ATLANTA CITIZEN REVIEW BOARD
MINUTES OF THE LAST MEETING
55 Trinity Avenue, SW, Committee Room Two
Atlanta, Georgia 30303
January 12, 2011 / 6:30 P.M

ROLL CALL
(Eleven Members of the Board)

TEN ACTIVE MEMBERS PRESENT

PAMALA ALINIECE (Aliniece)       RYAN JOHNSON (R. Johnson)
PAUL BARTELS (Bartels)           ALAN MORRIS (Morris)
WILLIAM HARRISON (Harrison)      JOY MORRISSEY (Chair/Morrissey)
BARBARA HUBBARD (Hubbard)        RUTH PRICE (Price)
CHARIS JOHNSON (C. Johnson)      MACEO WILLIAMS (Williams)

ONE VACANT APPOINTMENT

Office of the Mayor (vacant 6 months)

STAFF ATTENDEES
MARC ADDINGTON (Addington), Investigator; WILLIAM CASTING (Casting), City Law Department,
Assigned Board Attorney; SHEENA ROBERTSON (Robertson), Investigator; SHARESE SHIELDS, Interim
Executive Director; MYOLA SMITH, Transcriber (Smith)

AGENDA

MEETING CALLED TO ORDER

The meeting was called to order at 6:37 p.m. The Chair welcomed the Atlanta Police Department represented
by Major Elder Dancy and staff of the Office of Professional Standards. The Chair also announced Public
Comments would be taken at the end of the meeting and if anyone cared to speak, to please sign up. Comments
are limited to three (3) minutes per person.

APPROVAL OF MINUTES OF THE LAST MEETING

The Chair asked if there were any corrections to the minutes of the last meeting held December 8, 2011 at 6:30
p.m. Hearing no corrections, by way of acclimation, the Chair called for a vote to accept the minutes. The
minutes were approved.
APPROVAL OF MINUTES OF THE SPECIAL CALL MEETING, DECEMBER 1, 2011

A summary of the minutes for the Call Meeting held December 1, 2011 was distributed to the Board for consideration and approval. It should be noted there is no recording or handwritten transcript available to document or support events as summarized. It is further noted the summary was reproduced by the Chair and Secretary based on their personal recall regarding the events and subsequent motions that may have occurred during the meeting. Chair Morrissey indicated she and Secretary Morris accepts full responsibility for the minutes of the Special Call meeting held last month.

The Chair asked the Board to take a minute to review the document.

Discussion/Questions...Regarding paragraph five, page 1 of J. Smith (Transcriber) asked who made the motion to accept the Personnel Committee’s Report since no name was noted as having made the motion and also, who may have seconded the motion. Chair Morrissey indicated that she believed it was Bill (Harrison) who made the motion. When asked to confirm, Harrison replied, “It wasn’t me, but that’s fine.”

Hearing no further discussion, by way of acclamation, the Chair called for a vote to accept. The motion was approved.

CONSIDERATION OF INVESTIGATION #11-44, COMPLAINT OF EXCESSIVE FORCE / INVESTIGATION BY MARC ADDINGTON

A. ALLEGATION

Addington reported that on July 22, 2011, Complaint #11-44 was filed with the ACRB alleging an APD Officer used excessive force in a detention that occurred on July 8, 2011 near the intersection of Broad and Walton Street.

The Complainant claims he was subjected to excessive force when the Officer allegedly held him down and allowed a private security guard to hit him repeatedly as he lay on the ground in handcuffs and the officer just stood by and watched.

B. WHAT THE INVESTIGATION REVEALED

The investigation revealed that the Complainant got into an altercation near the Five Points Marta Station with a private security guard. During the incident, he struck the private security guard in the face and ran from the location. According to the Complainant, he ran from the location and was eventually subdued by the Officer who tackled him to the ground and held him down while he allowed the private security guard to strike him in the head.

During the interview with the Officer, he claimed while working an extra job in the area of downtown, he observed a guard chasing a black male, who was later identified as the Complainant. After suspecting that a crime may have occurred, the Officer claims he joined the foot chase and was eventually able to tackle the Complainant to the ground. After a brief struggle, the Officer was able to handcuff and detain the Complainant to further investigate what had occurred. The Officer stated once the Complainant was cuffed, two other officers arrived at the location. Upon the arrival of the other officers, they removed the complainant from the location where he was apprehended and taken back to the Five Points location, Burger King restaurant, to sort out what happened prior to him being chased.

According to the Officer, the private security guard, who was initially involved in the foot-chase, did not want to press charges against the Complainant for hitting him in the face, so they allowed the Complainant to leave with a criminal trespassing warning not to return to the location. The Officer also indicated the Complainant was only detained and was not arrested due to the fact that he (the Officer) did not observe the criminal activity and the guard declined to prosecute the Complainant.
There were three witnesses to the incident. One witness indicated that she saw the Officer tackle the Complainant to the ground while the private security guard repeatedly hit the Complainant about the head for approximately two minutes. There were other officers who came on the scene later and the same witness claims they just stood by and watched as the guard hit the Complainant. An additional witness provided a statement which indicated that he observed the officers take the complainant to the ground and handcuff him while the security guard also struck the Complainant in the head for approximately two minutes. The third witness only indicated that the Officer had tackled the Complainant to the ground and he did not have any information that the Complainant had been struck or he did not see this activity occur.

Additionally, during the investigation it was discovered that there was a video surveillance camera near the location that was taken from a local business where the arrest occurred. The footage shows the officer chasing the complainant, tackling him to the ground. The officer appears to be struggling as he tries to handcuff the complainant’s hands behind his back. At this time, you can see the private security guard arrive at the location, and strike the complainant two times in the area of the head. During this time, the officer does not appear to be looking at the guard but appears to be focused on the complainant, underneath him, while they struggle.

C. STAFF RECOMMENDATION

Addington stated there were several issues with this investigation that call into doubt the veracity of the witness statements. Two of the witnesses indicated that the Complainant was being struck for approximately two minutes by the security guard while the officers just stood by and watched. In the video, you can only observe the private security guard striking the Complainant twice in a time frame of about 15 seconds and this was prior to him being cuffed. The footage also shows the other officers arriving at the location only after the security guard left within the time frame. There was no other indication the officers were present and stood by while the guard struck the Complainant. This conflicts with the witness statements that the officers stood by and watched the complainant being hit for approximately two minutes by the security guard while they did nothing.

Medical records received were consistent with the amount of force used by the Officer to subdue the Complainant. There were no medical records received that were consistent with a person being struck in the head for approximately two minutes.

It is clear the private security guard did strike the Complainant, as evidenced in the video and by the guard’s own admission of striking him in the head in retaliation for the Complainant initially hitting him prior to the chase. It also does appear in the video the Officer is struggling with the complainant when the guard strikes him as indicated in the officer’s interview. These actions are plausible given the officer’s point of view that he only became involved in the incident after witnessing the Complainant running from the guard and having no prior knowledge of what had transpired between the guard and the complainant before the foot chase. There is no allegation or testimony from any witness or victim that the Officer used any direct force against the Complainant during the incident, only that he allowed the guard to use excessive force while he stood by and watched.

Based on the information reviewed in this complaint, the staff recommended a finding of Not Sustain in the allegation of Excessive Force against the Officer.

D. BOARD VOTE ON STAFF RECOMMENDATION

Before calling for a motion, the Chair entertained discussion.

Questions from the Board...

Bartels asked Addington if he ever received information about what the original altercation was about. Addington replied, “The security guard was working outside of Burger King at Five Points and the complainant, I believe, had been given criminal trespassing warning there before by the security guard. The security guard told the complainant to leave and by the complainant’s own
admission, in response, he lashed out and hit the guard in the face. He then ran from the guard and the chase started and at this point the officer joined the chase.”

Following the discussion, the Chair called for a motion. Bartels moved to accept staff recommendation to Not Sustain the Excessive Force allegation against the Officer. Price seconded. Hearing no further discussion, the motion was approved.

INTAKE REPORT FOR DECEMBER, 2011

The monthly Intake Report was presented by Investigator Robertson. A total of five (5) complaints were received for the month of December, 2011. Staff recommended investigating two (2) of the complaints and dismissing three (3) complaints. The following is a list of those complaints and recommendations by the staff:

- **Complaint #11-88 involved an allegation of Poor Service**
  Staff recommends dismissal because the matter is not within the ACRB’s jurisdiction.
- **Complaint #11-89 involved an allegation of a Traffic Ticket**
  Staff recommends dismissal because the matter is not within the ACRB’s jurisdiction.
- **Complaint #11-90 involved an allegation of Rudeness, Excessive Force & False Imprisonment**
  Staff recommends investigation of Excessive Force and False Imprisonment allegations.
- **Complaint #11-91 involved an allegation of Rudeness**
  Staff recommends dismissal because the matter is not within the ACRB’s jurisdiction.
- **Complaint #11-92 involved an allegation of False Arrest & Abusive Language**
  Staff recommends investigation of only the Abusive Language allegation.

The Chair entertained a motion to accept the Intake report and recommendations. It was moved by Bartels to accept the report and staff recommendations. The motion was seconded by Morris. The Chair called for a discussion. Hearing none, the motion was approved by all.

PERSONNEL SEARCH COMMITTEE REPORT

Morris, the committee chair, distributed a written report. He stated, “The purpose of the Search Committee, as stated, is to secure a candidate for Interim Executive Director and make recommendations to the full board for three qualified candidates to fill the Executive Director position. Thus far, we have reviewed applications for the Interim Executive Director and made recommendations to the full board. Our recommendation was to hire Sharese Shields which was accomplished and to work with the City’s HR Department to advertise the position. The position has been advertised. It is my understanding, currently, there are in excess of a 150 people who have applied for the job.”

“Currently, the job description has been finalized. We are prepared to report to HR our desired qualifications, and the desired qualifications that the committee is proposing are listed here...remember, these are desired, not required: licensed attorney; previous experience in oversight of police activities; experience in civil/human rights issues; police background and knowledge of city government/public administration.”

“Future plans are to prepare interview questions. We would like to solicit from the full board any questions that you feel we ought to ask the top candidates. It is our duty to interview the top ten (10) candidates as presented to us by HR. We will recommend top three candidates to the full board. There has been some discussion about whether to have these three candidates meet with the full board or to meet in a public forum or both. Those plans are still up for grabs. Any suggestions or ideas or recommendations, we are happy to listen to them. The Board will then meet in Executive Session to recommend an Executive Director. The Executive Director will then be chosen. The earliest possible date we feel like this could be accomplished is March 1. A more realistic date is probably mid-to-late March. We are hopeful we can get this done as soon as possible.”
Questions and comments...

1) Hubbard asked when the application period will end for the position. Morris responded, “It is closed.” Hubbard asked, “So you got all of the applications of people who have applied?” Morris stated, “The policy of HR is to leave it open until an acceptable number have been received and I don’t know who decided 150 was enough, but I am glad they stopped when they did.” Hubbard, “So it has been open and now closed?” Morris, “Yes.”

2) Williams asked, “How long was that time period? Morris responded, “I don’t know, do you know (addressing Madam Chair)? Chair answered, “I know that HR opened it and they reported to us that the advertisement went on-line, December 6 and it was closed this past Monday, January 9, 2012.”

3) Bartels, “Has the request actually been made to HR to provide the top ten candidates or is it something that is being planned? Morris responded, “I wouldn’t say that it is formal but that has been part of the e-mail discussion.” Bartels, “Do you have an idea what kind of criteria HR is going to use to narrow that down?” Morris, “It is my understanding that HR has a procedure that they go through. They take the job description and they analyze each application based on the job description and then they weigh or write the applicants and that’s how they arrive at it. They will give us more if we want more.”

4) Chair stated, “If it helps, when we did this before about the same period of time, we got 179 applicants. We, as a board, chose to look at every application, which was a lot of work. HR did their job. They didn’t do anything special for us, they just did their job. In looking at every single application, we had absolutely no differences in our opinion and theirs. So we don’t have to do all that work. There is a whole department that can do all of that for us and that is a wonderful thing.”

ANNUAL/BIENNIAL REPORT

Interim Director Shields reported to the board that the last annual report was done was in 2009. The Board did not receive a report for 2010 or 2011. “We are preparing to do what we are suggesting to be, a Biennial Report, one that is done every two years as oppose to every year. We are in the process of compiling data from 2010 and 2011. It is not going to look exactly like the 2009 Annual Report because as you can image, we have a lot more information to report.”

“The staff and I have been meeting and discussing what we want to go into the report. Our goal and hope is to get it completed in time for the next budget cycle. We are going to have to start submitting our budget numbers the first part of March. We have set some pretty aggressive time lines to get the report done before then. One of the things we are asking for your help in is updating head shots for both the website and to include in the annual report. The last report didn’t have photos and we want to include them this time. Additionally, if the Board plans to be involved in any community outreach or anything else, let us know so we can get photographs of the activity. We would also like to know what community affiliations each member has because we are a diverse group; we know the entity that appointed you, but we also know you are also involved throughout the community and we may want to include that in the annual report. Sheena will be working on putting the bios together based on what is on the website but before we finalize that, we want you to review it to make sure it is accurate and reflects what you want to report. Finally, once we complete all of this, we are going to get it out to the public. We have a list of stakeholders, but it may need to be updated or you may wish to add people because we expect this will be a pretty good publication and we want to get our word out.”

“If you look at the 2009 Annual Report, you can get a feel for some of the information that will be included, such as...who we are; what we do, our function as a board and bios of each member plus statistical data regarding complaints received during intake and complaint reviewed, trend analysis; the nature of those complaints and how APD responded. Also, we plan to include information about Kathryn Johnston and the Eagle Case studies, training and our website. There are a lot of things the board has done since its inception and this is the time to do it as we approach the budget cycle and people need to know what this board has done. The Board will have to decide what you want to do in terms of community outreach, because we would like to
include that in the report. We want to also acknowledge our relationship with APD and DOC and those individuals and entities that have supported ACRB. There will also be a section in the report that will take a look at our budgets over the past three fiscal years. If a member has any strong feelings about something you would like to see in the Annual Report, let me know. Our hope is to get a draft to you before the next budget cycle. We will send you information and ask for your help on different items.”

Questions and comments...

1) Williams asked if the new budget cycle started July 1, 2012. Shields replied, “Yes, it starts July 1 and the current budget ends June 30th but the discussions are really starting now. In fact, we are in meetings today with staff from Finance but the date we start actively looking at numbers is March 1 which you need to know that for the Personnel Committee.”

2) Chair Morrissey, “Would it be fair to say if we were to contact any City Council that might help us with our budget? Because I know our budget is inadequate. Shields responded, “I am not prepared to have that discussion just yet. To the extent that you all have individual relationship, I think you need to know something going in to have those discussion and again, that is the reason for doing the Annual Report. We have to be able to articulate where we are going, where we’ve been and our vision going forward. It is pretty easy to track where we have been but we have to decide where we are going. Quite honestly, you want your permanent director to have some input and your Chair.”

CHAIR’S REPORT

Chair Morrissey indicated that every month, she wants to give each member an opportunity to share any personal concerns they may have in relationship to the group’s ability to function as a board. She said, “I want to allow just a few moments, three minutes or less, preferably less, if there is anything personally that you wish to add. Sometimes we can use this time to talk of problems that we may believe we have to keep us functioning as a board moving toward a specific goal.”

A. RYAN JOHNSON:

“I want to say, as I have always said, I really do appreciate the existence of this board and people serving right now. I want to thank you all for your time, it is invaluable and I believe it is necessary and required to have folks like us sit on this Board. We all have ideas and come with various backgrounds. We are a diverse group and I appreciate everybody coming to the table with their ideas and voicing their opinions based on what is being presented to us whether it is community outreach, personnel committee or reviewing the investigations presented by our staff. It has been pleasant and I have learned a lot and we move swiftly with the time given to us. I appreciate the effort of everyone regardless of our differences.”

B. RUTH PRICE:

“I have some concerns because I did not have a briefing and I read the By-Laws and we should have been briefed so that is what causes me to have to ask so many questions such as how many committees do we have and who sits on those committees and what is the function. I think I have shared informally, there are some things that are in the By-Laws that I think we should amend or discuss before going forward. I too am very happy to be on the Board. From just talking to some of you who have never had any experience with police officers, good or bad, I would like to recommend, in order for everybody to have a better idea about policing and more insight, is for each member to attend sessions at the Citizen Police Academy. Find out what an officer does from the time of roll call to the end of his day. I think you will have a wholistic idea of just what it is like to be a police officer. Also, I think we need to consider and incorporate in the investigative report, the officer’s annual evaluation, especially when you are talking about taking someone’s job away. Look at the officer’s evaluation that was done by their supervisor and consider the total picture. This will help us to determine if that was just one incident that occurred with a good officer.”
“Also, I don’t see any reports from Corrections, but it seems like all the complaints we are getting are about the police officer. Like I have suggested to the Chair, I wonder if we have all meet the police command staff over there? Do we know Chief Turner? Have you had a meeting with him since he became chief and his deputy chiefs? I say this because, I don’t see us as being adversaries, but two independent groups who want to accomplish the same thing and that being create a better relationship between law enforcement, in particular the police officers and this community. These are some of the concerns I have had since I have been on the board the past two months. Regarding some of the committees, I really would like to be on the Personnel Committee and I know you (the Chair) have stated you prefer to use people who have been on the board longer, but I don’t think you have to be a rocket scientist to see some of the weaknesses of the department and weaknesses of this Board in order to make sound judgment about situations as they are presented.”

The Chair responded to Price indicating that after Chief Turner was appointed as the Chief, he did come to our meetings a couple of times. "I believe and correct me if I am wrong, and then at some point, he turned that over to his command staff. We have Major Dancy who reports to Chief Turner. I am sure if we asked him (Chief Turner) to come, he certainly will. He has always made himself available to us. The Chair also stated that considering the officer’s evaluation sound like a very positive thought and will be taken into consideration especially when the new executive director is in place.

C. PAMELA ALINIENCE
When I think about the many situations that confront policemen, one thing I would like to see regarding some of the cases that we get is to have information on whether or not the police officer involved in the complaint is working overtime. We need to look at whether or not this was a situation where an officer has already worked a full regular shift and then went on to work another job. He is already exhausted from the regular job and now finds himself not in the best frame of mind to react according to standards and exercise good judgment? I bring this up because, month in and month out, I am noticing that some of these officers are still doing some of the same things that you would not expect them to do given their background and experience. I’m wondering if this information would shed more light on why they don’t appear to be thinking but just reacting. The reprimands are not working and I don’t know if our recommendation for training is being taken seriously. Maybe we need to incorporate this into our reports and go on record about it as we make recommendations to the Chief."

The Chair, in response, asked the staff to take this concern into consideration when they are investigating or at some point and time, help Ms. Aliniece to understand if this played a role in the complaint.

D. MACEO WILLIAMS
“One thing I have noted in the past two years I have served on this Board, is we get a lot of APD complaints but nothing from Department of Corrections (DOC), as was said earlier. I have talked to Sheriff Jackson and the guy who ran against him and in the future, I think we need to consider putting in a drop box at the DOC. This is our jurisdiction and those people need help up in there. It works in other states and I just want us to consider bringing on some DOC cases.”

Responding to Williams’ comments, Shields indicated there is a DOC currently in the Board’s packet for next month.

E. WILLIAM HARRISON
“I will be out of town next month and will not be able to attend the February meeting. Regarding the board election, what will we do next or when will we have it?”

The Chair stated, “The ordinance requires that we hold the election next month and I was going to talk about that in my report. If you would please give that some thought and if you would like to make any nominations now or through email, staff will put together a ballot for us and as the ordinance requires,
we will hold the election in February. Give it some thought as to who you would like to lead this Board forward and who would be on the Executive Committee.” Harrison asked if he would be able to give his vote by email since he would be out of town next month during the election. Chair responded, “I don’t know, we are going to have to look at that because I can’t tell you that answer straight off. I’m almost certain the ordinance does not address that and I don’t know about the policy manual and I’m not sure of our By-Laws. We would have to check into it.”

F. MORE QUESTIONS AND DISCUSSION

1. Williams asked the Chair if there was a Nominating Committee for the election and if not, would one be appointed. The Chair indicated that the board’s election process has always been informal. “There has not been a Nominating Committee that I am aware of and what I had planned to do was to open the floor for nominations for a brief moment. Then we could take names as to whoever was nominated in whatever position and then leave this open for email nominations and staff will put together a ballot for the next meeting. Is there anyone who is not in favor of that, you can speak now?” Williams stated, “Going forward and since we are considering parliamentary procedures, selecting a Nominating Committee, is a good standard that falls in line with correct procedures.” The Chair asked members to think about Williams’ suggest and it will be put on the agenda for next month.

2. C. Johnson stated, “I agree with Mr. Williams about having something written down regarding the election of officers because as I look at the list of appointments to the Board, I am noticing there are some terms expiring. If you have people serving in an office who will be rolling off the Board at a certain point then you are going to have an issue where that person rolling off, leaves before they are able to complete their term as an officer. I think that is something that needs to be considered also when selecting officers. There are other things we need to deal with and one being there is another position still vacant on this Board...the Mayor’s appointment. Also, board training and making sure everyone receives a full orientation of what is required because it is a lot of reading, dedication and commitment and most people are not aware how much work is involved. So I think it is a good idea to put together a nomination process too because I think we have about three positions that are probably coming up and we need to have an opportunity for everyone to consider their commitment before the nomination.”

3. Referring the Board to the ordinance, Shields stated, “The ordinance indicates that at the time of February and the selection of new officers this is the time to amend By-Laws. You are not limited to doing it only at that time, but it does designate that as a time to do it. So you may want to consider doing it at that time.” The Chair asked. “Since you (Shields) are holding a copy of the ordinance, does it say we only make nomination in February?” Shields, “For officers, yes,” Chair Morrissey stated. “We can make changes to the By-Laws anytime and once we bring on the new director, we can take another look at them” Shields also noted she is trying to get on the Mayor’s calendar to discuss his appointment and filling that vacant slot.

4. Price reminded the board that at the last meeting, it was discussed who’s responsibility it is to notify the appointing agencies that the person whom they appointed, term has expired. “Also, I read the only time a board member can be dropped is when he or she has too many absences. I think we need to address this issue of who is going to notify the agencies. Because if we don’t, we will have the same people running over and over again in these positions and sometimes it is good to have some new ideas. We need to let the agencies know the terms have expired because they are probably busy and have realized this.”

5. C. Johnson agreed with Price and said, “I do plan to talk to my appointing agency to identify some people as my replacement on the Board. I can also tell you that I sit on another City Board, and there are people who have been on that board for twenty years because no one bothered to change them out. When they were replaced, they appeared to be offended, but that will not be the problem with me. We need to notify the organizations regarding terms expiring so that they are well aware. Do this at least two months prior to the expiration to give the appointing agency, time to look for a replacement. I think it is an excellent idea but this is something that never happens because a lot of these organizations are not aware and the people currently serving love to stay on these boards.”
6. **Shields** indicated that she would be happy to look at the terms each member and report back to the board you, as well as, contact the appointing agency. **C. Johnson** noted that the Director also notifies the agency of the attendance record which is another trigger that could serve as a reminder. **Williams** indicated that he was aware of the Mayor's Office looking into this very subject of people serving over and over again on a board. "APAB is putting together a policy where at the end of the board member's tenure, they open the position up and ask the general membership if there is any interest to serve. By doing this everyone is afforded an equal chance to serve."

**PUBLIC COMMENTS**

**Chair Morrissey** opened the floor for public comments reminding each speaker of the three (3) minutes allowed per person. Two people signed up to speak: John Michael and James Doyle.

**John Michael:** Indicated that he is former member of the Board and continues to follow the work that is being done by the group. Mr. Michael expressed concern about not being kept informed by the person appointed to the Board representing his NPU. "I have been to three board meetings and Mr. Johnson has not been at either of those meetings. We have a lot of problems in my neighborhood (Kirkwood) and it is important our NPU representative attends meetings and report back to us about what is going on regarding this Board. Police continue to abuse innocent people in our neighborhood and we don’t need to turn away from the problems."

**James Doyle:** Doyle indicated that he is an applicant for the position of Executive Director. Mr. Doyle introduced himself to the board and provided a summary of his education and work experience. "I think I am the person you are looking for and I would like the opportunity." Mr. Doyle passed out a copy of his resume and letters of recommendations to **Morris** and of the Personnel Committee members responsible for overseeing the search for a new Executive Director.

Regarding public comments, two things should be noted:

- Although Mr. Doyle is an applicant, the Board meeting is a public meeting and anyone can address the Board. **Shields** said, "There is no law or rule that says an applicant can't address the board."
- Regarding Mr. Michael’s comment, the **Chair** explained the NPU appointee representing the Kirkwood neighborhood has to work at night sometimes and his wife recently had surgery.

**ADJOURNMENT**

**Chair Morrissey** entertained a motion to adjourn. **Bartels** moved to adjourn the meeting.

The meeting adjourned at 7:40 p.m.

*Approved as to form and content,*

![Signature]

**Date:** 02/09/12