

EXHIBIT 9

LOUISIANA STATE BAR ASSOCIATION

IN RE:

RE-EVALUATING LOUISIANA'S LAWYER

ADVERTISING RULES

PUBLIC HEARING

The Public Hearing concerning the above captioned matter was held on Wednesday, the 8th day of November, 2006, at the Federal Courthouse in Lafayette, Louisiana commencing at 5:10 p.m.

Before: Lori Achee

Certified Court Reporter

State of Louisiana

ASSOCIATED REPORTERS, INC.

(337) 988-0556

1 MR. GAY:

2 We're all set to start? Good afternoon,
3 my name is Phelps Gay. I'm an attorney from
4 New Orleans and a member of the State Bar's
5 Rules of Professional Conduct Committee, and
6 we're here this afternoon to present and
7 discuss and get as much feedback as we can
8 on some proposals to revise our current
9 Rules of Professional Conduct on the subject
10 of lawyer advertising and solicitation. I
11 know that many, if not everyone, in this
12 room is a member of the Louisiana Bar and so
13 I won't detain you with too much background,
14 but these Rules of Professional Conduct are
15 promulgated by the Louisiana Supreme Court
16 and, traditionally, the Bar Association
17 assists the Court in the study and
18 formulation of the Rules, and it is common,
19 I believe, and appropriate for the Bar to
20 reach out to everyone across the State,
21 members of the Bar and members of the public
22 to get as much information as we can and
23 feedback as I say before we make any final
24 decisions. So this is part of a process
25 that is going on across the state. I think

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 it's the second of four public hearings.
2 One was conducted in Baton Rouge; we're in
3 Lafayette today. I believe other members of
4 the committee are going to New Orleans
5 tomorrow and then after that, to Shreveport.
6 So, we want to hear from you on these
7 proposed revisions to the Rules of
8 Professional Conduct.

9 Just a little bit of background
10 information and then we're going to get into
11 what these new proposals are and most
12 importantly, your input and feedback on
13 them, but -- and, I should say, I'm a member
14 of the Rules of Professional Conduct
15 Committee. I'm not the Chair of the
16 committee, and we are joined here today --
17 Sam Gregorio of Shreveport, a very prominent
18 attorney who is also a member of the
19 committee and participating in the sub-
20 committee which did a lot of hard work
21 toward the drafting of the proposals that we
22 have.

23 Quick background. We have had since
24 1994 Rule 7 of the Rules of Professional
25 Conduct on lawyer advertising. It has been

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 revised once or twice since then. They were
2 not part of the comprehensive review and
3 revision of our Rules of Professional
4 Conduct, which was called the Ethics 2000
5 process, which was conducted between 2000
6 and 2003, intentionally. We just thought
7 that this subject deserved a separate
8 consideration so they were not part of that
9 consideration of the Rules and, of course,
10 that process, Ethics 2000, reached it's
11 final conclusion, and we do have those new
12 revised rules.

13 There was, and Sam, jump in here if I'm
14 saying anything incorrectly, but there has
15 been some legislative initiative to visit
16 and revise our Rules of Professional
17 Conduct. I believe there was a Bill in the
18 State Senate to revise the Rules which, I
19 believe, the Bill also partook heavily from
20 the Florida Rules of Professional Conduct.
21 I want to say that State Senator Marionneaux
22 may have been the proponent of that
23 legislation.

24 In any event, as happens with that kind
25 of process, it becomes necessary to move

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 this subject to the attention of the
2 Louisiana Supreme Court because it is the
3 Louisiana Supreme Court that
4 constitutionally has the jurisdiction to
5 regulate the practice of law in the State of
6 Louisiana, and so as I appreciate it, while
7 that Bill met with a lot of support in the
8 legislature, ultimately, it was referred to
9 Louisiana Supreme Court.

10 Louisiana Supreme Court has it's own
11 committee to study our current advertising
12 rules which is different from this State Bar
13 Committee that is conducting this public
14 hearing today. And they have also asked our
15 State Bar Committee to conduct a thorough
16 study and review of the Rules and to conduct
17 these public hearings such as we're
18 conducting today, and the process will be
19 that it'll move from the State Bar Rules of
20 Professional Conduct Committee, I believe,
21 to the Supreme Court Committee and,
22 ultimately, it will be the decision of the
23 Louisiana Supreme Court as to what to do.

24 So that's sort of how we got to be where
25 we are, and I want to stress again that the

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 purpose of this is to explain the Rules,
2 present the Rules.

3 There is, I believe, a CLE component of
4 this that is available to members of the
5 Louisiana Bar who wish to obtain CLE credit.
6 But really, the main purpose is to get
7 feedback so that we -- we're going to meet
8 again in late November and we want to review
9 and digest all of these topics.

10 Sam, is there anything else you need to
11 add to that by way of background?

12 MR. GREGORIO:

13 The Senator and House of Delegates in
14 between.

15 MR. GAY:

16 Absolutely. Thanks for reminding me.
17 The State Bar has a body as you know called
18 the House of Delegates elected from
19 districts all over the state, and the plan
20 is for this proposal, in whatever form it is
21 in at that time which will be in January of
22 2007, to be presented to and discussed and
23 debated by the members of the House of
24 Delegates of the Louisiana State Bar
25 Association. So certainly nothing final

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 will happen at least until that debate has
2 been carried out.

3 I guess I should introduce a couple
4 people here today. We are joined by the
5 person who is going to take us through the
6 Rules, Richard Lemmler. Richard is sitting
7 right here next to me, and he is the Ethics
8 Counsel for the Louisiana State Bar
9 Association and has provided invaluable
10 assistance as we've reached this point;
11 Billy King who's the Practice Assistant
12 Counsel with the Bar is here today; Chuck
13 Plattsmier, you all know, is the Chief
14 Disciplinary Counsel; Frank Nuenor, former
15 Bar President is here as well.

16 All that said, I guess I would like to
17 turn the proceedings over. What's going to
18 happen is, Richard is going to -- has a
19 Power Point, and I think you already have
20 materials that include the new proposals and
21 their comparison with the current rules, and
22 Richard is going to take us through what the
23 proposals are in the Power Point, and I
24 believe the plan is to stop whenever anyone
25 wants to after we get to a particular Rule,

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 whether it's 7.1 or 7.1(a) or 7.2, and
2 receive as much input as we can. Because if
3 we just go through the whole thing, it's
4 going to take a little while and people may
5 be a little tired if we gobble up all the
6 oxygen in the room for 45 minutes and then
7 ask for comments. So we want to talk about
8 it. We want to hear your comments on it,
9 pro or con, as we go through. Richard, the
10 floor is yours.

11 MR. LEMMLER:

12 Okay. Thank you. A couple little
13 housekeeping things before I get started
14 into the actual language of the Rules
15 themselves. As you note on the slide, this
16 is a public hearing. We do have a court
17 reporter present. We're going to be
18 transcribing your comments so we'd ask you
19 for purposes of the record, for purposes of
20 the committee, and perhaps the Supreme Court
21 Committee when they get to look at these
22 things, just state your name and whether
23 you're a lawyer or not just so we know who's
24 here whenever you have a comment, and I'll
25 try to remind you if you don't remember.

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 We'll go through it that way. And, as
2 Phelps said, there is CLE credit. You get
3 an hour of Ethics credit for attending this.
4 We'll give out the forms when it's over
5 with, and you can get your course number and
6 so forth. There is a sign up sheet up here.
7 Anyone who came in after we got started, at
8 some point before you leave, just make sure
9 to sign in so we have a record that way of
10 your attendance.

11 All right. Proposed Rule Changes: An
12 Overview of Proposed Rule Changes. The
13 first thing we have on the list is the
14 Florida State Bar experience. That might,
15 at first glance, seem like a tour of
16 alcoholic beverage establishments in South
17 Florida, but actually we're referring to the
18 experience that the Florida State Bar might
19 have with respect to these Rules, and that's
20 primarily one of the reasons why we focused
21 on that with this proposal that's based
22 quite heavily on Florida's existing Rules
23 dealing with advertising and solicitation.
24 Florida's had some form of the current Rules
25 for about 11 years now in place. In fact,

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 last week they have just revised their rules.
2 So we're going to be looking at that as
3 well, but for the most part, the rules and
4 the framework that we use is Florida's for
5 two reasons; one, because they have a
6 history, they are working in Florida; two,
7 because Florida has an 82-page handbook that
8 they supply to all of their members as a
9 guide to how to interpret the Rules, give
10 you examples providing information, case
11 law, etcetera, etcetera, everything you
12 wanted to know about these Rules including
13 the filing process that Florida has. We'll
14 be getting into that in a minute. That's
15 primarily where we got started.

16 As Phelps mentioned, there was a sub-
17 committee of the Rules of Professional
18 Conduct Committee, the Bar Committee, that
19 started looking at this, I think, in mid-
20 2005. We started looking at the Florida
21 Rules, and it was a logical place. We
22 didn't want to really reinvent the wheel so
23 it was a good place to start. Quite
24 coincidentally, the State Legislature in
25 early 2006, the Bill that was passed in

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 State Legislature, also focused on the
2 Florida Rules. So that was another reason
3 why we stuck with what we have and that
4 they're a pretty good set of Rules. If you
5 look at the side-by-side comparison that we
6 have available to you, you can see that the
7 existing Rules that we had fit pretty nicely
8 into the proposal. Nothing really was
9 removed from what we currently had. That's
10 the Florida experience. That's why we are
11 here with the Florida Rules.

12 Review of Proposed Substantive Changes
13 in Proposed Procedural Rules. Basically,
14 what we did is break this down. There are
15 two components to these Rules. It's easier
16 to understand them in that form. They are
17 basically the substance of changes; what you
18 can and can not do, what you should and
19 should not do and a procedural component
20 that deals with the filing requirement and a
21 review requirement. We will take those in
22 that order.

23 Comparatively, we just did this little
24 list so that you can see, you know, what we
25 have now on the left and what we're

1 proposing on the right. Basically, we're
2 doubling the amount of Rules that we have as
3 far as the number, but, again, many of these
4 titles, many of these topics, match up quite
5 nicely with what we already have and, again,
6 on a comparative list, you'll see that what
7 we have now has fit into the proposal with
8 almost no deletions.

9 Proposed Rule changes. Rule 7.1. What
10 is generally permissible? Basically, a
11 definition of the permissible forms of
12 advertising and, again, as Phelps said, we
13 thought it would be best for the committee
14 and for the Court committee in going through
15 these transcripts, if we just took it one
16 Rule at a time and you stop me when you have
17 a comment. I'm going to be reading and
18 talking, but make sure you get my attention,
19 and we'll put your comment on the record;
20 good or bad.

21 Permissible forms of advertising.
22 Public media including print media,
23 telephone directory, legal directory,
24 newspaper, and other periodicals, the basic
25 stuff. Outdoor advertising such as

1 billboards and other signs, radio, TV, the
2 more common and generally recognized forms
3 of advertising. Computer access
4 communications and that's subdivided later
5 on. You'll see it's internet advertising,
6 websites and email. Recorded messages can
7 be publically accessed by dialing a
8 telephone number, which I don't know is
9 quite so common anymore, and written
10 communication in accordance with Rule 7.4,
11 and you'll see that in a minute. That's
12 essentially what we're calling right now
13 targeted written solicitation. What we have
14 right now in our Rule 7.3. Yes, ma'am?

15 MS. BILLEAUD:

16 Susan Billeaud, attorney. Why is this
17 necessary? Also, this seems to be pretty
18 comprehensive. Is there any other form that
19 I can possibly anticipate that a lawyer
20 might be --

21 MR. LEMMLER:

22 I'm going to have to confer with the
23 members of the committee on that because
24 this is their prop. I'll see if any of the
25 committee members present can comment to

1 with that respect. Sam?

2 MR. GREGORIO:

3 I think it's a question that --

4 MS. BILLEAUD:

5 Why is this necessary to alleviate with
6 them? Is there some media that you
7 anticipate that's on this list, and, you
8 know, it wasn't necessary before?

9 MR. PLATTSMIER:

10 Chuck Plattsmier. This came directly
11 from the Florida Rules, and this is part of
12 their package about the types of advertising
13 that the Rules were intended to address. If
14 you look at the substance of the Rule
15 itself, it says types of adverting you can
16 engage in, included but not limited to. So
17 if it says specifically included, but not
18 limited to so that there's no question that
19 the rules, the intent was to reach certainly
20 these types that are recognized types of
21 advertising. We would recognize it as the
22 type of advertising, permissible forms of
23 advertising.

24 MS. BILLEAUD:

25 Well, I didn't see that it's -- included

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 but not limited to, but that doesn't pass it
2 over just all advertising and not go through
3 a list. I'm a little concerned about --

4 MR. PLATTSMIER:

5 Richard, it might be helpful, at least
6 from my perspective. We're trying to bring
7 in comments and concerns that people may
8 have. So any comment I think shouldn't be
9 interpreted as an explanation for --

10 MS. BILLEAUD:

11 This is just one of my concerns.

12 MR. LEMMLER:

13 Yeah. I think Chuck's point is very
14 valuable. I certainly am not here to debate
15 the merits of any of these Rules to you,
16 just simply to try and explain what we have
17 and to get your comments. Whether you like
18 them or not and, certainly, if you have a
19 question about it, or you think that this
20 just doesn't make sense, please put that on
21 the record, but we may not come back with a,
22 "Well, no, this is great, you know, you've
23 got like", and so forth.

24 MS. BILLEAUD:

25 I'm not really asking for argument. I

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 just really wanted to know if there was a
2 basis other than they did it in Florida.
3 You know what I'm saying?

4 MR. LEMMLER:

5 That, I think, was probably the basis
6 for this decision. Simply, we used the
7 framework that they had and this is how they
8 started. They give a basic definition of
9 what they consider to be potential
10 permissible forms of advertising. Not
11 necessarily exclusive for what's available.
12 More instructive, but your comments will
13 make.

14 MR. DURIO:

15 Well, I have a related question. In the
16 course of business, does anybody identify
17 any form of advertising that's not included?

18 MR. LEMMLER:

19 That's a great question. Can I ask you
20 to state your name for the record?

21 MR. DURIO:

22 Oh, I'm sorry. Buzz Durio. I'm a lawyer
23 here in Lafayette.

24 MR. LEMMLER:

25 I don't recall that anyone tried to

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 identify any other forms of advertising, and
2 certainly, if you can think of any at this
3 point, we'd love to hear about them and put
4 them on the record.

5 MR. DURIO:

6 Well, I was just thinking and I can't
7 think of any. I was going to ask you, I
8 asked you where does the magnet go? You
9 know, where does the magnet --

10 MR. LEMMLER:

11 I suppose that's a form of written
12 communication.

13 MR. DURIO:

14 Well, I'm just kidding. I was just
15 wondering if in the course of this, that any
16 identification of something that would not
17 be regulated?

18 MR. LEMMLER:

19 We have not heard of any at this point,
20 but again, if anyone has any ideas of
21 something else that they want to get
22 included, or they want on the list,
23 certainly speak up.

24 UNIDENTIFIED SPEAKER:

25 I want to make a general comment. I

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 find the Rules extremely complex and all the
2 cross references to sub-chapters and sub-
3 sub-sub chapters and other regulations, not
4 even contained here is going to be difficult
5 to someone who wants to follow the Rules to
6 follow the Rules. How would they get to
7 this? I have something that says
8 permissible forms of advertising and unless
9 there's some form of advertising considered
10 in this. I mean, I keep reading the Rules
11 that are a permissible part in achieving,
12 but constitutionally permissible in
13 regulating. I am very much for rules, but I
14 don't think the rules are directed to the
15 heart. They are going after the people who
16 are doing deceptive, trashy advertising.
17 They degrade our profession and in many
18 cases, bad handling. I don't think the
19 rules should have a single word that's not
20 necessary and list as a form of advertising
21 of a single version.

22 MR. GREGORIE:

23 I believe the structural definition will
24 articulate with that. Subsequently, one
25 will say, we recognize it.

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 MS. BILLEAUD:

2 Why say that?

3 MR. GREGORIO:

4 Well, I think it's kind of a structural
5 definition for. 7.2.

6 MS. BILLEAUD:

7 I understand that point. I guess I
8 confer with Richard that perhaps it's a long
9 way around the truth, and maybe we can do
10 advertising in all types of whatever kind
11 you accept, you know, those that broadcast,
12 and it might just be straight forward. I
13 was very concerned about that when I saw
14 that. Can I ask another question?

15 MR. LEMMLER:

16 Sure.

17 MS. BILLEAUD:

18 What is the standard of review? Is it
19 narrowly tailored to get a controlling
20 government (inaudible)

21 MR. GREGORIO:

22 Florida (inaudible)

23 MS. BILLEAUD:

24 Has anyone read the Florida State Rules?

25 MR. LEMMLER:

1 I have.

2 MS. BILLEAUD:

3 I find them very straight forward.

4 MR. LEMMLER:

5 Okay, any other comments on that.

6 MR. BURGESS:

7 Just a general comment. If I understand
8 you correctly, Florida has recently revised
9 their rules. These are not revised rules;
10 is that right?

11 MR. LEMMLER:

12 No, sir.

13 MR. BURGESS:

14 I'm sure there's reason for possibly
15 litigation. If you can push that along with
16 the proposed handbook. It seems like we can
17 sit down and say this is a proposed rule.
18 These are the guidelines. There could be
19 some benefit if we had guidelines, and if
20 you don't look at it, and you knew ahead of
21 time, you save some time.

22 MR. PLATTSMIER:

23 Chuck Plattsmier. Excellent point. Let
24 me tell you what my concern is. As I
25 recall, the Louisiana Legislature wrote the

1 handbook by agreement by resolution involved
2 the Louisiana Supreme Court set a sunset
3 provision or some sort of action to be
4 taken. The mechanism that would give us in
5 compliance with that, we felt would also
6 include, appropriately so, bringing in the
7 Louisiana State Bar and House of Delegates.
8 This meeting is, again, their agenda would
9 be posted by mid-December. So you see the
10 time table is backing us up based upon sort
11 of a sunset provision that is sort of
12 imposed by the legislative resolution.
13 That's the first observation. Second, your
14 point about the handbook is very valid.
15 Many states utilize comments when they pass
16 a law. Louisiana Supreme Court has not
17 generally embraced the notion that would
18 impose these written comments. So for that
19 reason, the handbook is a very important
20 part of this. It may not make a lot of
21 sense to you writing a handbook until we've
22 got everybody's comments on the substantive
23 rule. We want to make sure you have a
24 handbook that matches that. Third, the
25 revisions, as I understand it, came out

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 perhaps last week and probably at or around
2 the time we had our very first hearing, and
3 some of the changes are substantive. For
4 example, I think that if you look at the
5 recent part of the changes that they have
6 chosen the board members to delete the
7 disclaimer that every advertisement in every
8 written form, which was the disclaimer that
9 says selection of an attorney is an
10 extraordinarily important decision and
11 should not be made on the basis of
12 advertising alone. That's part of the
13 proposal. It's fashioned after Florida who
14 has that provision. Those were sorts of
15 things that was current.

16 MR. LEMMLER:

17 Follow up on something that Chuck said
18 with respect to the handbook. I think from
19 a practical standpoint, the handbook in
20 Florida is 82 pages long. The comment
21 before was the complexity of rules. Trying
22 to cross reference this set of rules with an
23 82 page handbook is a monumental task. I
24 know, I've done it twice already. So from a
25 practical standpoint trying to come up with

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 a complete handbook as well as a complete
2 set of proposed rules that you don't yet
3 know whether they are actually going to be
4 adopted in this form, it seems like putting
5 the cart before the horse at that point. So
6 there's every intention, I believe, at some
7 point for the committee to get into the
8 meeting of the handbook and a working
9 handbook. I've already prepared a clean
10 copy and a redline based on the proposal
11 that we have now that we actually had an
12 opportunity to look at, but we just don't
13 have it for you now. That's in the works.

14 MR. HERNANDEZ:

15 You know, I haven't even really sat down
16 and discussed this, but I can tell you two
17 things that are going to interest me. One
18 is the public comments; hopefully, they will
19 be used in the House, because, you know, I
20 can't go -- you know, all I know having
21 talking to members whom I represented
22 throughout the state not just in Lafayette,
23 also I have an efficiency of lawyers in
24 Lafayette who look upon the House and the
25 15th JDC and those who represent this area

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 and say, "John, what are the proposed
2 changes?" The biggest concern for me is if
3 we're going to go through each rule in the
4 House, words like permissible, we could
5 debate this. I don't have the knowledge
6 that this committee who's put all the work
7 and has done splendor job of performing what
8 is a miraculous document. You have 144
9 members of the House who dedicate themselves
10 to where we are, where we're going to be and
11 the exact purpose of where we're going. The
12 big question I have is, as often comes up,
13 some of these rules are very easy, very
14 explainable, they're not controversial.
15 Some will be. Like this is a very
16 controversial piece of legislation that the
17 House is going to discuss. I have been in
18 that house for six years. The simple
19 question is, is this -- do we adopt all the
20 rules, or we adopt none of the rules, or we
21 adopt several of the rules that we like, you
22 know, that's the issue because some of these
23 rules that are very controversial, I can
24 assure you, you're going to have a lot of
25 debate. Whether or not that can all be

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 discussed, you know, in one afternoon at the
2 House, I don't know, but I think from an
3 aspect of the questions that I will be
4 asked, it's simply is all or nothing or are
5 some of these rules negotiable because I
6 know the members of the committee will be
7 there as well as those pushing this in both
8 the Congress and the citizens who may have a
9 different plight as far as what should be
10 implemented regarding these rules. That's
11 the procedural question I ask; is it all or
12 nothing or is it negotiable?

13 MR. LEMMLER:

14 Well, I think to answer your question,
15 there is rules of debate that was actually
16 adopted by the House, I think it was last
17 week, in the anticipation of this. It was
18 pretty much echoed what was used for the
19 Ethics 2000 revision, and then I think -- I
20 believe it's an all or nothing so the House
21 can vote it up or vote it down as a package
22 as opposed to debating each individual item.
23 I could be mistaken, but I think that's what
24 the rules say.

25 MR. KING:

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 Bill King. It is an all or nothing
2 thing, but there is a chance as I understand
3 it, to amend certain provisions of it with a
4 resolution 15 or 30 days ahead of time. So
5 if you don't agree with a certain aspect of
6 these rules as they come out of the
7 Louisiana State Bar Association and the
8 Supreme Court Committee, you have a chance
9 to amend it, I think, at the House. That's
10 how it's agreed to work it through, Ethics
11 2000, correct?

12 MR. PLATTSMIER:

13 Yes.

14 MR. BROUSSARD:

15 Once it gets through the House, there
16 will be the recommendation to the Supreme
17 Court and of the committee?

18 MR. LEMMLER:

19 That's my understanding. That the Court
20 often would do whatever the Court wants to
21 do, but this is the recommendation from the
22 Bar with respect to the House.

23 MR. GAY:

24 I wanted to respond to John's first
25 question. I believe I heard yesterday from

1 you all that the intent is to transcribe
2 these public hearings and to put them in
3 full, the transcripts, on the Louisiana
4 State Bar Association website.

5 MR. LEMMLER:

6 That's correct. The transcripts --
7 we're intending to put the full transcripts
8 from each one of the hearings on the
9 website. Right now, just to make a general
10 announcement, if you don't know, all of
11 these rules are on the Louisiana State Bar
12 Association website right now. There is a
13 public comment form online where anyone can
14 log in. You do not have to be a lawyer.
15 You do not have to be a member of this Bar
16 to log in and register your comments. We're
17 taking them. We're getting comments
18 everyday. We're intending to also publish
19 those comments on the same website. So you
20 should be able to read online what everyone
21 else is saying. So we're trying to make
22 this as open and transparent of a process as
23 we can given the time limitations that Chuck
24 already referred to. So that information is
25 there. If it's not yet, it will be. Any

ASSOCIATED REPORTERS, INC.
(337) 988-0556

1 other comments with respect to 7.1? We have
2 a lot of rules to go through. These are all
3 great comments, but I'm going to push ahead
4 if no one has anything else to say with
5 respect to this. 7.2. 7.2 is a huge --
6 yes, sir?

7 MR. GOFORTH:

8 Before you go on, I did not see the --

9 MR. LEMMLER:

10 I'm sorry, can I ask you --

11 MR. GOFORTH:

12 Bill Goforth, I'm from Lafayette.

13 MR. LEMMLER:

14 Thank you.

15 MR. GORFORTH:

16 I read these rules. It seems to me that
17 there's a big hole in that area. I don't
18 know if you've covered that, but we have
19 national advertising by national law firms
20 soliciting our citizens here in Louisiana.
21 What is to prevent the same type of -- let's
22 say siphoning off of a client based here in
23 Louisiana to people advertising on a
24 national basis who are outside the state
25 that is soliciting our citizens? And, what

1 effect is that going to have if any?

2 MR. LEMMLER:

3 Anyone from the committee want to
4 comment on that?

5 MR. GREGORIO:

6 It's my understanding of the committee
7 is that each (inaudible) from advertising
8 (inaudible) is not intended to broadcast.
9 It is intended to be here.

10 MR. GOFORTH:

11 But a lawyer outside this state is not
12 subject to state laws.

13 MR. GREGORIO:

14 Where?

15 MR. GOFORTH:

16 In Texas. I mean, what do we have here
17 to prevent this kind of thing or is this
18 something not considered?

19 MR. GREGORIO:

20 You're talking about a Texas lawyer
21 trying to advertise in Texas?

22 MR. GORFORTH:

23 I'm talking about a New Jersey lawyer
24 advertising for -- in Louisiana on
25 television and soliciting our citizens --

ASSOCIATED REPORTERS, INC.
(337) 988-0556