

STATE OF NEVADA  
OFFICE OF THE ATTORNEY GENERAL  
RENO, NEVADA

TRANSCRIPT OF ELECTRONICALLY-RECORDED INTERVIEW

BARBARA CLARK

AUGUST 5, 2014

RENO, NEVADA

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1 RENO, NEVADA, TUESDAY, AUGUST 5, 2014, 3:05 P.M.

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3  
4 MS. DAVIES: Today's date is August 5th, 2014.  
5 The time is approximately 3:05 p.m. This is an interview  
6 taking place at the law office of Kent Robison at  
7 71 Washington Street in Reno.

8 Present in this interview is myself,  
9 Jennifer Davies, deputy chief investigator, Kent Robison,  
10 Mike Malloy -- is it Malloy?

11 MR. MALLOY: Malloy.

12 MS. DAVIES: Why did I just have a --

13 MR. MALLOY: You started to put an N or an R  
14 there.

15 MS. DAVIES: I was going to say something like  
16 that. Mike Malloy and Washoe County School District president  
17 Barbara Clark.

18 MS. CLARK: Correct.

19 BY MS. DAVIES:

20 Q. Barbara, you are aware that I'm tape recording  
21 this?

22 A. Yes.

23 Q. And I have your permission to do so?

24 A. Yes.

25 Q. Okay. So what I want to do is just go through

1 the events that took place, I know it was a long emotional  
2 day, but the events that took place on the 22nd. And I'll  
3 kind of maybe stop you a little bit in and we'll kind of  
4 dissect and get a little bit more specific.

5 A. Okay.

6 Q. So, if you can just tell me from the start of  
7 that morning and start to go through what happened.

8 A. I believe in the morning portion that vice  
9 president Barbara McLaury and I and Randy Drake met with  
10 Pedro, indicated that we had -- someone had called and  
11 indicated that they weren't sure that Pedro was a CPA and we  
12 had done some brief investigation, some investigation that  
13 indicated he was not a CPA and wanted to hear what he had to  
14 say.

15 Q. Okay. And you say we in terms of a brief  
16 investigation, who is "we"?

17 A. The -- Randy.

18 Q. Okay.

19 A. And our internal auditor.

20 Q. Okay. Did you have --

21 A. Who received the -- the information.

22 Q. Okay. So, it was the anonymous complaint or the  
23 complaint, the allegation came in through the auditor?

24 A. Correct.

25 Q. And then did the auditor bring it to your

1 attention?

2 A. Correct.

3 MR. ROBISON: Can I approach?

4 MS. DAVIES: Sure.

5 MR. ROBISON: I think there's some information  
6 about the identity of this anonymous source. I just wondered  
7 if you know that.

8 MS. DAVIES: And I was going to ask that  
9 eventually, yes.

10 MS. CLARK: I don't believe it's anonymous.

11 BY MS. DAVIES:

12 Q. Okay. So, let me back up just a little bit.  
13 When you and Vice President McLaury and Randy Drake spoke with  
14 Pedro, had this been before you had called a legal meeting?

15 A. Yes.

16 Q. Okay. So, this is at the very beginning of  
17 the -- of the morning?

18 A. Yes.

19 Q. Okay. I just wanted to make sure I was clear of  
20 kind of our time frame, so.

21 So, you meet with -- with Pedro and tell him that  
22 there had been this complaint that he was not a CPA and he was  
23 purporting himself to be. What was discussed in that initial  
24 meeting?

25 A. He indicated that, you know, he didn't know, said

1 he was -- never said he was a licensed CPA, it was very short.

2 Q. Okay. And did you --

3 A. He didn't give much information, didn't seem to  
4 be too concerned.

5 Q. Pedro didn't seem to be too concerned?

6 A. Correct.

7 Q. Okay. Did you inform him that you had done a  
8 brief internal investigation to --

9 A. Yes.

10 Q. Okay. So, then -- then what happens?

11 A. Then we go back and we have a meeting on board  
12 docs.

13 Q. Okay.

14 A. And then I talked with Randy about whether or not  
15 we could call a legal meeting because it's not my role as an  
16 individual trustee to see whether or not this was an issue  
17 with the board or not, so we went ahead and called a legal  
18 meeting. And at that point I indicated that this had arisen.  
19 Pedro was with us in the room.

20 Q. Okay.

21 A. He indicated it was fine to have this  
22 conversation regarding this issue. And Randy told a little  
23 bit about the facts that had been found through the  
24 investigation with Illinois, whatever groups handles CPA. And  
25 then I said to Pedro, Pedro, do you want to talk about what

1 your feeling is regarding this and he did. And --

2 Q. And what was his response?

3 A. You know, he was upset. I didn't know. I never  
4 signed the document, an audit, no big deal, I'll just go out  
5 and talk to the public, they'll listen to me. I never said I  
6 was a licensed CPA.

7 He went and got this document from his office on  
8 saying that -- about being a CPA. And I think there was some  
9 questions, you know, about -- about that and why does the  
10 Illinois say that you're not, you can't call yourself that.  
11 You know, he was kind of upset.

12 Q. Okay.

13 A. And then he left. We had a feeling that we  
14 really needed to take this to a public board meeting and have  
15 a discussion regarding it.

16 Q. So, you had mentioned something just a minute ago  
17 that you didn't feel that it was your individual -- as a  
18 trustee it was your individual right to -- I don't want to mix  
19 up your words --

20 A. Well, the -- the --

21 Q. About calling --

22 A. -- school district board operates as a whole.  
23 It's the majority of, you know, it's a voting body that  
24 operates as a whole. As chair I feel my role as a  
25 facilitator. I don't make decisions on behalf of the board,

1 it's always a joint decision.

2 Q. Okay.

3 A. So, I would not ever make a decision on my own.  
4 I might -- a decision is yes, we're going to put out this  
5 agenda or this, but something, you know, I don't do that.

6 Q. Okay. Let me just -- how do you as the president  
7 get elected or chosen from the board?

8 A. In January our first meeting of the year we do an  
9 election.

10 Q. Okay. From within the board, within those  
11 trustees?

12 A. Correct.

13 Q. Okay. And so those trustees then elect you as  
14 president, Barbara McLaury as vice president and Lisa Ruggerio  
15 as clerk?

16 A. Correct.

17 Q. So is there anything different that you as an  
18 officer hold that the trustees who are not officers do not?  
19 Is there anything besides facilitating meetings or -- I mean,  
20 I'm trying to --

21 A. Signing documents.

22 Q. Okay.

23 A. The agendas, I'm trying to remember what the list  
24 is.

25 Q. Okay.



1           A.    If something needs to be done in between  
2 meetings, that needed to be done right away.

3           MR. MALLOY:  You preside over the meetings.

4           MS. CLARK:  I preside over the meetings.

5 BY MS. DAVIES:

6           Q.    So, those would be your responsibilities as  
7 president that one of the -- just trustees that is not an  
8 officer would not?

9           A.    In my absence the vice president would.

10          Q.    Okay.

11          A.    In the absence of the vice president the clerk  
12 would.  In the absence of those three somebody else would.

13          Q.    Okay.

14          A.    Facilitate the meeting if there was a quorum.

15          Q.    Okay.  So, then are you the individual who then  
16 actually gathered the trustees and the other officers after  
17 that board docs meeting to say we need to have a legal  
18 meeting?

19          A.    Yes.

20          Q.    Okay.  And were you the individual who said --  
21 who told the group this is the concern, this is our issue?

22          A.    I indicated that there was a concern, that it was  
23 someone had called and indicated that Pedro may not be a CPA.

24          Q.    Okay.

25          A.    That there was again an initial investigation

1 with the authorities back in Illinois who said he was not and  
2 could not. Then I asked Randy, because Randy had also called  
3 as part of the investigation. If he had anything further he  
4 wanted to say and -- he made a few remarks and then I asked  
5 Pedro, I said Pedro, what would you like to say?

6 Q. Okay. And that's when Pedro showed you his  
7 certificate, didn't seem too concerned. And -- and what else  
8 did he say?

9 A. I guess what I want to say concerned is he -- he  
10 didn't seem concerned that there was an issue with calling  
11 yourself a CPA.

12 Q. Okay. Okay. So, after this part of the meeting  
13 what happened?

14 A. So, he had left and the feeling was that we  
15 needed to have a public board meeting. So, going to go back  
16 and convey that.

17 Q. And you speak of "he"?

18 A. We -- or --

19 Q. Okay.

20 A. -- the attorney and I and then the vice president  
21 and clerk decided that we would go together as officers and  
22 the attorney.

23 Q. Okay.

24 A. So, we went into Pedro's office.

25 Q. Okay.

1           A.    Indicated that we felt that this information  
2 needed to be discussed and that we were going to post an open  
3 board meeting with this as one of the items on it.  You know,  
4 I don't know whether it was going to be amongst other things  
5 or something, whatever, but --

6           Q.    Okay.  Were you the one who told Pedro, did --

7           A.    I did.

8           Q.    Okay.  So, you told Pedro that -- that the board  
9 felt that this information needed to be discussed and that you  
10 were going to have a public meeting regarding these issues?

11           MR. ROBISON:  Had it been discussed at a public  
12 meeting.

13           MS. DAVIES:  Yes.

14           MS. CLARK:  Had it been discussed at a public  
15 meeting, yes.

16 BY MS. DAVIES:

17           Q.    Okay.  What was Pedro's response at that point?

18           A.    He instantly -- I believe he instantly brought up  
19 his contract.

20           Q.    Okay.

21           A.    And said, you know, something about having an  
22 open meeting or something along that way, along that line.  
23 So, I yeah, I can't -- let me back up.  I think he said --  
24 sorry, all of a sudden I'm going blank.

25           Q.    That's okay, take your time.  Take your time.

1           A.    You know, he was concerned about the open  
2 meeting. He was upset. At some point, and sorry, I don't  
3 know whether this was before he brought up about his contract  
4 or sometime during that thing he said, you know, I'm going to  
5 call the governor, I'm going to call Arnie Duncan, the public  
6 won't be behind you.

7                   And then it seemed to me that fairly quickly and  
8 truly, you know, it was kind of traumatic because of his  
9 reaction when, you know, I thought it was going to be simple  
10 about we're telling you we're going to have this open meeting.  
11 He started in on talking about his contract.

12           Q.    And what was he saying about his contract?

13           A.    That, you know, he wanted -- he felt that his  
14 contract, you know, he needed to be -- there was notice for  
15 meetings.

16           Q.    Okay.

17           A.    Something about the notice of how long meetings  
18 would take, something about if you were going to talk about  
19 acts that would -- you'd have to notice this or if you're  
20 going to talk about why you'd have to notice this.

21           Q.    Okay. So, he brings up the issue of his  
22 contract. What is -- what is your --

23           A.    About noticing -- in relation to noticing the  
24 public meeting.

25           Q.    Okay. What is your response or what do you say

1 in response to that to him?

2 A. Well, it was really I think the attorney that  
3 responded.

4 Q. Okay.

5 A. You know, he -- I don't remember exactly what  
6 Randy said, but he was getting more and more agitated.

7 Q. And --

8 A. And at some point during that conversation he  
9 started talking about --

10 MR. ROBISON: Say who said --

11 MS. CLARK: -- I'm sorry, Pedro. Superintendent  
12 Martinez was getting more and more agitated. At some point he  
13 started saying something about 90 days, 90 days, 90 days.

14 He said, you know, I'll leave, but you'll have --  
15 you'll have to pay me the full payout, all the vacation, sick  
16 pay, you have to give me 90 days' written notice or something  
17 like that. And so he said don't -- you know, I want my full  
18 payout. I want 90 days' notice.

19 So, at that point we got up, went back to the  
20 board room, indicated that --

21 BY MS. DAVIES:

22 Q. Let me stop you just really quick before we go  
23 back there. At this point had you or Randy Drake or any of  
24 the other officers mentioned any sort of severance package or  
25 the need for such?

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A. No.

Q. Okay.

A. Because it was -- that wasn't our intent or purpose was to -- for him to go. It was to have an open meeting to have a discussion regarding this. He -- then all of a sudden, you know, he started talking about his contract and about his payout.

Q. So, the intention when you and the other officers and Randy Drake walked down to his office that first time was to just simply inform him of the fact that you and the other officers and trustees wanted to put this out to be discussed at a public --

A. Yes.

Q. -- at a public meeting?

A. Yes, that was the intention.

Q. Okay.

A. Because the -- as a board if you're given information it's your duty and responsibility to act on that information. But then it has to be done in a public board meeting.

Q. Okay. So, now you go -- you decide to leave his office and go back to the board room, what happens then?

A. Then Randy says he's asking for this, this and this. I think at that point there was, you know, people were kind of scattered around and I think it was Dave that said go

1 back and negotiate with him. Because I think I probably said  
2 at one point there's no way that we're going to pay him a full  
3 amount because I think we were kind of figuring out what that  
4 amount might be and someone mentioned around 350 to \$400,000.

5 So, Randy then went back and there was several  
6 back and forth discussions coming back with a different price.

7 Q. Okay. Do you know --

8 A. A different amount.

9 Q. Do you know who was having -- I know you said it  
10 was really scattered and -- but do you know who was having  
11 those conversations back and forth, you know, Randy --

12 A. I think Dave was -- was the attorney.

13 Q. Okay.

14 A. And as I say, I think I said to the attorney  
15 that's -- I -- I'm not interested in paying that amount. By  
16 that time quite frankly I'm a little shellshocked because this  
17 is -- and so I didn't pay attention to the conversations  
18 because I don't even remember where people were. I think  
19 Barbara McLaury was -- Barbara McLaury and I were sitting and  
20 everybody else was standing elsewhere in the room.

21 Q. Okay.

22 A. So, we went back and forth.

23 Q. Can you tell me what happened to end that back  
24 and forth or that discussion that Drake was having with Pedro,  
25 what kind of brought that portion of your meeting to an end?

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A. Pedro --

MR. MALLOY: Discussion?

MS. DAVIES: The discussion, yeah.

MS. CLARK: Pedro left and Randy indicated that he left the building. And no, let me -- I was standing out in the hallway and I saw him walking out the door. And he was with HR chair.

BY MS. DAVIES:

Q. Okay.

A. And there was somebody else and I don't remember who it was. He walked out the door and then Randy came back.

Q. Okay. Why had you left the -- the board area and -- and stand in the hall, just --

A. That's where we were just milling around.

Q. Okay. While you were waiting for Randy to come back?

A. Right.

Q. Okay. So as you were standing in the hallway were you anticipating Randy -- before you saw Pedro leave, were you anticipating Randy to come back with another --

A. Yeah.

Q. -- option or something from Pedro?

A. Yes.

Q. Okay. So that was when everybody was just kind of hanging out waiting?



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A. Yes.

Q. Okay. So you see Pedro leave and then what happens?

A. Then somebody suggested that we go down to the superintendent's office.

Q. Do you remember who suggested that?

A. Maybe Lisa.

Q. Okay.

A. So we went down there and tried to figure out what the heck happened.

So, you know, Randy said he wouldn't agree -- well, let me -- obviously Randy said something to the effect that he wouldn't come to any agreement, they couldn't come to any agreement and that he left.

Q. Okay.

A. And then we went down to -- I think he must have said that -- I don't remember where he said -- might have said that when we went down to the superintendent's office.

Q. Okay. And so what was your discussion -- actually who was in the superintendent's office at this point once Pedro had left?

MR. MALLOY: And for purposes of clarification, when you say the superintendent's office you mean literally the office itself as opposed to only the other parts of the suite, so to speak.

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MS. DAVIES: Yes, yeah.

MR. MALLOY: Because I think there's an ante room --

MS. DAVIES: -- Right --

MR. MALLOY: -- and a couple of doors.

MS. DAVIES: Right.

MS. CLARK: I remember Randy being there. I remember Lisa being there for sure. Probably -- I don't know, because then later I can see Barbara and John sitting out in the ante room on the couch. So I don't -- we may have all been in there at one point.

MR. MALLOY: Don't speculate.

MS. CLARK: Okay.

MR. MALLOY: If you know, say so, if you're not sure, say that.

MS. CLARK: I don't know. I know there was several of us.

BY MS. DAVIES:

Q. Okay. So you go to Pedro's office to discuss what just happened?

A. Right.

Q. And what was said, what --

A. That he had left. So, our -- oh -- yeah, that he had left. And so at that point we decided that we needed to indicate that, you know, he was relieved of duties because it

1 looked like he was done and out the door. So --

2 Q. What made you believe that he was done and out  
3 the door and --

4 A. Because I believe the attorney Randy told us that  
5 he was done. I think he said something to the effect that he  
6 was done. It wasn't -- he didn't want to negotiate. I don't  
7 know whether at that point he said something about that he was  
8 going to sue the school district, I don't remember, I truly  
9 don't, I'm sorry.

10 Q. No, that's understandable, I'm trying to figure  
11 out how you come to the conclusion that he -- you know, since  
12 he has left and you've seen him walk out that then you come to  
13 the conclusion that, you know, he's been relieved of his  
14 duties and then, you know, the events unfold after that?

15 A. Yeah, that's --

16 Q. As opposed to him just walking out because, you  
17 know, he's leaving for the day and he'll be back tomorrow.

18 A. No, no. That wasn't the impression at all in  
19 that room. It was that he had left. And I don't remember  
20 unfortunately what the exact words were used.

21 Q. Okay. But it was from information that Randy  
22 Drake had given you regarding a conversation that he had had  
23 prior with Pedro --

24 A. Yes.

25 Q. -- during one of their discussions?

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A. Yes.

Q. Okay. So, you -- you guys decide, and I speak of -- at least I should say you and Randy because we know that those are two of the people that are in this conversation.

What happens, then you decide that you have to indicate that he's been relieved of his duties, so what transpires after that?

MR. MALLOY: After what?

MS. DAVIES: After -- after the decision that they need to make indication that Superintendent Martinez has been relieved of his duties. Because --

MS. CLARK: But I think --

MS. DAVIES: -- he -- as Barbara just said that he had left.

MR. MALLOY: Yes. She's responded to that.

MS. DAVIES: And so -- right. And so she indicated that she just said that they needed to -- to indicate that he had been relieved of his duties, which is where I was trying to go is figure out how by him leaving you come to that conclusion and then make the decision to -- to --

MS. CLARK: Well, I think.

MR. ROBISON: Can we do this, Jennifer, just ask a question.

MS. DAVIES: Yeah, that's what I'm asking.

MR. ROBISON: Well, that was a long explanation.

1 MS. DAVIES: Well, no, that was his response --  
2 but here's the thing, and I understand you guys are attorneys,  
3 I'm an investigator, I'm trying to find the facts. This isn't  
4 information that, you know, we're in a court, you know, saying  
5 you're going to object to, you know, whatever.

6 MR. ROBISON: You're right.

7 MS. DAVIES: I'm trying to get the facts and  
8 every time we stop then it stops --

9 MR. ROBISON: I wanted to reset and get it --

10 MS. DAVIES: I know, but it's like we're -- we're  
11 arguing over semantics and wording.

12 MR. MALLOY: No, no, no. No, please don't let --

13 MS. DAVIES: And I'm trying to find out what  
14 happened. If somebody leaves a room I am not going to just  
15 automatically make an assumption that they've quit their job  
16 and they're leaving. So that's what I'm trying to find out is  
17 how do you get there.

18 MR. MALLOY: All I was asking for clarification  
19 to your question, I'm --

20 MS. DAVIES: Right. And so that's where I'm  
21 going, how do you get to that point.

22 MS. CLARK: To my best recollection, and I don't  
23 recall, it was about he was going to sue us. They couldn't  
24 come to an agreement on the contract because he's the one that  
25 said he was going to leave. You know, I'll leave if you pay

1 me out all this money. And then started that conversation  
2 about what his package would be.

3 At the end he said well, I'll just sue and we'll  
4 go from here.

5 BY MS. DAVIES:

6 Q. Okay.

7 A. I believe that's what the -- I don't remember  
8 what the exact words, but that's what I believe occurred and  
9 so it was final.

10 Q. So that was your impression --

11 A. Yes.

12 Q. -- of the information that you were given?

13 A. Yes.

14 Q. That he was going to sue, that it was final that  
15 he was walking out?

16 A. Yes.

17 Q. Okay.

18 A. Exactly.

19 Q. Okay.

20 A. I apologize, it was so stressful.

21 Q. Sure.

22 A. I -- I truly don't remember the exact events  
23 because it was just kind of like being shellshocked because  
24 that was never the intent.

25 Q. Okay. And I understand and from speaking with,

1 you know, the other trustees and officers, you know, that's  
2 the same impression that they'd been giving that everybody was  
3 very shocked and emotional. And so that's why we're kind --  
4 I'm trying to break it down and so --

5 A. Sorry.

6 Q. That's okay. And if you don't remember, you  
7 don't remember. Like I've told everybody I don't want you to,  
8 you know, try and speculate or remember something that you  
9 don't.

10 So, when you're in Pedro's office and he has left  
11 and now you guys are trying to decide that you need to inform  
12 people or staff, how do you do that, I mean, how do you come  
13 to that conclusion who you're going to inform that he's been  
14 relieved of his duties?

15 A. Well, we asked the communications director to  
16 come over and help us decide what the next steps were.

17 Q. Okay. And what were those?

18 A. About a press release going out.

19 Q. Okay.

20 A. During that conversation press release, a  
21 connected call and go talk to the leadership staff.

22 Q. Okay. Who made the decision to -- to actually go  
23 forward with the press release, was that you, was that you in  
24 conjunction with Randy Drake, was that just Randy, who -- who  
25 made that decision?

1           A.    Well, I know I was there.  Yeah, I think Randy  
2 was there too.

3           Q.    Okay.

4           A.    Because all of a sudden we have an absence of a  
5 person there.  And again, the conditions under which he left  
6 was like wow, you know, what are we going to do?

7           Q.    Okay.

8           A.    He had -- you know, my personal feeling, not that  
9 I verbalized it, but, you know, he's going to go out there and  
10 sue us and say something or other, we have to look like we can  
11 conduct business in a normal fashion.

12                    And so that was my intent that a press release  
13 needed to go out so that we had something out there going --  
14 unfortunately, relieved of duties, everything will continue as  
15 it has.

16           Q.    Okay.  So prior to making the press release and  
17 speaking to the leadership team did you speak with the deputy  
18 superintendent and the chief of staff prior to those --

19           A.    I did speak to them.

20           Q.    Okay.

21           A.    I believe it was before.

22           Q.    Okay.

23           A.    Yes.  To the best of my recollection it was  
24 before we did the press release.

25           Q.    Okay.



1           A.    Or talked about the press release with the  
2   communications department.  Or it might have been right there  
3   after.

4           Q.    Okay.  And that timing isn't too critical.  Was  
5   it definitely before you actually gave the press release to  
6   the media?

7           A.    Yes.

8           Q.    Okay.  And was it before you talked to the  
9   leadership team?

10          A.    Yes.

11          Q.    Okay.  So prior to both of those?

12          A.    Yes.

13          Q.    Who was in the meeting when you spoke with Deputy  
14   Superintendent Tracy Davis?

15          A.    Well, they were both there at the same time.

16          Q.    They were?

17          A.    Yes.

18          Q.    Okay.  So, you spoke to both of them together?

19          A.    Correct.

20          Q.    Okay.  And what was -- what was told to each of  
21   them?

22          A.    That Superintendent Martinez or Pedro, I don't  
23   remember which name I used.

24          Q.    Okay.

25          A.    Was relieved of duties.  Had no idea.  He was

1 relieved of duties and that we needed for them to step up and  
2 take on the responsibilities of making sure that the district  
3 was running okay from that minute on.

4 Q. Okay.

5 A. Because didn't know if something was going to  
6 come up that had to be addressed. Again, you know, it's the  
7 district is 24/7 every minute of the day there out, had no  
8 idea what was going to happen or any timeline whatsoever, but  
9 knew that there had to be somebody in place that could address  
10 any issue that immediately came up that evening or the next  
11 morning.

12 Q. Okay. Did you ever tell Tracy Davis or Kristin  
13 McNeel that Superintendent Martinez has -- was being placed on  
14 administrative leave?

15 A. To the best of my recollection, I think I said  
16 relieved of duties.

17 Q. Okay. Had you ever used -- in your conversation  
18 with them at this time, had you ever told them that  
19 Superintendent Martinez as I speak of them, Tracy Davis and  
20 Kristin McNeel, that Superintendent Martinez's contract had  
21 been terminated?

22 A. No, I don't -- not to my recollection I don't  
23 believe I said that.

24 Q. Had you ever told Tracy Davis or Kristin McNeel  
25 that Superintendent Martinez had been fired?

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MR. ROBISON: You have to be verbal.

MS. CLARK: No.

BY MS. DAVIES:

Q. Okay.

A. Again, that was never the intent, so I wouldn't ever say that. I -- I don't believe I said that.

Q. Okay. So to the best of your knowledge you had said that he had been relieved of his duties?

A. Yes.

Q. Was it your impression that those -- that that was a temporary or a permanent event?

A. His relieving of duties?

Q. Yes.

A. Temporary. I have no idea what was going to unroll out.

Q. Okay.

A. Again, we have to go to a public meeting and have a conversation. So that was the intent, that was the goal, that was still the goal.

Q. Okay.

A. Because you still have to do the contract.

Q. Okay.

A. And notice and all of those things.

Q. So, then after you speak with Kristin and Tracy at some point you inform the leadership team of the events

1 that took place. Do you remember what you told the leadership  
2 team?

3 A. I believe I said that he was relieved of duties.

4 Q. Okay.

5 A. Very sad, very gut wrenching, couldn't talk about  
6 it.

7 Q. You couldn't talk about it because you were  
8 emotional or you couldn't talk about it because it was a  
9 personnel issue?

10 A. Correct, that it was a personnel issue.

11 Q. Okay.

12 A. I believe I did use the words personnel issue.

13 Q. Okay. I just wanted to clarify.

14 A. Yeah. You know, but again, we have nearly 8,000  
15 employees and they're there doing their job every day,  
16 yesterday, today and tomorrow. And that we relied on them to  
17 continue doing their best efforts.

18 MS. DAVIES: Kent, I just want to make note, I  
19 think your tape just clicked.

20 MR. ROBISON: Thank you.

21 MS. DAVIES: You're welcome. Do you want me to  
22 pause for a minute?

23 MR. MALLOY: I haven't seen that happen, flipping  
24 a cassette over like that.

25 MS. DAVIES: Sorry.

1 MR. MALLOY: Brings back fond memories.

2 MR. ROBISON: Take this.

3 MS. DAVIES: A good time to get a good laugh.

4 Sorry it was at your expense.

5 MR. ROBISON: It won't be retaliation.

6 MR. MALLOY: Yeah, well, most of the laughter at  
7 my expense I might add. It was my turn, I take every  
8 opportunity I can get.

9 MS. DAVIES: Good.

10 BY MS. DAVIES:

11 Q. Sorry.

12 A. That's okay. And I also indicated that Tracy and  
13 Kristin had agreed to step up and take the responsibility on  
14 in the interim, you know, whatever time space there was to  
15 make sure that things kept rolling along.

16 Q. Okay.

17 A. I didn't use rolling along, but --

18 Q. Sure. So then after the leadership meeting or  
19 after you informed the leadership team of the events, at that  
20 point was it about the time that then you went and made your  
21 press conference?

22 A. No.

23 Q. What happened?

24 A. Well, shoot, no, it wasn't right after that I  
25 don't think. I guess it was. I don't think it was right

1 after, but at some point within some short time frame it was  
2 the press conference. I don't recall the exact timing. At  
3 some point -- yeah, no, because Pedro came back.

4 Q. Okay.

5 A. And he came back and walked into the office and I  
6 was in the -- that ante room, you know, where the secretaries'  
7 desks are.

8 Q. Okay.

9 A. And he walked in and then went into his office  
10 and started rummaging around on papers. And I said Pedro,  
11 what are you doing? And he never responded. Asked a couple  
12 of times. Finally he said he was looking for his contract.

13 And I think I said well, do you want us to e-mail  
14 that to you? I said I'm sure Randy has it, he can e-mail it  
15 to you. And he said no, no, no and kept going through a whole  
16 bunch of different papers.

17 And then I believe he started talking again to  
18 Randy about his contract and about negotiating money again.  
19 At some point Dave was in there being part of the  
20 conversation. I was walking in and out. I couldn't tell you,  
21 I didn't really pay attention to the money or anything. I was  
22 stressed about the other things and the -- the press  
23 conference coming up. Just if it happened after that.

24 Q. Okay.

25 A. Yes, it did. Because the rest of us -- and then

1 Lisa had gone in and sat down. The rest of us had did the  
2 press conference, because I remember very specifically that I  
3 said something about it, you know, all of us are here together  
4 and then somebody -- no, that was -- then I gave the  
5 statement, sorry, I gave the statement that we had made up and  
6 said that. There was a couple of questions.

7 Q. Do you remember --

8 A. And then we left.

9 Q. Do you remember what those questions were?

10 A. Well, I remember one in particular because the  
11 reporter called me again the next day and asked me about it  
12 and I had to look at what I said. Well, there was one  
13 question about how did you think Pedro -- how was he a  
14 superintendent over the last couple of years and I didn't  
15 answer that one.

16 Another question was when I went back and looked  
17 at the media thing I didn't hear it when I was in the thing,  
18 something about are you going to get somebody permanent? I  
19 responded, however, that we were doing something interim.

20 Q. Okay.

21 A. And I don't remember my exact words.

22 Q. Okay. So when you talk about doing something  
23 interim, what -- what were you meaning, what did you mean?

24 A. Again, that minute that next day somebody had to  
25 be there that was going to be able to address anything that

1 came up in the school district.

2 Q. Okay.

3 A. And I had no idea what the timeline was going to  
4 be.

5 Q. At that point had you even thought of something  
6 permanent?

7 A. No, no. No. There was -- no.

8 Q. Okay. Why?

9 A. Again, because we went in there to set up a  
10 public meeting and it just went totally off the rails. And,  
11 you know, Pedro went off and behaved in a way that there  
12 were -- I never even imagined or thought of. There was no  
13 planning, obviously, because probably would have done it  
14 better if there was some kind of planning obviously.

15 There was absolutely no plan other than talking  
16 to him about telling him there was going to be a public  
17 meeting. Just absolutely no thought to the future other than  
18 the immediate need of tomorrow.

19 Q. Okay. To your -- to the best of your knowledge  
20 and what you remember, do you remember any of the officers  
21 telling Pedro any of the -- that he had been placed on  
22 administrative leave other than yourself since you already  
23 answered for yourself?

24 I'm just -- do you remember any of -- if Barbara  
25 McLaurry or Lisa Ruggerio or Randy Drake had said that to



1 Pedro?

2 A. I don't recall.

3 Q. Okay. What about that his contract had been  
4 terminated?

5 A. No, I don't recall.

6 Q. Okay. And then what about if he -- that he had  
7 been fired?

8 A. I'm pretty sure those words were never used  
9 because that was never our intent.

10 Q. Okay.

11 A. I mean -- no.

12 Q. Sure.

13 A. No. Not that I heard.

14 Q. Okay.

15 A. As far as I remember.

16 Q. I don't want you to go into detail about this,  
17 it's just a simple yes or no question, but at the beginning of  
18 the morning when you met with Randy and throughout the day,  
19 did Randy as counsel give you legal advice as to what to do or  
20 what not to do? All I want you to do is answer yes or no.

21 A. No.

22 Q. Okay. Well --

23 MR. MALLOY: Yes or no is the only -- you  
24 answered it already.

25 ///

1 BY MS. DAVIES:

2 Q. I just don't want -- I don't want you to share  
3 any client-attorney privilege, so what I'm asking is at any  
4 point during the day did Randy give you legal advice as to  
5 what to do or not to do?

6 MR. MALLOY: Yes or no.

7 BY MS. DAVIES:

8 Q. Regarding any of the situations?

9 A. I -- I would say no, other than saying that we  
10 could have a legal meeting.

11 Q. Okay.

12 A. But no.

13 Q. Okay.

14 A. But that was advice.

15 Q. Okay.

16 A. I'm sorry.

17 Q. No, that's okay.

18 MR. ROBISON: You're not (inaudible), you're  
19 doing fine.

20 BY MS. DAVIES:

21 Q. No, you're doing great. So, let me ask you how  
22 then after the 22nd meeting and you make the press conference  
23 and then at what point is there discussion, if any, about  
24 Pedro returning to work?

25 A. Not until I had a conversation with my attorney

1 about he recommended --

2 Q. And you don't have to share.

3 MR. MALLOY: Go ahead.

4 BY MS. DAVIES:

5 Q. Okay. Go ahead.

6 MR. ROBISON: I'll wait.

7 BY MS. DAVIES:

8 Q. Go ahead.

9 A. It wasn't until -- it was a recommendation that I  
10 put out a statement.

11 Q. Okay. And was that -- that statement was -- was  
12 crafted and written by yourself and your counsel --

13 A. Correct.

14 Q. -- Kent Robison?

15 Was there any other officers or trustees involved  
16 in writing that statement?

17 A. No.

18 Q. Okay. And so then was that statement written  
19 between you and Kent during the July 29th meeting that you had  
20 here at counsel's office regarding other issues, but was that  
21 the time that that was written?

22 A. Yes.

23 Q. Okay. And then it was dated the 31st, which is  
24 when you -- you put out that statement July 31st; correct?

25 A. I'll take your word for it.

1 Q. Okay.

2 A. For what the day was.

3 Q. Okay. Well, he came back to work on August 1st,  
4 which was Friday --

5 A. It was the day before. Yes.

6 Q. Okay. So let me ask you. In here you discuss --  
7 there's a part in here where you say, "Rather than debate this  
8 complicated issue we have agreed that last week's events are  
9 void."

10 What do you mean by last week's events are void?  
11 How can you explain that to me?

12 A. I -- I believe that we're resetting.

13 Q. Resetting what? I mean, when you say void  
14 regarding the last week's events, kind of give me your --

15 A. Pedro was -- as we said, he was never terminated,  
16 he was relieved of duties, asked him to come back.

17 Q. Okay. So that's what you were talking about when  
18 you wrote your statement saying that last week's events were  
19 void?

20 A. Correct.

21 Q. Okay. That's what I was trying to get, but I  
22 didn't want to put words in your mouth.

23 A. No.

24 Q. So on that same day, on July 29th, there was a  
25 court filing in reference to deficiencies that -- regarding

1 Pedro Martinez. Do you know what deficiencies Pedro Martinez  
2 has at this point that are a concern to the trustees or  
3 officers?

4 A. I don't know what you're talking about. What are  
5 deficiencies? Or what do you mean, that his shortcomings?

6 Q. Yeah, within, you know, professional  
7 deficiencies?

8 A. No.

9 Q. Okay. So you're not aware of any?

10 A. Am I aware of the filing?

11 Q. Well --

12 A. Was there a filing that stated deficiencies, is  
13 that what you're saying?

14 Q. I would --

15 A. And I'm aware of that?

16 Q. Yes.

17 A. I don't know what's in the filing, no.

18 Q. Okay. Are you --

19 A. I wasn't a party to that.

20 Q. Okay. Are you personally aware of any  
21 professional deficiencies that would raise concern to the  
22 board or to the officers and trustees?

23 A. Do I have personal concerns about deficiencies  
24 and the superintendent?

25 Q. Yes.

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A. Yes.

Q. Can you share with me what those are?

MR. ROBISON: What's this got to do with the open meeting?

MS. DAVIES: It -- it's part of the second complaint that came in so I'm trying to --

MR. ROBISON: Where they -- where they accuse the board of meeting, discussing his performance at a meeting and then publishing concerns that were expressed about his performance at a meeting?

MS. DAVIES: And if that's what the whole complaint says I'll take your word for it, I have not read the whole complaint. However, that is part of their complaint so that's why I'm asking --

MR. ROBISON: I don't think anybody's ever complained about whether or not any specific or individual trustee has issues with his performance. But I'm going to -- let me just -- let's go forward.

MS. DAVIES: I mean, I'm just, I'm just curious, I --

MS. CLARK: Well, he had an evaluation, I listed out what my concerns, some of my concerns were in the evaluation.

BY MS. DAVIES:

Q. Okay.

1 A. He has issues with communications.

2 Q. Okay.

3 A. You can look at the evaluation and see what is  
4 stated in that.

5 Q. Okay. Anything else that you feel?

6 A. Well --

7 Q. I mean, I don't want --

8 A. I'm not quite sure how that applies because I --  
9 everybody has personal opinions on everybody. I'm not sure  
10 that we never discussed anything on when we were together  
11 about that. The only thing I remember is talking about the  
12 statement that we sent out.

13 Q. Okay.

14 A. So, you know, if I sit here and say I think Pedro  
15 is an apple, an orange and a pear how do I know that that's  
16 not going to be used against me as an individual? I -- I  
17 guess I'm concerned.

18 Q. No, I understand.

19 A. Because I have -- you know, just as you have  
20 personal feelings about, I have personal things about my  
21 interactions with him.

22 Q. Okay.

23 A. I -- I guess I would seek advice of my attorney.  
24 Do you want me to list them all of what they are?

25 MR. ROBISON: Well, the only accusation I'm aware

1 is that you and your fellow trustees sat down at a meeting and  
2 discussed his performance and highlighted some deficiencies.  
3 I think you made it very clear --

4 MS. CLARK: During the evaluation process.

5 MR. ROBISON: No, they're referring to the  
6 meeting in this office.

7 MS. CLARK: No.

8 MR. ROBISON: You said that didn't happen. I  
9 know it didn't happen. The point is whether or not you're  
10 expected right this moment to express any opinions you have  
11 about deficiencies which have nothing to do with any meeting  
12 you've had with the trustees is the question.

13 MS. CLARK: Yeah, I'd rather not state what I  
14 personally feel.

15 BY MS. DAVIES:

16 Q. Okay.

17 A. Other than what's in the evaluation, which is a  
18 public document.

19 Q. Okay. Let me just --

20 MR. ROBISON: Can I interject something?

21 MS. DAVIES: Sure.

22 MR. ROBISON: And I really apologize. If  
23 Mr. Martinez returned to work on the 1st, I think the meeting  
24 that we've been referring to on the 29th occurred on the 31st.

25 MS. DAVIES: Okay. So was the --



1 MR. ROBISON: The meeting -- the legal gathering  
2 in my office.

3 MS. DAVIES: Happened the day before.

4 MR. MALLOY: I think that came up yesterday as a  
5 possibility.

6 MR. ROBISON: Yeah, and I'm --

7 MS. DAVIES: Well, and I know yesterday we  
8 discussed specifically the date of the filing.

9 MR. MALLOY: That was --

10 MS. DAVIES: And we confirmed that is the 29th.

11 MR. ROBISON: The meeting --

12 MR. MALLOY: The meeting was held on the 31st.

13 MS. DAVIES: Was had on the 31st.

14 MR. MALLOY: Remember I was wondering about that  
15 on the record a little bit --

16 MS. DAVIES: So, this is not on the record for  
17 any of the others. And I will just make a note in my report.

18 MR. MALLOY: Yeah.

19 MS. DAVIES: At the beginning that when I make  
20 mention of it on the tape that it's inaccurate. In my report  
21 I'll reflect that it is the 31st and then --

22 MR. MALLOY: Yeah.

23 MS. DAVIES: -- and I'll just make a note that --  
24 that --

25 MR. MALLOY: I'm glad we caught that because I

1 was wondering.

2 MS. DAVIES: So, my apologies.

3 MR. ROBISON: It's my --

4 MS. DAVIES: And thank you for bringing that up.  
5 So you guys know when I make -- when I write my report I'll  
6 just --

7 MR. MALLOY: Yeah, thanks, thanks.

8 MS. DAVIES: -- make one big kind of like footer  
9 or header just noting that, so. Okay.

10 I think that's all. That's all I have right now.  
11 I'm sure I'm going to walk out the door and think of something  
12 else, but at this point I don't have any other questions.  
13 Kent, do you have any?

14 MR. ROBISON: No, but I want to assure you that  
15 if you do have further questions of any of the trustees and  
16 you want them to respond to questions that you did not ask,  
17 please feel free to contact us, we will get the trustee that  
18 you want to talk to on the phone and we'll let you ask any  
19 further questions.

20 MS. DAVIES: I appreciate that. And I think that  
21 for any additional -- it's probably -- if that happens it's  
22 very minimal, so it would be much easier to just get them on  
23 the phone and not disrupt everybody's entire day. So I  
24 appreciate that.

25 MR. MALLOY: Whatever is your prerogative on

1 that. It's whatever is your preference.

2 MS. DAVIES: No, and I don't mind, I have no  
3 problem, you know, having a conversation with them over the  
4 phone if it's only --

5 MR. ROBISON: All right.

6 MS. DAVIES: -- you know, a couple follow-up  
7 questions that I happen to go home and think about when I  
8 can't sleep or, you know, when it's like oh, I forgot to ask  
9 them this. So I appreciate that. Mike, do you have any other  
10 questions?

11 MR. MALLOY: No.

12 MS. DAVIES: Okay. Barbara, do you have any  
13 questions of me?

14 MS. CLARK: I guess how long does it take for you  
15 to make a determination?

16 MS. DAVIES: I'm not the one that makes a  
17 determination, I can tell you I will put together all of my  
18 notes and everything in a report from all of my interviews and  
19 then I submit it to my attorney with all the information.

20 At that point then he's the one who goes over  
21 everything that I've gathered, all of the information he has  
22 and then he's the one who ultimately will make that  
23 determination.

24 I can't say how quickly he'll be able to do that.  
25 Hopefully sooner rather than later because I know this is --

1 we're trying to fast track this, so --

2 But I have no problem, you know, if you want to  
3 call, you know, and check with, you know, your counsel as to  
4 if they know anything they can contact me and I can at least  
5 let them know, you know, kind of where we are in the process.  
6 If I still have it or if I've passed it along to my attorney  
7 it will give him a little bit of an idea of where we are in  
8 the process, so --

9 MS. CLARK: So there's no normal time frame?

10 MS. DAVIES: No. Unfortunately there's nothing  
11 normal about, you know, any of them, some of them, you know,  
12 can go really quickly, some of them, you know, don't.

13 I'm hoping to not drag this out and I know that  
14 my attorney as well, so.

15 MS. CLARK: Okay. Thanks.

16 MS. DAVIES: Okay. Anything else?

17 MS. CLARK: No.

18 MS. DAVIES: Okay. So, at this time I will go  
19 ahead and end the interview. The time is 4:05 p.m. and it is  
20 August 5th, 2014.

21 (Proceedings concluded.)

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1 STATE OF NEVADA, )  
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I, Michel Loomis, do hereby certify:

That on August 5, 2014, an interview was held in the within-entitled matter in the office of Kent Robison.

That said interview was recorded on CD-ROM was delivered to me for transcription;

That the foregoing transcript, consisting of pages 1 through 44, is a full, true and correct transcript of said recorded CD-ROM performed to the best of my ability.

Dated at Carson City, Nevada, this 14th day of August, 2014.

Michel Loomis, Transcriber