

## Minutes of the LAHBPA Board of Directors Meeting

Date of Meeting	<b>February 5, 2021</b>
Meeting called to Order by	Benard Chatters
Type of Meeting	Board of Directors
Place	LAHBPA Main Office
Meeting Secretary	Vickie Lory
Roll called by Larry and Quorum Declared	Benard Chatters Bobby Dupre Keith Hernandez Charlotte Stemmans Clavier Christine D. Early Bret Calhoun Ron Faucheux Don Stemmans Edward Johnston Kenneth L. Roberts
Board Members Not Present	Andy Leggio, Jr.
Others in Attendance	Ed Fenasci, Larry Hamburger, Mike Fenasci, Kristie Piglia, John Duvieilh and Vickie Lory
<i>The President called the meeting to order</i>	<i>Time: 10:33am</i>
Prayer Lead by	Christine Early
Discussion Re QH Suit	John reported on the QH lawsuit, stating that the court affirmed the settlement, which will likely be appealed. He will keep the Board advised. The court awarded the attorneys \$750K. Churchill Downs will pay, and the HBPA will pay \$75K towards Global Settlement, and \$37K goes to HBPA for performing administrative work. The HBPA has a balance of \$37,500 to pay. There were eight objectors who saw the class as improper, and the settlement funds to be insufficient. The Court said it was proper and the amount fair. They have 30 days to appeal.
Discussion HISA Constitutional Challenge	Ed and John brought forth the decision of whether HBPA will become a plaintiff in the HISA constitutional challenge and represented by Liberty Justice Center. John read Liberty's proposal and stated (1) there will be no legal fees or costs, and (2) they have sole and exclusive ability to move forward with legal claims, arguments, and strategy. By executing the letter, they make the decisions to move forward. ( <i>reading from the letter</i> ). John added they can discuss it with HBPA but at the end of the day, it is their decision. John was concerned they have carte blanche, even if they presented an outlandish legal argument to the court. He recommended that if the Board decides as a group to become one of the plaintiffs in this action, that they amend the agreement of representation to include that the LJC consult with LHBPA and accept their input regarding their actions, press releases, disclosures, pleadings, discovery, etc. The Board has to decide if LHBPA will (1) participate as a plaintiff in

## Minutes of the LAHBPA Board of Directors Meeting

	<p>Louisiana, (2) engage the LJC in Chicago to represent the LHBPA and proceed with the action, and (3) amend the agreement requesting the LHBPA actively participate with legal claims and have direct input and approval on pleadings and public disclosures, etc. John added that the LJC will likely hire a local non-profit firm, which means LHBPA will be relying on that unknown representation. He felt it was imperative the Organization have input.</p>
<p>Motion Re HISA Constitutional Challenge</p>	<p>Motion made that LHBPA will participate in the constitutional challenge regarding HISA, engage Liberty Justice Center, but retain our own oversight. <i>(regarding specific input through legal counsel, John Duvieilh)</i></p> <p>Motion by: Charlotte Stemmans Clavier Second by: Bobby Dupre Motion Unanimously Passed</p>
<p>Further Discussion Re HISA</p>	<p>Ed added there is a provision in the agreement that we can pull out at any time, but it is suggested we have our attorney read the agreement and make suggestions.</p>
<p>Motion</p>	<p>Motion made to give \$500 to Rick Mocklin Foundation (re breast cancer).</p> <p>Motion by: Christine Early Second by: Ron Faucheux Motion Unanimously Passed</p>
<p>Discussion Re Election Issues</p>	<p>John stated they needed to take care of the voting. Ed stated they needed to clarify for the voting list and proposed that a single owner entity and a trainer, the Bylaws are clear if they have a start in a year, they are a voting member, and they remain a member for the following year. Anyone who has a start in 2020 or a current start in 2021. He requested that we stop appending the voting list on 2/15/21 to finalize it and send it to Kaleb for the election. Secondly, under the Bylaw definitions, a qualified entity member <i>(an LLC or partnership)</i>, that has multiple owners need a proportional number of starts to owners in the entity. For example, a 2-person partnership would be a “qualified entity member” with 1 start per person. A 5-partnership entity would need 5 starts. He asked the Board to qualify handling multiple ownerships in that manner and to cut the voting list off on 2/15/21.</p>
<p>Motion Re Election re qualified entity members and voting list</p>	<p>Motion made to handle the voting of multiple ownerships and “qualified entity members” on a 1-to-1 ratio such as in the manner stated above, and to cut off the voting list on 2/15/21.</p> <p>Motion by: Christine Early Second by: Bobby Dupre Motion Unanimously Passed</p>
<p>Motion Into Executive Session</p>	<p>Motion made to go into Executive Session.</p> <p>Motion by: Christine Early Second by: Ron Faucheux</p>

## Minutes of the LAHBPA Board of Directors Meeting

	Motion Unanimously Passed
Motion Out of Executive Session	Motion made to come out of Executive Session.  Motion by: Charlotte Stemmons Clavier Second by: Christine Early Motion Unanimously Passed
Discussion Re Morrell's Challenge to Sean Alfortish remaining a member in good standing	As legal counsel, John Duvieilh stated that on January 19, 2021, Arthur Morrell properly submitted a challenge to Sean Alfortish's ability to run in the election of 2021. The hearing committee determined that the January 19 challenge was not done timely. During that proceeding it was disclosed under oath by Mr. Morrell that his challenge included a challenge to Sean Alfortish remaining a member of the HBPA pursuant to the Bylaws. The hearing committee assembled previously was not charged with that responsibility. Therefore, by this challenge being timely brought, it is up to this board to decide how to deal with this challenge concerning Alfortish remaining a member in good standing. John continued according to the Bylaws, the board can assemble a hearing committee to deal with this challenge, by taking evidence and testimony concerning this challenge. The Board has to decide who will represent the hearing committee. Previously, the board provided name of individuals to serve on the prior hearing committee. John stated the board could use the same three individuals from the last hearing committee, who could be slotted as 1, 2 and 3, for the new hearing committee. If those 3 accept, they will be the hearing committee for this challenge. However, if any decline, then the prior list will remain used in the same order to request serving on this hearing committee, except for those on the list who declined to serve on the prior committee due to a conflict. John suggested they had more than sufficient names to assemble a hearing committee. Ed stated that the order would 1 <sup>st</sup> be the three that served, and then to contact those that have not yet been contacted. John stated they first needed a motion that the challenge by Mr. Morrell dated January 19, 2021, and clarified at the hearing of February 3, 2021, has been received by the HBPA and that the HBPA's board has made the decision to assemble a hearing committee to deal with this challenge. Does someone want to make that motion?
Motion Re Morrell's Challenge to Sean Alfortish remaining a member in good standing	Motion made that the HBPA assemble a hearing committee to consider Mr. Morrell's challenge of Sean Alfortish being a member of the HBPA in good standing.  Motion by: Charlotte Stemmans Clavier Second by: Bret Calhoun Motion Unanimously Passed
Further Discussion Re Morrell's Challenge to Sean Alfortish remaining a member in good standing	John stated he needed another motion to the affect that the prior hearing committee that conducted the hearing on February 3, 2021, be again selected as the first choices for this hearing committee and if one or two declines to serve, the prior list will be contacted in the order presented to serve on the hearing committee. Ed adding "beginning with those who had not yet been denied. John said no, we will call in the order in which it was presented for clarity

## Minutes of the LAHBPA Board of Directors Meeting

	<p>purposes to give them the opportunity to participate. John asked if there was a motion for that.</p>
<p>Motion Re Morrell's Challenge to Sean Alfortish remaining a member in good standing</p>	<p>Motion was made that the LHBPA assemble a hearing committee to consider Mr. Morrell's challenge of Sean Alfortish being a member in good standing, selecting from the list as presented by the Board for the first hearing committee.</p> <p>Motion by: Charlotte Stemmans Clavier Second by: Bobby Dupre Motion Unanimously Passed</p>
<p>Further discussion Re Morrell's Challenge to Sean Alfortish remaining a member in good standing</p>	<p>Before the motion was completed, Christine added not one of the individuals on the list was from New Orleans. Mr. Salard (<i>member of QH Assn., Alexandria</i>), Mr. Brinkman (<i>trainer</i>), and another member from <i>north Louisiana</i>. Christine added that Mr. Harang is not an HBPA member; John said he would not be considered. The board decided to move forward with the list. John asked if her motion was to go forward with the list. Charlotte said yes, but to remove non-members. <i>The motion passed.</i></p>
<p>Motion to Adjourn</p>	<p>Motion made to adjourn the meeting at 11:16 am.</p> <p>Motion by: Charlotte Stemmans Clavier Second by: Christine Early Motion Unanimously Passed</p>
<p>Ratification</p>	<p>Minutes adopted on: <u>March 09</u>, 2021.</p> <hr/> <p><i>Vickie Lory, Meeting Secretary</i></p>