

STATE OF NEVADA  
OFFICE OF THE ATTORNEY GENERAL  
RENO, NEVADA

TRANSCRIPT OF ELECTRONICALLY-RECORDED INTERVIEW  
PEDRO MARTINEZ  
JULY 28, 2014  
RENO, NEVADA

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1 RENO, NEVADA, MONDAY, JULY 28, 2014, 12:12 P.M.

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3  
4 MS. DAVIES: Okay. Today's date is July 28th,  
5 2014. It is 12:12 in the afternoon. This is an interview  
6 being taken place at the Reno office of the Attorney General  
7 with myself, Deputy Chief Investigator Jennifer Davies.  
8 Present in this interview is Carrie Parker from Snell and  
9 Wilmer along with Bill Peterson from Snell and Wilmer and  
10 Pedro Martinez, the superintendent for the Washoe County  
11 School District.

12 Mr. Martinez, what I want to do if you'll take  
13 just a quick minute, this is the complaint that was filed on  
14 our -- to our office. If you would just read through the  
15 first few pages and then just confirm with me that it is  
16 accurate and correct to your knowledge, that would be great.  
17 And just take a minute to do that.

18 MR. PETERSON: If there's anything inaccurate,  
19 Pedro --

20 MR. MARTINEZ: Hum?

21 MR. PETERSON: -- be sure to make a note.

22 MR. MARTINEZ: Absolutely.

23 Yeah, I mean, that really is at a -- you know,  
24 the only thing that would be missing would be some of the  
25 things that had been -- happened later in the PM. But other

1 than that --

2 MR. PETERSON: You know, I don't think she's  
3 asking you whether --

4 MS. DAVIES: Yeah, but at this --

5 MR. MARTINEZ: -- it's accurate.

6 MS. DAVIES: Okay.

7 MR. MARTINEZ: It's accurate.

8 MS. DAVIES: Okay. Because this was written on  
9 July 24th.

10 So at that time --

11 MR. MARTINEZ: Yes.

12 MS. DAVIES: -- it's accurate and complete?

13 MR. MARTINEZ: Yes. Yes.

14 MS. DAVIES: Okay. Perfect. So what we'll do is  
15 just go ahead and kind of go through some -- a list of  
16 questions.

17 If you can tell me just briefly about your day on  
18 July 22nd.

19 MR. MARTINEZ: Sure, sure, sure, sure.

20 So -- so we were scheduled on July 22nd to have a  
21 Board workshop, a training workshop.

22 BY MS. DAVIES:

23 Q. Okay.

24 A. You have the agenda.

25 It was mainly -- so it was a training session.

1 That's what it was. It had been scheduled for at least --  
2 well over a month before that, and so I decided to be part of  
3 it. It was an ethics training in the morning and then some  
4 just basic training on how to use what we call a board doc  
5 system --

6 Q. Okay.

7 A. -- which is how we keep information for the  
8 public.

9 Then this -- you know, I wasn't expecting  
10 anything really. I actually -- just before that, I had met  
11 with the Board president or with the college president both at  
12 UNR and TMCC, and we had a great conversation about some of  
13 the initiatives we had, then went over to the training.

14 At about -- so the ethics workshop -- and it was  
15 very good -- ran until approximately just a little after  
16 10:30, just before 11. The Board president asked if, you  
17 know, she could see me during the break. So there was a break  
18 right about 11.

19 And so at that point, the Board president came to  
20 see me with the -- with the -- with our District attorney,  
21 Randy Drake, and said, you know, "There has been an allegation  
22 against you that you are touting yourself out to be a CPA, and  
23 you're not."

24 And I said, "Okay." You know, I didn't think  
25 anything of it. So I said, you know, "Probably just a

1 misunderstanding." I -- you know, I said, "I have my CPS  
2 certificate." I even -- I had it on the wall. I said, "Look,  
3 here it is. Do you want me to print copies of it?" They  
4 said, "No, it's not necessary."

5 And then at that time, you know, they said they  
6 had actually started an investigation, that they had called a  
7 licensing entity in Illinois and that there was no record of  
8 me ever having a license.

9 And I said yeah, that that is correct. So I  
10 tried to explain to them the difference between a licensed CPA  
11 and a non-licensed CPA. I said, you know, "I was in the  
12 profession right out of college for about four years, and I  
13 never had the need to pursue my license because I left the  
14 industry about four years. And so I didn't go and open up my  
15 own accounting firm. I didn't become a partner in that  
16 accounting firm, but I am still designated as a CPA even  
17 though I didn't get my license."

18 And so they said, "Well," you know, "we don't" --  
19 "we think this is a concern." And I said, "Okay. Well, let's  
20 continue to talk about it and figure it out." They said,  
21 "Well, we would like to talk about it with the entire Board."  
22 I said okay.

23 So they said -- they actually went back and did  
24 another part of their training on the board doc system. That  
25 was for about an hour. And then at this point, it was about

1 12:30. Then they said, you know, "We're going to call a legal  
2 meeting." And so our attorney called with what he referenced  
3 as a legal meeting at 12:30.

4 In the legal meeting, the six -- six trustees  
5 were there out of the seven. So there was President Barbara  
6 Clark; the vice president, Barbara McLaury; John Mayor; Lisa  
7 Ruggiero, Dave Aiazzi and Howard Rosenberg, and it was just me  
8 and the attorney.

9 Q. You're good. I apologize. I was just checking.

10 A. Sure, sure, sure.

11 Q. My luck, it will not be working. So my  
12 apologies.

13 Continue.

14 A. So then, you know, Barbara brought up -- said,  
15 you know, "There's been an allegation against the  
16 superintendent that he's touting himself out to be a CPA and  
17 he's not." And so then I explained. I said, you know -- you  
18 know, "I am a" -- you know, "I am a certified" -- "a CPA,  
19 certified public accountant, but I don't have" -- you know,  
20 "I've never had the need to obtain my license. And I've never  
21 spoken in public ever of having" -- "being a practicing or a  
22 licensed CPA," and I explained the difference. I even said,  
23 "If you want, I can go get my certificate."

24 Q. Can you explain for me what the difference is,  
25 because I'm unaware.

1           A.    Sure, sure, sure.

2                    So in Illinois, the requirements to be a  
3 certified public accountant -- and this was back in -- when I  
4 first entered the profession in 1992 was you had to pass your  
5 CPA exam, which is similar to a bar exam, and then have at  
6 least one year of public accounting experience.

7           Q.    Okay.

8           A.    So I worked for four years in the accounting  
9 world.

10                   If an accountant -- if a CPA wants to get their  
11 license because they actually want to be, for example, a  
12 partner in an accounting firm or actually open up their own  
13 business to actually provide services as, for example, signing  
14 audit opinions and performing audits, but -- and specifically,  
15 signing them --

16          Q.    Okay.

17          A.    -- you would need a license.

18          Q.    Okay.

19          A.    So I decided to leave that profession after about  
20 four years, so I never needed and required to have a license.

21          Q.    Okay.

22          A.    So I still was -- I still was very proud of the  
23 fact I was a -- that I am a CPA or was a CPA. But that was  
24 the difference.

25          Q.    Okay.



1           A.    And so I tried to explain that to them. I even  
2 went and got my CPA certificate. I said, "Look," you know --  
3 you know, and I even made copies and gave it to them.

4           I also found on my alma mater website something  
5 that said clearly that if you passed your CPA exam and have  
6 gotten your CPA certificate, you can use the designation of a  
7 CPA.

8           Q.    Okay.

9           A.    So I shared that with them as well.

10           And so at that point, they decided -- at that  
11 point, Lisa Ruggerio said, "Well, this is serious because  
12 you're touting yourself" -- "everybody thinks you are a  
13 licensed CPA, and therefore" -- and, you know, "you can't" --  
14 you know, she said, "You can't -- you can't just minimize  
15 this." You know, "I went" -- "I went to" -- you know, "I  
16 became a social worker, and I would never tout myself as a  
17 licensed social worker if I wasn't. This is very serious,  
18 Pedro."

19           And Dave Aiazzi said, "Yes, this is serious and,"  
20 you know, "we need to put out a statement from the Board."  
21 And I just said, "Well, okay. If there's some confusion out  
22 there in the community that I'm" -- you know, "about me being  
23 a" -- "about my CPA status, let's work together to clarify  
24 that." Because I don't want the community -- the trust of the  
25 community is very important to me. I don't want -- I don't

1 want anything to -- you know, to hurt that trust.

2 At that point, Barbara Clark said, "You know,  
3 Pedro, we'd like you to leave. We want to deliberate among  
4 ourselves." And I said okay.

5 So I wasn't very long with them. It might have  
6 been at the most maybe 15 minutes. So then I went back to  
7 my --

8 Q. In that second meeting --

9 A. In that meeting --

10 Q. -- at the legal meeting?

11 A. -- that legal meeting.

12 Q. Okay.

13 A. So I left them, so let's say it was probably  
14 maybe about 12:45.

15 Q. Okay.

16 A. So I left, and then I went back to work. I was  
17 in my office.

18 I would say within about 30 minutes after that,  
19 Barbara Clark comes in with Lisa Ruggerio and actually,  
20 Barbara McLaury -- there might be one added that we have to do  
21 this.

22 So they're the three officers, the vice president  
23 and the secretary.

24 Q. Okay.

25 A. And said, you know, "We've been talking about

1 this. We think this is a serious issue." And I said, "Okay,"  
2 you know, "let's work together to figure this out." They  
3 said, "No, no, no. We're done with you, Pedro. We're done.  
4 We want to end your contract, and" -- "in either one of two  
5 ways," and I don't remember the exact words she used.

6 She either said, "You can do it the hard way or  
7 the easy way" or "the bad way or the good way," but she said,  
8 "We can do it one of two ways. You can resign. We can give  
9 you three months of severance, and you go on and move on and  
10 move on to," you know, "your next job. Or we'll go public,  
11 and people will know about this. This will destroy your  
12 career, and so you decide."

13 And I was shocked. So I said -- I said, "With  
14 all due respect, Barbara" -- and to the other officers. I  
15 said, "First of all, I would never, ever fight a Board about  
16 changing their superintendent. That is your right. So first  
17 of all, you just know that. But there are provisions in my  
18 contract. If you feel you have a cause, here's the provision.  
19 I don't feel you do.

20 "So if it's without cause, you have to give me 90  
21 days' notice, and then there's a severance package." I said,  
22 "Those two are very clear in my contract." It's not even  
23 my -- it was from the previous superintendent who I just took  
24 his contract and just basically -- and it has the same  
25 language. "So this is not information that," you know, "you

1 wouldn't be familiar with."

2           And Barbara said, "So that's the way you're going  
3 to do it?" And I said yes. She said, "Well, I need to go  
4 back and talk to my colleagues," so they all left and  
5 deliberated again. Matt deliberated -- it was just them and  
6 Randy. I was in my office, and, oh, I would say over the  
7 next -- so let's see. Right now that's -- now -- we're  
8 probably talking now it's about 1:15 now. 1:15, 1:30.

9           So I would say between for the next almost two  
10 hours, hour and a half to two hours, Randy -- they were  
11 discussing it in their room. Randy was coming in and saying,  
12 "Pedro, they want to make a deal." And I said, "Okay. What  
13 do you mean by that?" "They want to make a deal. They want  
14 you to leave. They want to end your contract, and so they're  
15 willing to give you some money." And I said, "Okay. So what  
16 do you mean?" And he said, "Well" -- and at first he said,  
17 you know, "They'll increase the dollar amount. From three  
18 months, then maybe" -- "they'll give you a hundred thousand  
19 dollars."

20           And I said, "Randy, my contract is very clear,  
21 and you know this because you were the attorney that helped  
22 draft it. If they feel they have cause, they have to give me  
23 a ten-day notice and there's a public hearing. If there is no  
24 cause, they have to give me 90 days' notice." He said, "Well,  
25 they don't want that. They want you to leave."

1                   And so this -- again, this went on for about a  
2 good, I would say, hour and a half to two hours. At one  
3 point, I even said, "Randy, you have to" -- you know, "since I  
4 don't feel you have cause, I can just stay here, because you  
5 have to give me 90 days."

6                   And he said, "No way. They would never have  
7 that. They want you out of this office." And I said, "Randy,  
8 you don't even" -- I said, "Randy, what -- you don't even  
9 know -- it's ending my contract. You can't even -- you can't  
10 even send me away. You have to give me either the ten-day  
11 notice or the 90-day notice." He said, "Well, they'll call  
12 the police and have you escorted out."

13                   And I said, "The police reports to me. By the  
14 way that's by state statute. So you're going to have my  
15 own -- my own interim police chief escort me out?" And he  
16 said, "Well, we'll call one of the other agencies."

17                   I said, "Randy" -- I tried to reason with him. I  
18 said, "Randy, you know that there is no substantive cause.  
19 This issue is not anything that is critical, and so you know  
20 that." And he said, "Pedro, they want you out," and he said,  
21 "Look, they're willing to give you \$200,000 right now,  
22 \$200,000 if you leave. Think about your family. \$200,000 if  
23 you leave."

24                   And I said, "Randy, no." You know, I said, you  
25 know, "I am willing to work out something with them. If they

1 follow the provisions of my contract, we can" -- I guess I was  
2 repeating myself. I said, "I have no problem with them  
3 changing superintendents. I will not go to the community and  
4 cry foul. I will" -- "we can work together. We can have a  
5 joint statement together, and we can do this the right way.  
6 And if they don't want me to be here for those first 90 days,  
7 we can work that out too." He said, "You're not even willing  
8 to negotiate." And I said, "Randy, I've done nothing wrong.  
9 There's nothing for me to negotiate."

10           And so he -- he was very -- he got, you know,  
11 somewhat angry and frustrated, and he left. So right now,  
12 it's about -- then about 3:30, around that time. Maybe even  
13 closer to 4. And so I -- I step out for a second just to  
14 collect my thoughts because at this point, I'm still in shock  
15 this is going on.

16           And I -- I come back, and it's -- I -- actually,  
17 I went out and talked to Lindsay Anderson, one of my staff  
18 persons. She's our head lobbyist. I said, "Lindsay, I don't  
19 know if you know," and I kind of explained to her what was  
20 going on. And I also saw my chief operating officer, and I  
21 explained -- I said, you know, "They want to terminate my  
22 contract," and I was talking to Lindsay. I said, "Lindsay, I  
23 need some help. Is there any attorney you know?" She said,  
24 "Let me call." And so that's when I got in touch with Bill.

25           So then I went back to my office. Now, it's

1 about 4:30. During that time, what I found out is that the  
2 Board -- so four board members: Barbara Clark, Howard  
3 Rosenberg, Barbara McLaury and John Mayor were addressing my  
4 leadership team, letting them know that I had been relieved of  
5 duty. I didn't know it, but that started at 4:30. In the  
6 meantime, I'm in my office.

7 Q. Who left? It was Barbara Clark, Howard  
8 Rosenberg --

9 A. John Mayor and Barbara McLaury.

10 Q. Okay.

11 A. Meanwhile, in my office -- and also in between  
12 that hour as well, the trustees -- and I'm not sure how --  
13 which ones or how many had already talked to my deputy  
14 superintendent, Tracy Davis, and my chief of staff, Kristen  
15 McNeill, letting them know that I had been relieved of duty  
16 and that they were -- immediately and they were going to take  
17 over my duties.

18 Q. Okay. And your chief of staff is who?

19 A. Kristen McNeill.

20 Q. And they had already spoken with, to your  
21 knowledge, some of the Board members. You're unclear who had  
22 already --

23 A. Yes.

24 Q. -- spoken with Tracy Davis, who was your deputy  
25 superintendent, and also --

1 A. Kristen McNeill.

2 Q. -- Kristen McNeill?

3 A. And Tracy has shared with me later that it was  
4 very clear to both of them -- or to her, I should say -- to  
5 her that I had been terminated --

6 Q. Okay.

7 A. -- that my employment had ended.

8 Q. Okay. And that they would be --

9 A. They would be in charge.

10 Q. -- in charge of your duties?

11 A. Yes.

12 Q. Okay.

13 A. Because she was going to be in charge of  
14 economics, and then Kristen would be in charge of everything  
15 else.

16 Q. Okay.

17 A. So this happened all in between that 3:30 to 4:30  
18 time frame.

19 Q. Okay.

20 A. So then at 4:30, I go back to my office, and I  
21 realize, this is for real. So I started -- I said, I'd better  
22 just grab some things.

23 In fact, you know, it's kind of funny, but I  
24 decided to go grab my certificates because I got scared. I  
25 said, you know, like if I need to prove that, you know, I had



1 my certificate and my bachelor's and my -- an MBA, I better  
2 just -- and I started grabbing them off the wall.

3 At that time, David Aiazzi and Lisa were in  
4 there, and David said, "Pedro, let's work something out. It  
5 doesn't have to end this way." And I said, "Dave, I'm going  
6 to tell you what I shared with Randy. My contract is really  
7 clear: If you want to terminate me with cause, you have to  
8 give me a ten-day notice, and there's a public hearing.

9 If you want to terminate me without cause, you  
10 have to give me 90 days' notice, and then there's a severance  
11 package." "Well, I'm not going to pay you that kind of money.  
12 I'm not going to have the taxpayers pay you that kind of  
13 money."

14 So I said, "Well, okay, Dave. Then I guess  
15 that's it," and then he said, "Okay, Pedro. You got till  
16 5 o'clock. And it's either going to be zero and your career  
17 is going to be hurt, your family is going to be hurt, or I can  
18 give you a check for \$200,000."

19 And he said, "And, by the way, we're going  
20 public. Your staff have been told. We're going to send out a  
21 notice to all the parents and all the families that your  
22 employment has ended.

23 "You are" -- and they said, "And we're going to  
24 do a press conference. So we are going public with this."  
25 And -- and I said, "Okay. Well, thank you. I mean, now that

1 you have shared that with me, then I know" -- "then I know my  
2 next steps." And so I -- "and you asked" -- "I mean, you have  
3 a picture of me with my certificates."

4 I was just trying to get out and grab, leaving --  
5 and at the end, the only thing I remember was Lisa saying,  
6 "Pedro, think about your family. Think about your family,"  
7 and I just said, you know, "I'm sorry. I just have to leave."

8 At that point, I left, and then I was trying to  
9 find an attorney for the next hour.

10 Q. And here we are.

11 A. And that's it.

12 Q. Okay. You've gone through some of this, so I  
13 apologize if some of this --

14 A. Sure.

15 Q. -- is a little redundant.

16 A. Yes.

17 Q. But I want to just make sure we get all the  
18 facts --

19 A. Absolutely.

20 Q. -- and it's all really clear that we don't leave  
21 anything out.

22 A. Sure.

23 Q. So you were aware that there was a school board  
24 meeting on July 22nd, 2014; correct?

25 A. Yes.

1 Q. Okay. And in that school board meeting, all  
2 six -- well, I should say six of the seven --

3 A. Yes.

4 Q. -- school board members were present.

5 A. Absolutely.

6 Q. It was Estela Gutierrez who was not --

7 A. Who was absent. Uh-huh.

8 Q. Okay. And had you seen the agenda for the  
9 26th --

10 A. Yeah.

11 Q. -- or the 22nd meeting?

12 A. Yes. It had been out for, like I said,  
13 several -- every agenda goes through my office. So I read --  
14 you know, I read through every agenda, and we send it to the  
15 Board president for approval.

16 Q. Okay. So you -- for every agenda for a school  
17 board meeting --

18 A. Every agenda.

19 Q. -- you're aware of exactly what's going to take  
20 place?

21 A. My staff puts it together.

22 Q. Okay.

23 A. And --

24 Q. And then you ultimately review it?

25 A. I review it, and then it gets sent to the Board

1 president for final approval.

2 Q. Okay.

3 A. That has always been the process.

4 Q. And that's prior to it being posted --

5 A. Yes.

6 Q. -- anywhere?

7 A. At least a week or two.

8 Q. Okay.

9 A. Yeah.

10 Q. The agenda for the July 22nd meeting, was there  
11 anywhere -- and I have seen it and we have a copy of it, and  
12 obviously you guys do as well. But was there any notice or  
13 any information that the Board was going to have discussion or  
14 possible action regarding your character, alleged misconduct,  
15 your professional competence, anything in relation to you or  
16 your job?

17 A. Not at all. Not at all.

18 Q. Okay.

19 A. Not at all, because if something would have  
20 occurred like that, I would have asked, you know, can I see  
21 these things ahead of time? I mean, literally it was brought  
22 to me during a break during the training.

23 Q. Okay. And that was, you said, about 10:30 --

24 A. The break started --

25 Q. -- that the ethics training got done, roughly?

1           A.    Yeah, it was -- well, they started to take a  
2 break in the meeting, and this was around 10:30, 10:45. And  
3 then she came in at 11. Barbara Clark came in at 11.

4           Q.    And that was the first contact that you had had  
5 with her --

6           A.    Yes.

7           Q.    -- in reference to this issue?

8           A.    That's right.

9           Q.    Okay. Was she alone during that meeting when she  
10 came or --

11          A.    No, she came -- she actually was with Barbara  
12 McLaury and -- I'm sorry, with Randy Drake and Barbara McLaury  
13 during that meeting.

14          Q.    Okay. And she just spoke with you -- she -- that  
15 was when you first heard about the allegations that there was  
16 this -- this anonymous complaint?

17          A.    Yes.

18          Q.    Or this --

19          A.    She said it was an out-of-state complaint --

20          Q.    Okay.

21          A.    -- and that they had already went and decided  
22 to -- so one other piece that was missing, during that  
23 first -- when they asked me with the six trustees, and even, I  
24 think, you know, when she first brought it to me, she said  
25 they had already checked my file, and they didn't find me

1 talking about being a CPA in my resume, in my application, and  
2 they had not found it anywhere.

3 They even went back and looked at my interview  
4 tapes when I was applying, because everything is very public  
5 and everything is archived, and they said, "We didn't find  
6 anything."

7 And I said, you know, "The reason for that is I  
8 really" -- you know, "I am very proud of my CPA status. That  
9 was 22 years ago. In between, I've gotten my MBA. I've  
10 gone -- I went through national training to become a  
11 superintendent with the Rhode foundation. I've been to  
12 Harvard for training. So there's a lot that has happened, and  
13 so it's not that I'm not proud of it."

14 Q. Sure.

15 A. But, I mean, there's a reason why -- there's no  
16 real reason for me to really talk about it very much because a  
17 lot of things have happened. And what's more relevant now, of  
18 course, is all my training about education --

19 Q. Sure.

20 A. -- about being a superintendent.

21 So that was also shared -- shared during also my  
22 meeting with the six trustees.

23 Q. Okay. And so obviously, since you weren't  
24 aware -- but I just want to make sure -- that they were going  
25 to be discussing this with you, were you ever given any sort

1 of either verbal or written notice that these allegations  
2 existed prior to when Ms. Clark came in?

3 A. No. No. It was the first thing she shared with  
4 me during that break.

5 Q. Okay.

6 A. It was the first time she shared with me that  
7 they had even started doing an investigation.

8 Q. Okay. So you were never given any verbal or  
9 written notice --

10 A. Never.

11 Q. -- in reference to their internal investigation  
12 that they did regarding these allegations?

13 A. That's right.

14 Q. Okay. You attended part of the meeting, in  
15 reference to the legal meeting where they started to discuss  
16 the situation and your CPA certificate. And about how long do  
17 you think you were in there, about 15 minutes? Was that --

18 A. About 15 minutes.

19 Q. Okay.

20 A. About 15 minutes.

21 Q. Was there anything else that was discussed during  
22 that meeting other than you and your qualifications --

23 A. No.

24 Q. -- that they're saying you're touting your CPA  
25 certificate?

1           A.    Nothing else.  The whole purpose of the meeting  
2 was to discuss this situation.

3           Q.    Okay.  Do you remember which Board member  
4 confirmed to you that they had looked into your resume, your  
5 application, your biography?

6           A.    It was actually Barbara Clark.

7           Q.    Okay.

8           A.    In fact, she even said herself -- and she  
9 emphasized that she herself also called the licensing  
10 department or entity in Illinois.

11          Q.    Okay.

12          A.    So she wanted to check herself, even -- even  
13 after the legal attorney as well as the internal auditor had  
14 checked, she wanted to check.  And the reason -- those two  
15 employees report directly to the Board.  So those are direct  
16 staff.

17                    So that made me realize also, they have never  
18 involved my human resources department.  They have never  
19 involved anybody in my staff.  They didn't say that  
20 especially, but I got that impression very quickly because,  
21 knowing my staff, they would have brought that to my  
22 attention.

23                    You know, somebody is asking about this, because  
24 we've had other instances in the past where people have made  
25 allegations.  For example, somebody said that I didn't have my



1 citizenship and I wasn't here legally. And so, I mean, HR  
2 immediately said, "We've already taken care of that. Don't  
3 worry about it."

4 Q. Okay. They made you aware of --

5 A. Yeah.

6 Q. -- of that?

7 A. Yeah.

8 Q. They did take care of it. But you were made  
9 aware --

10 A. Yeah. They have a copy of my documentation.  
11 They said, okay, whoever has it, you know, let them know HR  
12 has it. I mean, it's public. Anybody wants to get --

13 MR. PETERSON: He's not talking about Board  
14 accusations in the past.

15 MS. DAVIES: No, no, no, but just that his  
16 staff -- that he and his staff communicate --

17 MR. MARTINEZ: That they let me know --

18 MS. DAVIES: So if something had come to their  
19 knowledge --

20 MR. MARTINEZ: They would have --

21 MS. DAVIES: -- most likely, they would have --

22 MR. MARTINEZ: Yeah.

23 MS. DAVIES: -- come to you and shared.

24 MR. MARTINEZ: Yeah. But these two employees  
25 report directly to the Board. So...

1 MS. DAVIES: Okay.

2 MR. MARTINEZ: So I did -- I wasn't surprised  
3 that I wasn't told because, again -- I was surprised they were  
4 doing the investigation. But -- and then that's why I really  
5 took the whole -- from the whole -- from the beginning, I just  
6 thought of it as a misunderstanding. I really thought it was  
7 a minor issue. I said, "Well, you know, it's a" -- you know,  
8 "let's" -- again, "Let's just figure out a way to solve it."

9 BY MS. DAVIES:

10 Q. Right. Okay.

11 So when you left the legal meeting, went back to  
12 your office, they deliberated, the six board members and legal  
13 counsel Randy Drake; correct?

14 A. Yes, that's right.

15 Q. Okay. Was it only those seven individuals?

16 A. Yes.

17 Q. Okay.

18 MR. PETERSON: Seven or six?

19 MR. MARTINEZ: Well, it was seven --

20 MR. PETERSON: (Inaudible.)

21 (Multiple people speaking at the same time.)

22 MR. MARTINEZ: -- the six trustees plus the  
23 legal.

24 MR. PETERSON: I'm sorry. Which one?

25 MR. MARTINEZ: You know, we've had legal meetings

1 before, so -- I mean, you know, that's always been the  
2 standard. It's only the attorney and the trustees and at that  
3 time, also the superintendent.

4 MS. DAVIES: Okay.

5 MS. PARKER: The person who usually takes the  
6 minutes wasn't there?

7 MR. MARTINEZ: Nobody's there. Yeah. They  
8 purposely have nobody there for that reason.

9 MS. DAVIES: Okay.

10 MR. MARTINEZ: I mean, just because they wanted  
11 to stop themselves. Randy has always told us -- Randy Drake,  
12 the attorney -- said that it is officially a non-meeting.

13 BY MS. DAVIES:

14 Q. Okay.

15 A. And so, you know, there's no action to be taken  
16 during those meetings and that it's just to share information.  
17 So again, there -- which is again why I didn't expect  
18 anything, because I thought, okay, they're discussing, and  
19 then we'll figure this out. There's a misunderstanding.

20 There was no reason for me to ever suspect that  
21 anything more would happen except a discussion, and if they  
22 were concerned about what the public thought about my status,  
23 I thought, okay, we'll have time to figure this out.

24 Q. So in the past, those legal meetings, to your  
25 knowledge, have always just been discussions and share

1 information amongst the Board members?

2 A. And then the attorney and myself, among -- you  
3 know, any potential issues or litigation that might exist.

4 Q. Okay. But you've always been made aware from  
5 Randy Drake that no action has been taken during those  
6 meetings?

7 A. Yes.

8 Q. Okay. So let's go specifically to when Barbara  
9 Clark comes back into your office after they have this legal  
10 meeting.

11 A. Um-hum.

12 Q. And you --

13 A. One detail, and, you know, she said it also is  
14 she was -- she was very -- she emphasized that this was a  
15 decision by all six trustees.

16 Q. Okay.

17 A. And that's important because I had had some  
18 differences of opinion with a few of the trustees: Trustee  
19 Ruggerio, Aiazzi and Rosenberg.

20 And so she said, "Pedro, this was a unanimous  
21 decision among the six trustees." So she made that very  
22 clear --

23 Q. Okay.

24 A. -- that they deliberated it. They had -- you  
25 know -- you know, in that sense, she gave me the impression

1 that they had taken a vote and that it was a decision of all  
2 six.

3 Q. Okay. So she walks back into your office, and  
4 she says to you --

5 Is there anything leading up to the conversation  
6 or does she just come back to you and say, "We're done with  
7 you?"

8 A. Yeah, well, she -- it was -- it was, again,  
9 Barbara Clark, Lisa Ruggerio and Barbara McLaury. It was all  
10 three of them. And what she -- and there was nothing else.

11 She said, "We've been discussing this. We've  
12 been deliberating. We made a decision, and the decision is  
13 that we want to end your employment. We want to end your --  
14 we want to terminate your contract."

15 Q. Do you remember -- and I know it's probably --  
16 everything is --

17 A. Yeah.

18 Q. -- a bit jumbled.

19 But do you remember specifically the words that  
20 she used when she first came in and told you?

21 A. She -- I remember very clearly she said that "We  
22 want to end your" -- "We want to terminate your contract."

23 Q. Okay.

24 A. That was very clear to me, which is why I was  
25 very calm and said, "There's two ways to do that."

1 Q. Okay.

2 A. And I just reminded them this language is in my  
3 contract. It's very -- I said, "It's very simple," and that's  
4 why I also said, "I respect any Board in terms of hiring and  
5 changing superintendents." So those are my first two  
6 statements as soon as she said that.

7 And it was specifically that she said that they  
8 wanted to terminate or end my contract.

9 Q. Okay. At any time during the conversation with  
10 her or the other two Board members, were you under the  
11 impression that they were placing you on administrative leave?

12 A. They never said that.

13 Q. Okay.

14 A. They never said that. They never said, "Pedro,"  
15 you know, "we want to take some time to look into this, and we  
16 would like you to leave now." They said clearly, "We're done  
17 with you." I mean, she actually said those words. "We're  
18 done with you. We want to end or terminate your contract."  
19 And then, like I said, you know, she said the rest, and that's  
20 when Randy came in and tried to cut a deal.

21 Q. Okay. So about two hours go by that you guys are  
22 going back and forth. Proposals --

23 A. Yeah.

24 Q. -- as to what they can do --

25 A. Yes.

1 Q. -- to get you to leave.

2 A. Yes.

3 Q. You're saying you're not leaving.

4 A. Yes.

5 Q. Okay. And it -- was it Randy Drake who came  
6 back?

7 A. Randy -- it was Randy by himself --

8 Q. Okay.

9 A. -- coming while the other six trustees were alone  
10 in the room.

11 Q. Okay. So they stayed in their room. You were in  
12 your office, and he was doing the running back and forth?

13 A. Yes, yes. Until about 3:30.

14 At 3:30, because I took a break from my office,  
15 and that's -- and then I found out later, about an hour later  
16 they then talked to, you know, my chief of staff, Kristen  
17 McNeill. They talked to my deputy superintendent.

18 And they called a meeting together with my  
19 leadership team at 4:30, which interestingly enough, what I  
20 found out is that they called it a continuation of their  
21 meeting, so -- of their existing board meeting.

22 So there is --

23 Q. Okay.

24 A. -- there should be a taping of that 4:30  
25 conversation with my leadership team.

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Q. Okay.

A. Because that -- they did not -- you know, according to my staff -- because they received an e-mail. I didn't see it, of course. They received an e-mail saying the meeting is going to be put back in session, and it's about 4:30.

Q. Okay.

A. And I can -- we can get the details if you like.

Q. Okay.

MR. PETERSON: That's okay.

MR. MARTINEZ: So that -- and so -- so that part should be on the public record, because they brought them back, and you can hear exactly what they said to them.

BY MS. DAVIES:

Q. Okay. And who is part of your leadership team?

A. So it would have been Pete Eckardt, who is my chief operating officer.

Q. Okay.

A. Ben Hayes, who was my accountability officer; Paul -- Paul La Marca. Paul La Marca, who is my school performance director; Irene Payne, my communications director; Tom Ciesynski, my chief financial officer.

Q. Okay. Do you know how to spell his last name?

A. C-I -- C --

Q. Ciesynski?



1 A. Ciesynski.

2 Q. Okay.

3 A. Sorry.

4 Q. That's okay. I probably just butchered it,  
5 but --

6 A. Mike Schroeder, who is my budget director. Let's  
7 see. Dawn Huckaby, who is my human resources director; and  
8 then it would have been -- I don't know. All six were there,  
9 all of my area superintendents. There are six of them.

10 Q. Okay.

11 A. So that is Joelle Gonzalez, Chad Hicks, Byron  
12 Green, Roger Gonzalez, Richard Swanberg and Deborah Byersdorf  
13 (ph.) And I know that they spoke to Tracy and Kristen  
14 separately.

15 Q. Okay. So -- so that list of people that you just  
16 gave me was part of your leadership team that they called back  
17 in and reconvened their board meeting --

18 A. That's right.

19 Q. -- about 4:30.

20 A. At about 4:30.

21 Q. Okay. That should be still on the record?

22 A. That should be on the record.

23 Q. Okay. And then they spoke with your -- with your  
24 deputy superintendent and your chief of staff?

25 A. Before that. Between 3:30 and 4:30, they had

1 already spoken to my deputy superintendent and my chief of  
2 staff.

3 Q. Okay.

4 A. And, you know, they were both -- especially my  
5 chief of staff -- was very distraught about it.

6 And they didn't give them any details. They only  
7 said -- they only said -- they said, you know, "His contract  
8 has ended" or "We're ending his contract" is basically what  
9 they said to them.

10 Q. Okay.

11 A. And "We don't know yet" -- "we're" -- and this is  
12 also shared with the leadership team. "We don't know yet how  
13 long it's going to take us to find a replacement."

14 Q. So they were already talking to your leadership  
15 team and those two individuals --

16 A. Yes.

17 Q. -- about finding a replacement for you?

18 A. Yes.

19 Q. Okay.

20 A. And, you know, that they weren't sure whether  
21 they were going to put something in the interim or go and --  
22 you know, and go with the possibility of a search for a  
23 permanent replacement.

24 Q. Okay.

25 A. So that part should all be on the public record.

1 Q. Okay. Did you speak with your chief of staff and  
2 your deputy superintendent after you were informed of the  
3 Board's intentions prior to you leaving?

4 A. Yes.

5 Q. Okay.

6 A. I did. I tried to catch them in between that  
7 hour, between 3:30 and 4:30. And that's when I found out that  
8 they already had been spoken to.

9 Q. Okay.

10 A. And then they said, "We can't talk to you." So  
11 that's when I also found out that the staff were told --

12 Q. Not to speak with you?

13 A. -- "Don't speak to him." And then later I was  
14 told, "You are not allowed to speak to the staff."

15 Q. Okay. Who told that you were not allowed to  
16 speak to the --

17 A. The Board president.

18 Q. Barbara Clark?

19 A. Barbara Clark.

20 Q. Okay. Okay.

21 Did the Board give you any indication --  
22 obviously, they claim it's an anonymous complaint. Did they  
23 give you any indication of where or who --

24 A. No.

25 Q. -- filed that?

1           A.    No.  The only thing they said, it was an  
2 out-of-state person that made the complaint.

3           Q.    Okay.

4           A.    Or allegation.

5           Q.    Okay.

6           A.    That's all they said.

7           Q.    Do you know -- and this goes outside of the  
8 specific meeting.  But do you know what Mr. Rosenberg meant  
9 when he -- he was quoted -- and I don't have the exact quotes,  
10 but he was discussing -- saying the issues that the Board was  
11 addressing were much deeper than the CPA issues.

12          A.    The only issue that was brought up on July 22nd  
13 was my CPA issue.

14          Q.    Okay.

15          A.    And it was brought up again two times, at  
16 11 o'clock by President Clark during the break and then during  
17 the legal meeting that started at approximately 12:30 when I  
18 was there for about 15 minutes.

19          Q.    Okay.

20          A.    That was the only issue that was brought up.

21          Q.    No other issues?

22          A.    No other issues.

23                    My evaluation had just occurred a month before.

24          Q.    Okay.

25          A.    And then my evaluation was very comprehensive, so

1 all seven trustees were interviewed, and they had to score me  
2 and rate me. They had a survey of over 500 teachers, all  
3 hundred percent of my principals, and there's 93 schools.  
4 They also did a survey of over 40 business leaders.

5 Q. Okay.

6 A. And that evaluation was very public. It's all on  
7 June 10th. It's for hours. It's at least about a two- to  
8 three-hour evaluation. It might have even been closer to four  
9 hours for full comment.

10 Q. Okay.

11 A. So there was no reason for me to even be  
12 suspecting that anything else would be brought up, because it  
13 was all during my evaluation.

14 In fact, we had a meeting scheduled for  
15 August 9th, a workshop to specifically talk about goals for  
16 next year. And Jill Derby, who was one of the facilitators  
17 for my evaluation, was continuing to now put goals together.

18 Per my contract, we set goals each year, and we  
19 both have to read about them. August 9th was set up  
20 specifically to look at goals for next year, including any  
21 concerns that they had brought up during the evaluation.  
22 Because as I said, it was a proficient evaluation, first of  
23 all.

24 I mean, it was on the public record. Everything  
25 was public. But I said, you know, if there's any concerns

1 that they still have, let's be sure we set some -- you know,  
2 let's make sure we have clear expectations for my next  
3 evaluation, because I want to make sure that we don't have any  
4 more ongoing concerns.

5 Q. Okay. Your evaluation, you said, was very  
6 comprehensive and it was proficient.

7 Were there any areas in there that were of  
8 concern that Mr. Rosenberg might have been reflecting back on?

9 A. Like I said, nothing was brought up on July 22nd.

10 Q. Okay. So only the CPA issue was addressed?

11 A. Only the CPA issue was addressed. And like I  
12 said -- and if you look in my evaluation, actually, there's a  
13 news story that the RGJ did on it that really does a good  
14 summary of it. And basically, both Dave and Howard just  
15 say -- Howard mentioned something about that he -- you know,  
16 he would like there to be stronger communication between me  
17 and the Board, and Dave said something similar.

18 The -- and so what's interesting is that all the  
19 trustees know this. Trustee Rosenberg, since he became an  
20 elected officer, has never met with me one on one. He has  
21 refused to meet with me one on one.

22 Trustee Aiazzi met with me twice in the beginning  
23 when he -- in his first six months when he was elected, and he  
24 never met with me again one on one.

25 Q. Okay.

1           A.    So the others that -- I see that the other  
2 trustees, specifically Trustee Mayor, John Mayor; Barbara  
3 McLaury and Estela Gutierrez have always felt -- and even  
4 Barbara Clark have felt that it was a little unfair of both of  
5 them, but it didn't matter because in the end, the whole  
6 evaluation was proficient, you know, to bring up some of these  
7 issues.

8                   Barbara Clark, working with Jill Derby, though,  
9 our goal -- all three of us were working together to have --  
10 you know, we had been having some workshops already to try to  
11 just build a stronger team, and that had been ongoing. And so  
12 our hope was that we would continue to do that, and then the  
13 goal was, like I said, when we set our next set of goals,  
14 let's continue that in that stride of trying to be -- build a  
15 stronger team amongst all of us.

16           Q.    Sure. Okay.

17                   So it's your -- it was your -- it was strongly  
18 your belief that, when Barbara Clark came in after her legal  
19 meeting, that her and the Board's intention was to terminate  
20 your contract?

21           A.    Yes. Because she clearly said, "We are done with  
22 you. We want to end your employment."

23           Q.    Okay.

24           A.    "There's one of two ways to go about this," and  
25 so I wasn't sure if used the word "the good way or the bad

1 way" or "the pretty way or the ugly way."

2 Q. "The easy way or the hard way"?

3 A. Yeah.

4 Q. It was some connotation of that?

5 A. It was one of two --

6 Q. You can go easy or we can do it the hard --

7 A. Yeah, which is why that's where the negotiations  
8 started.

9 Q. Okay. Okay.

10 So I think I -- I think I'm done. What I want to  
11 do is just -- there's just a couple follow-up questions or  
12 actually just real specific questions that I want to address  
13 in reference to the complaint that was submitted to our office  
14 where Carrie specifically states some -- the NRS's.

15 So what I want to do is just ask you if you were  
16 ever notified in any manner that an administrative action  
17 could be taken against you at the July 22nd meeting or that  
18 the Board would consider your character, alleged misconduct or  
19 professional competence at that meeting?

20 A. No.

21 Q. Okay. And to your knowledge, were there any  
22 discussions or possible actions placed on any agenda that was  
23 posted for the July 22nd meeting?

24 A. No.

25 Q. Okay. And then as the superintendent of the



1 Washoe County School District, were you ever given any  
2 notification that the closed meeting was going to take place  
3 to consider your character, alleged misconduct or professional  
4 competence prior to the July 22nd meeting?

5 A. No.

6 Q. Okay. Do you know, was that closed meeting --  
7 the legal meeting, was that either audio or video recorded?

8 A. They have not -- they haven't historically ever  
9 taped anything over there.

10 Q. Okay.

11 A. And the whole workshop would have been audio, so  
12 that's why I think that -- if they truly did reconvene the  
13 meeting as I was told and that e-mail was sent, that 4:30  
14 discussion with the leadership team should be on tape.

15 Q. Okay. But the actual closed --

16 A. Legal session.

17 Q. -- legal meeting is not.

18 A. We historically have never taped the legal  
19 meetings.

20 Q. Okay.

21 MR. PETERSON: I think they made a public  
22 statement that -- somebody had already asked that. This was  
23 not recorded.

24 MS. DAVIES: Okay.

25 MS. PARKER: Yeah, I think the RGJ did a public

1 records request, and it --

2 MS. DAVIES: It was not -- that they didn't have  
3 anything.

4 MS. PARKER: Yeah.

5 MS. DAVIES: Okay. I think that that is all I  
6 have.

7 Carrie or Bill, do you have any --

8 MR. PETERSON: Yeah, I wanted to speak with Pedro  
9 just for a minute if I could. Can we step outside?

10 MS. DAVIES: Sure. Absolutely.

11 What I'll do is I'll keep the recording going.

12 MR. PETERSON: Yeah.

13 MS. DAVIES: But if you guys -- that's fine.

14 MR. PETERSON: I stopped him --

15 MS. DAVIES: Okay.

16 MR. PETERSON: -- from saying something that he  
17 received because I was worried about whether that person would  
18 object to that --

19 MS. DAVIES: Sure.

20 MR. PETERSON: -- sharing of the information,  
21 but -- so that person says it's okay.

22 MS. DAVIES: Oh, okay. Perfect.

23 MR. PETERSON: He (inaudible) list, by the way.

24 MS. DAVIES: Perfect. Okay.

25 MR. PETERSON: He needs this (inaudible) to you.

1 MS. DAVIES: Okay. Perfect.

2 MR. PETERSON: So Pete --

3 MR. MARTINEZ: Eckardt, my chief operating  
4 officer.

5 MS. DAVIES: Okay.

6 MR. PETERSON: So Pete is --

7 MR. MARTINEZ: Sure.

8 MR. PETERSON: She can read it.

9 MR. MARTINEZ: So let me show you the e-mail and  
10 then I'll --

11 So first of all, I --

12 MS. DAVIES: Okay. Do you mind if I read this  
13 out loud?

14 MR. MARTINEZ: No, send me -- and then if you --  
15 and then read the attachment.

16 MS. DAVIES: Okay. So this was dated on  
17 July 24th at 11:22 p.m. It says, "Hi, Pedro. Attached is the  
18 document regarding my recollection of what was said at the  
19 LT," which I'm assuming is the leadership team meeting --

20 MR. MARTINEZ: Um-hum.

21 MS. DAVIES: -- on Tuesday.

22 MR. MARTINEZ: Um-hum.

23 MS. DAVIES: Okay. "If it was indeed a  
24 continuation of the Board meeting as was stated, there should  
25 be an audio recording that, should you" -- "that" -- "should

1 you be able to request.

2 "Continued prayers for you and for family.  
3 Pete."

4 And then the attachment, I will go ahead and  
5 read. It says:

6 "Leadership team was sent an e-mail  
7 from Terry Wallace, executive  
8 assistant to the Board of Trustees, on  
9 Tuesday, July 22nd, 2014, at 3:34 p.m.  
10 stating: Please attend the Board  
11 meeting that will resume at 4:30 this  
12 afternoon in the board room.

13 "At about 4:40 p.m., Barbara Clark came  
14 to the podium to address staff along  
15 with Howard Rosenberg, John Mayor and  
16 Barbara McLaury.

17 "Barbara Clark told staff that  
18 effective immediately, Pedro Martinez  
19 had been relieved of his duties as  
20 superintendent. Due to being an HR  
21 matter, she said she could not share  
22 the details.

23 "She said that Kristen and Tracy would  
24 be co-managers until I believe she  
25 said a new or interim superintendent

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was put in place.

"She said that it was a unanimous decision from the Board, and though it was a tough decision, it was a decision they were going to stand by.

"It was very clearly understood by staff that this was a termination that had unanimously been approved by the trustees.

"After Barbara Clark said it was unanimous, Howard Rosenberg clarified that Estela Gutierrez was not present and was not happy about the decision.

"After her statements, Barbara Clark asked for questions. The only question came from Ben Hayes, who asked: If this was a unanimous decision, where are the other trustees?

"Barbara Clark, I believe, answered something to the effect that they were doing media work.

"After the other trustees left the room, Howard Rosenberg very emotionally said that he was not happy

1                   about any of this and never wanted  
2                   this to happen and that we needed to  
3                   concentrate on the kids."

4                   And that was the end; correct? Okay.

5                   MR. PETERSON: And who was that from?

6                   MS. DAVIES: That was from Pete Eckardt; correct?

7                   MR. MARTINEZ: Um-hum.

8                   MS. DAVIES: Okay. I apologize. I don't believe  
9 I said that at the beginning. Thank you.

10                  MR. PETERSON: And then the other thing that  
11 he -- I was going to ask him was the -- the episode regarding  
12 the picking up of the car.

13                  MR. MARTINEZ: So -- well, and then the other  
14 thing.

15                  So when I was leaving the office, he -- they  
16 asked the interim police chief, Jason Trevino, to escort me  
17 out, and he reluctantly did it. In fact, he didn't even stand  
18 next to me. He was two or three feet behind me.

19                  MS. DAVIES: Okay.

20                  MR. MARTINEZ: So they did ask him to escort me  
21 out.

22                  And then later that night, when I was in the  
23 process of talking to Bill, Jason Trevino was sent to my  
24 house -- he is the interim police chief -- to pick up my car.  
25 And so, you know, I wanted to know what was going on and so I

1 wasn't there. So I just said, "Well, have Jason call me," and  
2 he didn't call me, but then we went ahead and just dropped off  
3 the car the next morning.

4 MS. DAVIES: Okay. Okay. Is there anything,  
5 Carrie or Bill, that you have that --

6 MR. PETERSON: Maybe -- if you could turn it off  
7 and Pedro can leave.

8 MS. DAVIES: Absolutely.

9 MR. PETERSON: Is that okay?

10 MS. DAVIES: Yeah. So at this time, the time is  
11 1:06 p.m., and I'm going to stop the recording at this time.

12 (Recording ended.)

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

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I, Michel Loomis, do hereby certify:

That on July 28, 2014, an interview was held in the within-entitled matter in the office of the Attorney General.

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 47, 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 30th day of July, 2014.

Michel Loomis, Transcriber