

STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL
RENO, NEVADA

TRANSCRIPT OF ELECTRONICALLY-RECORDED INTERVIEW
ESTELA GUTIERREZ
AUGUST 27, 2014
RENO, NEVADA

Transcribed and
proofread by:

CAPITOL REPORTERS
BY: Michel Loomis
208 North Curry Street
Carson City, Nevada 89703
(775) 882-5322

CAPITOL REPORTERS (775) 882-5322

A P P E A R A N C E S

Office of the Attorney
General:

Jennifer Davies,
Deputy Chief Investigator
5420 Kietzke Lane
Reno, NV 89511
jdavies@ag.nv.gov

Arrascada and Arrascada, Ltd.
By: John L. Arrascada, Esq.
145 Ryland Street
Reno, NV 89501

1 RENO, NEVADA, MONDAY, AUGUST 27, 2014, 5:59 P.M.

2 -o0o-

3
4 MS. DAVIES: Okay. Today is August 27th, 2014.
5 The time is approximately 5:59 p.m. This interview is being
6 conducted at the law offices of John Arrascada in Reno,
7 Nevada.

8 Present in this interview is myself, Jennifer
9 Davies, Deputy Chief Investigator; Estela Gutierrez; and John
10 Arrascada, the attorney for Estela.

11 First of all, you realize that this is being tape
12 recorded?

13 MS. GUTIERREZ: Yes.

14 MS. DAVIES: And I do have your permission to do
15 so?

16 MS. GUTIERREZ: Yes.

17 MS. DAVIES: Okay.

18 MR. ARRASCADA: Estela, real quick. Real
19 important: Let Jennifer -- I know you're anticipating about
20 this.

21 MS. GUTIERREZ: Yes.

22 MR. ARRASCADA: Let Jennifer finish her question.
23 Then you can answer it.

24 MS. GUTIERREZ: All right.

25 MR. ARRASCADA: So that way, we have a good

1 recording. Okay?

2 MS. GUTIERREZ: Okay.

3 MS. DAVIES: And it's much easier for the
4 transcriber then to go directly from person to person, and we
5 don't over speak each other.

6 MS. GUTIERREZ: Okay.

7 MR. ARRASCADA: Could we go off real quick?

8 MS. DAVIES: You bet. I'm going to stop this for
9 just one second.

10 (Short pause.)

11 MR. ARRASCADA: This is John Arrascada. We went
12 off tape so that we could have a discussion with Estela and
13 Jennifer to make sure that Estela would -- we could have a
14 good recording by having vocal answers, but also pauses with
15 questions so that there's no talking over one another.

16 BY MS. DAVIES:

17 Q. Okay. So, Estela, I just want to kind of go over
18 what happened on July 22nd.

19 A. Um-hum.

20 Q. If you can just tell me kind of in your own words
21 what transpired on that day.

22 A. Well, for me, I was on my way to the Bay Area to
23 represent my president, President Sheehan. And on my way, I
24 received a call at 20 till 3:00.

25 Q. Okay.

1 A. And it was from Barbara Clark from her cell to
2 basically give me like FYI that this is what's going on as far
3 as Pedro Martinez. And she was justifying the action that
4 they had already took, and they told me clearly that it was
5 fraud, that it's really bad.

6 Q. Let me stop you really quick.

7 A. Um-hum.

8 Q. What was fraud? Did she say at that point?

9 A. Yes. The CPA. The CPA.

10 Q. Okay.

11 A. So first of all, just my surroundings: I'm in a
12 car. Comes in the speaker phone. I'm trying to compete with
13 the noise of the highway, so then there was a good portion of
14 my -- of that phone call that I had to tell Barbara to -- you
15 know, "I need to veer off. Can you hold off for just a
16 second," because I needed to comprehend what she was telling
17 me.

18 Q. Okay.

19 A. So when -- my husband was with me, Jesse
20 Gutierrez, and he was the one that was driving. And so the
21 incoming call comes in through the speaker. And so I tell my
22 husband, "Veer off, veer off." I don't know the time, but
23 it -- we veered off.

24 And so at that point, then she resumes then to
25 tell me or justifying an action that they had taken.

1 And I was trying to comprehend the reason or the
2 action and what was really going on. And so apparently, she
3 had just said "We just" -- you know, "We're in a legal
4 meeting" -- or "We got out of the legal meeting." Excuse me.
5 "We got out of the legal meeting," and that's when she told
6 me, "Oh, by the way, you are on speaker."

7 And so she was on her phone, and she then
8 notified me: "You're on speaker. Everybody's here." I could
9 not hear the other people, but I do remember her just going
10 over and over, "I apologize. I know I'm putting you in a bad
11 position," you know, "I know it's very unfair to you, but
12 basically, this is pretty bad. We" -- "Us six have decided
13 that Pedro Martinez has committed fraud."

14 And so I was just kind of dumbfounded or trying
15 to comprehend this. And so it was natural for me to just ask,
16 "Well, what do you mean?" And I was trying -- as an educator,
17 I was trying to get my mind on the CPA certification, which
18 I'm going: Wait a minute. He has a certificate on his wall.
19 And so she goes -- and she alluded to the fact that it was
20 fraudulent, that the certificate was fraudulent.

21 Then during that conversation, because there was
22 a long conversation of the fraud part and "I'm sorry," then
23 kind of like in the middle of the conversation, I hear the
24 attorney because --

25 Q. And you're speaking of Randy Drake?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A. Yes, Randy Drake.

And I notice -- I noticed just by his pause --

MR. ARRASCADA: I think we need to be cautious there because there is the attorney/client privilege between Mr. Drake and this Board of Trustees. And I don't know if that's been waived in any way, shape or form. Unless --

MS. DAVIES: I don't know. I can tell you that I haven't spoken with Mr. Drake.

MR. ARRASCADA: Okay.

MS. DAVIES: However, I have spoken with all of the trustees in reference to what took place during this meeting, and they have shared their knowledge.

MR. ARRASCADA: Including what Mr. Drake said?

MS. DAVIES: Yes. Yes.

MR. ARRASCADA: Okay.

MS. DAVIES: What I don't want is if there was any information that he shared to -- to a legal standpoint of giving any sort of legal advice, because that would definitely be --

MR. ARRASCADA: That gets into -- that's why I'm --

MS. DAVIES: Yeah, that gets into --

MS. GUTIERREZ: Yeah.

MS. DAVIES: -- a sticky situation. So if it was a conversation that was taking place; otherwise, I don't want

1 to --

2 MS. GUTIERREZ: Um-hum.

3 MS. DAVIES: -- get into any sort of --

4 MS. GUTIERREZ: My point was that the fact --

5 MR. ARRASCADA: Estela.

6 MS. GUTIERREZ: Oh, I'm sorry.

7 MS. DAVIES: That's okay.

8 MS. GUTIERREZ: My point there was just that he
9 was -- it seemed like he was surprised.

10 BY MS. DAVIES:

11 Q. Okay.

12 A. Okay.

13 Q. Surprised at the conversation with you?

14 A. No, surprised that I was actually called by
15 Barbara Clark.

16 Q. Okay.

17 A. That was --

18 Q. Your interpretation?

19 A. -- my interpretation.

20 Q. Okay.

21 A. So Barbara then paused and continued to go into
22 some NRS statute regarding CPA in the State of Nevada.

23 Q. Okay.

24 A. I remember the word "misdemeanor." I remember
25 that it was illegal in the State of Nevada and that Pedro

1 Martinez had misrepresented himself all this time. So she was
2 justifying for a good proportion of our conversation.

3 At the end, I'll be honest. I was pissed. I
4 reacted and I said, "What the hell. What the hell. This
5 train has left the station. You all have made a decision, and
6 so why am I here?" And there was a pause. She could not
7 answer that.

8 Q. Okay.

9 A. And so basically, the big conversation was this
10 whole thing about a CPA; fraud, fraud, fraud; State of Nevada
11 misdemeanor; that, you know, "us six have made the decision"
12 to basically fire him.

13 Q. Okay. In -- in respect to that last statement,
14 did Barbara Clark ever specifically say that the Board made
15 the decision to fire him, to fire Pedro Martinez?

16 A. She specifically said that "We're releasing him
17 from his duties as of now. We don't want him to be here as of
18 today."

19 Q. Okay.

20 A. "He will leave immediately."

21 Q. Okay. So what was your -- your thought with --
22 with just that comment from -- from Barbara Clark?

23 A. I was --

24 Q. What was your perception?

25 A. My perception is -- like I said, that's when I

1 got pissed: You've all made the decision.

2 And then what I was trying to grapple with was
3 the fact was then she alluded to an investigation that
4 apparently -- this is what I heard from her -- that she and
5 the auditor conducted. So I was dumbfounded about that.

6 And then that's when I started getting -- my --
7 my blood was boiling, and I was trying to be calm. And that's
8 when basically, you know, I said, "So how" -- I didn't even
9 know there was a personnel issue or that there was an
10 investigation. Never. Prior to that call, I never knew there
11 was an investigation, there was issues with Pedro Martinez,
12 nothing about the CPA.

13 I'm a trustee. Something that serious, I think I
14 should have, you know, known or given a heads up.

15 Q. Okay.

16 MR. ARRASCADA: Jennifer, if I could.

17 Estela, could you explain to Jennifer how you
18 learned about what was going on with Pedro Martinez --

19 MS. GUTIERREZ: Um-hum.

20 MR. ARRASCADA: -- in the car.

21 MS. GUTIERREZ: You mean prior to the --

22 MR. ARRASCADA: Prior to Barbara's call --

23 MS. GUTIERREZ: Okay.

24 MR. ARRASCADA: -- Barbara Clark's call.

25 MS. GUTIERREZ: Prior to -- this is how I

1 learned, Jennifer, is that Pedro texts me. 2:30. He tells
2 me, "Estela, they're going to fire me," blah, blah, blah,
3 basically -- and I'm going: What? How can they do this?
4 Right? My reaction: How can they do this? It was: "On what
5 basis," basically. And he said, "Something about CPA and that
6 I don't have the right certificates," so that was his message.
7 That was at 2:30.

8 At 2:36, 2:36, I text Barbara McLaury, "What the
9 hell is going on?" At 2:39, that's when I get the call.

10 MS. DAVIES: Okay.

11 MR. ARRASCADA: From Barbara.

12 MS. GUTIERREZ: From Barbara Clark.

13 MS. DAVIES: Okay.

14 BY MS. DAVIES:

15 Q. So you weren't aware of any problems or any
16 issues related to Pedro Martinez?

17 A. No.

18 Q. His CPA certificate --

19 A. No.

20 Q. -- slash, license prior to the initial text from
21 Pedro?

22 A. No.

23 Q. Okay. Did you text Pedro back?

24 A. I text him back. I did text him. I go, "Can you
25 talk?" And he goes, "No, I cannot talk." And so that's when

1 I text Barbara McLaury, "What the hell is going on?"

2 Q. And then three minutes later, Barbara Clark --

3 A. Yeah, then Barbara Clark calls me from her cell.

4 Q. Okay. So at that point, at 2:39 when Barbara
5 called -- Barbara Clark called, the Board had already had
6 their legal meeting. They had already discussed -- done
7 whatever they had done within that, and you had not been a
8 part of that; correct?

9 A. I did not deliberate. I didn't -- I wasn't asked
10 to vote.

11 I was appalled with the fact that there was an
12 investigation and that it was led by a board president and
13 auditor. I was just like: Oh, my gosh.

14 Q. So at no time did you have any discussion with
15 any of the other board members prior to that phone call?

16 A. No.

17 Q. Okay.

18 MR. ARRASCADA: Regarding Pedro and the CPA
19 issue.

20 MS. DAVIES: Regarding Pedro and the CPA issue.

21 MS. GUTIERREZ: Exactly. And my -- when Barbara
22 was talking to me, I was trying to comprehend the whole CPA
23 first; and then second, to learn that there was an
24 investigation.

25

1 BY MS. DAVIES:

2 Q. And am I correct in understanding that Barbara
3 Clark had said that the six of them had decided that he --
4 that Pedro Martinez had committed fraud?

5 A. Yes.

6 Q. Okay. And that's pretty accurate? To your
7 recollection, that's --

8 A. To my recollection.

9 Q. -- what she said?

10 A. Recollection.

11 Q. Okay. What happened after?

12 A. When I hang up --

13 Q. Yeah.

14 A. -- and was pissed?

15 Q. Yeah.

16 A. I -- you know, for the first time in my life -- I
17 never cry, but I have to tell you, I did. I broke down. My
18 husband had to really control me. I was -- I felt blindsided.
19 I felt impotente. I felt --

20 "Impotente" means that -- helpless.

21 I wanted to find out more as far as -- because I
22 still couldn't comprehend the CPA stuff. And being an
23 educator, I -- the first thing, I thought: Wait a minute.
24 There is different standards just like there is for nursing or
25 what have you.

1 So I started going: Oh, my gosh. Who can I
2 call? Who can I call, because that's who I am. And so I
3 called different people to learn more about the Illinois
4 standards about CPA. So I wanted to learn more.

5 I also -- I'll be honest. I couldn't get a hold
6 of Pedro right away because that was my natural instinct, to
7 see what was going on. And then -- so as Jesse was
8 controlling me, we kind of paused, and so we were delayed, you
9 know, getting to my destination. And so he helped me, you
10 know, kind of get back to earth and tried not to be as
11 emotional so I could think, because I was -- I was like -- I
12 couldn't believe it. It's like a novela, which means it's
13 like a soap opera.

14 Q. Sure.

15 A. It was soap opera.

16 And so that night, just because as a dean, you
17 know, I'm used to making sure that I write the facts. And so
18 that night, I did send an e-mail to all the board members
19 saying basically that I cannot believe that you did not
20 include me or that I did not know anything prior to this legal
21 meeting.

22 And that basically, just for the record, you have
23 already made -- you had already made the decision when you
24 called me, and I put that in writing and I sent them -- I sent
25 them that e-mail that night.

1 Q. And do you still have a copy of that e-mail?

2 A. Of course.

3 Q. Okay.

4 MR. ARRASCADA: I'll make an additional one.

5 MS. DAVIES: Oh, perfect. Okay. Thank you.

6 MS. GUTIERREZ: Yeah.

7 MS. DAVIES: We're just going to take a pause --
8 we'll leave this on.

9 MS. GUTIERREZ: Okay.

10 MS. DAVIES: But we'll take a pause while John
11 steps out.

12 Thank you.

13 MR. ARRASCADA: And this one will be produced
14 pursuant to the subpoena once Mike Malloy and George
15 (inaudible) --

16 MS. DAVIES: Sure.

17 MR. ARRASCADA: -- have negotiated the scope a
18 little bit. Right now, it's very broad.

19 MS. DAVIES: Sure. Okay. So I just want to make
20 mention we did pause while you stepped out. So we'll go ahead
21 and resume.

22 BY MS. DAVIES:

23 Q. Did you -- after you sent this e-mail, which
24 would have been July 23rd --

25 A. Um-hum.

1 Q. -- did you -- were you able to contact and speak
2 with Pedro or did you speak with any of the other board
3 members specific to this issue regarding the -- the CPA issue
4 and the decisions that were made?

5 A. No, not to -- none of the group or none of the
6 board members either responded to me on this e-mail or did
7 they want to talk to me at all.

8 Q. Okay.

9 A. And I tried to reach out to the Board president
10 just to basically -- we need to meet. I was mystified with
11 the investigation still. That was really going in my mind,
12 but she never contacted me after that.

13 Nobody -- I would e-mail them. After my emotions
14 kind of went down, I had to really think about what's best --
15 in the best interests of the District. I had to kind of say:
16 Estela, you got to get these emotions out because I was
17 questioning: Why am I -- because I'm going to end my term in
18 December, so I have six more board meetings. And one of the
19 major reasons that I chose not to run is because of my
20 position at the college, being the dean, and the fact that
21 this new Board has tripled the amount of workshops.

22 And they know -- they knew from -- you know,
23 from -- since January 18th I cannot be part of this Board no
24 longer because I cannot commit this time. And they knew that
25 workshops, I would not attend, basically. Because workshops

1 are basically for Board development --

2 Q. Okay.

3 A. -- and I would always, you know, follow through.
4 Being one of the senior trustees, I would always follow
5 through with Kristin or the staff if I missed anything or if
6 there's something new.

7 Q. Sure.

8 A. Okay? So I did not -- nobody contacted me for a
9 good -- I don't -- let's see.

10 MR. ARRASCADA: You're referring to this meeting,
11 there -- July 22nd was a development --

12 MS. GUTIERREZ: Development meeting.

13 MR. ARRASCADA: -- meeting.

14 MS. GUTIERREZ: Right.

15 MS. DAVIES: Correct.

16 MS. GUTIERREZ: It was more Board development.

17 MR. ARRASCADA: Okay.

18 MS. GUTIERREZ: It was BoardDocs, ethics and some
19 other topics. It was all Board development.

20 Left town, was into my stuff that I needed to
21 present the next day and didn't even have a clue. So --

22 BY MS. DAVIES:

23 Q. Okay.

24 A. -- of all times, a Board workshop.

25 Q. Okay. So let me -- I just want to make clear,

1 did -- when Barbara Clark was speaking to you, did she ever
2 specifically say that Pedro Martinez was fired?

3 A. She -- to me, she said, "We're letting him go.
4 He will no longer be your superintendent, and he's been
5 released of his duties. And us six feel very strongly about
6 that."

7 Q. Did she ever specifically say that the Board had
8 made a decision to terminate his contract, those specific
9 words?

10 A. No.

11 Q. Okay.

12 A. Not to my knowledge.

13 Q. Okay. But it was your understanding that the
14 decision that the Board made -- let me ask you this:

15 Was it your understanding that the decision that
16 the Board had made to release Pedro Martinez, that it was a
17 final decision or it was a temporary decision?

18 A. It was a final decision.

19 Q. Okay. Did they ever speak -- did Barbara Clark
20 or any --

21 MR. ARRASCADA: I'm sorry. Estela, was that your
22 impression?

23 MS. GUTIERREZ: That was my impression.

24 MS. DAVIES: Okay.

25 MS. GUTIERREZ: Um-hum.

1 MS. DAVIES: She never utilized other terms like
2 "administrative" or anything like that or "temporary" or
3 "We're going to put him on probation"?

4 MS. GUTIERREZ: No.

5 BY MS. DAVIES:

6 Q. Okay. It was your understanding it was a final
7 decision?

8 A. Yes.

9 Q. Okay. Did Barbara Clark or any of the other
10 members during your telephone call ever speak about finding
11 a -- a replacement superintendent or interim superintendent or
12 anything?

13 A. No.

14 Q. Okay. Was that ever discussed while you were on
15 the phone?

16 A. No.

17 Q. Okay. So jumping forward -- ahead -- to the
18 meeting that took place -- I believe it was on July 31st would
19 have been the day before Pedro came back to work.

20 Let me just check my calendar really quick.

21 A. Was this a board meeting?

22 Q. No. This is would have been a meeting -- okay.
23 Yeah. Okay. So it would have been July 31st. It would have
24 been a meeting that took place at the law offices of Kent
25 Robison.

1 A. Um-hum.

2 Q. Were you present?

3 A. I was not.

4 Q. Okay. So do you have any idea what took place or
5 what discussions --

6 A. No.

7 Q. -- went on there?

8 A. No.

9 Q. Okay.

10 A. I was -- that was the day that my -- one of my
11 programs, Success First for first-generation students, it was
12 their graduation. So I had indicated to Randy that I could
13 not attend; if I had a conflict, would I be able to get a
14 debrief by Kent or by him. So Randy did give me a debrief,
15 and it was very general. It was nothing about details or
16 substance.

17 Q. Okay. Were you aware of --

18 MR. ARRASCADA: And that's not a waiver of any
19 attorney/client privilege that the Board has with Kent Robison
20 or Mike Malloy or Randy Drake or myself. And I wasn't there.

21 MS. DAVIES: Right.

22 BY MS. DAVIES:

23 Q. Were you aware of any sort of statement that
24 Barbara Clark was going to make or that she did make regarding
25 the actions that had been taken by the Board the previous

1 week?

2 A. I'm sorry. I didn't understand that.

3 Q. Maybe let me give you a little bit of a
4 description.

5 There was a statement that Barbara Clark put out.

6 A. There's various statements.

7 MR. ARRASCADA: A press release.

8 BY MS. DAVIES:

9 Q. It was a press release, and it was a specific
10 statement that was -- that spoke specifically about the
11 actions that had taken place on the 22nd were void, and they
12 were asking Pedro Martinez to --

13 A. Okay.

14 Q. -- come back to work.

15 Are you aware of that statement that was made?

16 A. Um-hum.

17 Q. Okay.

18 A. Through the paper.

19 Q. Perfect. So how did you find out about that
20 statement?

21 A. Through the paper.

22 Q. Did you know anything about that statement?

23 A. No. Prior to, no.

24 Q. Okay. So that was the first time you --

25 A. Exactly.

1 Q. Okay.

2 A. In fact, many of her statements were through the
3 paper.

4 Q. Okay. Okay.

5 This may sound kind of like an oddball question,
6 but is there a white board that exists -- and I don't know if
7 it's in Pedro's office, if it's outside of his office -- that
8 would have said -- that somebody might have written something
9 on saying that they were looking for an interim superintendent
10 or any sort of information about that?

11 A. I don't know.

12 Q. Okay. I'm trying to think.

13 Is there anything else that you can think of that
14 took place during your telephone conversation with Barbara
15 Clark in the car that you can think of that -- that you
16 haven't said?

17 A. The big conversation was the fraud, the fraud,
18 the fraud, the CPA. "Unfortunately" -- "I'm sorry, Estela.
19 I'm so sorry. I put you in a bad" -- "I know this puts you in
20 a bad position," and basically what I've just added.

21 Q. Okay. And when you speak of the fraud, the
22 fraud, the fraud, it's all --

23 A. CPA.

24 Q. Okay.

25 A. One issue. It was only one issue. There was

1 never any discussion about no other issue. The big focus was
2 that CPA.

3 And I'm trying to -- because we have individual
4 meetings with Pedro, so all I could remember is the CPA
5 certificate on his wall that he had since I've known him. And
6 so I brought that up, and basically, they -- my interpretation
7 was they're alluding that it was not for real. It was fraud,
8 that he's committed fraud.

9 Q. Okay.

10 A. And the investigation and that the auditor, who
11 now reports to the Board, was part of that investigation.

12 Q. Okay --

13 A. And led by the president.

14 Q. What is the auditor's name?

15 A. Barbara -- is it Barbara?

16 MR. ARRASCADA: That's a lot of Barbaras.

17 MS. DAVIES: I was just thinking the same thing.

18 MS. GUTIERREZ: I think it's Barbara. I mean,
19 don't quote me.

20 MR. ARRASCADA: If you can't recall, you can't
21 recall.

22 MS. GUTIERREZ: I can't recall.

23 BY MS. DAVIES:

24 Q. Okay. But it's a -- it's a female?

25 A. It's a female.

1 Q. Okay. Perfect.

2 MS. DAVIES: I don't have anything else at this
3 time. As soon as I walk out the door, I'll probably think of
4 something.

5 But, John, do you have anything that you want to
6 bring up?

7 MR. ARRASCADA: Just to clarify.

8 MS. DAVIES: Sure.

9 BY MR. ARRASCADA:

10 Q. Estela, everything you knew what was going on
11 that day was it was a workshop --

12 A. Um-hum.

13 Q. -- is that correct?

14 A. Absolutely.

15 Q. You've explained to Jennifer what workshops are
16 with the District or with the Board of Trustees.

17 At any time from when you received the text from
18 Pedro to the cell phone conversation with Barbara Clark, were
19 you invited or asked to deliberate or participate in any
20 decisions?

21 A. No.

22 Q. And did you have any knowledge that there was a
23 meeting or personnel decisions or a meeting where decisions
24 were being made --

25 A. No.

1 Q. -- regarding the school district or Pedro
2 Martinez?

3 A. No. And, while I'm a dean, one thing I -- here's
4 the confusion with the community is since I've been on the
5 Board, the mandatory meetings are the regular board meetings
6 that take place.

7 Workshops are not mandatory.

8 Q. Okay. And in the e-mail that you provided, that
9 you sent to the Board on July 22nd at 9:55, is that reflective
10 of how A, one, you felt and the fact also that you had
11 absolutely no knowledge that anything was going on, that
12 decisions were already made before you had even spoken?

13 A. Absolutely. I had no prior knowledge. I was --
14 didn't even know there was an issue, a personnel issue.

15 We -- just 30 days prior to that, we had an
16 evaluation, I believe June 10th. It was a little bit over
17 30 days, and it was tough. Not even my president or CEO goes
18 through that type of evaluation.

19 The evaluation wasn't great, it wasn't bad. It
20 was like a B plus -- A minus, B plus. Never had they
21 mentioned anything.

22 Q. Okay. And just -- and I'm sorry. I don't mean
23 to belabor anything.

24 A. You're fine.

25 Q. I guess I will. And I never even said that --

1 and I don't mean to brag, I think someone's about to.

2 Did you participate -- on that July 22nd, on the
3 phone call, did you participate in taking any of the actions
4 that were taken?

5 A. Absolutely not.

6 Q. Okay. Is it your opinion that you were told what
7 occurred as opposed to being part of a deliberative
8 participating process?

9 A. I was told.

10 Q. Okay.

11 A. And it was a lot of justifying the action that
12 had already taken place --

13 Q. Okay.

14 A. -- that the six had decided, and there was this
15 urgency that he had to leave.

16 Q. Okay.

17 MS. DAVIES: And let me -- I'll just be specific.
18 Although we do know who the six consist of, but can you tell
19 me who the six individuals are.

20 MS. GUTIERREZ: So that's Barbara Clark, Dave
21 Aiazzi, Barbara McLaury, John Mayer -- John Mayer --

22 MR. ARRASCADA: Lisa.

23 MS. GUTIERREZ: -- Lisa Ruggiero and Mr. Howard
24 Rosenberg.

25

1 BY MS. DAVIES:

2 Q. Okay. And those are the six that you speak of
3 when -- throughout this interview of the six?

4 A. Of the six.

5 Q. Okay.

6 A. Now, the only person I could hear was Barbara.
7 She was the spokesperson.

8 Q. Okay. So Barbara Clark was the only person who
9 you could hear --

10 A. Um-hum.

11 Q. -- and who was speaking --

12 A. Exactly.

13 Q. -- to you in reference to what decision or
14 deliberation had taken place?

15 A. Um-hum.

16 MR. ARRASCADA: You were told what was done.

17 MS. GUTIERREZ: What was done. That's when I got
18 pissed.

19 MS. DAVIES: Okay. Okay.

20 MS. GUTIERREZ: I was really pissed.

21 MR. ARRASCADA: So noted.

22 MS. DAVIES: Do you have anything else?

23 MR. ARRASCADA: I do not.

24 MS. DAVIES: Okay. I don't have anything at this
25 time. So what I'll do --

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Estela, do you have any questions for me?

MS. GUTIERREZ: I don't have any questions --

MS. DAVIES: Okay.

MS. GUTIERREZ: -- at the moment. This is my first --

MS. DAVIES: And that's fine. I just want to give you the chance if you did. So --

MR. ARRASCADA: If she does, she'll call me and I'll reach out to you.

MS. GUTIERREZ: Yes.

MS. DAVIES: Perfect. At this time, what I'm going to do is go ahead and end the interview.

It is August 27th, 2014, and the time is approximately 6:30 p.m.

(Proceedings concluded.)

1 STATE OF NEVADA,)
2 CARSON CITY.) ss.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I, Michel Loomis, do hereby certify:

That on August 27, 2014, an interview was held in the within-entitled matter in the office of John Arrascada.

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

That the foregoing transcript, consisting of pages 1 through 28, is a full, true and correct transcript of said recorded JAVS CD-ROM performed to the best of my ability.

Dated at Carson City, Nevada, this 29th day of August, 2014.

Michel Loomis, Transcriber