town and that they were still getting paid by them, and so we
15 went ahead and looked into it, given the previous history, and
16 then that's what issued out the unlicensed activity for July
17 of this year.

18 MADAM CHAIR NIXON: Okay. So just to be clear, who
19 is "they"? Rex Group?

20 INVESTIGATOR BLACKMORE: Correct. So there was
21 complaints made against The Rex Group.

22 MADAM CHAIR NIXON: Okay. So there was
23 complaints -- so The Rex Group was in town working, and they
24 did -- they weren't paying their employees?

25 INVESTIGATOR BLACKMORE: They were paying their

1 employees.

2 MADAM CHAIR NIXON: They were paying their
3 employees.

4 INVESTIGATOR BLACKMORE: However, Rex Group is not
5 licensed, so they were, therefore, in the business of.

6 MADAM CHAIR NIXON: Okay. And so, you know, when
7 our folks take their license test, right, it says on there you
8 know you're not allowed to work for and unlicensed person and
9 you should turn them in, so to me, that's what that sounds
10 like. They knew that you weren't licensed and they -- the
11 security officers that you were employing or security
12 professionals, whatever you want to call them, turned you in
13 for doing unlicensed activity.

14 So were you guys out here working?

15 MR. BURT: No, ma'am. We've always utilized a local
16 company out here, and we've been forthright with that, as
17 well. I've been extremely vocal, as well, with Mr. Vincent
18 Saladino on the issues, and -- so we've always tried to be
19 compliant, we just wanted to make sure no one didn't go, you
20 know, past 15 days on being paid, so there were a couple
21 individuals that we went ahead and took care in that manner
22 just to avoid the HR side.

23 MADAM CHAIR NIXON: So Mr. Saladino, do you have any
24 color to add to this?

25 EXECUTIVE DIRECTOR SALADINO: Director Saladino, for

1 the record. Yes. So we've been in -- we've been in
2 communication since 2022 when Mr. Burt was part of the -- what
3 was it? -- Superior Protection Consultants. So understanding
4 the master contract, we told them that we understand the
5 master contract, but here in Nevada, the contract has to be
6 with the client and the Nevada license holder, not through
7 the -- the unlicensed company and the Nevada license holder.
8 This has been, you know, spoken to and spoken about numerous
9 times.

10 The issue is The Rex Group, and then even back then
11 with Superior Protection, the contract is held by the
12 unlicensed company, and they're then being invoiced by the
13 Nevada license holder. The Nevada license holder does not
14 hold the contract with the client, and that has been the issue
15 since 2022.

16 MADAM CHAIR NIXON: Okay. So the UFC has a contract
17 with you guys, but not with your -- your subcontractor,
18 basically?

19 MR. BURT: They do, as well.

20 MADAM CHAIR NIXON: They do, as well? And you --
21 since 2022 or since when?

22 MR. BURT: Since '22, yes.

23 MADAM CHAIR NIXON: Okay. So why do we feel like
24 that that's not the case? Have you provided that contract?

25 MR. BURT: I can, yeah. Definitely.

1 MADAM CHAIR NIXON: Have we asked for that contract?

2 INVESTIGATOR BLACKMORE: Yes. So Investigator
3 Blackmore, for the record. So we did receive a copy of the
4 contract from, I believe, 2022 through Superior Protection
5 Consultants, and from there it does have the dates of the UFC
6 fight that was in question that are now -- Executive Director.

7 EXECUTIVE DIRECTOR SALADINO: Director Saladino. In
8 regards to what Investigator Blackmore is speaking to
9 for 2022, that contract was held by Superior Protection
10 Consultants with Matchroom Boxing. At that time in 2022,
11 Mr. Burt told me that he was a W-2 employee for Matchroom
12 Boxing. At the time, I was provided a W-4 showing that he was
13 a W-2 employee for Matchroom. At that time, the MGM then
14 allowed Mr. Burt to stay on property to complete the event.

15 Since then, Matchroom Boxing confirmed that he was
16 not a W-2 employee, he was a contractor through Superior
17 Protection Consultants, and we confirmed that with the
18 contract, Matchroom Boxing, and Mr. Burt's previous business
19 partner.

20 MADAM CHAIR NIXON: Board, any questions?

21 BOARD MEMBER BROWN: This is Board Member Brown. I
22 have a couple of questions based on what -- one you brought
23 up, Madam Chair.

24 Investigator Blackmore, do we have a copy of the
25 contract with the Nevada licensee and UFC?

1 INVESTIGATOR BLACKMORE: Investigator Blackmore, for
2 the record. No, we do not have a contract; however, we do
3 have invoices provided to us from the Nevada --

4 BOARD MEMBER BROWN: Therefore, it would lead us
5 to -- go ahead. I'm sorry.

6 INVESTIGATOR BLACKMORE: Sorry. It's from our
7 Nevada licensee billing The Rex Group Corporation.

8 BOARD MEMBER BROWN: Therefore, we would assume that
9 the Nevada licensee has some sort of contract with the UFC?

10 INVESTIGATOR BLACKMORE: When contacted with the
11 UFC, with their security director, they did say that Rex Group
12 was the sole contractor for their security consulting
13 services, so there was no mention of the Nevada licensee
14 within that email correspondence.

15 BOARD MEMBER BROWN: Okay. Thank you.

16 And question for Mr. Burt, when did you start the
17 company Rex Group?

18 MR. BURT: Last March, sir.

19 BOARD MEMBER BROWN: Last March. March of --

20 MR. BURT: '23.

21 BOARD MEMBER BROWN: -- '24?

22 THE WITNESS: 2023.

23 BOARD MEMBER BROWN: 2023?

24 MR. BURT: Correct.

25 BOARD MEMBER BROWN: In California?

1 MR. BURT: Correct.

2 BOARD MEMBER BROWN: Are you and the company
3 licensed in California?

4 MR. BURT: So my license just got approved two weeks
5 ago to transfer. I had a license under Superior Protection.
6 That license is now being transferred to my new company.

7 BOARD MEMBER BROWN: Okay. Because you didn't list
8 Rex Group on your application as a company that you own, work
9 for, or anything like that. It's not listed on your
10 application --

11 MR. BURT: It should be, sir.

12 BOARD MEMBER BROWN: -- why is that?

13 MR. BURT: Good question. On my laptop, I do have a
14 full complete background with my name and companies on there,
15 so that may have been an error on my part.

16 BOARD MEMBER BROWN: Okay. I'm looking at page 3 of
17 the application that was provided to us. The only employment
18 we show is with Superior Protection Consultants from 2015
19 to 2023. There's no -- nothing about Rex Group on there.

20 MR. BURT: That was honestly probably my fault, sir,
21 which I can rectify.

22 MADAM CHAIR NIXON: Do you have any employees here
23 now?

24 MR. BURT: In Nevada, I do not. We -- we did have
25 one listed on our website because we were being proactive in

1 the process, but since then, I removed him.

2 MADAM CHAIR NIXON: Okay. So do you have a website
3 that is active in Nevada?

4 MR. BURT: It's just a website for the company in
5 general, not specifically for Nevada.

6 INVESTIGATOR BLACKMORE: Investigator Blackmore, for
7 the record. I would like to make a clarification. So we
8 actually pulled -- they're called -- sorry -- Employment
9 Security Division, so basically we were able to pull records
10 for the State of Nevada underneath the corporation to see if
11 they're actually being paid. For, I believe, the last quarter
12 it did show five employees were being paid. One of them was
13 actually listed in the 2024 citation for being on the website
14 as the director of operations for Las Vegas, so it does show
15 that he was being paid here in Nevada.

16 MR. BURT: If I may correct, sorry, we do have an
17 employee that's here not being paid for work in Las Vegas,
18 Nevada. He works for us outside of the State.

19 MADAM CHAIR NIXON: But it's my understanding if
20 he's here, he has to be licensed, right? Or --

21 INVESTIGATOR BLACKMORE: Investigator Blackmore.
22 For the record, he does have a work card.

23 MADAM CHAIR NIXON: Okay. But they don't have a
24 license.

25 So who -- who's his work card underneath?

1 INVESTIGATOR BLACKMORE: Last time -- sorry.
2 Investigator Blackmore, for the record. Last time I checked,
3 he wasn't under anybody's roster.

4 MR. BURT: He is, which I can confirm, as an event
5 last week and under a roster, as well.

6 MADAM CHAIR NIXON: Board, any questions?

7 BOARD MEMBER CORTEZ: This is Board Member Cortez.
8 Investigator Blackmore, one more time. You indicated that
9 there is a website that was listing one of their employees as
10 the director of operations of Vegas?

11 INVESTIGATOR BLACKMORE: Investigator Blackmore, for
12 the record. Yes. So at the time of the citation, it was
13 listed on the website that he was a director of operations for
14 Las Vegas. Since the citation, they have taken that part off
15 the website.

16 BOARD MEMBER CORTEZ: And is it your testimony today
17 that that person does not work in Vegas, but was just listed
18 as an employee in Vegas?

19 MR. BURT: Correct.

20 BOARD MEMBER CORTEZ: So you initially -- so you
21 admittedly listed an employee who does not work here as the
22 director of operations of Vegas; is that correct?

23 MR. BURT: Yes, ma'am. We were just trying to be
24 proactive, get our teams together and everything on --

25 BOARD MEMBER CORTEZ: Proactive or --

1 MR. BURT: Proactive. We weren't working.

2 BOARD MEMBER CORTEZ: That's misleading.

3 MR. BURT: Yes. I can see that, and that's why they
4 brought --

5 BOARD MEMBER CORTEZ: That's not proactive --

6 MR. BURT: -- it to my attention.

7 BOARD MEMBER CORTEZ: -- that's misleading.

8 MR. BURT: Which is why I pulled him off.

9 MADAM CHAIR NIXON: Correct me if I'm wrong, though.
10 You said there was five employees?

11 INVESTIGATOR BLACKMORE: Correct. There was five
12 employees listed on the ESDs.

13 MADAM CHAIR NIXON: Okay. And did those five --
14 four other employees have license?

15 INVESTIGATOR BLACKMORE: Give me one moment to
16 double-check.

17 MR. BURT: And, ma'am, can we please clarify? These
18 individuals that are working are on the team that operate with
19 the UFC outside of Las Vegas, Nevada.

20 MADAM CHAIR NIXON: But they're being paid in
21 Las Vegas?

22 MR. BURT: As employees, correct.

23 INVESTIGATOR BLACKMORE: Okay. Investigator
24 Blackmore, for the record. So looks like one of them did have
25 an expired work card that was working for Vegas Protection,

1 and then the other ones had work cards, as well, that were
2 filed that were working under Vegas Protection.

3 MADAM CHAIR NIXON: Okay. I personally just feel
4 like this is really muddy, but board, are there any other
5 questions?

6 BOARD MEMBER BEZICK: Yeah. This is Bezick.

7 Mr. Sirko, one question. What was the reason for
8 leaving the sheriff's office after six years?

9 MR. SIRKO: Sir, given that time, I was personally
10 going through a divorce. I needed some time off, so I left
11 the department. Kind of given the climate of society as a
12 whole, I kind of really didn't enjoy being on the department
13 anymore, so I left that and found the private sector and found
14 that more fulfilling in my part to maintain security within
15 the private sector.

16 BOARD MEMBER BEZICK: Thank you.

17 MADAM CHAIR NIXON: And one last question. To be
18 clear, you're the director of ops that would be a resident
19 here and the qualifying agent.

20 MR. SIRKO: Yes, I would be, if we get approved.

21 MADAM CHAIR NIXON: Okay. And then you're just a
22 corporate officer and you're out of California?

23 MR. BURT: President and CEO, ma'am.

24 MADAM CHAIR NIXON: Okay. Okay. I'll entertain a
25 motion if there's no further questions.

1 BOARD MEMBER BROWN: This is Board Member Brown. I
2 move that we deny Rex Group Corporation its new corporate
3 private patrol officer license, and also under that, deny
4 Gregory Sirko his individual private patrol license and deny
5 both Mr. Sirko and Dustin R. Burt corporate officer status.
6 Based upon the way that they have done business, I am not
7 comfortable with them working in the state at this time.

8 MADAM CHAIR NIXON: Okay. We have a motion. Do we
9 have a second?

10 BOARD MEMBER GRONAUER: Gronauer. Second.

11 MADAM CHAIR NIXON: Okay. We have a motion. We
12 have a second. All in favor say "aye."

13 BOARD MEMBERS: Aye (in unison).

14 MADAM CHAIR NIXON: Okay. Unfortunately, we can't
15 move forward. It just feels like a game -- a shell game here
16 where we've just moving the pieces so we don't get caught. I
17 work every day under master service agreements with my company
18 and I'm able to do it without putting someone under a shell,
19 so, you know, you can work with the board to -- or with the
20 office to help you get this kind of all in order and come back
21 and see us, but at this time, we're not going to be able to
22 move forward.

23 MR. BURT: Yes, ma'am.

24 MADAM CHAIR NIXON: Thank you.

25 Okay. Now we're going into the registration

1 appeals, and so if you have already gone -- if your agenda
2 item has already been called, you're more than welcome to
3 leave or you can stay, it's completely up to you. For those
4 that have just come into the actual office or space, if you
5 haven't been sworn in yet, please let us know. Could you
6 raise your hand? Have you been sworn in? Okay.

7 Are we -- what was the timeline given? Are these
8 the 10 o'clock group or 11 o'clock group?

9 EXECUTIVE DIRECTOR SALADINO: This would be
10 the 10 o'clock group.

11 MADAM CHAIR NIXON: Okay. We'll start with Agenda
12 Item No. 38, Chanell Magee. Ms. Magee, are you in --

13 BOARD MEMBER BROWN: Madam Chair?

14 MADAM CHAIR NIXON: Yes?

15 BOARD MEMBER BROWN: Madam Chair, we have one person
16 here in the North who's just walked in and needs to be sworn
17 in.

18 MADAM CHAIR NIXON: Okay.

19 MS. LEE: Sorry. I can't see you on the screen, but
20 please stand, if you're not already, and raise your right
21 hand. Angela Lee, for the record.

22 Do you swear under penalty of perjury that the
23 testimony you're about to give is the truth, the whole truth,
24 and nothing but the truth?

25 (Audience answers in the affirmative.)

1 MS. LEE: Thank you. You can be seated.

2 MADAM CHAIR NIXON: Okay. Do we have Ms. Magee in
3 the audience? Okay. We'll trail that one.

4 Agenda Item No. 36 [sic], Eric Ramirez.

5 Mr. Ramirez, are you here? Okay. Please come forward. Good
6 morning, sir.

7 MR. RAMIREZ: Good morning.

8 MADAM CHAIR NIXON: Could you please take off your
9 glasses?

10 MR. RAMIREZ: Yeah. Sure.

11 MADAM CHAIR NIXON: Thank you.

12 Investigator Dumas, why are we here for Mr. Ramirez?

13 INVESTIGATOR DUMAS: Investigator Dumas, for the
14 record. Mr. Ramirez was denied his work card due to his 2015
15 one count of rape charge. When the applicant was asked about
16 the 2015 rape charge that wasn't disclosed, he stated that it
17 has never come up before. The applicant was not made
18 provisional and is here to appeal today.

19 MADAM CHAIR NIXON: Okay. Board, are there any
20 questions for Mr. Ramirez?

21 BOARD MEMBER BROWN: Board Member Brown. Yes.

22 Mr. Ramirez, what do you mean by this has never come
23 up before?

24 MR. RAMIREZ: So in the state of California --

25 MADAM CHAIR NIXON: Sir, you have to, yeah, click

1 the button right underneath you.

2 MR. RAMIREZ: So in the state of California, they
3 told me that I would be adjudicated, so that this -- I could
4 legally say that anything under the age of 18, I didn't have
5 to bring up because I never got convicted, so that's what I
6 meant by that.

7 BOARD MEMBER BROWN: Okay. Sir, did you read in our
8 application, we've got a page that's bold and it's in red and
9 it says regardless of disposition, I won't go through them
10 all, but regardless of disposition, you need to list every
11 arrest that you've had? Did you miss that page?

12 MR. RAMIREZ: Yes. I must have missed it.

13 BOARD MEMBER BROWN: Okay. Thank you.

14 MADAM CHAIR NIXON: Any further questions?

15 BOARD MEMBER CORTEZ: This is Board Member Cortez.
16 Mr. Ramirez, why did you fail to report the remaining charges?
17 You had a 2019 and a 2015 charge. I'm sorry, a 2017, as well.

18 MR. RAMIREZ: I listed all the charges. From 18
19 years old and up, I made sure to list everything. I brought
20 all my paperwork. I let the investigator know everything
21 from 18 and up.

22 BOARD MEMBER CORTEZ: Okay. So it's your testimony
23 that based off your 18-and-above charges, that's why you did
24 not list them, because it was under 18; is that correct?

25 MR. RAMIREZ: Yes.

1 BOARD MEMBER CORTEZ: Okay. So as Board Member
2 Brown indicated, there is a section in the application where
3 it literally states to stop and list everything, despite of
4 disposition.

5 I also want to ask you, are you -- do you know what
6 "adjudicated" means?

7 MR. RAMIREZ: Yes.

8 BOARD MEMBER CORTEZ: What does that mean?

9 THE WITNESS: Well, I looked it up right now. They
10 told -- it says that I could legally say that, you know, I
11 haven't been convicted.

12 BOARD MEMBER CORTEZ: Okay. So no. The reason why
13 I'm asking you that is when you are adjudicated of a crime,
14 that means that you have ever admitted or entered a --

15 MR. RAMIREZ: No.

16 BOARD MEMBER CORTEZ: -- contested plea, so
17 basically, that's a juvenile term that basically you are
18 guilty of that, okay? So I don't want you to confuse that
19 just because you are adjudicated, you don't have to disclose.
20 Being adjudicated means that you've admitted to the charge,
21 okay?

22 With that, no further questions or comments.

23 MADAM CHAIR NIXON: Okay. Board, any further
24 questions?

25 Hearing there are no further questions, I'll

1 entertain a motion.

2 BOARD MEMBER CORTEZ: Board Member Cortez motioning
3 to uphold the denial for the registration, failure to disclose
4 all criminal history.

5 MADAM CHAIR NIXON: Okay. We have a motion. Do we
6 have a second?

7 BOARD MEMBER BROWN: Brown will second.

8 MADAM CHAIR NIXON: We have a motion. We have a
9 second. All in favor say "aye."

10 BOARD MEMBERS: Aye (in unison).

11 MADAM CHAIR NIXON: So unfortunately, at this time
12 you will not get your license. You do have an opportunity to
13 come back in one year and reapply. Just make sure that you
14 list all of your -- your arrests or detentions, okay?

15 MR. RAMIREZ: Okay.

16 MADAM CHAIR NIXON: If you have any questions, the
17 office will help you.

18 MR. RAMIREZ: No.

19 MADAM CHAIR NIXON: Thank you.

20 Agenda Item No. 40, Francisco Leal. Good morning.

21 Investigator Dumas, why are we here for Mr. Leal?

22 INVESTIGATOR DUMAS: Investigator Dumas, for the
23 record. The applicant was denied due to a 2016 felony,
24 infliction of corporal injury to a spouse. He served 270 days
25 in jail with five years probation, which was disclosed. On

1 his fingerprint results, we also saw a driving while license
2 was suspended, which he spent ten days in jail with 36 months
3 probation. This one was not disclosed. The applicant was not
4 made provisional and is here to appeal today.

5 MADAM CHAIR NIXON: Okay. Board, any questions for
6 Mr. Leal?

7 BOARD MEMBER BROWN: Mr. Leal, this is Board Member
8 Brown. Why did you fail to disclose? As you just heard, we
9 have a page that is bold and in red that tell you you have to
10 disclose every arrest. Why did you fail that?

11 MR. LEAL: So -- excuse me. When I was filling out
12 my report at the office, I asked the lady at the window, Is
13 there anything specifically I need to put down? She says,
14 Anything between five to ten years, your most recent arrests,
15 and I put down my felony and I asked her -- I had tickets and
16 priors, and she says, The most important part is your recent
17 arrests, so that was my felony arrest. That's what I put
18 down.

19 I should have read it thoroughly. That's my -- my
20 error on my behalf, so I admit that part.

21 BOARD MEMBER BROWN: Thank you, sir.

22 Question for Executive Director Saladino. Is that
23 type of information being given out at the office?

24 EXECUTIVE DIRECTOR SALADINO: Director Saladino, for
25 the record. No. What information would be given out at the

1 office would be if you had traffic tickets, we would not need
2 you to disclose traffic tickets, but all arrests would have to
3 be. And being that he was arrested for driving on a suspended
4 driver's license, that would constitute an arrest.

5 BOARD MEMBER BROWN: Okay. But they're not saying
6 anything about listing arrests only within the last five
7 years?

8 EXECUTIVE DIRECTOR SALADINO: No. We do not give a
9 year. We tell them everything from when they were an adult to
10 present.

11 MR. LEAL: So my wife also asked them twice, because
12 when she told me that I was going to get denied, I said, No
13 problem. I went outside. My wife went in there and she asked
14 the lady the same question. She replied with the same answer.
15 So it's not just I that she told, she told my wife that -- my
16 wife is here, as well. So like I said, on my behalf, I do
17 apologize. I should have read it thoroughly. That was my
18 error, but she did tell us that twice.

19 BOARD MEMBER BROWN: Okay. Thank you, sir.

20 Thank you, Executive Director. I believe that was
21 also my understanding, so I just wanted that confirmed.

22 MADAM CHAIR NIXON: Any further questions from the
23 board?

24 Okay. Hearing there are no further questions, I'll
25 entertain a motion.

1 BOARD MEMBER BROWN: This is Board Member Brown. I
2 move that we uphold the denial based on failure to disclose.

3 MADAM CHAIR NIXON: We have a motion. Do we have a
4 second?

5 BOARD MEMBER BEZICK: Bezick. Second.

6 MADAM CHAIR NIXON: Okay. We have a motion. We
7 have a second. All in favor say "aye."

8 BOARD MEMBERS: Aye (in unison).

9 MADAM CHAIR NIXON: Okay. Motion stands -- or the
10 motion passes. You don't get your license. You do have an
11 opportunity to come back in one year. I, you know, suggest
12 that you thoroughly read through the application, because it
13 very clearly states all things that you need to list, okay?
14 If you have any questions, please reach out to the office.
15 Thank you. Have a great day.

16 Agenda Item No. 41, Noah Balfour. Okay. One more
17 time. Mr. Balfour? We'll trail that motion -- or that agenda
18 item.

19 Agenda Item No. 42, Henry McKinley. Good morning,
20 sir.

21 MR. MCKINLEY: Good morning.

22 MADAM CHAIR NIXON: Investigator Dumas, could you
23 please let us know why we're here for Mr. McKinley?

24 INVESTIGATOR DIAZ: Investigator Dumas, for the
25 record. The applicant was denied due to a lengthy arrest

1 report, primarily the 1998 second-degree robbery with forced
2 assault with a deadly weapon, which was not a firearm. It was
3 disclosed, but he was convicted to two years in prison. The
4 applicant was not made provisional, originally due to lack of
5 response from the phone calls and emails. He did not supply
6 any or all of the required documents to have a full
7 application, and the applicant was not made provisional. He
8 was denied and is here to appeal today.

9 MADAM CHAIR NIXON: So that I'm clear, did he -- did
10 he have all this on his application or this was found through
11 fingerprints?

12 INVESTIGATOR DUMAS: It was found through his
13 fingerprints. He later gave me his 1203.4 -- oh, I'm sorry.
14 That's somebody else.

15 So no, actually, he was not very cooperative. I had
16 attempted to contact him via phone and emails multiple times,
17 not successful, so all this was found on his fingerprint
18 report.

19 MADAM CHAIR NIXON: Okay. So this wasn't on his
20 initial application. Okay.

21 Board, any questions for Mr. McKinley?

22 BOARD MEMBER CORTEZ: Good morning, Mr. McKinley.
23 This is Board Member Cortez. Why did we fail to list all of
24 our contact with law enforcement and arrest and criminal
25 history?

1 MR. McKINLEY: I didn't get to read all of it. This
2 is the ones that I got convicted of. I did do that, and when
3 she did try to mail me letters, she said, I had recently moved
4 to a new address, so I didn't receive that.

5 BOARD MEMBER CORTEZ: Understood. Thank you.

6 MADAM CHAIR NIXON: Okay. Board, any further
7 questions?

8 Okay. Hearing no further questions, I'll entertain
9 a motion.

10 BOARD MEMBER CORTEZ: This is Board Member Cortez
11 motioning to uphold the denial based on failure to disclose
12 all criminal history.

13 MADAM CHAIR NIXON: Okay. We have a motion. Do we
14 have a second?

15 BOARD MEMBER GRONAUER: Gronauer. Second.

16 MADAM CHAIR NIXON: We have a motion. We have a
17 second. All in favor say "aye."

18 BOARD MEMBERS: Aye (in unison).

19 MADAM CHAIR NIXON: Okay. So unfortunately, at this
20 time you won't get your license. You do have an opportunity
21 to come back in one year and reapply. Work with the board --
22 or the office to obtain any of the records that you need
23 because it is all now documented, okay?

24 MR. McKINLEY: Okay.

25 MADAM CHAIR NIXON: Good luck to you. Thank you.

1 MR. MCKINLEY: All right. Thank y'all.

2 MADAM CHAIR NIXON: Okay. Agenda Item No. 43,
3 Steven Ford. Good afternoon, Mr. Ford.

4 MR. FORD: Good afternoon.

5 MADAM CHAIR NIXON: Investigator Diaz, could you
6 tell us why we're here for Mr. Ford?

7 INVESTIGATOR DIAZ: Investigator Diaz, for the
8 record. The applicant was denied for a misdemeanor
9 carry/possess firearm conviction out of Peoria, Illinois
10 in 2008. The applicant was sentenced to 12 months probation
11 and a \$983 fine. He did disclose the arrest and was aware he
12 would be denied and submitted a written letter of appeal at
13 the time of applying. He was not made provisional and is here
14 to appeal today.

15 MADAM CHAIR NIXON: Okay. Board, any questions for
16 Mr. Ford?

17 Okay. Hearing there are no questions, I'll
18 entertain a motion.

19 BOARD MEMBER GRONAUER: This is Gronauer. 43,
20 right? My motion is to approve Steven Ford's request.

21 MADAM CHAIR NIXON: To appeal? Okay. We have a
22 motion. Do we have a second?

23 BOARD MEMBER CORTEZ: This is board member --

24 BOARD MEMBER GRONAUER: Time and distance.

25 BOARD MEMBER BROWN: This is --

1 BOARD MEMBER GRONAUER: It was time and distance.

2 I'm sorry.

3 BOARD MEMBER CORTEZ: Board Member Cortez seconding
4 the motion to overturn the denial and grant Mr. Ford his
5 registration card.

6 MADAM CHAIR NIXON: We have a motion. We have a
7 second. All in favor say "aye."

8 BOARD MEMBERS: Aye (in unison).

9 MADAM CHAIR NIXON: Congratulations, sir, and thank
10 you for listing all of your arrests and convictions. Good
11 luck to you. The office were contact you for next steps,
12 okay?

13 MR. FORD: All right. Thank you, board.

14 MADAM CHAIR NIXON: Thank you. Have a good day.

15 MR. FORD: You too.

16 MADAM CHAIR NIXON: The next agenda item is 44,
17 Brett Bigelow. Mr. Bigelow, are you in?

18 Okay. Investigator Diaz, could you let us know why
19 we're here for Mr. Bigelow?

20 INVESTIGATOR DIAZ: The applicant was denied for a
21 felony transmit threatening calls with intent to
22 extort/use/carry a firearm conviction out of Buffalo, New York
23 in 2003. The applicant was sentenced to 181 months in prison.
24 The applicant also has a 2000 misdemeanor conviction for
25 insurance fraud in the fifth degree. He was sentenced to 36

1 months probation and to pay restitution. This arrest was
2 disclosed. The applicant did disclose all arrests and was
3 aware he would be denied and submitted a written letter of
4 appeal at the time of applying. He was not made provisional
5 and is here to appeal today.

6 MADAM CHAIR NIXON: Okay. Board, any questions for
7 Mr. Bigelow?

8 Okay. Hearing there are no questions, I'll
9 entertain a motion.

10 BOARD MEMBER CORTEZ: Board Member Cortez motioning
11 to overturn the denial and grant Mr. Bigelow his work card.

12 MADAM CHAIR NIXON: Okay. We have a motion. Do we
13 have a section?

14 BOARD MEMBER BEZICK: Bezick seconds.

15 MADAM CHAIR NIXON: Okay. We have a motion. We
16 have a second. All in favor say "aye."

17 BOARD MEMBERS: Aye (in unison).

18 MADAM CHAIR NIXON: Okay. The motion passes, sir.
19 The office will contact you for next steps, okay?

20 MR. BIGELOW: Thank you.

21 MADAM CHAIR NIXON: Thank you. Have a great day.
22 Agenda Item No. 45, Demarius Hasan.

23 MR. HASAN: Yeah. Hasan.

24 MADAM CHAIR NIXON: Hasan. There we go. Thank you,
25 sir.

1 Investigator Diaz, why are we here for Mr. Hasan?

2 INVESTIGATOR DIAZ: The applicant was denied for a
3 misdemeanor carry concealed firearm without a permit
4 conviction out of Las Vegas, Nevada in 2021. The applicant
5 was sentenced to two years probation. He did disclose the
6 arrest and was aware he would be denied and submitted a
7 written letter of appeal at the time of applying. He was not
8 made provisional and is here to appeal today.

9 MADAM CHAIR NIXON: Thank you.

10 Board, any questions for Mr. Hasan?

11 BOARD MEMBER CORTEZ: This is Board Member Cortez.
12 Mr. Hasan, talk to me about the incident in 2021. What
13 happened?

14 MR. HASAN: What happened was it was me and my
15 family. We was celebrating my cousin's birthday and we went
16 to the Strip to go celebrate it down on Fat Tuesdays, and
17 while we was celebrating, we bought some drinks and apparently
18 while we were drinking, we also had bought some legal
19 marijuana from a dispensary and we was smoking at the time.
20 And the police officer, he came up to us and he asked us for
21 our IDs, and most of us were complicit [sic] to give it up,
22 and I gave him mine, but he asked me why didn't -- why did I
23 lie about my age. Because I told him 2001 when I was born in
24 2002, and I really didn't have a response for that. It was
25 really because I didn't think I was going to get questioned.

1 I was already having a good time and I didn't think I was
2 going to get in trouble for smoking on the Strip when
3 everybody was smoking on the Strip. And it really was
4 everybody, like they all had pre-rolls and they was just
5 handing them out at the dispensary. So like I didn't think I
6 would get in trouble for that. And at the time I was 19 years
7 old, and so yes, I -- I should have -- it is a valid reason to
8 be in trouble, but I didn't think I was going to get in
9 trouble at the time.

10 And then I did at the time -- after my birthday, I
11 purchased a firearm, so I had been carrying it, but I wasn't
12 the age to get it validly carrying concealedly, because you
13 have to be 21 and over to concealed carry. And I do -- I did
14 apologize for that at the court and I was like super sorry. I
15 did the training. I did like everything I had to do with
16 probation. I paid them off and I've been on good track since
17 then.

18 BOARD MEMBER CORTEZ: Do you have your CCW? Have
19 you applied for your CCW?

20 MR. HASAN: I have not because currently I've just
21 been working.

22 BOARD MEMBER CORTEZ: And you still have your
23 firearm?

24 THE WITNESS: No. I don't have my firearm. They
25 took it, and I think they gave it to the -- the evidence

1 locker. I can't get it back for surely, though.

2 BOARD MEMBER CORTEZ: You have not purchased another
3 firearm since?

4 MR. HASAN: I have, ma'am.

5 BOARD MEMBER CORTEZ: And is that weapon registered?

6 MR. HASAN: Yes, it is, ma'am.

7 BOARD MEMBER CORTEZ: Okay.

8 MR. HASAN: It's under my name.

9 BOARD MEMBER GRONAUER: This is Gronauer.

10 Are you on paper now?

11 MR. HASAN: Yes, sir.

12 BOARD MEMBER GRONAUER: You are on probation now?

13 MR. HASAN: Oh, no. No. No, I'm not on --

14 BOARD MEMBER GRONAUER: That's what I mean by paper.
15 Okay. You -- never mind. Thank you.

16 MADAM CHAIR NIXON: Okay. Any further questions for
17 Mr. Hasan?

18 MR. HASAN: Oh. I also recently left probation, I
19 think the beginning of this year.

20 MADAM CHAIR NIXON: Okay. Thank you.

21 Any further questions for Mr. Hasan?

22 Okay. Hearing there are no further questions, I'll
23 entertain a motion.

24 BOARD MEMBER BEZICK: This is Bezick. I move we
25 grant the work card based on disclosure of all arrests.

1 MADAM CHAIR NIXON: Okay. We have a motion. Do we
2 have a second?

3 BOARD MEMBER GRONAUER: Gronauer. Second.

4 MADAM CHAIR NIXON: Okay. We have a motion. We
5 have a second. All in favor say "aye." Aye.

6 BOARD MEMBER GRONAUER: Aye.

7 BOARD MEMBER BEZICK: Aye.

8 BOARD MEMBER BROWN: Aye.

9 MADAM CHAIR NIXON: Four ayes. Are there any nays?

10 BOARD MEMBER CORTEZ: Nay.

11 MADAM CHAIR NIXON: Okay.

12 BOARD MEMBER CORTEZ: Based off time and distance.

13 MADAM CHAIR NIXON: Okay. So we have four ayes and
14 one nay. Motion passes.

15 You will get your guard card, but just please make
16 sure that you understand that you're -- you don't have an
17 armed guard card, so you cannot carry your weapon while on
18 duty, okay?

19 MR. HASAN: Can you please explain to me how I would
20 be able to obtain that?

21 MADAM CHAIR NIXON: You could work with the office.
22 They'll help you go through that process, because you do have
23 to go through some training and stuff. But yeah, you will
24 have to get an armed guard card, so please don't carry when
25 you don't have that card, okay?

1 MR. HASAN: Yes, ma'am.

2 MADAM CHAIR NIXON: All right. Thank you.

3 MR. HASAN: Thank you guys. I appreciate your time.

4 MADAM CHAIR NIXON: Good luck to you.

5 Move to Item No. 46, Brician Williams.

6 Mr. Williams? We'll trail that.

7 Agenda Item No. 47, Jeffrey Wright. Hello, sir.

8 Investigator Diaz, could you let us know why we're
9 here for Mr. Wright?

10 INVESTIGATOR DIAZ: The applicant was denied for a
11 felony sale of marijuana conviction out of Canoga Park,
12 California, in 1987. The applicant was sentenced to three
13 years probation. He did disclose the arrest and was aware he
14 would be denied and submitted a written letter of appeal at
15 the time of applying. He was not made provisional and is here
16 to appeal today.

17 MADAM CHAIR NIXON: Okay. Board, any questions for
18 Mr. Wright?

19 Okay. Hearing there are no questions, I'll
20 entertain a motion.

21 BOARD MEMBER CORTEZ: Board Member Cortez motioning
22 to overturn the denial and grant Mr. Wright his work card
23 based on full disclosure.

24 MADAM CHAIR NIXON: Okay. We have a motion. Do we
25 have a second?

1 BOARD MEMBER BROWN: Board Member Brown will second.

2 MADAM CHAIR NIXON: Okay. We have a motion. We

3 have a second. All in favor say "aye."

4 BOARD MEMBERS: Aye (in unison).

5 MADAM CHAIR NIXON: Okay. Motion passes.

6 Congratulations, sir. Good luck to you.

7 MR. WRIGHT: Thank you very much.

8 MADAM CHAIR NIXON: You're welcome.

9 Agenda Item No. 48, Andrea Sarvis. Good morning,

10 ma'am.

11 MS. SARVIS: Good morning.

12 MADAM CHAIR NIXON: Okay. Investigator Diaz, could

13 you let us know why we're here for Ms. Sarvis?

14 INVESTIGATOR DIAZ: The applicant was denied for a

15 felony possession of a controlled substance conviction out of

16 Los Angeles, California in 1997. The applicant was sentenced

17 to three years probation, and this case was later reduced to a

18 misdemeanor under California Penal Code 1203.4. She also has

19 a gross misdemeanor conviction in July of 1992 for possession

20 of a controlled substance and was sentenced to 12 months

21 probation, this arrest was disclosed, and a 1991 gross

22 misdemeanor conviction for disorderly conduct/prostitution and

23 was sentenced to 24 months probation. This arrest was also

24 disclosed. She did disclose all arrests and was aware she'd

25 be denied and submitted a written letter of appeal at the time

1 of applying. She was not made provisional and is here to
2 appeal today.

3 MADAM CHAIR NIXON: Okay. Thank you.

4 Board, any questions for Ms. Sarvis?

5 Seeing there are no questions, I'll entertain a
6 motion.

7 BOARD MEMBER GRONAUER: This is Gronauer --

8 BOARD MEMBER BEZICK: This is Bezick --

9 BOARD MEMBER GRONAUER: Go ahead, Bezick.

10 BOARD MEMBER BEZICK: This is Bezick. I move we
11 grant the work card based on full disclosure of arrest record
12 and time and distance.

13 MADAM CHAIR NIXON: Okay. We have a motion. Do we
14 have a second?

15 BOARD MEMBER GRONAUER: Gronauer. Second.

16 MADAM CHAIR NIXON: Okay. We have a motion. We
17 have a second. All in favor say "aye."

18 BOARD MEMBERS: Aye (in unison).

19 MADAM CHAIR NIXON: Okay. Motion passes.

20 Congratulations, ma'am. The office will contact
21 you -- or you can contact the office for next steps, okay?

22 MS. SARVIS: Thank you.

23 MADAM CHAIR NIXON: Thank you. Have a good day.

24 Okay. We have Agenda Item No. 50, Glen Fry.

25 Mr. Fry, are you here? Oh, I'm sorry. I'm sorry. 49, Agenda

1 Item No. 49, Jesus Rojas. Mr. Rojas, are you in the audience?

2 Okay. So that was our agenda items for 10 o'clock.

3 I'll go ahead and go back through these items to see -- the

4 trail items if the folks have come in. Agenda item No. 38,

5 Chanell Magee. Okay. Agenda Item No. 41, Noah Balfour.

6 Okay. Agenda Item No. 46, Brician Williams. Okay. And then

7 the last one, Agenda Item No. 49, Jesus Reyes -- or Rojas.

8 I'm sorry. Okay.

9 BOARD MEMBER BROWN: Madam Chair?

10 MADAM CHAIR NIXON: Uh-huh.

11 BOARD MEMBER BROWN: Madam Chair, this is Board
12 Member Brown, for the record. Just to make sure that we're
13 not missing him, the way that I read his last name or the way
14 it's done is Rojas Delgado.

15 MADAM CHAIR NIXON: You are correct.

16 BOARD MEMBER BROWN: Want to make sure that we don't
17 have a Jose Rojas Delgado in the audience.

18 MADAM CHAIR NIXON: Thank you. I think we're still
19 good, though.

20 Okay. So those agenda items that were supposed to
21 be here at 10, they are not here. It's now 10 -- or, I'm
22 sorry, 11:30, so please I'll entertain a motion.

23 BOARD MEMBER CORTEZ: This is Board Motion Cortez
24 motioning to uphold the denial for Agenda Items No. 38, 41,
25 46, and 49. As indicated, they were asked to be here at

1 10 a.m. It is now 11:30 a.m.

2 MADAM CHAIR NIXON: Okay. We have a motion. Do we
3 have a second?

4 BOARD MEMBER BROWN: Board Member Brown will second.

5 MADAM CHAIR NIXON: Okay. We have a motion. We
6 have a second. All in favor say "aye."

7 BOARD MEMBERS: Aye (in unison).

8 MADAM CHAIR NIXON: Okay. Motion passes.

9 Okay. Now we're on -- okay. So there's been people
10 coming in and out. Again, is there anybody in the audience
11 that has not been sworn in? Sir, you have not? You have not?
12 Okay. Could you please stand?

13 MS. LEE: Angela Lee, for the record. Please raise
14 your right hand. Do you swear under penalty of perjury that
15 the testimony you're about to give is the truth, the whole
16 truth, and nothing but the truth?

17 (Audience answers in the affirmative.)

18 MS. LEE: Okay. Great. Thanks. You can sit.

19 MADAM CHAIR NIXON: Okay. Thank you everyone.

20 Okay. We're on agenda item 50, Mr. Fry. Glen Fry.
21 Okay. We'll trail that one.

22 Agenda Item No. 51, Franklin Castile. Good morning,
23 sir.

24 MR. CASTILE: Good morning.

25 MADAM CHAIR NIXON: Investigator Diaz, could you let

1 us know why we're here for Mr. Castile?

2 INVESTIGATOR DIAZ: The applicant was denied for a
3 felony possession of a controlled substance conviction out of
4 Los Angeles, California in 2005. The applicant was sentenced
5 to four years in prison. The applicant also has a 2003 felony
6 conviction for threaten crime with intent to terrorize and was
7 sentenced to two years in prison. This arrest was disclosed.
8 Has a 2001 misdemeanor conviction for obstruct and resist a
9 public officer. This arrest was not disclosed. The
10 fingerprint report did not state how long the probation period
11 was for.

12 He has a 2000 felony conviction for possession of a
13 controlled substance and was sentenced to 36 months probation.
14 This arrest was disclosed, and later reduced under California
15 PC 1203.4. A 2000 gross misdemeanor conviction for
16 contempt/disobey court order and was sentenced to 24 months
17 probation. This arrest was not disclosed. He has a 1998
18 felony. This was an arrest for lewd acts with a child
19 under 14 years with force. There was no disposition on the
20 fingerprint report and this arrest was not disclosed. The
21 applicant did state this was when he was a juvenile. And
22 a 1997 felony arrest for robbery. There was no disposition on
23 the fingerprint report. This arrest was not disclosed, and
24 the applicant stated again this was when he was a juvenile.
25 He did not disclose all arrests and was aware he'd be denied

1 and later submitted a written letter of appeal. He was not
2 made provisional and is here to appeal today.

3 MADAM CHAIR NIXON: Thank you.

4 Board, any questions for Mr. Castile?

5 BOARD MEMBER CORTEZ: This is Board Member Cortez.

6 Mr. Castile, good morning. Why did you fail to
7 report all of your criminal history?

8 MR. CASTILE: I spoke to the investigator when he
9 let me know, and I didn't -- I misinterpreted -- I thought I
10 was just supposed to put all my felony convictions from my
11 adult record. I didn't think anything juvenile wise would be,
12 you know, or I would have to put any of that. I would not
13 deliberately not put arrests, and I'm putting felony
14 convictions, so it was no intent on my part to try to, you
15 know, hide any arrests. I'm trying to be truthful about what
16 I've been. I changed my life drastically from, you know, my
17 past.

18 I definitely had a past, but I -- I haven't been in
19 any trouble in over 16 years. I've been working jobs, so I
20 just chose to, you know, still come. He told me that I
21 probably would -- based off of me not disclosing, I can just
22 wait a year, but I said I'd rather come speak for myself to
23 try to, you know, see what the board will see. Like I said, I
24 haven't been in any trouble in over 16 years, work a job. I
25 got a new 1-year-old son, and I'm just trying to be able to

1 continue an honest living and pay taxes and work and, you
2 know, be a law-abiding citizen like anybody else.

3 BOARD MEMBER CORTEZ: Appreciate that. Thank you.

4 MADAM CHAIR NIXON: Thank you.

5 Board, any further questions?

6 BOARD MEMBER BROWN: This is Board Member Brown.

7 Sir, I appreciate that you're trying to get your
8 life in order and you've been good for 16 years, but based on
9 your statement, you said that you only listed your felony
10 convictions and you didn't think that you needed to list
11 juvenile convictions. You did list one felony juvenile
12 conviction or arrest, but you didn't list another one was a
13 felony. You listed one in '97 but didn't list one in '98,
14 so...

15 MR. CASTILE: To -- to speak on that, I didn't list
16 any juvenile arrests of '97 or anything, so I don't know -- I
17 think you kind of misinterpreted what the investigator was
18 telling you. He said he pulled those up, I guess off of my
19 fingerprint, but I did not -- I listed everything I was
20 convicted for that I did time for as an adult. I did not
21 know, I misinterpreted that I was supposed to put every
22 arrest. Being honest, I probably wouldn't even remember all
23 of my arrest history, it's so lengthy. A lot of drugs was
24 involved of me using drugs back then. Like I said, that's --
25 it's been a long time ago, but I would not directly put

1 criminal threats and all that, you know, and list all that to
2 deliberately not put things that I wasn't even convicted for.
3 So that -- just to clarify, I did not put anything from a
4 juvenile on my arrest record or conviction record.

5 BOARD MEMBER BROWN: Thank you, sir.

6 Investigator Diaz, can you confirm that? Am I
7 looking at a typo for the '97 arrest or did he actually list
8 it?

9 INVESTIGATOR DIAZ: Investigator Diaz, for the
10 record. I do apologize. There is a typo. For the 1997
11 and 1998, both of those were nondisclosure.

12 BOARD MEMBER BROWN: Thank you.

13 And Mr. Castile, I apologize.

14 MR. CASTILE: Thank you, sir.

15 MADAM CHAIR NIXON: Okay. Any other questions for
16 Mr. Castile?

17 Okay. Hearing there are no further questions, I'll
18 entertain a motion.

19 BOARD MEMBER BROWN: This is Board Member Brown. I
20 move that we uphold the denial for failure to disclose.

21 MADAM CHAIR NIXON: We have a motion. Do we have a
22 second?

23 BOARD MEMBER CORTEZ: This is Board Member Cortez.
24 I'll second that motion.

25 MADAM CHAIR NIXON: Okay. We have a motion. We

1 have a second. All in favor say "aye."

2 BOARD MEMBERS: Aye (in unison).

3 MADAM CHAIR NIXON: Okay. So again, we have plenty
4 of folks that have come back. You know it needs to be listed
5 now. We want to make sure that you are -- you know, have an
6 opportunity to come back and get your license. Good luck to
7 you, and if you have any questions from the board, they'll
8 definitely help you with -- or from the office, they'll
9 definitely help you with your application.

10 MR. CASTILE: All right. Thank you.

11 MADAM CHAIR NIXON: Good luck to you, sir.

12 Agenda Item No. 52, Bryan Lake. Mr. Lake, are you
13 in the audience? Okay.

14 Agenda Item No. 53, Desmond Castillo. Good morning,
15 sir.

16 MR. CASTILLO: Good morning.

17 MADAM CHAIR NIXON: Investigator Blackmore, why are
18 we here for Mr. Castillo?

19 INVESTIGATOR BLACKMORE: Yes. Investigator
20 Blackmore, for the record. So Mr. Castillo was denied for
21 failure to disclose his arrest history. The applicant was
22 made provisional and was added on to DTA Security Services,
23 LLC's roster. The applicant does wish to appeal. Not
24 disclosed on the application was a 1997 arrest out of
25 California. On the fingerprint report, it did list that that

1 was a felony burglary. It only stated he did two days of
2 jail. The next arrest would have been a 2005 trespass with no
3 dispo out of Nevada, as well as a drugs not introduced into
4 interstate commerce out of Nevada. And then there was a 2001
5 inflict injury, et cetera, upon child. That was a DA denial
6 out of California. And then there was another 2001 arrest
7 that was threaten crime, intent to terrorize. That was also a
8 DA denial.

9 MADAM CHAIR NIXON: Okay. Board, any questions for
10 Mr. Castillo?

11 BOARD MEMBER CORTEZ: Mr. Castillo, good morning.
12 What was the reason for failure to disclose any of your
13 criminal history? Turn on your mic.

14 MR. CASTILLO: Oh. I thought I --

15 BOARD MEMBER CORTEZ: You need to press the button.

16 MR. CASTILLO: Oh.

17 BOARD MEMBER CORTEZ: There you go.

18 MR. CASTILLO: Sorry about that.

19 I thought I put everything on the application of my
20 criminal history.

21 BOARD MEMBER CORTEZ: So it's your testimony today
22 that you listed all of your criminal history?

23 MR. CASTILLO: Yes. Yes, ma'am.

24 BOARD MEMBER CORTEZ: So you listed five previous
25 convictions?

1 MR. CASTILLO: I would say three.

2 BOARD MEMBER CORTEZ: Okay. Because we have none
3 listed, just so you're well aware of that, okay?

4 MR. CASTILLO: Okay. Oh, man.

5 BOARD MEMBER CORTEZ: All right. Thanks.

6 MADAM CHAIR NIXON: Okay. Board, any further
7 questions?

8 Okay. Hearing there are no questions, I'll
9 entertain a motion.

10 BOARD MEMBER CORTEZ: This is Board Member Cortez
11 motioning to uphold the denial based on the failure to
12 disclose any of the work [sic] history.

13 MADAM CHAIR NIXON: Okay. We have a motion. Do we
14 have a second?

15 BOARD MEMBER GRONAUER: Gronauer. Second.

16 MADAM CHAIR NIXON: Okay. We have a motion. We
17 have a second. All in favor say "aye."

18 BOARD MEMBERS: Aye (in unison).

19 MADAM CHAIR NIXON: Okay. So motion passes.

20 Listing your convictions after you filled out your
21 application and the office calls you and says, Do you have any
22 convictions, is not listing it on your application, right? So
23 it's after -- after we've had to run your fingerprints. The
24 intention of the application is for you to be truthful and
25 make sure that you list all of your convictions and arrests,

1 anything that you've had interactions with law enforcement,
2 okay? So you now have all of that information. You're more
3 than welcome to come back in one year and redo your
4 application, and then bring it back to the board for another
5 appeal, okay?

6 MR. CASTILLO: Thank you.

7 MADAM CHAIR NIXON: Thank you. Have a great day.

8 Okay. Agenda Item No. 54., Lun'yea Brand. One more
9 time, Lun'yea Bland. Okay. We'll trail that.

10 Agenda Item No. 55, Nathanal Evans. Mr. Evans, are
11 you in the audience? We'll trail number 55.

12 56 is postponed.

13 For the record, Agenda Item No. 57, David Patterson.

14 Okay. Good morning, Mr. Patterson.

15 MR. PATTERSON: Good morning.

16 MADAM CHAIR NIXON: Mr. Patterson, have you been
17 sworn in?

18 THE WITNESS: Yes, ma'am.

19 MADAM CHAIR NIXON: Okay. Investigator Blackmore,
20 could you let us know why we're here for Mr. Patterson?

21 INVESTIGATOR BLACKMORE: Yes. Investigator
22 Blackmore, for the record. So Mr. Patterson was denied for
23 his failure to disclose, as well as a felony conviction -- I'm
24 sorry, a weapons conviction. It's a 2004 weapons conviction
25 out of California. He did three years probation, 20 days in

1 jail. There was another 2009 arrest for a possession,
2 manufacture, or sale of dangerous weapon. There was no
3 disposition. Court documents were requested, but never
4 received. There's a 2001 misdemeanor theft out of California,
5 no disposition on the fingerprint report. The applicant did
6 not disclose that, as well. There was a 1998 carrying
7 concealed weapon on person, no disposition for that case. The
8 applicant -- I did request court documents, but never received
9 them. And then there was also a 1991 battery with no
10 disposition, and then a 1988 grand theft auto with no
11 disposition, as well. It did say that there was a warrant
12 arrest issued later that year. Court documents were
13 requested, but never received.

14 MADAM CHAIR NIXON: Okay. So it says on here that
15 applicant was made provisional, but never added to a roster.

16 Mr. Patterson, I see that you're in a Reliance
17 Security uniform.

18 MR. PATTERSON: Mm-hmm.

19 MADAM CHAIR NIXON: Are you working for them
20 currently?

21 MR. PATTERSON: Mm-hmm.

22 MADAM CHAIR NIXON: Okay. Board, any questions for
23 Mr. Patterson?

24 BOARD MEMBER CORTEZ: This is Board Member Cortez.
25 Good morning, Mr. Patterson. Is there a reason why you failed

1 to disclose any of your work -- or criminal history?

2 MR. PATTERSON: I had got online to get my history
3 because I'm out here now, and I paid for it and it told me
4 that my -- I was clean, so I thought that maybe, you know,
5 they sealed it, whatever, you know. But like I said, it's
6 been a long time ago and my memory -- but yeah. I didn't have
7 a way to get down there to get it, so I was trying to see if I
8 could get another way that I would get it, so apparently I
9 didn't get it.

10 BOARD MEMBER CORTEZ: Understood. Thank you.

11 MR. PATTERSON: Okay.

12 MADAM CHAIR NIXON: I don't know that I understand,
13 but I'm -- okay. Did -- was Reliance -- he wasn't put on a
14 roster, so he didn't have the ability to notify Reliance,
15 right?

16 INVESTIGATOR BLACKMORE: Correct. So at the time of
17 the denial report, he was made provisional, but he was never
18 added onto a roster.

19 MADAM CHAIR NIXON: Did we notify Mr. Patterson that
20 he was denied?

21 INVESTIGATOR BLACKMORE: Yes.

22 MADAM CHAIR NIXON: And that was in a letter or an
23 email?

24 MR. PATTERSON: Yeah, a letter.

25 MADAM CHAIR NIXON: Okay. So you got the letter

1 knowing that you were denied?

2 MR. PATTERSON: Yeah.

3 MADAM CHAIR NIXON: Okay. All right.

4 BOARD MEMBER GRONAUER: I'm sorry. I didn't even
5 realize --

6 MADAM CHAIR NIXON: Yep.

7 BOARD MEMBER GRONAUER: Good morning, Mr. Patterson.
8 Are you employed now?

9 MR. PATTERSON: Yes.

10 BOARD MEMBER GRONAUER: Whom are you employed by?

11 MR. PATTERSON: Reliant Security.

12 BOARD MEMBER GRONAUER: Okay. Thank you.

13 MADAM CHAIR NIXON: Okay. Board, any further
14 questions for Mr. Patterson?

15 Okay. If there's no further questions, we'll
16 entertain a motion.

17 BOARD MEMBER CORTEZ: This is Board Member Cortez.
18 Motion to uphold the denial based on the no disclosure of
19 previous criminal history.

20 MADAM CHAIR NIXON: Okay. So we have a motion. Do
21 we have a second?

22 BOARD MEMBER BEZICK: Bezick. Second.

23 MADAM CHAIR NIXON: Okay. So we have a motion. We
24 have a second. All in favor say "aye."

25 BOARD MEMBERS: Aye (in unison).

1 MADAM CHAIR NIXON: Okay. So sir, you don't have a
2 license to work. Your company will now be notified that
3 you're not supposed to be working. You were notified that you
4 were not supposed to be working because they told you that you
5 did not qualify for the card, so the fact that you showed up
6 in a uniform --

7 MR. PATTERSON: I got scheduled to work today right
8 after this.

9 MADAM CHAIR NIXON: Yeah. Well, that's a problem --

10 MR. PATTERSON: Okay.

11 MADAM CHAIR NIXON: -- because you do not have a
12 license to work and you were told you did not have a license
13 to work, so you're kind of just blowing off the State
14 licensing agency saying, I'm just going to work anyway.

15 MR. PATTERSON: Well, no. I took the paperwork up
16 there to them.

17 MADAM CHAIR NIXON: That you were denied?

18 MR. PATTERSON: And they took it -- yeah. And they
19 took my name and everything, yeah, and they still put me on
20 the schedule, so I figured I would just work until this was
21 over with.

22 MADAM CHAIR NIXON: No. That's not how to works.

23 MR. PATTERSON: Okay. Well, I didn't know. I'm
24 sorry.

25 MADAM CHAIR NIXON: Okay. Okay. So you probably

1 should notify them today that you were again denied and you
2 should not be working anymore because you're subject to fine,
3 as well as them.

4 MR. PATTERSON: Okay.

5 MADAM CHAIR NIXON: Okay. All right. Thank you,
6 sir. Oh, and you do have the ability to come back in one year
7 and reapply.

8 MR. PATTERSON: Okay. Thank y'all.

9 MADAM CHAIR NIXON: Okay. Agenda Item No. 58,
10 Joshua Roten. Okay. Okay. We'll trail that.

11 BOARD MEMBER BROWN: Oh. He's here in the north,
12 Madam Chair. Sorry.

13 MADAM CHAIR NIXON: Yeah. No problem.

14 MR. ROTEN: It's Roten, Madam Chair.

15 MADAM CHAIR NIXON: Thank you.

16 Investigator Blackmore, could you let us know why
17 we're here?

18 INVESTIGATOR BLACKMORE: Yes. Mr. Roten was denied
19 for his disclosed weapons conviction. He was made provisional
20 based off some court documents that were provided to us saying
21 that no case can be found and was destroyed in California;
22 however, it was confirmed on the fingerprint report that he
23 was indeed convicted. He was aware that if it did come back
24 as a conviction on the federal background check report, then
25 he would be issued a denial at that time.

1 He also has another 2004 arrest for a burglary. He
2 did disclose that arrest. Per the applicant, it was a
3 diversion program that he completed, and he did provide the
4 court department of the "no search can be found" as well. He
5 was made provisional, but never added onto a roster, and he
6 wishes to appeal today.

7 MADAM CHAIR NIXON: Okay. So I just want to make
8 sure I understand. He disclosed both of them. Because they
9 were misdemeanors, he was made provisional, but we couldn't --
10 he didn't have any court documents for the first one?

11 INVESTIGATOR BLACKMORE: So he provided me some
12 court documents stating that in the state of California, all
13 the records have been destroyed. At that time, I did issue
14 out the provisional and let him know that if on the
15 fingerprint report, it comes back as a true conviction, that
16 he would be denied at that time.

17 MADAM CHAIR NIXON: Okay. Gotcha. Okay.

18 Board, any questions for Mr. Roten?

19 Okay. Hearing there are no questions, I'll
20 entertain a motion.

21 BOARD MEMBER BROWN: This is Board Member Brown. I
22 move that we grant Mr. Roten's appeal and allow him to get his
23 work card based on full disclosure.

24 MADAM CHAIR NIXON: Okay. We have a motion. Do we
25 have a second?

1 BOARD MEMBER BEZICK: Bezick. Second.

2 MADAM CHAIR NIXON: Okay. We have a motion. We
3 have a second. All in favor say aye.

4 BOARD MEMBERS: Aye (in unison).

5 MADAM CHAIR NIXON: Okay. Motion passes.

6 Congratulations, sir. The office will contact you
7 with next steps.

8 MR. ROTEN: Thank you, everyone.

9 MADAM CHAIR NIXON: Take care.

10 Agenda Item No. 59, Lawrence Landman. Good morning,
11 Mr. Landman.

12 MR. LANDMAN: Good morning.

13 MADAM CHAIR NIXON: Just to clarify, you were here
14 when we swore everybody in?

15 MR. LANDMAN: Yes.

16 MADAM CHAIR NIXON: Okay. Thank you.

17 Investigator Blackmore, would you let us know why
18 we're here for Mr. Landman?

19 INVESTIGATOR BLACKMORE: Yes. Mr. Landman was
20 denied for a failure to disclose. The only arrest that he did
21 disclose was a DUI, so as far as the undisclosed arrest,
22 there's a 2019 misdemeanor for a threatening crime and
23 terrorize and a violation of a protection order out of the
24 state of California. There was no disposition listed on the
25 fingerprint report. I requested court documents, but never

1 received. There was the 2019 DUI that was disclosed. He
2 did 36 months probation, four days in jail. That was also out
3 of the state of California. And there was another 2019 arrest
4 for annoying phone call, obscene or threat. He was convicted.
5 It was 36 months probation, two days jail, and he did a work
6 program. I do want to note that the charge originally started
7 out as threatening crime with intent to terrorize. The
8 applicant did not disclose.

9 There was a 1996 felony conviction out of
10 California, the first count for the felony possession and sale
11 of cannabis. That was dismissed, and then the possession of
12 marijuana for sale was 48 months probation, 120 days jail.
13 Charge 2 for the possession was originally a felony possession
14 of controlled substance. I requested court documents, but
15 never received. He was made provisional and added to Safe
16 Management, and he wishes to appeal today.

17 MADAM CHAIR NIXON: Okay. Board, any questions for
18 Mr. Landman?

19 BOARD MEMBER CORTEZ: Good morning. This is Board
20 Member Cortez. Mr. Landman, why did you fail to disclose your
21 full criminal history?

22 MR. LANDMAN: Well, every one of them has been
23 expunged off my record, and to be honest with you, I was
24 embarrassed. I just want to move on with my life, and I -- I
25 wish I would have. I talked to the -- the judge that told me

1 I didn't have to disclose it and my attorney said I didn't,
2 unless I was getting a job as -- like an officer, and I
3 didn't -- I should have disclosed it and I didn't. I
4 apologize.

5 BOARD MEMBER CORTEZ: Understood. Thank you.

6 MADAM CHAIR NIXON: Okay. Board, any further
7 questions?

8 Okay. Hearing there are no further questions, I'll
9 entertain a motion.

10 BOARD MEMBER BEZICK: This is Bezick. I move we
11 uphold the denial based on nondisclosure of arrest record.

12 MADAM CHAIR NIXON: Okay. So we have a motion. Do
13 we have a second?

14 BOARD MEMBER BROWN: Board Member Brown. I'll
15 second.

16 MADAM CHAIR NIXON: Okay. We have a motion. We
17 have a second. All in favor say "aye."

18 BOARD MEMBERS: Aye (in unison).

19 MADAM CHAIR NIXON: Okay. So motion passes.

20 You have an opportunity to come back in one year,
21 sir.

22 MR. LANDMAN: Thank you.

23 MADAM CHAIR NIXON: Thank you.

24 Agenda Item No. 60, Demetrias de Loach? Is there a
25 Mr. -- am I pronouncing that -- de Loach?

1 EXECUTIVE DIRECTOR SALADINO: De Loach.

2 MADAM CHAIR NIXON: De Loach. Okay. We'll trail
3 that.

4 Agenda Item No. 61, Alwyn Saddler. Good morning,
5 sir.

6 MR. SADDLER: Good morning.

7 MADAM CHAIR NIXON: Investigator Blackmore, could
8 you please tell us why we're here for Mr. Saddler?

9 INVESTIGATOR BLACKMORE: Yes. So Mr. Saddler was
10 denied for his weapons conviction. It was nondisclosed. So
11 in 1986, it was a misdemeanor assault with firearm on person.
12 That charge was dismissed, and then the second charge, exhibit
13 a firearm, he's convicted to 24 months probation. There was
14 a 1999 incident to where it was carry loaded firearm in public
15 place. That did not have any disposition on the report. And
16 then a 1984 carry a loaded firearm in a public place, also no
17 disposition on the report. He was made provisional and added
18 to Allied Universal's roster, and he wishes to appeal today.

19 MADAM CHAIR NIXON: Okay. Board, any questions for
20 Mr. Saddler?

21 BOARD MEMBER CORTEZ: This is Board Member Cortez.
22 Good morning, Mr. Saddler. Why did you fail to disclose any
23 of your criminal history? You'll need to push that button.
24 Perfect.

25 MR. SADDLER: Two years ago I had a stroke and I --

1 my long-term memory was affected. They told me -- I have a
2 letter to that effect. They told me that I would have trouble
3 with things, some things, and that's what -- that's what
4 happened.

5 BOARD MEMBER CORTEZ: Understood. Thank you.

6 MADAM CHAIR NIXON: Any further questions from the
7 board?

8 If there's no further questions, I'll entertain a
9 motion.

10 BOARD MEMBER CORTEZ: This is board member --

11 MADAM CHAIR NIXON: Hang on one second. Just to be
12 clear -- I'm sorry.

13 EXECUTIVE DIRECTOR SALADINO: Executive Director
14 Saladino, for the record. The applicant, Mr. Saddler, did
15 provide a letter to Investigator Blackmore regarding the
16 memory loss. We -- we told him we wouldn't be able to notify
17 the board of that, you know, for HIPAA reasons, but we did
18 receive the letter. She did confirm that the doctor's office
19 is still operational and stuff, and, you know, it wasn't a
20 fraudulent letter.

21 MADAM CHAIR NIXON: Okay.

22 BOARD MEMBER CORTEZ: This is Board Member Cortez.
23 Investigator Blackmore, was that letter provided to you prior
24 to the submission of the application, during the application,
25 or after the fact?

1 INVESTIGATOR BLACKMORE: Investigator Blackmore, for
2 the record. It was provided after he was already denied.

3 BOARD MEMBER CORTEZ: Thank you.

4 BOARD MEMBER BROWN: This is Board Member Brown.
5 Sir, do you have anybody in your life that could have assisted
6 you with filling out the application?

7 MR. SADDLER: Yes. My wife could have done that.

8 BOARD MEMBER BROWN: Okay. Thank you.

9 MADAM CHAIR NIXON: Board, we have his wife in the
10 audience. Board's indulgence.

11 BOARD MEMBER GRONAUER: Madam Chair, Gronauer.
12 Is -- is it appropriate that we look at the letter or hear the
13 letter or --

14 MADAM CHAIR NIXON: Can we get a synopsis of it?

15 INVESTIGATOR BLACKMORE: Okay. Per the letter, it
16 did state that it did happen a few years ago, according to his
17 recollection of the incident that happened. It says that he
18 was seen and that he did have the incident and that it could
19 cause some long-term trouble for him.

20 BOARD MEMBER CORTEZ: So this is Board Member
21 Cortez. While I absolutely do appreciate that letter, I have
22 personal experience with stroke. My mother was a stroke
23 [sic], so I know exactly what kind of brain damage you have
24 suffered. I absolutely commend you for being here today
25 because I know what it takes to be a stroke survivor.

1 You indicated that you had your wife. Thank you for
2 being here. Can I get your name for the record, please?

3 MS. SADDLER: Betty Saddler.

4 BOARD MEMBER CORTEZ: Thank you, Mrs. Saddler. When
5 your husband was completing this application or when you guys
6 had discussions about him applying for this position, did you
7 offer to help him or assist him in filling out the
8 application?

9 MS. SADDLER: Yes, I did, but the situation is we
10 weren't married back then.

11 BOARD MEMBER CORTEZ: Understood.

12 MS. SADDLER: We've just been married for 16 years,
13 so I didn't know about any of that so I could help him
14 remember it.

15 BOARD MEMBER CORTEZ: No, understood. But while you
16 guys were reviewing that application, did you -- did you
17 notice the page where it says "Stop" and you had to list all
18 criminal history?

19 MS. SADDLER: Yes.

20 BOARD MEMBER CORTEZ: Okay. And did you guys just
21 decide not to list that or what was the reason why you guys
22 did not list any of that?

23 MS. SADDLER: Because he didn't remember it.

24 BOARD MEMBER CORTEZ: Okay. Didn't remember --

25 MS. SADDLER: And I didn't know anything about it.

1 BOARD MEMBER CORTEZ: Understood. Understood.

2 So Mr. Saddler, then let me ask you this: Did you
3 not recall that you had any kind of law enforcement contact or
4 did you not recall specifics to each event?

5 MR. SADDLER: I did not -- I did not recall
6 specifics to each event. In fact, sometimes you -- things
7 just cut out. You don't remember those things, and they can
8 be brought to your attention and you say, Oh, oh, but you can
9 completely forget it.

10 BOARD MEMBER CORTEZ: Absolutely. And you are
11 correct. It is going to be a lifetime adjustment for you, so
12 I encourage you to just continue to do all kinds of brain
13 activities to help increase that for you and assist you
14 throughout your journey.

15 My concern is that that application -- that letter
16 of -- was provided after the fact. Had it been provided prior
17 to and just more of a, Hey, heads up, I have a condition, I'm
18 going to need a little more assistance than regular, prior to
19 or as we were going through the application, understood. The
20 fact that it came in after the fact that you were denied,
21 that's the problem that I'm having an issue here with.

22 You've heard me deny other people before for failing
23 to disclose that information, so that's just -- I'm just
24 letting you understand where I'm coming from when I do make my
25 decision, okay?

1 MADAM CHAIR NIXON: Okay. Board, any further
2 questions?

3 Okay. I will entertain a motion.

4 BOARD MEMBER CORTEZ: This is Board Member Cortez --

5 BOARD MEMBER BROWN: This is Board Member Brown.

6 Going against board tradition here, I believe based on the
7 information that we've been given that we should grant
8 Mr. Saddler's appeal and allow him to get his work card.

9 MADAM CHAIR NIXON: We have a motion. Do we have a
10 second?

11 BOARD MEMBER BEZICK: Bezick seconds.

12 MADAM CHAIR NIXON: Oh. Go ahead.

13 BOARD MEMBER BEZICK: Bezick seconds.

14 MADAM CHAIR NIXON: Okay. So we have a motion. We
15 have a second. All in favor say "aye."

16 Aye.

17 BOARD MEMBER BEZICK: Aye.

18 BOARD MEMBER BROWN: Aye.

19 MADAM CHAIR NIXON: Okay. All nays?

20 BOARD MEMBER GRONAUER: Nay.

21 BOARD MEMBER CORTEZ: Nay.

22 MADAM CHAIR NIXON: Okay. So the motion passes
23 three to two. The reason I kind of disagree is because you
24 don't know -- you can't remember what you can't remember, and
25 so unfortunately, because you can't remember, and you weren't

1 there, which you seem very lovely, you weren't there so you
2 don't know what you don't know. So, you know, that's the
3 reason I'm making a decision to overturn. So good luck to
4 you. The office will help you with next steps, okay? All
5 right. Thank you.

6 MR. SADDLER: Thank you.

7 MADAM CHAIR NIXON: Congratulations.

8 Okay. So that was that next block. I'll go ahead
9 and read through the ones that we trailed, and then we'll take
10 a ten-minute break and then we'll go into the next -- when is
11 the next set?

12 EXECUTIVE DIRECTOR SALADINO: Noon.

13 MADAM CHAIR NIXON: Noon. What time is it now?

14 EXECUTIVE DIRECTOR SALADINO: 12:03.

15 MADAM CHAIR NIXON: Okay. So we have Agenda Item
16 No. 50, Glen Fry. Is Mr. Fry here?

17 Okay. Agenda Item No. 52, Bryan Lake?

18 Agenda Item No. 54, Lun'yea Bland?

19 Agenda Item No. 50 -- no, that one passed.

20 60, Demetrias de Loach.

21 Okay. They were supposed to be here at 11?

22 EXECUTIVE DIRECTOR SALADINO: Yes, ma'am.

23 MADAM CHAIR NIXON: And it is now 12:03, so I will
24 entertain a motion.

25 BOARD MEMBER CORTEZ: Board Member Cortez.

1 Motion --

2 BOARD MEMBER BROWN: Madam Chair, this is Board
3 Member Brown. Board's indulgence. I've got listed on 55,
4 Evans was a trail.

5 MADAM CHAIR NIXON: Yes.

6 BOARD MEMBER BROWN: Am I wrong?

7 MADAM CHAIR NIXON: No. You're right. Nathanal
8 Evans, yep.

9 BOARD MEMBER BROWN: Okay. Thank you.

10 BOARD MEMBER CORTEZ: Board Member Cortez motioning
11 to uphold the denials for Agenda Items No. 50, 52, 54, 55, and
12 60 based on no call/no show. They were told to be here
13 by 11 a.m. It is now 12:04 p.m.

14 MADAM CHAIR NIXON: We have a motion. Do we have a
15 second?

16 BOARD MEMBER BROWN: This is Brown. I will second.

17 MADAM CHAIR NIXON: Okay. We have a motion. We
18 have a second. All in favor say "aye."

19 BOARD MEMBERS: Aye (in unison).

20 MADAM CHAIR NIXON: Okay. Board, do we need a
21 ten-minute? Okay. Ten minutes. We'll be back at 12:15.
22 Thank you.

23 (Recess taken from 12:05 p.m. to 12:16 p.m.)

24 MADAM CHAIR NIXON: Okay. We'll get started again.
25 Has everybody in here now and up North been sworn in? You

1 have not? Okay. Do you want to stand?

2 Counsel.

3 MS. LEE: Oh. So sorry. Please raise your right
4 hand. Do you swear under penalty of perjury that the
5 testimony you're about to give is the truth, the whole truth,
6 and nothing but the truth?

7 (Audience answers in the affirmative.)

8 MS. LEE: Okay. Are you also testifying, sir? Did
9 you hear the oath?

10 (Audience answers in the affirmative.)

11 MS. LEE: Okay. You can be seated. Thank you.

12 MADAM CHAIR NIXON: Okay. We'll start with Agenda
13 Item No. 62, Tyrell Martin. Mr. Martin, are you here or up
14 North?

15 Okay. Agenda Item No.63, Daryl Britt. Okay. So
16 Agenda Item No. 63, Mr. Britt, postponed.

17 Agenda Item No. 64, Kimberly Garth.

18 Okay. Agenda Item No. 65, John Howard. Good
19 afternoon, sir.

20 MR. HOWARD: Good afternoon.

21 MADAM CHAIR NIXON: Investigator Blackmore, why are
22 we here for Mr. Howard?

23 INVESTIGATOR BLACKMORE: Investigator Blackmore, for
24 the record. So the applicant was denied for his weapons
25 conviction. It was a 1989 weapons conviction out of

1 California for possession, manufacture, or sale of dangerous
2 weapon. He did 24 months probation. This arrest was
3 disclosed. There was a 1990 arrest, as well, for possession
4 of a controlled substance. The case was dismissed and the
5 applicant did disclose this arrest, as well. He was not made
6 provisional. The applicant was previously denied by the board
7 in September of '22 for failure to disclose. The applicant
8 wishes to appeal.

9 MADAM CHAIR NIXON: Okay. Board, any questions for
10 Mr. Howard?

11 Hearing there are no questions, I will entertain a
12 motion.

13 BOARD MEMBER CORTEZ: This is Board Member Cortez.
14 Hi, Mr. Howard. Good to see you. Welcome back. Thank you
15 for doing what we asked. I am going to motion to overturn the
16 denial and grant Mr. Howard the appeal -- or grant Mr. Howard
17 his work card based on full disclosure.

18 MADAM CHAIR NIXON: We have a motion. Do we have a
19 second?

20 BOARD MEMBER GRONAUER: Gronauer. Second.

21 MADAM CHAIR NIXON: Okay. We have a motion. We
22 have a second. All in favor say "aye."

23 BOARD MEMBERS: Aye (in unison).

24 MADAM CHAIR NIXON: Okay.

25 MR. HOWARD: Thank you all so much.

1 MADAM CHAIR NIXON: Thank you. Congratulations,
2 sir, and the office will work with you for the next steps.

3 Okay. Agenda Item No. 66, Juan Carter. Is
4 Mr. Carter here? Thank you.

5 Investigator Blackmore, why are we here for
6 Mr. Carter?

7 INVESTIGATOR BLACKMORE: Yes. Mr. Carter was denied
8 for failure to disclose his arrest history. He has a 2003
9 intent to produce, manufacture, or distribute cocaine. His
10 case was dismissed. There was a 1985 arrest for possession or
11 manufacture, sale dangerous weapon. This case was also
12 dismissed. The applicant was made provisional and was added
13 to Contemporary Services Corporations' roster. The applicant
14 did provide our office with his retire (phonetic) ID from the
15 State of California, Department of Corrections, after being
16 denied, and the applicant wished to appeal today.

17 MADAM CHAIR NIXON: So we have a -- any questions
18 from the board?

19 BOARD MEMBER CORTEZ: Mr. Carter, hi. Good
20 afternoon. Why did you fail to do -- to disclose your
21 criminal history?

22 MR. CARTER: That was completely --

23 BOARD MEMBER CORTEZ: You'll need to turn your mic
24 on. There you go.

25 MR. CARTER: Yes. Good afternoon, board. Yeah, I

1 take full responsibility for that. That was completely my
2 fault. I have a current guard card out of my home state of
3 California. I also have one from Arizona when I worked the
4 Super Bowl in Arizona. So that was a failure to pay attention
5 to detail on my part. Soon as I was made aware, I made
6 complete disclosure of my entire criminal history.

7 BOARD MEMBER CORTEZ: Understood. Thank you.

8 MADAM CHAIR NIXON: Okay. Board, any further
9 questions?

10 Okay. Hearing there are no questions, I'll
11 entertain a motion.

12 BOARD MEMBER CORTEZ: Board Member Cortez. Motion
13 to uphold the denial based on failure to disclose.

14 MADAM CHAIR NIXON: Okay. I have a motion. Do I
15 have a second?

16 BOARD MEMBER BROWN: Board Member Brown will second.

17 MADAM CHAIR NIXON: Okay. We have a motion. We
18 have a second. All in favor say "aye."

19 BOARD MEMBERS: Aye (in unison).

20 MADAM CHAIR NIXON: Okay. Motion passes.

21 Sir, unfortunately because you did not disclose your
22 criminal history, we are going to have to deny your
23 application -- or your appeal. You can -- you have the
24 ability to come back in one year and do another application,
25 and the board -- the office will help you with your

1 application, okay? All right. Thank you, sir.

2 MR. CARTER: Thank you, ma'am.

3 MADAM CHAIR NIXON: Have a good day.

4 Agenda Item No. 67, James Pendleton.

5 MR. PENDLETON: Pendleton, ma'am.

6 MADAM CHAIR NIXON: Good morning.

7 MR. PENDLETON: Good morning -- or afternoon.

8 MADAM CHAIR NIXON: Oh, yeah. Afternoon.

9 Investigator Blackmore, why are we here for
10 Mr. Pendleton?

11 INVESTIGATOR BLACKMORE: Yes. Mr. Pendleton was
12 denied for his disclosed 1993 felony of burglary in the second
13 degree. He was convicted, and then it was later dismissed
14 under California Penal Code 1203.4 in 2001. He was not made
15 provisional and he was made aware he would be denied.
16 Applicant wishes to appeal today.

17 MADAM CHAIR NIXON: Okay. Board, any questions for
18 Mr. Pendleton?

19 Okay. Hearing there are no questions, I'll
20 entertain a motion.

21 BOARD MEMBER GRONAUER: This is Gronauer. I'll make
22 a motion to overturn the denial for Mr. Pendleton. Time and
23 distance.

24 MADAM CHAIR NIXON: Okay. We have a motion. Do we
25 have a second?

1 BOARD MEMBER BEZICK: Bezick. Second.

2 MADAM CHAIR NIXON: We have a motion. We have a
3 second. All in favor say "aye."

4 BOARD MEMBERS: Aye (in unison).

5 MADAM CHAIR NIXON: Motion passes.

6 Congratulations, sir. Office will work with you in
7 next steps of getting your card, okay?

8 MR. PENDLETON: Thank you, ma'am. Thank you, sirs.

9 MADAM CHAIR NIXON: Okay. Agenda Item No. 68,
10 Dennis Brown. Mr. Brown?

11 Okay. Agenda Item No. 69, Freddie Claytor.

12 Agenda Item No. 70, Arthur Smith.

13 Investigator Blackmore, why are we here for
14 Mr. Smith?

15 INVESTIGATOR SWARTHOUT: Investigator Swarthout, for
16 the record.

17 MADAM CHAIR NIXON: Oh, sorry. I was on a roll.

18 INVESTIGATOR SWARTHOUT: The applicant was denied
19 for a felony conviction, 2007 out of Maryland, pass/forged
20 public document, and the applicant was found guilty. 2006 out
21 of Maryland, misdemeanor assault, second degree, the applicant
22 was found guilty. Both were found on his fingerprints. He
23 did disclose both of them. They did not -- the fingerprints
24 didn't release his sentencing, and we could not find the court
25 docs out of Maryland for it, so he was not made provisional

1 and he disclosed all his arrests.

2 MADAM CHAIR NIXON: Okay. Board, any questions for
3 Mr. Smith?

4 BOARD MEMBER CORTEZ: This is Board Member Cortez.
5 Good afternoon, Mr. Smith. How are you doing?

6 MR. SMITH: Good afternoon. How are you doing?

7 BOARD MEMBER CORTEZ: What was the disposition,
8 let's -- we've got two, that you were disclosing in both
9 arrests. The 2006, the assault, second degree, what was the
10 disposition on that?

11 MR. SMITH: It was null and pross (phonetic) because
12 Maryland doesn't have self-defense laws, so I was actually
13 attacked.

14 BOARD MEMBER CORTEZ: You were actually what?

15 MR. SMITH: I was attacked and I defended myself,
16 so -- Maryland doesn't have self-defense laws, so...

17 BOARD MEMBER CORTEZ: So did you have to do any
18 time?

19 THE WITNESS: No. I've never been --

20 BOARD MEMBER CORTEZ: No -- any fees?

21 MR. SMITH: I've never served no time, no.

22 BOARD MEMBER CORTEZ: Okay. And neither for
23 the 2007?

24 MR. SMITH: Yes. The -- that was a company that I
25 was working for had served the employees with false checks and

1 we had to take the charge if we cashed the checks.

2 BOARD MEMBER CORTEZ: So were you placed on any kind
3 of court supervision?

4 MR. SMITH: No.

5 BOARD MEMBER CORTEZ: So you were found guilty on
6 both charges and no --

7 MR. SMITH: They null and prosessed.

8 BOARD MEMBER CORTEZ: So no court fees, no time, and
9 that --

10 MR. SMITH: Not for those charges, no.

11 BOARD MEMBER CORTEZ: Okay. Thank you so much.

12 MADAM CHAIR NIXON: So do -- because that -- that
13 null and prosessed that you're saying, is that -- is there a
14 longer term for that? Because we're not familiar with that
15 here in Nevada.

16 MR. SMITH: It's like a -- it's like they don't give
17 you no probation or anything. Just as long as you don't do
18 anything for two years or so, then nothing -- none of the
19 charges get brought upon you.

20 MADAM CHAIR NIXON: Okay. And -- okay.

21 And then Investigator Swarthout, you said you
22 couldn't find anything on it?

23 INVESTIGATOR SWARTHOUT: Yeah. No court docs were
24 found. Even looking at the fingerprints, it doesn't really
25 say. All it says was found guilty and doesn't even have what

1 it was, what they were sentenced to.

2 MADAM CHAIR NIXON: Okay.

3 BOARD MEMBER BROWN: Madam Chair, this is Board
4 Member Brown. Unless you heard offline, that would be what we
5 call a deferred prosecution here in Nevada. So as long as he
6 didn't get in any trouble, it was deferred and it goes off the
7 record.

8 MADAM CHAIR NIXON: Got it. Thank you.

9 Okay. Board, any further questions?

10 Okay. Hearing there are no questions, I'll
11 entertain a motion.

12 BOARD MEMBER GRONAUER: Gronauer. Make a motion to
13 overturn the denial for Mr. Smith. Time and distance.

14 MADAM CHAIR NIXON: Okay. We have a motion. Do we
15 have a second?

16 BOARD MEMBER CORTEZ: This is Board Member Cortez.
17 I'll second that motion.

18 MADAM CHAIR NIXON: Okay. We have a motion. We
19 have a second. All in favor say "aye."

20 BOARD MEMBERS: Aye (in unison).

21 MADAM CHAIR NIXON: Okay. So the motion passes.

22 You'll get your work card. The office -- or you can
23 contact the office for next steps, okay?

24 MR. SMITH: Okay. Thank you so much.

25 MADAM CHAIR NIXON: Congratulations. Thank you.

1 MR. SMITH: You have a good day.

2 MADAM CHAIR NIXON: Okay. Agenda Item No. 51, Lyle
3 Burrell. Good afternoon, sir.

4 MR. BURRELL: Good afternoon.

5 MADAM CHAIR NIXON: Investigator Swarthout, why are
6 we here for Mr. Burrell?

7 INVESTIGATOR SWARTHOUT: The applicant was denied
8 for the conviction of illegal use/possession of a dangerous
9 weapon, 2008 out of California, assault with a deadly weapon
10 not a firearm, misdemeanor conviction. He did disclose this.
11 He was sentenced to three years probation. 2022 out of
12 California, misdemeanor assault with a deadly weapon, not a
13 firearm. This one, the DA denied. This one was not
14 disclosed.

15 MADAM CHAIR NIXON: Okay. Board, any questions for
16 Mr. Burrell?

17 BOARD MEMBER CORTEZ: This is Board Member Cortez.
18 Good afternoon, Mr. Burrell.

19 MR. BURRELL: Good afternoon.

20 BOARD MEMBER CORTEZ: Why did you fail to disclose
21 the most recent arrest?

22 MR. BURRELL: I didn't -- didn't think that I had
23 to. It's -- I read that it said convictions and that -- they
24 didn't even pick it up, so I didn't feel that I had to put it
25 on there.

1 BOARD MEMBER CORTEZ: Understood. Thank you.

2 MADAM CHAIR NIXON: Okay. Board, any further
3 questions?

4 Hearing there are no questions, I'll entertain a
5 motion.

6 BOARD MEMBER CORTEZ: This is Board Member Cortez
7 motioning to uphold the denial based on no disclosure of the
8 most recent offense in 2022, also citing for time and dance.

9 MADAM CHAIR NIXON: Okay. We have a motion. Do we
10 have a second?

11 BOARD MEMBER BEZICK: Bezick seconds.

12 MADAM CHAIR NIXON: Okay. We have a motion. We
13 have a second. All in favor say "aye."

14 BOARD MEMBERS: Aye (in unison).

15 MADAM CHAIR NIXON: Okay. So unfortunately, sir,
16 because you did not disclose all of your arrests as stated in
17 the application, it will be necessary you will be denied. You
18 do have an opportunity to come back in one year. All of your
19 information, the office will have, so if you have any
20 questions, feel free to contact them for support, okay?

21 MR. BURRELL: So I just go to the office with -- the
22 next year to do the full application over, correct?

23 MADAM CHAIR NIXON: Yes, sir.

24 MR. BURRELL: Okay.

25 MADAM CHAIR NIXON: Thank you. Have a good day.

1 BOARD MEMBER CORTEZ: Make sure you list all contact
2 with law enforcement. Despite whether the DA moved forward or
3 not, list every contact.

4 MR. BURRELL: Yes, ma'am. And is that a year from
5 today or a year from denial?

6 MADAM CHAIR NIXON: Today? A year from today or --

7 EXECUTIVE DIRECTOR SALADINO: Yes. A year from
8 today.

9 MADAM CHAIR NIXON: A year from today.

10 MR. BURRELL: Understood.

11 MADAM CHAIR NIXON: Thank you, sir.

12 MR. BURRELL: Thank you. Have a good day.

13 MADAM CHAIR NIXON: You too.

14 We have Ignacio Castillo. Good afternoon, sir.

15 Investigator Swarthout, could you tell us why we're
16 here for Mr. Castillo?

17 INVESTIGATOR SWARTHOUT: The applicant was denied
18 for the conviction of illegal use or possession of a dangerous
19 weapon --

20 (Reporter interjection.)

21 INVESTIGATOR SWARTHOUT: The applicant was denied
22 for the conviction of -- failure -- or illegal use or
23 possession of a dangerous weapon and failure to disclose.
24 1997 -- or 1977 out of North Carolina, misdemeanor, carry a
25 concealed weapon, he was sentenced to a fine. 1974 out of

1 North Carolina, misdemeanor larceny, sentenced to three years
2 probation. 1990-- or 1977 out of Alabama, driving under the
3 influence, misdemeanor, sentenced to a fine. All three of
4 these arrests and convictions were not disclosed.

5 MADAM CHAIR NIXON: Okay. Board, any questions for
6 Mr. Castillo?

7 BOARD MEMBER CORTEZ: This is Board Member Cortez.
8 Good afternoon, Mr. Castillo. How are you?

9 MR. CASTILLO: Fine.

10 BOARD MEMBER CORTEZ: Go ahead.

11 MR. CASTILLO: But --

12 BOARD MEMBER CORTEZ: Hang on a second. We're going
13 to ask you a question.

14 MR. CASTILLO: Those -- one -- only one conviction
15 there what you're saying, it's only --

16 BOARD MEMBER CORTEZ: Can you -- go ahead and push
17 that button in front of you where the microphone is at.
18 Perfect.

19 Okay. Let me ask you a question first. Why did you
20 fail to list all of your criminal history? There's three of
21 them.

22 MR. CASTILLO: Okay. One -- okay. Wait. Let me
23 see.

24 BOARD MEMBER CORTEZ: I know it's been a while.
25 We're talking the '70s, so --

1 MR. CASTILLO: Yeah. Like you said when we came in
2 to raise our hand to tell the truth, the truth is it's only
3 one there that I've done in my life. That was the -- the --
4 what do you call it? The breaking and entering. But the
5 other ones are not right.

6 BOARD MEMBER CORTEZ: Did you -- do you recall ever
7 having to pay a fine, any kind of money because you got a
8 ticket or because you had to go to court?

9 MR. CASTILLO: No. I went to court for breaking and
10 entering. I did this -- that one, I do admit, Miss, big time.

11 BOARD MEMBER CORTEZ: Okay. So we --

12 MR. CASTILLO: I did my time on that one there. I
13 paid my fine, did my dues, but they -- I never got -- never.
14 And I did the criminal check on the history thing on the
15 internet. There was so many -- there's -- there's three
16 Ignacio Castillos, three Ignacio C. Castillos.

17 BOARD MEMBER CORTEZ: Right.

18 MR. CASTILLO: And I never did that. Because I was
19 making the military my career, but in 1977 when I got in
20 trouble, I got stupid drunk and I did do -- break a window in
21 a -- I can't remember what kind of store it was.

22 BOARD MEMBER CORTEZ: So you recall doing a DUI back
23 in the day?

24 MR. CASTILLO: No. No. No. I didn't have DUI.

25 BOARD MEMBER CORTEZ: You just said you wrecked a

1 vehicle?

2 MR. CASTILLO: No. I wrecked a vehicle?

3 BOARD MEMBER CORTEZ: Or did you get into an
4 accident?

5 MR. CASTILLO: No. I would say the -- no. The only
6 thing I was -- three things that he's saying, only one is
7 true.

8 BOARD MEMBER CORTEZ: And which one is that one?

9 MR. CASTILLO: The one breaking and entering. I
10 didn't have a car.

11 BOARD MEMBER CORTEZ: Okay. So unfortunately, we
12 don't even have a breaking and entering charge. We have --

13 MR. CASTILLO: What I -- what I --

14 BOARD MEMBER CORTEZ: Hang on one second, sir. So
15 according to our background check based off your name,
16 in 1974, we have a larceny, okay?

17 MR. CASTILLO: Larceny?

18 BOARD MEMBER CORTEZ: That was that you had -- you
19 got three years probation, okay? That's --

20 MR. CASTILLO: Me?

21 BOARD MEMBER CORTEZ: Correct.

22 MR. CASTILLO: No.

23 BOARD MEMBER CORTEZ: You are Ignacio Carol
24 (phonetic) Castillo, correct?

25 MR. CASTILLO: Yes. I just joined the military

1 in '74.

2 BOARD MEMBER CORTEZ: Give me one second.

3 MR. CASTILLO: Yes.

4 BOARD MEMBER CORTEZ: Investigator Cuevas --

5 INVESTIGATOR SWARTHOUT: She's out right now.

6 BOARD MEMBER CORTEZ: Got it. Okay. So
7 Investigator Swarthout, when you guys do your background
8 checks, do you guys use social securities?

9 INVESTIGATOR SWARTHOUT: It is if it's on a name
10 check, but right now this was off his fingerprints, so his
11 ten-digit run.

12 BOARD MEMBER CORTEZ: Okay. So there is no possible
13 discrepancy on what Mr. Castillo is alleging, the number of
14 Castillos out there?

15 INVESTIGATOR SWARTHOUT: That is correct.

16 BOARD MEMBER CORTEZ: Okay. So Mr. Castillo, if you
17 understood that, when we do our investigations, when the
18 investigators do the investigations on your background check,
19 there's no possibility of a different individual, so --

20 MR. CASTILLO: But I never got drunk driving. The
21 time I got a drunk driving was in '79 when I got out of the
22 military.

23 MADAM CHAIR NIXON: Okay. Hang on.

24 BOARD MEMBER CORTEZ: Right.

25 MR. CASTILLO: But I didn't hurt nobody.

1 MADAM CHAIR NIXON: Okay. Hang on. Hang on.

2 MR. CASTILLO: Yes, ma'am.

3 MADAM CHAIR NIXON: Okay. So when you had your --
4 you said you got stinking drunk and you broke the window.
5 What year was that?

6 MR. CASTILLO: It was a year, year before I left the
7 service in '78. I think --

8 MADAM CHAIR NIXON: Okay. So '77?

9 MR. CASTILLO: -- maybe in '77.

10 MADAM CHAIR NIXON: Okay. Hang on.

11 Is it possible, guys, that both -- two of these
12 charges happened at the same time? Because he's got '77, he's
13 got the carrying a concealed weapon and driving under the
14 influence.

15 Hang on. Hang on.

16 BOARD MEMBER BROWN: Madam Chair?

17 INVESTIGATOR SWARTHOUT: They're out of two
18 different states.

19 MADAM CHAIR NIXON: Have you ever been in
20 North Carolina?

21 MR. CASTILLO: Yes. I was stationed at Fort Bragg,
22 North Carolina.

23 MADAM CHAIR NIXON: Okay. So when you were in Fort
24 Bragg, North Carolina, did you get in any trouble?

25 MR. CASTILLO: Yes. That one breaking and entering

1 when I broke that window in the store with my friend.

2 MADAM CHAIR NIXON: So that's the larceny.

3 MR. CASTILLO: Okay. That I admit, yes.

4 MADAM CHAIR NIXON: Okay.

5 MR. CASTILLO: But I did --

6 MADAM CHAIR NIXON: So --

7 MR. CASTILLO: -- my time in --

8 MADAM CHAIR NIXON: -- when did you get out of the
9 military?

10 MR. CASTILLO: I got -- February '78.

11 MADAM CHAIR NIXON: Okay. Were you ever -- so when
12 you were in North Carolina, did you ever get pulled over for
13 carrying a concealed weapon?

14 MR. CASTILLO: Definitely not. In the name of
15 Jesus, no. No. No. I swear to God. Only weapons I've had
16 in my hands were the military hands. I don't even touch a gun
17 now -- well, since the military. I was never -- I -- no,
18 ma'am. That's not me.

19 MADAM CHAIR NIXON: Did you ever get pulled over
20 with your service weapon on you?

21 MR. CASTILLO: I have a service -- so I --

22 MADAM CHAIR NIXON: When you were in the military,
23 did you ever get pulled over with your service weapon on you?

24 MR. CASTILLO: Oh, no, ma'am. All those are locked
25 up. All those are locked up in the -- in the --

1 MADAM CHAIR NIXON: Armory?

2 MR. CASTILLO: In the armory, and you have -- when
3 you get a weapon out, you sign the weapon out. No. That's
4 not me.

5 MADAM CHAIR NIXON: Okay. Okay. Hang on.

6 EXECUTIVE DIRECTOR SALADINO: Executive Director
7 Saladino, for the record. DPS, Department of Public Safety
8 actually has an avenue if fingerprints are incorrect, so we
9 could work with Mr. Castillo to use that avenue to contact DPS
10 to verify to make sure we do have the record correct. You
11 know, if what he's saying is it's incorrect, mistakes happen,
12 but DPS does have an avenue for us to find that out. So
13 depending on how the board rules today, we can -- even
14 regardless of how you rule, we can get you set up with that
15 avenue to contact DPS so we can get it situated for the future
16 for you.

17 MADAM CHAIR NIXON: Okay.

18 MR. CASTILLO: So that means I got to wait for my
19 guard card?

20 MADAM CHAIR NIXON: Yes. So hang on. Let us -- we
21 have to go through the process, okay? So we have to take a
22 vote and everything still, okay?

23 MR. CASTILLO: Yes, ma'am.

24 MADAM CHAIR NIXON: Okay. But if it's -- we -- if
25 we go through the process, what he's saying is his office will

1 help you if you feel like your fingerprints were incorrect,
2 so --

3 MR. CASTILLO: Oh, okay. Yeah. Okay. Yeah. Sure.
4 Yeah. Okay. Yeah. I'll go ahead.

5 MADAM CHAIR NIXON: Okay. So hang on.

6 Okay. Board, are there any further questions?

7 BOARD MEMBER GRONAUER: This is Gronauer --

8 BOARD MEMBER BROWN: This is Board Member Brown, for
9 the record.

10 BOARD MEMBER GRONAUER: Go ahead.

11 BOARD MEMBER BROWN: Go ahead, Mr. Gronauer.

12 BOARD MEMBER GRONAUER: Okay. I just wanted to know
13 from Mr. Castillo, in 1977 when you were at Fort Bragg, did
14 you ever go to Alabama?

15 MR. CASTILLO: No. I went to Alabama about four
16 years ago for a --

17 BOARD MEMBER GRONAUER: No. No. No. In '77.

18 MR. CASTILLO: No, sir.

19 BOARD MEMBER GRONAUER: Okay. Thank you.

20 MR. CASTILLO: Yes, sir.

21 MADAM CHAIR NIXON: Okay.

22 BOARD MEMBER CORTEZ: Board Member --

23 BOARD MEMBER BROWN: Madam Chair, this is board
24 member -- sorry. Go ahead.

25 BOARD MEMBER GRONAUER: Your turn.

1 BOARD MEMBER CORTEZ: Madam Chair, this is Board
2 Member Cortez. I was wondering if we can just pass this
3 matter on over to the next board meeting to give Mr. Castillo
4 the opportunity to follow up with DPS and get whatever
5 information is needed to clear this situation up.

6 MADAM CHAIR NIXON: We can make -- we can make a
7 motion or let's -- hang on.

8 I forgot your name.

9 BOARD MEMBER CORTEZ: Brown.

10 MADAM CHAIR NIXON: I'm sorry. I'm so confused.

11 BOARD MEMBER BROWN: This is Board Member Brown, for
12 the record. I'm asking -- I believe I'm asking the same
13 question as Board Member Cortez. Can we allow Mr. Castillo to
14 withdraw his appeal at this time so that he can work with our
15 investigators to get this cleared up and then he can come back
16 at the next meeting rather than waiting a year?

17 MADAM CHAIR NIXON: Yes. Let me ask him if that --
18 if he would like to do that.

19 Okay. So this is -- this is what can happen right
20 now. We can go through the process and make a decision and we
21 all vote, and then when we make that vote, then that's what
22 stands, right?

23 MR. CASTILLO: Yeah. I could go for that --

24 MADAM CHAIR NIXON: Okay. Hang on. Hang on.

25 Listen to all the options, okay? Okay. So option A is we

1 vote right now and you -- you have a lot of stuff on your
2 record that's not true, right?

3 MR. CASTILLO: Oh, correct.

4 MADAM CHAIR NIXON: Okay. Option two is you can ask
5 us to postpone your decision and then you can come back at the
6 next board meeting, which is in December, right? So you only
7 have to wait a couple of months --

8 MR. CASTILLO: I'm not even working for nothing
9 right -- I'm not even working.

10 MADAM CHAIR NIXON: Okay. Hang on. A couple of
11 months or one year. Option A, option B, couple of months or
12 one year. Which --

13 MR. CASTILLO: Rock, hard place.

14 MADAM CHAIR NIXON: Yeah, a rock and a hard place.

15 MR. CASTILLO: Yeah. This ain't right. I didn't do
16 this.

17 MADAM CHAIR NIXON: Sir, but we have no way of --

18 MR. CASTILLO: Wow. Okay. I'll take the three --
19 what, three months, you said?

20 MADAM CHAIR NIXON: Three months. Okay. So --

21 MR. CASTILLO: Is it two months? What?

22 MADAM CHAIR NIXON: So -- hang on.

23 MR. CASTILLO: I'm can't -- I'm deaf in my left ear.

24 MADAM CHAIR NIXON: Okay. Okay. So you need to ask
25 us if we can postpone our decision for your case. Could you

1 ask us that?

2 MR. CASTILLO: Yeah.

3 MADAM CHAIR NIXON: Okay. We're going to postpone
4 this one. Is everybody okay with that? Okay. I see head
5 shaking. Okay. At this time, we're going to postpone.
6 Please go to the office and he'll help you with your
7 fingerprints, okay?

8 MR. CASTILLO: Yeah. Sure.

9 MADAM CHAIR NIXON: Okay. All right.

10 EXECUTIVE DIRECTOR SALADINO: Madam Chair, for the
11 record, I will call you tomorrow, okay? I will call you
12 tomorrow. You don't have to call the office today. I will
13 call you tomorrow and we'll get it set up with DPS so we can
14 get the proper account of what's on your record, okay? So I
15 will call you tomorrow.

16 Do we have a -- we'll get -- before you leave, we'll
17 get your current phone number and I will call you tomorrow,
18 okay?

19 MR. CASTILLO: All right.

20 MADAM CHAIR NIXON: Okay. All right. Thank you.
21 Thank you. We'll help. We'll help. We'll work with you
22 okay? Okay. Thank you.

23 MR. CASTILLO: Wow.

24 (Off-the-record discussion.)

25 MADAM CHAIR NIXON: Agenda Item No. 73, Michael

1 Warren. Mr. Warren, are you here? Okay. Seeing that he's
2 not here, we'll trail that one. So we will go back -- did we
3 trail 71?

4 BOARD MEMBER CORTEZ: No.

5 MADAM CHAIR NIXON: What was the --

6 BOARD MEMBER CORTEZ: Denied.

7 MADAM CHAIR NIXON: Okay. Okay. So we're going to
8 go through. Tyrell Martin, are you in the audience? No.
9 Kimberly Garth? Dennis Brown? Freddie Claytor? And then
10 Michael Warren? Okay. Seeing that those individuals are not
11 in the audience and they were directed to be here by noon,
12 I'll entertain a motion.

13 BOARD MEMBER CORTEZ: Board Member Cortez motioning
14 to uphold the denials for Agenda Items No. 62, 64, 68, 69, and
15 73 based on no call/no show. They were advised to be here by
16 noon. It is now 12:42.

17 MADAM CHAIR NIXON: Okay. We have a motion. Do we
18 have a second?

19 BOARD MEMBER BROWN: Brown will second.

20 MADAM CHAIR NIXON: Okay. We have a motion. We
21 have a second. All in favor say "aye."

22 BOARD MEMBERS: Aye (in unison).

23 MADAM CHAIR NIXON: Okay. Motion passes.

24 Board indulgence for one second.

25 (Off-the-record discussion.)

1 MADAM CHAIR NIXON: Okay. So our next group isn't
2 supposed to be here until 1 o'clock. Since you guys have been
3 coming in, I will go ahead and take you out of order of the
4 agenda. Has everybody -- because I've seen some people walk
5 in. Has everybody in the audience been sworn in? No? Okay.
6 So if you -- if you're going to testify or come before the
7 board, please stand to get sworn in. I think that would be
8 you guys. Okay. Okay.

9 MS. LEE: Hi. Please raise your right hand. Do you
10 swear under penalty of perjury that the testimony you're about
11 to give is the truth, the whole truth, and nothing but the
12 truth?

13 (Audience answers in the affirmative.)

14 MS. LEE: Thank you.

15 MADAM CHAIR NIXON: Okay. So gentleman there with
16 the -- you've been here for a while. What's your agenda item
17 or what's your name?

18 MR. KINDLE: Zaveon Kindle. I'm number 89, I
19 believe.

20 MADAM CHAIR NIXON: 89?

21 MR. KINDLE: Yes, ma'am.

22 MADAM CHAIR NIXON: Okay. Sir, would you like to
23 come up? Because you've been here for a long time.

24 UNIDENTIFIED SPEAKER: I've been here since 9
25 o'clock, also.

1 MADAM CHAIR NIXON: Okay. We'll get -- I'm going to
2 get you all. I'm not going to make you wait.

3 Go ahead, sir. Come on in. He can come with -- or
4 she -- he can come, yeah. Thank you for your patience.

5 MR. KINDLE: Yes, ma'am.

6 MADAM CHAIR NIXON: So Mr. Kindle falls under second
7 registration appeals, Agenda Item No. 89. Investigator Dumas,
8 could you tell us -- Dumas, could you please tell us why we're
9 here for Mr. Kindle?

10 INVESTIGATOR DUMAS: Investigator Dumas, for the
11 record. The applicant was denied due to his 2016 unlawful
12 carry weapon charge, which he was convicted, 30 days in jail.
13 This was disclosed, as all of his -- actually, all arrests
14 were disclosed this time, as this is his second time applying.
15 He was not made provisional, and he's here to appeal today.

16 MADAM CHAIR NIXON: Okay. Board, any questions for
17 Mr. Kindle?

18 Okay. Sir, thank you for coming back and doing
19 everything that you were supposed to, and I have to say -- I
20 can't really see -- best kid I've ever seen, just -- okay.
21 Are there -- hi.

22 Are there any questions for Mr. Kindle?

23 Okay. Hearing there are no questions, I'll
24 entertain a motion.

25 BOARD MEMBER CORTEZ: This is Board Member Cortez

1 motioning to overturn the denial and grant Mr. Kindle his work
2 card based on doing exactly what we told, coming back and
3 disclosing all of his previous criminal mystery.

4 MADAM CHAIR NIXON: We have a motion. Do we have a
5 second?

6 BOARD MEMBER GRONAUER: Gronauer. Second.

7 MADAM CHAIR NIXON: We have a motion. We have a
8 second. All in favor say "aye."

9 BOARD MEMBERS: Aye (in unison).

10 MADAM CHAIR NIXON: Motion passes.

11 The office will call you tomorrow, okay?

12 MR. KINDLE: Thank you. Appreciate --

13 MADAM CHAIR NIXON: Congratulations.

14 MR. KINDLE: -- you guys.

15 MADAM CHAIR NIXON: Yep. Thank you.

16 BOARD MEMBER BEZICK: Madam Chair, this is Bezick up
17 North. We do have a gentleman here that's been here for a
18 long time.

19 MADAM CHAIR NIXON: Okay. We've got one that's been
20 here since 9, then we'll take him after that, okay?

21 Sir, what was your name?

22 MR. BROWNE: Robert Browne, number 85.

23 MADAM CHAIR NIXON: Okay. Robert Browne, Agenda
24 Item No. 85. Investigator Swarthout, could you please tell us
25 why we're here for Mr. Browne?

1 INVESTIGATOR SWARTHOUT: Investigator Swarthout.
2 The applicant was convicted of a felony and failure to -- was
3 denied for a conviction of a felony and for failure to
4 disclose arrest history.

5 MR. BROWNE: I disclosed both -- I have two
6 felonies. I disclosed both of them.

7 MADAM CHAIR NIXON: Sir, we have to go through the
8 process.

9 MR. BROWNE: I'm sorry.

10 MADAM CHAIR NIXON: Thank you.

11 INVESTIGATOR SWARTHOUT: Out of New York, 1976,
12 felony forgery, second degree, seven years prison that ran
13 concurrent with the other charge, which was a 1975 out of
14 New York felony for possession of a controlled substance.
15 Also out of New York, what we didn't have disclosed, was 1983
16 misdemeanor possession stolen property, third degree,
17 convicted. He had to pay a fine. Also out of New York, 1975,
18 misdemeanor criminal possession of a controlled substance,
19 second degree, convicted one year of jail to run concurrent,
20 and then New York, 1972, misdemeanor criminal trespass, fourth
21 degree, convicted, had to pay a fine.

22 MADAM CHAIR NIXON: Okay. Board, are there any
23 questions for Mr. Browne?

24 BOARD MEMBER CORTEZ: This is Board Member Cortez.
25 Mr. Browne, good afternoon. Why did we fail to disclose all

1 of your convictions?

2 MR. BROWNE: I'm 76 years old, okay? I thought I
3 disclosed the two felonies that I have. The other stuff I
4 didn't disclose, I didn't know anything about that. I'm
5 sorry.

6 BOARD MEMBER CORTEZ: Understood. No worries.
7 Thank you.

8 MADAM CHAIR NIXON: Okay. Board, any further
9 questions?

10 Is there some further information from the
11 investigation?

12 MR. BROWNE: That was over 50 years ago.

13 MADAM CHAIR NIXON: So -- yeah. Hang on. So I
14 think a lot of it is concurrent, so let's just hang on. Board
15 members -- board indulgence. A lot of it ran concurrently.
16 They're reading through the arrest history real quick here to
17 verify some of this.

18 (Off-the-record discussion.)

19 EXECUTIVE DIRECTOR SALADINO: Madam Chair, I can see
20 why the applicant believes he did disclose. His sentences did
21 run concurrent, and on the application, he did list the
22 felony, you know, as being the charge, you know, with the time
23 he spent in jail. So I -- I can see why he believes that, you
24 know, he was truthful on the application, that they ran
25 concurrent.

1 MADAM CHAIR NIXON: Okay.

2 BOARD MEMBER CORTEZ: This is Board Member Cortez.
3 Madam Chair, I also see that that -- the convictions were
4 concurrent, so I also assumed that that's what occurred. He
5 disclosed one and because they were concurrent, he -- he
6 understood or believed that he was disclosing everything.

7 MADAM CHAIR NIXON: Okay. Board, are there any
8 further questions, board up North?

9 Okay. Hearing there are no further questions, I'll
10 entertain a motion.

11 BOARD MEMBER CORTEZ: This is Board Member Cortez.
12 I am going to motion that we overturn the denial and grant
13 Mr. Browne his work card based on the information received.

14 MADAM CHAIR NIXON: Can you just elaborate just a
15 little bit more?

16 BOARD MEMBER CORTEZ: Information received on the
17 disclosure of his conviction. Because they were being ran
18 concurrent, applicant was under the impression that based off
19 disclosing one, it would disclose all of them. So in
20 actuality, he did disclose based on the charges running
21 concurrent.

22 MADAM CHAIR NIXON: Okay. So we have a motion. Do
23 we have a second?

24 BOARD MEMBER BEZICK: Bezick seconds.

25 MADAM CHAIR NIXON: Okay. So we have a motion. We

1 have a second. All in favor say "aye."

2 Aye.

3 BOARD MEMBER GRONAUER: Aye.

4 BOARD MEMBER CORTEZ: Aye.

5 BOARD MEMBER BROWN: Nay.

6 BOARD MEMBER BEZICK: Aye.

7 MADAM CHAIR NIXON: So it's four to one. Four to
8 one, the motion passes.

9 So sir, if asked again, you have -- they have your
10 history. You definitely should probably take a look at it
11 because what happens is you have one arrest and all the
12 rest --

13 MR. BROWNE: I've never -- I've never -- I've worked
14 for the federal government. I've --

15 MADAM CHAIR NIXON: Sure.

16 MR. BROWNE: -- worked -- I've had all kinds of jobs
17 in banks and everything since then. I never had any problems.
18 That's the only reason I never had it expunged.

19 MADAM CHAIR NIXON: Yep. We're different in Nevada,
20 so if you --

21 MR. BROWNE: I've been in Nevada for 20- -- I'm
22 licensed in Nevada for -- for --

23 MADAM CHAIR NIXON: Sir, I'm just giving you a bit
24 of advice. If you apply again or reapply or do your renewal,
25 please just make sure that you ask for your information,

1 because it will come up again. So they have all of that for
2 you, so then that way you don't have to worry about trying to
3 remember it.

4 MR. BROWNE: Thank you.

5 MADAM CHAIR NIXON: Yeah. But it does pass. The
6 office will contact you tomorrow for next steps, okay?

7 MR. BROWNE: Thank you, everyone. I really
8 appreciate it.

9 MADAM CHAIR NIXON: Thank you. Have a good day.

10 Okay. And then now we have the gentleman up North.
11 I don't know his name.

12 MR. WASHINGTON: Donte Washington.

13 BOARD MEMBER BROWN: Number 91, Madam Chair.

14 MADAM CHAIR NIXON: Thank you.

15 Okay. So guys, this is also under the second
16 appeal. So Investigator Diaz, could you please tell us why
17 we're here for Mr. Washington?

18 INVESTIGATOR DIAZ: The applicant was denied for a
19 felony robbery conviction out of Stockton, California in 2009.
20 The applicant was sentenced to 56 months in prison. He also
21 has a 2006 misdemeanor conviction for conspiracy to commit a
22 crime and was sentenced to one year probation with diversion.
23 This was disclosed, and was also in juvenile court. He did
24 disclose all arrests and was aware he'd be denied and
25 submitted a written letter of appeal at the time of applying.

1 He was not made provisional, and is here to appeal today.

2 MADAM CHAIR NIXON: Thank you.

3 Board, any questions for Mr. Washington?

4 Okay. Hearing there are no questions, I'll
5 entertain a motion.

6 BOARD MEMBER BEZICK: This is Bezick. I move we
7 grant the work card based on full disclosure of arrest record.

8 MADAM CHAIR NIXON: Okay. We have a motion. Do we
9 have a second?

10 BOARD MEMBER BROWN: Brown will second.

11 MADAM CHAIR NIXON: Okay. We have a motion. We
12 have a second. All in favor say "aye."

13 BOARD MEMBERS: Aye (in unison).

14 MADAM CHAIR NIXON: Okay. Motion passes.

15 Congratulations, sir. The office will be in touch
16 with your tomorrow.

17 MR. WASHINGTON: All right. Thank you.

18 MADAM CHAIR NIXON: Okay. I think -- when did you
19 come in, sir?

20 UNIDENTIFIED SPEAKER: 9 o'clock.

21 UNIDENTIFIED SPEAKER: It was him, then me.

22 MADAM CHAIR NIXON: Okay. So go ahead, sir. What's
23 your name or item number?

24 MR. MARSHALL: 86, Donald Marshall.

25 MADAM CHAIR NIXON: Investigator Swarthout, can you

1 please tell us why we're here for Mr. Donald Marsh?

2 MR. MARSHALL: Marshall.

3 MADAM CHAIR NIXON: Marshall. I'm sorry.

4 INVESTIGATOR SWARTHOUT: We're here for a -- the
5 applicant was denied for a felony conviction out of Illinois,
6 1992, felony aggravated battery, sentenced to 36 months
7 probation. Out of Illinois, 1989, felony attempted armed
8 robbery, sentenced to 36 months probation. Nevada, 2018,
9 domestic battery, first offense, misdemeanor, DA denial. 2017
10 out of Illinois, misdemeanor DUI, dismissed. 2009 out of
11 Illinois, misdemeanor knowingly damaged property and assault.
12 Both charges were dismissed. We do have a continuization
13 [sic] Excel with more arrest history.

14 MADAM CHAIR NIXON: Okay.

15 INVESTIGATOR SWARTHOUT: All of his arrests were
16 disclosed when he applied.

17 MADAM CHAIR NIXON: Were there any questions for
18 Mr.--

19 MR. MARSHALL: Donald Marshall.

20 MADAM CHAIR NIXON: Yeah.

21 -- Mr. Marshall?

22 Okay. And it's been a while, but all of these have
23 been resolved, right, all of his criminal history?

24 INVESTIGATOR SWARTHOUT: Yes. All of his cases are
25 closed and finished.

1 MADAM CHAIR NIXON: Okay. Okay. Hearing there are
2 no questions, I'll entertain a motion.

3 BOARD MEMBER GRONAUER: This is Gronauer. I make a
4 motion to overturn the denial for Mr. Donald Marshall. Time
5 and distance.

6 MADAM CHAIR NIXON: Okay. We have a motion. Do we
7 have a second?

8 BOARD MEMBER BROWN: Board Member Brown will second.

9 MADAM CHAIR NIXON: Okay. We have a motion. We
10 have a second. All in favor say "aye."

11 BOARD MEMBERS: Aye (in unison).

12 MADAM CHAIR NIXON: Okay. Motion passes.

13 So the office -- you'll get your -- your work card.
14 The office will contact you for next steps tomorrow, okay?

15 MR. MARSHALL: Great. Thank you.

16 MADAM CHAIR NIXON: Yep. Thank you.

17 Sir, last one out of order.

18 MR. ROBINSON: Shaun Robinson, number 90.

19 MADAM CHAIR NIXON: 90. Okay.

20 Again, just a reminder, board, this is under second
21 appeals.

22 Investigator Dumas, could you please tell us why
23 we're here for Mr. Robinson?

24 INVESTIGATOR DUMAS: The applicant was --
25 Investigator Dumas, for the record. The applicant was

1 originally denied on April 20, 2022 due to failure to disclose
2 arrest. The applicant has been denied a second time, was not
3 made provisional, and is here to appeal today. He also had
4 offenses that he didn't disclose a second time. The primary
5 reason why he was denied was a 1995 felony for second-degree
6 robbery, which he was sentenced to two years in prison.

7 MADAM CHAIR NIXON: So he was denied the first time
8 for not -- for nondisclosure, came back, disclosed some of the
9 items, but not all of them the second time?

10 INVESTIGATOR DUMAS: He only disclosed the one
11 felony, the 1995 felony.

12 MADAM CHAIR NIXON: The second time?

13 INVESTIGATOR DUMAS: Correct.

14 MADAM CHAIR NIXON: Okay. Board, any questions for
15 Mr. Robinson?

16 BOARD MEMBER CORTEZ: This is Board Member Cortez.
17 Mr. Robinson, this is your second time applying, correct?

18 MR. ROBINSON: I guess, yes. This is my first time
19 before the board. Now that you guys explained it to me, the
20 first time, because I had just moved out here so I filled out
21 the application and I waited close to a year to find out the
22 results. Once I patiently, you know, kept contacting, they
23 told me I had to come back in to file for the appeal. I guess
24 that's the second one. And at the time, because I wasn't
25 fully aware of what the procedure was because I was confused

1 from the California and Nevada, because it's different, so
2 once I did that, I asked the person at the window and they
3 told me this is what I need. They helped me fill it out and
4 they told me this is what I need to put on there.

5 Anything else -- you know, that was my first time in
6 jail and, you know, anything else, that was over 30 years ago.
7 I currently hold a -- I moved from San Francisco, California.
8 At this time I currently hold a BSIS guard card. I have been
9 working there for five years, including through the pandemic.
10 One of the major reasons I moved out here, because I thought I
11 could flourish and move forward in a security guard company.

12 So back home, what it is is a felony or it's -- you
13 know --

14 BOARD MEMBER CORTEZ: Hang on. Yeah. Mr. Robinson,
15 but my original question is that this is your second time
16 coming here with your application. The reason why you got
17 denied the first time is because you failed to disclose all of
18 your criminal history, and we're back here again. Am I
19 understanding that you're failed to disclose all of your
20 criminal history again?

21 MR. ROBINSON: No. This is my first time in front
22 of you guys.

23 MADAM CHAIR NIXON: So I think -- so what happened
24 was he was denied the first time and he didn't come before the
25 board.

1 MR. ROBINSON: Yeah. I never came. I just went
2 through the paper.

3 MADAM CHAIR NIXON: Yeah. So the unfortunate part
4 about that is when you went the second time to fill out your
5 information, you didn't get the information from us because
6 you didn't come to the first board meeting.

7 MR. ROBINSON: No. The person at the window punched
8 up what I needed to disclose, and that's what -- because I
9 didn't know. I had no recollection of dates or anything.
10 Also, because the records and everything was damaged,
11 destroyed through the pandemic, everything, so there was no --
12 when you said felony, that's what I heard, felony conviction,
13 and when I asked the person at the window, they brought up
14 that I need to disclose and helped me fill it out that way. I
15 had assistance getting help filled out at the office, and this
16 is how they helped me fill it out. They gave me a paper and
17 said, These are the things you need to disclose, and that's
18 what I wrote down.

19 MADAM CHAIR NIXON: Did -- so on his first
20 application, are we able to tell -- or his first denial
21 whether or not the stuff came up the first time? Okay. Hang
22 on one second. We need to find out some information.

23 MR. ROBINSON: I continuously called for extra help
24 because I was totally blind.

25 MADAM CHAIR NIXON: Yeah. Hang on. Yep.

1 Okay. So we'll -- can we -- we're going to ask you
2 to sit down because we need to find some information to see if
3 this information was on your first application or not, okay?

4 MR. ROBINSON: What information?

5 MADAM CHAIR NIXON: All of your arrests.

6 MR. ROBINSON: I mean, I don't -- I don't
7 understand. I'm sorry.

8 MADAM CHAIR NIXON: So typically when you fill out
9 your application, you would have gotten denied --

10 MR. ROBINSON: Yes.

11 MADAM CHAIR NIXON: -- and then you would have come
12 in the first time, right? And so the first time, you did not
13 come to this board meeting like this, right?

14 MR. ROBINSON: I never filed for a board hearing the
15 first time.

16 MADAM CHAIR NIXON: Okay. So then we don't know
17 what information was on your first application to find out if
18 they -- when they helped you, if it was correct or not,
19 because they're only going to help you with the information
20 that they have. So we're trying to look at your first
21 application right now.

22 MR. ROBINSON: Okay.

23 MADAM CHAIR NIXON: Okay? So if you could just --
24 we're going to trail you for a second and have you have a seat
25 while they look up that information and we're going to keep

1 moving.

2 MR. ROBINSON: Okay. Just one last thing just so I
3 can be clear because I -- the first time I filled out the
4 application, no assistance. I just filled out what I knew
5 because I just moved out here.

6 MADAM CHAIR NIXON: Understood.

7 MR. ROBINSON: Took me a while because I knew it's a
8 process before you can get the guard card, you know, and get
9 approved.

10 MADAM CHAIR NIXON: Understood.

11 MR. ROBINSON: Months after that time started
12 overlapping, I called, and that's when they said, You've been
13 denied. I came into the office --

14 MADAM CHAIR NIXON: Understood.

15 MR. ROBINSON: -- asked what was the reason for
16 denial. They said, Because you didn't disclose your record.
17 I asked, Okay, what do I need to do? And this is what I told
18 will be the proper procedure. Once I filled it out, then I
19 had them overlook it, and then they said, Okay, this is the
20 next -- so it wasn't that I knew anything, didn't know
21 anything. It was information I didn't even know at all, so I
22 was -- I never had privy to arrest records or dates or, you
23 know --

24 MADAM CHAIR NIXON: Okay.

25 MR. ROBINSON: -- like I said, it was over 30 years

1 ago.

2 MADAM CHAIR NIXON: Okay.

3 BOARD MEMBER CORTEZ: Madam Chair --

4 MADAM CHAIR NIXON: So if you'll have a seat, we'll
5 trail this and let them look up this information, and then
6 we'll -- we'll come back to you, okay?

7 MR. ROBINSON: All right.

8 BOARD MEMBER CORTEZ: Madam Chair, before we trail,
9 I do have one last question for Investigator Dumas.

10 Is there an active warrant out for Mr. Robinson
11 based off the 2002 charge?

12 MR. ROBINSON: What's the 2002 charge?

13 MADAM CHAIR NIXON: Hang on, sir. Hang on.

14 BOARD MEMBER CORTEZ: Mr. Robinson, I'm specifically
15 speaking about a 2002 charge of one count of an assault on an
16 officer or emergency personnel. Give the investigator a
17 moment to respond, please.

18 MR. ROBINSON: I never assaulted anyone.

19 INVESTIGATOR DUMAS: The fingerprints results do not
20 show a bench warrant for that.

21 BOARD MEMBER CORTEZ: So is the disposition outcome
22 a typo?

23 INVESTIGATOR DUMAS: There was a bench warrant back
24 then. It doesn't say currently active or open.

25 MADAM CHAIR NIXON: Okay.

1 BOARD MEMBER CORTEZ: Okay. Thank you.

2 MR. ROBINSON: So would you like me to sit over
3 there?

4 MADAM CHAIR NIXON: Yes, please.

5 EXECUTIVE DIRECTOR SALADINO: Madam Chair, Executive
6 Director Saladino, for the record. Currently at today's board
7 meeting, I do have one of my administrative staff present at
8 the board meeting. Juliet Alvarez works the window and is --
9 you know, sees the applicants when they come in. I would like
10 her to explain what her -- what her speech is or the way she
11 comments to the applicants when they do come to the window and
12 ask about their arrest history, so I'm going to turn it over
13 to Juliet.

14 MS. ALVAREZ: Hi. My name is Juliet Alvarez. I'm
15 the administrative assistant for the PILB. Anytime somebody
16 comes into the office, I always advise them to list their full
17 arrest history after the age of 18, be sure to include
18 anything if it was a felony, anything involving a deadly
19 weapon, anytime that you contacted the --

20 (Reporter interjection.)

21 MS. ALVAREZ: So just to be sure to disclose full
22 arrest history after the age of 18, because we do look into
23 everything, even if it was dropped or dismissed or expunged.
24 The only thing that we just advise them is not super serious
25 is just traffic tickets, but everything else does have to be

1 disclosed anytime that they've contacted law enforcement or
2 have been in contact with law enforcement.

3 MR. ROBINSON: I'm sorry. No disrespect, but you
4 was the one that helped me fill it out.

5 MS. ALVAREZ: Yeah. So when we pull up old
6 applications in the system, we would only be able to see what
7 you disclosed the first time around. So anything that was
8 handed to you the second time around was the only thing I was
9 able to see on my end. So we don't have your full arrest
10 history if it wasn't fully ran the first time or if we didn't
11 get the federal background results, we only can see what you
12 disclosed that first time around. So whatever you put on your
13 first application, that was the information I gave to you that
14 second time around that you came into office.

15 MADAM CHAIR NIXON: Okay. So hang on. I don't want
16 to get into a back-and-forth. Let's figure out what actually
17 happened.

18 MR. ROBINSON: No. I'm not trying to challenge her.

19 MADAM CHAIR NIXON: Yep. Okay. So sir, if you can
20 have a seat, we'll continue.

21 BOARD MEMBER CORTEZ: Did I just understand that you
22 went off -- based off the first application and that first
23 application did not have any of the criminal history? Is that
24 what I understood?

25 MADAM CHAIR NIXON: We don't know. We don't know.

1 That's what we're trying to --

2 MS. ALVAREZ: Yeah. So I'm assuming that I would
3 have written off on that paper that I handed to him whatever
4 was on that first application, because that's the only thing I
5 would have access to look at in the system.

6 MADAM CHAIR NIXON: We don't know. That's what
7 we're he's looking up the first application right now so that
8 we can figure out what was actually put on the first
9 application.

10 EXECUTIVE DIRECTOR SALADINO: Madam Chair, Executive
11 Director Saladino, for the record. So yes, Juliet would have
12 looked into the record and she would have saw the notes that
13 said 1995 robbery, denied. She would not have gone in to look
14 at any of the other information that was in there. So based
15 on his previous application where it was a nondisclosure, the
16 note in the system says "Denied, reason for denial, 1995
17 robbery." Everything else wouldn't have been there. And
18 being that he didn't appeal, we would not have a -- an appeal
19 report conducted. So he was given the information, you know,
20 for the robbery, but he did not disclose any other arrests
21 that he had first time around, and then he only listed the one
22 for the denial.

23 MR. ROBINSON: That's all I was aware of.

24 MADAM CHAIR NIXON: Okay. Sir, you can come back
25 up.

1 MR. ROBINSON: Because once again, I mean, I got a
2 guard card now.

3 MADAM CHAIR NIXON: Understood. So -- okay. So you
4 did not list it on the first application, so what she helped
5 you with was what you listed on your first application. Does
6 that make sense?

7 MR. ROBINSON: I understand the way he put it.

8 MADAM CHAIR NIXON: Okay. So it's your background,
9 and so unfortunately, you have to have the information on your
10 background for -- in order for them to help you.

11 So I'm going to take a -- is -- board, are there any
12 more questions for Mr. Robinson?

13 MR. ROBINSON: So it doesn't count for anything?

14 MADAM CHAIR NIXON: Hang on. Hang on. Hang on.
15 We're into the system now. Let's just go through the process
16 now.

17 Board, are there any more questions for
18 Mr. Robinson?

19 Okay. Hearing there are no questions, I'll
20 entertain a motion.

21 BOARD MEMBER CORTEZ: This is Board Member Cortez.
22 I am going to motion to uphold the denial based on no
23 disclosure of the entire criminal history. Just want to make
24 it very clear that it was not disclosed the first time, and
25 here we are again at the second time and it's still

1 undisclosed. So my reason for the upholding of the denial is
2 based on full disclosure of your criminal history.

3 MADAM CHAIR NIXON: Okay. We have a motion. Do we
4 have a second?

5 BOARD MEMBER GRONAUER: Gronauer. Second.

6 BOARD MEMBER BEZICK: Bezick seconds.

7 MADAM CHAIR NIXON: Okay. So we have a motion. We
8 have a second. All in favor "aye."

9 BOARD MEMBERS: Aye (in unison).

10 MADAM CHAIR NIXON: Okay. So unfortunately, sir,
11 with -- in this case, this is your second denial. You're not
12 able to apply again for five years. Thank you.

13 Okay. Anybody that's in the audience that has not
14 been sworn in yet? Okay. Let's have everyone stand up, if
15 you haven't been sworn in and you're going to testify. Okay.
16 Legal. Ms. Lee.

17 MS. LEE: Sorry.

18 Please raise your right hand. Do you swear the
19 testimony you're about to give is the truth, the whole truth,
20 and nothing but the truth under penalty of perjury? Please
21 respond.

22 (Audience answers in the affirmative.)

23 MS. LEE: Okay. Thank you.

24 MADAM CHAIR NIXON: Thank you.

25 So if I have this correctly, I think we're on Agenda

1 Item No. 75.

2 EXECUTIVE DIRECTOR SALADINO: Correct.

3 MADAM CHAIR NIXON: Okay.

4 BOARD MEMBER CORTEZ: What happened to 74?

5 EXECUTIVE DIRECTOR SALADINO: Postponed.

6 BOARD MEMBER CORTEZ: Got it. And 73?

7 MADAM CHAIR NIXON: They were trailed and then --

8 BOARD MEMBER CORTEZ: Okay.

9 MADAM CHAIR NIXON: Okay. So Agenda Item No. 75,
10 Asia Jackson.

11 Good afternoon, Ms. Jackson.

12 MS. JACKSON: Good afternoon.

13 MADAM CHAIR NIXON: Good afternoon.

14 Investigator Swarthout, could you let us know why
15 we're here for Ms. Jackson?

16 INVESTIGATOR SWARTHOUT: The applicant was denied
17 for a conviction of the illegal use or possession of a
18 dangerous weapon for failure to disclose. Nevada, 2020,
19 misdemeanor, aid or permit a child under 18 to use or possess
20 a firearm, sentenced to 90 days jail, suspended stay out of
21 trouble order. Out of Nevada, 2010, misdemeanor solicit
22 prostitution. She was -- she was sentenced to pay a fine for
23 that. 2009 out of Nevada, possession of narcotic
24 paraphernalia, sentenced to pay a fine. 2009 out of Nevada,
25 gross misdemeanor, attempted forgery, sentenced to pay a fine

1 and given credit for time served.

2 MADAM CHAIR NIXON: Okay. And my understanding is
3 that none of this was disclosed?

4 INVESTIGATOR SWARTHOUT: None of her arrests were
5 disclosed on her application.

6 MADAM CHAIR NIXON: Okay. Board, any questions for
7 Ms. Jackson?

8 BOARD MEMBER CORTEZ: Ms. Jackson, good afternoon.

9 MS. JACKSON: Good afternoon.

10 BOARD MEMBER CORTEZ: Board Member Cortez, for the
11 record. Why did you fail to disclose any of your criminal
12 history?

13 MS. JACKSON: I honestly forgot about the 2024, the
14 gun charge one. But all the rest, I didn't really think it
15 mattered, honestly, because it wasn't a felony, so I really
16 didn't think -- is there any way I can reapply and disclose it
17 all and try this over?

18 BOARD MEMBER CORTEZ: Yes, but we'll get to that.

19 MS. JACKSON: All right.

20 MADAM CHAIR NIXON: No immediate do-overs, but
21 we'll -- we'll walk you through it.

22 MS. JACKSON: Okay.

23 MADAM CHAIR NIXON: Board, any further questions for
24 Ms. Jackson?

25 Okay. If there's no further questions, I'll

1 entertain a motion.

2 BOARD MEMBER CORTEZ: Board Member Cortez motioning
3 to uphold the denial based on no disclosure of the criminal
4 history.

5 MADAM CHAIR NIXON: Okay. We have a motion. Do we
6 have a second?

7 BOARD MEMBER BROWN: Brown will second.

8 MADAM CHAIR NIXON: Okay. We have a motion. We
9 have a second. All in favor say "aye."

10 BOARD MEMBERS: Aye (in unison).

11 MADAM CHAIR NIXON: Okay. So you have an
12 opportunity to apply again in one year. They will help you,
13 because they have your history now, so they'll help you, but
14 if, you know, you have any other history that you know of,
15 they're going to run your fingerprints. Make sure you have it
16 all with you. You'll get denied and then you'll come back to
17 a meeting like this and, you know, you've seen us approve
18 other ones that have come back. We want to see you back, so
19 good luck to you. If you need anything, you know, please
20 reach out to the office. They'll help you.

21 MS. JACKSON: So is it one year from today's date?

22 MADAM CHAIR NIXON: From today. Yes, ma'am.

23 MS. JACKSON: Okay. Thank you.

24 MADAM CHAIR NIXON: Thank you. Good luck to you.

25 Okay. Agenda Item No. 76, Manuel Miranda. Okay.

1 I'll trail.

2 Agenda Item No. 77, Jasper Jefferson. Okay. Trail.

3 Agenda Item No. 78, Robert Esquivel. Postponed.

4 Okay.

5 Agenda Item No. 79, Robert Schroeder. Okay. Please
6 come forward, sir. Good afternoon.

7 MR. SCHROEDER: Good afternoon.

8 MADAM CHAIR NIXON: Okay. Investigator Swarthout,
9 could you tell us why we're here for Mr. Schroeder?

10 INVESTIGATOR SWARTHOUT: The applicant was denied
11 for a felony conviction, 2003, out of Illinois, felony
12 possession controlled substance, one year of prison. 2001,
13 Illinois, felony retail theft, two years prison. In 1993 out
14 of Illinois, possession of cannabis. That one was dismissed.
15 1994 -- or 1984 Illinois misdemeanor DUI, sentenced to a fine
16 and nine -- nine months to a year probation. The applicant
17 did disclose all arrests on his application.

18 MADAM CHAIR NIXON: Okay. Board, any questions for
19 Mr. Schroeder?

20 Okay. Hearing there are no questions, I'll
21 entertain a motion.

22 BOARD MEMBER CORTEZ: This is Board Member Cortez
23 motioning to overturn the denial and grant Mr. Schroeder his
24 work card based off full disclosure.

25 MADAM CHAIR NIXON: Okay. We have a motion. Do we

1 have a second?

2 BOARD MEMBER BEZICK: Bezick seconds.

3 MADAM CHAIR NIXON: Okay. We have a motion. We
4 have a second. All in favor say "aye."

5 BOARD MEMBERS: Aye (in unison).

6 MADAM CHAIR NIXON: Okay. Motion passes.

7 Congratulations, sir. The office will contact you
8 tomorrow, okay? Thank you.

9 MR. SCHROEDER: Have a wonderful afternoon.

10 MADAM CHAIR NIXON: Agenda Item No. 80, Mark Lilly.
11 Good afternoon, Mr. Lilly.

12 MR. LILLY: Good afternoon.

13 MADAM CHAIR NIXON: Investigator Swarthout, would
14 you please tell us why we're here for Mr. Lilly?

15 INVESTIGATOR SWARTHOUT: The applicant was denied
16 for conviction of a felony and a conviction of a illegal use
17 or possession of a dangerous weapon. 2010 out of California,
18 felony force assault deadly weapon, not a firearm, great
19 bodily injury likely, sentenced to 48 months probation, 90
20 days jail suspended. Also out of California, 2020 trespass,
21 obstruct business operations. That one was dismissed. 2015
22 out of California, misdemeanor DUI, sentenced to one day jail,
23 36 months probation, and a fine. 1991 out of California,
24 vehicle tampering, misdemeanor, sentenced to 90 days jail.
25 1991, also out of California, misdemeanor contempt of court,

1 sentenced to a \$367 fine and five days jail. The applicant
2 also has a continuization page. The applicant also provided
3 court documents showing that he had his arrest history out of
4 Nevada sealed with the case info.

5 MADAM CHAIR NIXON: Okay. And just to be clear, all
6 arrests were disclosed?

7 INVESTIGATOR SWARTHOUT: Yes. All arrests were
8 disclosed.

9 MADAM CHAIR NIXON: Okay. Thank you.

10 Board, any questions for Mr. Lilly?

11 BOARD MEMBER CORTEZ: This is Board Member Cortez.

12 Mr. Lilly, could you talk to me about the 2020 trespass
13 charge? I know it was dismissed, but give me the
14 surrounding -- the cases surrounding it.

15 MR. LILLY: 2020 trespass?

16 BOARD MEMBER CORTEZ: There was a trespass,
17 obstructing a business operation. It was dismissed, trespass,
18 2020, California, September.

19 MR. LILLY: Not for me, it wasn't.

20 BOARD MEMBER CORTEZ: You were never pulled over or
21 cited or given a ticket for entering a building without
22 permission?

23 MR. LILLY: No, ma'am.

24 MADAM CHAIR NIXON: Did you fill out your
25 application?

1 MR. LILLY: Yes, ma'am.

2 BOARD MEMBER CORTEZ: Investigator Swarthout, do we
3 have any information regarding that case?

4 INVESTIGATOR SWARTHOUT: Just that it was out of
5 Riverside and it was dismissed in furtherance of justice.

6 BOARD MEMBER CORTEZ: And Mr. Lilly, you have no
7 recollection of any of that?

8 MR. LILLY: I have not gotten in any trouble since.

9 BOARD MEMBER CORTEZ: You'll need to turn on your
10 mic. Sorry. Your mic is off.

11 My question is not whether you got into trouble. My
12 question is, do you have --

13 MR. LILLY: I do not recollect that, ma'am. I do
14 not recall.

15 BOARD MEMBER CORTEZ: You don't have any
16 recollection of the 2020 charge?

17 MR. LILLY: No.

18 BOARD MEMBER CORTEZ: Okay.

19 MADAM CHAIR NIXON: But he disclosed everything.

20 INVESTIGATOR SWARTHOUT: He provided it along with
21 the court documents from the Eighth Judicial when he got his
22 case sealed, so it might have been stuff that his attorney
23 gave him.

24 MADAM CHAIR NIXON: Got it. But he put it on his
25 application?

1 INVESTIGATOR SWARTHOUT: Yes.

2 MADAM CHAIR NIXON: Okay.

3 BOARD MEMBER CORTEZ: With no recollection?

4 MADAM CHAIR NIXON: But he has all of his documents
5 from his lawyer, so he probably just -- okay.

6 Any further questions for Mr. Lilly?

7 Okay. Hearing there are no further questions, I'll
8 entertain a motion.

9 BOARD MEMBER GRONAUER: This is Gronauer --

10 BOARD MEMBER BROWN: This is Board --

11 MADAM CHAIR NIXON: I think you got the go-ahead.

12 BOARD MEMBER GRONAUER: Okay. This is Gronauer. I
13 make a motion to overturn the denial for Zachary -- for Mark
14 Lilly. Time and distance.

15 MADAM CHAIR NIXON: Okay. We have a motion. Do we
16 have a second?

17 BOARD MEMBER BROWN: Brown will second.

18 MADAM CHAIR NIXON: Okay. We have a motion. We
19 have a second. All in favor say "aye."

20 BOARD MEMBERS: Aye (in unison).

21 MADAM CHAIR NIXON: Okay. So motion passes.

22 So, you know, thank you for disclosing all of the
23 arrests, even if it was given to you for your legal team, but
24 because of that, we're going to -- we went ahead and approved
25 your license. So the office will contact you tomorrow for

1 next steps, okay?

2 MR. LILLY: Thank you.

3 MADAM CHAIR NIXON: Mm-hmm.

4 MR. LILLY: Thank you, Mr. -- Gardner?

5 BOARD MEMBER GRONAUER: Close enough. Bobby G.

6 MR. LILLY: Thank you, Ms. Cortez, for the
7 questions.

8 MADAM CHAIR NIXON: Okay. Agenda Item No. 81,
9 Ariana Martinez. Okay. No Ms. Martinez. We'll trail.

10 Item 82, Andre Meiers. Okay. Good afternoon,
11 Mr. Meiers.

12 Investigator Swarthout, could you tell us why we're
13 here for Mr. Meiers?

14 INVESTIGATOR SWARTHOUT: The applicant was denied
15 for failure to disclose a 2020 out of Nevada, felony torture,
16 maim, kill animal, threaten, terrorize, second count was
17 battery, third count was DV. It was dismissed. 2020 out of
18 Nevada, also misdemeanor, one count DV, second count petty
19 larceny. It was a DA denial. 2020 out of Nevada, misdemeanor
20 assault, sentenced to six months jail suspended, six months
21 probation, and proof of compliance. 2018 out of Nevada,
22 felony possession schedule I, II, III, or IV controlled
23 substance. That one was a DA denial.

24 MADAM CHAIR NIXON: Okay. Board, any questions for
25 Mr. Meiers?

1 MR. MEIERS: I'm sorry. I just --

2 MADAM CHAIR NIXON: It's not -- I'm asking the board
3 to see if they have any questions.

4 BOARD MEMBER CORTEZ: This is Board Member Cortez.
5 Mr. Meiers, why did you fail to disclose your criminal
6 history?

7 MR. MEIERS: I didn't know my criminal --

8 BOARD MEMBER CORTEZ: You need to turn on your mic.

9 MR. MEIERS: Oh. Sorry. I have no idea of my
10 criminal history. That's --

11 BOARD MEMBER CORTEZ: Is it your testimony that you
12 did not have any kind of criminal history?

13 MR. MEIERS: No, ma'am. I just was --

14 BOARD MEMBER CORTEZ: So you've never done six
15 months in jail?

16 MR. MEIERS: No, ma'am.

17 BOARD MEMBER CORTEZ: Okay. Your name is Andre
18 Meiers, M-e-i-e-r-s.

19 MR. MEIERS: Yes, ma'am.

20 BOARD MEMBER CORTEZ: Okay. And once again, you
21 never spent a day in jail?

22 MR. MEIERS: I have before, I just don't really know
23 my criminal history too well.

24 BOARD MEMBER CORTEZ: Okay. So before, you said
25 that you'd never spent time in jail, now you did do time in

1 jail?

2 MR. MEIERS: Yes, ma'am.

3 BOARD MEMBER CORTEZ: Okay. When did you do time in
4 jail? Do you recall?

5 MR. MEIERS: It was in high school timing. I don't
6 know. I'm 26 now and I have no idea what my criminal history
7 would be back then.

8 BOARD MEMBER CORTEZ: Okay. Okay. Understood. So
9 when you -- did you fill out this application on your own?

10 MR. MEIERS: With my mother, but yes.

11 BOARD MEMBER CORTEZ: With the assistance of your
12 mom. Okay.

13 MR. MEIERS: Yes.

14 BOARD MEMBER CORTEZ: And did you happen to see that
15 there was a page dedicated to a stop sign and it says to list
16 all your criminal history? Do you happen to recall seeing
17 that page?

18 MR. MEIERS: Yes, ma'am, and my mom had all the
19 information, so I don't know how to fill that out.

20 BOARD MEMBER CORTEZ: Okay. So while I can
21 absolutely appreciate your mom helping you, it would be --
22 it's your responsibility to understand that your application
23 is filled out completely. There is, unfortunately, a page --
24 it's not unfortunate. There is a page dedicated where every
25 applicant needs to list all their criminal history, and

1 unfortunately, with or without the help of your mom, nothing
2 was listed. And you've given me your answer, so thank you
3 very much. No further questions or comments.

4 UNIDENTIFIED SPEAKER: Do I ask if I can speak?

5 MR. MEIERS: Excuse me. May my mom have -- or speak
6 for me? Sorry.

7 UNIDENTIFIED SPEAKER: I have power of attorney.

8 MR. MEIERS: I have power of attorney.

9 UNIDENTIFIED SPEAKER: I do.

10 MR. MEIERS: Yeah.

11 MADAM CHAIR NIXON: Board, we have the young man's
12 mother here who apparently has power of attorney for him and
13 she wishes to speak. Do we want to entertain that? Okay.

14 You know, ma'am, unfortunately, I think, you know,
15 it's very clear he has a criminal history, so --

16 UNIDENTIFIED SPEAKER: He has a medical illness of
17 schizophrenia, and he's now medicated and that's why I help
18 him with a lot of stuff.

19 MADAM CHAIR NIXON: Okay. Understood.

20 Board, are there any further questions for
21 Mr. Meiers?

22 Okay. Hearing there are no further questions, I'll
23 entertain a motion.

24 BOARD MEMBER CORTEZ: Board Member Cortez motioning
25 to uphold the denial based on no disclosure of any criminal

1 history.

2 MADAM CHAIR NIXON: Okay. We have a motion. Do we
3 have a second?

4 BOARD MEMBER BROWN: Board Member Brown will second.

5 MADAM CHAIR NIXON: Okay. We have a motion. We
6 have a second. All in favor say "aye."

7 BOARD MEMBERS: Aye (in unison).

8 MADAM CHAIR NIXON: Okay. Unfortunately, because
9 you -- even if you had assistance with your application, that
10 person still has to -- ma'am, you still have to fill it out
11 with full disclosure of any criminal activity. It's very
12 clear on the application what the questions are and the
13 standards that we're asking for. So at this point, we're
14 going to deny your work card. You do have an opportunity to
15 reapply in one year. You have the information now. As long
16 as there's nothing in between then and now, you know, you
17 can -- they'll help you with your actual application if you --

18 UNIDENTIFIED SPEAKER: So you'll keep it on the
19 records?

20 MADAM CHAIR NIXON: We do. Yeah. All right. Thank
21 you. Good luck to you, sir.

22 MR. MEIERS: Thank you.

23 UNIDENTIFIED SPEAKER: Thank you.

24 MADAM CHAIR NIXON: Mm-hmm. Agenda

25 Item No. 84 [sic], Duran Miller. Good afternoon, Mr. Miller.

1 MR. MILLER: Good afternoon.

2 MADAM CHAIR NIXON: Investigator Swarthout, why are
3 we here for Mr. Miller?

4 INVESTIGATOR SWARTHOUT: The applicant was denied
5 for conviction of the illegal use/possession of a danger [sic]
6 weapon --

7 (Reporter interjection.)

8 INVESTIGATOR SWARTHOUT: The conviction of illegal
9 use or possession of a dangerous weapon and for failure to
10 disclose. 2022 out of Nevada, misdemeanor, carry concealed
11 weapon. He was sentenced to two days jail. 2023 out of
12 California, CCW in a vehicle with prior felony conviction was
13 one charge, second charge is carrying a loaded handgun and
14 owner, third charge was store firearm, and fourth was carry a
15 firearm in a public place. Disposition is unknown on that
16 one. 2021 out of California, CCW in vehicle .this one was a
17 detention only.

18 MADAM CHAIR NIXON: Okay. So I'm sorry I have to
19 ask again. Was -- were these listed on his application?

20 INVESTIGATOR SWARTHOUT: None of the arrest history
21 was disclosed.

22 MADAM CHAIR NIXON: None of it was disclosed.

23 Sir, were you sworn in when you came in?

24 MR. MILLER: Yes, ma'am.

25 MADAM CHAIR NIXON: Okay. Gotcha.

1 Okay. Board, any questions for Mr. Miller?

2 BOARD MEMBER CORTEZ: This board member --

3 BOARD MEMBER BROWN: Board Member Brown. Question
4 for Investigator Swarthout. On the second entry, the 2000 --
5 April 2023, charge 1 is CCW in a vehicle with prior felony
6 conviction. I don't see a prior felony. Is the 2022, was
7 that originally a felony by the grand jury and then pled down?

8 INVESTIGATOR SWARTHOUT: It could be. That was my
9 only other thought, because I don't show any other felony --
10 any felony convictions or anything else.

11 BOARD MEMBER BROWN: Okay. Thank you.

12 MADAM CHAIR NIXON: Board, do you have any further
13 questions?

14 BOARD MEMBER CORTEZ: This is Board Member Cortez.
15 Mr. Miller, why did you fail to disclose your history?

16 MR. MILLER: I believe I was going through the
17 paperwork too fast. I had a job interview, but when I got the
18 email, I disclosed all that through email.

19 BOARD MEMBER CORTEZ: Understood. Thank you.

20 MADAM CHAIR NIXON: Okay. Board, any further
21 questions?

22 Okay. Hearing no further questions, I'll entertain
23 a motion.

24 BOARD MEMBER CORTEZ: Board Member Cortez motioning
25 to uphold the denial based on no disclosure of criminal

1 history and also citing time and distance. We have a case out
2 of 2023.

3 MADAM CHAIR NIXON: Okay. We have a motion. Do we
4 have a second?

5 BOARD MEMBER BROWN: Brown will second.

6 MADAM CHAIR NIXON: Okay. We have a motion. We
7 have a second. All in favor say "aye."

8 BOARD MEMBERS: Aye (in unison).

9 MADAM CHAIR NIXON: Okay. So we're not going to
10 grant you a work card. You are able to appeal in one year.
11 They have your criminal history. Long as you don't get in any
12 trouble between now and then, you can work with the office to
13 get -- to get assistance filling out your application, okay?

14 MR. MILLER: Okay. Thank you.

15 MADAM CHAIR NIXON: All right. Thank you. Good
16 luck to you.

17 Agenda Item No. 84, Jesse Bearden. Good afternoon,
18 sir.

19 MR. BEARDEN: Good afternoon, ma'am.

20 MADAM CHAIR NIXON: You've been sworn in, right?

21 MR. BEARDEN: Yes, I have.

22 MADAM CHAIR NIXON: Okay. Investigator Swarthout,
23 why are we here for Mr. Bearden?

24 INVESTIGATOR SWARTHOUT: The applicant was denied
25 for a conviction of illegal use or possession of a dangerous

1 weapon. 2016 out of Nevada, misdemeanor, carry a concealed
2 firearm without a permit. He was convicted, sentenced to 90
3 days jail suspended, 62 hours of community service, and he had
4 to forfeit the firearm. The applicant did disclose this
5 arrest.

6 MADAM CHAIR NIXON: All right. Board, any questions
7 for Mr. Bearden?

8 Hearing there are no questions, I'll entertain a
9 motion.

10 BOARD MEMBER BROWN: This is Board Member Brown. I
11 move that we grant the appeal allow Mr. Bearden to get his
12 work card.

13 MADAM CHAIR NIXON: Okay. We have a motion --

14 BOARD MEMBER BROWN: Based on full disclosure.

15 MADAM CHAIR NIXON: We have a motion. Do we have a
16 second?

17 BOARD MEMBER BEZICK: Bezick seconds.

18 MADAM CHAIR NIXON: We have a motion. We have a
19 second all. In favor say "aye."

20 BOARD MEMBERS: Aye (in unison).

21 MADAM CHAIR NIXON: Okay. So you will get your work
22 card. The office will call you tomorrow and they'll work with
23 you on next steps, okay?

24 MR. BEARDEN: Thank you, guys.

25 MADAM CHAIR NIXON: Thank you.

1 We already approved Agenda Item No. 86.

2 Agenda Item No. 87, Justin Brooks. Okay.

3 MR. BROOKS: Good afternoon, board.

4 MADAM CHAIR NIXON: Good afternoon. Sir, have you
5 been sworn in?

6 MR. BROOKS: No, I haven't.

7 MADAM CHAIR NIXON: You have not. Okay.

8 MS. LEE: Please raise your right hand. Would you
9 mind turning on your mic too?

10 MR. BROOKS: Turn it on?

11 MS. LEE: Mm-hmm. There you go.

12 MR. BROOKS: There we go.

13 MS. LEE: Do you swear under penalty of perjury that
14 the testimony you're about to give is the truth, the whole
15 truth, and nothing but the truth?

16 MR. BROOKS: Yes, ma'am.

17 MS. LEE: Thank you.

18 MADAM CHAIR NIXON: Investigator Swarthout, could
19 you tell us why we're here for Mr. Brooks?

20 INVESTIGATOR SWARTHOUT: The applicant was denied
21 due to a felony conviction and for failure to disclose arrest
22 history. 2010 out of Nevada, felony attempt possess stolen
23 property where value of property is more than \$2,500 or more,
24 convicted, 12 to 36 months NDOC suspended, 16 months -- or 16
25 hours community service a month, and 24 months probation.

1 2009 out of Nevada, felony attempted unlawful possession or
2 sale of a substance classified as schedule I or II narcotic,
3 convicted 12 to 48 months NDOC, suspended three years
4 probation, 16 hours a month of community service. Out of
5 Nevada, 2018 misdemeanor false statement to obstruct a public
6 officer and a charge of resist public officer. Guilty on both
7 counts. 90 days jail suspended and credit for time served of
8 four days. 2010 out of Nevada, misdemeanor drugs not to be
9 introduced to interstate commerce. 2010 out of Nevada, felony
10 domestic battery by strangulation. This charge was dismissed.
11 We do have an addition addendum of the arrest history. He
12 only disclosed -- one, two, three, four, five -- five out of
13 his arrests.

14 MADAM CHAIR NIXON: Okay. Hang on. Sorry.

15 MR. BROOKS: Can I speak?

16 MADAM CHAIR NIXON: No. No. Hang on.

17 Okay. Board, are there any questions for Mr.--
18 sorry -- Brooks?

19 BOARD MEMBER BROWN: This is Board Member Brown.
20 Mr. Brooks, why did you only disclose a few of your charges?

21 MR. BROOKS: That's what I wanted to speak on. I
22 went and got a printout from the court and I disclosed -- I
23 extended it to it. I did not write everything down, but I
24 disclosed the full printout of my charges, so I did not
25 disclose anything. I gave -- I gave them everything I had

1 when I came. I have the printout right here if you would
2 like.

3 MADAM CHAIR NIXON: Yeah. Hang on a second.
4 Investigator --

5 INVESTIGATOR SWARTHOUT: On the arrest history of
6 the application, he listed only five arrests and he circled
7 "no" on the felony question.

8 MADAM CHAIR NIXON: Okay. So on the arrest history,
9 does he have stapled to it his --

10 MR. BROOKS: Yeah. I had it stapled.

11 MADAM CHAIR NIXON: Sir, hang on, please.

12 Okay. Does he have stapled to his application
13 the -- his arrest history from the courts?

14 INVESTIGATOR SWARTHOUT: No.

15 MR. BROOKS: Yes.

16 INVESTIGATOR SWARTHOUT: Depending on what he would
17 have given by the court, if it would have been his SCOPE, we
18 would not be able to take it. He would have been told to
19 transfer it onto one of our paperwork. If it had been like a
20 normal printout from the courthouse, we would have taken that.
21 I didn't have anything attached besides an additional page,
22 which just has the same charges that he already had disclosed.

23 MADAM CHAIR NIXON: And the additional page is
24 his --

25 MR. BROOKS: This is --

1 INVESTIGATOR SWARTHOUT: Just another fill-out, and
2 we have too many arrests to list on the first page.

3 MR. BROOKS: And I disclosed that. Here it is.
4 It's right here. I disclosed everything.

5 BOARD MEMBER CORTEZ: This is Board Member Cortez.
6 Mr. Brooks, here's the -- here's the issue that I'm having:
7 Not only do we have, according to our investigation, that you
8 did not disclose the entire criminal history, yes, you might
9 have disclosed a few, but all of it was not disclosed. My
10 second issue is on question 1 of the first page during the
11 criminal history, it asks whether or not you were a convicted
12 felon. You indicated that you were not.

13 MR. BROOKS: Well, because I went through the
14 programs and I thought that it got dropped down to a gross
15 misdemeanor, so I didn't know that I was -- I had felonies.

16 BOARD MEMBER CORTEZ: Okay. So at some point, you
17 have been convicted of a felony; is that correct?

18 MR. BROOKS: Yeah, but I completed programs and I
19 thought --

20 BOARD MEMBER CORTEZ: Not have you completed. Have
21 you been convicted of a felony? That's the question.

22 MR. BROOKS: I guess so, yes.

23 BOARD MEMBER CORTEZ: The answer is yes. Okay. So
24 unfortunately, on your application, you indicated no.

25 MR. BROOKS: Well --

1 BOARD MEMBER CORTEZ: That's not true.

2 MR. BROOKS: -- like I said, I completed the
3 programs and I thought they got dropped down to a gross
4 misdemeanor, and that's a mistake.

5 BOARD MEMBER CORTEZ: Okay. No problem. All right.
6 Thank you.

7 MR. BROOKS: I have no -- nothing to hide, you know.

8 MADAM CHAIR NIXON: Okay. Any further questions
9 from the board?

10 Okay. Hearing there are no further questions, I'll
11 entertain a motion.

12 BOARD MEMBER BROWN: This is Board Member Brown. I
13 move that we deny the appeal based on failure to disclose.

14 MADAM CHAIR NIXON: Okay. We have a motion. Do we
15 have a second?

16 BOARD MEMBER CORTEZ: This is --

17 BOARD MEMBER BEZICK: Bezick seconds.

18 MADAM CHAIR NIXON: Okay. We have a motion. We
19 have a second. All in favor say "aye."

20 BOARD MEMBERS: Aye (in unison).

21 MADAM CHAIR NIXON: Okay. Sir, now all of your
22 arrest records that show up for your fingerprints are on not
23 only this application, but they have an Excel spreadsheet that
24 have those attached as well, so you have an opportunity to
25 reapply in one year, and they will help you with that

1 application because they do have your information kept, okay?

2 We encourage you to come back. Thank you. Good luck to you.

3 MR. BROOKS: Thank you. Have a good day.

4 MADAM CHAIR NIXON: You too.

5 Agenda Item No. 88, Leticia -- or Lelita Carter?

6 Okay. What time is it?

7 BOARD MEMBER CORTEZ: 1:36.

8 MADAM CHAIR NIXON: Okay. We have some folks in the
9 back. Do we know what agenda item -- oh. Okay. Let's knock
10 out the trails real quick, and then we'll skip to whoever is
11 in the audience. So -- so the block that we're about to
12 trail, those folks --

13 EXECUTIVE DIRECTOR SALADINO: They're supposed to be
14 here at 1.

15 (Off-the-record discussion.)

16 MADAM CHAIR NIXON: And sir, you just walked in.
17 What's your agenda item number?

18 MR. GAMBOA: 95.

19 MADAM CHAIR NIXON: Okay. So those folks in the
20 back have been here. They're agenda Item No. 90 what? 97?
21 Okay. Let's take a five-minute break and then we'll take
22 Agenda Item No. 97.

23 (Recess taken from 1:38 p.m. to 1:47 p.m.)

24 MADAM CHAIR NIXON: Okay. So this is Agenda
25 Item No. --

1 BOARD MEMBER CORTEZ: 97.

2 MADAM CHAIR NIXON: -- 97. It's under "Other
3 Items." We're skipping a bit just because they've been here
4 for a while and we don't have anybody in from our 1 to
5 2 o'clock agenda items.

6 Executive Director, do you want to run down where we
7 are with this and what the concerns are and the questions, and
8 then we'll go from there?

9 EXECUTIVE DIRECTOR SALADINO: Executive Director,
10 for the record. So for agenda item 97, we have it written
11 down as licensing for companies and individuals that review
12 travel and hospitality, including hotels, restaurants, and
13 spas. In -- in talking with companies that provide this type
14 of service to the hospitality portions of Las Vegas and
15 Nevada, historically private investigator is where they would
16 fall under for licensure, and then -- so far so into private
17 investigator, it would also be mystery shops. So companies
18 that have a private investigator license are then able to
19 conduct this type of business where they go into a property,
20 they're given a -- basically a script or a contract to, you
21 know, check out certain amenities at these properties, whether
22 it be restaurants, pools and spas, you know, the way the
23 reservations are taken. There's different aspects that are --
24 that are given to them.

25 And we have an attorney general opinion from -- I

1 want to say it was 1993 that does say that the tasks that a
2 mystery shopper is conducting fall under the definition of
3 private investigator. So if we look at the definition of
4 private investigator, it says, "Private investigator means any
5 person who for any consideration engages in business or
6 accepts employment to furnish or agrees to make or makes any
7 investigation for the purpose of obtaining information with
8 reference to, (a), the identity, habits, conduct, business,
9 occupation, honesty, integrity, credibility, knowledge,
10 trustworthiness, efficiency, loyalty, activity, movement,
11 whereabouts, affiliations, associations, transactions, acts,
12 reputation, or character of any person, (b) the location,
13 disposition, or recovery of lost or stolen property," then it
14 goes into (c), "cause or responsibility of fires, liables,
15 losses, accidents, motor vehicle crashes, or damage or injury
16 to persons or to property."

17 I could continue reading the rest of these, however,
18 the term does not include "Any person who is accessing
19 exclusively public records, public databases, or any other
20 public information," or (b), "any person who for any
21 consideration engages in business or accepts employment to
22 provide information security."

23 The -- if we look at the applicability chapter, the
24 applicability chapter, 648.018 has, "Except as to polygraph
25 examiners and interns, this chapter does not apply." In

1 number 1 it's got a carve-out for "Detectives or officers
2 belonging to any law enforcement agency in the state of Nevada
3 or the United States or in any county or city of the state of
4 Nevada while a detective or officer is engaged in the
5 performance of his or her official duties. Number 2, special
6 police officers appointed by the police department of any
7 City, County or City and County within the state of Nevada
8 while the officer is engaged in the performance of his or her
9 official duties.

10 "Number 3, to insurance adjusters licensed pursuant
11 to the Nevada Insurance Adjusters Law who are not otherwise
12 engaged in the business of private investigators. Number 4,
13 to any private investigator, private patrol officer, process
14 servicer, dog handler, or security consultant employed by an
15 employer regularly in connection with the affairs of that
16 employer if a bona fide employee/employer relationship exists
17 except as otherwise provided in NRS 648.060, 648.140
18 and 648.203.

19 "To a reposessor employed exclusively by one
20 employer regularly in connection with the affairs of that
21 employer, if a bona fide employer/employee relationship
22 exists, except as otherwise provided in NRS 648.060, 648.140,
23 and 648.203. Number 6, to a person engaged exclusively in the
24 business of obtaining and furnishing information as to
25 financial rating of a persons. Number 7, to a charitable

1 philanthropic society or association incorporated under the
2 laws of this state, which is organized and maintained for the
3 public good and not for private profit.

4 "Number 8, to an attorney at law performing his or
5 her duties as such. Number 9, to a collection agency, unless
6 engaged in the business as a reposessor licensed by the
7 commissioner of financial institutions or an employee thereof
8 while acting within the scope of his or her employment while
9 making an investigation incidental to the business of the
10 agency, including investigation of the location of a debtor or
11 his or her assets and of property which the client has an
12 interest in or lien upon.

13 "Number 10, to admitted insurers and agents and
14 insurance brokers licensed by the State performing duties in
15 connection with insurance transacted by them. Number 11, to
16 any bank organized pursuant to the laws of this state or to
17 any national bank engaged in banking in the state. Number 12,
18 to any person employed to administer a program of supervision
19 for persons who are serving terms of residential
20 confinement. 13, to any commercial registered agent as
21 defined in NRS 77.040 who obtains copies of exams or extracts
22 information from public records maintained by any foreign,
23 federal, state, or local government or any agency or political
24 subdivision of any foreign, federal, state, or local
25 government.

1 "14, to any holder of a certificate of certified
2 public accountant issued by the Nevada State Board of
3 Accountancy pursuant to Chapter 628 of NRS while performing
4 his or her duties pursuant to the certificate. 15, to a
5 person performing the repair or maintenance of a computer who
6 performs a review or analyzes of data contained in a computer
7 solely for the purposes of diagnosing a computer hardware or
8 software problem and who is not otherwise engaged in the
9 business of a private investigator.

10 "16, to any person who for any consideration engages
11 in the business or accepts employment to provide information
12 security. 17, to a person or any employee thereof who is
13 engaged exclusively in the business of transporting persons,
14 (a), from this state to another state, from another state to
15 this state, or through this state for the purpose of a
16 temporary transfer of custody pursuant to NRS 178.620 or
17 extradition pursuant to NRS 179.177 to 179.235, inclusive, or
18 (b), within this state for the purpose of a temporary or
19 permanent transfer of the custody of a person from one state
20 or local governmental agency to another." So then -- so
21 that's the carve-out for what the chapter doesn't apply to.

22 Then we look at NAC, Nevada Administrative
23 Code 648.115, private investigator, interpreted. Number 1,
24 "The board will interpret the term 'private investigator' as
25 defined in NRS 648.012 to exclude a gaming licensee who

1 maintains an employer/employee relationship with, (a), a
2 natural person to act as a customer or client of the gaming
3 licensee to evaluate the service provided to actual customers
4 or clients of the gaming licensee by its employees; (b), a
5 natural person to act as a customer or client of the gaming
6 licensee to evaluate, (1), the operational procedures of the
7 gaming licensee, (2), the cleanliness of the property of the
8 gaming licensee, or (3), the quality, availability, and prices
9 of the goods and services of the gaming licensee, or (c), the
10 business entity licensed pursuant to Chapter 648 of NRS to
11 evaluate the operational procedures and methods of prevention
12 and study used by the gaming licensee related to the problems
13 of gambling and the consumption of alcoholic beverages by
14 minors.

15 "Number 2, as used in the this section, gaming
16 licensee means a holder of a nonrestricted gaming license
17 issued pursuant to Chapter 463 of NRS."

18 So that shows that the -- the gaming industry, you
19 know, is allowed to have employees that conduct these like
20 internal, you know, evaluations for the properties. So let's
21 see. Has the board had the opportunity to review the letter
22 that was provided to them from Lucas Foletta -- am I saying
23 that right?

24 MR. FOLETTA: Foletta.

25 EXECUTIVE DIRECTOR SALADINO: -- Foletta regarding

1 Forbes Travel Guide?

2 MADAM CHAIR NIXON: Yeah, and I think -- I think --
3 with those carve-outs, I think the only -- the -- at this
4 point, I guess do we open this up to discussion, board
5 discussion? Do we want to allow them the opportunity for open
6 comment?

7 MS. LEE: Yeah. It's up to you whether you want to
8 allow it.

9 MADAM CHAIR NIXON: Okay. So at this point, you
10 know, we'll allow open comment. You know, we can't -- I don't
11 want to limit it, but I don't want it to be an hour long
12 either, so just be cognizant there are other folks in the
13 room, but --

14 MR. FOLETTA: Thank you, and good afternoon, Madam
15 and chair members of the board, Executive Director Saladino.
16 My name is Lucas Foletta, outside counsel to Forbes in this
17 case.

18 By way of background, we do appreciate very much the
19 chance to introduce you to the model that is the subject of
20 this -- the business model that's been the subject of these
21 discussions with Mr. Saladino and his staff and your board
22 counsel over the last -- well, really months. And just to
23 step back for a second, we have been talking to Mr. Saladino
24 about the necessity of having certain members of Forbes
25 licensed in the state to perform certain activities that they

1 do. We've had really good discussions, and I think where
2 we've -- we've gotten to the point and why we're here is that
3 there's really kind of a disagreement about what Forbes does
4 and how it operates. And we understand very clearly that
5 Mr. Saladino has received legal advice and it's been conveyed
6 to us that mystery shoppers need to be licensed, and you are
7 performing mystery shopper-like services, and therefore, you
8 need to be licensed. We've, of course, submitted
9 correspondence where we've tried to identify in detail why we
10 don't believe that's the case.

11 What was suggested to us, and why we are
12 specifically here today, by Mr. Saladino is that it might be
13 property, given the state of conversations between ourselves
14 and Mr. Saladino and his staff, that we take this issue to the
15 board and see if we could get some feedback from the board
16 about its kind of reaction to the way Forbes operates and
17 whether it feels like, seems like the type of activity that
18 falls within the scope of this board's jurisdiction. And so
19 that's why I've got with me a couple members from the Forbes
20 team here today who are going to walk you through a brief
21 presentation about how the company operates.

22 We by no means intend to get into a legal argument
23 and tangle over what the statutes mean and so forth. It's
24 pretty clear we have -- we've set forth, you know, why we
25 think these rules don't specifically apply. And I also want

1 to say this isn't about trying to avoid licensure at all
2 costs, but the fact is we've got a business here that really,
3 in our view, operates very differently than how the other
4 folks who you license and oversee and regulate operate, and we
5 need to make sure that we choose a path forward that's
6 efficient and that works for the business and for the agency.
7 So that's where we are, so I'll let the Forbes team introduce
8 themselves and then walk through a few slides.

9 MADAM CHAIR NIXON: Can I ask a real quick question
10 in the beginning? So you just mentioned that you feel like we
11 do -- they do business, Forbes does, differently than the
12 other individuals. Are you saying the other mystery shoppers?
13 Is that --

14 MR. FOLETTA: I'm saying -- I'm saying anybody that
15 you license, which could be mystery shoppers too, yes. We do
16 believe we are distinct from mystery shoppers.

17 MADAM CHAIR NIXON: Okay.

18 MR. FOLETTA: Thank you.

19 MR. HOUNSHELL: Maybe I'll just introduce myself
20 next and then my colleague Megan here can walk you through a
21 little bit more of the materials that we've prepared. So my
22 name is Tony Hounshell. I am the CFO of Forbes Travel Guide.
23 I've been with the company for about six years now. Prior to
24 that, spent 20 years with a -- I'm a CPA for with the Big Four
25 accounting and other consultancies --

1 (Reporter interjection.)

2 MR. HOUNSHELL: Yeah. It's kind of not relevant to
3 what we do today, though --

4 MR. FOLETTA: She's the court reporter.

5 MR. HOUNSHELL: Yeah. CPA and I spent 20 years
6 within Big Four accounting and other consultancies. I joined
7 the FTG team about six years ago, and the FTG team is pretty
8 different than the background you just heard me describe. As
9 the CFO, that might make sense, but of course it's a team of
10 hotel operators. So this is a team of people that have
11 passion for service excellence, and it goes across hotel
12 operations.

13 We've been in business since 1958 and we have three
14 primary core competencies. We have created service excellence
15 standards. We help customers, most of them being in the
16 hospitality industry, create standards --

17 (Reporter interjection.)

18 MR. FOLETTA: Yeah, service standards. And so our
19 three core competencies are that advisory business that really
20 focuses a lot on service standards, we do training of those
21 standards, and then assessments against though standards. So
22 that's our business in general, and I think Megan will be
23 happy to walk you through the presentation.

24 MS. TORRANCE: Thank you. And I'll be very mindful
25 of all of your time, as well, but my name is Megan Torrance

1 and I oversee the operations at Forbes Travel Guide.

2 (Reporter interjection.)

3 MS. TORRANCE: I'm usually slower. Sorry.

4 But I oversee the operations at Forbes Travel Guide.
5 My background is over 20 years of hospitality hotel management
6 through Four Seasons Hotel Group, through small independent
7 boutique properties, and all throughout, and I represent -- my
8 background represents, as Tony mentioned, pretty much what our
9 team's background represents.

10 And so essentially, you know, at Forbes Travel
11 Guide, what we do is it's really a journey towards service
12 excellence. So our key goal is to partner with these hotels,
13 restaurants, and spas, primarily, and help them elevate their
14 service, help -- we go in and we inspire and motivate them to
15 just want to achieve better service, to want to, you know,
16 make the best version of themselves.

17 You know, we are very proud to say that we've been
18 partnered with Las Vegas. We feel like Las Vegas is an
19 exceptional partner with us. Over the past four years, for
20 example, we've hosted our annual summit at the Resorts World
21 property for the past two years and Aria for the past two
22 years before that. Each of those summits is upwards of
23 \$4 million bringing into the community. Not only that, but
24 we're also using local vendors to support that. We don't need
25 to, but we choose to use local vendors like Entertainment Plus

1 or local DMZs to help support those -- those big projects that
2 we do.

3 The summit, as you can see, we've got -- it's very
4 high profile. We've got celebrities from all over who come to
5 support it and, you know, host it and emcee it. But one of
6 the key things that we're doing at that summit is we're
7 recognizing individuals for their service excellence. When we
8 are doing assessments, we're constantly looking for
9 exceptional service. We're not looking necessarily for
10 mistakes. We're looking for people who are displaying
11 exceptional service, and in the report we're writing, This is
12 a star staff member, this member should be applauded, this
13 star staff member should be recognized, like congratulations,
14 this is an example of service excellence.

15 Most recently -- well, in 2023, we have Angelica
16 Miozza (phonetic) from the Wynn. She was recognized globally
17 as the employee of the year, so the highest level performing
18 global platform employee of the year, so we're recognizing
19 these employees and celebrating their success.

20 As Tony mentioned, you know, the real key part of
21 the life cycle of what we do, we have the standards for
22 service excellence. Then we assess and we benchmark where the
23 property falls within -- within that journey, and then we
24 train. It's a cycle and it -- the cycle just -- it's
25 constantly going and we're training and we're adapting and

1 we're helping them and encouraging them and pushing the limit
2 for that service excellence and raising the bar for the
3 properties.

4 And when you think about what that looks like on a
5 really granular level, all of the things that we're assessing
6 fall under ten categories that you see here, the categories,
7 things like efficiency or staff appearance or courtesy and
8 manners. And I'm not going to go through the next ten slides
9 with you. I think you have them -- have a copy of them and
10 you can see, but I'll just show you, for example, if we look
11 at the guest comfort and convenience, you know, the things
12 that we're looking at is was the guest escorted or directed to
13 the appropriate registration area. Or when the bellman, for
14 example, brings the luggage to the room, are they placing it
15 in a convenient manner where the guest wouldn't have to move
16 it a lot before -- before getting into it, like do they have
17 to lift it up and put it on the rack themselves or was that
18 already done for them. Or for housekeeping service, the
19 toiletries and cosmetics were neatly arranged so that it
20 doesn't look just sloppy on the bench and it's arranged in
21 a -- in a proper manner.

22 And I can continue to go on through the other nine
23 different classifications. I do want to be very respectful of
24 your time, but this is just a snapshot of the kinds of things
25 that we're assessing, and if there's any questions on any of

1 the other nine classifications, I'm happy to work through them
2 or happy to keep going, but I'll leave that up to you to
3 decide.

4 MADAM CHAIR NIXON: Board, are there any questions
5 so far concerning the services that they provide?

6 BOARD MEMBER BROWN: This is Board Member Brown.
7 Yes, I do have a question for clarification for me.

8 When you initially assess a property, are you doing
9 an external assessment that they are not aware of and then do
10 you tell the property, We've done this assessment and now we
11 can help you achieve that excellence and then go internal if
12 they so desire?

13 MS. TORRANCE: I can help answer that question --
14 oh, go ahead.

15 MADAM CHAIR NIXON: I think it's feedback.

16 BOARD MEMBER BROWN: Go ahead. I'm good.

17 MS. TORRANCE: Yeah. I can help answer that
18 question. So a couple are different things. One thing I
19 should mention is the training and services that we offer can
20 be completely independent of an assessment. An assessment is
21 a good tool for the property. It's a benchmark for the
22 property. It can help us, it can be an aid for us, but
23 it's -- it could be completely independent of the training.
24 Some properties just want to train for service excellence
25 unrelated to an assessment.

1 But to the other part of your question, the clients
2 do know. For example, they have the opportunity to say, We
3 would like someone to come and assess our property in October.
4 We don't tell them we're coming on October 12th or whatever
5 day it is, but they know that somebody is coming in October.
6 So in a very big picture, they know that we're coming, but
7 it's not announced that, you know, I'm here and this is what
8 I'm doing.

9 MADAM CHAIR NIXON: Do you --

10 BOARD MEMBER BROWN: Okay. I'm sorry. Just a quick
11 clarification on that. So if the property contacts you and
12 says, We'd like you to come in and do an assessment, do they
13 form some type of agreement with you, some type of contract
14 with you at that point?

15 MS. TORRANCE: They do. Yes.

16 BOARD MEMBER BROWN: Okay. Thank you.

17 MADAM CHAIR NIXON: And so for these assessments,
18 are you hiring people? Are you bringing them in from -- from
19 local -- because I'm sure you do this around the world, so are
20 you hiring locals? Are you bringing in people from around the
21 country?

22 MS. TORRANCE: We have a global team that does the
23 assessments.

24 MADAM CHAIR NIXON: Okay. And these are employees
25 of yours that -- that, you know, stay current under your

1 employment?

2 MS. TORRANCE: Correct.

3 BOARD MEMBER CORTEZ: This is Board Member Cortez.
4 The information that you guys are collecting, is it all public
5 information or has any subpoena been issued to collect some
6 information?

7 MR. HOUNSHELL: No, no subpoena. And it's not
8 reactionary to any concern or allegation. This is all
9 advisory services for the improvement of the overall service
10 performance at the hotel.

11 MADAM CHAIR NIXON: And after --

12 MR. HOUNSHELL: Anything you can observe just by
13 being a guest at the hotel.

14 MADAM CHAIR NIXON: After an assessment, do they get
15 a ranking from you guys that's then published nationally or
16 internationally?

17 MS. TORRANCE: They do.

18 MADAM CHAIR NIXON: Okay.

19 MS. TORRANCE: Mm-hmm. And those publications are
20 public.

21 MADAM CHAIR NIXON: Okay.

22 BOARD MEMBER GRONAUER: This is Gronauer. You say
23 you help and inspire, okay? Well, when mystery shopping, our
24 definition, okay, mystery shopping, people do this with
25 McDonald's. So what's the difference of our mystery shoppers

1 doing McDonald's and you guys doing your stuff? I -- I don't
2 see the difference. I see a correlation, I don't see a
3 difference.

4 MR. FOLETTA: Could I jump in first? So -- and I'll
5 just respond to the question on the basis of the
6 correspondence that we submitted, and then they can talk
7 through the more substantive --

8 BOARD MEMBER GRONAUER: Okay. I'm trying to keep it
9 simple so --

10 MR. FOLETTA: Yeah, no. No, and I want to keep it
11 simple too. I think from our view, you know, mystery shopping
12 is typically, again, to Tony's point, reactionary to a
13 concern, right? A retailer might have a concern about a
14 particular employee or set of employees or what's going on on
15 a particular shift. You know, maybe their counts are off
16 their registers, maybe merchandise is -- the inventories are
17 not -- are not matching up with what they would expect to see
18 based on sales that have been recorded in their books, and so
19 it's often used as an enforcement mechanism with respect to
20 employees on duty or processes that are in place.

21 The services that Forbes are employing, you know, as
22 the description Megan just gave, are very different. They're
23 not responsive to a perceived problem. They're not about any
24 particular person who's involved in these assessments. I
25 mean, they're about the company, right, but they're not there

1 to record any wrongdoing. These materials aren't used in any
2 sort of court actions or criminal cases to -- to restore order
3 to a -- to sort of a disorderly or potentially even criminal
4 situation. And so I think at a high level, that's why we see
5 this very differently. Mystery shopping serves a different
6 purpose and even employs different methods, but Megan and
7 Tony.

8 MADAM CHAIR NIXON: So -- if I can, because we have
9 a, you know, Office of Attorney General, he -- you know,
10 Executive Director brought this up earlier, that we have a --
11 I guess it's an opinion, you know, and it reviews -- it
12 doesn't say anything about it being derogatory, you know, that
13 there's some issue at McDonald's or at Wynn that now we're
14 flying in and trying to figure out what that issue is. It
15 just very simply says "A private investigator means any person
16 who for any consideration engages in business, accepts
17 employment to furnish, or agrees to make an investigation for
18 the purpose of obtaining information with reference to
19 identity, habits, conduct, business, occupation, honesty,
20 integrity, credibility, knowledge, trustworthiness,
21 efficiency, loyalty, activity, reputation, or character."

22 So it's not necessarily a negative in terms of what
23 we're talking about either for mystery shopper, so I don't see
24 where -- even if it is to inspire and make everybody feel warm
25 and fuzzy, I don't see where there's a difference. You're

1 still doing the same thing. You're looking into all of the
2 same items.

3 MR. FOLETTA: You know, to follow up on that point,
4 I guess what I would say about the attorney general's opinion
5 is, is the disappointing thing about the opinion is not that
6 it doesn't recite the statute, because it does and you just
7 read it, right? Those are the words on the page and we don't
8 dispute that at all as a legal matter. It would be nice if
9 the legal opinion had described what they meant by mystery
10 shopping, right? I have an idea about what it means to me.
11 We don't know clearly what they intended. So I don't think it
12 speaks at all to the issue you're talking about, about whether
13 it's an enforcement tool, as I suggest, or whether it's a more
14 generic term.

15 And so that's why it's a little difficult for -- for
16 me to -- to take and agree with the position that, Well, this
17 is mystery shopping. Well, we have different opinions about
18 what mystery shopping is, and that term and not used in the
19 statute at all, right? We have the words that you're pointing
20 to, which we, you know, again don't dispute.

21 What I would point out, though, and this is in our
22 letter, is that those are -- that's an incredibly broad
23 definition, and for good reason, I think, given the scope of
24 what you do and interests you're advancing here. What the
25 Nevada Supreme Court has said about that definition is that

1 you can't just read it as broadly as it's written, in effect.
2 That if a person is undertaking activity that incidentally,
3 you know, triggers that definition on the way to doing
4 something that's different than -- this is how I read the
5 opinion -- different than what, you know, you would think is
6 private investigator within the meaning of that phrase or
7 meaning of that term, then, you know, that is -- that would be
8 an improper application of the term, and that's what that
9 Tatalovich case is about.

10 And so the concern that we have talked to
11 Mr. Saladino about just on the definition is that given its
12 breadth, any number of activities that are unregulated and
13 unlicensed now would fall within that term. For example,
14 compensated restaurant reviews. The statute says if you
15 review anybody's business and you accept consideration for it,
16 you need to be licensed. There are restaurant reviewers that
17 work for the newspapers in this town who are not licensed as
18 private investigators, but nonetheless, go into restaurants,
19 don't tell anybody they're there to review their food, eat,
20 write about it, publish their findings. You know, we've --
21 we've identified some other folks that we think could come
22 into that -- fall within that definition, you know, again,
23 that are not licensed by the board.

24 And so I think it's a little more complicated, and
25 that's what Tatalovich says, than just looking at that broad

1 definition and saying, Well, you're -- you're evaluating
2 something, right? Because almost everybody in business in
3 this state is -- there's a whole consultancy class that isn't
4 carved out that is evaluating a business -- businesses all
5 over the place and they're simply not licensed by this board.

6 MS. TORRANCE: And one other thing that I can add,
7 as well, is that, you know, to walk you through the process of
8 how our -- how this happens is when we bring a new evaluator
9 on the team and we're training them and we do our first
10 evaluation with them, we actually don't give them a copy of
11 the standards, you know. What we do is we have them check
12 into the hotel and we're alongside them and --

13 (Reporter interjection.)

14 MS. TORRANCE: We have a new evaluator with us and
15 we say -- or a new trainer with us and we say, you know, What
16 we would like you to do is we'd like you to just not worry
17 about all the standards right now. We want you to just pay
18 attention to how you feel throughout this experience, you
19 know. What are the things throughout this check-in that made
20 you feel positive, what are the things throughout this
21 check-in that made you feel frustrated, right?

22 And then we go back and we apply it to the different
23 standards, because all of our standards represent a feeling.
24 So the reality is what our report represents is about -- the
25 report is a reflection of the guest feeling, the guest being

1 us, the guest feeling throughout the experience. It's not
2 necessarily a reflection of the employee's performance. It's
3 a reflection of the feelings that the guest had throughout
4 that are written into tangible standards so that we can train
5 on them and help to encourage them to learn how to achieve
6 more positive feelings.

7 EXECUTIVE DIRECTOR SALADINO: Madam Chair, Executive
8 Director Saladino. With the agenda going out, we had two of
9 our licensees turn in letters. They wanted to be here for the
10 meeting, but circumstances caused them to not be here, so
11 they've asked if these letters could be read into the record.

12 So the first one is from Global Intelligence
13 Network, License No. 883, and it's authored by Susan Herring.
14 She writes, "Dear Madam Chairwoman, I respectfully submit this
15 letter to the Private Investigators Licensing Board's
16 consideration. I am in receipt of the agenda for the
17 quarterly board meeting on Wednesday, September 18th, 2024
18 through Thursday, September 19th, 2024. I have reviewed the
19 agenda and noted concern with respect to Agenda Item 97,
20 licensing for companies and individuals that review travel and
21 hospitality, including hotels, restaurants, and spas, for
22 possible action.

23 "Global Intelligence Network holding a corporate
24 private investigator's license 883 derives a material portion
25 of its revenue through professional mystery shopping services.

1 We provide our clients with a strategic market research tool
2 to measure and enhance service quality and customer
3 satisfaction. Our investigative services result in a written
4 quantitative and qualitative analysis of the subject business or
5 business unit. The primary reason we have been successful in
6 this market segment is due to the regulation provided by the
7 State of Nevada under Revised Statute NRS 648 and its
8 interpretation by the Nevada Administrative Code 648.

9 "In accordance with NAC 648.017, a private
10 investigator's license is required in Nevada to protect the
11 public safety and general welfare of the people of this state.
12 NRS 648 provides the PILB authority to regulate the standards
13 of conduct of all licensed private investigators to ensure
14 each licensee acts in accordance with protection provided by
15 NAC 648.017. Without the standards and regulation provided by
16 the PILB and the NRS, NAC 648, there is no accountability,
17 creating a probability of failure in our duty to protect
18 public safety and the general welfare of the people of Nevada.

19 "NRS 648.012 and 648.012(a) defines a private
20 investigator as any person who for any consideration engages
21 in business or accepts employment to furnish or agrees to make
22 or makes any investigation for the purpose of obtaining
23 information with reference to, (a), the identity, habits,
24 conduct, business, occupation, honesty, integrity,
25 credibility, knowledge, trustworthiness, efficiency, loyalty,

1 activity, movement, whereabouts, affiliations, associations,
2 transactions, acts, reputation, or character of any person.

3 "In furtherance, NRS 0 -- .039 [sic] defines a
4 person, except as otherwise expressly provided in a particular
5 statute or required by the context, person means a natural
6 person, any form of business or social organization, and any
7 other nongovernmental legal entity including, but not limited
8 to a corporation, partnership, association, trust, or
9 unincorporated organization. The command of NRS 648.012 is
10 further interpreted by NAC 648.115 for the exclusion of a
11 gaming license holder who maintains an employer/employee
12 relationship.

13 "Moreover, an employee of a gaming establishment
14 pursuant to NAC 648.115(b)(1), (2), (3) may as a natural
15 person act as a customer or client of the gaming licensee to
16 evaluate the operational procedures of the gaming licensee,
17 (2), the cleanliness of the property of the gaming licensee,
18 or (3), the quality and availability and prices of the goods
19 and services of the gaming licensee, or (C,) the business
20 entity licensed pursuant to Chapter 648 of NRS to evaluate the
21 operational procedures and methods of prevention and study
22 used by the gaming licensee related to the problems of
23 gambling and the consumption of alcoholic beverages by minors.

24 "Through the interpretation provided by NAC 648.115,
25 licensure is required by Nevada law to perform such services

1 as a nonemployee when performed for compensation. By virtue
2 of the statute, performance of these services by a nonlicensed
3 person would be in violation of Nevada law as issued by our
4 State legislative branch.

5 "Our contractual obligations to the hospitality
6 clients, which include hotels, restaurants, pools, spas,
7 gaming, and restaurants require us to evaluate hotel standards
8 based upon predefined criteria that include direct
9 interactions to evaluate each internal standard qualitatively
10 and quantitatively from reservation to departure. Our process
11 is designed to provide our clients with measurable data to
12 ensure all internal standards follow stakeholders'
13 expectations, guest experience -- guest experience meets the
14 client satisfaction goals, and to ensure compliance with
15 certain regulations. We perform these services as a licensed
16 private investigation firm in compliance with Nevada law and
17 the interpretations provided by Nevada Administrative Code.

18 "Through the oversight and mandates of the Nevada
19 Private Investigators Licensing Board, we can ensure our
20 employees do not present a risk to public safety or the
21 general welfare of the people and businesses of Nevada.
22 Additionally, Nevada statute, code, and the structure of
23 oversight ensure accountability and the standards of due care
24 with the private investigative industry." And that was
25 Ms. Susan Herring.

1 The next letter we received was from Preferred
2 Investigations, License No. 226. The author is Ms. Theresa
3 Jones. "Dear members of the board, this letter aims to
4 address recent attempts by out-of-state entities to influence
5 Nevada's regulation of the mystery shopping industry to
6 underscore the necessity of maintaining the Private
7 Investigators Licensing Board oversight to convert collection
8 of data in the hospitality sector. This oversight is vital to
9 the fulfillment of your mandate to protect the public safety
10 and general welfare of Nevadans.

11 "The activities of mystery shoppers directly align
12 with the statutory definition of private investigation.
13 Mystery shopping, especially within the hospitality sector,
14 inherently involves the core functions of private
15 investigations as defined in NRS 648, also stated in
16 NAC 648.115, defines to exclude a gaming licensee who
17 maintains an employee/employer relationship," then it just
18 goes into defining that statute again.

19 "Mystery shoppers are engaged in a business of
20 obtaining information through covert surveillance and
21 undercover operations. A mystery shopper will be ordinary
22 patrons to observe and evaluate staff conduct, service
23 quality, and operational procedures. This practice, while
24 valuable for quality assurance in third-party business
25 rankings, unequivocally constitutes a form of private

1 investigation and carries potential for deception and misuse.

2 "Mystery shopping involves deliberate preplanned
3 surveillance conducted by individuals compensated to evaluate
4 specific aspects of a business. To avoid any confusion, this
5 is fundamentally different from uncompensated customer reviews
6 based on authentic experiences. Your board's oversight
7 ensures that mystery shopping remains a tool for improvement
8 and ethical information gathering, not a vehicle for fraud or
9 unethical behavior.

10 "By requiring work cards and conducting FBI
11 background checks, you are safeguarding businesses and
12 customers alike. Removing PILB oversight of the mystery
13 shopping industry would open the door for out-of-state
14 entities to exploit Nevada businesses by hiring" unvetted --
15 "unvetted independent contractors. This would not only expose
16 businesses to potential fraud and unethical practices, but
17 also undercut Nevada's own mystery shopping companies who have
18 operated within the parameters outlined by your board for
19 decades.

20 "Faced with unfair compensation from unregulated
21 out-of-state entities, local businesses would struggle to
22 survive, leading to job losses, a decline in tax revenue, and
23 an exodus of skilled professionals from the state. In
24 essence, deregulation would not only harm individual
25 businesses, but also cripple the entire mystery shopping

1 industry within Nevada, transforming economic opportunities
2 and generated income out of state.

3 "The work of the PILB helps protect Nevada from
4 illicit activities like gathering evidence under false
5 pretenses, unauthorized surveillance, and exposing businesses
6 to would-be investigators with criminal backgrounds. In
7 states where mystery shoppers operate as independent
8 contractors without background checks, instances of fraud are
9 commonplace. On the national sting, fraud prevention in the
10 mystery shopping world is a significant problem. Maintaining
11 PILB's oversight prevents such abuse in Nevada.

12 "Finally, PILB's oversight protects businesses from
13 unregulated anonymous assessments that could be biased or
14 inaccurate. Your regulatory framework fosters transparency
15 and accountability within the mystery shopping industry,
16 promoting fair practices with benefit both businesses and
17 customers.

18 "In conclusion, I urge the board to maintain its
19 critical role in overseeing mystery shopping in Nevada. Your
20 efforts are vital in preventing fraud, protecting workers, and
21 ensuring the integrity of business assessments by upholding
22 these standards, meeting your statutory obligations, and
23 fulfilling your mission to promote the safety and well-being
24 of all Nevadans." And that was -- the author of that was
25 Theresa Jones, owner of Preferred Investigations, LLC, License

1 No. 226. Thank you.

2 MADAM CHAIR NIXON: So I guess, board, you know,
3 this is something that's brought up. We're not here to make a
4 decision today. We're here really just to determine whether
5 we want to take further action and put this on as an agenda
6 item, if we want to ask staff to look into any items that have
7 been brought up so that next time we meet or get a timeline
8 from them on next time they have the availability to get this
9 information together to, you know, decide if we want to take
10 next steps on Forbes' concerns, but -- so I -- board,
11 thoughts, comments on next steps to -- might want to
12 entertain?

13 BOARD MEMBER BROWN: This is Board Member Brown.
14 First off, based on reading all of the material, my --
15 especially Mr. Foletta's letter where it says, "As part of
16 Forbes Travel Guide's external review process, evaluators
17 visit properties and experience them as a guest would. Based
18 on that experience, the property is evaluated against an
19 objective criteria. These reviews are not solicited. The
20 resulting rating is then published on Forbes Travel Guide
21 website," and then it goes on to say that Forbes provides
22 consulting services for initial review.

23 Based on that and my review of the other documents,
24 I was under the belief that maybe Forbes hears from their
25 customers something, Hey, I think this is a great property,

1 they send people in for an external evaluation, they get that
2 review, and then they decide, Well, we're not going to publish
3 this in Forbes, they don't meet our criteria, and then they
4 contact the company and say, We've done this evaluation, and
5 we think this is where you can improve. Based on that, I felt
6 they would not be to be licensed, however, if they did and
7 they were contracted to do internal evaluations, they would
8 require licensing.

9 But then based on the information that the companies
10 actually solicit the reviews and sign some form of contract, I
11 am now backing off of that opinion because it sounds like they
12 are contracted like other, quote, unquote, mystery shoppers,
13 although I don't agree fully that what they do is mystery
14 shopping.

15 I'm also thinking that I'm not an attorney and this
16 may be something where the Attorney General's Office may need
17 to go and do a further definition of what mystery shopping is
18 to help with this matter and see if we can add an addendum to
19 the 1993 decision or come to a new decision legally. Thank
20 you.

21 MADAM CHAIR NIXON: Anyone else from the board?

22 BOARD MEMBER CORTEZ: This is Board Member Cortez.
23 I'm also going to concur that this might need to go higher
24 back up to the AG office, and if we're going to start playing
25 with legal terminology, then obviously we're going to have to

1 get approval with the AG's office and go legislatively before
2 we start arbitrarily making any kind of changes.

3 Just for my clarification, what you guys are seeking
4 is for your company to be exempt from the licensing of private
5 investigators for your mystery shoppers; is that correct?

6 MR. FOLETTA: Well, the view we've maintained is
7 that no one at Forbes is subject to licensure by this -- by
8 this board, and our view is not that we have mystery shoppers,
9 it's that we don't do mystery shopping as we've defined it,
10 but in the absence of any definition, we've chosen to define
11 it. And so Forbes service, our view, is licensure by this
12 board is not appropriate.

13 And just to go back to something I said earlier,
14 just to be clear, we're happy to work with the Attorney
15 General's Office further, too. We've had some conversations
16 there, but if we need to go further up the chain, that's fine
17 by us. We were just taking the opportunity given to us by
18 Mr. Saladino to come provide more information to this board.

19 BOARD MEMBER CORTEZ: This is Board Member Cortez
20 again. I think right where you labeled it the mystery
21 shopper, that's where everything went -- that's why we're here
22 at this point. So again, I think we do need some
23 clarification, a little more updated information as far as
24 legislative language goes so that we can move forward with an
25 appropriate decision at that point, in my opinion.

1 MADAM CHAIR NIXON: So Bobby, did you have anything?

2 BOARD MEMBER GRONAUER: This is Gronauer. I just --
3 the term "mystery shopping," I agree is wide open. I think it
4 should just be left at private investigations, and then the
5 private investigation definition fills all the things that we
6 were talking about. Now, whether we agree or disagree, all
7 right, I just think the title mystery shopping is a mystery,
8 and it should be just private investigations, and that way, I
9 think we'd get on more of a proper level. That's all.

10 So that's just my opinion at this point and it
11 doesn't -- not attorneys. Does it have to go somewhere else,
12 to the Attorney General? Maybe it has to go to the Supreme
13 Court. I don't know, but, I mean, there's something here
14 that -- I don't like messing with our NRS or NAC. They've
15 been serving us pretty well for a long time. It's just
16 something about the word "mystery" in there becomes a mystery.

17 So I -- I appreciate what you do and I appreciate
18 how we do things, so there's got to be somewhere in there that
19 it works, because I feel like there's no reason to circumvent
20 our licensing because you have your own group of people from
21 outside that come in. That's circumventing our licensing.
22 That's the way I look at it, and so I'm -- that's my opinion
23 at this point.

24 MADAM CHAIR NIXON: Okay. Is there any other public
25 comment while we are on this subject?

1 BOARD MEMBER BROWN: None in the North, Madam Chair.

2 MADAM CHAIR NIXON: Okay. Okay. Come on up. We
3 know you're not shy.

4 MS. IRIZARRY: Remember me?

5 MADAM CHAIR NIXON: Yep.

6 MS. IRIZARRY: Thank you. Lori Irizarry,
7 License No. 4084, speaking on behalf of my own license, not as
8 a part of the association.

9 In listening to today's conversation, I guess my
10 public comment, not for any back-and-forth, but as
11 Mr. Gronauer has explained, the term "private investigator,"
12 as a PI license and having been on the board for almost a
13 decade, the board PI -- the broad spectrum private
14 investigator does not specifically label out data forensics,
15 mystery shopping, fire cause analysis, but all falls under the
16 umbrella of private investigators --

17 (Reporter interjection.)

18 MS. IRIZARRY: It all falls under the umbrella of
19 private investigator. It doesn't specifically have to label
20 those individual professions for it to be a private
21 investigator.

22 Historically, the interpretation of 648 has included
23 mystery shopping for the last three decades, as Frankie Sue
24 Del Papa's opinion --

25 (Reporter interjection.)

1 MS. IRIZARRY: Frankie Sue Del Papa, the previous
2 Attorney General's opinion has stated that -- that mystery
3 shopping fell underneath the purview of private investigator.
4 In her opinion, it even went back further stating the prior
5 attorney general in the '80s. So even though this is an
6 unofficial opinion and it references back even further, that
7 is what the PILB has always used when it came to mystery
8 shopping.

9 The mission statement of the PILB is that 648
10 mandates the board to regulate the standards and conducts of
11 these professions, i.e., private investigator, in order to
12 protect the public safety and general welfare of the people of
13 the state of Nevada. When a company is not licensed, their
14 background is not ran. As you saw today with all the work
15 card holders, the individual work card holders backgrounds are
16 not run, so anyone could be in that field.

17 When it comes to -- I don't want to use the word
18 mystery shopping, but when it comes into this arena of going
19 into a business covertly, that is a concern of these
20 individuals not being properly vetted by the State of Nevada,
21 which is the whole purpose of the PILB 648. So it's the
22 covert nature, not having a background so the business is
23 properly vetted, does contradict the PILB's mission statement,
24 and that's, I guess, my opinion. Thank you -- or my comment.
25 Thank you so much.

1 MADAM CHAIR NIXON: Thank you.

2 So from here, legal, two things that concern me;
3 one, sounds like Forbes is not licensed but does conduct
4 services now or have contracts. Until we get an opinion or
5 get the legislative change, it's my understanding that they
6 should comply with the regulations set forth by the statute,
7 right?

8 MS. LEE: First, I just want to say that this agenda
9 item is not specific to Forbes, so this is a general -- like
10 just a general agenda item relating to reviewers of these
11 entities.

12 If the board determines that these reviewers do fall
13 under the statute, that's something that they could enforce,
14 but it wouldn't -- it couldn't be something that we just
15 decide for just Forbes at this point, if that makes sense.

16 MADAM CHAIR NIXON: Yeah.

17 MS. LEE: Because the -- yeah.

18 MADAM CHAIR NIXON: Okay.

19 MS. LEE: And if the board wants to discuss changing
20 regulations -- or, I mean, changing the statute or wants an
21 AGO opinion, that's something that they can request at this
22 point.

23 MADAM CHAIR NIXON: What was the opinion, the NGO?

24 MS. LEE: Oh. Sorry. The -- I'm sorry. I said
25 AGO. Office of the Attorney General. There's a process for

1 getting an opinion on something like this, so that's something
2 the board can decide -- could decide today.

3 MADAM CHAIR NIXON: So I think at this point, since
4 we all kind of have a question mark in this, I think it would
5 probably be best to move forward, and I'll leave that up to
6 everyone else that we move forward in getting a Attorney
7 General's opinion, AGO.

8 MS. LEE: Yeah.

9 MADAM CHAIR NIXON: There we go.

10 Do we all -- I see heads nodding. Does that make
11 sense at this point? Okay. So then we would ask the staff to
12 move forward in doing that, and then we'll -- we'll move
13 forward from there.

14 Is there anything that -- that in general we need to
15 do in the interim?

16 MS. LEE: I think it would be possibly a good idea
17 for the board to place this item on a future agenda again.

18 MADAM CHAIR NIXON: Okay.

19 MS. LEE: That's something we could do right now.

20 MADAM CHAIR NIXON: How long does it take normally?
21 Is that something that would be for the next meeting to get
22 this type of opinion or would that be, you know, in 2025.

23 BOARD MEMBER GRONAUER: Ten years.

24 MS. LEE: Well, we are government employees, so --
25 no, I'm just kidding. To be honest, I'm really not sure how

1 long something like that takes. I can get with Mr. Saladino
2 and let him know and -- but I think -- I think if we need it
3 by the December meeting, that's something that we could
4 possibly do.

5 MADAM CHAIR NIXON: Okay. So then we just say at
6 this point, we're going to push it and make it to the next
7 agenda item -- or agenda item for the next meeting. Okay.

8 Okay. Well, thank you very much for the
9 conversation. You know, I think there's some -- you know, we
10 have to agree to disagree right now until we figure it out, so
11 thank you.

12 MS. TORRANCE: Thank you.

13 BOARD MEMBER GRONAUER: You gave a good
14 presentation, seriously.

15 MS. TORRANCE: Thank you.

16 MADAM CHAIR NIXON: Okay. What agenda item are we
17 on now? 91?

18 BOARD MEMBER CORTEZ: The trails.

19 MADAM CHAIR NIXON: Oh. Okay. So we'll go back to
20 agenda item 73, Michael Warren. Is there a Michael Warren
21 here?

22 (Off-the-record discussion.)

23 MADAM CHAIR NIXON: Okay. So Agenda Item No. 73,
24 Michael Warren. Not in the audience.

25 Okay. Agenda item No. 76, Manuel Miranda.

1 Okay. Agenda Item no. 77, Jasper Jefferson. Okay.

2 EXECUTIVE DIRECTOR SALADINO: 77 was -- oh, never
3 mind. Sorry.

4 MADAM CHAIR NIXON: 78 was postponed?

5 EXECUTIVE DIRECTOR SALADINO: Yes.

6 MADAM CHAIR NIXON: Okay. Agenda Item No. 81,
7 Ariana Martinez. Not here.

8 Agenda item --

9 BOARD MEMBER CORTEZ: That was it.

10 MADAM CHAIR NIXON: What happened to 85? What did
11 we do with 85?

12 BOARD MEMBER CORTEZ: Approved.

13 MADAM CHAIR NIXON: Okay. Approved.

14 Okay. And then Agenda Item No. 88, Lelita Carter.

15 EXECUTIVE DIRECTOR SALADINO: Those are
16 the 2 o'clock.

17 MADAM CHAIR NIXON: Okay. So we'll -- okay.

18 BOARD MEMBER CORTEZ: What was that one?

19 MADAM CHAIR NIXON: No. Don't count that one.

20 So Agenda Item No -- I'll take a motion for Agenda
21 Item No. 73, 76, 77, 81, and that's it. They were supposed to
22 be here at 1 o'clock, and they -- it's now --

23 BOARD MEMBER CORTEZ: 2:45.

24 MADAM CHAIR NIXON: -- 2:45 and they have not
25 arrived.

1 BOARD MEMBER CORTEZ: Board Member Cortez --

2 BOARD MEMBER BROWN: Madam Chair, quick question.

3 Apparently, I was asleep. What was the disposition for

4 number 74, Dumas?

5 MADAM CHAIR NIXON: He was postponed.

6 BOARD MEMBER BROWN: Okay. Thank you.

7 MADAM CHAIR NIXON: Okay.

8 BOARD MEMBER CORTEZ: This is Board Member Cortez
9 motioning to uphold the denials for Agenda Items No. 73, 76,
10 77, and 81 due to no call/no show. It is now 2:45 p.m. They
11 were all instructed to be here by 1.

12 MADAM CHAIR NIXON: Okay. The next agenda -- oh.
13 We have a motion. Do we have a second?

14 BOARD MEMBER BROWN: Brown will second.

15 MADAM CHAIR NIXON: Okay. We have a motion. We
16 have a second. All in favor say "aye."

17 BOARD MEMBERS: Aye (in unison).

18 MADAM CHAIR NIXON: Okay. Agenda Item No. 88,
19 Lelita Carter. We'll trail that one.

20 Agenda Item No. 90, Shaun Robinson.

21 BOARD MEMBER CORTEZ: No, we already did it.

22 MADAM CHAIR NIXON: We did?

23 BOARD MEMBER CORTEZ: I thought.

24 MADAM CHAIR NIXON: Okay.

25 BOARD MEMBER CORTEZ: Yeah.

1 MADAM CHAIR NIXON: Agenda item No. 92, Michael --
2 or Mark Michaels?

3 BOARD MEMBER CORTEZ: What happened to 91?

4 MADAM CHAIR NIXON: It was approved. Donte
5 Washington.

6 Agenda Item No. -- so is Mark -- Mark Michaels.
7 Okay. We'll trail.

8 Agenda Item No. 93, Horacio Rangel. Please come up.

9 Just to be -- have you guys been sworn in?

10 Everybody that's come in, have you been sworn in? Okay.

11 Please stand. Raise your -- sorry. Raise your right hand.

12 MS. LEE: Please raise your right hand. Thank you.

13 Do you swear that the testimony you're about to give is the
14 truth, the whole truth, and nothing but the truth under
15 penalty of perjury?

16 (Audience answers in the affirmative.)

17 MS. LEE: Thank you.

18 MADAM CHAIR NIXON: Okay. So board, just as a
19 reminder, these last agenda items are folks that fall under
20 the second appeal.

21 Investigator Blackmore, could you please tell us why
22 we're here for Mr. Lemus?

23 INVESTIGATOR BLACKMORE: Yes. The applicant was
24 denied for his disclosed weapons and felony conviction. Is
25 this working? Okay. Sorry about that. He was denied for his

1 disclosed weapons and felony conviction. He has a 2001
2 inflict corporal injury to spouse or cohabitant, convicted 36
3 months probation. He was -- also has a 1992 carry concealed
4 weapon on person. He was convicted. He did 24 months
5 probation. This was later dismissed under 1203.4 in 2015. He
6 has a 2007 DUI. He was convicted, 36 months probation, as
7 well as a fine. And then there's a 1999 battery, assault with
8 a deadly weapon, not firearm, domestic violence. This was
9 dismissed. The applicant did disclose all arrests. He was
10 originally denied at the June 2021 board meeting and he wishes
11 to appeal today.

12 MADAM CHAIR NIXON: Okay. Thank you.

13 Board, any questions for Mr. Lemus?

14 Okay. Hearing there are no questions, I'll
15 entertain a motion.

16 BOARD MEMBER CORTEZ: This is Board Member Cortez
17 motioning to overturn the denial and grant Mr. Lemus his
18 registered -- or his work card based on the full disclosure on
19 his second round of application.

20 MADAM CHAIR NIXON: Okay. We have a motion. Do we
21 have a second?

22 BOARD MEMBER BROWN: Brown will second.

23 MADAM CHAIR NIXON: Okay. We have a motion. We
24 have a second. All in favor say "aye."

25 BOARD MEMBERS: Aye (in unison).

1 MADAM CHAIR NIXON: Okay. Motion passes.

2 So sir, you will get your work card. The office
3 will call you tomorrow, okay?

4 MR. LEMUS: Thank you.

5 MADAM CHAIR NIXON: You're welcome. Good luck.
6 Thank you.

7 Agenda Item No. 94, Marquis Joseph. Good afternoon,
8 sir.

9 MR. JOSEPH: Good afternoon.

10 MADAM CHAIR NIXON: Investigator Blackmore, why are
11 we here for Mr. Marquis -- or Joseph? Sorry. Mr. Joseph.

12 INVESTIGATOR BLACKMORE: Yes. So Mr. Joseph was
13 previously denied for his felony convictions. This time he
14 did disclose all arrests. So he has a 2011 completed check,
15 et cetera, defraud. He did three years probation. There's
16 a 2012 hit-and-run, property damage, 36 months probation, as
17 well as ten days in jail, and then a 2010 arrest for theft,
18 and he was fined. He was not made provisional, and he wishes
19 to appeal today.

20 MADAM CHAIR NIXON: Okay. Board, any questions for
21 Mr. Joseph?

22 Okay. Hearing there are no questions, I'll
23 entertain a motion.

24 BOARD MEMBER CORTEZ: This is Board Member Cortez
25 motioning to overturn the denial for Mr. Joseph and grant him

1 his work card based on full disclosure.

2 MADAM CHAIR NIXON: Okay. We have a motion. Do we
3 have a second?

4 BOARD MEMBER GRONAUER: Gronauer second --

5 BOARD MEMBER BROWN: Board Member Brown. I'll
6 second. One of us did.

7 MADAM CHAIR NIXON: Lots of seconds.

8 Okay. We have a motion and several seconds. All
9 approve -- okay. What is it?

10 BOARD MEMBER CORTEZ: All in favor.

11 MADAM CHAIR NIXON: All in favor?

12 BOARD MEMBERS: Aye (in unison).

13 MR. JOSEPH: You must be tired.

14 MADAM CHAIR NIXON: Sorry, guys. It's approved.
15 The office will contact you tomorrow.

16 Congratulations.

17 MR. JOSEPH: Thank you.

18 MADAM CHAIR NIXON: You're welcome. Geez.

19 Agenda Item No. 95, Dalton Gamboa? Good afternoon,
20 sir.

21 MR. GAMBOA: Good afternoon, board.

22 MADAM CHAIR NIXON: Investigator Swarthout, could
23 you please tell us why we're here for Mr. Gamboa?

24 INVESTIGATOR SWARTHOUT: The applicant was denied
25 for a felony conviction and for failure to disclose arrest

1 history. The applicant previously appeared before the board
2 at the January 2022 board meeting, and his denial was upheld
3 at that point in time. Out of Washington, 2009, felony
4 possession of a controlled substance, unlawful possession of
5 firearm, convicted 60 month -- 60 days jail, 12 months
6 probation. This one was disclosed. Out of Nevada, 2023,
7 misdemeanor one count trespassing, second count of resisting
8 public officer. Both of them were DA denials. This arrest
9 was not disclosed. 2018 out of Washington, misdemeanor
10 assault. That was dismissed. That one was disclosed. 2007
11 out of Washington, misdemeanor robbery. There was no
12 disposition on that one. That one was not disclosed. 2005
13 out of North Carolina, assaulting government official
14 employee. That one was a DA reject. That one was also not
15 disclosed.

16 MADAM CHAIR NIXON: Okay. Board, any questions for
17 Mr. Gamboa?

18 BOARD MEMBER CORTEZ: This is Board Member Cortez.
19 Mr. Gamboa, is this your second time applying?

20 MR. GAMBOA: Yes. Yes.

21 BOARD MEMBER CORTEZ: Turn on your mic.

22 MR. GAMBOA: Oh. Yes.

23 BOARD MEMBER CORTEZ: When you got denied at the
24 last board meeting, did you call the office for assistance and
25 ask what exactly went wrong and what you need to do for the

1 next time?

2 MR. GAMBOA: They honestly just told me that my DV
3 in 2018 was too soon and that was the only thing that they
4 told me, and just come back next year.

5 BOARD MEMBER CORTEZ: So you didn't happen to get a
6 list of all the history? Okay. At that time? All right.

7 MR. GAMBOA: No, ma'am.

8 BOARD MEMBER CORTEZ: So is there a reason why you
9 failed to disclose all of your history this round?

10 MR. GAMBOA: Last time, it just didn't show up.

11 BOARD MEMBER CORTEZ: This round.

12 MR. GAMBOA: Oh, I -- I honestly just forgot.

13 Honestly, the one in Charlotte, that was so long ago, I just
14 honestly forgot.

15 BOARD MEMBER CORTEZ: Fair enough.

16 MR. GAMBOA: And the trespassing in Nevada, that was
17 a mistaken identity, so I didn't think that that was going to
18 be on there. I did go to jail. They let me out, but when I
19 went back to court, it was no charges filed, and so that's why
20 I didn't disclose that one.

21 BOARD MEMBER CORTEZ: Okay. Just want to remind you
22 that on the application, it does indicate that regardless of
23 disposition, regardless of arrest, no arrest, any kind of law
24 enforcement contact, you're to list it. So as long as you
25 understand that.

1 MR. GAMBOA: I'm -- I --

2 BOARD MEMBER CORTEZ: Thank you. Appreciate it.

3 MADAM CHAIR NIXON: Okay. Any other questions from
4 the board?

5 Okay. Hearing there are no further questions, I'll
6 entertain a motion.

7 BOARD MEMBER CORTEZ: This is Board Member Cortez.
8 Unfortunately, I am going to motion to uphold the denial based
9 on failure to disclose all of the criminal history.

10 MADAM CHAIR NIXON: Okay. We have a motion. Do we
11 have a second?

12 BOARD MEMBER BROWN: Brown will second.

13 MADAM CHAIR NIXON: Okay. We have a motion. We
14 have a second. All in favor say "aye."

15 BOARD MEMBERS: Aye (in unison).

16 MADAM CHAIR NIXON: Okay. So unfortunately, on this
17 round, it's five years, so --

18 MR. GAMBOA: It's all right. I appreciate you guys.

19 MADAM CHAIR NIXON: Yeah. Good luck.

20 Agenda Item No. 96, Alonte Hall. Hello, sir.

21 MR. HALL: Yes, ma'am.

22 MADAM CHAIR NIXON: Investigator Swarthout, could
23 you tell us why we're here for Mr. Hall?

24 INVESTIGATOR SWARTHOUT: So the applicant just did
25 his renewal. At the time, he did have a CCW commission

1 in 2022 out of Nevada. At the time, because his current card
2 was active, we did move to revoke and deny the new card, the
3 renewal, and he is here to appeal that. He did disclose it on
4 his application for -- for applying. It looks like he's even
5 applied for a CCW already.

6 MADAM CHAIR NIXON: Okay. So hang on one second.
7 So that I understand, so he had his guard card, and it's good
8 for five years, right?

9 INVESTIGATOR SWARTHOUT: Yep.

10 MADAM CHAIR NIXON: So during that five-year time
11 frame, he had some sort of violation?

12 INVESTIGATOR SWARTHOUT: Yes.

13 MADAM CHAIR NIXON: Okay. And then when he did his
14 renewal, that's when we found the violation?

15 INVESTIGATOR SWARTHOUT: Yes.

16 MADAM CHAIR NIXON: Did he note that on his renewal
17 application?

18 INVESTIGATOR SWARTHOUT: Yes, he did. He did
19 disclose it.

20 MADAM CHAIR NIXON: So the reason for the denial was
21 because he didn't notify you when he --

22 INVESTIGATOR SWARTHOUT: It's because of the weapons
23 conviction. It's an automatic denial.

24 MADAM CHAIR NIXON: Gotcha. Okay. So -- okay. Got
25 it.

1 Board, are there any questions for Mr. Hall?

2 BOARD MEMBER CORTEZ: This Board Member Cortez.

3 Mr. Hall, why were you carrying the weapon knowing that you
4 did not have your CCW at that time?

5 MR. HALL: Yes, ma'am. So during that day, it was
6 my friend's birthday and we was all out on the Strip. We had
7 got him a room, and so we had went next door over to get some
8 more liquor because he had run out of liquor, and I had just
9 showed up so I was like, Hey, for your birthday I'll get you a
10 bottle of liquor, you know, so you can have a good time. So I
11 wasn't at the hotel so I couldn't like leave me gun there, and
12 so I was just showing up as a guest, so we was like, Okay,
13 let's go across the street.

14 I had it but I had it in an open carry
15 configuration, but when I was walking across the street, I'm
16 assuming my shirt, you know, covered it. And as I walked past
17 the Flamingo, an officer, he didn't even like tell me anything
18 or say anything, he just pushed me up against the wall and was
19 like, Hey, you know, you have a gun on you and you have a
20 bottle, you can't have them both on the Strip.

21 And they did their search and that's -- I want to
22 say that was my first time ever getting in trouble, first time
23 ever having anything to do with a police officer or anything.
24 I have pictures of like my background check. That's the only
25 thing that's on there. And then after that, I took care of

1 it, I paid the fine, I did my time, and I went and got my CCW.
2 So I'm like, that's not going to happen again, you know. I
3 try to take care of my stuff and be responsible.

4 BOARD MEMBER CORTEZ: Thank you.

5 MADAM CHAIR NIXON: Any further questions from the
6 board?

7 BOARD MEMBER BROWN: This is Board Member Brown.
8 Mr. Hall, in September of '22 when you had this altercation --
9 not altercation, but this -- this contact by law enforcement,
10 had you been drinking alcohol?

11 MR. HALL: No, sir. We had just walked over to get
12 the alcohol from the Walgreens that was by the Flamingo Hotel.

13 BOARD MEMBER BROWN: Okay. Because in our
14 information, it says the police report stated you had an open
15 glass bottle, an open container.

16 MR. HALL: Yes, sir. That was only because when I
17 gave it to my friend when he first got there, he already
18 wanted to take a shot, so when we left out the store, he had
19 took a shot and he put it back in the bag and we continued to
20 walk.

21 BOARD MEMBER BROWN: Okay. But you had not consumed
22 any alcohol?

23 MR. HALL: No, sir.

24 BOARD MEMBER BROWN: Okay. Thank you.

25 MADAM CHAIR NIXON: Okay. Any further questions

1 from the board?

2 Okay. Hearing there are no further questions, I'll
3 entertain a motion.

4 BOARD MEMBER BROWN: This is Board Member Brown. I
5 do have a question. I'm sorry, Madam Chair. Is this a second
6 or is this the first time? I'm a little confused.

7 MADAM CHAIR NIXON: Yeah. So for this one, the
8 gentleman, he was -- okay. So he was going for his renewal.
9 He had a license. He was going for his renewal. He listed on
10 his renewal application that he had this arrest, and because
11 it's a weapons arrest, he was automatically denied. So he did
12 have a license. It wasn't revoked by -- well, it just wasn't
13 renewed. Does that make sense?

14 BOARD MEMBER BROWN: Yes. Thank you.

15 MADAM CHAIR NIXON: Okay. Okay. Are there any
16 further questions? I'll entertain a motion.

17 BOARD MEMBER CORTEZ: This is Board Member Cortez.
18 I'm going to motion to overturn the revocation and grant
19 Mr. Hall his work card based on the fact that he did disclose
20 the incident.

21 MADAM CHAIR NIXON: Okay. We have a motion. Do we
22 have a second?

23 BOARD MEMBER BEZICK: Bezick seconds.

24 MADAM CHAIR NIXON: Okay. We have a motion. We
25 have a second. All in favor say "aye."

1 Aye.

2 BOARD MEMBER GRONAUER: Aye.

3 BOARD MEMBER CORTEZ: Aye.

4 BOARD MEMBER BROWN: Nay.

5 BOARD MEMBER BEZICK: Aye.

6 BOARD MEMBER BROWN: Based on recency of the
7 conviction for the carrying concealed weapon without a permit
8 in a prohibited public building.

9 MADAM CHAIR NIXON: Okay. And then, I'm sorry,
10 Mr. Bezick?

11 BOARD MEMBER BEZICK: Aye.

12 MADAM CHAIR NIXON: Okay. So it's three to one.

13 Sir, you will get your license. You know, I'm glad
14 you went back and got your CCW. Again, you know you're not
15 supposed to -- you don't have an armed card, so make sure
16 you're not carrying while on duty, okay?

17 MR. HALL: That was one of my questions. So I did
18 apply for my unarmed and the renewal was to get my unarmed
19 with my armed card because I was working for Marksman Security
20 and they had a transition over to go over to Intercom
21 (phonetic) and they was making everybody armed, so my question
22 is like will I get both my cards or will I have to like do the
23 process over or --

24 MADAM CHAIR NIXON: You'll have to talk to the
25 board -- or go into the office and talk to them.

1 INVESTIGATOR SWARTHOUT: So he did do the firearms
2 course on 5/8 of 2024, so right now, as long as we get
3 everything processed and as long as we have everything for his
4 background, we should be able once we issue it out to be able
5 to turn it into armed because he would still be in his
6 quals (phonetic), which should be May, November.

7 MADAM CHAIR NIXON: Okay. So work with the board --
8 work with the office. They'll contact you tomorrow, okay?

9 MR. HALL: Yes, ma'am. Thank y'all so much. I
10 appreciate it.

11 MADAM CHAIR NIXON: Yep.

12 BOARD MEMBER CORTEZ: Stay safe out there.

13 MR. HALL: Yes, ma'am.

14 BOARD MEMBER CORTEZ: You're very young.

15 MADAM CHAIR NIXON: Have we gotten everything?

16 BOARD MEMBER CORTEZ: Trail.

17 MADAM CHAIR NIXON: So for the -- the ones that we
18 just went through, are they within their time frame or should
19 we wait for other folks?

20 BOARD MEMBER CORTEZ: It's 3 o'clock.

21 EXECUTIVE DIRECTOR SALADINO: It's 3 o'clock. They
22 were told to be here at 2.

23 MADAM CHAIR NIXON: Okay. Got it. Okay. So we
24 have Agenda Item No. other 92 trailed, Mark Michaels.

25 Is there no one up North?

1 BOARD MEMBER BROWN: No, ma'am. No one here.

2 MADAM CHAIR NIXON: Okay. And there's no one down
3 here. So we trailed Agenda Item No. 92 and Agenda
4 Item No. 88. So it's -- they were told to be here at 2. It's
5 now 3:03 and they are not here, so we will take a motion.

6 BOARD MEMBER CORTEZ: Board Member Cortez motioning
7 to uphold the denials for Agenda No. 88 and 92, again, for no
8 call/no show. They were told to be here at 2 p m. It is now
9 3:03 p.m.

10 MADAM CHAIR NIXON: Okay. We have a motion. Do we
11 have a second?

12 BOARD MEMBER BROWN: Brown will second.

13 MADAM CHAIR NIXON: Okay. We have a motion. We
14 have a second. All in favor say "aye."

15 BOARD MEMBERS: Aye (in unison).

16 MADAM CHAIR NIXON: Thank you. Motion passes.

17 This section is for public comment. I would read
18 it, but there's no one in either room for public comment, so I
19 think -- is there anything else that we need to review?

20 EXECUTIVE DIRECTOR SALADINO: Madam Chair, Executive
21 Director Saladino, for the record. Just one thing that we
22 missed during the updates at the beginning of the meeting. We
23 were asked at the last board meeting to inquire about CSC,
24 Contemporary Service Corporation, PILB license 1612, in
25 regards to the Formula 1 and the Super Bowl events. The board

1 was questioning if CSC had inputted the applications with the
2 arrest history that the applicant disclosed or if they were
3 just not listing the arrests to get their provisional and get
4 them to be able to work the event.

5 Supervisory Investigator Zachary Swarthout reached
6 out to the qualifying agent for CSC, and we were able to
7 gather those applications, and CSC, Fingerprinting INK,
8 everybody that was involved in the process uploaded the
9 correct information based on the applications provided by the
10 applicants, so the applicants stated that this arrest history
11 was not getting transferred over was incorrect. They did not
12 disclose it on their applications, and the information that
13 was provided to the board via the online application process
14 was exactly what the applicants had wrote.

15 So the companies and the license -- the licensee and
16 the third-party company that inputs applications during the
17 application process both did it correctly. It was the
18 applicants that were at fault for not disclosing their arrest
19 history.

20 MADAM CHAIR NIXON: Is there any further action that
21 anybody wanted to take on that or questions? Okay. Okay.
22 Well, thank you for that report. Great job as always, guys.
23 Thank you. Very thorough. Since we don't have any public
24 comment, I'd say the board meeting is adjourned. Thank you.

25 (The proceedings concluded at 3:06 p.m.)

<u> </u> \$ <u> </u>	<u> </u> - <u> </u>	11 6:6 80:8 125:21 126:13 199:15	1392 25:14	173:19	119:11
\$2,500 190:23	-000- 4:3		13th 9:15 68:21	18-and-above 82:23	1987 97:12
\$21,195.08 65:20	<u> </u> 0 <u> </u>	110 34:6	13th's 9:11	180 7:19	1988 110:10
\$27,954.93 65:20	0 219:3	11:30 100:22 101:1	14 7:13 44:4 102:19 200:1	181 91:23	1989 127:25 160:7
\$367 178:1	039 219:3	12 90:10 98:20 190:24 191:3 199:17 239:5	15 67:2 70:20 200:4	1841 19:19	1990 128:3
\$4 206:23	<u> </u> 1 <u> </u>		16 67:2 70:20 200:4	186 7:19	1990-- 139:2
\$983 90:11	1 32:21 62:16 151:2 187:5 193:10 195:14 196:4 198:1 200:23 233:22 234:11 248:25	120 117:12	16 103:19,24 104:8 122:12 190:24 191:4 200:10	18th 217:17	1991 98:21 110:9 177:23,25
<u> </u> (<u> </u>	1-year-old 103:25	1203.4 88:13 98:18 102:15 131:14 236:5	1612 248:24	19 47:11 54:9 94:6	1992 98:19 160:6 236:3
(1) 201:6		12:03 125:14,23	17 47:11 52:25 53:12 54:9,11 64:20 200:12	1958 205:13	1993 131:12 176:13 197:1 225:19
(2) 201:7 219:14,17		12:04 126:13	172 7:16	1972 154:20	1994 176:15
(3) 201:8 219:14,18		12:05 126:23	178.620 200:16	1974 138:25 141:16	1995 162:5,11 170:13,16
(a) 197:8 200:14 201:1 218:23	10 43:19 62:16 80:8,10 100:2,21 101:1 199:13	12:15 126:21	179.177 200:17	1975 154:13,17	1996 117:9
(b) 197:12,20 200:18 201:4	1094 41:11	12:16 126:23	179.235 200:17	1976 154:11	1997 98:16 102:22 105:10 106:24 138:24
(c) 197:14 201:9	10:01 43:21	12:42 150:16	18 4:1 62:15 82:4,18, 21,24 168:17,22	1977 138:24 139:2 140:19 146:13	1998 88:1 102:17 105:11 110:6

1999 119:14 236:7	102:12,15 187:4	173:23,24 191:1 239:3	2019 49:6 50:1 54:12,13 57:3 59:3 82:17 116:22 117:1,3	7:13,17 8:7 9:16 66:19 67:17 69:10 75:13 174:13 217:17,18 247:2	236:4 242 7:19 25 10:11 11:8,11, 14 21:22 41:10
19th 4:7 217:18	2001 28:15 93:23 102:8 107:4,6 110:4 131:14 176:12 236:1	2010 44:5 173:21 177:17 190:22 191:8,9 237:17	2020 173:18 177:20 178:12, 15,18 179:16 181:15, 17,19	2025 6:24 54:6 231:22	26 10:15 11:8,23 183:6
1:36 195:7				21 7:13 94:13	27 15:12
1:38 195:23		2011 28:19 237:14			
1:47 195:23	2002 93:24 167:11, 12,15	2012 237:16	2021 93:4,12 186:16 236:10	22 50:2 71:22 128:7 244:8	270 84:24
1s 26:24	2003 91:23 102:5 129:8 176:11	2013 28:15	2022 15:23,24 21:9 25:4 71:2,15, 21 72:4, 9,10 136:11 137:8 162:1 186:10 187:6 239:2 242:1	2279 60:3	2711 14:24
<hr/> 2 <hr/>		2014 15:22	2023 7:15 8:5 50:6 55:22 57:10 67:17 73:22,23 74:19 186:11 187:5 188:2 207:15 239:6	21 7:13 94:13	27th 59:6
2 4:24 7:23 29:22 117:13 196:5 198:5 201:15 233:16 247:22 248:4,8	2004 109:24 115:1	2015 74:18 81:14,16 82:17 177:21 236:5		226 221:2 224:1	28 13:1,14, 19
2,771 7:18	2005 102:4 107:2 239:12	2016 28:19 44:12 84:23 152:11 189:1		2279 60:3	29 7:23 10:25 20:9 35:22,24
2,806 7:16	2006 16:17 132:20 133:9 158:21	2017 49:5 50:1 52:9 53:9 56:22,24 82:17 160:9		23 7:11,12 47:11 49:6 50:2,4 52:24,25 54:10,11 56:3 69:8 73:20	2:45 233:23,24 234:10
20 109:25 162:1 204:24 205:5 206:5	2007 132:19 133:23 236:6 239:10			239 7:16	<hr/> 3 <hr/>
20- 50:2 157:21	2008 90:10 136:9	2018 50:1 160:8 181:21 191:5 239:9 240:3	2024 4:1,7	24 47:11 49:6 52:24 73:21 98:23 102:16 119:13 128:2 190:25	3 5:15 6:12 74:16 198:10 247:20,21
200 7:18	2009 41:11 110:1 158:19 160:10				3,217 7:15
2000 91:24					3,240 7:17

30 24:13 34:2 44:6 152:12 163:6 166:25 300-plus 46:23	<hr/> 4 <hr/> 4 7:23 9:9 32:21 198:12 40 84:20 4084 228:7 41 7:18,20 87:16 100:5,24 42 28:14 87:19 4238 23:21 43 90:2,19 44 91:16 44west 61:14 63:20 45 92:22 46 97:5 100:6,25 463 201:17 47 97:7 48 98:9 117:12 177:19 191:3 49 99:25	100:1,7, 25 49,150.01 65:19 <hr/> 5 <hr/> 5,000 48:9 5/8 247:2 50 99:24 101:20 125:16,19 126:11 155:12 500 30:1 51 101:22 136:2 52 106:12 125:17 126:11 53 106:14 54 109:8 125:18 126:11 55 109:10,11 126:3,11 56 109:12 158:20 57 109:13 58 114:9	59 116:10 <hr/> 6 <hr/> 6 10:11 11:8,11, 14 198:23 60 118:24 125:20 126:12 239:5 61 119:4 62 127:13 150:14 189:3 628 200:3 63 127:16 64 127:17 150:14 648 201:10 218:7,8, 12,16 219:20 221:15 228:22 229:9,21 648.012 200:25 218:19 219:9 648.012(a) 218:19 648.017 218:9,15	648.018 197:24 648.060 198:17,22 648.115 200:23 219:10,24 221:16 648.115(b)(1) 219:14 648.140 198:17,22 648.203 198:18,23 65 127:18 66 129:3 67 131:4 68 132:9 150:14 69 132:11 150:14 <hr/> 7 <hr/> 7 198:25 70 132:12 70s 139:25 71 150:3 73 149:25 150:15 173:6	232:20,23 233:21 234:9 74 142:1 173:4 234:4 75 173:1,9 76 155:2 175:25 232:25 233:21 234:9 77 143:8,9, 12 146:17 176:2 233:1,2, 21 234:10 77.040 199:21 78 143:7 144:10 176:3 233:4 79 142:21 176:5 <hr/> 8 <hr/> 8 199:4 80 57:15 177:10 80s 229:5 81 181:8 233:6,21
--	--	--	---	---	---

234:10	232:17	ability	63:2,4,7	121:21,24	Accountan
82	235:3	20:14	64:17	123:10	cy
181:10	92	111:14	66:17	183:21	200:3
84	235:1	114:6	67:13	abstain	accountan
185:25	247:24	130:24	71:8	43:13	t
188:17	248:3,7	able	74:19	abuse	18:16
85	93	6:7 30:6,	80:23	223:11	200:2
153:22,24	235:8	8 41:17,	81:15	accept	accounted
233:10,11	94	18 51:10	86:6	215:15	4:22
86	237:7	75:9	93:12,23	accepts	accountin
159:24	95	79:18,21	101:15	197:6,21	g
190:1	195:18	96:20	103:15	200:11	204:25
87	238:19	103:25	107:18	213:16	205:6
190:2	96	120:16	122:6,13,	218:21	accused
88	241:20	164:20	25 127:5	access	51:9
195:5	97	169:6,9	146:15	31:9	Accusourc
233:14	104:13,16	172:12	151:10	170:5	e
234:18	105:7	188:10	155:4	accessing	14:6,24,
248:4,7	195:20,22	192:18	158:2	197:18	25
883	196:1,2,	196:18	164:4	accident	achieve
217:13,24	10 217:19	247:4	167:15	141:4	206:15
89	98	249:4,6	168:12	accidents	209:11
151:18,20	104:13	about	172:19	197:15	217:5
152:7	9:04	6:10 8:2	174:13	accommoda	acquire
9	4:2	10:3	178:12	ted	22:24
9	A	15:15	190:14	4:5	across
7:12	a.m.	16:23	195:11	accordanc	205:11
151:24	4:2 43:21	19:4	202:24	e	243:13,15
153:20	101:1	20:11	203:3,16,	according	act
159:20	126:13	21:15,18	21 204:1,	20:22	5:3
199:5	abeyance	22:22	23 205:7	37:5	201:2,5
90	15:23	24:19	208:4	121:16	219:15
57:15	19:20	26:9	212:13,	141:15	acting
161:18,19	23:22	28:11	23,25	193:7	199:8
173:20	27:13	30:1	213:12,23	account	action
177:19,24	42:19	31:18	214:4,5,	31:21,22	5:5 6:18
189:2	45:11	35:6,10,	25 215:9,	149:14	47:25
191:7	60:17	16 36:7	11,20	accountab	50:3
195:20	63:23	38:11,22,	216:17,24	ility	54:20
234:20	abide	23 39:10	227:6,16	218:16	217:22
91	55:11	41:7	235:13,25	220:23	224:5
158:13		44:2,17	248:23	223:15	249:20
		46:7,20	absence		actions
		52:9	226:10		
		53:19,20,	absolutel		
		23 54:12	y		
		57:5,12	29:13		
		58:4	36:6		
		62:5,10			

213:2	201:3	Additional	220:17	151:13	AG
activated	actuality	lly	admit	172:22	225:24
15:25	156:20	220:22	85:20	235:16	AG's
34:1,2	actually	address	140:10	afford	226:1
active	13:9 33:3	48:18	144:3	32:5	again
7:16,18	39:12,15	50:9	admitted	afforded	17:25
21:8	53:25	52:10	31:23	40:16	30:7 31:8
22:9,13,	75:8,11,	53:12	83:14,20	after	32:10
15,16	13 88:15	54:17	199:13	34:2	33:20
26:14	105:7	89:4	admittedl	43:19	48:14
29:20	133:12,14	221:4	y	55:6 78:8	49:7
75:3	145:8	addressed	76:21	94:10	53:19
167:10,24	152:13	50:17	adult	108:20,23	55:21
242:2	169:16	51:12,20	86:9	113:8	56:1,2,7
actively	170:8	52:5	103:11	120:25	61:23
17:4	216:10	53:14	104:20	121:2	67:17
30:12,14,	225:10	addressin	advancing	123:16,20	101:10
17	adapting	g	214:24	129:15	102:24
activitie	207:25	53:10	advice	153:20	106:3
s	add	adhered	157:24	166:11	114:1
123:13	57:21	52:3	203:5	168:17,22	126:24
202:25	59:9	adjourned	advise	211:11,14	157:9,24
215:12	70:24	249:24	168:16,24	243:25	158:1
221:11	216:6	adjudicat	advised	afternoon	161:20
223:4	225:18	ed	150:15	90:3,4	163:18,20
activity	added	82:3	advisory	127:19,20	171:1,25
8:4 66:25	31:9	83:6,13,	205:19	129:20,25	172:12
67:11,20	106:22	19,20	211:9	131:7,8	175:12
69:16	110:15	adjusters	affairs	133:5,6	182:20
70:13	111:18	198:10,11	35:25	136:3,4,	186:19
185:11	115:5	adjustmen	198:15,20	18,19	212:12
197:10	117:15	t	affected	138:14	214:20
203:17	119:17	123:11	120:1	139:8	215:22
213:21	129:12	admin	affiliati	154:25	221:18
215:2	addendum	58:7,22	ons	173:11,	226:20,22
219:1	191:11	administe	177:9,11,	12,13	231:17
actor	225:18	r	12 181:10	174:8,9	244:2
20:22	adding	199:18	185:25	176:6,7	246:14
acts	13:19	adminstr	186:1	177:9,11,	248:7
102:18	48:16	ative	197:11	12 181:10	against
197:11	addition	168:7,15	219:1	185:25	41:24
218:14	191:11	200:22	affirmati	186:1	69:21
219:2	additional	218:8	ve	188:17,19	124:6
actual	l	administr	10:6 62:7	190:3,4	205:21
40:9 80:4	192:21,23	168:7,15	80:25	202:14	224:18
185:17		200:22	101:17	237:7,9	243:18
		218:8	127:7,10	238:19,21	age
					82:4

93:23	125:15,	19:21	agree	Alabama	53:16
94:12	17,18,19	21:24	214:16	139:2	55:9,17,
168:17,22	126:11	22:8,10,	225:13	146:14,15	23 57:8,
agency	127:12,	14,15,16	227:3,6	alcohol	18,22
17:22	15,16,17,	23:23	232:10	16:15,25	58:6,12,
21:6	18 129:3	24:22	agreed	34:21,22,	19 59:14
37:1,11	131:4	25:16	66:8	24 35:4,	60:10
113:14	132:9,11,	27:13	agreement	17	61:1,11
198:2	12 136:2	41:11	6:9 11:7	244:10,	63:25
199:5,10,	149:25	42:20	67:23	12,22	64:6,21
23 200:20	150:14	45:12	210:13	alcoholic	65:11
204:6	151:4,16	49:9,13	agreement	201:13	66:8,15,
agenda	152:7	50:14	s	219:23	24 68:22
4:24 5:1,	153:23	51:14,22	67:22	align	79:12,20
3,5,15	172:25	52:13,14,	79:17	221:11	82:10,18,
9:9,24	173:9	20 54:15,	agrees	aligning	20 84:4,
10:9,25	175:25	19 60:1,	197:6	14:16	9,14 86:2
11:23	176:2,3,5	18,20	213:17	alike	87:7,13
12:25	177:10	61:5,6	218:21	222:12	88:6,10,
13:14	181:8	63:23	ahead	all	17,23
15:12	185:24	78:19	4:7 44:21	4:22 6:6	89:1,12,
20:8	188:17	199:20	65:10	7:4 9:5,	17,23
24:13	190:1,2	249:6	66:23	21,25	90:1
26:3 28:6	195:5,9,	agents	67:3	11:20	91:7,10,
38:13	17,20,22,	199:13	68:14	12:10,21	13 92:2,
41:2	24 196:5,	aggravate	69:15	13:6	16 94:4
43:22	10 217:8,	d	70:21	15:2,8	95:25
46:1	16,19	160:6	73:5 99:9	17:6,13	96:5 97:2
61:14	224:5	ago	100:3	19:2,5,6,	98:3,24
64:11	230:8,10	16:24	124:12	7,11,22	99:17
80:1,11	231:17	52:21	125:8	20:2	101:6
81:4	232:7,16,	56:2 59:6	139:10,16	24:1,7	102:25
84:20	20,23,25	62:17	146:4,10,	25:17,24	103:7,10
87:16,17,	233:1,6,	66:23	11,24	27:15,24	104:22
19 90:2	8,14,20	74:5	151:3	32:13	105:1
91:16	234:9,12,	104:25	152:3	40:13,22	106:1,10
92:22	18,20	111:6	159:22	41:25	107:22
97:7 98:9	235:1,6,	119:25	180:24	43:3	108:5,17,
99:24,25	8,19	121:16	209:14,16	45:13,20	25 109:2
100:2,4,	237:7	146:16	aid	46:20	112:3,24
5,6,7,20,	238:19	155:12	173:19	47:9	114:5
24	241:20	163:6	209:22	48:8,12,	115:12
101:20,22	247:24	167:1	aims	23 49:3,	116:3
106:12,14	248:3,7	205:7	221:3	11 50:12	118:17
109:8,10,	agendized	230:21,25	ain't	51:7,10,	122:17
13 114:9	13:1	231:7	148:15	12,20,22	123:12
116:10	agent	240:13		52:4	124:15,19
118:24	15:1 16:2				125:4
119:4	18:2,21				126:18
					128:22,25

130:18	206:7	59:6	107:7	119:4	annoying
131:1	207:4	216:2	110:9	amenities	117:4
132:3	208:5	228:12	115:1	196:21	annual
133:1	211:4,8	along	117:2	American	206:20
134:25	214:1,8,	24:23	119:16	66:16	anonymous
135:19	12,19	179:20	127:8	amount	223:13
137:13,	216:4,17,	alongside	129:11	35:21	another
16,18	23 218:13	216:12	130:3	36:23	30:6 31:2
138:1	220:12	Alonte	137:8	41:13	39:17
139:3,20	223:24	241:20	151:25	48:11	41:18
144:24,25	224:14	already	154:15,17	53:23	44:22
147:21,25	227:5,6,9	5:18	156:3,4	analysis	51:22
149:9,19,	228:15,18	13:21	158:15,	218:4	57:16
20 150:21	229:14	28:25	20,23	228:15	59:5 95:2
152:2,13	231:4,10	30:20	162:3	analyzes	104:12
153:3,8	234:11,16	55:23	164:10	200:6	107:6
154:25	236:9,24	80:1,2,20	177:20,25	Andre	109:4
156:19	237:14	94:1	178:2	181:10	110:1
157:1,11,	238:8,10,	121:2	181:18	182:17	111:8
16 158:1,	11 240:6,	190:1	188:1	Andrea	115:1
24	9 241:9,	192:22	196:17	98:9	117:3
159:12,17	14,18	208:18	203:25	Angela	130:24
160:15,	243:6	234:21	206:24	62:3	193:1
22,23,24	245:25	242:5	221:15	80:21	200:14,20
161:10	248:14	244:17	222:17,25	101:13	answer
162:9	allegatio	also	225:15,23	Angela	54:1
163:17,19	n	5:20 6:9	236:3	62:3	55:24
165:5	211:8	10:25	239:14	80:21	59:10
166:21	alleging	23:23	altercati	102:4	86:14
167:7	142:13	27:14	on	Angeles	184:2
170:23	Allied	29:5	244:8,9	98:16	193:23
172:8	119:18	35:23	although	102:4	209:13,17
174:14,	allow	36:22,25	225:13	Angelica	answers
17,19	29:19	37:17,19	Alvarez	207:15	10:6 62:7
175:9,16	115:22	45:12	168:8,14,	anger	80:25
176:17	124:8	47:11	21 169:5	36:3	101:17
177:4	147:13	50:15	170:2	animal	127:7,10
178:5,7	189:11	52:2	always	181:16	151:13
180:4,19,	202:5,8,	63:24	34:22	ankle	172:22
22	10	65:7 79:3	35:4	30:16	235:16
183:16,	allowed	83:5 85:1	44:15	announced	any
18,25	29:18	86:11,21	57:6	210:7	5:8,11,
185:6,20	70:8	91:24	70:15,18	announcem	19,22
187:18	72:14	93:18	168:16	ents	6:14,16
188:7,15	201:19	95:18	229:7	5:16	8:14,21
189:6,19	almost	98:18,23	249:22	Alwyn	9:7,10
193:9	21:5,22	102:5			10:11,15,
194:5,19,					
21 204:1					
205:25					

24 11:10	106:7	185:11	anybody's	anyway	189:11
12:3	107:9,12	187:1,9,	76:3	113:14	194:13
14:5,20	108:6,12,	10,12,20	215:15	anywhere	235:20
16:12,18,	21 110:22	188:11	anymore	56:4	236:11
21 19:12	111:1	189:6	78:13	apologies	237:19
22:6	112:13	191:17	114:2	63:1	242:3
23:6,14	115:10,18	194:8	anyone	apologize	appealed
25:9	117:17	197:4,5,	8:2	49:1	8:10
26:19	118:6	6,12,18,	33:10,20	56:20,21	appeals
29:3	119:15,	19,20	167:18	86:17	80:1
34:21	19,22	198:2,3,	225:21	94:14	152:7
36:19	120:6	6,13	229:16	105:10,13	161:21
38:13,23	122:13,22	199:16,	anything	118:4	appearanc
39:12,22,	123:3	17,18,20,	8:2 37:23	apparentl	e
24 41:20,	124:1	22,23,24	47:21	y	208:7
24 42:9	128:9	200:1,10,	57:8	39:1,19	appeared
45:3	129:17	12 208:25	63:4,7	93:17	239:1
46:11	130:8	209:4	74:9 82:4	111:8	appearing
52:18	131:17	211:5,8	85:13,14	184:12	4:25 5:1,
54:25	133:2,17,	212:23	86:6	234:3	3
56:9	20 134:2	213:1,15,	103:11	appeal	applauded
57:15	135:6,9	16 215:12	104:16	81:18	207:12
59:9,21	136:15	218:20,22	105:3	85:4 88:8	Apple
62:21	137:2,19	219:2,6	109:1	90:12,14,	63:5,6
63:10,15	139:5	222:4	122:25	21 92:4,5	applicabi
65:8,12,	140:7	224:6	134:17,	93:7,8	lity
13 70:23	143:24	226:2,10	18,22	97:14,16	197:23,24
72:20	146:6	227:24	155:4	98:25	applicant
74:22	152:16,22	228:10	163:5,6	99:2	11:1
76:6 78:4	154:22	236:13	164:9	103:1,2	81:15,17
81:19	155:8	237:20	166:20,21	106:23	84:23
82:14	156:7	239:16	168:18	109:5	85:3
83:23	157:17	240:23	169:7	115:6,22	87:25
84:16	159:3	241:3	171:13	117:16	88:4,7
85:5	160:17	243:1	175:19	119:18	90:8,10
86:22	162:14	244:5,22,	187:10	124:8	91:20,23,
87:14	169:23	25 245:15	191:25	128:8,16	24 92:2
88:6,21	170:14,20	249:20,23	192:21	129:16	93:2,4
89:6,22	171:11,17	anybody	211:12	130:23	97:10,12
90:15	174:6,11,	9:25	213:12	131:16	98:14,16
92:6	16,23	61:21,24	227:1	147:14	102:2,4,
93:10	175:14	101:10	231:14	152:15	5,21,24
95:16,21	176:18	104:2	243:17,	158:16,25	106:21,23
96:9	178:10	121:5	18,23	159:1	110:5,8,
97:17	179:3,7,	172:13	248:19	162:3,23	15 115:2
99:4	8,15	196:4	anytime	170:18	
103:4,12,	180:6	204:14	168:15,19	188:10	
15,19,24	181:24	215:19	169:1		
104:5,16	182:3,12	249:21			
105:15	184:20,25				

117:8	88:7,10,	9,12,16	227:17	190:1	26:24
120:14	20 106:9,	applied	241:2,18	233:12,13	29:22
127:24	24 107:19	15:22	247:10	235:4	30:3
128:5,6,7	108:21,	94:19	Apprehens	238:14	37:22
129:12,	22,24	160:16	ion	April	38:9
13,16	109:4	242:5	7:25	162:1	64:20
131:16	120:24	apply	appropria	187:5	169:7,8,
132:18,	121:6	23:2	te	arbitrari	12,14
20,21	122:5,8,	40:17	121:12	ly	170:21
136:7	16	46:10	208:13	226:2	210:19,20
138:17,21	123:15,19	157:24	226:12,25	area	arranged
152:11	130:23,24	172:12	approval	18:12	208:19,20
154:2	131:1	175:12	5:19 6:20	29:25	arrest
155:20	137:17,22	197:25	14:24	30:1	8:24
156:18	155:21,24	200:21	19:8	208:13	10:24
158:18,20	162:21	203:25	226:1	areas	82:11
160:5	163:16	216:22	approve	16:8	85:10,17
161:24,25	164:20	246:18	6:24	17:23	86:4
162:2	165:3,9,	applying	9:10,15	62:16	87:25
173:16	17,21	11:23	11:14	arena	88:24
176:10,16	166:4	26:4 40:4	12:8	229:18	90:11
177:15	169:13,	42:16,17	19:17	argument	92:1 93:6
178:1,2	22,23	47:8	23:19,20	203:22	97:13
181:14	170:4,7,	60:15	25:14	Aria	98:21,23
183:25	9,15	90:13	42:15	206:21	99:11
186:4	171:4,5	92:4 93:7	45:8 60:2	Ariana	102:7,9,
188:24	174:5	97:15	90:20	181:9	14,17,18,
189:4	176:17	99:1	175:17	233:7	20,22,23
190:20	178:25	122:6	238:9	Arizona	104:12,
235:23	179:25	152:14	approved	130:3,4	22,23
236:9	183:9,22	158:25	7:12,13	armed	105:4,7
238:24	185:9,12,	162:17	13:23	96:17,24	106:21,24
239:1	17 186:19	239:19	15:2	160:7	107:2,6
241:24	188:13	242:4	18:18	246:15,	110:1,12
249:2	192:6,12	appointed	19:21	19,21	115:1,2
applicant	193:24	24:15	21:13	247:5	116:20,21
s	194:23	198:6	25:17	armory	117:3
9:25	195:1	appreciat	27:14	145:1,2	118:11
168:9,11	215:8	e	42:18,20	Army	128:2,3,5
249:10,	236:19	27:9 56:1	45:10,12	28:15	129:8,10
14,18	240:22	97:3	52:19	29:6,8	136:21
applicati	242:4,17	104:3,7	60:16	56:22	154:4
on	245:10	121:21	63:24	around	155:16
12:9	249:13,17	153:12	74:4		157:11
74:8,10,	applicati	158:8	78:20		159:7
17 82:8	ons	183:21	166:9		160:13
83:2	7:11,13	202:18	180:24		162:2
87:12	169:6				166:22
	249:1,7,				168:12,

17,22	arrived	100:25	236:6,7	166:15,17	211:14
169:9	29:22	104:20	237:16,17	217:11	assessmen
178:3	233:25	107:3	240:24	248:23	ts
186:20	Arthur	109:23	243:12,16	asking	205:21
189:5	132:12	110:6,11	247:2,3	8:3 35:18	207:8
190:21	as	114:3,24	249:22	83:13	210:17,23
191:11	5:21 6:11	115:4,15	as-is	147:12	212:24
192:5,8,	9:15	116:21	31:4	182:2	223:13,21
13 194:22	10:10	117:7	Asia	185:13	assets
237:17	11:24	118:2	173:10	asks	199:11
238:25	14:10	123:19	ask	47:17	assigned
239:8	17:19,20	128:3,5	47:3 51:2	193:11	8:19
240:23	18:2	130:5	57:7 59:9	asleep	assist
245:10,11	19:17	134:17	83:5	234:3	30:3,4
249:2,10,	20:23	135:5	123:2	aspects	122:7
18	21:10,11	137:16	139:13,19	196:23	123:13
arrested	22:8,24	147:13	147:17	222:4	assistanc
8:12 86:3	23:3	152:13,14	148:4,24	assault	e
arrests	24:14,15,	155:22	149:1	88:2	123:18
35:25	16 25:3	185:15,16	157:25	119:11	164:15
84:14	27:1,9,14	188:11	165:1	132:21	166:4
85:14,17	29:22	191:2	168:12	133:9	183:11
86:2,6	35:22	194:24	184:4	136:9,12	185:9
91:10	40:11	196:11	186:19	160:11	188:13
92:2	41:16,19	197:24	204:9	167:15	239:24
95:25	42:15	198:17,	224:6	177:18	assistant
98:24	43:13	22,24	231:11	181:20	33:1,4,5
102:25	44:21,22	199:5,6,	239:25	236:7	168:15
103:13,15	50:1	20 200:24	asked	239:10	assisted
104:16	52:2,19	201:2,5,	16:1	assaulted	121:5
108:25	56:5,24	15 205:8,	30:24	167:18	assisting
133:1,9	57:20	25 206:8	31:2,5	assaultin	22:3
137:16	58:15	207:3,17,	33:11	g	associate
139:4	63:24	20	35:14	239:13	d
152:13	65:19	212:19,21	38:11,23	assess	8:21
158:24	66:23	214:8,13	39:3	207:22	associati
160:15	67:22	215:1,17	44:19	209:8	on
165:5	68:11	216:7	54:22	210:3	199:1
170:20	70:16,17	218:20	57:3 72:1	assessing	219:8
174:4	71:19,20	219:4,14,	81:15	208:5,25	228:8
176:17	74:8	15 220:1,	85:12,15	assessment	associati
178:6,7	75:14	3,15	86:11,13	t	ons
180:23	76:4,5,9,	221:15	93:20,22	209:9,10,	197:11
191:13	18,21	223:7	100:25	20,25	219:1
192:6	77:22	224:5,15,	128:15	210:12	
193:2	78:1,11	17 226:9,	157:9		
236:9	82:17	23 228:7,	163:2		
237:14	83:1 85:8	10,12,23	164:13		
249:3	86:16	229:14			
		235:18			

assume	93:7,19	10,22,23	12 196:25	242:23	20:2,3
54:16	94:5,6,9,	230:15,21	199:4	automatic	24:7,8
73:8	10,14	231:3,11	213:9	ally	25:24,25
assumed	97:14	232:5	214:4	245:11	27:24,25
156:4	98:25	233:22	225:15,16	availabil	40:13,14
assuming	100:21,25	236:10	226:14	ity	43:3,4,5,
170:2	105:7	239:2,3,	227:12	201:8	6,7
243:16	111:16	23 240:6	229:2,5	219:18	45:20,21
assurance	114:25	241:25	230:25	224:8	60:10,11
221:24	115:13,16	242:1	231:6	available	61:1,2
at	121:12	243:4,11	attorneys	13:9	64:6,7
5:6 6:6	125:21	247:22	227:11	58:15	79:12,13
13:2	126:21	248:4,8,	audience	10:6	84:9,10
21:9,13,	134:24	22,23	10:6	61:21	87:7,8
14 22:23	139:17	249:18,25	61:21	62:7	89:17,18
25:6	143:12,21	attached	80:25	80:25	91:7,8
29:14,15,	146:13	192:21	81:3	100:1,17	92:16,17
21 30:13	147:14,16	194:24	101:10,17	101:10,17	96:5,6,7,
31:1,14	148:5	attacked	106:13	106:13	8 98:3,4
33:5,6,8,	149:5	133:13,15	109:11	109:11	99:17,18
24 34:8	157:10	attempt	121:10	121:10	101:6,7
35:9	158:25	190:22	127:7,10	127:7,10	106:1,2
36:17	162:24	attempted	150:8,11	150:8,11	108:17,18
40:15	163:2,8	88:16	151:5,13	151:5,13	112:24,25
41:5	164:7,13,	160:7	172:13,22	172:13,22	116:3,4
42:11	15 165:20	173:25	195:11	195:11	118:17,18
43:19	166:21	191:1	232:24	232:24	124:15,
47:5	168:6,7	attempts	235:16	235:16	16,17,18
50:11,13	170:5,14	221:4	August	aware	126:18,19
51:1,5,6,	171:25	attendees	8:13 25:4	10:21	128:22,23
11,18	185:13	48:10	authentic	52:1	130:18,19
55:20	193:16	57:13	222:6	53:14	132:3,4
57:16	195:14	attention	222:6	90:11	135:19,20
58:13	196:21	5:2 50:13	author	92:3 93:6	137:13,14
59:3,16,	197:3,23	61:18	221:2	97:13	150:21,22
18 60:20	199:4	77:6	223:24	98:24	153:8,9
63:6	200:22	123:8	authored	102:25	157:1,2,
65:23	202:3,9	130:4	217:13	108:3	3,4,6
66:6	204:1	216:18	authority	114:23	159:12,13
72:10,12,	206:1,4,	attitude	54:20	130:5	161:10,11
13 74:16	10,20	57:19	218:12	131:15	172:8,9
76:12	207:6	attorney	auto	158:24	175:9,10
79:7,21	208:11,12	118:1	110:10	162:25	177:4,5
84:11	210:14	179:22	automatic	170:23	180:19,20
85:12,23,	211:10,13	184:7,8,		209:9	185:6,7
25 89:19	213:4,13			108:3	188:7,8
90:12	214:8,12,			114:23	189:19,20
92:4	19 215:25			130:5	194:19,20
	226:7,22,			131:15	234:16,17
	25 227:4,			158:24	236:24,25

238:12	148:5	229:15	108:11	212:5	114:2
241:14,15	150:2	backing	112:18	battery	115:8
245:25	152:18	225:11	114:20	110:9	121:25
246:1,2,	153:2	backup	115:23	160:6,9	122:23
3,5,11	162:8,23	30:15	118:11	181:17	124:23,25
248:14,15	163:12,18	badge	124:6	191:10	130:21
eyes	167:6,23	37:18,20,	126:12	236:7	133:11
43:12	170:24	21	128:17	Battle	134:12,14
96:9,13	175:16,18	bag	130:13	26:4,12	137:16
	183:7	244:19	137:7	27:10	140:7,8,
B	195:2,9,	Balfour	141:15	Bearden	18 143:12
	20 202:23	87:16,17	150:15	188:17,	151:4,23
	216:22	100:5	153:2	19,21,23	156:5,17
back	225:24	bank	156:13,	189:7,11,	157:11
8:11	226:13	199:16,17	18,20	24	158:1
10:24	229:4,6	banking	159:7	became	162:20,
11:4,25	232:19	199:17	167:11	32:8	24,25
12:2	240:4,19	bankruptc	169:22	34:20	because
13:17	244:19	y	170:14	7:24 11:9	163:1,10,
15:22	246:14	41:15	171:22	13:1	17 164:5,
16:24	back-and-	banks	172:2	15:23	8,10,24
22:19	forth	157:17	175:3	19:2	165:2,19
23:24	169:16	bar	176:24	29:24	166:3,5,
30:24	228:10	208:2	184:25	30:23	7,16
31:2	backgroun	bargainin	187:25	31:9,14,	168:22
41:18	d	g	189:14	17,23,24	170:4
43:14,19	10:23	36:15,25	194:13	33:9 35:8	171:1
52:9 53:9	35:10,14	base	212:18	39:17	174:15
69:8	37:13	14:17	220:8	47:17	175:13
71:10	38:16	based	222:6	57:25	180:24
79:20	43:10	28:21	224:14,	59:12	185:8
84:13	74:14	40:9	17,23	61:17	187:9
87:11	114:24	72:22	225:5,9	64:23	193:13
89:21	141:15	79:6	236:18	67:22	195:1
95:1	142:7,18	82:23	238:1	74:7,25	196:3
100:3	169:11	87:2	241:8	82:5,24	210:19
104:24	171:8,10	89:11	245:19	83:19	213:8
106:4,6	202:18	95:25	246:6	86:11	214:6
109:3,4	205:8	96:12	249:9	87:12	216:2,23
114:6,23	206:5,8,9	97:23	basically	89:23	225:11
115:15	222:11	99:11	50:17	93:23,25	227:19,20
118:20	223:8	103:21	65:16	94:12,20	230:17
122:10	229:14,22	104:8	71:18	96:22	242:1,21,
126:21	243:24	backgrounds	75:9	108:2	22 243:8
128:14	247:4	223:6	83:17	111:3	244:13,16
130:24			196:20	113:4,11	245:10
137:18			basis		246:19
140:22			12:8		247:5
147:15			23:23		become
					19:20

23:22	believe	51:17	big	69:7,12,	block
27:13	16:22	206:15	35:7	20,25	10:9,12,
42:19	20:19,20	Betty	37:10	70:4	16 11:7,
45:12	31:12	122:3	140:10	72:2,3,8,	11 13:12,
50:12	33:1	between	204:24	24 73:1,	19,22
60:17	38:18	65:22	205:6	6,10	30:3
63:23	46:21,25	85:14	207:1	75:6,21	125:8
becomes	51:14	185:16	210:6	76:1,2,8,	195:11
227:16	52:21	188:12	Bigelow	11 77:11,	blowing
becoming	65:22	203:13	91:17,19	15,23,24	34:4
16:2 61:4	67:17	beverages	92:7,11,	106:17,	113:13
before	68:19	201:13	20	19,20	board
18:18	72:4	219:23	bigger	109:19,	4:13,14,
19:7	75:11	Bezick	50:12	21,22	15,16,17,
30:24	86:20	4:13,14	billable	111:16,21	18,19,20,
41:11	124:6	9:19	18:18	114:16,18	22 5:2,4,
48:10	147:12	12:19	billing	115:11	12,15,19,
58:20	151:19	19:16	73:7	116:17,19	23 6:1,
81:17,23	187:16	27:20	bills	119:7,9	17,23
123:22	203:10	28:2 43:5	19:7	120:15,23	7:2,5,11
143:6	204:16	55:2	birthday	121:1,15	8:14,15,
149:16	believed	78:6,16	93:15	127:21,23	25 9:6,8,
151:6	156:6	87:5	94:10	129:5,7	11,14,16,
162:19	believes	92:14	243:6,9	131:9,11	19,22
163:24	155:20,23	95:24	bit	132:13	10:12,13
166:8	bellman	96:7	6:1,3,4	235:21,23	11:5,13,
167:8	208:13	99:8,9,10	15:15	237:10,12	17,21
182:22,24	belonging	112:22	20:11	Blackston	12:4,7,
206:22	198:2	116:1	24:19	e	14,19,22
208:16	bench	118:10	26:9	63:3,9	13:13,18,
226:1	167:20,23	124:11,	28:11	Blackwill	24 14:5,
239:1	208:20	13,17	41:7 44:2	15:13,17,	20,23
beginning	benchmark	132:1	46:7	21,22	15:6,9,19
95:19	207:22	137:11	49:25	17:24	16:12,13,
204:10	209:21	153:16	62:10	18:1,10,	18 17:3,
248:22	benefit	156:24	64:17	14,23	6,9,12,
behalf	223:16	157:6	67:13	19:1,5,17	14,15,19,
66:9	besides	159:6	156:15	20:6	24 18:7,
85:20	192:21	172:6	157:23	Blackwill	11,20,24
86:16	best	177:2	196:3	's	19:2,9,
228:7	152:20	189:17	204:21	19:19	13,16,25
behavior	206:16	194:17	Blackmore	Bland	20:3,13
37:2	231:5	245:23	65:12,14,	109:9	21:2,12,
222:9	better	246:5,10,	15 67:12,	125:18	13 22:6,
belief	15:21	11	14,15	blind	7,11,17
224:24		biased	68:9,18	164:24	23:6,7,
		223:13			11,13,18
					24:4,8
					25:10,13,

21,25	66:10,13,	23 104:3,	134:2,5,	167:3,8,	16
26:19	15,19,24	5,6	8,11	14,21	210:10,16
27:5,7,	67:5	105:5,12,	135:3,9,	168:1,6,8	211:3,22
18,20,21,	68:11,15,	19,23	12,16,20	169:21	212:8
25 28:2	22 72:20,	106:2,7	136:15,	171:11,	215:23
29:3,4,8,	21 73:4,	107:9,11,	17,20	17,21	216:5
10,16	8,15,19,	15,17,21,	137:1,2,	172:5,6,9	217:17
32:13,16,	21,23,25	24 108:2,	6,11,14	173:4,6,8	220:19
20,23	74:2,7,	5,6,10,	138:1	174:6,8,	221:3,7
33:21	12,16	15,18	139:5,7,	10,18,23	222:18
34:11,14,	76:6,7,	109:4	10,12,16,	175:2,7,	223:18
16 35:12,	16,20,25	110:22,24	24 140:6,	10	224:2,10,
20 36:5,	77:2,5,7	111:10	11,17,22,	176:18,22	13
9,12,13,	78:4,6,16	112:4,7,	25 141:3,	177:2,5	225:21,22
17,19,22	79:1,10,	10,12,13,	8,11,14,	178:10,	226:8,12,
38:2,13,	13,19	17,22,25	18,21,23	11,16,20	18,19
15,20	80:13,15	114:11	142:2,4,	179:2,6,	227:2
39:1,9,	81:19,21	115:18,21	6,12,16,	9,15,18	228:1,12,
19,23,24	82:7,13,	116:1,4	24 143:16	180:3,9,	13 229:10
40:3,8,14	15,22	117:17,19	145:13	10,12,17,	230:12,19
41:20,22	83:1,8,	118:5,6,	146:6,7,	20 181:5,	231:2,17,
42:2,3,	12,16,23	10,14,18	8,10,11,	24 182:2,	23
10,14,25	84:2,7,10	119:19,21	12,17,19,	4,8,11,	232:13,18
43:4,5,6,	85:5,7,21	120:5,7,	22,23,25	14,17,20,	233:9,12,
7,8 45:3,	86:5,19,	10,17,22	147:1,3,	24 183:3,	18,23
7,17,21	23 87:1,	121:3,4,	9,11,13	8,11,14,	234:1,2,
46:5,11,	5,8	8,9,11,20	148:6	20	6,8,14,
15,18	88:21,22,	122:4,11,	150:4,6,	184:11,	17,21,23,
47:5,9,20	23 89:5,	15,20,24	13,19,22,	20,24	25 235:3,
48:14,20,	6,10,15,	123:1,10	24 151:7	185:4,7	18
22 49:5,	18,21	124:1,4,	152:16,25	187:1,2,	236:10,
11,18,20	90:15,19,	5,6,11,	153:6,9,	3,11,12,	13,16,22,
50:13	23,24,25	13,17,18,	16	14,19,20,	25
52:18,19,	91:1,3,8,	20,21	154:22,24	24 188:5,	237:20,24
20,22	13 92:6,	125:25	155:6,8,	8 189:6,	238:4,5,
53:16,24	10,14,17	126:2,6,	14,15	10,14,17,	10,12,21
54:7,12,	93:10,11	9,10,16,	156:2,7,	20 190:3	239:1,2,
14 55:1,	94:18,22	19,20	8,11,16,	191:17,19	16,18,21,
2,25	95:2,5,7,	128:6,9,	24 157:3,	193:5,16,	23,24
56:10	9,12,14,	13,20,23	4,5,6	20,23	240:5,8,
59:21,24	24 96:3,	129:18,	158:13	194:1,5,	11,15,21
60:7,11,	6,7,8,10,	19,23,25	159:3,6,	9,12,16,	241:2,4,
14,23	12 97:17,	130:7,8,	10,13	17,20	7,12,15
61:2,25	21 98:1,4	12,16,19,	161:3,8,	195:7	243:1,2
62:21,25	99:4,7,8,	25	11,20	196:1	244:4,6,
63:8,12,	9,10,15,	131:17,21	162:14,	200:2,24	7,13,21,
14,16,19	18 100:9,	132:1,4	16,19	201:21	24 245:1,
64:4,7	11,16,23	133:2,4,	163:14,25	202:4,15,	4,14,17,
65:8,9,	101:4,7	7,14,17,	164:6	21 203:15	23 246:2,
10,11,24	103:4,5,	20,22	165:13,14	209:4,6,	3,4,5,6,

11,25	132:22,23	branding	broad	19:25	11 150:9,
247:7,12,	133:8	14:16	214:22	23:7,11,	19 157:5
14,16,20	134:6	48:17	215:25	13,18	158:13
248:1,6,	143:11	breadth	228:13	27:7	159:10
12,15,23,	154:5,6	215:12	broadcast	38:15,20	161:8
25	160:12	break	14:2	39:1,9,	175:7
249:13,24	191:6	43:19	broadly	19,23	180:10,17
board's	223:16	60:2	215:1	40:8	185:4
43:18	239:8	125:10	broke	42:3,25	187:3,11
61:9	243:20	140:20	143:4	43:7	188:5
121:10	246:22	195:21	144:1	45:17	189:10,14
126:3	249:17	breaking	brokers	54:7,12,	191:19
203:18	bottle	140:4,9	199:14	14 60:7,	194:12
217:15	243:10,20	141:9,12	Brooks	23 61:25	209:6,16
222:6	244:15	143:25	190:2,3,	63:19	210:10,16
Bob	bought	Brett	6,10,12,	65:10	224:13
25:3	68:10	91:17	16,19	72:21	228:1
Bobby	93:17,18	Brician	191:15,	73:4,8,	234:2,6,
181:5	boutique	97:5	18,20,21	15,19,21,	14 236:22
227:1	206:7	100:6	192:10,	23,25	238:5
Boca	Bowl	brief	15,25	74:2,7,	241:12
20:17	130:4	203:20	193:3,6,	12,16	244:7,13,
bodily	248:25	briefing	13,18,22,	79:1	21,24
177:19	Boxing	57:22	25 194:2,	80:13,15	245:4,14
bold	72:10,12,	bring	7 195:3	81:21	246:4,6
82:8 85:9	15,18	5:1 20:20	brother	82:7,13	248:1,12
bona	boys	26:24	56:22	83:2 84:7	Browne
198:16,21	34:23	36:9	brought	85:7,8,21	153:22,
book	Brady	44:6,15	31:16	86:5,19	23,25
39:11,20	38:22	50:13	32:3 50:1	87:1	154:5,9,
books	Bragg	57:17	72:22	90:25	23,25
212:18	143:21,24	82:5	77:4	96:8 98:1	155:2,12
boots	146:13	109:4	82:19	100:9,11,	156:13
22:25	brain	216:8	123:8	12,16	157:13,
born	121:23	bringing	134:19	101:4	16,21
93:23	123:12	27:8	164:13	104:6	158:4,7
both	brakes	206:23	213:10	105:5,12,	Bryan
16:14	34:9	210:18,20	224:3,7	19 114:11	106:12
32:2	branch	brings	Brown	115:21	125:17
45:13	26:16	16:3 38:5	4:15,16	118:14	BSIS
65:18	220:4	208:14	5:12 7:2	121:4,8	163:8
79:5	brand	Britt	10:13,14	124:5,18	budget
105:11	48:19	127:15,16	11:5	106:6,12,	5:19 6:2,
115:8	109:8		12:7,14	7,20,22,	24
			14:6,10	24	Buffalo
			15:2,6	23 147:9,	91:22

build 21:24	79:5,23	219:6,19	111:5,6, 13,17	219:7	14,15,22
building 178:21 246:8	Burt's 72:18	221:19,24	115:5,9	222:16,25	200:2
buildings 32:2	business 13:8	222:4	116:25	224:10	201:4,12,
built 21:17	businesses 18:6,22	223:21	117:14	225:9	13 202:18
Bullet 32:21	19:17	229:19,22	120:17	226:10,16	203:12,22
burglary 29:15,21 39:11 107:1 115:1 131:12	20:18		122:9,15	227:13	211:12
Burrell 136:3,4, 6,16,18, 19,22 137:21,24 138:4,10, 12	21:11,16		123:8	228:10,15	214:9
	22:2,19, 21,24		127:6	229:18	215:23
	23:3		139:11	230:3,14	216:5
	24:23		140:4,13, 19	232:2	217:13
	26:13		142:10, 20,25	235:14	218:6,8, 14,15
	28:22		144:5	240:18	219:5,10, 22,23,24,
	41:12,13, 19 44:20		145:12,24	243:14,15	22,23,24,
	47:12,13, 14,16,21, 23 48:11		148:17	244:9,21	25 220:1, 2,3,17
	50:9,23		151:11	248:18	221:4
	51:21,23		158:5		222:3,10, 14,18
	53:15,18, 19,21,22		160:22	button 15:20 82:1 107:15 119:23 139:17	223:21
	55:13		162:9		226:7,11, 17 229:20
	64:22		163:15	by 8:12 11:1 21:13 31:20,21 32:2 33:3,15 35:12,13 40:9 50:6 52:20 55:11 57:23 67:10 68:10 69:14 71:11,12 72:9 81:22 82:6 95:14 112:10 126:13 128:6 150:11,15 187:7 191:10 192:17 198:6,14, 19 199:6,	230:6
	66:2,3		168:25		232:3
	70:5		169:3		234:11
	72:18		170:20		244:9,12
	79:6		172:20		245:12
	177:21		174:14, 18,20		249:9
	178:17		175:13		
	196:19		178:13		C
	197:5,8, 21		179:19,24		
	198:12,24		180:4,23		Californi
	199:6,9		183:10		a
	200:9,11, 13 201:10		187:17		21:14
	202:20		190:15		50:16
	204:2,6, 11		191:23		51:8 56:2
	205:13, 19,22		193:9,18		59:17,19, 20 64:22
	213:16,19		194:23		65:2,5, 16,17,22
	215:15		202:11,13		73:25
	216:2,4		204:2		74:3
	218:4,5, 21,24		205:9,25		78:22
			206:4,23, 25 207:5		81:24
			208:10,24		82:2
			209:2,22		97:12
			210:1,5,6		98:16,18
			212:25		102:4,14
			213:6		106:25
			215:18		
			217:10		

107:6	91:21	95:25	244:3	131:2	14,16
109:25	108:21	96:15,17,	career	195:5	106:10
110:4	came	24,25	41:18	233:14	Castillo
114:21	6:2 21:15	97:22	140:19	234:19	106:14,
115:12	30:17,22	99:11	Carol	carve-out	16,18,20
116:24	31:2	113:5	141:23	198:1	107:10,
117:3,10	37:22	115:23	Carolina	200:21	11,14,16,
128:1	54:16	124:8	138:24	carve-	18,23
129:15	57:4	128:17	139:1	outs	108:1,4
130:3	67:18	130:2	143:20,	202:3	109:6
131:14	93:20	132:7	22,24	carved	138:14,16
136:9,12	123:20	135:22	144:12	216:4	139:6,8,
158:19	140:1	145:19	239:13	case	9,11,14,
163:1,7	162:8	153:2	carried	16:24	22 140:1,
177:17,	164:1,21	156:13	30:15	17:9 36:7	9,12,18,
20,22,23,	166:13	159:7	carries	39:11	24 141:2,
25 178:18	169:14	161:13	222:1	71:24	5,9,13,
186:12,16	186:23	163:8	carry	98:17	17,20,22,
call	192:1	166:8	93:3	110:7	24,25
4:8,10	229:7	171:2	94:13	114:21	142:3,13,
9:3 13:10	cameras	176:24	96:17,24	128:4	16,20,25
29:15,20	29:18,25	185:14	119:14,16	129:10,11	143:2,6,
30:23	32:2	188:10	138:24	148:25	9,21,25
33:9 35:1	cannabis	189:12,22	152:12	172:11	144:3,5,
70:12	117:11	229:15	186:10,14	178:4	7,10,14,
117:4	176:14	236:18	189:1	179:3,22	21,24
135:5	cannot	237:2	236:3	188:1	145:2,9,
140:4	48:3	238:1	243:14	202:17	18,23
149:11,	96:17	242:1,2,7	carry/	203:10	146:3,13,
12,13,15,	Canoga	245:19	possess	203:10	15,18,20
17 153:11	97:11	246:15,19	90:9	215:9	147:3,13,
189:22	car	cards	cases	cases	23 148:3,
237:3	30:1	7:14,17,	18:2 19:5	160:24	8,13,15,
239:24	34:7,9	21 18:9	178:14	178:14	18,21,23
call/no	141:10	53:5	213:2	213:2	149:2,8,
126:12	card	58:21	Casey	Casey	19,23
150:15	6:8 10:20	78:1	26:11	27:11,14	Castillos
234:10	18:5	222:10	202:17	Casey	140:16
248:8	51:3,5	246:22	203:10	26:11	142:14
called	58:9,24	care	203:10	27:11,14	categorie
30:2,7	66:16,22	35:10	215:9	cases	s
33:11	75:22,25	42:1	236:3	134:1	208:6
75:8 80:2	77:25	47:19	246:7,16	cash	caught
164:23	81:14	53:18	cars	101:22,24	79:16
166:12	91:5	66:9,18	30:1	102:1	cause
calls	92:11	70:21	Carter	103:4,6,8	47:25
35:22		116:9	129:3,4,	104:15	48:1
88:5		220:23	6,7,19,	105:13,	
		243:25	22,25		

50:3,9	107:5	44:1,9,25	87:3,6,9,	119:2,7,	10,20,25
51:21,24	237:15	45:3,15,	22 88:9,	19 120:6,	150:5,7,
121:19	CFO	19,22	19 89:6,	11,21	17,20,23
197:14	204:22	46:1,6,	13,16,19,	121:9,11,	151:1,15,
228:15	205:9	11,14	25 90:2,	14 124:1,	20,22
caused	chain	48:4	5,15,21	9,12,14,	152:1,6,
37:7	226:16	49:13,16,	91:6,9,	19,22	16 153:4,
53:14	chair	21,23	14,16	125:7,13,	7,10,13,
217:10	4:4,11,	52:12,16	92:6,12,	15,23	15,16,19,
CCW	12,21,23	54:25	15,18,21,	126:2,5,	23 154:7,
94:18,19	5:12,14,	56:9,17	24 93:9	7,14,17,	10,22
186:12,16	18,23,25	57:25	95:16,20	20,24	155:8,13,
187:5	6:16,21,	58:16,19,	96:1,4,9,	127:12,21	19 156:1,
241:25	25 7:3,6,	25 59:4,	11,13,21	128:9,18,	3,7,14,
242:5	7 8:14	11,16,20	97:2,4,	21,24	22,25
243:4	9:7,17,	60:5,9,	17,24	129:1,17	157:7,15,
244:1	20,23	12,21,25	98:2,5,8,	130:8,14,	19,23
246:14	10:8,13	61:3,13,	12 99:3,	17,20	158:5,9,
celebrate	11:6,15,	17,20,25	13,16,19,	131:3,6,	13,14
93:16	19,22	62:1,9,21	23 100:9,	8,17,24	159:2,8,
celebrati	12:11,17,	63:1,15	10,11,15,	132:2,5,	11,14,18,
ng	20,23,24	64:2,5,8,	18 101:2,	9,17	22,25
93:15,17	13:13,25	11,14,16	5,8,19,25	133:2	160:3,14,
207:19	14:4,8,	65:8	103:3	134:12,20	17,20
celebriti	11,18	67:12,21	104:4	135:2,3,	161:1,6,
es	15:4,7,10	68:1,4,8,	105:15,	8,14,18,	9,12,16,
207:4	16:4,11	14 69:2,	21,25	21,25	19 162:7,
CEO	19:12,23	10,18,22	106:3,11,	136:2,5,	12,14
26:12	20:1,4,8,	70:2,6,23	17 107:9	15 137:2,	163:23
64:20	25 22:5,	71:16,20,	108:6,13,	9,12,15,	164:3,19,
78:23	18 23:5,	23 72:1,	16,19	23,25	25 165:5,
certain	14 24:2,	20,23	109:7,16,	138:6,9,	8,11,16,
48:2,11	6,9,12,18	74:22	19	11,13	23 166:6,
51:1	25:9,19,	75:2,19,	110:14,	139:5	10,14,24
55:19,20	23 26:1,	23 76:6	19,22	142:23	167:2,3,
196:21	8,18	77:9,13,	111:12,	143:1,3,	4,8,13,25
202:24,25	27:2,4,	20 78:3,	19,22,25	8,10,16,	168:4,5
220:15	16,23	17,21,24	112:3,6,	19,23	169:15,
certifica	28:1,6,9,	79:8,11,	13,20,23	144:2,4,	19,25
te	11 29:2	14,24	113:1,9,	6,8,11,	170:6,10,
200:1,4	38:12	80:11,13,	11,17,22,	19,22	24 171:3,
certified	39:24	14,15,18	25 114:5,	145:1,5,	8,14
200:1	40:6,12,	81:2,8,	9,12,13,	17,20,24	172:3,7,
cetera	15,20,25	11,19,25	14,15	146:5,21,	10,24
	41:2,20	82:14	115:7,17,	23 147:1,	173:3,7,
	42:9,23	83:23	24 116:2,	6,10,17,	9,13
	43:2,8,	84:5,8,	5,9,13,16	24 148:4,	174:2,6,
	11,17,22	11,16,19	117:17	10,14,17,	20,23
		85:5	118:6,12,	20,22,24	175:5,8,
		86:22	16,19,23	149:3,9,	11,22,24

176:8,18, 25 177:3, 6,10,13 178:5,9, 24 179:19,24 180:2,4, 11,15,18, 21 181:3, 8,24 182:2 184:11,19 185:2,5, 8,20,24 186:2,18, 22,25 187:12,20 188:3,6, 9,15,20, 22 189:6, 13,15,18, 21,25 190:4,7, 18 191:14,16 192:3,8, 11,23 194:8,14, 18,21 195:4,8, 16,19,24 196:2 202:2,9, 15 204:9, 17 209:4, 15 210:9, 17,24 211:11, 14,18,21 213:8 217:7 224:2 225:21 227:1,24 228:1,2,5 230:1,16, 18,23 231:3,9, 18,20 232:5,16,	19,23 233:4,6, 10,13,17, 19,24 234:2,5, 7,12,15, 18,22,24 235:1,4, 18 236:12, 20,23 237:1,5, 10,20 238:2,7, 11,14,18, 22 239:16 241:3,10, 13,16,19, 22 242:6, 10,13,16, 20,24 244:5,25 245:5,7, 15,21,24 246:9,12, 24 247:7, 11,15,17, 23 248:2, 10,13,16, 20 249:20	change 14:13,16, 25 15:16 25:5,15 37:23 48:15,17 51:25 52:1,3 60:1,4 61:4 68:12 230:5 changed 64:22 103:16 changes 226:2 changing 48:17,18 51:14 230:19,20 chapter 197:23, 24,25 200:3,21 201:10,17 219:20 character 197:12 213:21 219:2 charge 48:25 51:2 81:15,16 82:17 83:20 117:6,13 119:12 134:1 141:12 152:12 154:13 155:22 167:11, 12,15 174:14	178:13 179:16 186:13,14 187:5 191:6,10 charges 82:16,18, 23 134:6, 10,19 143:12 156:20 160:12 191:20,24 192:22 240:19 charitabl e 198:25 Charles 15:13 16:5,6, 14,17,22 17:4,5,8, 11,13,15, 17,21 19:21 20:7 Charlotte 240:13 check 13:16 14:1 23:24 57:21 58:20 114:24 140:14 141:15 142:10,18 196:21 216:11 237:14 243:24 check-in 216:19,21 checked	76:2 checks 58:22 133:25 134:1 142:8 222:11 223:8 Chicago 25:3 Chicagoan 62:13 chief 31:8,17 32:3 34:20 39:3,6 54:9 child 102:18 107:5 173:19 children 35:6 choice 34:23 choose 34:23 204:5 206:25 chose 103:20 chosen 226:10 circled 192:6 circumsta nces 217:10 circumven t 227:19	circumven ting 227:21 citation 8:11 53:9,19, 20 67:18 68:16,20 75:13 76:12,14 citations 48:23 52:24 53:6,7 68:23,24 cited 46:25 56:2,3 67:4,16 69:11 178:21 citing 137:8 188:1 citizen 104:2 city 24:15 28:21 198:3,7 clarifica tion 13:19 75:7 209:7 210:11 226:3,23 clarify 43:9 47:21 49:24 77:17 105:3 116:13
---	---	---	---	--	---

Clark 47:22 50:9 51:23	clearly 87:13 203:4 214:11	220:17,22 cognizant 202:12	80:4 81:5,17, 22 84:13 87:11 89:21 100:4 103:20,22 106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	comfortable 79:7	commissioner 241:25
class 216:3	click 81:25	cohabitant 236:2	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	coming 37:11 38:22 43:14 55:8 59:5 101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	commissioner 24:15,16 199:7
classes 36:3	client 71:6,14 199:11 201:2,5 219:15 220:14	colleague 204:20	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	55:8 59:5 101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	commit 158:21
classifications 208:23 209:1	clients 28:23 57:13 201:4 210:1 218:1 220:6,11	colleagues 21:16 44:18	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	commonplace 223:9
classified 191:2	climate 78:11	collect 211:5	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	communication 57:6
Claytor 132:11 150:9	clocking 31:6	collecting 211:4	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	communication 71:2
clean 111:4	close 162:21 181:5	collection 199:5 221:7	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	community 17:1 27:1 189:3 190:25 191:4 206:23
cleanlines 201:7 219:17	closed 7:23 17:10 160:25	collective 36:15,25	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	companies 44:12 53:7,8 57:16 74:14 196:11, 13,17 217:20 222:17 225:9 249:15
clear 23:24 45:1 52:12 67:15 69:18 78:18 88:9 120:12 147:5 166:3 171:24 178:5 184:15 185:12 203:24 226:14	closely 52:6	color 70:24	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	company 8:22 16:8 17:18 27:8 41:5 44:13,14, 15,21 47:6,7,10 48:25 49:8 50:20,23
cleared 30:5,24 66:23 147:15	closer 14:16	combat 28:14 35:23 65:6	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	commented 33:1
	clue 33:15	come 9:3 10:24 11:25 12:2 15:14 19:6 30:24 43:19 44:24 52:23 57:3,17, 20 58:20 59:7 79:20	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	comments 5:5 38:2 83:22 168:11 184:3 224:11
	cocaine 129:9	comes 23:24 49:21 61:9 115:15 168:16 229:17,18	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	commerce 107:4 191:9
	code 65:17,18 98:18 131:14 200:23 218:8	comfort 208:11	106:4,6 109:3 114:6,23 118:20 130:24 137:18 147:15 148:5 151:6,23 152:3,4 158:1 159:19 162:23 163:24 164:6 165:11,13 167:6 168:9,11 170:24 175:16,18 176:6 195:2 207:4 210:3,12 215:21 225:19 226:18 227:21 228:2 235:8,10 240:4	101:10 123:24 151:3 152:18 153:2 163:16 210:4,5,6	commercial 199:20

51:3,7,19 54:9 55:7,20 57:17 59:12 62:20 64:22 66:7,11 68:3,5 69:4,5 70:16 71:7,12 73:17 74:2,6,8 75:4 79:17 113:2 133:24 163:11 203:21 204:23 212:25 225:4 226:4 229:13 249:16 company's 59:14 compariso n 8:4 compensat ed 215:14 222:3 compensat ion 220:1 222:20 competenc ies 205:14,19 complaina nt 8:21 9:1	complaint 8:17,19 35:25 52:25 69:7 complaint s 7:22 69:13,21, 23 complete 16:15 72:14 74:14 130:6 completed 16:23,25 17:6 36:5 115:3 193:18,20 194:2 237:14 completel y 29:17,19 30:21 80:3 123:9 129:22 130:1 183:23 209:20,23 completin g 122:5 complianc e 18:22 30:18 58:5,8 59:12,13 61:10 181:21 220:14,16	complianc es 58:3 59:14 compliant 49:2 70:19 complicat ed 215:24 complicit 93:21 comply 47:18 230:6 computer 200:5,6,7 computers 6:8 concealed 93:3 94:13 110:7 138:25 143:13 144:13 186:10 189:1 236:3 246:7 concealed ly 94:12 concern 35:2,3,20 37:23 53:23 123:15 211:8 212:13 215:10 217:19 229:19 230:2	concernin g 209:5 concerns 10:11 36:1,23 37:17 48:23 54:14 60:24 196:7 224:10 concluded 249:25 conclusio n 223:18 concur 36:22 225:23 concurrent 154:13,19 155:14, 21,25 156:4,5, 18,21 concurrentl y 155:15 condition 123:17 conduct 196:19 197:8 201:19 213:19 218:13,24 221:22 230:3 conduct/ prostitut ion 98:22	conducted 30:9 170:19 222:3 conductin g 66:25 197:2 222:10 conducts 229:10 configura tion 243:15 confineme nt 199:20 confirm 41:23 76:4 105:6 120:18 confirmed 72:15,17 86:21 114:22 conflict 36:24 confuse 83:18 confused 147:10 162:25 245:6 confusion 222:4 congratul ations 20:4 24:10 26:1 43:13 45:23 91:9 98:6	99:20 116:6 125:7 129:1 132:6 135:25 153:13 159:15 177:7 207:13 238:16 connectio n 198:15,20 199:15 conscient ious 22:1 consent 10:10 11:14 consider 53:7 considera tion 197:5,21 200:10 213:16 215:15 217:16 218:20 considere d 13:12 conspirac y 158:21 constant 55:12 constantl y 207:8,25
---	--	---	---	--	---

constitutive 86:4	50:14,25 55:13 88:16,24 91:11	contempt/disobey 102:16	11,14,16, 24 72:1, 4,9,18,25 73:2,9	39:3,14, 21 40:4, 19,24 41:1	131:13 152:12 154:2,17, 19,21 189:2
constitutes 221:25	92:19 99:20,21 116:6	contested 83:16	196:20 210:13 225:10	control 49:7	190:24 191:3
consultancies 204:25 205:6	123:3 135:23 137:20 138:1,3 145:9,15	context 38:8 219:5	contracted 225:7,12	controlled 98:15,20 102:3,13 117:14	193:11, 17,21 236:2,4,6 239:5
consultancy 216:3	158:6 161:14 169:2 177:7	Conti 20:9 21:1,4 22:9,13 23:21	contractor 72:16 73:12	154:14,18 176:12 181:22 239:4	conviction 90:9 91:22,24 93:4 97:11
consultant 198:14	180:25 225:4 238:15 240:24 244:9 247:8	contingency 43:9	contractor's 67:3	convenience 208:11	98:15,19, 22 102:3, 6,8,12,15 104:12 105:4 109:23,24 114:19,24 115:15 117:9 119:10 127:25 132:19 136:8,10 138:18,22 139:14 154:3 156:17 158:19,21 160:5 164:12 173:17 176:11 177:16
Consultants 65:1,22 71:3 72:5,10, 17 74:18	contacted 50:13,20 51:23 73:10 168:19 169:1	contingent 10:22 11:9 12:1,8, 11,15 13:9 20:15 23:23,24 42:12,21	contractors 62:19 222:15 223:8	convenient 208:15	114:19,24 115:15 117:9 119:10 127:25 132:19 136:8,10 138:18,22 139:14 154:3 156:17 158:19,21 160:5 164:12 173:17 176:11 177:16
consulting 63:3,9 73:12 224:22	contacting 8:20 162:22	continue 104:1 123:12 169:20 197:17 208:22	contracts 6:13 62:20 230:4	convention 37:16 228:9 232:9	115:15 117:9 119:10 127:25 132:19 136:8,10 138:18,22 139:14 154:3 156:17 158:19,21 160:5 164:12 173:17 176:11 177:16
consume 34:21,24	contacts 210:11	continued 244:19	contractual 220:5	conversations 22:22 203:13 226:15	164:12 173:17 176:11 177:16 186:5,8, 12 187:6 188:25 190:21 235:24 236:1 238:25 242:23 246:7
consumed 244:21	contained 200:6	continuation 160:12 178:2	contradict 229:23	convert 221:7	186:5,8, 12 187:6 188:25 190:21 235:24 236:1 238:25 242:23 246:7
consuming 34:22	container 244:15	continuiz	Contreras 28:7,8, 10,13 29:7,9,13 32:15,18, 21,25 33:23 34:13,15, 18 35:13 36:4,6, 11,16,18, 21 38:1, 3,18,25	conveyed 203:5	186:5,8, 12 187:6 188:25 190:21 235:24 236:1 238:25 242:23 246:7
consumption 201:13 219:23	Contemporary 129:13 248:24	continuously 164:23		convicted 8:12 82:5 83:11 88:3 89:2 104:20 105:2 114:23 117:4 119:13	186:5,8, 12 187:6 188:25 190:21 235:24 236:1 238:25 242:23 246:7
contact 8:22 9:1 10:21 11:2 13:5 33:6,9 48:13	contempt 177:25	contract 67:7 71:4,5,			

convictions	59:19,25 60:3 63:20,25 68:12 78:22 79:2,5 217:23	173:2 193:17 211:2 226:5 249:9	16,20,25 77:2,5,7 82:15,22 83:1,8, 12,16 84:2 88:22,23 89:5,10 90:23 91:3 92:10 93:11 94:18,22 95:2,5,7 96:10,12 97:21 100:23 103:5 104:3 105:23 107:11, 15,17,21, 24 108:2, 5,10 110:24 111:10 112:17 117:19,20 118:5 119:21 120:5,10, 22 121:3, 20,21 122:4,11, 15,20,24 123:1,10 124:4,21 125:25 126:10 128:13 129:19,23 130:7,12 133:4,7, 14,17,20, 22 134:2, 5,8,11 135:16 136:17,20 137:1,6 138:1	139:7,10, 12,16,24 140:6,11, 17,22,25 141:3,8, 11,14,18, 21,23 142:2,4, 6,12,16, 24 146:22 147:1,2, 9,13 150:4,6, 13 152:25 154:24 155:6 156:2,11, 16 157:4 162:16 163:14 167:3,8, 14,21 168:1 169:21 171:21 173:4,6,8 174:8,10, 18 175:2 176:22 178:11, 16,20 179:2,6, 9,15,18 180:3 181:6 182:4,8, 11,14,17, 20,24 183:3,8, 11,14,20 184:24 187:2,14, 19,24 193:5,16, 20,23 194:1,5, 16 195:7 196:1 211:3 225:22	226:19 232:18 233:9,12, 18,23 234:1,8, 21,23,25 235:3 236:16 237:24 238:10 239:18, 21,23 240:5,8, 11,15,21 241:2,7 243:2 244:4 245:17 246:3 247:12, 14,16,20 248:6 cosmetics 208:19 cost 6:3 costs 6:5 204:2 counsel 127:2 202:16,22 count 81:15 117:10 167:15 171:13 181:16, 17,18 233:19 239:7 country 26:25 210:21 counts 191:7 212:15
91:10 103:10,14 104:10,11 107:25 108:20, 22,25 136:23 139:4 155:1 156:3 187:10 237:13	corporation 25:15 67:8,16 73:7 75:10 79:2 219:8 248:24	correcting 55:23 corrections 62:15 129:15 correctly 172:25 249:17 correlation 212:2 correspondence 73:14 203:9 212:6 Cortez 4:17,18 6:23 9:14 11:13 13:18,24 14:23 15:19 17:3,6,9, 12,14 24:4 25:13 27:18,21 36:13,17, 19,22 38:2 41:22 42:2 43:6,8 45:7 53:24 62:25 63:8,12, 14 76:7,			
COO 47:7 48:23	Corporations' 129:13				
Cook 62:14	Corps 28:15 65:6				
cooperative 88:15	correct 18:10,23 19:1 51:15 52:4,11 55:17 59:15 63:9 67:25 69:20 73:24 74:1 75:16 76:19,22 77:9,11, 22 82:24 100:15 111:16 123:11 137:22 141:21,24 142:15 145:10 148:3 162:13,17 165:18				
copies 199:21					
copy 72:3,24 208:9 216:10					
core 205:14,19 221:14					
corporal 84:24 236:2					
corporate 10:25 13:3,7 14:25 15:1 19:18 23:20,25 26:4 27:10 42:16 45:9 56:12					

county 47:23 48:3,7,10 50:8,9,22 51:23 52:2 55:13 59:7 62:14 65:7 198:3,7	courthous e 192:20 courts 192:13 cousin's 93:15 cover 30:2 covered 243:16 covert 221:20 229:22 covertly 229:19 COVID 66:4 CPA 204:24 205:5 crashes 197:15 create 205:16 created 29:11 205:14 creates 58:12 creating 218:17 credential s 51:6 credibili ty 197:9 213:20 218:25 credit 66:22	174:1 191:7 crime 83:13 102:6 107:7 116:22 117:7 158:22 criminal 84:4 88:24 89:12 103:7 105:1 107:13, 20,22 111:1 112:19 117:21 119:23 122:18 129:21 130:6,22 139:20 140:14 153:3 154:18,20 160:23 163:18,20 169:23 171:23 172:2 174:11 175:3 182:5,7, 10,12,23 183:6,16, 25 184:15,25 185:11 187:25 188:11 193:8,11 213:2,3 223:6 241:9 cripple	222:25 criteria 220:8 224:19 225:3 critical 223:19 crunch 41:12 CSC 248:23 249:1,6,7 Cuevas 142:4 current 13:8 39:6 41:23 50:14 52:15,16 130:2 149:17 210:25 242:1 currently 14:3 21:5,7,13 22:9,16 23:1,8 24:21 28:20,22 47:23 48:1 50:18 61:6 63:8 65:5 66:6 94:20 110:20 163:7,8 167:24 168:6 cursed 37:15 custody 31:1 200:16,19	customer 14:17 201:2,5 218:2 219:15 222:5 customers 14:15 201:3 205:15 222:12 223:17 224:25 cut 123:7 cycle 207:21,24 <hr/> D <hr/> DA 107:5,8 136:13 138:2 160:9 181:19,23 239:8,14 Dalton 238:19 damage 37:7 121:23 197:15 237:16 damaged 160:11 164:10 Dan 14:7 dance 137:8 danger 186:5	dangerous 110:2 128:1 129:11 136:8 138:18,23 173:18 177:17 186:9 188:25 Daniel 14:6,25 Daryl 127:15 data 200:6 220:11 221:8 228:14 database 6:4 databases 197:19 date 29:14 175:21 dates 49:25 72:5 164:9 166:22 dating 33:4,18 David 50:15 55:10 109:13 Davis 21:11 day 79:17 87:15 91:14 92:21
--	---	--	---	--	---

99:23	dealershi	dedicated	defraud	131:22	113:17
109:7	p	56:24	237:15	135:13	114:1,18
131:3	29:15	183:15,24	degree	137:7	115:16
136:1	30:1,5	deemed	91:25	138:5	116:20
137:25	dealing	67:10	131:13	153:1	119:10
138:12	38:4 48:1	defended	132:21	156:12	121:2
140:23	dealings	133:15	133:9	160:9	123:20
158:9	55:18	defender	154:12,	161:4	127:24
177:22	Dear	15:24	16,19,21	164:20	128:6
182:21	217:14	deferred	Del	166:16	129:7,16
195:3	221:3	135:5,6	228:24	170:16,22	131:12,15
210:5	debtor	define	229:1	171:22	132:18
243:5	199:10	226:10	Delgado	172:1,11	136:7,13
days	decade	defined	100:14,17	175:3	137:17
67:2	228:13	199:21	deliberat	176:23	138:17,21
70:20	decades	200:25	e	180:13	150:6
84:24	222:19	221:15	222:2	181:19,23	152:11
85:2	228:23	226:9	deliberat	184:25	154:3
107:1	December	defines	ely	187:25	158:18,24
109:25	8:11	218:19	103:13	236:17	160:5
117:2,5,	148:6	219:3	105:2	237:25	162:1,2,
12 152:12	232:3	221:16	delinquen	239:2	5,7
173:20	deception	defining	cies	241:8	163:17,24
177:20,24	222:1	221:18	66:1,16	242:20,23	165:9
178:1	decide	definitel	Demarius	denials	166:13
186:11	122:21	y	92:22	126:11	170:13,16
189:3	209:3	48:22	Demetrias	150:14	173:16
191:7,8	224:9	71:25	118:24	234:9	175:16
237:17	225:2	103:18	125:20	239:8	176:10
239:5	230:15	106:8,9	denial	248:7	177:15
de	231:2	144:14	84:3 87:2	denied	181:14
118:24,25	decision	157:10	89:11	7:12,14,	186:4
119:1,2	123:25	definitio	91:4	16,19	188:24
125:20	125:3	n	92:11	81:14	190:20
deactivat	147:20	197:2,3	97:22	84:23	235:24,25
ed	148:5,25	211:24	100:24	86:12	236:10
34:8	224:4	214:23,25	105:20	87:25	237:13
deadly	225:19	215:3,11,	107:5,8	88:8	238:24
88:2	226:25	22 216:1	108:11	90:8,12	239:23
136:9,12	decisions	221:12	111:17	91:20	245:11
168:18	61:10	225:17	112:18	92:3	Dennis
177:18	decline	226:10	114:25	93:2,6	132:10
236:8	222:22	227:5	118:11	97:10,14	150:9
deaf			128:16	98:14,25	deny
148:23			130:13	102:2,25	40:4
deal				106:20	60:18
51:4				109:22	79:2,3,4
				111:20	123:22
				112:1	130:22

185:14	describin	determine	213:5,6	85:22,24	110:6
194:13	g	s	214:17	86:8,20	111:1
242:2	37:3	230:12	215:4,5	119:1	115:2
depart	descripti	developin	216:22	120:13	116:20,21
66:10	on	g	222:5	125:12,	117:8,20
departmen	212:22	22:23	different	14,22	118:1
t	designed	devote	ly	138:7	119:22
29:12	220:11	56:25	204:3,11	145:6	123:23
30:25	desire	diagnosin	213:5	149:10	128:5,7
31:24	22:1	g	difficult	155:19	129:8,20
32:1,9,14	209:12	200:7	36:25	168:5,6	130:13,21
33:6	desires	Diaz	56:4	170:10,11	132:23
34:12,19	5:4	42:4,6	214:15	173:2,5	136:10,20
35:9,14,	Desmond	87:24	direct	195:13	137:16
21 36:14,	106:14	90:5,7	51:15	196:6,9	138:23
24 40:10	despite	91:18,20	220:8	201:25	154:4,25
55:19	37:13	93:1,2	directed	202:15	155:4,20
78:11,12	83:3	97:8,10	150:11	213:10	156:19,20
115:4	138:2	98:12,14	208:12	217:7,8	158:24
129:15	destroyed	101:25	directly	233:2,5,	162:1,4
145:7	114:21	102:2	8:1 31:24	15 247:21	163:17,19
198:6	115:13	105:6,9	104:25	248:20,21	164:8,14,
departure	164:11	158:16,18	221:11	disagree	17 166:16
220:10	detail	die	director	124:23	168:21
depending	130:5	34:9	4:8,9,13,	227:6	170:20
145:13	203:9	differenc	15,17,19,	232:10	173:18
192:16	detained	e	21 5:16,	disagreem	174:11,16
depends	30:20	211:25	17,18,25	ent	176:17
43:14	detective	212:2,3	6:19 7:7	203:3	181:15
deploymen	198:4	213:25	10:15,17	disappoin	182:5
ts	Detective	different	12:24,25	ting	186:10
57:1	s	29:19	13:16,21	214:5	187:15
deregulat	198:1	32:2 36:1	21:2	disclose	189:4
ion	detention	39:8	24:12,13	83:19	190:21
222:24	186:17	47:24	49:23,24	84:3	191:20,25
derives	detention	57:18,19	50:5	85:8,10	193:8
217:24	s	58:5 66:5	52:23	86:2 87:2	194:13
derogator	determine	142:19	53:2	89:11	236:9
y	84:14	143:18	55:3,5	90:11	237:14
213:12	described	157:19	65:5	92:2 93:5	238:25
describe	224:4	163:1	70:25	97:13	240:9,20
205:8	determin	196:23	72:6,7	98:24	241:9
described	224:4	205:8	73:11	102:25	242:3,19
214:9		208:23	75:14	105:20	245:19
		209:18	76:10,13,	106:21	249:12
		212:22	22 78:18	107:12	disclosed
			80:9	108:12	81:16
				109:23	84:25
					85:3 88:3

11:1,4	due	248:22	easily	202:12	employee
145:7,9,	5:7 6:5	249:16	30:14	213:23	63:5 69:3
12,15	41:14	Durr	eat	248:18	72:11,13,
147:4	81:14	41:4,7,9,	215:19	elaborate	16 75:17
149:13	84:23	21,23,25	echo	156:14	76:18,21
drastical	87:25	42:17,21	28:2	elevate	199:7
ly	88:4	43:16	economic	206:13	200:12
103:16	152:11	Dustin	41:12	Elite	207:17,18
drawn	162:1	64:19	223:1	24:22	212:14
52:7	190:21	79:5	ED	25:4,5,6,	219:13
dream	218:6	duties	53:25	14,15	239:14
44:24	220:23	198:5,9	EDC	employee 's	
drink	234:10	199:5,14	53:4	s	217:2
35:11,15,	dues	200:4	57:3,4	else	
17	140:13	duty	EDD's	38:8	employee/
drinking	DUI	26:14	65:15	88:14	employer
35:4,7	116:21	31:6	effect	104:2	198:16
93:18	140:22,24	57:19	120:2	163:5,6	221:17
244:10	160:10	58:20	215:1	168:25	employees
drinks	176:15	96:18	efficienc	170:17	6:6 48:8
93:17	177:22	212:20	y	187:10	53:4
driver's	236:6	218:17	197:10	225:21	69:24
86:4	Dumas	246:16	208:7	227:11	70:1,3
driving	81:12,13	DV	213:21	231:6	74:22
34:4 85:1	84:21,22	181:17,18	218:25	248:19	75:12
86:3	87:22,24	240:2	efficient	email	76:9
139:2	88:12	E	204:6	9:4,5	77:10,12,
142:20,21	152:7,8,		effort	73:14	14,22
143:13	10	each	55:4,11	111:23	133:25
dropped	161:22,	123:4,6	efforts	187:18	201:4,19
168:23	24,25	206:22	38:13	emailed	207:19
193:14	162:10,13	218:14	223:20	16:22,23	210:24
194:3	167:9,19,	220:9	ego	emails	212:14,20
drugs	23 234:4	ear	37:19	88:5,16	220:20
104:23,24	Duran	148:23	egregious	embarrass	231:24
107:3	185:25	earlier	37:1	ed	employer
191:8	during	11:24	Eighth	117:24	198:15,
drunk	31:16	213:10	179:21	emcee	16,20,21
140:20	35:14	226:13	either	207:5	employer/
142:20,21	41:12	earrings	7:14 12:1	emergency	employee
143:4	55:19	57:24	27:22	167:16	198:21
DTA	63:6	easiest	54:1	employed	201:1
106:22	120:24	13:20		63:9	219:11
	193:10			112:8,10	employing
	242:10			198:14,19	70:11
	243:5			199:18	212:21

employment 74:17 75:8 197:6,21 199:8 200:11 211:1 213:17 218:21	engages 197:5,21 200:10 213:16 218:20 enhance 218:2 enjoy 78:12 enough 41:14 47:11 181:5 240:15 ensure 218:13 220:12, 14,19,23 ensures 222:7 ensuring 223:21 entered 83:14 entering 140:4,10 141:9,12 143:25 178:21 entertain 9:12 11:12 12:5 13:14 14:9,22 19:15 23:16 25:12 27:6 40:2 42:12,13 45:6 59:23 62:24 63:18 78:24	84:1 86:25 89:8 90:18 92:9 95:23 97:20 99:5 100:22 105:18 108:9 112:16 115:20 118:9 120:8 124:3 125:24 128:11 130:11 131:20 135:11 137:4 150:12 152:24 156:10 159:5 161:2 171:20 175:1 176:21 180:8 184:13,23 187:22 189:8 194:11 224:12 236:15 237:23 241:6 245:3,16 entertain ment 26:15,17, 21 43:23 45:8 206:25 entire 130:6 171:23	193:8 222:25 entities 221:4 222:14,21 230:11 entity 201:10 219:7,20 entry 187:4 Eric 81:4 erratically 34:4 error 74:15 85:20 86:18 escorted 208:12 ESDS 77:12 especiall y 37:10 221:13 224:15 Esquivel 176:3 essence 222:24 essential ly 206:10 establish ment 219:13 et 107:5 237:15	ethical 222:8 evaluate 201:3,6, 11 219:16,20 220:7,9 221:22 222:3 evaluated 224:18 evaluatin g 216:1,4 evaluatio n 216:10 225:1,4 evaluatio ns 201:20 225:7 evaluator 216:8,14 evaluator s 224:16 Evans 109:10 126:4,8 even 31:5 33:7 37:6 51:23 71:10 104:22 105:2 112:4 134:24,25 136:24 141:12 144:16 145:13 148:8,9 166:21	168:23 180:23 185:9 213:3,6, 24 229:4, 5,6 242:4 243:17 event 27:2,3 46:24 48:8,11 57:6,8,10 72:14 76:4 123:4,6 249:4 events 47:24 51:1 55:20 248:25 ever 33:20 59:3 83:14 140:6 143:19 144:11, 12,19,23 146:14 152:20 243:22,23 every 6:12 35:16 36:7 55:11 57:6 79:17 82:10 85:10 104:21 117:22 138:3 183:24 everybody 18:8,15,
--	---	--	--	--	--

22 58:23	19,24	excess	125:12,	expecting	224:16
94:3,4	32:1	34:5	14,22	10:24	225:1
116:14	39:12,20	excessive	138:7	experienc	extort/
126:25	94:25	40:11	145:6	e	use/carry
149:4	223:4	exciting	149:10	121:22	91:22
151:4,5	exactly	44:23	155:19	216:18	extra
213:24	121:23	exclude	168:5	217:1	164:23
216:2	153:2	200:25	170:10	220:13	extracts
235:10	239:25	221:16	173:2,5	224:17,18	199:21
246:21	249:14	exclusion	195:13	experienc	extraditi
249:8	examiners	219:10	196:6,9	es	on
everyone	197:25	exclusive	201:25	222:6	200:17
4:4 10:8	example	ly	202:15	expired	extremely
38:5 47:3	206:20	197:19	213:10	77:25	70:17
101:19	207:14	198:19,23	217:7	expires	
116:8	208:10,14	200:13	233:2,5,	54:5	
158:7	210:2	excuse	15 247:21	explain	
172:14	215:13	85:11	248:20	8:16	
231:6	exams	184:5	exempt	13:11	F
everything	199:21	executive	226:4	65:25	face
g	Excel	4:8,9,13,	exhibit	96:19	30:17
16:23	160:13	15,17,19,	119:12	168:10	37:5
17:13,21	194:23	21 5:15,	exists	explained	Faced
47:17	excellenc	17,18,25	198:16,22	162:19	222:20
56:13	e	6:19 7:7	exit	228:11	facilitat
57:1,7,9,	205:11,14	10:14,17	30:9	exploit	e
12,19,24	206:12	12:24	exodus	222:14	16:9
76:24	207:7,14,	13:16,21	222:23	expose	fact
82:19,20	22 208:2	21:2	expand	222:15	37:14
83:3 86:9	209:11,24	24:12	20:19	exposing	113:5
94:15	excellent	26:21	22:2	223:5	120:25
104:19	20:20	28:20	expanding	Express	123:6,16,
107:19	excellent	44:20	16:7	66:16	20 204:2
113:19	ly	45:1	21:18	expressly	245:19
145:22	20:21	49:23	expansion	219:4	fail
152:19	except	50:5	17:22	expunged	82:16
156:6	197:24	52:22	expect	117:23	85:8,10
157:17	198:17,22	53:2	212:17	157:18	88:23
164:10,11	219:4	55:3,5	expectati	168:23	103:6
168:23,25	exception	70:25	ons	extended	117:20
170:17	al	72:6,7	220:13	191:23	119:22
179:19	206:19	80:9	expected	external	129:20
191:23,25	207:9,11	85:22,24	6:3 37:19	209:9	136:20
193:4		86:8,20	54:21		139:20
226:21		119:1			154:25
247:3,15		120:13			174:11
evidence					
31:11,14,					

182:5	false	101:6	feel	13 131:12	fight
187:15	30:21	106:1	49:7	132:19	72:6
failed	31:23	108:17	71:23	154:2,3,	fighting
110:25	133:25	112:24	78:3	12,14	30:12,17
163:17,19	191:5	116:3	136:24	155:22	figure
240:9	223:4	118:17	137:20	158:19	8:23
failing	familiar	124:15	146:1	160:5,6,7	169:16
123:22	134:14	126:18	204:10	162:5,11	170:8
failure	family	128:22	206:18	163:12	213:14
84:3 87:2	56:25	130:18	213:24	164:12	232:10
89:11	93:15	132:3	216:18,	168:18	figured
105:20	far	135:19	20,21	174:15	113:20
106:21	11:3	137:13	227:19	176:11,13	Filby
107:12	116:21	150:21	feeling	177:16,18	14:6,7,14
108:11	196:16	153:8	216:23,25	181:15,22	15:1
109:23	209:5	157:1	217:1	186:12	file
116:20	226:23	159:12	feelings	187:5,6,	41:15
128:7	fast	161:10	217:3,6	7,9,10	162:23
129:8	34:8	172:8	feels	190:21,22	filed
130:4,13	187:17	175:9	79:15	191:1,9	47:25
138:22,23	Fat	177:4	203:17	192:7	78:2
154:2,3	93:16	180:19	fees	193:17,21	165:14
162:1	fault	185:6	6:2 17:13	235:24	240:19
173:18	74:20	188:7	133:20	236:1	fill
181:15	130:2	189:19	134:8	237:13	163:3
186:9	249:18	194:19	fell	238:25	164:4,14,
190:21	favor	234:16	229:3	239:3	16 165:8
194:13	7:4 9:21	236:24	felon	felt	169:4
218:17	11:20	238:10,11	193:12	225:5	178:24
238:25	12:21	241:14	felonies	fence	183:9,19
241:9	15:8 20:2	245:25	154:6	30:5	185:10
fair	24:7	248:14	155:3	festival	fill-out
223:16	25:24	FBI	193:15	57:13	193:1
240:15	27:24	7:21	felony	few	filled
fall	40:13	222:10	84:23	16:24	108:20
196:16	43:3	February	85:15,17	58:5	162:20
197:2	45:20	144:10	91:21	121:16	164:15
208:6	60:10	federal	97:11	191:20	166:3,4,
215:13,22	61:1 64:6	15:24	98:15	193:9	18 183:23
230:12	79:12	32:11	102:3,5,	204:8	filling
235:19	84:9 87:7	114:24	12,18,22	fide	85:11
falls	89:17	157:14	103:10,13	198:16,21	121:6
152:6	91:7	169:11	104:9,11,	field	122:7
203:18	92:16	199:23,24	13 107:1	229:16	188:13
207:23	96:5 98:3	feedback	109:23	fifth	
228:15,18	99:17	203:15	117:9,10,	91:25	
		209:15			

fills 227:5	fined 237:18	30:14,15 88:2 90:9 91:22 93:3 94:11,23, 24 95:3 119:11, 13,14,16 136:10,13 173:20 177:18 186:14,15 189:2,4 236:8 239:5	216:9 217:12 224:14 230:8 243:22 244:17 245:6	focuses 205:20	8:2,3,4,6 9:15 10:10,14, 25 11:7, 23,25 12:9,25 13:3,12, 19 15:22, 23 18:3, 15,16,18, 19 19:8, 18 21:2, 3,5,19, 20,22 22:14,24 23:8
Finally 223:12	fingerpri nt 7:21 10:20 23:24 42:7 85:1 88:17 102:10, 20,23 104:19 106:25 110:5 114:22 115:15 116:25	firearms 247:1	five 5:5 8:5 75:12 77:10,11, 13 84:25 85:14 86:6 107:24 163:9 172:12 178:1 191:12 192:6 241:17 242:8	Foletta 201:22, 24,25 202:14,16 204:14,18 205:4,18 212:4,10 214:3 226:6	24:13,22, 24 26:4, 14,16 27:8 28:3 29:5,21 30:2,14 31:6,8 32:17,24 33:7,19, 21 34:10, 22 35:4, 5,8 38:16 40:4,10, 20 41:4, 10,16,21 42:4,6, 16,17 43:16 44:4,5,7, 24 45:10 46:7,9, 10,12,25 47:3,7,8, 13,17 48:2,8, 15,17 49:24 50:7,9, 22,24 51:2,7, 10,12 53:3,4,5, 16 54:4, 8,9,22
finances 5:21 6:2, 15		fired 37:1	five- minute 195:21	Foletta's 224:15	
financial 5:20 41:15 198:25 199:7		fires 197:14	five-year 65:6 242:10	folks 13:17 61:10 70:7 100:4 106:4 195:8,12, 19 202:12 204:4 215:21 235:19 247:19	
financial s 5:22	Fingerpri nting 249:7	firm 220:16	fix 50:21	follow 147:4 214:3 220:12	
find 17:1 30:6,7 39:12 61:8 132:24 134:22 145:12 162:21 164:22 165:2,17	fingerpri nts 7:20 11:1,25 12:2,15 20:14 23:17 42:22 43:14 88:11,13 108:23 132:22,23 134:24 142:10 145:8 146:1 149:7 167:19 175:15 194:22	first 8:6,8 27:8 29:7 31:8 60:12 115:10 117:10 139:19 160:9 162:7,18, 20 163:5, 17,21,24 164:6,19, 20,21 165:3,12, 15,17,20 166:3 169:7,10, 12,13,22 170:4,7, 8,21 171:4,5, 24 193:2, 10 212:4	Flamingo 243:17 244:12	follow-up 69:2	
findings 215:20		finished 160:25	Florida 20:17,19 23:9	following 12:3	
fine 63:2 67:20 90:11 114:2 138:25 139:3,9 140:7,13 154:17,21 173:22, 24,25 176:15 177:23 178:1 226:16 236:7 244:1	fire 24:15,16 228:15	firearm	flourish 163:11	food 215:19	
			flying 213:14	foothold 29:1	
			focus 45:1 57:8,11	for 4:4,22 5:19 6:3, 5,8,13, 20,22,24 7:11,12, 14,15,17, 21,22	
			focused 35:10		

55:6,9	98:13,14, 19,22	133:2,22, 25	173:15, 17,18,22	219:10	230:3,9, 15
56:4,12, 14,23	99:4,21	134:10, 14,18	174:1,6, 10,23	220:1	Forbes' 224:10
57:8,21	100:2,12, 24	135:13,23	176:9,11, 18	221:24	force 40:11
58:6,13, 16	101:13	136:6,8, 15	177:14,16	222:1,7, 8,13,18	102:19
59:13	102:1,2, 6,8,11, 12,15,18, 22	137:8, 20	178:10, 19,21	223:15	177:18
60:1,15, 19	103:4, 22	138:16, 18,22	180:6,13, 22,23,25	224:22	forced 88:1
62:3, 15,19,20, 21	104:8, 20	139:5	181:6,13, 15,24	225:1	Ford 90:3,4,6, 16
63:5	105:2, 7,9,10, 15,20	140:9	184:6,12, 20	226:3,4,5	91:4, 13,15
64:20,24	106:18,20	144:12	185:13	227:15	Ford's 90:20
65:2,5, 15,19,21	107:9,12	145:7,12, 15,16,18	186:3,5,9	228:10, 12,20,23	foreign 199:22,24
66:5	108:24	146:8,16	187:1,4	229:15	forensics 228:14
67:4,15, 18,20	109:4,13, 20,22	147:11,23	188:23,25	230:15,25	forfeit 189:4
68:18,20	110:1,7, 19,22	148:8,25	189:7	231:17,21	forgery 154:12 173:25
69:3,4,7, 9,11,16	111:3	149:10	190:19,21	232:7,8	forget 123:9
70:8,13, 25	112:14	150:14,24	191:7,17	233:20	forgot 147:8 174:13 240:12,14
72:1, 3,9,11,13	113:5	151:16,23	192:22	234:3,9	form 210:13 219:6 221:25 225:10
73:1,12, 16	114:19	152:4,9, 10,16,18, 22	194:22	235:22, 24,25	Formula 26:24 248:25
74:9	115:1,10, 18	153:17,25	196:4,10, 11,16	236:13	Fort 143:21,23 146:13
75:4,5,6, 10,11,13, 14,17,18, 22	116:18, 20,22	154:3,14, 23	197:5,7, 20	237:11, 13,17,20, 25	
76:2, 11,13	117:4,10, 12,13,17	155:14, 21,22,25	198:1	238:23,25	
77:24,25	118:8,10, 19	156:1,6, 17,18,21	199:2,3, 19	239:16, 24,25	
78:7	119:8,10, 19	157:1,6, 17,18,21	200:7, 10,15,18, 21	240:23	
80:3,21	120:14,17	158:1,6, 17,18,21	201:20	241:23	
81:12,13, 20	121:1,19, 24	159:3	202:5,23	242:4,5, 8,20	
84:3, 21,22	122:1, 2,6,12	160:1,4, 5,17	203:7	243:1,9	
85:5,22, 24	123:11, 13,22	161:4,14, 23,25	204:6,23, 24	244:7,8,9	
86:3	124:11, 13,22	162:5,8, 14,23	205:11	245:7,8,9	
87:23,24	125:11	163:9	206:19,21	246:7,18, 19	
88:21	126:11	164:23	207:7,8, 9,10,21	247:3, 17,19	
90:6,7,8, 15	127:22, 23,24	165:14,24	208:2,10, 13,18	248:7,17, 18,21	
91:10, 11,19,20, 24	128:1,3, 7,9,15	166:15	209:7,21, 22,24	249:6,18, 22	
92:6, 19	129:2,5, 8,10	167:9,10, 20	210:2,17	250:1,2	
93:1, 2,10,20, 24	130:1	168:6, 15	211:9	251:1,2	
94:2, 6,14,19	131:9,12, 17,22	169:6, 15	212:16, 17,23	252:1,2	
95:1,16, 21	132:13, 15,19,25	170:11, 16,20,22	213:16, 17,23	253:1,2	
97:9, 10,17		171:10, 12,13,17	214:15,23	254:1,2	
		172:1,12	215:13, 15,17	255:1,2	
			216:13, 15,17	256:1,2	
			217:9,16, 20,21	257:1,2	
			218:20,22	258:1,2	
				259:1,2	
				260:1,2	
				261:1,2	
				262:1,2	
				263:1,2	
				264:1,2	
				265:1,2	
				266:1,2	
				267:1,2	
				268:1,2	
				269:1,2	
				270:1,2	
				271:1,2	
				272:1,2	
				273:1,2	
				274:1,2	
				275:1,2	
				276:1,2	
				277:1,2	
				278:1,2	
				279:1,2	
				280:1,2	
				281:1,2	
				282:1,2	
				283:1,2	
				284:1,2	
				285:1,2	
				286:1,2	
				287:1,2	
				288:1,2	
				289:1,2	
				290:1,2	
				291:1,2	
				292:1,2	
				293:1,2	
				294:1,2	
				295:1,2	
				296:1,2	
				297:1,2	
				298:1,2	
				299:1,2	
				300:1,2	

forth	43:12	friend	129:14,18	101:20	213:17
32:8	77:14	44:22	130:3	125:16	218:21
203:23,24	96:9,13	144:1	138:4,5,	FTG	furnishin
230:6	102:5	244:17	6,7,9	205:7	g
forthright	117:2	friend's	146:13	fulfillin	198:24
t	146:15	243:6	155:10	g	further
70:16	157:7	from	163:1,7	78:14	9:7
forward	191:8,12	6:16 8:14	164:5	223:23	19:12,14
13:14	204:24	9:7	175:21,22	fulfillme	23:6,14,
22:3	205:6	10:12,18	179:21	nt	15 38:2
37:24	206:6,19	11:4 12:3	180:5	221:9	39:24
44:21	fourth	14:5,16	191:22	full	40:1
67:18	56:7	16:7	192:13,20	23:1 39:4	42:9,13
79:15,22	154:20	19:13	194:9	74:14	54:25
81:5	186:14	22:6	195:23	88:6	56:9
138:2	frame	25:3,5,8,	196:4,8,	97:23	59:21,22
163:11	242:11	9 26:19,	25 199:22	99:11	63:15
176:6	247:18	24 27:5	200:14,19	115:23	78:25
204:5	framework	28:15,19	201:22	117:21	82:14
226:24	223:14	29:3 30:5	203:15,19	128:17	83:22,23,
231:5,6,	Francisco	32:5,8,	204:16	130:1	25 86:22,
12,13	84:20	18,21	207:4,16	137:22	24 89:6,8
fosters	163:7	37:1,11	210:18,20	159:7	95:16,21,
223:14	Frank	38:22,23	211:15	168:16,21	22 104:5
fought	24:24	39:7	212:11	169:9	105:17
30:11,14	25:1,2,17	42:7,10	217:12	172:2	108:6
found	Frankie	43:21	220:10	176:24	112:13,15
21:25	228:23	51:21	221:1	185:11	118:6,8
30:8,12	229:1	55:1 56:9	222:5,20,	189:14	120:6,8
31:11,12	Franklin	58:7	23 223:3,	24 225:21	124:1
36:24	101:22	62:12	12 224:8,	226:4	130:8
37:9	fraud	63:11,16	24 225:21	227:20	135:9
39:10,15	91:25	64:21,22	226:4	230:2	137:2
50:10	222:8,16	65:16	227:20	231:13	146:6
55:21	223:8,9,	68:25	230:2	241:3	155:8,10
78:13	20	69:13	231:13	244:5,12	156:8,9
88:10,12,	fraudulen	72:4,5	241:3	245:1	174:23,25
17 114:21	t	73:3,6	front	full-time	180:6,7
115:4	120:20	74:18	15:14	32:12	184:3,20,
132:20,22	Freddie	82:18,21	139:17	fully	22
134:5,24,	132:11	86:9,22	163:21	162:25	187:12,
25 242:14	150:9	88:5	frustrate	169:10	20,22
founder	free	93:19	d	225:13	194:8,10
26:12	137:20	103:10,16	216:21	functions	219:10
four		105:3	Fry	221:14	224:5
8:5,7		106:7,8	99:24,25	fundament	225:17
		120:6		ally	226:15,16
		123:24		furnish	229:4,6
		126:23		197:6	241:5

244:5,25	221:16	229:5,12	64:19	231:21	178:13
245:2,16	Garden	230:9,10,	65:12	232:1	190:14
249:20	32:14	25 231:14	76:24	237:2	216:10
furtherance	34:12	general's	78:20	240:5	235:13
179:5	35:9,13	214:4	79:16,20	243:7,9	given
219:3	36:14	225:16	84:12	244:11	34:22
future	38:23	226:15	86:12	246:13,	69:15
5:5 22:4	Gardner	229:2	87:10	18,22	78:9,11
145:15	181:4	231:7	89:1,20	247:2	80:7
231:17	Garth	Generally	93:25	249:3	85:23,25
fuzzy	127:17	54:2	94:2,6,8,	gets	124:7
44:17	150:9	generate	12 95:1	8:19	170:19
213:25	gas	13:4	96:15,24	getting	174:1
FY25	34:7	generated	104:7	33:14	178:21
5:19	gather	223:2	106:6	34:3	180:23
	249:7	generic	111:2,7,	67:19	184:2
	gathering	214:14	8,9	68:23,24	192:17
G	222:8	gentleman	115:22	69:12,14	196:20,24
	223:4	151:15	121:14	118:2	203:13
gain	gave	153:17	122:2	132:7	214:23
28:25	31:1 33:9	158:10	124:8	164:15	215:11
gambling	39:16	245:8	126:24	208:16	226:17
201:13	88:13	gentlemen	134:19	231:1,6	giving
219:23	93:22	15:11	135:6,22	243:22	58:14
Gamboa	94:25	21:1 22:5	141:3	249:11	157:23
195:18	164:16	24:10,18	143:24	Giardina	glad
238:19,	169:13	26:2 44:1	144:8,12,	24:24	246:13
21,23	179:23	45:23	19,23	25:2,3,17	glass
239:17,	191:25	64:17	145:3,14,	give	244:15
19,20,22	212:22	genuine	15 147:4,	7:8 9:2,5	glasses
240:2,7,	232:13	21:17	15	10:4 36:1	81:9
10,12,16	244:17	get	149:13,	47:1,3	Glen
241:1,18	geared	4:5 8:19,	14,16,17	53:18,20	99:24
game	22:23	23 10:1	151:7	57:22	101:20
79:15	Geez	11:8 16:9	152:1,2	62:5	125:16
gaming	238:18	18:5	161:13	67:13	global
200:25	general	26:25	164:5	77:15	28:20
201:2,4,	4:25 75:5	35:8	166:8	80:23	32:11
5,7,8,9,	196:25	36:25	169:11,16	86:8	207:18
12,15,16,	205:22	38:13,23	174:18	93:21	210:22
18	213:9	40:22	175:16	101:15	217:12,23
219:11,	218:11,18	52:7,25	188:11,13	127:5	globally
13,15,16,	220:21	53:16	189:11,21	134:16	207:16
17,19,22	221:10	56:19	203:15,22	142:2	go
220:7	227:12	57:9 58:1	211:14	147:3	4:7 5:15
			224:7,8	151:11	
			225:1	167:16	
			226:1	172:19	
			227:9		
			230:4,5		

6:5 8:17	240:18	113:14	26:6,7,8	158:9	82:5,8
17:1	243:13	123:11,	28:4,9,10	173:11,	89:2
30:13	246:20,25	18,19	37:24,25	12,13	103:25
31:4 36:6	go-ahead	124:6	44:3	174:8,9	111:2,25
38:16	180:11	128:15	45:23	175:19,24	113:7
40:18	goal	130:22	46:4,6,16	176:6,7	126:3
44:10	206:12	139:12	53:21	177:11,12	133:8
53:19,20	goals	149:3,5	57:9	181:10	135:8
65:10	220:14	150:7	61:13	185:21,25	140:7,13,
67:2	God	151:6	64:8,16	186:1	19,20
68:11,14	144:15	152:1,2	65:4	188:15,	141:19
70:19	goes	156:12	68:8,12	17,19	142:6,20,
73:5 82:9	135:6	165:1,19,	69:1	190:3,4	21 143:4,
92:24	197:14	24,25	74:13	195:2,3	12,13
93:16	205:11	168:12	81:5,7	199:3	144:10
96:22,23	221:18	171:11,22	84:20	202:14	145:18
99:9	224:21	172:15	87:19,21	203:1	153:19
100:3	226:24	175:15	88:22	209:16,21	163:16
107:17	going	180:24	89:25	214:23	171:1
124:12	6:10,11	185:14	90:3,4	231:16	173:6
125:8,10	8:1,11,23	187:16	91:10,14	232:13	179:11,
129:24	9:25	188:9	94:1,16	237:5,7,9	21,24
137:21	10:16	203:20	97:4	238:19,21	180:11
139:10,16	11:6	207:25	98:6,9,11	241:19	187:17
140:8	12:14	208:8	99:23	242:7	191:22
145:21,25	16:7	209:2	100:19	243:10	193:14
146:4,10,	17:16,17,	212:14	101:22,24	goods	194:3
11,14,24	21 18:12	217:8	103:6	201:9	198:1
147:20,23	22:20,21	225:2,23,	104:8	219:18	203:19
149:6	29:25	24,25	106:6,11,	got	204:2
150:2,8	30:13	24,25	14,16	20:18	207:3,4
151:3	32:7	229:18	107:11	21:9	227:18
152:3	34:7,8	232:6	109:14,15	29:23	239:23
154:7	36:22	240:17	110:25	30:23,24	242:24
159:22	37:24	241:8	112:7	31:8,17	243:7
171:15	38:9,12	244:2	116:10,12	32:9,10	244:1,17
190:11,12	39:17	245:8,9,	117:19	33:18	246:14
196:8,19	41:6	18	119:4,6,	34:10,19	247:23
206:14	44:19	gone	22 125:3	35:4,6,9,	Gotcha
208:8,22	48:12	36:2,3	127:18,20	12 39:7	27:4
209:11,	50:20,21	80:1	128:14	44:22	115:17
14,16	66:4	170:13	129:19,25	46:25	186:25
215:18	78:10	good	131:3,6,7	47:3 49:6	242:24
216:22	79:21,25	4:9 6:7	133:5,6	51:1 56:2	gotten
225:17,23	86:12	13:7	136:1,3,	57:22	165:9
226:1,13,	93:25	16:14	4,18,19	58:1	179:8
16	94:2,8	20:5,11,	137:25	63:12	203:2
227:11,12		22 21:1	138:12,14	68:25	247:15
231:9		24:10,18	139:8	74:4	
232:19		25:2	154:25		

government	177:18	64:4	45:9	208:11,	238:14
t	224:25	65:9,10,	64:12,20,	12,15	241:18
157:14	249:22	11,12,24	23 65:2,6	211:13	249:22
199:23,25	Green	66:10,13,	67:15	216:25	
231:24	44:10	15,19,24	69:19,21,	217:1,3	
239:13	68:6,10	67:5	23 70:4	220:13	
governmental	Greg	68:15,22	71:10	224:17	
200:20	44:11	79:10	73:7,11,	243:12	
governor	Gregory	89:15	17 74:8,	Guide	habits
6:5	43:24	90:19,24	19 79:2	202:1	197:8
grand	45:13	91:1	80:8,10	204:22	213:19
110:10	65:4 79:4	95:9,12,	151:1	206:1,4,	218:23
187:7	grief	14 96:3,6	206:6	11 224:20	hadn't
grant	34:22,24	99:7,9,15	227:20	Guide's	67:2,9
23:23	35:4,6	108:15	Grove	224:16	half
27:10,11	Gronauer	112:4,7,	32:14	guilty	24:25
91:4	4:19,20	10,12	34:12	83:18	Hall
92:11	8:15,25	121:11	35:9,13	132:20,22	241:20,
95:25	9:6 11:17	124:20	36:14	134:5,25	21,23
97:22	16:13,18	128:20	38:23	191:6	243:1,3,5
99:11	17:15,19,	131:21	guard	gun	244:8,11,
115:22	24 18:7,	135:12	58:9,21	18:11	16,23
124:7	11,20,24	146:7,10,	64:21	144:16	245:19
128:16	19:2,9	11,12,17,	96:15,17,	174:14	246:17
153:1	22:7,11,	19,25	24 130:2	243:11,19	247:9,13
156:12	17 25:21	153:6	145:19	gut	hand
159:7	29:4,8,10	157:3	163:8,11	53:17	10:2 51:1
176:23	32:13,16,	161:3	166:8	guys	62:2
188:10	20,23	172:5	171:2	57:9	80:6,21
189:11	33:21	180:9,12	242:7	58:20	101:14
236:17	34:11,14,	181:5	Guardian	70:14	127:4
237:25	16 35:12,	211:22	43:23	71:17	140:2
245:18	20 36:5,	212:8	45:8	97:3	151:9
granted	9,12 40:3	227:2	guess	122:5,16,	172:18
63:20,22	42:14	228:11	10:14	20,21	190:8
granular	43:4	231:23	42:11	142:7,8	235:11,12
208:5	46:15,16,	232:13	53:17	143:11	handcuffe
great	18 47:5,	238:4	104:18	151:2,8	d
57:9	9,20	246:2	162:18,23	153:14	39:15
62:19	48:14,20,	gross	193:22	158:15	handcuffs
87:15	22 49:5,	98:19,21	202:4	162:19	30:18
92:21	11,18,20	102:15	213:11	163:22	handed
101:18	52:19,22	173:25	214:4	189:24	169:8
109:7	53:16	193:14	224:2	211:4,15	170:3
161:15	55:25	194:3	228:9	212:1	handgun
	59:24	ground	229:24	226:3	186:13
	60:14	22:25	group	235:9	
		group	guest		

handing	173:4	193:6	92:8	96:22	20,22
94:5	233:10	202:24	95:22	106:8,9	22:2,19
handler	235:3	228:12	97:19	122:7,13	24:23,24
198:14	happening	229:22	105:17	123:13	26:16
hands	50:18	243:23	108:8	125:4	28:23
144:16	55:21	he'd	115:19	130:25	29:1 38:5
hang	69:1	102:25	118:8	146:1	41:11
120:11	happens	158:24	128:11	149:6,21	43:23
139:12	58:12	he'll	130:10	164:15,23	44:15,23,
141:14	157:11	149:6	131:19	165:19	24 46:10,
142:23	216:8	head	135:10	171:10	18 47:8
143:1,10,	happy	149:4	137:4	175:12,	49:3,14,
15 145:5,	205:23	heads	152:23	13,20	18,19
20 146:5	209:1,2	123:17	156:9	184:1,17	52:11
147:7,24	226:14	231:10	159:4	185:17	54:16,22
148:10,22	hard	hear	161:1	194:25	55:11
155:13,14	35:8 49:2	11:4	165:14	205:15	58:14
163:14	148:13,14	15:18	171:19	206:13,14	59:17
164:21,25	hardware	37:7	176:20	207:1	61:15
167:13	200:7	121:12	180:7	209:11,	62:18
169:15	harm	127:9	184:22	13,17,22	65:3,25
171:14	222:24	heard	187:22	211:23	66:25
191:14,16	harping	33:3 37:8	189:8	217:5	67:8 68:1
192:3,11	35:15	85:8	194:10	225:18	69:13
242:6	Hasan	123:22	236:14	helped	70:14,16
happen	92:22,23,	135:4	237:22	57:4	71:5
53:15	24 93:1,	164:12	241:5	163:3	74:22
56:18	10,12,14	205:8	245:2	164:14,16	75:15,17,
121:16	94:20	hearing	hears	165:18	20 76:21
145:11	95:4,6,8,	5:10	224:24	169:4	78:19
147:19	11,13,17,	11:11	held	171:4	79:15
183:14,16	18,21	12:5	41:10	helping	80:16
240:5	96:19	14:9,21	50:8 51:7	183:21	81:5,12,
244:2	97:1,3	19:14	71:11	208:1	18 84:21
happened	haven	23:15	72:9	helps	85:4
29:17	44:7	25:11	Hello	223:3	86:16
31:4	having	27:5	20:16	Henry	87:23
39:22	13:10	31:16	61:16	87:19	88:8
52:9	21:3	40:1 45:5	97:7	here	90:6,13
54:19	41:15	59:22	241:20	4:12,14,	91:19
57:11	47:11	62:23	help	16,18	92:5
93:13,14	53:11	63:17	16:9	9:25	93:1,8
120:4	94:1	83:25	17:22	14:7,10	97:9,15
121:17	123:21	86:24	38:9	15:13	98:13
143:12	140:7	89:8	40:18,23	16:3,9	99:1,25
163:23		90:17	57:3 59:8	21:2,3,4,	100:21,25
169:17			79:20	12,15,19,	102:1
			84:17		103:2
					106:18
					109:20

110:14	20 208:6	213:4	157:10	Holliday	hotel
111:3	210:7	high-end	160:13,23	26:7,11,	205:10,11
114:11,17	214:24	44:6	163:18,20	23 27:3,	206:5,6
116:13,18	217:9,10	higher	168:12,	11,14	211:10,13
119:8	224:3,4	6:3	17,22	28:5	216:12
121:24	226:21	225:23	169:10,23	home	220:7
122:2	227:13	highest	171:23	31:4	243:11
123:21	230:2	207:17	172:2	130:2	244:12
124:6	232:21	HIPAA	174:12	163:12	hotels
125:16,21	233:7,22	120:17	175:4,13,	honest	196:12
126:12,25	234:11	hire	14 178:3	37:25	206:12
127:13,22	235:22	57:14,15	182:6,10,	104:1,22	217:21
129:4,5	237:11	hired	12,23	117:23	220:6
131:9	238:23	35:8,9,12	183:6,16,	231:25	Hounshell
132:13	241:23	39:2	25 184:15	honestly	204:19,22
134:15	242:3	hiring	185:1	74:20	205:2,5
135:5	247:22	210:18,20	186:20	174:13,15	211:7,12
136:6	248:1,3,	222:14	187:15	240:2,12,	hour
138:16	4,5,8	historica	188:1,11	13,14	202:11
150:1,2,	here 's	lly	190:22	honesty	hours
11,15	193:6	196:15	191:11	40:10	18:15,17,
151:2,16,	Herring	228:22	192:5,8,	197:9	18 44:16
23,24	217:13	history	13 193:8,	213:19	189:3
152:9,15	220:25	10:24	11 239:1	218:24	190:25
153:17,	Hey	69:15	240:6,9	hope	191:4
20,25	35:1	84:4	241:9	41:17	housekeep
155:16	56:18	88:25	249:2,10,	Horacio	ing
158:17	57:7	89:12	19	235:8	208:18
159:1	123:17	103:7	hit-and-	hospital	how
160:1,4	224:25	104:23	run	30:23	8:25
161:23	243:9,19	106:21	237:16	31:15	22:20
162:3,20	hi	107:13,	hits	39:18	29:16
163:10,	20:16,17	20,22	43:10	hospitali	30:9
16,18	41:9	108:12	hold	ty	33:1,14
166:5	128:14	111:1,2	37:19	196:12,14	34:11
171:25	129:19	112:19	71:14	205:16	50:21,24
173:15	151:9	117:21	163:7,8	206:5	51:4
176:9	152:21	119:23	holder	217:21	52:25
177:14	168:14	122:18	21:4,19	220:5	53:25
181:13	hide	129:8,21	71:6,7,13	221:8,13	54:1,2,12
184:12	48:20	130:6,22	200:1	host	57:7
186:3	103:15	139:20	201:16	207:5	58:10
188:23	194:7	140:14	219:11	hosted	96:19
190:19	high	154:4	holders	206:20	102:10
192:1	28:23	155:16	229:15	holding	113:22
193:3,4	183:5		holders		133:5,6
195:14,20	207:4		217:23		139:8
196:3					
203:2,12,					
20 204:2,					

145:13,14 164:16 183:19 203:4,21 204:3 215:4 216:8,18 217:5 227:18 231:20,25	214:10 231:16 identifie d 215:21 identify 203:9 identifiy ng 53:11 identity 197:8 213:19 218:23 240:17 IDS 93:21 if 5:4,19 6:14 7:7 8:22,23 9:2,5 11:7 12:1,2 14:1 15:19 16:1 29:18 32:4 33:11 35:15,18 37:6,23 38:5,20 39:4 42:12,18 44:19 47:3 48:4,8,9 49:5 51:15 52:11 56:3 58:15 60:16 69:8 75:10,16, 19 77:9	78:20,25 80:1,4,20 84:16 86:1 87:14 100:4 106:7 111:7 112:15 114:23 115:14 120:8 134:1 137:19 142:9,16 145:8,11, 24 146:1 147:2,17, 18 148:25 151:6 157:9,20, 24 165:2, 17,18,23 167:4 168:18,23 169:10,19 172:14,25 174:25 175:14,19 180:23 182:3 184:4 185:9,17 192:1,17, 19 197:3, 23 198:16,21 203:15 208:10,25 209:11 210:11 213:8,24 214:8 215:2,14 217:11 224:6,9 225:6,18, 24 226:16 230:12, 15,19	232:2 249:1,2 Ignacio 138:14 140:16 141:23 ignorant 67:5 II 181:22 191:2 III 42:17,21 181:22 illegal 37:8 136:8 138:18,22 173:17 177:16 186:5,8 188:25 illicit 223:4 Illinois 90:9 160:5,7, 10,11 176:11, 13,14,15 illness 184:16 immediate 174:20 impact 43:15 important 19:9 85:16 impressio n 156:18 improper	215:8 improve 225:5 improveme nt 211:9 222:7 in 5:4 6:1, 2,11 7:4, 5,15,17 8:4,11,12 9:4,21,22 10:1,6, 16,20 11:2,7, 20,21 12:21,22, 25 13:5, 7,10,11, 17 15:8, 9,22,23, 24 16:2, 17 18:22 19:6,20 20:2,3, 17,19,22 21:9,12, 13,20,22 22:4,22 23:2,8,22 24:7,8, 16,23 25:4,24, 25 26:16, 20 27:13, 24,25 28:14,15, 22,23,25 29:1,21, 22,24 30:2,7, 16,18 31:5,19 33:11,25 35:7,24 36:24 37:5,12,	20 38:11, 12 39:11 40:13,14 41:10,11, 12 42:19 43:3 44:5,7, 11,12,19, 23 45:11, 20,21 46:19 47:8 48:5,7,25 49:3,25 50:6,8, 16,23,25 51:2,8, 16,20,22, 24 52:9, 24,25 53:9,12 54:9,20, 24 55:3, 9,12,13, 14,21 56:2,3, 14,15,22, 24 57:3, 21,23 58:3,23 59:7,12, 17,19 60:10,11, 17 61:1, 2,10,18, 21,22,23 62:7,15 63:13,23 64:6,7,20 65:3 66:22,25 67:16,17, 20 68:8, 12 69:8, 13,23 70:5,9, 12,21 71:1,5 72:6,7,10 73:25
Howard 127:18, 20,22 128:10, 14,16,25 however 53:13 70:4 73:2 114:22 197:17 225:6 HR 14:25 70:22 huge 37:13 human 14:15 hurt 142:25 husband 122:5 <hr/> I <hr/> i.e. 229:11 ID 129:14 idea 21:18 53:17 68:23 182:9 183:6					

74:3,24, 25 75:3, 4,13,15, 17 76:17, 18 77:20 78:14 79:7,12, 13,20 80:5,6, 12,16,17, 25 81:2, 24 82:2, 7,8 83:2 84:9,10, 13,25 85:2,9 86:13 87:7,8,11 88:3 89:17,18, 21 90:10 91:7,8, 17,23,25 92:16,17 93:4,12, 23 94:2, 6,8 96:5 97:12 98:3,4, 16,19 99:17,18 100:1,4, 17 101:6, 7,10,11, 17 102:4, 5,7 103:18, 19,24 104:8,13 106:1,2, 13 108:17,18 109:3,11, 17,25 110:16 111:22 112:24,25 113:6 114:6,11, 21 115:12	116:3,4, 14 117:2 118:17, 18,20 119:11, 14,16 121:5,9 122:7 123:6,20 124:15 126:18, 19,25 127:7,10 128:7,22, 23 130:4, 18,19,24 131:12,14 132:3,4,6 133:8 134:15 135:5,6, 19,20 137:8,13, 14,16,18 139:17 140:1,3, 19,20,23 141:16 142:1,21 143:7,9, 19,23,24 144:1,7, 12,14,16, 22,25 145:2 146:13,17 148:6,23 150:8,11, 21,22 151:3,5, 7,13 152:3,12 153:8,9 155:23 156:19 157:1,17, 19,21,22 158:19, 20,23 159:12,	13,15,19 161:10,11 162:6,23 163:5,11, 21 165:12 168:9 169:2,6 170:5,13, 14,16 171:10 172:8,9, 11,13,14, 15,22 175:9,10, 12 176:13 177:4,5 179:5,8 180:19,20 182:15, 21,25 183:3,5 185:6,7, 15,16 186:12, 15,16,23 187:5 188:7,8, 10,11,20 189:19,20 190:5 194:19, 20,25 195:8,11, 16,19 196:4,13 197:5,21, 25 198:2, 3,4,8,12, 15,17,20, 22,23 199:6,12, 14,17,21 200:6,8, 11,13,25 201:15 202:12, 16,25 203:9 204:3,10 205:13,	15,22 206:14 207:11,15 208:15, 20,21 210:3,5, 6,12,18, 20 212:4, 18,20,24 213:1,14, 16,22 214:18,21 215:1,17 216:2 217:9,16 218:3,5, 9,10,14, 17,21 219:3,4 220:3,16 221:8,15, 19,24 222:22,23 223:6,9, 11,18,19, 20 225:1, 3 226:10, 25 227:16, 18,21 228:1,9 229:4,5, 11,16 231:4,6, 12,14,15, 22 232:24 234:16,17 235:9,10, 16 236:5, 24,25 237:17 238:10, 11,12 239:3 240:3,13, 16 241:14,15 242:1 243:14,22 244:8,13,	19 245:25 246:8 247:5 248:14, 15,18,24 249:8 inaccurat e 223:14 inactive 21:10 inappropri ate 32:24 37:16 38:6 Inc 14:24,25 46:2 incident 32:22 37:4 51:8 57:11 63:6 69:9,11 93:12 119:14 121:17,18 245:20 incidenta l 199:9 incidenta lly 215:2 incidents 29:11 32:17 47:24 51:1 52:5 incited 52:25 include 168:17	197:18 220:6,8 included 10:16 228:22 including 30:11 163:9 196:12 199:10 217:21 219:7 inclusive 200:17 income 223:2 incorpora ted 23:19 63:20 199:1 incorrect 145:8,11 146:1 249:11 increase 6:12 123:13 increased 6:4 incredibl y 214:22 indeed 114:23 independe nt 21:6 206:6 209:20,23 222:15 223:7 indicate 240:22
---	--	--	---	--	--

indicated 37:3,6 76:8 83:2 100:25 122:1 193:12,24	industry 44:5 201:18 205:16 220:24 221:5 222:13 223:1,15	185:15 195:1 197:7,20, 22 198:24 199:22 200:11 211:4,5,6 213:18 218:23 221:20 222:8 224:9 225:9 226:18,23 244:14 249:9,12	inputs 249:16 inputted 249:1 inquire 248:23 inside 29:25 30:8 32:4 63:7 inspire 206:14 211:23 213:24 instances 223:8 instead 8:1 instituti ons 199:7 instructe d 234:11 insurance 65:17 91:25 198:10,11 199:14,15 insurers 199:13 integrity 37:13 40:10 197:9 213:20 218:24 223:21 Intellige nce 217:12,23 intend 203:22	intended 214:11 intent 44:14 91:21 102:6 103:14 107:7 117:7 129:9 intention 15:16 20:12 24:19 26:9,15 41:8 44:2 46:7 64:18 108:24 intention s 28:12 44:8 62:11 interacti on 41:5 interacti ons 109:1 220:9 Intercom 246:20 interest 199:12 intereste d 16:2 44:19 interests 214:24 interim 231:15	interject ion 28:16 64:25 138:20 168:20 186:7 205:1,17 206:2 216:13 228:17,25 internal 35:24 50:24 201:20 209:11 220:9,12 225:7 internati onally 211:16 internet 140:15 interns 197:25 interpret 200:24 interpret ation 218:8 219:24 228:22 interpret ations 220:17 interpret ed 200:23 219:10 interstat e 107:4 191:9
individua l 8:10 10:23 11:24 12:9 23:21 27:12 37:4,5 40:4 42:17,19 45:10 60:15,16 67:1,8,10 79:4 142:19 222:24 228:20 229:15	inflict 107:5 236:2 inflictio n 84:24 influence 139:3 143:14 221:4 info 48:13 178:4 informati on 8:3 49:22 54:22 65:12 67:13 69:8 85:23,25 109:2 123:23 124:7 137:19 147:5 155:10 156:13,16 157:25 164:5,22 165:2,3, 4,17,19, 25 166:21 167:5 169:13 170:14,19 171:9 179:3 183:19	inherentl y 221:14 initial 88:20 224:22 initially 34:2 76:20 209:8 initiated 50:24 51:4 55:8 56:12 58:5,10 59:1 initiatin g 33:21 injury 84:24 107:5 177:19 197:15 236:2 injustice 29:17 INK 249:7	individua ls 8:21 37:21 56:12 57:14,15 70:21 77:18 150:10 196:11 204:12 207:7 217:20 222:3 229:20 indulgenc e 43:18 121:10 126:3 150:24 155:15		

interview	21:16	16:20	138:15,	247:1	issuance
9:4	107:3	42:4,6	17,21	249:5	55:7
187:17	191:9	47:20,22	142:4,5,		issue
into	inventori	48:6	7,9,15	investiga	10:19
9:3 17:22	es	49:21	143:17	tor's	50:12
18:16	212:16	50:3	152:7,10	19:18	55:18
20:18		54:1,4	153:24	217:24	58:2
28:24	invest	65:12,14	154:1,11	218:10	71:10,14
30:17	23:2	67:12,14	158:16,18	investiga	115:13
31:10,20,	tion	68:9,18	159:25	tors	123:21
21,23		69:7,12,	160:4,15,	142:18	193:6,10
32:9,10	16:8 18:6	20,25	24	147:15	203:14
39:11,20	38:16	70:4	161:22,	198:12	213:13,14
41:18	50:6	72:2,8,24	24,25	215:18	214:12
44:20	51:12	73:1,6,10	162:10,13	217:15	247:4
60:2	155:11	75:6,21	167:9,16,	218:13	issued
69:15	193:7	76:1,2,8,	19,23	220:19	7:24 8:5,
79:25	197:7	11 77:11,	173:14,16	221:7	7 46:19
80:4	199:9,10	15,23	174:4	223:6	53:4,6
107:3	213:17	81:12,13	176:8,10	226:5	55:12
125:10	218:22	82:20	177:13,15	228:16	67:18
141:3	220:16	84:21,22	178:7	invited	69:8,16
166:13	221:12	87:22,24	179:2,4,	59:7	110:12
168:16,22	222:1	88:12	20 180:1	invoiced	114:25
169:14,16	227:5	90:5,7	181:12,14	71:12	200:2
170:12	investiga	91:18,20	186:2,4,		201:17
171:15	tions	93:1,2	8,20	invoices	211:5
179:11		97:8,10	187:4,8	18:17	220:3
196:16,19	16:1	98:12,14	188:22,24	73:3	issues
197:14	18:25	101:25	190:18,20	involved	12:16
203:22	19:3,17,	102:2	192:4,5,	104:24	13:1
206:23	18 44:13,	103:8	14,16	212:24	38:22
208:16	14 55:15	104:17	193:1	249:8	40:10
214:1	142:17,18	105:6,9	196:15,	involves	47:16
215:18,22	221:2,15	106:17,19	17,18	221:14	50:10,11,
216:12	223:25	109:19,21	197:3,4	222:2	17,25
217:4,11	227:4,8	111:16,21	198:13	involving	51:13,20
221:18	investiga	114:16,18	200:9,23,	168:18	52:9
224:6	tive	115:11	24 213:15	IPS	53:10,13
229:18,19		116:17,19	215:6	46:1,9	54:16
246:25	218:3	119:7,9	218:20	50:14	55:4,17,
247:5	220:24	120:15,23	228:11,	52:2 55:3	19,23
introduce	investiga	121:1,15	14,19,21	60:3,4	58:5
56:21	tor	127:21,23	229:3,11	Irizarry	70:18
202:19	7:8,10	129:5,7	235:21,23	228:4,6,	issuing
204:7,19	8:16,18,	131:9,11	237:10,12	18 229:1	6:5
introduce	20 9:2	132:13,	238:22,24	it	
d	11:24	15,18	241:22,24		
	12:9	134:21,23	242:9,12,		
		136:5,7	15,18,22		

6:4,11	76:12,16	24,25	193:3,9,	245:12	196:2
8:19,20,	77:6	135:1,6,8	11,14	247:4,5,	198:1
22,23,24	79:15,18	136:23,24	195:6	10,23	202:7
10:10,21	81:16	137:17	196:10,	248:8,18	203:5,23
11:9 12:2	82:9,12,	140:4,21	17,22	249:12,17	205:2,9
15:23	24 83:3,	142:6,9	197:1,4,	it's	206:11
16:23,24	9,10	143:6,11	13 202:8,	6:10 8:22	207:3,24
17:2,11	85:19	145:15	11 203:4,	14:14,15	208:20
19:7	86:17	148:21	12,17	18:25	209:15,
20:18,21	87:12	149:13	205:11	19:9	21,23
25:7	88:2,12	150:16	207:5,24	22:23	210:7
28:25	89:1,23	155:14,15	208:14,	36:25	211:7
29:16,19	91:1	156:19	16,17,19	37:17,24,	212:19
30:2,19,	93:14,16,	157:10,18	209:22,23	25 44:23,	213:11,22
23 31:9,	21,24	158:1,3,	210:5	24 47:18	214:13,15
14,20,23	94:3,7,	5,8	211:4	48:9,16,	215:1,24
32:3,11	11,12,25	159:21	212:8,10	19 49:7	217:1,2,
33:14	95:1,6	162:19	213:11,	50:12	13 226:9
34:2,3,5	101:1	163:3,12	12,14,24	56:4	227:15
35:7 36:1	103:14	164:14,16	214:6,7,	57:1,5,19	229:21
37:5,6,14	105:8	165:18	8,10,11	73:6 74:9	230:5
38:5,9,11	106:4,25	166:18,	215:1,15,	75:4,19	233:22
39:11	107:1	19,20,21,	20 216:22	80:3	238:14
40:20	108:22	25 167:24	221:17	82:8,22	241:17,18
44:16	109:4	168:12,	224:15,21	86:15	242:7,22,
45:11	110:11,14	18,23	225:11	95:8	23 245:11
46:18	111:3,5,	169:4,10	226:9,11,	100:14,21	246:12
47:4,9,	7,8,9	170:15	20 227:3,	104:23,25	247:20,21
15,18,22	113:18	171:4,7,	8,10,11,	107:21	248:4
48:1,8,9	114:22,23	13,24	12,19,22	108:23	item
49:5,6,8	115:2,15	173:6	228:18,	109:24	4:24 5:15
50:11,13	117:5	174:14,	19,20	111:5	9:9,24
51:3,7	118:1,3	15,16,21	229:4,6,	114:14	10:25
52:1	119:10,	175:15,21	7,17,18	134:16	11:23
53:17,19,	11,14	178:13,	230:14	136:23	13:1,9,14
20,25	120:19	14,17,19	231:4,16,	139:15,24	15:12
54:5 55:9	121:2,12,	179:4,5,	20 232:2,	140:2	20:9
56:1,15	14,15,16,	20,22,24	6,10	142:9	24:13
58:13	17,18,25	180:23	233:9,21	145:11,24	26:3 28:6
59:10	122:14,	181:17,19	234:10,21	157:7	41:2 46:1
61:9	17,23,25	182:11	235:4	160:22	61:14
63:4,12	123:9,11,	183:5,15,	238:9	163:1,12	64:11
64:23	16,20	21	240:10,	166:7	80:2,12
66:22	125:13,23	185:10,18	19,22,24	171:8,25	81:4
68:6	126:13	186:22	241:2	182:2	84:20
69:15	127:25	187:8	242:3,4,	183:22,24	87:16,18,
70:7 71:3	131:13	190:10	19,25	184:15	19 90:2
72:5 73:4	132:25	191:23	243:5,14,	185:11	91:16
74:11	133:11	192:9,10,	16 244:1,	193:4	92:22
75:12,14	134:22,	17,18,19	14,17,19		

97:5,7	247:24	173:20	join	jumped	79:15,16
98:9	248:3,4	177:20,	32:11	30:4	80:4,16
99:24	items	22,24	joined	June	83:19
100:1,4,	10:9,10,	178:1	34:18	7:11,13	84:13
5,6,7	11 11:8,	181:20	141:25	9:11,15	85:8
101:20,22	14 39:16,	182:15,	205:6	67:16	86:15,21
106:12,14	20 100:2,	21,25	Jones	236:10	94:4,20
109:8,10,	3,4,20,24	183:1,4	221:3	jurisdict	96:15
13 114:9	126:11	186:11	223:25	ion	100:12
116:10	150:14	189:3	Jose	203:18	103:10,
118:24	162:9	191:7	100:17	jury	20,21,25
119:4	196:3,5	237:17	Joseph	187:7	105:3
125:15,	214:2	239:5	237:7,9,	just	108:3
17,18,19	224:6	240:18	11,12,21,	6:15 8:2,	113:13,
127:13,	234:9	James	25	12 11:3,9	14,20
15,16,17,	235:19	131:4	238:13,17	12:2,14	115:7
18 129:3	its	January	Joshua	13:19,22	116:13
131:4	79:2	239:2	114:10	14:14	117:24
132:9,11,	201:4	Jasper	journey	18:25	120:11
12 136:2	203:16	176:2	123:14	19:2,4,10	122:12,20
149:25	215:11	233:1	206:11	20:13	123:7,12,
151:16	217:25	Jefferson	207:23	21:18	17,23
152:7	218:7	176:2	Jr	29:15	134:17
153:24	223:18	233:1	25:17	32:8 34:9	137:21
159:23	IV	Jeffrey	Juan	35:24	140:25
173:1,9	181:22	97:7	129:3	36:1	141:25
175:25	J	Jesse	judge	40:22	146:12
176:2,3,5		188:17	117:25	41:16,23	147:2
177:10	Jackson	Jesus	judgment	43:8,9,10	152:20
181:8,10	173:10,	100:1,7	35:21	44:5,25	155:14
185:25	11,12,15	144:15	Judicial	46:24	156:14
188:17	174:7,8,	job	179:21	48:7,16,	157:23,25
190:1,2	174:7,8,	103:24	Juliet	49:7,11	161:20
195:5,9,	9,13,19,	118:2	168:8,13,	52:12	162:20
17,20,22,	22,24	187:17	14 170:11	53:16,17,	164:1
25 196:10	175:21,23	222:22	July	21 56:2,4	165:23
217:19	jail	249:22	66:19	57:25	166:2,4,5
224:6	30:13	jobs	67:17	58:1	168:21,
230:9,10	84:25	26:14,16	69:16	61:17	24,25
231:17	85:2	103:19	98:19	63:5	169:21
232:7,16,	107:2	157:16	John	67:15	171:15,23
20,23,25	110:1	John	21:11	68:10,23	178:5
233:1,6,	117:2,5,	127:18	127:18	69:18	179:4
8,14,20,	12 152:12	jump	jump	70:19,22	180:5
21	154:19	212:4	212:4	74:4 75:4	182:1,13,
234:18,20	155:23			76:17,23	22 192:22
235:1,6,8	163:6			78:3,21	193:1
237:7					195:16
238:19					196:3
241:20					202:12,22

204:10,19		kind	33:7,8,25	155:4,22,	246:13,14
205:8	K	10:24	35:2,4	24 158:11	knowing
206:15		37:15	37:19	162:22	55:8
207:24	K9	44:17	39:21	163:5,6,	112:1
208:10,	30:7,8	50:18	44:17	13 164:9	243:3
20,24		78:11,12	50:19	165:16	
209:24	Kansas	79:20	51:2,9,	166:8,20,	knowingly
210:10	44:13	104:17	15,17,18,	21,23	160:11
211:12	keep	113:13	19 52:8,	168:9	knowledge
212:5,22	48:8	121:23	11 53:15	169:25	54:18
213:15	165:25	123:3	55:7,11,	170:6,19	197:9
214:6	185:18	124:23	22 56:23	173:14	213:20
215:1,11,	209:2	134:2	57:1,10,	175:14,	218:25
25	212:8,10	140:7,21	12,18	17,19	
216:16,17		182:12	58:7,19	178:13	
221:17	keeping	203:3,16	59:8	180:22	L
224:4	66:3	205:2	61:7,9	182:7,22	
226:3,13,	kept	226:2	63:4,7	183:6,19	LA
14,17	29:24	231:4	66:6 69:8	184:14	28:25
227:2,4,	35:14	240:23	70:6,8,20	185:16	65:7
7,8,10,15	162:22	Kindle	71:8	193:15	label
230:8,10,	195:1	151:18,21	79:19	194:7	228:14,19
14,15	key	152:5,6,	80:5	195:9	
231:25	206:12	9,17,22	82:20	196:21,22	labeled
232:5	207:6,20	153:1,12,	83:5,10	201:19,20	226:20
235:9,18		14	87:11,23	202:10	
240:2,4,	kicked	kinds	91:18	203:24	lack
10,12,13,	30:16,20,	123:12	97:8	206:10,	37:12
21 241:24	21	157:16	98:13	15,17	88:4
243:8,12,	kicks	208:24	102:1	207:5,20	ladies
18 244:11	37:20	knew	103:9,12,	208:11	20:5 21:1
245:12	kid	21:23	15,16,20,	210:2,5,	lady
247:18	152:20	29:23	23 104:2,	6,7,25	85:12
248:21	kidding	39:17	16,21	212:11,	86:14
249:3	231:25	50:19	105:1	15,21	
justice	kids	54:16	106:4,5	213:9,11,	Lake
179:5	56:25	70:10	109:20	12 214:3,	106:12
Justin	kill	166:4,7,	111:4,5,	11,20	125:17
190:2	181:16	20	12 113:23	215:3,5,	land
juvenile	Kimberly	knock	114:16	7,20,22	62:19
83:17	15:13	195:9	115:14	216:7,11,	Landman
102:21,24	16:6	know	116:17	15,19	116:10,
103:11	19:21	6:15 11:2	120:17,19	224:2,9	11,12,15,
104:11,16	127:17	13:23	121:23,25	227:13	18,19
105:4	150:9	22:21	122:13,25	228:3	117:18,
158:23		28:3	124:24	231:22	20,22
		29:16,17	125:2	232:2,9	118:22
			139:24	243:10,	
			145:11	16,19	
			146:12	244:2	

language	167:9	laws	17,23	233:14	Leticia
32:24	202:22	61:11	190:8,11,	234:19	195:5
226:24	228:23	133:12,16	13,17	Lemus	letter
Lapan	235:19	199:2,16	202:7	235:22	90:12
43:23,25	239:24	lawyer	230:8,17,	236:13,17	92:3 93:7
44:3,4,21	240:10	180:5	19,24	237:4	97:14
45:2,10,	248:23	Lazaroff	231:8,16,	lengthy	98:25
13,24	late	43:24	19,24	87:25	103:1
laptop	34:3 35:5	44:10,11	235:12,17	104:23	111:22,
17:2	50:4,5	45:13,25	left	less	24,25
74:13	52:24	lead	30:5	56:6	120:2,15,
larceny	55:22	73:4	32:11	lesson	18,20,23
139:1	later	leading	44:11	33:19	121:12,
141:16,17	30:12	222:22	78:10,13	let	13,15,21
144:2	31:12	Leal	95:18	6:15 31:4	123:15
181:19	32:9,10	28:7,8,13	143:6	34:7,9	158:25
large	40:17	40:4	148:23	51:2 80:5	201:21
26:17	88:13	84:20,21	227:4	82:20	214:22
30:13	98:17	85:6,7,11	244:18	87:23	217:15
51:11	102:14	86:11	legal	91:18	221:1,3
Las	103:1	learn	93:18	97:8	224:15
4:1 6:9	110:12	217:5	172:16	98:13	letters
24:23	131:13	learned	180:23	101:25	89:3
44:11	236:5	33:19	203:5,22	103:9	217:9,11
50:7,18	latest	least	214:8,9	109:20	letting
55:18	66:19	59:3	219:7	114:16	123:24
65:3	law	leave	225:25	115:14	level
75:14,17	37:11	11:7 80:3	230:2	116:17	37:18
76:14	50:25	149:16	legally	123:2	207:17
77:19,21	51:4	209:2	20:21	139:19,22	208:5
93:4	88:24	231:5	82:4	145:20	213:4
196:14	109:1	243:11	83:10	147:17	227:9
206:18	123:3	leaving	225:19	167:5	lewd
last	138:2	78:8	legislati	173:14	102:18
21:17,21	169:1,2	Lee	ve	204:7	liables
44:4,18	198:2,11	10:2,7	220:4	232:2	197:14
50:4 54:3	199:4	62:2,3,8	226:24	240:18	license
59:6	219:25	80:19,21	230:5	let's	11:24
66:7,12,	220:3,16	81:1	legislati	133:8	12:9 13:8
13 73:18,	240:23	101:13,18	vely	147:7	14:24
19 75:11	244:9	127:3,8,	226:1	155:14	15:16,22,
76:1,2,5	law-	11 151:9,	legitimat	169:16	25 16:3,9
78:17	abiding	14	e	171:15	18:4
86:6	104:2	172:16,	22:1	172:14	19:19
100:7,13	Lawrence		Lelita	195:9,21	20:12
161:17	116:10		195:5	201:20	21:4,6,
166:2				243:13	

10,11,19 22:15 23:20,21, 22 24:20 25:14 26:5,10, 16 27:11, 12 28:12 36:2 40:5,16, 20 41:8, 11,17 42:16,18, 19 44:2 45:9,11 46:8,22 47:2,3, 12,13,14, 16,21,23 50:23 58:5 60:3,16 62:11,18 63:21,22 64:18 68:1 70:7 71:6,7,13 74:4,5,6 75:24 77:14 79:3,4 84:12 85:1 86:4 87:10 89:20 106:6 113:2,12 180:25 196:18 201:16 204:4,15 217:13,24 218:10 219:11 221:2 223:25 228:7,12 245:9,12 246:13 248:24	249:15 licensed 20:18 23:8,11 26:25 41:16 46:19 68:13 70:5,10 74:3 75:20 157:22 198:10 199:6,14 201:10 202:25 203:6,8 215:16, 17,23 216:5 218:13 219:20 220:15 225:6 229:13 230:3 licensee 72:25 73:7,9,13 200:25 201:3,4, 6,7,8,9, 12,16 218:14 219:15, 16,17,19, 22 221:16 249:15 licensees 217:9 licenses 50:8 licensing 6:2 50:9 51:6,21, 24 53:15 55:13	58:4 113:14 196:11 217:15,20 220:19 221:7 225:8 226:4 227:20,21 licensure 65:2 196:16 204:1 219:25 226:7,11 lie 93:23 lien 199:12 liens 41:23 65:13,19 66:8 lieutenant t 51:11 life 103:16 104:8 117:24 121:5 140:3 207:21 lifetime 123:11 lift 208:17 light 44:10 52:23 68:6,10 lights 34:1,3,5, 8	like 27:2 29:16 33:20 35:1,15 47:9 49:7 52:7 53:18,21 54:5 55:17,21 58:9,12 60:1 65:18 68:23 70:10 71:23 74:9 75:7 77:24 78:4 79:15 86:16 94:4,5, 14,15 103:23 104:2,24 111:5 118:2 134:16 140:1 146:1 147:18 151:22 165:13 166:25 168:2,9 175:17 192:2,19 194:2 201:19 203:17 204:10 206:18,25 207:13 208:4,7, 16 210:3, 12 216:16 223:4 225:11,12 227:14,19 230:3,9	231:1 232:1 242:4 243:9,11, 12,17,19, 24 244:2 246:22 likely 177:19 Lilly 177:10, 11,12,14 178:10, 12,15,19, 23 179:1, 6,8,13,17 180:6,14 181:2,4,6 limit 202:11 208:1 limited 5:5 219:7 line 33:7,9 linked 66:22 liquor 243:8,10 list 48:8 74:7 82:10,19, 24 83:3 84:14 87:13 88:23 104:10, 11,12,13, 15 105:1, 7 106:25 108:25 122:17, 21,22 138:1,3 139:20 155:21	168:16 171:4 183:15,25 193:2 240:6,24 listed 74:9,25 75:13 76:13,17, 21 77:12 82:18 104:9,13, 19 106:4 107:22,24 108:3 116:24 126:3 170:21 171:5 184:2 186:19 192:6 245:9 Listen 147:25 listening 228:9 listing 76:9 86:6 91:10 108:20,22 249:3 lit 56:6 literally 32:7 33:2 38:6,7 83:3 little 6:1,3 15:15,19 20:11 24:19 26:9 28:11 41:7
---	---	--	---	---	--

44:2,6	67:3,7,9	longer	208:4	28:4	41:25
46:7	68:2,4	134:14	242:4	45:23	43:25
49:25	70:15	look	Lori	61:13	45:2,24,
51:1 56:6	199:23,24	18:17	228:6	64:8	25 56:20
62:10	200:20	20:21	Los	89:25	64:13,15
64:17	206:24,25	33:2	98:16	91:11	65:3
67:13	207:1	37:24,25	102:4	97:4 98:6	70:15
123:18	210:19	44:6	loss	106:6,11	76:23
156:15	222:21	58:13	120:16	125:3	77:17
204:21	locals	121:12	losses	175:19,24	78:23
214:15	210:20	157:10	197:15	185:21	79:23
215:24	located	165:20,25	222:22	188:16	95:4,6
226:23	50:16	167:5	lost	195:2	97:1
245:6	location	168:22	41:12	237:5	98:10
live	29:21	170:5,13	197:3,23	241:19	99:20
20:17	197:12	197:3,23	200:22	luggage	107:23
24:23	199:10	208:10,20	224:6	208:14	109:18
28:22	locked	224:6	227:22	Luis	125:22
living	144:24,25	looked	lot	28:7,13	131:2,5
21:13	locker	33:2	7:19	40:4	132:8
104:1	95:1	69:15	28:23	Lun'yea	138:4
LLC	logged	83:9	30:2	109:8,9	143:2
16:1	31:20,21	170:12	35:25	125:18	144:18,24
25:14,16	long	looking	37:8,19	luxury	145:23
26:4	34:11	6:7 8:2	41:12	28:23	151:21
27:10	53:25	10:21	50:7 58:1	LVMPD	152:5
42:15	54:1,2	20:19	104:23	7:24	175:22
45:9	102:10	21:24	148:1	51:12	178:23
223:25	104:25	22:2,13	155:14,15	55:14	179:1,13
LLC's	111:6	25:5	184:18	lying	182:13,
106:23	134:17	35:24	205:20	31:18	16,19
Loach	135:5	38:7 52:3	208:16	35:8,16	183:2,18
118:24,25	151:23	64:24	Lots	Lyle	184:14
119:1,2	153:18	65:2	238:7	136:2	185:10
125:20	185:15	74:16	lovely	M	186:24
loaded	188:11	105:7	33:2	M-E-I-E-	188:19
119:14,16	202:11	134:24	125:1	R-S	190:16
186:13	227:15	170:7	loyalty	ma'am	240:7
loan	231:20	207:8,9,	197:10	M	241:21
66:5	232:1	10 208:12	213:21	M-E-I-E-	243:5
loans	240:13,24	214:1	218:25	R-S	247:9,13
66:5	247:2,3	215:25	Lucas	182:18	248:1
local	long-term	looks	201:22	ma'am	Madam
22:21	120:1	54:5	202:16	12:15	4:4,12,
27:1 44:7	121:19	65:18	luck	16:6	21,23
		77:24	20:5	17:5,8	5:12,14,
			24:10	28:8 38:3	17,23,25
					6:16,21,
					25 7:3,6,

7 8:14	12,21,25	98:2,5,8,	130:8,14,	19,23	187:12,20
9:7,17,	61:3,13,	12 99:3,	17,20	158:5,9,	188:3,6,
20,23	17,20,25	13,16,19,	131:3,6,	13,14	9,15,20,
10:8,13	62:1,9,21	23 100:9,	8,17,24	159:2,8,	22 189:6,
11:6,15,	63:1,15	10,11,15,	132:2,5,	11,14,18,	13,15,18,
19,22	64:2,5,8,	18 101:2,	9,17	22,25	21,25
12:11,17,	11,14,16	5,8,19,25	133:2	160:3,14,	190:4,7,
20,23,24	65:8	103:3	134:12,20	17,20	18
13:13,25	67:12,21	104:4	135:2,3,	161:1,6,	191:14,16
14:4,8,	68:1,4,8,	105:15,	8,14,18,	9,12,16,	192:3,8,
11,18	14 69:2,	21,25	21,25	19 162:7,	11,23
15:4,7,10	10,18,22	106:3,11,	136:2,5,	12,14	194:8,14,
16:4,11	70:2,6,23	17 107:9	15 137:2,	163:23	18,21
19:12,23	71:16,20,	108:6,13,	9,12,15,	164:3,19,	195:4,8,
20:1,4,8,	23 72:1,	16,19	23,25	25 165:5,	16,19,24
25 22:5,	20,23	109:7,16,	138:6,9,	8,11,16,	196:2
18 23:5,	74:22	19	11,13	23 166:6,	202:2,9,
14 24:2,	75:2,19,	110:14,	139:5	10,14,24	14 204:9,
6,9,12,18	23 76:6	19,22	142:23	167:2,3,	17 209:4,
25:9,19,	77:9,13,	111:12,	143:1,3,	4,8,13,25	15 210:9,
23 26:1,	20 78:3,	19,22,25	8,10,16,	168:4,5	17,24
8,18	17,21,24	112:3,6,	19,23	169:15,	211:11,
27:2,4,	79:8,11,	13,20,23	144:2,4,	19,25	14,18,21
16,23	14,24	113:1,9,	6,8,11,	170:6,10,	213:8
28:1,6,9,	80:11,13,	11,17,22,	19,22	24 171:3,	217:7,14
11 29:2	14,15,18	25 114:5,	145:1,5,	8,14	224:2
38:12	81:2,8,	9,12,13,	17,20,24	172:3,7,	225:21
39:24	11,19,25	14,15	146:5,21,	10,24	227:1,24
40:6,12,	82:14	115:7,17,	23 147:1,	173:3,7,	228:1,2,5
15,20,25	83:23	24 116:2,	6,10,17,	9,13	230:1,16,
41:2,20	84:5,8,	5,9,13,16	24 148:4,	174:2,6,	18,23
42:9,23	11,16,19	117:17	10,14,17,	20,23	231:3,9,
43:2,8,	85:5	118:6,12,	20,22,24	175:5,8,	18,20
11,17,22	86:22	16,19,23	149:3,9,	11,22,24	232:5,16,
44:1,9,25	87:3,6,9,	119:2,7,	10,20,25	176:8,18,	19,23
45:3,15,	22 88:9,	19 120:6,	150:5,7,	25 177:3,	233:4,6,
19,22	19 89:6,	11,21	17,20,23	6,10,13	10,13,17,
46:1,6,	13,16,19,	121:9,11,	151:1,15,	178:5,9,	19,24
11,14	25 90:2,	14 124:1,	20,22	24	234:2,5,
48:4	5,15,21	9,12,14,	152:1,6,	179:19,24	7,12,15,
49:13,16,	91:6,9,	19,22	16 153:4,	180:2,4,	18,22,24
21,23	14,16	125:7,13,	7,10,13,	11,15,18,	235:1,4,
52:12,16	92:6,12,	15,23	15,16,19,	21 181:3,	18
54:25	15,18,21,	126:2,5,	23 154:7,	8,24	236:12,
56:9,17	24 93:9	7,14,17,	10,22	182:2	20,23
57:25	95:16,20	20,24	155:8,13,	184:11,19	237:1,5,
58:16,19,	96:1,4,9,	127:12,21	19 156:1,	185:2,5,	10,20
25 59:4,	11,13,21	128:9,18,	3,7,14,	8,20,24	238:2,7,
11,16,20	97:2,4,	21,24	22,25	186:2,18,	11,14,18,
60:5,9,	17,24	129:1,17	157:7,15,	22,25	22 239:16

241:3,10, 13,16,19, 22 242:6, 10,13,16, 20,24 244:5,25 245:5,7, 15,21,24 246:9,12, 24 247:7, 11,15,17, 23 248:2, 10,13,16, 20 249:20	100:5 mail 89:3 maim 181:16 main 18:12 37:10 maintain 78:14 223:18 maintaine d 199:2,22 226:6 maintaini ng 58:10 221:6 223:10 maintains 201:1 219:11 221:17 maintenan ce 200:5 major 18:5,7 56:7 163:10 majority 57:14 make 4:25 18:17,22 20:15 25:5 42:14 47:18 52:7 56:19 57:20,22 58:1,20,	23 60:2 61:17 66:8 70:19 75:7 84:13 96:15 100:12,16 106:5 108:25 115:7 123:24 131:21 135:12 138:1 145:10 147:6,20, 21 152:2 157:25 161:3 171:6,23 175:15 180:13 197:6 204:5 205:9 206:16 213:17,24 218:21 224:3 231:10 232:6 245:13 246:15 makes 8:16 197:6 218:22 230:15 making 18:8 23:2 49:2 55:4 58:15 61:9,10 125:3 140:19 199:9 226:2 246:21	man 108:4 man's 184:11 manage 17:21 managed 46:24 managemen t 36:3 117:16 206:5 manager 36:7 48:12 58:8 managers 58:16,17, 18 mandate 221:9 mandates 220:18 229:10 manner 70:21 208:15,21 manners 208:8 Manuel 175:25 232:25 manufactu re 110:2 128:1 129:9,11 many 52:8 140:15 193:2	March 54:5 66:7,12, 13 73:18, 19 marijuana 93:19 97:11 117:12 Marine 28:15 29:5 35:23 65:6 Marines 29:6,7 mark 177:10 180:13 231:4 235:2,6 247:24 market 41:18 218:1,6 Marksman 246:19 Marquis 237:7,11 married 21:9 35:5 122:10,12 Marsh 160:1 Marshall 159:24 160:2,3, 19,21 161:4,15 Martin 61:14,16, 19 62:12, 13,22 63:2,10,	13,21,24 64:10 127:13 150:8 Martinez 181:9 233:7 Maryland 132:19, 21,25 133:12,16 Masina 46:4,13, 17,21 47:7,14 48:16,21 49:1,10, 15,19 54:8,11, 13 56:11, 13 58:11, 17,22 60:15 master 67:7,22, 23 71:4,5 79:17 matching 212:17 Matchroom 72:10,11, 13,15,18 material 57:22 217:24 224:14 materials 204:21 213:1 matter 38:11 147:3 214:8 225:18
Magee 80:12 81:2					

mattered 174:15	56:4 57:3 63:2 70:9 72:11	56:3 81:22 83:8	9:11,16 12:3 21:12	17 12:7, 14,19 13:18,24	60:7,14, 23 61:25 62:25
matters 4:25 5:1, 2,4	77:9,15 82:3 85:11	95:14 165:6 171:1	31:7 51:11 68:11	14:23 15:6,19 16:13,18	63:8,12, 14,19 64:4
maximum 62:15	86:12 88:13 89:3	203:23 212:25 227:13	147:3,16 148:6 164:6	17:3,6,9, 12,14,15, 19,24	65:9,10, 11,24 66:10,13,
maybe 34:6 56:5 111:4 143:9 204:19 212:15,16 224:24 227:12	93:12,14, 22 96:19 103:9,20, 21 104:24 111:3 113:19 115:11 117:25	230:20 meaning 215:6,7 means 83:6,14, 20 145:18 197:4 201:16 203:22 213:15 214:10 219:5	165:13 168:7,8 175:17 217:10,17 223:22 231:21 232:3,7 236:10 239:2,24 248:22,23 249:24	18:7,11, 20,24 19:2,9, 16,21,25 22:7,11, 17 23:7, 11,13,18 24:4,14 25:13,17, 21 27:7, 14,18,20, 21 28:2 29:4,8,10 32:13,16, 20,23 33:21 34:11,14, 16 35:12, 20 36:5, 9,12,13, 17,19,22 38:2,15, 20 39:1, 9,19,23 40:3,8 41:22 42:2,3, 14,20,25 43:4,5,6, 7,8 45:7, 12,17 46:15,18 47:5,9,20 48:14,20, 22 49:5, 11,18,20 52:19,22 53:16,24 54:7,12, 14 55:2, 25 59:24	67:5 68:15,22 72:21 73:4,8, 15,19,21, 23,25 74:2,7, 12,16 76:7,16, 20,25 77:2,5,7 78:6,16 79:1,10 80:13,15 81:21 82:7,13, 15,22 83:1,8, 12,16 84:2,7 85:7,21 86:5,19 87:1,5 88:22,23 89:5,10, 15 90:19, 23,24,25 91:1,3 92:10,14 93:11 94:18,22 95:2,5,7, 9,12,14, 24 96:3, 6,7,8,10, 12 97:21 98:1 99:7,8,9, 10,15 100:9,11,
Mcdonald's 211:25 212:1 213:13	120:1,2 123:2,22 139:19,22 141:20 142:2 144:18 145:4 147:17 159:21 162:19,23 163:3,4 164:14,16	201:16 203:22 213:15 214:10 219:5 meant 82:6 214:9 measurabl e 220:11 measure 218:2 mechanism 212:19 medical 34:20 184:16 medicated 184:17 meet 46:6 224:7 225:3 meet all 41:14 meeting 4:6 7:12	meets 220:13 Megan 204:20 205:22,25 212:22 213:6 Meiers 181:10, 11,13,25 182:1,5, 7,9,13, 16,18,19, 22 183:2, 5,10,13, 18 184:5, 8,10,21 185:22 member 4:13,14, 15,16,17, 18,19,20 5:12 6:23 7:2 8:15, 25 9:6, 14,19 10:13,14 11:5,13,		
me 6:15 15:18 16:1,3,23 21:16 24:24 29:11,16, 19,25 30:3,4, 11,24 31:2,4, 17,20,21 32:5 33:6,9,11 35:1,8, 14,15,19, 22 36:1 38:11 44:24 51:2,15 52:11 53:18,20	166:7 168:2 169:4 178:12, 13,19 184:2,5,6 203:19 205:8 209:7 214:10,16 228:4 230:2 240:2,4, 18 243:11, 17,18 mean 22:23 26:21,22 48:4 49:6				

12,16,23	141:3,8,	184:24	248:1,6,	194:20	Metropoli
101:4	11,14,18,	185:4	12	202:15,24	tan
103:5	21,23	187:2,3,	members	203:19	55:19
104:3,6	142:2,4,	11,14,19,	4:22,24	221:3	MGM
105:5,12,	6,12,16,	24 188:5	7:5 9:22	234:17	72:13
19,23	24 143:16	189:10,	11:21	236:25	mic
107:11,	146:7,8,	14,17	12:22	238:12	107:13
15,17,21,	10,11,12,	191:19	15:9 20:3	241:15	129:23
24 108:2,	17,19,22,	193:5,16,	24:8	248:15	179:10
5,10,15	23,24,25	20,23	25:25	memory	182:8
110:24	147:1,2,	194:1,5,	26:14	111:6	190:9
111:10	9,11,13	12,16,17	27:25	120:1,16	239:21
112:4,7,	150:4,6,	195:7	40:14	mention	Michael
10,12,17,	13,19	196:1	45:21	73:13	20:9 21:4
22 114:11	152:25	207:12,13	51:9,10	209:19	23:21
115:21	153:6,16	209:6,16	60:11	mentioned	149:25
116:1	154:24	210:10,16	61:2 64:7	204:10	150:10
117:19,20	155:6	211:3,22	79:13	206:8	232:20,24
118:5,10,	156:2,11,	212:8	84:10	207:20	235:1
14 119:21	16,24	224:13	87:8	merchandi	Michaels
120:5,10,	157:3,4,	225:22	89:18	se	235:2,6
22 121:3,	5,6	226:19	91:8	212:16	247:24
4,8,11,20	158:13	227:2	92:17	messed	Michele
122:4,11,	159:6,10	228:1	98:4	35:1	15:12,17,
15,20,24	161:3,8	231:23	99:18	messing	22 19:19
123:1,10	162:16	232:13,18	101:7	227:14	microphon
124:4,5,	163:14	233:9,12,	106:2	methamphe	e
11,13,17,	167:3,8,	18,23	108:18	tamine	139:17
18,20,21	14,21	234:1,2,	112:25	31:19	military
125:25	168:1	6,8,14,	116:4	39:10,16	35:7
126:2,3,	169:21	21,23,25	118:18	methamphe	37:13
6,9,10,16	171:21	235:3	126:19	tamines	140:19
128:13,20	172:5,6	236:16,22	128:23	31:12	141:25
129:19,23	173:4,6,8	237:24	130:19	methods	142:22
130:7,12,	174:8,10,	238:4,5,	132:4	201:11	144:9,16,
16 131:21	18 175:2,	10	135:20	213:6	17,22
132:1	7 176:22	239:18,	137:14	219:21	Miller
133:4,7,	177:2	21,23	150:22	Metro	10:21
14,17,20,	178:11,	240:5,8,	153:9	8:12	11:23
22 134:2,	16,20	11,15,21	155:15	47:1,2,	185:25
5,8,11	179:2,6,	241:2,7,	159:13	23,25	186:1,3,
135:3,4,	9,15,18	12 243:2	161:11	50:7 57:7	24 187:1,
12,16	180:3,9,	244:4,7,	172:9	58:13	15,16
136:17,20	10,12,17	13,21,24	175:10	59:7	188:14
137:1,6,	181:5	245:4,14,	177:5		
11 138:1	182:4,8,	17,23	180:20		
139:7,10,	11,14,17,	246:2,3,	185:7		
12,16,24	20,24	4,5,6,11	188:8		
140:6,11,	183:3,8,	247:12,	189:20		
17,22,25	11,14,20	14,16,20			

Miller's 10:18 12:8	139:1,3 154:16, 18,20 158:21 160:9,10, 11	53:3,12 mistake 194:4	239:5 months 16:24 32:10 34:20 56:2 59:6 85:2 90:10 91:23 92:1 98:20,23 102:13,16 117:2,5, 12 119:13 128:2 148:7,11, 19,20,21 158:20 160:6,8 166:11 176:16 177:19,23 181:20 182:15 190:24,25 191:3 202:22 236:3,4,6 237:16 239:5	204:21 212:7 214:13 215:24 217:6 226:18,23 227:9 243:8 Moreover 219:13 morning 4:9 16:14 20:11 21:1 24:18 25:2 26:6,7,8 28:9,10 29:22 44:3 46:5,6, 16,17 64:16 65:4 81:6,7 84:20 87:19,21 88:22 98:9,11 101:22,24 103:6 106:14,16 107:11 109:14,15 110:25 112:7 116:10,12 117:19 119:4,6, 22 131:6, 7 Morongo 38:16 most 9:3 85:14,16 93:21 136:21	137:8 205:15 207:15 mostly 62:15 mother 121:22 183:10 184:12 motion 6:22,25 7:3,6 9:13,17, 20,23 11:12,15, 19,22 12:1,6, 13,17,20, 23 13:14 14:22 15:4,5,7, 10 19:15, 23 20:1, 4,15 23:16 24:3,5,6, 9 25:12, 19,23 26:1 27:6,16, 21,23 40:2,3,6, 12 42:12, 13,15,23 43:2,13, 14 45:6, 15,19,22 59:23 60:2,5,9, 13,18,21, 25 61:3 62:24 63:18 64:2,5,8 78:25 79:8,11 84:1,5,8 86:25
million 206:23		mistaken 240:17			
mind 33:8 95:15 190:9 233:3	173:19, 21,25 176:15 177:22, 24,25 181:18,19 186:10 189:1	mistakes 145:11 207:10			
mindful 205:24		misuse 222:1			
mine 93:22	191:5,8 193:15 194:4 239:7,9, 11	Mm-hmm 66:14,21 110:18,21 181:3 185:24 190:11 211:19			
minor 53:7 56:5,6,7		mobile 33:25			
minors 201:14 219:23	misdemeanors 115:9	model 202:19,20			
minute 5:23 56:23	misinterp reted 103:9 104:17,21	Moetai 46:4,12, 13,14 56:22 60:14			
minutes 5:6 43:20 126:21	misleadin g 77:2,7	mom 183:12, 18,21 184:1,5			
Miozza 207:16	miss 82:11 140:10	moment 21:14 77:15 167:17			
Miranda 175:25 232:25	missed 56:25 82:12 248:22	money 140:7			
misdemean or 90:8 91:24 93:3 98:18,19, 22 102:8, 15 110:4 116:22 119:11 132:21 136:10,12 138:24	mission 223:23 229:9,23 Missouri 44:13 misspoke 18:21	moneys 6:8 monitored 32:2 month 190:25 191:4	more 14:15 18:8 19:11 30:3 40:16 48:9 56:6 57:12 67:13 76:8 78:14 80:2 87:16 109:2,8 123:17,18 156:15 160:13 171:12,17 190:23		

87:3,6,9, 10,17 89:9,13, 16 90:18, 20,22 91:4,6 92:9,12, 15,18 95:23 96:1,4,14 97:20,24 98:2,5 99:6,13, 16,19 100:22,23 101:2,5,8 105:18, 21,24,25 108:9,13, 16,19 112:16, 18,20,23 115:20,24 116:2,5 118:9,12, 16,19 120:9 124:3,9, 14,22 125:24 126:1,14, 17 128:12, 15,18,21 130:11, 12,14,17, 20 131:20, 22,24 132:2,5 135:11, 12,14,17, 18,21 137:5,9, 12 147:7 150:12, 17,20,23 152:24 153:4,7, 10	156:10, 12,22,25 157:8 159:5,8, 11,14 161:2,4, 6,9,12 171:20,22 172:3,7 175:1,5,8 176:21,25 177:3,6 180:8,13, 15,18,21 184:23 185:2,5 187:23 188:3,6 189:9,13, 15,18 194:11, 14,18 233:20 234:13,15 236:15, 20,23 237:1,23 238:2,8 241:6,8, 10,13 245:3,16, 18,21,24 248:5,10, 13,16 motioning 6:24 9:14 11:14 14:24 25:13 27:19 45:8 84:2 89:11 92:10 97:21 100:24 108:11 126:10 137:7 150:13	153:1 175:2 176:23 184:24 187:24 234:9 236:17 237:25 248:6 motivate 206:14 motor 197:15 Mountain 42:15 move 12:8 13:13 19:16 22:19 23:19,23 27:9 28:24 37:24 41:18 57:10 63:20 79:2,15, 22 87:2 95:24 97:5 99:10 105:20 115:22 117:24 118:10 159:6 163:11 189:11 194:13 208:15 226:24 231:5,6, 12 242:2 moved 21:23 51:21	89:3 138:2 162:20 163:7,10 166:5 movement 197:10 219:1 moving 79:16 166:1 Mr 10:18,21 14:6,7, 10,14,25 15:2 20:16 21:1,15 22:9,13, 22 23:8, 10,12,17 24:14,21 25:2,16, 17 26:7, 23 27:3, 14 28:5, 8,10 29:7,9,13 32:15,18, 21,25 33:23 34:13,15, 18 35:13 36:4,6, 11,16,18, 21 38:1, 3,18,25 39:3,14, 21 40:19, 24 41:1, 4,7,9,21, 23,25 43:16,25 44:3,10 45:2,10, 13,24,25 46:4,12, 13,17,21	47:7,14 48:16,21 49:1,10, 15,19 50:14 51:17 52:15,21 54:8,11, 13 56:11, 13,20 58:11,17, 22 59:2, 5,15,19 61:12,16, 19 62:12, 22 63:2, 10,13,24 64:10,13, 15,19 65:1,4, 10,23,25 66:2,12, 14,18,21 67:1,7,25 68:2,6 70:15,17, 23 71:2, 19,22,25 72:11,14, 18 73:16, 18,20,24 74:1,4, 11,13,20, 24 75:4, 16 76:4, 19,23 77:1,3,6, 8,17,22 78:7,9, 20,23 79:5,23 81:5,7, 10,12,14, 20,22,24 82:2,12, 16,18,25 83:7,15 84:15,18, 21 85:6, 7,11	86:11 87:17,21, 23 88:21, 22 89:1, 24 90:1, 3,4,6,16 91:4,13, 15,17,19 92:7,11, 20,23 93:1,10, 12,14 94:20 95:4,6,8, 11,13,17, 18,21 96:19 97:1,3,6, 9,18,22 98:7 99:25 100:1 101:20,24 102:1 103:4,6,8 104:15 105:13, 14,16 106:10, 12,16,18, 20 107:10, 11,14,16, 18,23 108:1,4 109:6,10, 14,15,16, 20,22 110:16, 18,21,23, 25 111:2, 11,19,24 112:2,7, 9,11,14 113:7,10, 15,18,23 114:4,8, 14,18 115:18,22 116:8,11,
---	---	--	---	---	--

12,15,18, 19 117:18, 20,22 118:22,25 119:6,8, 9,20,22, 25 120:14 121:7 123:2,5 124:8 125:6,16 127:13, 16,20,22 128:10, 14,16,25 129:4,6, 7,19,22, 25 131:2, 5,7,10, 11,18,22 132:8,10, 14 133:3, 5,6,11, 15,21,24 134:4,7, 10,16 135:13,24 136:1,4, 6,16,18, 19,22 137:21,24 138:4,10, 12,16 139:6,8, 9,11,14, 22 140:1, 9,12,18, 24 141:2, 5,9,13, 17,20,22, 25 142:3, 13,16,20, 25 143:2, 6,9,21,25 144:3,5, 7,10,14, 21,24 145:2,9, 18,23	146:3,11, 13,15,18, 20 147:3, 13,23 148:3,8, 13,15,18, 21,23 149:2,8, 19,23 150:1 151:18,21 152:5,6, 9,17,22 153:1,12, 14,22,25 154:5,9, 23,25 155:2,12 156:13 157:13, 16,21 158:4,7, 12,17 159:3,17, 24 160:1, 2,19,21 161:4,15, 18,23 162:15, 17,18 163:14,21 164:1,7, 23 165:4, 6,10,14, 22 166:2, 7,11,15, 25 167:7, 10,12,14, 18 168:2 169:3,18 170:23 171:1,7, 12,13,18 176:7,9, 19,23 177:9,11, 12,14 178:10, 12,15,19, 23 179:1,	6,8,13,17 180:6 181:2,4, 6,11,13, 25 182:1, 5,7,9,13, 16,19,22 183:2,5, 10,13,18 184:5,8, 10,21 185:22,25 186:1,3, 24 187:1, 15,16 188:14, 19,21,23 189:7,11, 24 190:3, 6,10,12, 16,19 191:15, 20,21 192:10, 15,25 193:3,6, 13,18,22, 25 194:2, 7 195:3, 18 201:24 202:14, 21,23 203:5,12, 14 204:14, 18,19 205:2,4, 5,18 211:7,12 212:4,10 214:3 215:11 224:15 226:6,18 228:11 232:1 235:22 236:13,17 237:4,9, 11,12,21,	25 238:13, 17,21,23 239:17, 19,20,22 240:2,7, 10,12,16 241:1,18, 21,23 243:1,3,5 244:8,11, 16,23 245:19 246:10,17 247:9,13 Mr. -- 160:18 191:17 Mrs 122:4 Ms 10:2,7 15:17,21 16:5,6, 14,17,22 17:4,5,8, 11,13,15, 17,21,24 18:1,10, 14,23 19:1,5 20:6,7 62:2,8 80:12,19 81:1,2 98:11,13 99:4,22 101:13,18 122:3,9, 12,19,23, 25 127:3, 8,11 151:9,14 168:14,21 169:5 170:2 172:16, 17,23	173:11, 12,15 174:7,8, 9,13,19, 22,24 175:21,23 181:6,9 190:8,11, 13,17 202:7 205:24 206:3 209:13,17 210:15,22 211:2,17, 19 216:6, 14 220:25 221:2 228:4,6, 18 229:1 230:8,17, 19,24 231:8,16, 19,24 232:12,15 235:12,17 much 28:2 36:2 38:10 41:1 98:7 128:25 134:11 135:24 184:3 202:18 206:8 229:25 232:8 247:9 muddy 78:4 multiple 47:24 88:16 muster 61:9 my	14:18 15:21,22, 25 16:3,9 17:1,2 18:1,4 20:16 21:3,10, 14,15,16 22:18 25:2 26:11 28:13,17 30:14,15, 21,23,25 31:2,3,5, 6,7,8,16, 20,21,22, 25 33:10, 13,19,25 34:8,23 35:2,10, 20 36:7 37:22 41:9,13, 17 44:3, 10,14,18 46:4 54:24 56:21,22, 25 57:19 60:18 62:12,13, 18,19,20 63:1 64:21,22 65:4 66:2,23 67:21 74:4,6, 13,14,15, 20 75:19 77:6 78:14 79:17 82:20 85:12,15, 17,19,20 86:11,13, 15,16,17, 21 90:20
---	---	--	--	--	--

93:14,15, 23 94:10, 24 95:8 103:10, 14,16 104:18,23 105:4 107:19 111:2,4,6 113:19 117:23,24 118:1 120:1 121:7,22 123:15,24 130:1,2, 5,6 140:3,12, 13,19 144:1,7, 16 145:18 148:23 162:18 163:5,15, 21 168:7, 14 169:9 172:1 174:2 179:11 182:7,9, 23 183:6, 10,18 184:5 187:8 191:24 193:9 202:16 204:20,21 205:25 206:5,7 224:14,23 226:3,25 227:10,22 228:7,9 229:24 230:5 240:2 243:6,16, 22,24 244:1,3,	17 246:17, 18,19,21, 22 myself 33:7 41:4,6 43:12 56:15,21, 24 58:15 103:22 133:15 204:19 mystery 153:3 196:17 197:2 203:6,7 204:12, 15,16 211:23, 24,25 212:11 213:5,23 214:9,17, 18 217:25 221:5,11, 13,19,21 222:2,7, 12,17,25 223:7,10, 15,19 225:12, 13,17 226:5,8, 9,20 227:3,7, 16 228:15,23 229:2,7, 18 <hr/> N <hr/> NAC 200:22 218:9,15, 16	219:10, 14,24 221:16 227:14 name 14:13,25 15:16,21 20:16 21:4 25:2,5,7, 15 26:11 28:13 31:22 41:9 44:3,10 46:3,4 48:15,16 51:25 52:3 56:21 59:25 60:3 61:4 62:12,13 65:4 66:23 68:12 74:14 95:8 100:13 113:19 122:2 141:15 142:9 144:14 147:8 151:17 153:21 158:11 159:23 168:14 182:17 202:16 204:22 205:25 narcotic 173:23 191:2 narcotics	37:9 39:12 NASCARS 26:23 Nathanal 109:10 126:7 national 199:17 223:9 nationall y 211:15 nationwid e 48:16 60:4 native 62:13,17 natural 201:2,5 219:5,14 nature 28:17 229:22 nay 96:10,14 124:20,21 157:5 246:4 nays 96:9 124:19 NDOC 190:24 191:3 neatly 208:19 necessari ly 207:9 213:22 217:2	necessary 22:24 25:7 137:17 necessity 48:15 202:24 221:6 need 6:19 13:25 16:9 21:19,23 56:18 57:8 61:7 82:10 85:13 86:1 87:13 89:22 107:15 119:23 123:18 126:20 129:23 148:24 163:3,4 164:14, 17,22 165:2 166:17 175:19 179:9 182:8 203:6,8 204:5 206:24 215:16 225:16,23 226:16,22 231:14 232:2 239:25 248:19 needed 18:2 53:13 58:9	78:10 104:10 147:5 164:8 needs 41:15 80:16 106:4 183:25 negative 43:15 213:22 neither 133:22 Network 217:13,23 Nevada 4:1 13:2, 6 20:19 21:22 26:16,17 27:9 28:22,24 29:1 41:10 44:4,15 46:10,20 59:17 62:17 66:25 71:5,6,7, 13 72:25 73:3,7,9, 13 74:24 75:3,5, 10,15,18 77:19 93:4 107:3,4 134:15 135:5 157:19, 21,22 160:8 163:1 173:18, 21,23,24
--	---	--	---	--	---

178:4	142:20	116:7	10:8	63:15	101:2,5,
181:15,	144:17	125:4,8,	11:6,15,	64:2,5,8,	8,19,25
18,19,21	157:13,	10,11	19,22	11,14,16	103:3
186:10	17,18	129:2	12:11,17,	65:8	104:4
189:1	164:1	132:7	20,23	67:12,21	105:15,
190:22	165:14	135:23	13:13,25	68:1,4,8,	21,25
191:1,5,	166:22	137:22	14:4,8,	14 69:2,	106:3,11,
8,9	167:18	147:3,16	11,18	10,18,22	17 107:9
196:15	178:20	148:6	15:4,7,10	70:2,6,23	108:6,13,
198:2,4,	182:14,	151:1	16:4,11	71:16,20,	16,19
7,11	21,25	158:6	19:12,23	23 72:1,	109:7,16,
200:2,22	233:2	161:14	20:1,4,8,	20 74:22	19
214:25	new	166:20	25 22:5,	75:2,19,	110:14,
218:7,8,	6:8 19:3,	181:1	18 23:5,	23 76:6	19,22
10,18	18 23:19	189:23	14 24:2,	77:9,13,	111:12,
219:25	24:15,16	204:20	6,9,18	20 78:3,	19,22,25
220:3,16,	25:15	208:8	25:9,19,	17,21,24	112:3,6,
17,18,21,	26:4	221:1	23 26:1,	79:8,11,	13,20,23
22 222:14	27:10	224:7,8,	8,18	14,24	113:1,9,
223:1,3,	28:21	10,11	27:2,4,	80:11,14,	11,17,22,
11,19	42:16	231:21	16,23	18 81:2,	25 114:5,
229:13,20	45:9	232:6,7	28:1,6,9,	8,11,19,	9,13,15
239:6	52:13,16	234:12	11 29:2	25 82:14	115:7,17,
240:16	63:20	240:1,4	38:12	83:23	24 116:2,
242:1	74:6 79:2	243:7	39:24	84:5,8,	5,9,13,16
Nevada's	89:4	NGO	40:6,12,	11,16,19	117:17
221:5	91:22	230:23	15,20,25	85:5	118:6,12,
222:17	103:25	nice	41:2,20	86:22	16,19,23
Nevadans	154:11,	33:2 38:7	42:9,23	87:3,6,9,	119:2,7,
221:10	14,15,17,	46:6	43:2,11,	22 88:9,	19 120:6,
223:24	20 216:8,	214:8	17,22	19 89:6,	11,21
never	14,15	night	44:1,9,25	13,16,19,	121:9,14
31:13,18,	225:19	29:13,15,	45:3,15,	25 90:2,	124:1,9,
23 32:4	242:2	20 31:3	19,22	5,15,21	12,14,19,
33:6,9,19	newspaper	32:5 39:7	46:1,6,	91:6,9,	22 125:7,
35:17	s	nine	11,14	14,16	13,15,23
44:22	215:17	176:16	48:4	92:6,12,	126:5,7,
81:17,22	next	208:22	49:13,16,	15,18,21,	14,17,20,
82:5	9:24 10:9	209:1	21 52:12,	24 93:9	24
95:15	15:12	Nixon	16 54:25	95:16,20	127:12,21
110:3,8,	24:24	4:4,11,	56:9,17	96:1,4,9,	128:9,18,
13,15	26:3 28:6	12,23	57:25	11,13,21	21,24
111:17	57:8,10	5:14,23	58:16,19,	97:2,4,	129:1,17
115:5	68:11	6:16,21,	25 59:4,	17,24	130:8,14,
116:25	91:11,16	25 7:3,6	11,16,20	98:2,5,8,	17,20
117:15	92:19	8:14 9:7,	60:5,9,	12 99:3,	131:3,6,
133:19,21	99:21	17,20,23	12,21,25	13,16,19,	8,17,24
140:13,18	107:2		61:3,13,	23	132:2,5,
			17,20	100:10,	9,17
			62:1,9,21	15,18	133:2

134:12,20	163:23	195:4,8,	no	86:8,12,	136:2
135:2,8,	164:3,19,	16,19,24	4:24	24 87:16,	137:4,7
14,18,21,	25 165:5,	196:2	5:10,12,	19 88:15	140:9,24
25 136:2,	8,11,16,	202:2,9	15 6:18,	89:8	141:2,5,
5,15	23 166:6,	204:9,17	21 9:9,12	90:2,17	22
137:2,9,	10,14,24	209:4,15	11:11,23	92:8,22	142:12,19
12,15,23,	167:2,4,	210:9,17,	12:5,15	94:24	144:15,
25 138:6,	13,25	24	13:14	95:13,22	17,24
9,11,13	168:4	211:11,	14:9,21,	97:5,7,19	145:3
139:5	169:15,	14,18,21	24 15:12	98:9	146:15,
142:23	19,25	213:8	17:5	99:5,24	17,18
143:1,3,	170:6,24	224:2	19:11,14,	100:1,4,	148:17
8,10,19,	171:3,8,	225:21	19 20:9	5,6,7,24	149:25
23 144:2,	14 172:3,	227:1,24	22:13	101:22	150:4,8,
4,6,8,11,	7,10,24	228:2,5	23:15,21	102:19,22	14,15
19,22	173:3,7,	230:1,16,	24:13	103:14	151:5
145:1,5,	9,13	18,23	25:11,14	105:17	152:7,23
17,20,24	174:2,6,	231:3,9,	26:3,23	106:12,14	153:24
146:5,21	20,23	18,20	27:5	107:2	155:6
147:6,10,	175:5,8,	232:5,16,	33:13,15	108:8	156:9
17,24	11,22,24	19,23	38:1,2	109:8,10,	159:4
148:4,10,	176:8,18,	233:4,6,	40:1	13 110:2,	161:2
14,17,20,	25 177:3,	10,13,17,	41:2,23,	5,7,9,10	163:21
22,24	6,10,13	19,24	25 42:7,	112:15,18	164:7,9,
149:3,9,	178:5,9,	234:5,7,	13 43:9,	113:15,22	11 166:4
20,25	24	12,15,18,	15,22	114:9,13,	169:3,18
150:5,7,	179:19,24	22,24	45:5 46:1	21 115:4,	171:19,22
17,20,23	180:2,4,	235:1,4,	48:21	19	173:1,9
151:1,15,	11,15,18,	18	49:10	116:10,24	174:20,25
20,22	21 181:3,	236:12,	51:25	118:8,24	175:3,25
152:1,6,	8,24	20,23	52:8	119:4,16	176:2,3,
16 153:4,	182:2	237:1,5,	54:11,13	120:8	5,20
7,10,13,	184:11,19	10,20	59:22	122:15	177:10
15,19,23	185:2,5,	238:2,7,	60:3	125:16,	178:23
154:7,10,	8,20,24	11,14,18,	61:14,19,	17,18,19	179:6,17
22 155:8,	186:2,18,	22 239:16	20,25	126:7,11,	180:3,7
13 156:1,	22,25	241:3,10,	62:23	12	181:8,9
7,14,22,	187:12,20	13,16,19,	63:7,17	127:13,	182:9,13,
25 157:7,	188:3,6,	22 242:6,	64:11	16,17,18	16 183:6
15,19,23	9,15,20,	10,13,16,	68:2	128:11	184:3,22,
158:5,9,	22 189:6,	20,24	70:15,19	129:3	25 185:25
14 159:2,	13,15,18,	244:5,25	73:2,13	130:10	187:22,25
8,11,14,	21,25	245:7,15,	74:19	131:4,19	188:17
18,22,25	190:4,7,	21,24	78:25	132:9,11,	189:8
160:3,14,	18	246:9,12,	80:12	12	190:1,2,6
17,20	191:14,16	24 247:7,	81:4	133:19,	191:16
161:1,6,	192:3,8,	11,15,17,	83:12,15,	20,21	192:7,14
9,12,16,	11,23	23 248:2,	22,25	134:4,6,	193:24
19 162:7,	194:8,14,	10,13,16	84:18,20	8,10,17,	194:5,7,
12,14	18,21	249:20	85:25	23 135:10	10 195:5,

20,22,25	nondisclo	143:20,	70:4,8	134:10,14	213:22
203:22	sure	22,24	71:6,13,	136:10,	214:5,18
211:7	105:11	144:12	17,24	12,13	215:17,23
212:10	118:11	153:17	72:16	137:16	216:5,16
217:13	162:8	156:8	73:2	138:3	217:1,10
218:16	170:15	158:10	74:9,24	139:4	219:7
221:2	none	228:1	75:5,17	140:5	220:20
224:1	5:13	239:13	76:17,21	144:14,18	222:8,15,
226:7	108:2	247:25	77:5	145:4	24 224:3,
227:19	134:18	not	79:6,21	148:2,8,9	19 225:2,
228:7	174:3,4	5:1,3,7	80:20	150:2,10	6,15
231:25	186:20,22	10:18,23	81:17	152:2,15	226:8,12
232:23,25	228:1	11:25	82:24	159:1	227:11
233:1,6,	nonemploy	13:10	84:12	162:2,8,9	228:3,7,
14,19,20,	ee	16:21	85:3	164:21	10,14
21 234:9,	220:1	18:25	86:1,5,8,	165:3,12,	229:13,
10,18,20,	nonethele	21:7	15 88:2,	18 167:19	14,16,20,
21 235:1,	ss	22:9,14,	4,5,7,15,	168:24	22 230:3,
6,8	215:18	15 23:16,	17 90:13	169:18,23	9 231:25
236:14	nongovern	17 30:6,7	92:4 93:7	170:13,	232:24
237:7,22	mental	31:9 32:5	94:20	18,20	233:7,24
238:19	219:7	33:13	95:2,13	171:4,24	236:8
239:11	nonlicens	34:1,22,	97:15	172:11,13	237:18
240:7,19,	ed	24 35:2,	99:1	177:18	239:9,12,
23 241:5,	220:2	4,5,6,11,	100:13,21	178:19	14 243:4
20	nonrestric	17,18	101:11	179:8,11,	244:2,9,
244:11,23	ted	37:23,24,	102:9,10,	13,14	21
245:2	201:16	25 39:11,	17,20,23,	182:2,12	246:14,16
247:24,25	noon	20,21	25 103:1,	183:24	248:5
248:1,2,	125:12,13	40:16	12,13,21	188:9	249:3,11,
3,4,7,18	150:11,16	41:14	104:19,	190:7	18
No. 63	192:20	42:7	20,25	191:8,23,	note
127:15	normal	43:10	20,25	24 192:18	117:6
Noah	192:20	47:15	105:2,3	193:7,8,	170:16
87:16	normally	48:17,18,	106:23	9,11,12,	242:16
100:5	231:20	20,21,25	107:3	20 194:1,	noted
nobody	north	49:9	108:22	22	217:19
49:8	5:11 41:3	50:17	110:6	197:18,25	notes
50:10	61:24	51:17	113:3,4,	198:11	170:12
142:25	80:16	53:1,5,11	5,11,12,	199:3	nother
nodding	114:11	54:15,23	22 114:2	200:8	37:22
231:10	126:25	55:11	117:8	205:2	nothing
nondisclo	127:14	58:2	119:15	206:23	10:4
sed	138:24	61:5,21	122:21,22	207:9	35:10
119:10	139:1	65:21	123:3,4,5	208:8	38:10
		66:6	127:1	209:9	62:6
		67:19	128:5	210:7	74:19
		68:2	130:21	211:7	
		69:8,9	131:14	212:17,	
			132:23,	23,25	
			24,25		

80:24	21 72:6	200:3,16,	247:20,21	218:24	46:10,21,
101:16	74:6,23	17,25	oath	occupied	24 47:1
127:6	79:25	201:10,17	127:9	33:24	48:8,11,
134:18	83:9	218:7,12,	objective	occurred	24,25
148:8	89:23	16,19	224:19	156:4	49:7,25
151:11	95:10,12	219:3,9,	obligatio	October	50:2,3,7,
172:20	100:21	20 221:15	ns	210:3,4,5	12,18,23
184:1	101:1,9	227:14	220:5	of	51:1,8,9,
185:16	106:5	null	223:22	4:24 5:2,	14,16
190:15	109:2	133:11	obscene	6 7:13,	52:1,4,6
194:7	111:3	134:7,13	117:4	15,18,19,	53:9,14,
235:14	112:8	number	observe	22,23	21,23
notice	113:2	9:3 10:15	211:12	8:1,5,7,	54:5,16,
122:17	125:13,23	33:10	221:22	21,23	18,19,20,
noticed	126:13,25	41:11	obstruct	9:3,9	21,22
6:3	142:5,10	48:19	102:8	10:3,20,	55:7,9,17
notified	144:17	109:11	177:21	21,24	57:13,14,
50:6 52:2	147:20	142:13	191:5	13:2,4,6	15 58:1,
113:2,3	148:1	149:17	obstructi	14:15	3,6 59:14
notify	150:16	151:18	ng	16:14,24	60:12
48:10,11	158:10	153:22	178:17	17:9,17,	62:4,17
50:19	162:19	158:13	obtain	25 18:6,	64:20
111:14,19	165:21	159:23	37:20	21 21:1,	65:2,5,6,
114:1	170:7	161:18	89:22	5,18,23	13,16,17,
120:16	171:2,15,	195:17	96:20	23:9 25:4	19,20,22,
242:21	16 175:13	198:1,5,	obtaining	26:12,23	25 66:1,
November	182:25	10,12,23,	197:7	27:8	3,6,8,9,
247:6	183:6	25 199:4,	198:24	28:20,21,	18,23,25
now	184:17	5,13,15,	213:18	22,23	67:17
10:10	185:15,16	17 200:23	218:22	29:20,23,	68:23,25
11:3	188:12	201:15	221:20	25 30:2,	69:17
13:15	194:21	215:12	obtains	8,10	70:5 71:2
14:25	204:23	234:4	199:21	31:1,6	72:3,5,
21:5,7,14	209:10	numerous	obviously	33:3,17	22,24
22:3,14	213:13	53:8	18:5 22:3	34:6,23	73:9,13,
28:24,25	215:13	69:13	30:11,22	35:21,25	19 74:16
34:25	216:17	71:8	32:5	36:1,23	75:10,12,
36:8,12	225:11	O	33:18	37:8,12,	14,18
47:6	227:6	o'clock	66:4	16,18,19,	76:9,10,
50:12,19	230:4	80:8,10	225:25	21 38:8	12,13,22
51:20	231:19	100:2	occupatio	39:3,6,22	77:19,24
52:10,13	232:10,17	151:2,25	n	40:11	78:11,12,
56:23	233:22	159:20	197:9	41:12,13,	18,22
62:17	234:10	196:5	213:19	42:1,22	79:20
64:22	247:2	233:16,22		43:10	80:22
65:2,20	248:5,8			44:15,17,	81:15,24
68:6,10,	NRS			18,22	82:2,4,9,
	198:17,22				10 83:3,
	199:21				13,18
					84:14,24

85:23	21,23,25	24 174:3,	3,5,6,7,	23 223:2,	113:13
88:4,6,23	134:3,18	4,11	9,13,15,	3,8,21,	114:20
89:1,2,22	136:8,9,	175:3,14	16,18,19	24,25	117:23
90:9,12,	11 137:7,	176:11,	201:2,4,	224:14,	135:6
13 91:10,	16,18	12,14	5,6,7,9,	15,23	141:15
22 92:3,4	138:18,	177:16,	10,11,13,	225:10,	142:10
93:4,7,21	22,23,24,	17,20,22,	16,17	11,17	156:18
95:19,25	25 139:2,	23,25	202:15,	226:2,4,	167:11
97:11,14,	3,17,20	178:3	18,19,20,	10 227:9,	169:22
15 98:15,	140:7,21	179:4,5,	24 203:3,	20 228:7,	170:3
19,20,25	142:13,	7,16	8,13,16,	8,16,18,	176:24
99:1,11	19,21	180:4,22,	17,18	22 229:3,	179:10
101:14	143:11,17	24	204:21,22	9,10,12,	212:15
102:3,12	144:8,14	181:15,	205:2,9,	13,18,19,	224:14
103:1,7,	145:7,14	17,19,21	10,15,20,	20,21	225:11
12,21	148:1,7,	182:9,12	25 206:5,	230:10,25	off-the-
104:16,	10,11,17	183:11	16,22	231:4,22	record
17,18,23,	149:14	184:1,7,	207:5,14,	235:15	149:24
24 105:11	151:3,10	8,12,16,	17,18,20,	236:19	150:25
106:4,24	152:13	18,25	21 208:5,	238:6,7	155:18
107:1,3,	153:3	185:11	9,23,24,	239:3,4,	195:15
4,6,12,	154:2,3,	186:5,8,	25 209:9,	6,7,8,9,	232:22
19,22	6,11,13,	9,10,11,	20,23	11,13	Offender
108:3,12,	14,15,17,	16,20,22	210:1,13,	240:6,9,	7:25
24,25	18,19	187:25	25 211:9,	22,23	offense
109:2,25	155:1,14,	188:2,25	25 212:5,	241:9	8:6,8
110:2,4	15,17	189:1,3	14 213:2,	242:1,11,	137:8
111:1,16	156:17,19	190:13,	3,9,18,22	22 243:8,	160:9
112:18	157:16,24	22,23	214:1,23	10,24,25	offenses
113:13	158:1,19,	191:1,2,	215:6,7,	244:3,8	162:4
115:4,8,	25 159:7	4,6,7,8,	8,12	246:6,17	offer
12	160:5,7,	9,11,12,	216:7,10,	247:2	122:7
116:23,24	10,15,22,	20,24	23,25	248:22	209:19
117:3,9,	23,24	192:5,19	217:2,3,	off	office
11,14,22	161:17	193:9,10,	8,16,25	20:18	6:9 9:4
118:11	162:8,9,	17,21	218:4,7,	27:8	22:8,25
119:23	25	194:21	11,13,17,	29:25	40:17,22
120:17,24	163:10,	196:14,19	18,22	31:6 34:7	55:15
121:14,	17,19,22	197:2,3,	219:2,6,	53:17	78:8
17,23	164:9	7,12,13,	9,10,13,	68:21,24	79:20
122:13,22	165:5	14,17	15,16,17,	76:14	80:4
123:3,12,	167:15	198:2,3,	18,19,20,	77:8	84:17
16,17	168:7,17,	5,6,7,8,	21,22,23	78:10	85:12,23
124:23	22 169:23	12,15,20,	220:2,3,	81:8	86:1
127:4,25	170:14,23	24,25	18,21,22,	82:23	87:14
128:1,4,7	171:23	199:2,7,	23 221:3,	94:16	89:22
129:15	172:1,2,	8,9,10,	5,6,8,9,	96:12	91:11
130:2,6	20	11,16,18,	10,11,12,	103:21	
131:12	173:17,	19,21,24	14,19,25	104:18	
132:7,19,	20,21,23,	200:1,2,	222:4,12,		

92:19	45:9 54:9	17:4,21	84:25	15	210:4,11
96:21	56:24	18:6	85:20	144:20,23	212:5,14,
99:20,21	59:12,13	19:3,7	86:3,16	145:5,13,	18,20
106:8	60:15	20:14	87:2	20 146:5	214:3,7
108:21	62:14	22:25	88:10,17,	147:3,7,	215:3,11
116:6	63:6,21,	23:23	19 89:11	24 148:1,	216:9
120:18	22,25	29:13,20	93:16	10,22	217:5,17
125:4	78:22	30:15,19	94:2,3,16	149:14	222:6
129:2,14	79:3,5	31:11,13	95:10,12,	150:15	223:9
130:25	93:20	32:11	13,25	152:3	224:5,8,
132:6	102:9	33:23	96:17	153:2	10,11,14,
135:22,23	118:2	34:3,9,19	97:23	155:13,	18,20,21,
137:19,21	167:16	35:10,15	99:11	14,21,24	23 225:5,
145:25	191:6	37:22	101:9,20	156:13,	9 227:9,
149:6,12	198:4,8,	39:5,6,	102:19,22	16,20	25 228:2,
153:11	13 239:8	10,13	103:14	159:7	7,12
158:6	243:17,23	40:9 41:3	104:8,15	162:1	231:1,17
159:15	officers	42:22	105:4	163:4,14	232:17
161:13,14	30:11,12	43:10,14,	106:22,	164:19,	236:4,18
164:15	70:11	22 45:1	24,25	22,25	238:1
166:13	198:1,6	46:18	107:13,19	165:3,17	239:12,21
168:16	official	47:12,23	108:11,22	167:13,15	240:18,22
169:14	198:5,9	48:1,2,12	110:5,7,	169:9,12,	241:9,16
175:20	239:13	49:1	14 111:13	15 170:3,	242:3,6,
177:7	offline	50:11,20,	112:18	4,8,15	16 243:6,
180:25	33:13	22 51:4,	113:19	171:4,5,	19,20,25
188:12	135:4	22 53:5,	114:22,24	9,14,22	245:9,19
189:22	often	19 54:1	115:14,23	172:2,25	246:6,16
213:9	212:19	55:23	116:24	174:5	247:2
225:16,24	old	56:7	117:24	175:3	249:9,12,
226:1,15	28:14	57:5,8,	118:11	176:17	21
230:25	82:19	10,20,21	119:11,	179:9,24	once
237:2	94:7	58:8,20,	15,17	182:8	18:16
238:15	155:2	24 59:5,9	120:11	183:9	30:10
239:24	169:5	61:4	124:6	184:25	31:13
246:25	officer	63:10	126:3,12	185:12,18	32:4
247:8	15:1	65:13	128:17	186:15,19	37:18,20,
	23:20,25	66:9,16	129:24	187:4,25	21 39:15
	27:11,12	68:19,20	130:5,13	189:14,23	50:19
	28:19	69:5,9	132:17,22	190:9,10	162:22
	31:2	70:7,18,	133:10	191:6,14,	163:2
	34:21	20 72:14,	134:2,5,	16,21	166:18
	35:23	22 74:8,	22 136:25	192:3,5,	171:1
	39:17,20	9,13,14,	137:7	7,8,11,16	182:20
	40:5	15,19,25	139:12	193:2,10,	247:4
	41:16	75:13	140:12,14	24	one
	42:16,18	76:13,24	141:14	194:13,22	8:6,8
		77:12,18	142:9,13,	205:20	14:12
		78:12	18,23	208:4,17,	20:13
		80:19	143:1,10,	20,22,25	

21:5	136:13	242:6	244:16	221:21	148:4,11
27:22	137:18	245:7	onto	operator	options
30:16,21	139:14,22	246:12,17	111:18	21:3	147:25
32:17,19	140:3,10,	247:25	115:5	operators	order
33:3,7,	12 141:6,	248:1,2,	192:19	205:10	79:20
17,21	8,9,14	18,21	open	opinion	102:16
34:23,24	142:2	ones	7:23	54:24	104:8
35:24	143:25	56:15	11:25	196:25	116:23
37:6,7,	148:11,12	78:1 89:2	26:16	213:11	151:3
10,20	149:4	125:9	44:20	214:4,5,9	161:17
38:21	150:2,24	140:5	167:24	215:5	171:10
39:6,14	153:19	175:18	202:4,5,	225:11	173:21
41:3	154:19	247:17	10 222:13	226:25	213:2
46:21,23,	156:5,19	online	227:3	227:10,22	229:11
24 47:1	157:7,8,	111:2	243:14	228:24	ordinary
49:2 51:8	11 158:22	249:13	244:14,15	229:2,4,	221:21
52:6,16	161:17	only	operate	6,24	organizat
53:5	162:10,24	13:1	77:18	230:4,21,	ion
54:1,4	163:10	14:12,18	204:4	23 231:1,	219:6,9
56:5,6,11	164:22	16:14	223:7	7,22	organized
57:2	166:2	50:1	operated	opinions	199:2,16
58:14	167:9,15	74:17	222:18	214:17	original
59:25	168:7	86:6	operates	opportuni	163:15
60:1	169:4	104:9	203:4,16,	ties	originall
70:19	170:21	107:1	21 204:3	223:1	y
72:22	174:14	116:20	operating	opportuni	88:4
74:25	175:12,21	139:14,15	21:20	ty	117:6,13
75:12	176:12,14	140:2	54:9	32:6	162:1
76:8,9	177:21,22	141:5,6	operation	84:12	187:7
77:15,24	181:18,23	144:15	178:17	87:11	236:10
78:7,17	185:15	148:6	operation	89:20	other
80:15	186:13,16	157:18	al	106:6	6:12,14
81:3,15	188:10	162:10	120:19	118:20	11:10
84:13	191:12	165:19	201:6,11	137:18	17:22
85:3	192:19	168:24	219:16,21	147:4	18:3
87:11,16	194:25	169:6,8,	221:23	175:12	38:14
89:21	198:19	11 170:4,	operation	185:14	46:23
96:14	200:19	21 186:17	s	194:24	50:25
100:7	207:5	187:9	22:2 23:1	201:21	53:15
101:21	209:18	191:12,20	65:5	202:5	60:1 69:4
104:11,	216:6	192:6	75:14	210:2	77:14
12,13	217:12	193:7	76:10,13,	226:17	78:1,4
109:3,8	226:7	194:23	22 177:21	ops	105:15
114:6	230:3	202:3	205:12	78:18	123:22
115:10	233:18,19	206:23	206:1,4	option	140:5
117:22	234:19	222:15,24		147:25	154:13
118:20	238:6	240:3			
120:11	239:6,7,	243:24			
125:19	10,12,14				
130:3,24	240:13,20				

155:3	65:5 66:7	12,22	13,15,17	out-of-	244:11
170:14,20	67:3,9	34:9 35:5	158:19	state	246:20,23
175:14,18	70:7 73:6	37:15	160:5,7,	221:4	249:11
187:9	74:25	38:8 44:8	10 161:17	222:13,21	overall
196:2	76:24	49:7	162:20,21	outcome	211:9
197:19	82:7	51:1,7	163:3,10	167:21	overhead
202:12	88:24	52:7	164:4,14,	outlined	34:3
204:3,12,	93:21	55:21,22	15,16,22	222:18	overlapsi
25 205:6	100:2	56:1	165:8,17	outside	ng
208:22	129:14	57:3,4	166:3,4,	75:18	166:12
209:1	140:2	65:1,22	5,18	77:19	overlook
210:1	141:15	67:8,18	167:10	86:13	166:19
215:21	142:17	68:10	169:4,16	202:16	oversee
216:6	147:14	69:16	170:8	227:21	18:22
219:7	148:25	70:14,16	173:20,	outstandi	50:7
224:23	151:1	78:22	21,23,24	ng	204:4
225:12	192:19	85:11,23,	175:20	68:17	206:1,4
227:24	193:7	25 87:14	176:11,13	over	overseein
241:3	196:4	90:9	177:17,	5:18,20	g
247:19,24	204:3	91:22	20,22,23,	16:3	19:5,6,7
others	205:18,22	93:4 94:5	25 178:3,	18:17	49:8
18:3	206:8,12,	97:11	24 179:4	21:17	223:19
otherwise	20 210:3	98:15	181:15,	39:4	oversees
38:6	211:23,25	101:10	17,19,21	44:6,18	59:14
198:11,	212:11	102:3	183:9,19,	48:9 52:5	oversight
17,22	214:21	106:24	23 185:10	54:21	220:18,23
200:8	216:8,9,	107:3,4,6	186:10,	58:14	221:7,8
219:4	23,24	108:20	11,16	67:3,9	222:6,12
our	217:9	109:25	188:1,13	94:13	223:11,12
6:6,9	218:1,3,	110:4	189:1	103:19,24	overturn
14:16	17 220:3,	111:3	190:22	113:21	91:4
16:8	5,10,11,	115:14	191:1,4,	137:22	92:11
18:16	19 225:3	116:23	8,9,12	144:12,	97:22
26:14,15	226:8,11	117:2,7,9	195:10	19,23	125:3
28:24	227:14,	121:6	196:21	147:3	128:15
41:14	20,21	122:7	213:14	155:12	131:22
44:8	244:13	123:7	214:21	163:6	135:13
47:1,15	ours	127:25	216:4	166:25	153:1
48:16,18	44:22	130:2	217:8	168:2,12	156:12
49:3	ourselves	132:19,	223:2	174:17	161:4
50:13	56:15	20,25	228:14	178:20	176:23
55:15	203:13	136:9,11	232:10	202:22	180:13
57:5,11,	out	138:24,25	239:3,6,	203:23	236:17
13,17,19,	8:1,19,23	139:2	9,11,13	206:5,19	237:25
20,21,23	15:24	142:5,14,	240:18	207:4	245:18
58:13,17,	28:21	21 143:17	242:1	216:5	
18,23	29:23	144:8	243:6,8	243:7	
59:2,6,9	30:9,10,	145:3,12	244:18		
		151:3	247:4,12		
		154:11,	249:6		

own 15:25 18:15 24:23 74:8 183:9 222:17 227:20 228:7	214:7	Park 97:11	parts 59:25	33:3	pay 6:5 53:19,20 92:1 104:1 130:4 140:7 154:17,21 173:22, 24,25 216:17
owned 25:3	paid 17:13 65:20,21 67:1,4, 10,19 68:21 69:14 70:20 75:11,12, 15,17 77:20 94:16 111:3 140:13 244:1	parking 29:25 30:1	pass 61:8 147:2 158:5	passion 205:11	paying 61:18 68:24 69:24,25 70:2
owner 24:22 25:8 41:19 44:12,14, 16 50:15 55:10 186:14 223:25	pandemic 163:9 164:11	parolee 30:13	pass/forge 132:19	past 24:24 41:10,17 52:14 67:2 70:20 103:17,18 206:19,21 243:16	payment 10:19 18:19 68:19,20
owners 21:5	Papa 229:1	part 37:8 46:10 60:12,14 66:6 71:2 74:15 76:14 78:14 85:16,20 103:14 130:5 164:3 207:20 210:1 224:15 228:8	passes 7:6 9:23 11:22 12:23 15:10 20:4 24:9 26:1 43:13 45:22 60:13 61:3,4 64:8 87:10 92:18 96:14 98:5 99:19 101:8 108:19 116:5 118:19 124:22 130:20 132:5 135:21 150:23 153:10 157:8 159:14 161:12 177:6 180:21 237:1 248:16	path 204:5	patience 4:5 152:4
ownership 48:17 55:9	Papa's 228:24	part-time 18:3 63:5	passed 46:24 125:19	patiently 162:22	payroll 18:12,14, 21 67:3
owning 64:21	paper 63:10 95:10,14 164:2,16 170:3	particula r 212:14, 15,24 219:4	patrol 23:20 27:11,12 29:14 40:5 41:19 42:16,18 45:9,10 60:15 63:21,22 79:3,4 198:13	PC 102:15	PD 38:17 50:18 51:2,10 52:7 53:11,13 58:13
P	paperwork 16:22 25:7 44:22 82:20 113:15 187:17 192:19	partner 21:11 65:23 72:19 206:12,19	partner's 66:3 67:9	patrons 221:22	Penal 98:18 131:14
p.m. 126:13,23 195:23 234:10 248:9 249:25	parameter s 222:18	partnered 206:18	partnered 206:18	Patterson 109:13, 14,15,16, 20,22 110:16, 18,21,23, 25 111:2, 11,19,24 112:2,7, 9,11,14 113:7,10, 15,18,23 114:4,8	penalty 10:3 62:4 80:22 101:14 127:4 151:10 172:20 190:13 235:15
page 74:16 82:8,11 85:9 122:17 178:2 183:15, 17,23,24 192:21,23 193:2,10	paraphern alia 39:13 173:24	partners 21:16	partnersh ip 219:8	passing	Pendleton 131:4,5,
	Pardon 34:14				

7,10,11, 18,22 132:8	performed 220:1	163:2 164:7,13 185:10 197:5,12, 18,20 198:23 199:18 200:5,10, 12,19 201:2,5 212:24 213:15 215:2 218:20 219:2,4, 5,6,15 220:3 236:4	philanthr opic 199:1 Philip 44:3 Phillip 61:14 62:12,13 63:21,24 phone 9:2 13:15 14:1,3 17:1 33:7,10, 14 88:5, 16 117:4 149:17 phonetic 68:7 129:14 133:11 141:24 207:16 246:21 247:6 phrase 215:6 physical 23:3 PI 15:22,25 228:12,13 pick 30:8 136:24 picture 210:6 pictures 243:24 pieces 60:2 79:16 PILB 4:6 46:22	47:2 59:7 168:15 218:12,16 222:12 223:3 229:7,9, 21 248:24 PILB's 223:11,12 229:23 pipe 31:13,19 39:16 place 23:21 27:12 29:23 51:16,22 119:15,16 148:13,14 186:15 212:20 216:5 231:17 placed 5:4 19:20 21:10 42:19 45:11 60:17 63:23 134:2 placing 208:14 plan 22:24 30:9 platform 207:18 playing 225:24 plea 83:16 please 10:1,2	15:13,15 20:11 24:18 41:7 49:20 61:22 62:2 64:17 77:17 80:5,20 81:5,8 87:14,23 96:15,19, 24 100:22 101:12,13 119:8 122:2 127:3 149:6 151:7,9 152:8 153:24 157:25 158:16 160:1 161:22 167:17 168:4 172:18,20 175:19 176:5 177:14 190:8 192:11 235:8,11, 12,21 238:23 pleased 44:23 pled 187:7 plenty 35:25 37:21 106:3 Plus 206:25
people 18:12 34:25 38:5 39:4 40:10 69:13 101:9 123:22 151:4 205:10 207:10 210:18,20 211:24 218:11,18 220:21 225:1 227:20 229:12	performin g 199:4,14 200:3,5 203:7 207:17 performs 200:6 perimeter s 57:12 period 102:10 perjury 10:3 62:4 80:22 101:14 127:4 151:10 172:20 190:13 235:15 permanent 200:19 permissio n 178:22 permit 93:3 173:19 189:2 246:7 person 5:6 22:21 35:16 51:16 58:7 59:16 70:8 76:17 80:15 110:7 119:11	persona 37:22 personal 34:16,24 121:22 personall y 23:11 34:21 78:3,9 personnel 6:4 19:4 37:15 167:16 persons 197:16 198:25 199:19 200:13 perspecti ve 14:16 petty 181:18 Phil 44:21	Peoria 90:9 per 5:6 115:2 121:15 perceived 212:23 percent 6:6,12 57:15 Perfect 40:19,24 119:24 139:18 perform 202:25 219:25 220:15 performan ce 198:5,8 211:10 217:2 220:2		

point 41:5 60:20 185:13 193:16 202:4,9 203:2 210:14 212:12 214:3,21 226:22,25 227:10,23 230:15,22 231:3,11 232:6 239:3	196:22 220:6 portion 217:24 portions 196:14 position 17:16 54:20,24 122:6 214:16 positive 43:10 216:20 217:6 Positivel Y 17:12 possess 173:19 190:22 possessio n 98:15,19 102:3,12 110:1 117:10, 11,13 128:1,3 129:10 138:18,23 154:14, 16,18 173:17,23 176:12,14 177:17 181:22 186:9 188:25 191:1 239:4 possibili ty 142:19	possible 38:22 142:12 143:11 217:22 possibly 10:22 18:4 231:16 232:4 post 57:6 postpone 148:5,25 149:3,5 postponed 109:12 127:16 173:5 176:3 233:4 234:5 potential 10:9 11:7,10 222:1,16 potential ly 213:3 power 184:7,8, 12 PPO 44:14 practice 221:23 practices 222:16 223:16 pre-rolls 94:4 predefine d 220:8	Preferred 221:1 223:25 Premier 45:8 prepared 6:1 54:23 60:19 204:21 prepares 56:13 preplanne d 222:2 presence 23:3 present 4:20 13:11,23 50:15 51:5,6 86:10 168:7 220:20 presentat ion 203:21 205:23 232:14 president 17:17,19, 20 28:20 64:19 78:23 press 107:15 pretenses 223:5 pretty 203:24 205:7 206:8 227:15	preventin g 223:20 preventio n 201:11 219:21 223:9 prevents 223:11 previous 6:11 25:8 65:23 69:15 72:18 107:24 112:19 153:3 170:15 229:1 previousl y 64:23 128:6 237:13 239:1 prices 201:8 219:18 primarily 88:1 206:13 primary 162:4 205:14 218:5 principal 32:25 33:1,5,16 37:16 print 42:4 printer 6:8	printout 191:22,24 192:1,20 prints 10:18 prior 120:23 123:16,18 186:12 187:5,6 204:23 229:4 priors 85:16 prison 88:3 91:23 102:5,7 154:12 158:20 162:6 176:12,13 private 11:24 12:9 16:8 19:18 23:20 27:11,12 32:9 40:5 42:16,17 44:13 45:9,10 60:15 63:21,22 78:13,15 79:3,4 196:15, 16,18 197:3,4 198:12,13 199:3 200:9,23, 24 213:15 215:6,18 217:15,24 218:9,13, 19
--	--	--	--	--	---

220:16, 19,24 221:6,12, 14,25 226:4 227:4,5,8 228:11, 13,16,19, 20 229:3, 11 privy 166:22 proactive 74:25 76:24,25 77:1,5 probabili ty 218:17 probably 18:8 74:20 103:21 104:22 113:25 157:10 180:5 231:5 probation 17:4 47:12,13, 23 48:2,5 50:23 51:24 52:4 54:2,3,4 55:7,12 84:25 85:3 90:10 92:1 93:5 94:16 95:12,18 97:13 98:17,21, 23 102:10,	13,17 109:25 117:2,5, 12 119:13 128:2 134:17 136:11 139:2 141:19 158:22 160:7,8 176:16 177:19,23 181:21 190:25 191:4 236:3,5,6 237:15,16 239:6 problem 56:8 86:13 113:9 114:13 123:21 194:5 200:8 212:23 223:10 problems 29:11 34:17 37:15 47:11 49:12 51:25 157:17 201:12 219:22 procedure 162:25 166:18 procedure s 201:6,11 219:16,21 221:23	proceedin gs 249:25 process 8:16,17 40:18 75:1 96:22 145:21,25 147:20 154:8 166:8 171:15 198:13 216:7 220:10 224:16 230:25 246:23 249:8,13, 17 processed 7:11,15, 17,23 247:3 processes 212:20 produce 129:9 professio nal 10:23 21:25 217:25 professio nally 20:21,23 professio nals 70:12 222:23 professio ns 228:20 229:11	profile 207:4 profit 199:3 program 115:3 117:6 199:18 programs 193:14,18 194:3 progress 29:21 prohibite d 246:8 projects 207:1 promote 223:23 promoting 223:16 pronounci ng 118:25 proof 16:24 181:21 proper 149:14 166:18 208:21 227:9 properly 229:20,23 propertie s 41:24 196:21 201:20 206:7 208:3 209:24	224:17 property 31:11,14, 19,22,23 32:1 72:14 154:16 160:11 190:23 196:19 197:13,16 199:11 201:7 203:13 206:21 207:23 209:8,10, 21,22 210:3,11 219:17 224:18,25 237:16 prosecuti on 135:5 pross 133:11 prossed 134:7,13 prostitut ion 173:22 protect 218:10,17 221:9 223:3 229:12 protectin g 223:20 protectio n 26:21 42:15 44:7,20	45:1 64:23 65:1,21 66:9,22 68:6,10, 12 71:3, 11 72:4, 9,17 74:5,18 77:25 78:2 116:23 218:14 Protectiv e 21:6 protects 223:12 proud 206:17 prove 32:3 provide 26:16 44:7 62:18 67:23 115:3 120:15 129:14 196:13 197:22 200:11 209:5 218:1 220:11 226:18 provided 71:24 72:12 73:3 74:17 114:20 115:11 120:23 121:2 123:16
---	--	---	--	--	---

178:2	5:5,8,10,	purchased	12,13	qualify	quarter's
179:20	11 15:24	94:11	104:21,25	113:5	7:9
198:17,22	102:9	95:2	105:2,3	qualifyin	quarterly
201:3,22	119:14,16	purpose	107:19	g	217:17
218:6,14,	132:20	28:22	111:13	15:1	question
15 219:4,	145:7	197:7	113:19	19:20	10:14
24 220:17	186:15	200:15,18	136:24	23:22	14:12,19
249:9,13	191:5,6	213:6,18	163:4	25:16	16:15
provides	197:19,20	218:22	169:12	27:13	22:18
26:13	199:3,22	229:21	170:8	41:11	23:8
218:12	200:2	purposes	171:7	45:12	26:20
224:21	211:4,20	200:7	179:24	49:13	35:18
providing	218:11,18	pursuant	208:17	50:14	42:4
41:19	220:20	198:10	224:5	51:14,22	51:11
51:3	221:9	199:16	244:19	52:13,14,	54:8
provision	227:24	200:3,4,	putting	20 54:15,	55:24
al	228:10	16,17	79:18	19 60:17,	56:11
7:18	229:12	201:10,17	103:13	20 61:6	59:9 63:1
81:18	239:8	219:14,20	Pyramid	63:23	69:3 72:6
85:4	246:8	pursue	16:1	78:19	73:16
88:4,7	248:17,18	41:18	19:17	249:6	74:13
90:13	249:23	pursuit	<hr/>	qualitative	78:7,17
92:4 93:8	publicati	33:22	Q	218:4	85:22
97:15	ons	34:5,6	QA	qualitative	86:14
99:1	211:19	purview	21:4,11,	ly	139:13,19
103:2	publish	229:3	19 46:10	220:9	147:13
106:22	215:20	push	47:8	quality	163:15
110:15	225:2	12:2	57:20	44:6	167:9
111:17	published	15:19	quadrant	201:8	179:11,12
114:19	211:15	119:23	30:3	218:2	187:3
115:5,9,	224:20	139:16	qualifica	219:18	192:7
14 117:15	pull	232:6	tions	221:23,24	193:10,21
119:17	75:9	pushed	18:11	quals	204:9
128:6	169:5	243:18	qualified	247:6	209:7,13,
129:12	pulled	pushing	16:2	quantitiv	18 210:1
131:15	30:10	208:1	18:2,21	e	212:5
132:25	75:8 77:8	put	21:24	218:4	231:4
152:15	104:18	22:24	22:8,9,	quantitiv	234:2
159:1	144:12,	30:18	14,15,16	ely	245:5
162:3	19,23	31:5	24:22	220:10	246:21
237:18	178:20	50:8,22	42:20	quarter	questione
249:3	pulling	51:16,21	49:9	7:15,17,	d
provision	8:24	85:13,15,	54:15	22 8:5,7	93:25
s	punched	17	60:1	75:11	questioni
65:17	164:7	103:10,	61:4,8		ng
public					249:1
4:24,25					

questions	103:4	208:25	Ramirez	reactiona	134:24
5:19,22	104:5	209:4	81:4,5,7,	ry	152:20
6:14,16,	105:15,17	236:13,14	10,12,14,	211:8	158:7
18,22	106:7	237:20,22	20,22,24	212:12	174:14,15
8:14 9:7,	107:9	239:16	82:2,12,	read	182:22
10,12	108:7,8	241:3,5	16,18,25	11:2 39:4	202:22
10:11	110:22	243:1	83:7,15	82:7	203:1,3
11:10,12	112:14,15	244:5,25	84:15,18	85:19	204:2
12:3,5	115:18,19	245:2,16	ran	86:17	205:19
14:5,9,	117:17	246:17	154:12	87:12	206:11
20,21	118:7,8	249:21	155:15,24	89:1	208:5
16:12	119:19	quick	156:17	100:13	224:4
19:11,13,	120:6,8	14:12	169:10	125:9	231:25
14 22:6	124:2	155:16	229:14	136:23	reapply
23:6,14,	128:9,11	195:10	Rangel	214:7	84:13
15 25:9,	129:17	204:9	235:8	215:1,4	89:21
11 26:19	130:9,10	210:10	ranking	217:11	114:7
27:5 29:3	131:17,19	234:2	211:15	248:17	157:24
38:14,21,	133:2	Quickbook	rankings	reading	174:16
23 39:9,	135:9,10	s	221:25	29:16	185:15
25 40:1	136:15	18:16	rape	155:16	194:25
41:21	137:3,4,	quite	81:15,16	197:17	reason
42:10,13	20 139:5	58:4	rate	224:14	13:4 52:8
45:4,5	146:6	quorum	6:11	reads	60:19
46:12	152:16,	4:22	rather	29:17	78:7
52:18	22,23	quote	103:22	30:19	83:12
54:23,25	154:23	225:12	147:16	real	94:7
56:9	155:9	quote	rating	44:23	107:12
59:21,22	156:8,9	225:12	198:25	155:16	110:25
62:21,23	159:3,4	R	224:20	195:10	122:21
63:15,17	160:17	rack	Raton	204:9	124:23
65:8	161:2	208:17	20:17	207:20	125:3
72:20,22	162:14	raise	reach	reality	157:18
76:6	171:12,	6:5 10:2	87:14	216:24	162:5
78:5,25	17,19	62:2	175:20	realize	163:16
81:20	174:6,23,	80:6,20	reached	112:5	166:15
82:14	25	101:13	30:14	170:16	172:1
83:22,24,	176:18,20	127:3	55:22	214:23	218:5
25 84:16	178:10	140:2	249:5	218:5	227:19
85:5	180:6,7	151:9	reaching	240:8	242:20
86:22,24	181:7,24	172:18	8:1	reasons	
87:14	182:3	190:8	reaction	52:6	
88:21	184:3,20,	235:11,12	203:16	120:17	
89:7,8	22 185:12	raising		163:10	
90:15,17	187:1,13,	208:2			
92:6,8	21,22				
93:10	189:6,8				
95:16,21,	191:17				
22 97:17,	194:8,10				
19 99:4,5	196:7				

recall 123:3,4,5 140:6,22 179:14 183:4,16	recogniti on 14:14	117:23 118:11 120:14 121:2 122:2 127:24 132:16 135:7 145:7,10 146:9 147:12 148:2 149:11,14 152:11 159:7 161:25 166:16 168:6 170:11,12 174:11 196:10 213:1 217:11 248:21	41:4,6 red 34:5 82:8 85:9 redo 7:21 109:3 reduced 98:17 102:14 reference 197:8 213:18 218:23 reference s 229:6 reflect 18:17 reflectio n 51:16 216:25 217:2,3 regarding 5:20,22 6:2,14 120:15 179:3 201:25 regardles s 82:9,10 145:14 240:22,23 regards 6:1 12:25 51:24 55:10,13 72:8 248:25 registre d 53:5 95:5	199:20 236:18 registers 212:16 registrat ion 79:25 84:3 91:5 152:7 208:13 regular 123:18 regularly 198:15,20 regulate 53:22 204:4 218:12 229:10 regulatio n 218:6,15 221:5 regulatio ns 20:23 220:15 230:6,20 regulator y 12:10 15:3 19:22 24:1 25:18 27:15 42:21 45:14 63:25 223:14 reject 239:14 rejected 7:20 11:1	related 201:12 219:22 relating 230:10 relations hip 21:15,17, 25 66:7 198:16,21 201:1 219:12 221:17 relaying 29:24 release 132:24 released 25:8 relevant 205:2 Reliance 110:16 111:13,14 Reliant 112:11 remain 15:1 25:16 61:8 remaining 82:16 remains 222:7 remember 23:16 29:14 38:19 104:22 122:14, 23,24 123:7 124:24,25 140:21
receipt 43:10 217:16	recognize d 207:13,16				
receive 62:18 68:19,20 72:3 89:4 120:18	recognizi ng 207:7,18				
received 13:6 31:18 53:8 63:10 110:4,8, 13 117:1, 15 156:13,16 203:5 221:1	recollect 179:13				
recency 246:6	recollect ion 121:17 164:9 179:7,16 180:3				
recent 63:13 85:14,16 136:21 137:8 221:4	record 10:14 12:25 24:13 37:12 42:7 49:24 53:3 55:6 62:3 65:15 67:15 68:19 71:1 72:3 73:2 75:7,22 76:2,12 77:24 80:21 81:14 84:23 85:25 87:25 90:8 99:11 100:12 101:13 103:11 105:4,10 106:20 109:13,22	recorded 212:18 records 57:5 75:9 89:22 115:13 164:10 166:22 185:19 194:22 197:19 199:22			
recently 21:9 24:15 50:1 62:16 89:3 95:18 207:15	recoup 41:14				
recess 43:21 126:23 195:23	recovery 197:13				
recite 214:6	rectify 74:21				
	rectifyin g 55:4				
	recuse				

158:3 228:4 remind 240:21 reminder 20:13 43:14 161:20 235:19 remove 57:24 removed 75:1 removing 24:14 222:12 Rene 43:23 44:3 45:10,13 renewal 157:24 241:25 242:3,14, 16 245:8, 9,10 246:18 renewed 6:10 245:13 rental 6:9 repair 200:5 repeatedly 30:20 replied 86:14 report 29:16 30:19,22, 25 31:3,	4,5,6,8, 18,25 34:1 37:5 39:4 47:25 48:1,7 49:25 82:16 85:12 88:1,18 102:10, 20,23 103:7 106:25 110:5 111:17 114:22,24 115:15 116:25 119:15,17 170:19 207:11 216:24,25 244:14 249:22 reporter 28:16 64:25 138:20 168:20 186:7 205:1,4, 17 206:2 216:13 228:17,25 reporting 50:10 reports 5:16 8:24 repossess or 198:19 199:6 represent 206:7 216:23	represent ation 36:20 represent s 206:8,9 216:24 reprimand 32:24 33:19 reputatio n 197:12 213:21 219:2 request 60:18,19 65:15 90:20 110:8 230:21 requested 60:16 110:3,13 116:25 117:14 requestin g 42:18 59:25 60:3 require 220:7 225:8 required 88:6 218:10 219:5,25 requireme nts 12:10 15:3 17:7 19:22 24:1 25:18	27:15 45:14 50:22 64:1 requires 23:4 requiring 222:10 research 218:1 reservati on 220:10 reservati ons 196:23 Reserve 26:14 reserves 6:7 residence 33:24 Residency 44:16 resident 21:22 41:10 44:4 78:18 residenti al 199:19 resigned 15:24 resist 102:8 191:6 resisting 239:7 resolved 160:23	Resorts 206:20 resources 14:15 23:2 respect 212:19 217:19 respectfu l 208:23 respectfu lly 217:14 respond 50:24 167:17 172:21 212:5 response 88:5 93:24 responsib ility 130:1 183:22 197:14 responsib le 18:15 21:20 244:3 responsiv e 212:23 rest 157:12 174:14 197:17 restauran t 215:14,16	restauran ts 196:12,22 206:13 215:18 217:21 220:6,7 restituti on 92:1 restore 213:2 restrict ed 5:7 resubmitt ed 11:3 result 218:3 resulted 67:20 resulting 224:20 results 42:8 85:1 162:22 167:19 169:11 retail 28:23 176:13 retailer 212:13 retire 129:14 retired 34:25 56:22,24 62:14,17 return 42:4,22
--	--	--	--	--	---

returned 10:18 23:17	revoke 242:2	91:13 97:2 101:14 106:10 108:5,22 111:15 112:3 113:7 114:5 125:5 126:7 127:3 131:1 140:5,17 142:5,10, 24	247:2	24:16 47:5 223:19	rules 20:23 145:13 203:25
returning 12:15	revoked 245:12		risk 220:20	roll 4:8,10 132:17	rumor 33:4,17
revenue 65:18 217:25 222:22	Rex 64:11,20, 23 65:2,6 67:15 69:19,21, 23 70:4 71:10 73:7,11, 17 74:8, 19 79:2		Riverside 179:5	rolled 51:7 67:2,9	run 22:19,21 23:3 44:12 108:23 142:11 154:19 155:21 175:15 196:6 229:16 243:8
review 5:24 8:20 9:9,10 29:18 32:4 196:11 200:6 201:21 215:15,19 217:20 224:16, 22,23 225:2 248:19	Reyes 100:7	147:19,22 148:1,2, 6,9,15 149:9,19, 20 151:9 159:17 160:23 165:12, 13,21 167:7 170:7 172:18 174:19 185:20 188:15,20 189:6 190:8 192:1 193:4 194:5 201:23 212:13,25 214:7,10, 19 216:2, 17,21 226:20 227:7 230:7 231:19 232:10 235:11,12 240:6 241:18 242:8	robbery 88:1 102:22 158:19 160:8 162:6 170:13, 17,20 239:11	rookie 33:8	
reviewed 33:14 217:18	ride- along 33:25		Robert 24:14,21 25:16 153:22,23 176:3,5	room 4:5 31:11,24 32:4 202:13 208:14 243:7 248:18	rundown 7:9
reviewers 215:16 230:10,12	right 10:2,10 12:11 15:20 19:2,11 21:14 22:14 30:5,16 32:13 36:12 40:22 47:9 49:11 53:16 56:19 57:23,25 58:4 61:11 62:2 65:11 66:15,24 67:24 68:10,22 70:7 75:20 80:20 82:1 83:9 90:1,20		Robinson 161:18,23 162:15, 17,18 163:14,21 164:1,7, 23 165:4, 6,10,14, 22 166:2, 7,11,15, 25 167:7, 10,12,14, 18 168:2 169:3,18 170:23 171:1,7, 12,13,18 234:20	roster 53:5 57:21 67:9 69:5,6,9 76:3,5 106:23 110:15 111:14,18 115:5 119:18 129:13	running 49:8 156:20
reviewing 14:12 122:16			Rock 148:13,14	Roten 114:10, 14,18 115:18 116:8	Ryan 11:23 12:8
reviews 6:1 213:11 215:14 222:5 224:19 225:10			rock 148:13,14	Roten's 115:22	<hr/> S <hr/>
Revised 218:7			Rojas 100:1,7, 14,17	round 236:19 240:9,11 241:17	Saddler 119:4,6, 8,9,20, 22,25 120:14 121:7 122:3,4, 9,12,19, 23,25 123:2,5 125:6
revocatio n 245:18			role 17:20,25 18:6,7,21 19:10	rule 145:14	Saddler's 124:8
					safe 44:7 117:15 247:12

safeguarding 222:11	Saladino 4:9,13, 15,17,19, 21 5:17, 18,25 6:19 7:7 10:15,17, 18 12:24, 25 13:16, 21 24:12, 13 49:23, 24 50:5 53:2,3,25 55:3,5,6 70:18,23, 25 72:7 80:9 85:22,24 86:8 119:1 120:13,14 125:12, 14,22 138:7 145:6,7 149:10 155:19 168:5,6 170:10,11 173:2,5 195:13 196:9 201:25 202:15, 21,23 203:5,12, 14 215:11 217:7,8 226:18 232:1 233:2,5, 15 247:21 248:20,21	129:11 191:2 sales 212:18 same 6:10,11 7:17 29:21 32:18,22 33:5 35:21 36:23 37:17 41:5 42:11 53:8 86:14 143:12 147:12 192:22 214:1,2 San 163:7 Sarvis 98:9,11, 13 99:4, 22 satisfact ion 218:3 220:14 saw 7:24 85:1 170:12 229:14 say 7:4 9:21 11:20 12:12,14, 21 15:8 20:2 24:7 25:24 26:20 27:24 33:16 38:5	40:13 43:3 45:20 55:6,16 60:10 61:1 64:6 73:11 79:12 82:4 83:10 84:9 87:7 89:17 91:7 92:16 96:5 98:3 99:17 101:6 106:1 108:1,17 110:11 112:24 116:3 118:17 123:8 124:15 126:18 128:22 130:18 132:3 134:25 135:19 137:13 141:5 150:21 152:19 153:8 157:1 159:12 161:10 167:24 175:9 177:4 180:19 185:6 188:7 189:19 194:19 197:1 204:1 206:17	210:2 211:22 213:12 214:4 216:15 224:21 225:4 230:8 232:5 234:16 236:24 241:14 243:18,22 245:25 248:14 249:24 Sayed 50:15 55:10 saying 13:24 38:9 67:19 86:5 113:14 114:20 134:13 139:15 141:6 145:11,25 201:22 204:12,14 216:1 says 34:1 46:18 70:7 82:9 83:10 85:13,16 108:21 110:14 121:17 122:17 134:25 170:16 183:15 197:4 210:12	213:15 215:14,25 224:15 244:14 scene 31:13 scent 30:8 schedule 113:20 181:22 191:2 scheduled 68:11 113:7 schizophr enia 184:17 school 16:16,25 32:25 183:5 Schroeder 176:5,7, 9,19,23 177:9 scope 192:17 199:8 203:18 214:23 screen 80:19 script 196:20 sealed 111:5 178:4 179:22 search 30:6 115:4 243:21
-------------------------------	---	--	---	--	---

searched	99:14,15, 17 101:3, 4,6	8,11 175:6,7,9 177:1,4	Secretary	79:21 80:19 100:3	seen	35:17 121:18 151:4
31:13			13:2,4,6	103:23	152:20	175:17
39:15	105:22,24	180:16, 17,19	section	110:16		
Seasons	106:1	181:16,18	83:2	111:7		
206:6	108:14, 15,17	185:3,4,6	92:13	128:14	sees	168:9
seat	112:21, 22,24	186:13	201:15	139:23		
165:24	115:25	187:4	248:17	149:4	segment	218:6
167:4	116:1,3	188:4,5,7	sector	152:20		
169:20	118:13, 15,17	189:16,19	78:13,15	155:19,23	self-	
seated	119:12	192:3	221:8,13	156:3	defense	133:12,16
10:7 62:8	120:11	193:10	securitie	165:2		
81:1	124:10,15	194:15,19	s	169:6,9, 11 175:18	send	58:13 225:1
127:11	126:15, 16,18	202:23	142:8	182:3		
second	128:19, 20,22	234:13, 14,16	security	183:14	sense	171:6 205:9 230:15 231:11 245:13
7:1,2,4, 22 8:5,6, 7,8 9:18, 19,21	130:15, 16,18	235:20	20:9,18	187:6		
11:16,18, 20 12:13, 18,19,21	131:12,25	236:19, 21,22,24	22:14	201:21	sent	5:18,20
15:5,6,8 19:24,25	132:1,3, 21 133:9	238:3,4,6	23:19	203:15		
20:2	135:15, 17,19	239:7,19	24:22	207:3	sentenced	90:10 91:23,25 93:5 97:12 98:16,20, 23 102:4, 7,13,16 135:1 136:11 138:25 139:1,3 158:20,22 160:6,8 162:6 173:20, 22,24,25 176:15 177:19, 22,24 178:1 181:20
24:3,5,7	137:10,13	241:11, 12,14	25:4,5,6, 14,15	208:6,10		
25:20,22, 24 27:17, 20,24	139:12	242:6	26:4,12	212:2,17		
40:7,9,13	141:14	245:5,22, 25	27:10	213:4,23, 25 225:18		
42:24	142:2	248:11, 12,14	32:10	231:10		
43:1,3	150:18, 19,21,24	second-	41:16,19	seeing		
45:16,18, 20 56:6	152:6,14	degree	44:5 45:1	6:18,21		
60:6,8, 10,14,22, 24 61:1	153:5,6,8	88:1	46:2 60:3	9:12		
64:3,4,6	154:12,19	162:5	62:16	29:16		
79:9,10, 12 84:6, 7,9 87:4, 5,7	156:23	seconding	64:20	99:5		
89:14,15, 17 90:22	157:1	27:21	70:11	150:1,10		
91:7	158:15	91:3	73:11,12	183:16		
92:16	159:9,10, 12 161:7, 8,10,20	seconds	75:9	seeking		
96:2,3,5	162:2,4, 9,12,17, 24 163:15	34:2	78:14	226:3		
97:25	164:4,22	92:14	106:22	seem		
98:1,3	165:24	124:11,13	110:17	35:22		
	169:8,14	137:11	112:11	53:21		
	171:25	156:24	163:11	54:17		
	172:4,5,	172:6	197:22	60:19		
		177:2	198:14	125:1		
		189:17	200:12	seemed		
		194:17	246:19	50:11		
		238:7,8	see	seems		
		245:23	13:24	47:9 49:7		
			14:1 31:8	53:18		
			49:5,25	203:17		
			51:3 59:9			
			75:10			
			77:3			

186:11	196:14	149:13	243:16	show	225:10
189:2	201:3	203:24	shirts	13:7 42:7	significa
sentences	205:11,	212:14	58:2	44:16	nt
155:20	14,18,20	230:6	shopper	48:1 50:9	37:7
sentencin	206:11,	Seth	197:2	51:21,24	38:21
g	14,15	66:8	213:23	74:18	223:10
132:24	207:7,9,	seven	221:21	75:12,14	signs
September	11,14,22	154:12	226:21	126:12	58:23
4:1,6,7	208:2,18	several	shopper-	150:15	Simcha
68:21	209:24	37:6	like	167:20	20:9,16,
128:7	211:9	44:12	203:7	187:9	17 23:25
178:18	218:2	238:8	shoppers	194:22	simple
217:17,18	221:22	Sex	203:6	208:10	212:9,11
244:8	226:11	7:25	204:12,	234:10	simply
sergeants	248:24	shaking	15,16	240:10	213:15
39:6	service-	149:5	211:25	248:8	216:5
serious	disabled	share	221:11,19	showed	since
19:10	26:13	37:17	223:7	113:5	13:5
47:11	servicer	60:24	225:12	243:9	15:25
168:24	198:14	Shaun	226:5,8	showing	25:4 34:9
seriously	services	50:14	shopping	16:23	38:4 44:5
232:14	6:4 27:2	56:15,22	211:23,24	72:12	46:19
serve	41:19	161:18	212:11	178:3	56:25
14:15	42:15	234:20	213:5	243:12	59:3
served	62:19	Shawn	214:10,	shows	66:7,18,
37:14	67:23	58:14	17,18	201:18	21 71:2,
65:7	73:13	she'd	217:25	shy	15,21,22
84:24	106:22	98:24	221:5,13	228:3	72:15
133:21,25	129:13	sheet	222:2,7,	sic	75:1
174:1	201:9	58:23	13,17,25	4:7 81:4	76:14
191:7	203:7	shell	223:10,	93:21	94:16
serves	209:5,19	79:15,18	15,19	108:12	95:3
213:5	211:9	Sheriff	225:14,17	121:23	144:17
service	212:21	62:14	226:9	160:13	151:2,24
17:1	217:25	sheriff's	227:3,7	185:25	153:20
20:20	218:3	78:8	228:15,23	186:5	157:17
28:3 29:5	219:19,25	Sheriffs	229:3,8,	219:3	179:8
67:22,23	220:2,15	65:7	18	side	205:13
79:17	224:22	shift	shops	8:23 18:6	231:3
143:7	230:4	212:15	196:17	32:11	249:23
144:20,	serving	shirt	short	62:13	sir
21,23	199:19	57:24	35:21	66:3	14:8
189:3	227:15	set	41:13	70:22	16:17
190:25	set	23:3 33:7	shot	sign	20:25
191:4	125:11	145:14	244:18,19	145:3	22:7 26:6
	145:14			183:15	27:8 28:4

29:7,9	152:3,18	situated	36:23	some	168:15
32:15	153:21	145:15	206:6	6:7,8	210:5
33:23	154:7	situation	Smith	13:1 18:3	someone
34:18	157:9,23	49:25	132:12,14	29:10	16:23
35:17	159:15,	68:16	133:3,5,	34:16	29:24
36:4,11	19,22	122:9	6,11,15,	37:1,14,	31:9,20,
38:16,18	161:17	147:5	21,24	15 39:15	21 38:8
39:14,21	167:13	213:4	134:4,7,	41:5	61:8
44:9	169:19	six	10,16	44:18	67:18
46:16	170:24	34:13,15	135:13,24	46:21	69:4
48:14,21	172:10	59:6 65:7	136:1	48:22,24	79:18
49:2,10,	176:6	78:8	smoking	49:11,22	210:3
13 52:12,	177:7	181:20	93:19	54:19,21,	something
21 61:7,	185:21	182:14	94:2,3	22 56:19	31:10
15 62:10	186:23	204:23	snapshot	60:19	35:19
66:2	188:18	205:7	208:24	62:19	36:9
73:18	190:4	sixth	SOAP	65:25	37:11
74:11,20	192:11	29:21	7:25	66:1,3,5,	38:4,8
78:9	194:21	Skahill	social	15 68:25	39:7 47:2
81:6,25	195:16	24:21	142:8	73:9	215:4
82:7	237:2,8	25:16	219:6	78:10	216:2
85:21	238:20	Skelly	society	93:17,18	224:3,25
86:19	241:20	31:7	78:11	96:23	225:16
87:20	244:11,	skilled	199:1	114:20	226:13
91:9	16,23	222:23	software	115:11	227:13,16
92:18,25	246:13	skills	200:8	120:3	230:13,
95:11	Sirko	57:18	software	121:19	14,21
97:7 98:6	64:12,13	skip	200:8	151:4	231:1,19,
101:11,23	65:4	20:8	sold	155:10,17	21 232:1,
104:7	78:7,9,20	195:10	41:13	162:8	3
105:5,14	79:4,5	skipping	sole	164:22	sometimes
106:11,15	sirs	196:3	73:12	165:2	36:10
113:1	132:8	slam	solely	193:16	123:6
114:6	SIS	34:9	200:7	195:8	somewhere
116:6	8:1	slides	solely	203:15	227:11,18
118:21	sit	204:8	200:7	209:24	son
119:5	56:14	208:8	solicit	210:13	103:25
121:5	101:18	sloppy	173:21	211:5	soon
127:8,19	165:2	208:20	225:10	213:13	130:5
129:2	168:2	slower	solicited	215:21	240:3
130:21	site	206:3	224:19	225:10	sorry
131:1	39:5,7	small	solo	226:15,22	9:24
132:6	48:12	26:13	29:22	232:9	12:14
136:3	58:8	solutions	Solutions	242:11	28:17,18
137:15,23	sitting	28:21	28:21	243:7	49:22
138:11,14	24:24	32:12	32:12	8:16	56:20,21
141:14				48:25	
146:18,20				88:14	
148:17					
151:22					

62:2 67:5	230:3	Specialis	103:8	standard	56:3,17
68:20	south	ts	spoken	6:12	64:19
73:5,6	5:9,10	25:6,15	71:8	37:18	117:6
75:8,16	62:13	specialty	Sports	68:25	126:24
76:1	Southwest	50:7	43:23	220:9	166:11
80:19	21:6	specific	45:8	standards	state
82:17	space	222:4	spouse	52:4	6:6,13
88:13	22:25	230:9	84:24	57:23	13:2,6,11
91:2	26:15,17,	specifica	236:2	185:13	20:20,22
94:14	21 28:23	lly	spread	205:15,	21:20
99:25	30:2 80:4	75:5	33:4	16,18,20,	23:4,9
100:8,22	spas	85:13	spreading	21 207:21	44:15
107:18	196:13,22	167:14	33:17	216:11,	46:3
109:24	206:13	203:12,25	spreadshe	17,23	47:17
112:4	217:21	228:14,19	et	217:4	48:5,7
113:24	220:6	specifics	194:23	218:12,15	61:11
114:12	speak	123:4,6	staff	220:7,12,	65:16
120:12	40:17	spectrum	46:22,23	23 223:22	66:25
127:3	103:22	228:13	47:1 49:3	229:10	75:10,18
132:17	104:15	speculate	50:24	standing	79:7
146:24	184:4,5,	34:25	51:9,10	13:8	81:24
147:10	13	speech	55:9	68:8,13	82:2
154:9	191:15,21	168:10	58:6,7	stands	102:10,21
155:5	SPEAKER	speed	168:7	10:10	113:13
160:3	14:2	34:8	202:21	87:9	115:12
165:7	151:24	speeds	203:14	147:22	116:24
169:3	159:20,21	34:6	207:12,13	stapled	117:3
172:17	184:4,7,	spend	208:7	192:9,10,	121:16
179:10	9,16	34:11	221:22	12	129:15
182:1,9	185:18,23	spent	224:6	star	130:2
184:6	speaking	35:22	231:11	207:12,13	198:2,3,7
186:18	54:2 72:8	85:2	staked	start	199:2,14,
191:14,18	167:15	155:23	29:23	4:10	16,17,23,
206:3	228:7	182:21,25	stakehold	8:20,24	24 200:2,
210:10	speaks	204:24	ers'	30:25	14,15,18,
230:24	214:12	205:5	220:12	59:1	19 202:25
233:3	special	spike	stand	73:16	203:13
235:11,25	50:6	7:24	10:1	80:11	216:3
237:11	51:12	spoke	61:22	127:12	218:7,11
238:14	55:8,14	33:20	80:20	225:24	220:4
245:5	198:5	35:16	101:12	226:2	222:23
246:9	Specialis	44:17	127:1	started	223:2
sort	t	56:18	151:7	7:25	229:13,20
73:9	24:22	spoke	172:14	20:18	State's
213:2,3	25:5,14	33:20	235:11	28:15	13:4
242:11		35:16		34:4	stated
sounds		44:17			11:24
70:9		56:18			81:16
225:11					

102:24	statutory	20:10,16,	stop	96:23	92:3 93:6
107:1	12:10	17 21:15	83:3	120:19	97:14
137:16	15:2	22:22	122:17	148:1	98:25
221:15	19:22	23:8,10,	183:15	155:3	103:1
229:2	24:1	12,17,25	stops	164:21	158:25
244:14	25:18		68:25	179:22	203:8
249:10	27:15	Steven	store	184:18	212:6
	42:21	90:3,20	140:21	212:1	submittin
statement	45:14	still	144:1	244:3	g
104:9	63:25	7:18,23	186:14	stupid	18:15,18
191:5	221:12	33:8	244:18	140:20	subpoena
229:9,23	223:22	34:7,8,25	straight	subcontra	211:5,7
		36:7	39:17	ctor	
states	stay	40:20	strangula	71:17	substance
44:12	72:14	48:6 63:8	tion	subdivisi	98:15,20
83:3	80:3	65:20	191:10	on	102:3,13
87:13	173:20	68:16	strategic	199:24	117:14
143:18	210:25	69:14	218:1	subject	128:4
198:3	247:12	94:22	street	12:10	154:14,18
223:7		100:18	243:13,15	15:2	176:12
stating	staying	103:20	Strip	19:22	181:23
13:22	35:5	113:19	93:16	23:25	191:2
69:13	stems	120:19	94:2,3	25:18	239:4
115:12	32:18	145:22	243:6,20	27:15	substanti
229:4	step	171:25	stroke	42:21	ve
stationed	202:23	185:10	119:25	45:13	212:7
143:21	stepped	214:1	121:22,25	63:25	success
stats	32:4	247:5	struck	114:2	207:19
7:9	44:21	sting	37:3,4	202:19,20	successfu
		223:9	structure	218:4	l
status	steps	stinking	220:22	226:7	88:17
10:25	52:4	143:4	struggle	227:25	218:5
21:10	55:16	stipulati	222:21	submissio	such
22:15,16	91:11	on	students	n	35:20
23:25	92:19	51:20	33:3,17	10:20	199:5
42:12	99:21	stipulati	38:9	120:24	219:25
79:5	116:7	ons	study	submit	223:11
statute	125:4	48:2	201:12	13:3	sudden
214:6,19	129:2	55:12,14	219:21	31:14	50:12
215:14	132:7	Stockton	stuff	217:14	Sue
218:7	135:23	158:19	19:3	submitted	228:23
219:5	158:6	stolen	48:24	16:24	229:1
220:2,22	161:14	33:24	58:1	19:8	suffered
221:18	181:1	154:16		31:3,10,	121:24
230:6,13,	189:23	190:22		20,21,22	
20	224:10,11	197:13		90:12	
statutes	Stern				
203:23	10:25				
	11:1,3				

suggest 87:11 214:13	125:21 151:2 152:19 195:13 233:21 246:15	surrounding 178:14	17,21 142:5,7, 9,15 143:17 153:24 154:1,11 159:25 160:4,15, 24 173:14,16 174:4 176:8,10 177:13,15 178:7 179:2,4, 20 180:1 181:12,14 186:2,4, 8,20 187:4,8 188:22,24 190:18,20 192:5,14, 16 193:1 238:22,24 241:22,24 242:9,12, 15,18,22 247:1 249:5	116:14	195:21 203:14 214:16 224:5,9 231:20 233:20 244:3,18 248:5 249:21
suggested 203:11		surveillance 221:20 222:3 223:5		sworn 10:1 61:18,22, 23 80:5, 6,16 101:11 109:17 126:25 151:5,7 172:14,15 186:23 188:20 190:5 235:9,10	
summit 206:20 207:3,6	Supreme 214:25 227:12	survive 222:22			
summits 206:22	sure 18:8,17, 22 23:2 28:13 35:17,18 47:15,18 48:24 49:3 52:7 56:19 57:20,22 58:2,15, 21,23 61:10,17 66:8 70:19 81:10 82:19 84:13 96:16 100:12,16 106:5 108:25 115:8 138:1 145:10 146:3 149:8	survivor 121:25			taken 41:25 43:21 47:18 52:4 54:20 55:16 66:9,18, 21 76:14 126:23 192:20 195:23 196:23
super 94:14 130:4 168:24 248:25		Susan 217:13 220:25		synopsis 121:14	
Superior 64:23 65:1,21 66:9,22 71:3,11 72:4,9,16 74:5,18		suspect 30:6,7, 10,22 31:1,11, 13 35:22 39:11,13, 18		system 13:4 169:6 170:5,16 171:15	
supervision 134:3 199:18		suspended 85:2 86:3 173:20 177:20 181:20 189:3 190:24 191:3,7		T	takes 121:25 232:1
supervisor 58:18		suspension 8:9	SWAT 34:20		taking 18:2,5 19:3 226:17
Supervisory 7:8 249:5		Swarthout 7:8,10 8:18 9:2 16:20 47:20,22 48:6 49:22 50:3 54:4 132:15,18 134:21,23 136:5,7 138:15,	swear 10:3 62:4 80:22 101:14 127:4 144:15 151:10 172:18 190:13 235:13	tackle 11:8	talk 36:7 39:4 49:16 63:2 93:12 178:12 212:6 246:24,25
supply 88:5	157:15,25 168:17,21			take 5:23 6:18,22 30:22 43:18 47:10 54:23 56:5 70:7 81:8 116:9 125:9 130:1 134:1 145:21 148:18 151:3 153:20 157:10 171:11 192:18	talked 31:7 39:5,10 57:5 117:25 215:10
support 21:24 137:20 206:24 207:1,5	175:15 204:5 210:19 231:25 246:15		switch 16:3		talking 19:4 21:18 139:25
supposed 100:20 103:10 104:21 113:3,4	surely 95:1 surprised 55:10		switching 36:2 swore		

196:13	76:24	ten	terrorize	215:4,5, 25	14 92:20, 21,24
202:23	telephone	21:5,21	102:6		93:9
213:23	13:10	41:17	107:7	thank	95:15,20
214:12	tell	43:20	116:23	4:4,23	97:2,3
227:6	15:15	44:19	117:7	5:14,17	98:7
tampering	20:11	85:2,14	181:16	9:6 10:7, 8 11:5	99:3,22, 23 100:18
177:24	24:19	126:21	test	14:4,8,11	101:19
tangible	26:8	208:6,8	70:7	15:10,14	103:3
217:4	28:11	231:23	Tested	16:4,11	104:3,4
tangle	29:11	237:17	26:4,12	17:14	105:5,12, 14 106:10
203:23	34:18	ten-digit	27:10	19:11	109:6,7
targeting	41:7 44:1	142:11	testify	20:6,7, 15,25	111:10
56:24	46:7 47:2	ten-	9:25	21:2 22:5	112:12
tasks	52:9	minute	151:6	23:5,13	114:5,8, 15 116:8, 16 118:5, 22,23
197:1	62:10	43:19	172:15	24:2,9,10	120:5
Tatalovic	64:17	125:10	testifyin	26:2,18	121:3,8
h	85:9	126:21	g	27:8	122:1,4
215:9,25	86:9,18	ten-plus	127:8	28:1,2,4, 5,9 29:2, 5 39:23	125:5,6
tax	90:6	46:9	testimony	40:25	126:9,22
48:18	119:8	Tennessee	10:3 62:5	41:1 42:2	127:11
65:13,19	138:15	16:7	76:16	43:16,17, 20 44:1	128:14,25
222:22	140:2	term	80:23	45:24,25	129:1,4
taxation	152:8	83:17	82:22	49:12	130:7
65:18	153:24	134:14	101:15	53:23	131:1,2
taxes	158:16	197:18	107:21	54:24	132:8
104:1	160:1	200:24	127:5	56:8	134:11
team	161:22	214:14,18	151:10	61:11,12	135:8,24, 25 137:1, 25
7:25 23:1	164:20	215:7,8, 13 227:3	172:19	62:8,9	138:11,12
34:20	176:9	228:11	182:11	63:14	146:19
49:3	177:14	terminate	190:14	64:10,16	149:20, 21,22
56:13,16	181:12	d	235:13	65:24	151:14
58:11,22	190:19	32:8	Texas	68:22	152:4,18
59:13	209:10	34:5,6	44:14	73:15	153:12,15
77:18	210:4	38:4	texting	78:16	154:10
180:23	215:19	terminati	33:13	79:24	155:7
203:20	235:21	on	than	81:1,11	158:4,7, 9,14
204:7	238:23	32:7	6:3 40:16	82:13	159:2,17
205:7,9, 10 210:22	241:23	terminolo	48:9	84:19	161:15,16
216:9	243:17	gy	56:6,7	85:21	168:1
team's	telling	225:25	80:2	86:19,20	172:12,
206:9	19:10	terms	109:3	87:15	
teams	104:18	199:19	123:18	89:5,25	
44:7	temp	213:22	147:16	90:1	
	57:16		190:23	91:9,13,	
	temporary		204:3,11		
	200:16,18		205:8		

23,24	35:2,6	213:4	63:11	206:16	134:18,21
175:23,24	36:9	214:15,22	67:19	208:17	147:15,21
177:8	37:13,22	215:4,8,	68:24	then	148:5
178:9	38:1,3	25 224:3	69:14	8:6,10,20	150:9
180:22	44:8 50:4	226:16,21	70:9,12	11:8	153:20
181:2,4,6	52:6,10	227:9,10,	71:4	15:25	154:20
184:2	57:11	21,22	75:12	18:16	157:17
185:20,	58:14	229:24	77:24	20:8	158:2,10
22,23	61:8	230:13,21	79:7	21:10,11	159:21
187:11,19	68:16	231:1,19	82:9,24	22:18	165:11,16
188:14,15	69:3,16	232:3	86:9,11	26:25	166:18,19
189:24,25	70:9	233:21	94:5,16	28:20	167:5,24
190:17	71:24	235:10	110:9,19	29:5,6,8	170:21
194:6	75:17	240:19	113:16	30:17	173:7
195:2,3	77:2,3,5,	242:14	114:1,3	31:3	175:16
202:14	7 82:5,8,	243:21,	115:8	32:11,23	183:7
204:18	23 83:17	24,25	117:22	33:4,15,	185:16
205:24	85:17,19	244:2	132:23	16 37:15	187:7
210:16	88:14	theft	137:20	39:9,16	188:12
224:1	95:14	51:9	139:21	43:19	195:10,21
225:19	104:24	110:4,10	154:6	46:25	196:8,16,
228:6	113:9,22	176:13	156:19	47:25	18 197:13
229:24,25	120:3	237:17	162:9	49:6	200:20,22
230:1	123:21,23	them	166:19	50:11,13	204:8,20
232:8,11,	125:2	7:21,23	167:5	51:4	205:21
12,15	141:19	8:5 9:3,4	168:16,24	56:1,14	207:22,23
234:6	144:2,18	11:2	171:10	57:17,21	209:9,11
235:12,17	145:3	13:1,5,9,	191:25	58:17	211:15
236:12	147:21	10,11,23	196:24	59:8 61:7	212:6
237:4,6	148:2	18:18	199:15	66:21	215:7
238:17	153:17,19	21:18,24	201:22	67:17	216:22
241:2	156:4	22:3	202:5	69:16	221:17
244:4,24	157:18	26:25	205:15	71:10,12	224:20,21
245:14	162:24	33:15	206:13,14	72:13,15	225:2,3,
247:9	164:8,12,	34:17	208:1,9,	75:1	9,25
248:16	17 166:12	36:5 39:7	18 209:1	78:1,21	227:4
249:22,	170:1,4,	44:19	210:4,18	94:10,17	231:11,12
23,24	6,23	46:22	216:9,10,	100:6	232:5
Thanks	172:13	47:4,24	11,12	104:24	233:14
101:18	182:10	48:11	217:5,10	107:4,6	236:7
108:5	184:17	50:22	224:8,17	109:4	237:17
that's	191:21	51:11	239:8	110:9,10	242:13
9:25	193:21	52:10	243:20	114:24	243:25
16:2,9	194:1,4	54:17,18	246:25	117:11	246:9
17:21	200:21	55:22	249:4	119:12,16	there's
22:20,21	202:20	56:1	themselve	122:10	5:10
28:17	203:10,19	57:7,15,	s	123:2	6:14,21
31:17	204:5,7	18,21	53:11	125:9,10	23:15
34:23	205:22	58:13,24	204:8	131:13	27:5
	211:15				

32:16	50:10,17	169:1	52:10	this	68:15
38:10	51:13	196:3	58:2	4:5,6	69:17
40:1	52:7,23	217:11	93:25	6:10,23	70:24
42:13	53:6	227:14	94:1,5,8,	7:2,9,22	71:8
52:8,24	54:16,19,	thing	25 95:19	10:13	72:21
53:8	21,23	18:12	100:18	11:13	76:7
59:24	55:4,17,	42:11	103:11	12:7	78:4,6
65:20	23 57:4,	53:15	104:10,17	13:6,18	79:1,7,
66:15	14,15,18	57:23	136:22	14:2,13,	20,21
68:24	58:20	140:14	143:7	23 17:3,	80:9
69:4	65:13,25	141:6	151:7	16 19:10,	81:22
74:19	66:1,8	166:2	155:14	16,21	82:3,15
78:25	77:17	168:24	159:18	20:13,22	84:11
101:9	80:7	169:8	163:23	22:22	85:3,7
110:4	100:3	170:4	172:25	23:7,18,	87:1
112:15	139:4	209:18	174:14,16	25 24:4,	88:10,17,
116:22	143:11	214:1,5	180:11	23 27:7,	19,23
120:8	160:22	216:6	184:14	8,14	89:1,10,
139:20	164:17	240:3	202:2,3	29:16,22	19 90:19,
140:15	186:19	243:25	203:1,25	32:13	23,25
142:19	196:21	248:21	205:22	33:14,15	92:1
174:25	197:17	things	208:4,9	34:18	93:11
185:16	201:19	20:22,23	209:15	36:2,13	95:9,19,
196:23	202:20	36:1	212:11	38:15	24 98:17,
203:3	203:25	39:22	213:4	40:3,8,9,	21,23
208:25	206:12	52:7,23	214:11,23	15 41:3,	99:7,8,10
213:13,25	207:19	54:19,21	215:5,21,	22 42:3,	100:11,23
216:3	210:17,24	58:3 66:5	24 224:25	11,14,25	102:7,9,
227:13,	212:24	87:13	225:5	44:8 45:7	14,17,18,
18,19	213:1	105:2	226:20,22	46:15	20,21,23,
230:25	217:11	120:3	227:3,7,9	48:25	24 103:5
232:9	220:2,15	123:6,7	231:3,4,	49:8,25	104:6
236:7	223:22	141:6	16 232:2,	50:1,20,	105:19,23
237:15	224:19	164:17	9 240:17	21 51:7,	108:10
248:2,18	229:11,19	207:6	248:19	16,23	110:24
therefore	230:10,12	208:5,7,	thinking	52:3,8	112:17
70:5	235:19	11,24	48:25	53:12,14,	113:8,20
73:4,8	they'll	209:18	225:15	23,24	115:21
203:7	40:23	216:19,20	third	54:7,23	117:19
thereof	96:22	227:5,18	8:8 46:25	55:2,7,8,	118:10
199:7	106:7,8	230:2	56:7	21,25	119:21
200:12	175:13,20	think	154:16	56:3,17,	120:10,22
Theresa	185:17	10:19	181:17	19,23	121:4,20
221:2	189:22	38:20	186:14	57:2	122:5,6
223:25	247:8	41:3	third-	59:24,25	123:2
these	they've	47:14,15	party	60:20,23	124:4,5
47:10	51:19,21	48:9	221:24	62:25	126:2,16
48:23	52:3	49:24	249:16	63:19	128:2,5,
	55:14			65:9,10,	13 129:11
				11,14	131:21

133:4	196:7,13,	241:7,16	229:5	141:6,19	216:7
135:3,16	19 197:25	243:2	thought	148:18,	217:18,25
136:10,	199:2,16	244:7,8,9	22:11	19,20	219:24
13,17	200:14,	245:4,5,	35:8,15	191:3,12	220:18
137:6	15,18	6,7,10,17	103:9	205:13,19	221:20
139:7	201:15	248:17	107:14,19	228:23	247:18
140:10	202:3,4,	249:10	111:4	237:15	throughou
142:10	9,16,20	thorough	155:2	246:12	t
146:7,8,	203:14,18	249:23	163:10	through	16:8
23 147:1,	204:1	thoroughl	187:9	8:1,17	47:24
2,5,11,	205:10	y	193:14,19	10:11	123:14
14,15,19	207:11,	85:19	194:3	11:8,11,	206:7
148:15,16	12,14	86:17	234:23	14 17:1	216:18,
149:4,5	208:24	87:12	thoughts	21:15	19,20
152:13,	209:6,10	those	224:11	34:4	217:1,3
14,25	210:7,19	6:1 7:20	threat	38:13,16,	Thursday
153:16	211:3,8,	13:5	28:20	21 40:18,	217:18
154:24	22,24	39:16,20,	32:11	23 58:1,7	thus
155:17	213:5,10	22 52:5	117:4	64:21	11:3
156:2,11	214:16,21	58:3	threaten	65:16	ticket
158:15,23	215:4,17	60:24	102:6	66:4 71:6	140:8
159:6	216:3,5,	66:4,18	107:7	72:4,16	178:21
161:3,20	8,18,19,	77:13	181:16	78:10	tickets
162:16,	20 217:14	80:3	threateni	82:9	85:15
17,18	218:6,11	100:20	ng	87:12	86:1,2
163:3,4,	221:3,8,	104:18	91:21	88:10,12	168:25
8,15,21	23 222:4,	105:11	116:22	96:22,23	time
164:15	15 224:3,	123:7	117:7	100:3	13:2
165:3,13	5,8,13,25	134:10	threats	123:19	21:2,10,
166:17,19	225:3,4,	139:14	105:1	125:9	13 25:6
167:5	5,15,18,	144:24,25	three	145:21,25	29:21
171:21	22,23	150:10	30:11	147:20	30:16,21
172:11,25	226:7,8,	194:24	34:19	150:8	31:1,8,15
174:3,17	11,18,19,	195:12,19	36:8	154:7	33:5,8
175:17	22 227:2,	202:3	46:19	155:16	35:21
176:22	10,23,25	205:20	56:2	163:9	36:17,24
178:11	229:5,18	206:22	62:17	164:2,11	37:6,7
180:9,10,	230:8,9,	207:1	97:12	171:15	40:15
12 182:4	15,21	211:19	98:17	174:21	41:13
183:9	231:1,3,	214:7,22	108:1	187:16,18	42:11
185:13	4,11,17,	228:20	109:25	193:13	43:16
186:16	22 232:6	233:15	124:23	200:15	44:23
187:2,14	234:8	249:7	136:11	203:20	48:11
189:4,10	235:25	though	139:1,3,	204:8,20	50:11
191:10,19	236:5,8,	77:9 95:1	20	205:23	51:5,6,
192:25	16	100:19	140:15,16	206:6	12,19
193:5	237:13,24	205:3,21		208:8,22	55:20
194:12,	239:6,8,	214:21		209:1	
16,23	18,19			212:7	
195:24	240:9,11				

56:4,25	166:3,11	25 10:4,	36:1,2,3,	60:2,4,	93:5,8,
58:23	169:7,8,	16,22,24	6,7,9,22,	18,19,20	12,16,20,
65:23	10,12,14	11:2,4,6,	25 37:5,	61:7,9,	21,25
72:10,12,	170:21	14 12:1,	19,20,21,	13,17	94:2,7,8,
13 76:1,	171:24,25	2,10,14,	23,24	62:5,18	12,13,15,
2,8,12	174:1	25 13:3,	38:5,10,	63:2,25	25 96:19,
78:9,10	180:14	7,11,13,	12,13	64:9,22	20,23,24
79:7,21	182:25	16,19,25	39:4,5,	66:8,22	97:4,5,
84:11	183:3	14:1,5,	16,17,22	67:2,3,9,	12,16,22
87:17	188:1	16,24,25	40:4,17	15,19,21,	98:6,17,
89:20	191:7	15:2,14	41:3,6,	23 68:11,	20,23
90:13,24	195:6	16:3,7,9	14,15,17,	25 69:18	99:1
91:1 92:4	205:25	17:1,16,	18,23	70:8,9,	100:3,12,
93:7,19	208:24	17,21	42:15,20,	12,18,19,	16,20,24,
94:1,6,9,	224:7,8	18:3,4,	21 43:8,	22,24	25 101:15
10 96:12	227:15	12,19,22	13,21	71:5,8	102:5,6,
97:3,15	237:13	19:21,22	44:6,7,	72:8,14	7,13,16
98:25	239:3,19	20:5,8,	15,16,18,	73:3,5	103:2,6,
99:12	240:1,6,	13,15,19,	20,23,24	74:5,6,	8,10,12,
104:20,25	10 241:25	20,22	45:8,12,	17,19	14,15,20,
109:9	242:1,10	21:12,24	13,23	75:7,9,	22,23,25
111:6,16	243:4,10,	22:1,3,	46:6,10,	10,20	104:7,10,
114:25	22 244:1	13,19,20,	16,24	76:23	15,21
115:13,16	245:6	21,24,25	47:1,2,3,	77:6,15	105:1,3,
125:13	247:18	23:3,21,	4,17	78:14,17	20 106:4,
131:22	timeline	25 24:1,	48:7,10,	79:18,19,	5,6,11,
133:18,21	80:7	11,24	12,16,20	20,21	21,22,23
134:8	224:7	25:5,6,8,	49:2,16	80:2,3,	107:7,12,
135:13	times	14,15,17,	50:1,9,	16,23	15
137:8	37:6 66:4	18 26:16	11,13,21,	81:14,18,	108:11,
140:10,12	71:9	27:8,14,	24,25	25 82:5,	23,24
142:21	88:16	15 28:4,	51:4,10,	10,16,19	109:3,4,
143:12	timing	15,19,24,	16,21,24	83:3,5,	23 110:15
144:7	183:5	25 29:6,	52:3,4,7,	18,19,20	111:1,2,
147:14	tired	8,16,17,	8,12,22,	84:3,12,	7,14
149:5	238:13	18,19,20,	23 53:7,	23,24	112:18
151:23	title	24 30:2,	15,22	85:4,8,9,	113:2,3,
152:14	227:7	3,4,5,6,	54:15,17,	13,14	4,7,12,
153:18	to	8,9,13,	21,23	86:2,9,12	13,14,16,
155:22	4:5,6	22,23,24,	55:10,11,	87:2,11,	22 114:2,
158:25	5:1,5,7,	25 31:1,	13,16,20,	13,14,25	6,20
161:4	15,23	2,5,7,8,	22,24	88:3,4,6,	115:6,7,
162:2,4,	6:1,5,7,	9,12,13,	56:1,4,	8,16,23	22
7,9,12,	10,11,24	14,24	17,18,25	89:1,3,4,	116:13,20
17,18,20,	7:20 8:1,	32:3,7,11	57:3,4,8,	11,21,22,	117:6,7,
24 163:5,	11,17,19,	33:1,6,9,	10,17,20,	25 90:10,	15,16,20,
8,15,17,	23 9:15,	16,20	22 58:1,	14,20,21	23,24,25
21,24		34:24	7,9,13,	91:4,11,	118:1,20
164:4,21		35:1,8,	19,20,23	21,23,25	119:13,
165:12,15		16,22	59:7,25	92:1,5,11	14,18,22,

23 120:2, 11,15,16, 23,24 121:16,25 122:7,17, 21 123:4, 6,8,11, 12,13,17, 18,23 124:8,23 125:3,21 126:11, 12,23 127:1,5 128:7,8, 14,15 129:8,9, 13,16,20, 23 130:4, 5,13,22, 24 131:16,22 133:17 134:1 135:1,12 136:11, 20,23,24 137:7,18, 20,21,22 138:23,25 139:1,3, 13,20 140:2,7, 8,9 141:15 144:15 145:9,10, 12,15,18, 21 146:12, 14,15 147:3,4, 5,13,15, 18,25 148:5,7, 24 149:3, 5,6,12 150:7,11, 14,15 151:2,6,	7,11,22 152:1,2, 11,15,19 153:1 154:2,3, 7,17,19, 21,25 155:16 156:12 157:7 158:2,20, 21,22 159:1 160:6,8 161:4 162:1,3, 6,19,21, 23 163:4, 17,19 164:4,6, 8,14,17, 20,22 165:1,2, 13,17,19, 20,24,25 166:17,22 167:6,17 168:2,10, 11,12,13, 16,17,21, 25 169:6, 8,9,13, 16,18 170:1,3, 5,13 171:9,10, 11,22,23 172:12, 15,19 173:4,18, 19,20,22, 24,25 174:11,18 175:3,12, 15,16,18, 19,20,24 176:15, 16,23 177:19, 22,24	178:1,5, 12 179:9 180:13, 23,24 181:15,20 182:3,5,8 183:14, 15,16,19, 22,25 184:13,25 185:10, 14,21 186:9,11, 18 187:15,25 188:9,10, 12,13,16 189:2,4, 11 190:14, 21,24 191:3,5, 8,9,21,23 192:9,12, 18 193:2, 7,14 194:3,7, 13,24 195:2,10, 11,13,23 196:4,6, 14,18,20, 24 197:1, 6,8,16, 21,24 198:2,10, 11,13,19, 23,24,25 199:4,5, 9,13,15, 16,18,20 200:1,3, 4,10,11, 12,14,16, 17,20,21, 25 201:2, 3,5,6,10, 12,17,19, 21,22 202:4,5,	7,11,16, 19,22,23, 25 203:2, 6,8,9,11, 14,16,20, 22 204:1, 5,23 205:2,23 206:12, 14,15,17, 24,25 207:1,4 208:8,12, 14,15,17, 22,23 209:1,2, 24,25 210:1,2, 3,12 211:5,8 212:5,8, 10,12,17, 19,23 213:1,2, 3,14,17, 18,24 214:3,10, 12,16,20 215:3,10, 16,19 216:7,16, 17,18,22 217:5,9, 10,15,19 218:2,6, 10,12,13, 17,21,23 219:8,14, 15,20,22, 25 220:5, 7,9,10, 11,14,20 221:3,4, 5,7,8,9, 16,22 222:3,4, 14,16,21, 22 223:6, 18,23 224:3,4,	5,6,8,9, 11,21 225:2,6, 7,17,18, 19,23,24, 25 226:4, 7,10,13, 14,16,17, 18 227:11, 12,18,19 228:9,19, 20 229:7, 10,11,17 230:8,9, 10,19 231:5,11, 14,17,21, 25 232:6, 10,19 233:10,21 234:9,10, 11 235:3, 9,13 236:2,11, 17 237:19,25 238:25 239:25 240:5,9, 17,18,19, 21,24 241:8,9 242:2,3 243:7,21, 23 244:2, 3,11,17, 18,19 245:18 246:12, 15,18,20, 22,24,25 247:4,5, 22 248:4, 7,8,19, 23,25 249:3,4, 6,13,21	9:25 16:3 21:3 33:3 38:7,13 52:11 54:22 55:11 76:16 81:18 85:4 88:8 90:14 92:5 93:8 97:16 99:2 103:2 107:21 113:7 114:1 115:6 117:16 119:18 121:24 129:16 131:16 138:5,6, 8,9 145:13 149:12 152:15 159:1 162:3 175:22 203:12,20 205:3 224:4 229:14 231:2 236:11 237:19 today's 168:6 175:21 228:9 Todd 14:6,10 15:2 together 50:8 59:8 76:24
--	---	--	--	--	--

224:9	too	55:14	train	74:6	trouble
toilettries	47:15	144:16	56:14	249:11	94:2,6,8,
s	91:15	159:15	57:20	transforming	9 103:19,
208:19	138:13	tough	207:24	223:1	24 120:2
told	182:23	66:4	209:24	transitions	121:19
33:15	187:17	towards	217:4	246:20	135:6
71:4	190:9	18:8 55:4	trained	n	140:20
72:11	193:2	206:11	58:18	91:21	143:24
82:3	195:4	town	trainer	transmit	173:21
83:10	204:15	69:14,23	216:15	91:21	179:8,11
86:12,15	212:11	215:17	training	transparency	188:12
93:23	226:15	track	49:3	223:14	243:22
103:20	240:3	94:16	50:24	transporting	true
111:3	took	tradition	51:4,7,	200:13	44:24
113:4,12	21:11	124:6	19,23	travel	115:15
117:25	33:13	traffic	55:9	196:12	141:7
120:1,2,	38:8 55:9	86:1,2	56:12,14,	202:1	148:2
16 126:12	70:21	168:25	16,19	204:22	194:1
153:2	94:25	trail	57:11	206:1,4,	trust
162:23	113:15,	81:3	58:6,10,	10 217:20	219:8
163:3,4	18,19	87:17	12,13,14	224:16,20	trustworthiness
166:17	166:7	97:6	59:3,5,6,	tremendous	197:10
192:18	243:25	100:4	9,13	trespass	213:20
240:2,4	244:19	101:21	94:15	107:2	218:25
247:22	tool	109:9,11	96:23	177:20	truth
248:4,8	209:21	114:10	205:20	178:12,	10:4,5
tomorrow	214:13	119:2	207:25	15,16,17	62:5,6
149:11,	218:1	126:4	209:19,23	trespassing	80:23,24
12,13,15,	222:7	150:2,3	216:9	239:7	101:15,16
17 153:11	Torrance	165:24	transacted	240:16	127:5,6
158:6	205:24,25	167:5,8	199:15	Tribal	140:2
159:16	206:3	176:1,2	transactions	38:17	151:11,12
161:14	209:13,17	181:9	197:11	trespassing	172:19,20
177:8	210:15,22	195:12	219:2	239:7	190:14,15
180:25	211:2,17,	234:19	transcripts	240:16	235:14
189:22	219 216:6,	235:7	9:9,10,15	transfer	truthful
237:3	14	247:16	transferred	74:5	38:11
238:15	232:12,15	trailed	74:5	192:19	103:15
247:8	torture	125:9	199:15	200:16,19	108:24
Tony	181:15	173:7	transacting	transferring	155:24
204:22	total	247:24	197:11	215:3	try
206:8	65:19	248:3	219:2	triggers	17:1
207:20	totally	trails	transacting	215:3	53:22
213:7	38:3 39:8	195:10	199:15	troubled	89:3
Tony's	164:24	232:18	transacting	troubled	103:14,23
212:12	touch		199:15	troubled	174:17

244:3	Twenty-	typo	78:2	underscor	138:10
trying	six	105:7,10	79:3,17,	e	142:17
13:3	44:11	167:22	18 80:22	221:6	155:6
28:24,25	twice	Tyrell	82:4,24	understan	156:6
33:6	59:3	127:13	95:8	d	166:6,10,
48:20	67:16	150:8	98:18	18:24	14 169:24
56:1	86:11,18		101:14	38:3	171:3
67:21	two	U	102:14,19	54:18	183:8
76:23	8:7 24:24		127:4	56:5	184:19
103:15,25	32:1 35:5	UFC	131:14	58:21	187:19
104:7	52:21	67:8,24	139:2	67:6,22	undertaki
111:7	59:25	71:16	143:13	71:4	ng
158:2	60:2	72:5,25	151:10	96:16	215:2
165:20	66:23	73:9,11	152:6	111:12	undisclos
169:18	74:4 88:3	77:19	156:18	115:8	ed
170:1	93:5	Uh-huh	158:15	123:24	116:21
204:1	102:7	100:10	161:20	165:7	172:1
212:8	107:1	umbrella	172:20	169:21	Unemploym
213:14	117:5	228:16,18	173:19	171:7	ent
tuck	119:25	Umi	190:13	183:22	65:17
57:23	124:23	50:14	196:2,16	203:4	unequivoc
tucked	133:8	51:17	197:2	240:25	ally
58:2	134:18	52:15,21	199:1	242:7	221:25
Tucker	143:11,17	56:20,22	208:6	understan	unethical
24:14	148:4,21	59:2,5,	210:25	ding	222:9,16
Tuesdays	154:5	15,19	218:7	17:25	unfair
93:16	155:3	61:12	223:4	18:1	222:20
turn	162:6	unable	224:24	51:17	unfortuna
34:3	176:13	11:2	228:15,18	53:1 71:3	te
50:23	186:11	unarmed	230:13	75:19	164:3
70:9	191:12	246:18	235:14,19	86:21	183:24
107:13	206:21	unauthori	236:5	163:19	unfortuna
129:23	217:8	zed	undercove	174:2	140:15
146:25	230:2	223:5	r	230:5	41:13
168:12	type	uncompens	221:21	understan	79:14
179:9	27:8 53:9	ated	undercut	ds	84:11
182:8	54:22	222:5	222:17	58:8	89:19
190:10	58:3	under	underlyin	d	124:25
217:9	68:25	10:3	g	42:2 89:5	130:21
239:21	85:23	18:4,13	53:13	111:10	137:15
247:5	196:13,19	31:22	55:17	118:5	141:11
turned	203:17	62:4 63:2	underneat	120:5	171:9
70:12	210:13	74:5	h	122:11,15	172:10
turning	231:22	76:3,5	75:10,25	123:1,19	183:23
190:9	typically		82:1	130:7	
	165:8		229:3	137:1	
	212:12				

184:1,14	128:23	unlicense	unvented	169:5	234:9
185:8	130:19	d	222:14	170:7,25	241:8
193:24	132:4	8:4 66:25	unvetted	172:14	248:7
241:8,16	135:20	67:11,20	222:15	194:22	upholding
UNIDENTIFIED	137:14	69:16	up	202:4,7	40:9
IED	150:22	70:8,13	5:11 6:5	208:17	172:1
14:2	153:9	71:7,12	8:11 10:1	209:2	223:21
151:24	159:13	215:13	11:25	212:17	uploaded
159:20,21	161:11	unnecessa	15:14	213:10	249:8
184:4,7,	172:9	ry	21:11	214:3	upon
9,16	175:10	67:10	23:3 30:8	224:3,7	79:6
185:18,23	177:5	unofficial	31:16	225:24	107:5
uniform	180:20	l	32:3 33:7	226:16	134:19
110:17	185:7	229:6	34:10	228:2	199:12
113:6	188:8	unprofess	35:1 36:9	231:5	220:8
unincorpo	189:20	ional	38:5	235:8	upwards
rated	194:20	51:18	39:16	240:10	206:22
219:9	234:17	unquote	41:3,15	243:9,12,	urge
union	236:25	225:12	44:20	18 247:25	223:18
36:15	238:12	unregulat	47:1	update	us
unison	241:15	ed	49:21	10:15	7:8 8:1
7:5 9:22	248:15	215:12	51:10	updated	9:2,5
11:21	unit	222:20	56:18	13:3,7	15:15
12:22	29:22	223:13	59:5 60:2	51:22	20:11
15:9 20:3	36:15	unrelated	61:24	226:23	21:3
24:8	50:6	209:25	66:3	updates	24:19
25:25	218:5	until	72:23	5:16	25:8
27:25	United	12:2,3	80:3	248:22	26:8,9
40:14	198:3	15:23	81:17,23	upheld	28:11
45:21	units	21:23	82:5,19,	32:7	30:14,17
60:11	30:3,4	52:23	21 83:9	239:2	41:7
61:2 64:7	Universal	54:2	93:20,21	uphold	44:1,20,
79:13	's	57:10	104:18	84:3 87:2	22 46:7,
84:10	119:18	61:8	113:5,15	89:11	25 47:17
87:8	unknown	113:20	123:17	100:24	50:1,11,
89:18	55:20	151:2	126:25	105:20	19 52:9
91:8	186:15	230:4	127:13	108:11	54:22
92:17	unlawful	232:10	136:24	112:18	57:21
98:4	152:11	untrue	144:25	118:11	59:8
99:18	191:1	33:18	145:14	126:11	62:10
101:7	239:4	untruthfu	147:4,5,	130:13	64:17
106:2	unless	lness	15 149:13	137:7	67:10,13
108:18	37:1	32:17	151:23	150:14	68:13
112:25	118:2	37:12	153:16	171:22	73:3,4
116:4	135:4	untruthfu	156:8	175:3	74:17
118:18	199:5	lness	158:1,10	184:25	75:18
126:19			164:8,13,	187:25	79:21
			21 165:25		
			167:5		

80:5	206:25	55:18	208:23	220:3	52:8
86:18	229:17	65:3	210:6	242:11,14	103:22
87:23	use/	68:6,10,	212:22	violation	139:22
90:6	possessio	12 75:14,	213:5,15	s	145:18
91:18	n	17 76:10,	232:8	7:24	148:7
93:20,21	136:8	14,17,18,	247:14	46:19	152:2
97:8	186:5	22 77:19,	249:23	47:10	247:19
98:13	used	21,25	veteran	53:3,6,7,	waited
102:1	37:20,21	78:2 93:4	27:9	12 57:4	50:18
109:20	201:12,15	196:14	28:14	violence	162:21
114:16,20	212:19	206:18	35:23	236:8	waiting
116:17	213:1	vehicle	65:6,7	virtue	11:4
119:8	214:18	29:23	veteran-	220:1	147:16
138:15	219:22	30:9,10	owned	visit	Walgreens
145:12,20	229:7	33:23,24,	26:13	224:17	244:12
148:5,25	using	25 34:4	veterans	vital	walk
149:1	104:24	141:1,2	26:14,17,	221:8	151:4
152:8	206:24	177:24	24 28:3	223:20	174:21
153:24	usually	186:12,16	vetted	vocal	203:20
158:16	206:3	187:5	229:20,23	70:17	204:8,20
160:1	utilize	197:15	via	vote	205:23
161:22	68:2	222:8	13:9	10:9,12,	216:7
164:5	utilized	vendors	88:16	16,22	244:20
173:14	70:15	206:24,25	249:13	11:7,9,11	walked
175:17	v	verify	vice	12:1	80:16
176:9		145:10	28:20	13:12,19,	195:16
177:14		155:17	video	22 145:22	243:16
181:12		version	32:4	147:21	244:11
190:19		206:16	Vietnam	148:1	walking
203:6,11		very	35:23	W	243:15
206:19		10:23	view		wall
209:22		19:9 33:2	55:3	W-2	243:18
216:14,15	VA	37:24	204:3	72:11,13,	want
217:1	36:6	38:7 52:6	212:11	16	12:1,2
220:7	valid	87:13	226:6,8,		13:13
226:17	94:7	88:15	11	W-4	18:3
227:15	validly	98:7	viewpoint	72:12	41:23
235:21	94:12	125:1	5:7	wages	43:8 47:1
238:6,23	valuable	171:24	Vincent	67:19	49:16
241:23	221:24	184:3,15	70:17	waist	58:1 67:2
use	value	185:11	violation	37:22	70:12
40:11	190:23	202:18	50:4	wait	83:5,18
138:18,22	Vegas	203:4	56:5,6	50:11	100:16
142:8	4:1 6:9	204:3	116:23		106:5
145:9	24:23	205:24			115:7
173:17,19	44:11	206:17			117:6,24
177:16	47:8 49:4	207:3			
186:9	50:7,18				
188:25					

127:1	way	21:12,17	61:1	115:9,22,	165:1,2,
169:15	10:22	22:23,24	64:2,5,12	24 116:2,	16 167:8
171:23	28:24	23:1,2,	65:15	14	168:22,24
175:18	30:19	10,19,20,	66:4,7	118:10,	169:5,6,
184:13	53:21	23 24:3,	67:1,3,4,	12,13,16	9,10,11,
196:6	64:21	6,13	7,8 68:2,	120:16,17	25 170:6,
197:1	79:6	25:6,7,	19,20	121:9,12,	8,18
202:5,7,	100:13	19,23	69:12,14	14 122:9	171:25
11 203:25	111:7,8	26:12	70:19,21	123:19	172:3,7
206:15	148:17	27:10,16,	71:4,23	124:7,9,	175:5,8,
208:23	158:2	17,23	72:1,3,	14 125:9,	18 176:25
209:24	164:14	28:22,24	17,24	15	177:3
212:10	168:10	29:18	73:2,8	126:14,	179:2
216:17	171:7	30:3,4,5,	74:18,24,	17,20	180:15,
224:5,6,	174:16	6,7,8,9,	25 75:7,	127:22	18,24
9,11	196:22	10,12,18	9,16	128:15,	184:11,13
229:17	202:18	32:4	76:23	18,21	185:2,5,
230:8	203:16	37:23	77:1,17	129:5,17	20 186:3
240:21	215:3	39:15	78:20	130:17,22	188:1,3,
243:21	227:8,22	40:6,12	79:2,8,	131:9,24	6,23
wanted	ways	41:12,14	11,14,16	132:2,13,	189:11,
70:19	66:11	42:4,7,	80:7,15	24 134:1	13,15,18
86:21	we	11,12,23	81:2,12	135:4,14,	190:1,12
146:12	4:5,21	43:2,12,	84:5,8,21	18 136:6	191:11
191:21	5:20 6:7,	18,22	85:1,8	137:9,12	192:17,20
217:9	25 7:3,	44:6,10	86:1,8,9	138:14	193:2,7
244:18	11,13,15,	45:15,19	87:2,3,6	140:1,11	194:13,
249:21	17,20,22,	46:21,23,	88:23	141:11,	14,18
wants	24 8:3,5,	25 47:2,	89:13,16	12,16	195:2,8,9
230:19,20	11,17,19,	14,17,18	90:21,22	142:17	196:4,6,
warm	20,24	49:2	91:6	145:8,10,	10,25
213:24	9:3,4,17,	50:6,10,	92:12,15,	13,14,15,	197:3,23
warrant	20,24	13,14,19,	24 93:1,	20,21,24,	200:22
110:11	10:10,15,	21 51:11,	15,17,18,	25 147:2,	202:4,5,
167:10,	20,21	23 52:6,9	19 95:24	6,13,20,	10,18,23
20,23	11:2,8,	53:7,12,	96:1,4,13	21,25	203:4,9,
Warren	15,19	14,22	97:24	148:17,25	11,14,15,
150:1,10	12:1,2,8,	54:22	98:2	149:13,16	22,24
232:20,24	13,17,20	55:21,22	99:10,13,	150:2,17,	204:4,5,
Washington	13:1,6,	56:13,14,	16,24	20 153:2,	7,10,15,
n	13,19,22,	18,19	100:16	4,7,17	16 205:3,
158:12,17	25 14:15	57:4,5,6,	101:2,5	154:7,15,	13,14,15,
159:3,17	15:4,5,7	8,9,10,	105:20,	25	20
235:5	16:7,18,	14,15,20,	21,25	156:12,	206:11,
239:3,9,	20 18:14,	21,22	106:3,5,	22,23,25	14,17,18,
11	16 19:17,	58:2,11,	18 108:2,	158:10	24,25
	23 20:1,	13,22	13,16	159:6,8,	207:2,7,
	8,9,14,	59:5,7,8,	111:19	11 160:12	15,21,22,
	17,19,20	9 60:5,9,	112:20,	161:6,9	23 208:10
		21,25	21,23	164:20,22	209:10,19

210:2,4, 22 212:6 213:4,8, 10 214:7, 11,17,19, 20 215:10,21 216:8,9, 10,11,14, 15,16,17, 22 217:4, 8 218:1,5 220:15,19 221:1 224:5,6, 7,9 225:5,18 226:2,8, 9,16,17, 22,24 227:5,6, 18,25 228:2 230:4,14 231:4,6, 9,10,11, 14,19,24 232:2,3, 5,9,10,16 233:11 234:13, 15,21,22 236:20,23 237:11 238:2,8 241:10,13 242:2,14 243:6,7, 12 244:11, 18,19 245:21,24 247:2,3, 4,15,17, 19,23 248:3,5, 10,13,19, 21,22 249:6,23	we'd 210:12 216:16 227:9 we'll 4:9 5:15 8:22 9:4 11:8 26:23,24 61:22 80:11 81:3 87:17 97:6 101:21 109:9,11 112:15 114:10 119:2 125:9,10 126:21,24 127:12 149:13, 16,21 150:2 152:1 153:20 165:1 167:4,6 169:20 174:18,21 181:9 195:10,21 196:8 202:10 231:12 232:19 233:17 234:19 235:7 we're 10:23 11:3,6 16:7 19:3 23:3 25:4 28:25 48:17,18, 21 56:15 58:3	79:21,25 87:23 90:6 91:19 97:8 98:13 100:12,18 101:9,20 102:1 109:20 114:17 116:18 119:8 134:14 138:15 139:12,25 149:3,5 150:7 152:8 153:25 157:19 158:17 160:1,4 161:23 163:18 165:1,20, 24,25 170:1,7 171:15 172:25 173:15 176:9 177:14 180:24 181:12 185:13 188:9 190:19 195:11 196:3 203:2 206:24 207:6,8, 9,10,11, 18,25 208:1,5, 12,25 210:4,6 213:13,23 216:9,12	224:3,4 225:2,24, 25 226:14,21 232:6 235:22 238:23 241:23 we've 6:3 13:5, 21 22:22 25:3 28:25 57:21 58:1 59:2 70:15,16, 18 71:1 79:16 82:8 108:23 122:12 124:7 133:8 153:19 203:1,2, 8,9,24 204:2,21 205:13 206:17,20 207:3,4 209:10 215:20,21 225:4 226:6,9, 10,15 weapon 88:2 95:5 96:17 110:2,7 128:2 129:11 136:9,12 138:19, 23,25 143:13 144:13, 20,23 145:3 152:12	168:19 173:18 177:17,18 186:6,9, 11 189:1 236:4,8 243:3 246:7 weapons 109:24 114:19 119:10 127:24,25 144:15 235:24 236:1 242:22 245:11 website 74:25 75:2,4,13 76:9,13, 15 224:21 Wednesday 4:1 217:17 week 76:5 weeks 36:8 66:23 74:4 welcome 4:5 40:17 46:3 64:17 80:2 98:8 109:3 128:14 237:5 238:18 welfare 218:11,18 220:21 221:10 229:12	well 5:21 13:21 14:10 20:24 27:1 40:11 44:22 52:2 58:15 67:22 70:17 71:19,20 76:5 78:1 82:17 83:9 86:16 107:3 108:3 109:23 110:6,11 113:9,15, 23 114:3 115:4 117:22 128:3,5 144:17 182:23 193:13,25 194:24 202:22 205:25 207:15 211:23 214:16,17 216:1,7 225:2 226:6 227:15 231:24 232:8 236:7 237:17 245:12 249:22 well- being 223:23
--	---	--	--	--	--

went	25 48:2,	16,24	151:16,17	93:23	59:16,17
15:24	4,15	170:1,6,8	159:22	94:2	66:5
29:6,8,20	50:2,10,	171:4,5	167:12	96:24	79:16
31:7,13,	19 51:18	173:4	195:17	102:21,24	83:2
24 32:6,8	53:6,10,	183:6	211:25	103:8	119:14
33:16,25	22 54:8	185:12	212:14	116:14	122:17
38:21	69:10,16	191:21		122:4,5	123:24
44:21	70:9 71:2	192:16	whatever	123:24	139:17
51:19	72:8,22	195:6,9,	13:4	125:10	170:15
66:23	78:7 80:7	20 196:7	70:12	130:3	183:24
67:3	81:22	200:21	111:5	140:1,19	190:23
69:15	82:5	203:3,11,	147:4	142:7,17,	196:6,15,
70:21	83:5,8	23 205:3	169:12	21 143:3,	19 203:1,
86:13	85:17,25	206:8,11	170:3	23 144:1,	9 204:7
93:15	93:12,14	207:21	210:4	8,11,22	207:22
140:9	95:14	208:4	when	145:2	208:15
146:15	103:15,23	210:7	8:16,19	146:13	213:24,25
164:1,4	104:17	212:17	11:8	147:21	223:7
169:22	107:12	213:14,22	14:12	159:18	224:15
180:24	120:3	214:4,9,	26:20	160:16	225:5,16
191:22	121:23,25	10,11,18,	30:4,16,	164:4,12,	226:20,21
193:13	122:21	21,24	21 31:7,	13 165:8,	
226:21	124:24	215:5,8,	16 32:2	18 166:12	whereabout
229:4	125:2,13	25	33:16,24	168:9,11	ts
239:25	128:15	216:11,	34:3,5,6,	169:5	197:11
240:19	133:7,9,	15,19,20,	19 35:1,9	179:21	219:1
243:7	14 134:25	24	37:3,11	183:3,9	
244:1	135:1,4	225:13,17	38:11	186:23	whether
246:14	139:15	226:3	46:22	187:17	138:2
247:18	140:4,21	227:17	50:4,17,	192:1	164:21
	141:13	229:7	22 51:2	207:7	179:11
West	142:13	230:23	52:19	208:4,13	193:11
42:15	143:5	232:16	54:16,19,	209:8	196:21
	145:11,25	233:10,18	22 55:21	211:23	202:7
what	147:19,21	234:3	56:17,22,	216:8	203:17
8:17	148:19,21	235:3	23 57:4,	220:1	214:12,13
13:24	150:5	238:9	10,11,20,	229:7,13,	224:4
16:3	153:2,21	239:25	21 58:12,	17,18	227:6
17:25	154:15	249:14	25 59:1	239:23	
18:18	156:4	what 's	61:9	240:18	which
26:22	157:11	8:23	62:19	242:13,	6:11,12
28:3	162:25	17:15,16,	66:7,10	14,21	7:25 21:7
29:17	163:3,4,	20 46:20	70:6	243:15	27:12
31:4	12,23	47:12,13	71:2,21	244:8,16,	28:21
33:15	164:8,12,	48:15	73:10,16	17,18	29:11,18
35:6	18 165:4,	50:20	81:15		30:12,25
37:8,13	17 166:4,	66:16	83:13	where	31:11,12,
39:7,22	15,17	68:16	85:11	22:8	22 32:9
42:7	168:10	149:14	86:9,12	31:17	33:18
44:8,17	169:6,11,		89:2	51:1,8	53:14
47:5,15,					63:22

65:16	44:22	whom	161:22	143:4	21, 25
66:23	48:12	35:12	162:5	144:1	38:4
67:10,19	50:15	112:10	163:16	163:2	39:18
74:21	55:10	why	173:14	164:7,13	40:17,22
76:4 77:8	56:11,18	14:13	174:11	168:8,11	41:5,8,17
84:25	58:5,9	16:9	176:9	wise	42:12
85:2 88:2	68:4	24:16	177:14	103:11	43:15,18
125:1	69:18	35:10,15	181:12	wish	44:2,8,
141:8	75:25	48:24	182:5	106:23	18,20
148:6,12	76:21	52:6,10	184:17	117:25	46:9,22
152:12	184:12	69:5	186:2	wished	47:1,12,
154:13	197:5,18,	71:23	187:15	129:16	18,21,24
162:6	20 198:11	74:12	188:23	wishes	48:1,3,7,
192:22	199:19,21	77:3,8	190:19	115:6	23 49:3
199:2,11	200:5,8,	81:12	191:20	117:16	51:4,11,
204:15	10,12,25	82:16,23	203:2,9,	119:18	24,25
214:20	203:20	83:12	11,19,24	128:8	52:6
220:6	204:4	84:21	213:4	131:16	53:11,12,
229:21	207:4,10	85:8,10	214:15	184:13	15,22
247:6	213:16	87:23	226:21	236:10	55:13,14,
while	215:17	88:23	235:21	237:18	15,18
4:5 5:25	218:20	90:6	237:10	with	57:3,6,7,
30:17	219:11	91:18	238:23	8:22	18 62:11
35:7	221:16	93:1,22	240:8,19	10:19,21	63:9
49:21	222:17	97:8	241:23	11:2	64:18
85:1	who's	98:13	243:3	12:15	65:1,7
93:17,18	51:2	102:1	wide	13:2,5,16	66:3,11
96:17	75:25	103:6	51:7,19	14:1	67:7,23
121:21	80:16	106:17	227:3	15:16	68:13,16
122:15	212:24	109:20	wife	16:1	70:16,17
139:24	whoever	110:25	21:14	17:16,22	71:6,11,
151:16	195:10	114:16	86:11,13,	18:12	14,17
160:22	whole	116:17	15,16	20:12	72:10,17,
165:25	10:4	117:20	121:7,9	21:14,15	25 73:9,
166:7	31:15	119:8,22	122:1	23:3	10,11
183:20	37:22	122:21	William	24:19,23	74:14,18
196:4	53:15,17	127:21	41:9	25:6	77:18
198:4,8	62:5	129:5,20	42:17,20	26:9,15,	79:7,17,
199:8	78:12	131:9	Williams	25 28:3,	19 80:11
200:3	80:23	132:13	97:5,6	12 29:11	83:22
221:23	101:15	136:5,20	100:6	30:1	84:25
227:25	127:5	138:15	wind	31:16	85:2
246:16	151:11	139:19	41:15	32:13	86:14
who	172:19	152:8	51:10	34:11,17	88:1,2,24
13:25	190:14	153:25	window	35:19,20	89:21
18:3	216:3	154:25	85:12	36:2,24	91:21
22:20	229:21	155:20,23	140:20	37:4,16,	94:15
37:21	235:14	158:16			96:21
40:4		160:1			102:6,18,
					19 106:8,

9 107:2	197:7	26:15,17	word	147:14	110:19
109:1	198:15,20	34:19	227:16	149:21	113:3,4
110:9,10	199:15	36:23	229:17	153:1	114:2
113:21	201:1	48:11	words	156:13	133:25
116:7	202:3,21	61:10	50:25	159:7	148:8,9
117:7,23,	203:19	73:14	214:7,19	161:13	163:9
24 119:11	204:23,24	78:14	work	176:24	235:25
120:3	206:12,	86:6	7:14,17	185:14	246:19
121:6,22	18,19	198:7	18:3,4,5,	188:10,12	works
123:21	208:9	199:8	8 19:6	189:12,	75:18
125:4	210:13,14	200:18	22:20	21,22	113:22
127:12	211:24	203:18	26:25	209:1	168:8
129:2,14	212:17,19	205:6	37:21	215:17	204:6
130:25	213:18	207:23	41:4	222:10	227:19
132:6	214:16	215:6,13,	46:24	223:3	world
133:25	216:10,	22 221:13	48:5,6	226:14	26:24
134:14	14,15	222:18	51:3,5	229:14,15	206:20
136:9,12	217:8,19	223:1,15	52:6 53:5	236:18	210:19
137:21	218:1,9,	247:18	56:1	237:2	223:10
138:2	14,23	without	57:16	238:1	worried
144:1,20,	220:11,	13:23	59:8	245:19	58:4
23 145:9,	14,16,24	53:4	63:11	247:7,8	worries
14 147:4,	221:12	79:18	70:8 74:8	249:4	155:6
14 149:4,	222:20	93:3	75:17,22,	worked	worry
6,13,21	223:6,16	178:21	25 76:17,	15:23	158:2
151:15	225:18,25	184:1	21 77:25	44:18	216:16
152:3	226:1,14,	189:2	78:1	62:15	would-be
154:13	24 227:14	218:15	79:17,19	63:5	223:6
155:22	229:14	223:8	81:14	130:3	Wow
158:22	230:6	246:7	89:21	157:13,16	148:18
159:16	232:1	WITNESS	92:11	workers	149:23
160:13	233:11	26:11	95:25	57:16	wrecked
163:16	236:7	28:13,17	96:21	223:20	140:25
165:19	243:23	46:9 63:4	97:22	working	141:2
169:2	246:19	73:22	99:11	16:1	Wright
171:5	247:7,8	83:9	103:24	29:14	97:7,9,
172:11	249:1	94:24	104:1	41:16	18,22
175:16	withdraw	109:18	108:12	46:23	98:7
178:4	147:14	133:19	111:1	48:8 49:2	write
179:20	withdrowi	won't	113:2,7,	53:4	31:2,5
180:3	ng	82:9	12,13,14,	55:23	191:23
183:10,11	24:17	89:20	20 115:23	69:3,4,23	215:20
184:1,18	withdrawn	wonderful	117:5	70:14	writes
185:9,11,	7:12,14,	177:9	124:8	77:1,18,	217:14
17 186:12	16,19	wondering	128:17	25 78:2	
187:5	within	147:2	129:2	79:7	
188:12	10:12		132:6	94:21	
189:22	17:22		135:22	103:19	
194:25			145:9		
196:7,13					

writing	15:17	57:2 59:3	97:13	23:10,12	141:25
30:25	26:11,25	69:17	98:17	27:3 29:9	142:3
207:11	38:12	84:13	102:5,7,19	32:15,25	143:2,21,25 144:3
written	49:1,20	86:9	103:19,24	33:12,16,23 34:2	145:20,23
9:15	61:16	87:11	104:8	36:4,11,16,18,21	146:20
32:23	71:25	89:21	109:25	38:6,25	147:17
33:19	78:6	95:19	119:25	39:3,14	151:21
34:10	81:10,25	103:22	121:16	43:11,25	152:5
90:12	92:23	109:3	122:12	45:2 48:6	160:24
92:3 93:7	96:23	110:12	134:18	49:15	162:18
97:14	111:6,24	114:6	136:11	52:15	165:10
98:25	112:2	118:20	139:1	54:11	168:4
103:1	113:9,18,19 114:13	130:24	141:19	55:6,24	170:11
158:25	129:25	137:18,22	146:16	58:17	174:18
170:3	131:8	138:4,5,6,7,9	154:12	63:10	175:22
196:10	134:23	143:5,6	155:2,12	64:13,15	178:7
215:1	140:1	147:16	162:6	65:15	179:1
217:4	146:3,4	148:11,12	163:6,9	66:2	180:1
218:3	147:23	154:19	166:25	67:14	182:19
wrong	148:14,15	158:22	172:12	71:1,22	183:2,10,13,18
51:15	149:2,8	162:21	176:13	72:2	186:24
52:11	152:4	175:12,21	191:3	76:12,23	188:21
77:9	155:13	176:12,16	204:23,24	77:3	190:16
126:6	158:5	185:15	205:5,7	78:20	192:15
239:25	160:20	188:10	206:5,19,21,22	79:23	193:8,22,23 204:15
wrongdoing	163:14	194:25	231:23	80:14	209:7
g	164:1,3,25 169:5	207:17,18	237:15	81:21	210:15
213:1	170:2	240:4	241:17	82:12,25	233:5
wrote	184:10	years	242:8	83:7 94:7	235:23
31:4,25	185:20	6:11	yep	95:6,11	237:12
164:18	192:3,10	21:5,21,23 24:25	15:13	97:1	239:20,22
249:14	193:18	28:14	112:6	106:19	241:21
Wynn	202:2,7	34:13,15	126:8	107:23	242:12,15,18
207:16	205:2,5,18 209:17	35:22,24	153:15	109:18,21	243:5
213:13	212:10	41:10,17	157:19	111:21	244:16
<hr/>	230:16,17	44:4,6,11,19	161:16	112:9	245:14
Y	231:8	46:9	164:25	114:18	247:9,13
<hr/>	234:25	52:5,8,21	169:19	116:15,19	
y'all	241:19	62:15,17	228:5	119:9	
90:1	245:7	64:21	242:9	121:7	yet
114:8	year	65:7 78:8	247:11	122:9,19	10:18
247:9	6:10,12	82:19	yes	125:22	23:17
Y25	7:22	84:25	6:19	126:5	42:5,8
6:20	21:17	85:14	12:15	129:7,25	61:22
yeah	40:21	86:7 88:3	14:7	131:11	80:5
	48:2 54:5	93:5 94:6	16:6,17	133:24	172:14
			17:8,11	137:23	
				138:4,7	

York

24:15,16

28:21

91:22

154:11,

14,15,17,

20

young

35:5

184:11

247:14

yourself

15:15

24:19

26:9

28:12

36:24

41:7 44:2

46:7

62:10

64:18

yourself

s

20:12

Z

Zachary

180:13

249:5

Zaveon

151:18