

IN THE MATTER OF THE ARBITRATION OF

STEVE GOLDSCHMIDT

and

PORTLAND SCHOOL DISTRICT NO. 1

CONDENSED

DEPOSITION OF MICHAEL HOWARD DON
Taken on Behalf of Steve Goldschmidt

BE IT REMEMBERED That the deposition of MICHAEL HOWARD DON was taken on behalf of Steve Goldschmidt, before Kimberly J. Rise, Certified Shorthand Reporter for the State of Oregon, on Wednesday, the 15th day of June, 2005, commencing at the hour of 10:54 a.m., at the law offices of Barran Liebman, 601 S.W. 2nd Avenue, Suite 2300, Portland, Oregon.

Reported by:
Kimberly J. Rise
CSR No. 90-0138

Job No. KR-294-05

1 DEPOSITION OF MICHAEL HOWARD DON

2

3 APPEARANCES:

4 BUSSE & HUNT
 By: Richard C. Busse
 For Steve Goldschmidt;

6 BARRAN LIEBMAN
 By: Edwin A. Harnden
 For Portland School District No. 1.

8 ALSO PRESENT:

9 Steve Goldschmidt
 Jollee Patterson

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REDACTED

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6 Q. And in any of those subsequent conversations, did
7 the two of you discuss the needs in human resources?

8 A. Yes.

9 Q. And what do you recall was discussed of substance
10 in those conversations?

11 A. Vicki said that there needed to be a change, she
12 thought, in some of the leadership positions in human
13 resources.

14 Q. And are we still talking mid-December?

15 A. In the time frame of mid-December to
16 mid-January --

17 Q. Okay.

18 A. -- when I started.

19 Q. Did she identify which leadership positions she was
20 referring to?

21 A. She did.

22 Q. And which ones were they?

23 A. Mr. Goldschmidt, [REDACTED], and [REDACTED]

24 Q. And did she say why there needed to be a change in
25 those leadership positions as it would pertain to those

1 individuals?

2 A. Generally, it was performance issues.

3 Q. And what did she say about Mr. Goldschmidt's
4 performance?

5 A. I don't recall specifics.

6 Q. When she said that there needed to be a change in
7 the leadership, did she tell you that she wanted your
8 assistance in terms of finding replacements for these
9 individuals?

10 A. No.

11 Q. What change did she indicate needed to be made?

12 A. My recollection was that she thought that they
13 needed to be severed from employment.

14 Q. Did she tell you why more specifically than just
15 relating to, quote unquote, performance?

16 A. Not that I recall specifically in those meetings.

17 Q. Did you ask why she felt that way?

18 A. I don't recall.

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REDACTED

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Page 12

1 Q. Were any new and different ways of dealing with
 2 customers installed in human resources after you came on
 3 board between mid-January and the time that he was
 4 terminated February 9th or --
 5 A. I don't recall.
 6 Q. Okay. You wanted to do customer service training
 7 in the central office?
 8 A. The Annenberg foundation report indicated that the
 9 central office needed to be perceived as more
 10 customer-service oriented.
 11 Q. Not just in human resources, but the whole central
 12 office; correct?
 13 A. Correct.
 14 Q. And so did Mr. Goldschmidt volunteer human
 15 resources to be the first department to be trained?
 16 A. Yes, he did.
 17 Q. Did you view that as a good thing?
 18 A. Yes.
 19 Q. Was there any survey of customer service conducted
 20 in the month of February, to your knowledge, that was
 21 taken concerning human resources?
 22 A. We implemented a survey system. I do not believe
 23 we did it in February.
 24 Q. What survey system was implemented? What was it
 25 called, first of all?

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8 Q. And do you recall what those issues were?
 9 A. I recall working on customer service issue -- I
 10 don't recall the others.
 11 Q. Okay. Did he cooperate with you on the customer
 12 service issues that you worked with him on?
 13 A. Yes.
 14 Q. And did he support your efforts?
 15 A. Yes.
 16 Q. Do you recall what efforts had already been
 17 undertaken in human resources to improve customer service
 18 by the time that you came on board in the next previous
 19 year?
 20 A. I don't recall specifics that were done before I
 21 got there, no.
 22 Q. After you got there in mid-January, were any
 23 installed between mid-January and February 9th, when he
 24 was terminated?
 25 A. What's the question?

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1 A. Zoomerang.
 2 Q. And where do you get that from?
 3 A. It is an outside service provider that the District
 4 contracts for to do surveys.
 5 Q. And where are they located?
 6 A. I do not know.
 7 Q. And when did Zoomerang commence its survey, to your
 8 recollection?
 9 A. My recollection would be March.
 10 Q. And it conducted its survey not just with respect
 11 to human resources but all central office departments?
 12 A. That's correct.
 13 Q. And how did human resources stack up against the
 14 other central office departments in the survey, to your
 15 recollection?
 16 A. I do not specifically recall.
 17 Q. Were there any new or different policies or
 18 procedures in human resources that were implemented from
 19 the time of Mr. Goldschmidt's termination on February 9th
 20 to the time of the Zoomerang survey?
 21 A. I don't recall.
 22 Q. You didn't implement any yourself, did you?
 23 A. Each of the departments was tasked with setting up
 24 their standards for customer service. I believe that the
 25 human resources department began implementing those before

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1 Mr. Goldschmidt's departure.
 2 Q. Do you know of any other surveys besides the
 3 Zoomerang survey that was done while you were there up
 4 until April when you left?
 5 A. I'm not aware of one.
 6 Q. Do you recall how HR compared to finance on the
 7 Zoomerang survey?
 8 A. I don't recall.
 9 Q. Were you the point person or contact person for the
 10 Zoomerang survey for the School District? Or was that
 11 somebody else that dealt with Zoomerang?
 12 A. There was another group that I worked with that
 13 worked directly with Zoomerang.
 14 Q. And who was that?
 15 A. I don't remember the woman's name. It was a
 16 department that I think was within the measurement group,
 17 test and measurement group, that had that relationship.
 18 Q. And is Zoomerang the name of the consultant?
 19 A. I believe it's the name of the company --
 20 Q. The company.
 21 A. -- and then takes on the name Zoomerang survey.
 22 Q. Did you also consult with Mr. Goldschmidt on the
 23 subject of getting up to speed on the District policy
 24 towards outsourcing District services?
 25 A. Yes.

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1 Q. And did he cooperate with you in consulting with
 2 you in that area?
 3 A. Yes.
 4 Q. Did he outline for you what procedures would need
 5 to be followed to outsource services under each contract?
 6 A. We discussed each contract and how we could explore
 7 outsourcing.
 8 Q. And were you satisfied with the support and the
 9 cooperation you were getting from him on that issue?
 10 A. Yes.
 11 Q. Did you also discuss issues pertaining to reduction
 12 of healthcare costs in the School District?
 13 A. I don't specifically recall.
 14 Q. There was something about a cash basis for some
 15 fringe benefit costs, health insurance?
 16 A. I was having discussions at that time about that,
 17 and I -- it would not have been unusual for me to have
 18 them with Steve, I just don't remember the specific
 19 conversations.
 20 Q. Do you recall him providing you with any data
 21 necessary for your consideration?
 22 A. I do not recall.
 23 Q. Do you recall working with him on a communications
 24 director position vacancy?
 25 A. Yes.

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1 Q. Did he provide you with support to help get that
 2 position posted?
 3 A. Yes.
 4 Q. And did he work with you on the position of budget
 5 manager and the filling of that vacancy?
 6 A. Yes.
 7 Q. And did he make changes to the posting based upon
 8 feedback from you and [REDACTED] Or do you recall?
 9 A. Don't recall if he made changes.
 10 Q. Did you meet with a [REDACTED] at one time?
 11 A. Yes.
 12 Q. And how did that come about, that meeting?
 13 MR. HARNDEN: Can we have just a moment,
 14 Steve -- Rich, whoever you are?
 15 MR. BUSSE: My name is Rich.
 16 (A discussion was held off the record.)
 17 THE WITNESS: Could you repeat the
 18 question.
 19 BY MR. BUSSE:
 20 Q. No, I'm going to give you another one.
 21 A. Okay.
 22 Q. How did the meeting with [REDACTED] come about, to
 23 your recollection? You met -- Let's go to the next
 24 question. You met with her. Was it just you and she in
 25 that meeting, or what?

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1 A. My reluctance in responding is I'm trying to be
 2 sure that [REDACTED] was the -- the meeting that I'm
 3 thinking of related to a concern that she had, if I'm
 4 talking about the right person.
 5 Q. Oh, okay.
 6 A. That's my concern.
 7 Q. All right. So someone came to you and expressed a
 8 concern to you who was a human resources employee;
 9 correct?
 10 A. Yes.
 11 Q. And what concern was expressed?
 12 A. She was concerned that she was not being treated
 13 fairly in a traumatic situation she was in.
 14 Q. And could you tell us briefly what that situation
 15 related to so that we could have a way of fixing
 16 independently of your testimony what this individual's
 17 name is?
 18 A. Yes. Her mother, I believe, had passed away, it
 19 was her mother or her father, and she had some work-hour
 20 issues with some bereavement and counseling that she was
 21 trying to do.
 22 Q. Did she identify for you who in human resources she
 23 had spoken with before speaking with you?
 24 A. Yes.
 25 Q. And who was that?

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1 A. She had spoken to [REDACTED].
 2 Q. And was that her supervisor?
 3 A. Yes.
 4 Q. And what did you do after speaking with her
 5 concerning her concerns?
 6 A. I asked her if she had spoken to [REDACTED]
 7 supervisor, Mr. Goldschmidt.
 8 Q. And what did she say about that?
 9 A. She said she was not comfortable going to
 10 Mr. Goldschmidt.
 11 Q. Did she say why?
 12 A. She said that she did not feel that the department
 13 was open to any kind of discussion at a higher level. She
 14 felt there could be repercussions.
 15 Q. Did she share with you why she believed that? Was
 16 there anything that happened in the past that she related
 17 to you concerning repercussions?
 18 A. She suggested that there was a kind of hostile
 19 environment.
 20 Q. Did she say that, use that term?
 21 A. My recollection is she did say that.
 22 Q. Were you taking notes?
 23 A. I was not.
 24 Q. And so what was the next thing that you did after
 25 this?

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1 A. I approached [REDACTED] directly to discuss it with him.
 2 Q. And you outlined for him what she had told you.
 3 A. Yes, I did.
 4 Q. What was his response?
 5 A. He was -- had a different perspective on the
 6 situation and thought that she may have been asking for
 7 more than related to the bereavement issue.
 8 Q. And do you recall anything that he said about that
 9 different perspective?
 10 A. He thought that she was breaking agreements that
 11 they had about the hours that she would work even in light
 12 of the adjustments for the bereavement issues.
 13 Q. Was there anything else discussed in your meeting
 14 with [REDACTED]?
 15 A. I don't recall any other specifics.
 16 Q. What was the next step in this process?
 17 A. I -- I suggested that [REDACTED] attempt to work out a
 18 solution with [REDACTED].
 19 Q. And did that happen?
 20 A. I believe so.
 21 Q. Was there any contact that you had with either one
 22 of them after that?
 23 A. Yes.
 24 Q. And what was that?
 25 A. I would walk by the cubicle and just ask how are

Page 20

1 everything -- how is everything going, stop and check
 2 and --
 3 Q. His or hers?
 4 A. Both.
 5 Q. Both. And what did she say?
 6 A. There -- she expressed there was no need for me to
 7 be involved any further at that point.
 8 Q. And what did he say?
 9 A. I believe he was monitoring the situation and,
 10 again, he didn't feel there was any need for me to be
 11 involved.
 12 Q. And did you have any contact with either of them,
 13 other than that, afterwards?
 14 A. I would have had other contact with [REDACTED] about
 15 other issues, but not about this issue.
 16 Q. Anything having to do with Mr. Goldschmidt?
 17 MR. HARNDEN: I guess I --
 18 THE WITNESS: Could you define --
 19 MR. HARNDEN: I object to the form of the
 20 question. Are you asking whether he had other contact
 21 with [REDACTED] about Mr. Goldschmidt? I --
 22 MR. BUSSE: That was the question.
 23 BY MR. BUSSE:
 24 Q. I'm trying to find out whether it related to other
 25 day-to-day working issues or whether it had to do with

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1 Mr. Goldschmidt and his performance or --
 2 A. I don't think it had anything to do with
 3 Mr. Goldschmidt's performance.
 4 Q. Did you ever report to Vicki Phillips anything
 5 about the [REDACTED] issue?
 6 A. Yes, I did.
 7 Q. And you told her just what you've testified to here
 8 today?
 9 A. Yes.
 10 Q. And what did she say when you told her that?
 11 A. Vicki had received the initial call from [REDACTED] and
 12 Vicki had forwarded it to me to handle and so I explained
 13 to her what had happened, and I'm not aware of anything
 14 else that she did with that.
 15 Q. Okay. Did you also report back to her that you had
 16 done follow-up with both employees, [REDACTED] and
 17 [REDACTED], and they had reported --
 18 A. Yes.
 19 Q. -- that you didn't have to continue your
 20 involvement?
 21 A. I don't know if I reported back to her after I did
 22 the touch bases in. I reported the initial incident and
 23 the follow-up, and that's all I recall.
 24 Q. Okay. Was there a time when, to your knowledge,
 25 she met with human resources employees with Board Member

Page 22

1 Wynde?
 2 A. Vicki had said at some point that she had met with
 3 a group of HR employees prior to my joining the District.
 4 Q. So that would have been before mid-January.
 5 A. I believe so.
 6 Q. Did she identify who these people were?
 7 A. Not specifically.
 8 Q. Did she tell you or relay to you what they said or
 9 any of them?
 10 A. Generally, that they were unhappy with how they
 11 were being supervised and that they -- that's all I
 12 recall.
 13 Q. And did she say that they identified any particular
 14 individual who were their supervisor?
 15 A. My recollection was they mentioned [redacted] and Steve.
 16 Q. Did she say anything more particular that would
 17 describe for you the way in which any of them were unhappy
 18 about Steve's supervision?
 19 A. Not that I recall specifically.
 20 Q. Do you recall something about a vacation blackout
 21 policy coming up in that meeting?
 22 A. Not in that meeting -- or, not that was relayed to
 23 me.
 24 Q. Do you recall an issue pertaining a vacation
 25 blackout policy coming up at any time prior to

Page 24

1 A. No.
 2 Q. Did she specify what she meant in the way that he
 3 was dealing with employees outside his department?
 4 A. Generally, she spoke about responsiveness issues to
 5 those folks.
 6 Q. Do you recall any more specific information that
 7 she imparted to you than that?
 8 A. I don't recall specifically.
 9 Q. Did she give examples? "He didn't get back to Joe
 10 for 30 days," or something like that?
 11 A. She referred to Vicki getting calls, numerous calls
 12 of people who were dissatisfied with how human resources
 13 was responding to their needs and, in particular,
 14 Mr. Goldschmidt.
 15 Q. Did she identify any of those individuals?
 16 A. She mentioned a number of principals, but not by
 17 name.
 18 Q. Have you given me all of the information that you
 19 have about his dealing with employees outside his
 20 department?
 21 MR. HARNDEN: Your question was what
 22 Vicki Phillips had told him about that. Is that your
 23 question?
 24 MR. BUSSE: Yes.
 25 MR. HARNDEN: Okay.

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1 Mr. Goldschmidt's termination, any conversation with Vicki
 2 Phillips?
 3 A. I don't recall that coming up in any conversation
 4 with Vicki Phillips.
 5 Q. When did you first discuss with Dr. Phillips
 6 Mr. Goldschmidt's termination after you were first hired?
 7 A. I don't recall specifically.
 8 Q. Was it within days?
 9 A. I would say within the first week, yes.
 10 Q. And was it just the two of you, you and
 11 Dr. Phillips?
 12 A. Yes.
 13 Q. And tell me the substance of that conversation,
 14 please.
 15 A. Vicki was not satisfied with Steve's performance
 16 and wanted to make a change.
 17 Q. Did she say what it was about his performance that
 18 caused her to want to make that change?
 19 A. She mentioned that she wasn't satisfied with his
 20 ability to work with other people within the District and
 21 was not satisfied with how he was supervising his own
 22 department and how he was dealing with employees outside
 23 of his department.
 24 Q. Did she mention any of those employees' names, the
 25 ones outside his department?

Page 25

1 THE WITNESS: Vicki had also volunteered
 2 that [redacted] and [redacted] were not -- she was not satisfied
 3 with their performance and was disappointed that Steve had
 4 not taken adequate action to change that performance, as
 5 well.
 6 BY MR. BUSSE:
 7 Q. Did she indicate that she had spoken to him about
 8 that?
 9 A. Yes.
 10 Q. Did she give you any particulars about that?
 11 A. She mentioned that she had met with Steve with, I
 12 believe, a Board member talking about that.
 13 Q. Did she say when that was?
 14 A. It was prior to my joining the District, but I
 15 couldn't specify when.
 16 Q. Did she ask you to do anything to speak to him
 17 concerning taking further action?
 18 A. She did not ask me to speak to Steve about taking
 19 further action.
 20 Q. Was it apparent to you that her mind was already
 21 made up and she wanted him gone?
 22 MR. HARNDEN: Object to the form of the
 23 question, calls for speculation.
 24 But you can go ahead and answer.
 25 THE WITNESS: I believe that she had made

1 up her mind about the performance issues and wanting Steve
 2 to be gone.
 3 BY MR. BUSSE:
 4 Q. On not satisfactorily supervising his own
 5 department, did she mention anything in particular beyond
 6 what you've already said?
 7 A. Nothing beyond the fact that she had had a number
 8 of people continuing to come to her about the way in which
 9 they were being managed.
 10 Q. No names?
 11 A. No, not specifically.
 12 Q. No specific examples beyond what you've already
 13 related in terms of the ██████████ matter?
 14 A. Not that I recall.
 15 Q. And did you take any notes of this conversation?
 16 A. No.
 17 Q. And wasn't satisfied with his ability to work with
 18 other people. Did she give you any names of people that
 19 she was referring to in making that statement?
 20 A. Not that I recall.
 21 Q. Did she ever mention PAT?
 22 A. Yes.
 23 Q. Or Ann Nice?
 24 A. I don't recall if she mentioned Ann Nice's name
 25 specifically in relation to Steve's inability to work with

1 anybody.
 2 Q. What did she say about the PAT?
 3 A. She had mentioned that PAT and Steve had an
 4 adversarial relationship.
 5 Q. And so what did she want you to do, if anything,
 6 about this?
 7 MR. HARN DEN: About the adversarial
 8 relationship --
 9 THE WITNESS: -- with PAT?
 10 MR. BUSSE: No. I'm sorry, that's a bad
 11 question.

REDACTED

13
 14 A. We discussed the fact that in Steve's job
 15 description a prominent point was his responsibility for
 16 the morale of the District and that from her description
 17 and from people that I had talked to, principals that I
 18 had talked to, that it seemed that the morale was being
 19 negatively affected by their work with the HR department.
 20 Q. And independent of any information she was
 21 imparting to you, who had you spoken with that was giving
 22 you that kind of information?
 23 A. I spoke with five principals that I can recall, and
 24 there were others, other individuals that I probably can't
 25 recall names of, both principals and internally.

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1 Q. And who were they?
 2 THE WITNESS: Can I look up names?
 3 MR. HARNDEN: If you have the names,
 4 yeah.
 5 THE WITNESS: I met with a [REDACTED]
 6 BY MR. BUSSE:
 7 Q. When?
 8 A. January 24th.
 9 Q. And what did [REDACTED] tell you?
 10 A. She said that the -- that her interactions with
 11 Steve and the HR department were -- were negative.
 12 Q. Did she say what about it was negative?
 13 A. Responsiveness and getting things done that she had
 14 requested. I don't really recall specifics.
 15 Q. Did she say when it was that she had last had
 16 contact with Mr. Goldschmidt?
 17 A. I don't recall.
 18 Q. Okay. Next?
 19 A. [REDACTED] and [REDACTED].
 20 Q. [REDACTED] c?
 21 A. I don't know. I wrote down in here [REDACTED].
 22 Q. All right. What date?
 23 A. February 3rd.
 24 Q. And the next one? I mean, you said two. [REDACTED]
 25 [REDACTED], did you say?

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1 A. Right, [REDACTED]
 2 Q. And they were both on the same day, February 3rd?
 3 A. Yes.
 4 Q. And what did [REDACTED] tell you?
 5 A. I don't recall specifics from either, but generally
 6 the same theme of not responsive and not helpful.
 7 Q. Okay. And next?
 8 A. I spoke with a [REDACTED], but I don't -- I'm not
 9 finding the date.
 10 Q. And what did she say?
 11 A. Similar comments.
 12 Q. Did she say that she'd actually had contact or
 13 attempted contact with Mr. Goldschmidt himself?
 14 A. I don't recall.
 15 Q. How about the other two? [REDACTED] Did he say
 16 that he had contact with Mr. Goldschmidt, as opposed to
 17 someone on his staff?
 18 A. I recall my impression being that it was with
 19 Mr. Goldschmidt as well as the HR department. I do not
 20 have specific recollection of them saying Mr. Goldschmidt.
 21 Q. Okay. And any other after [REDACTED]?
 22 A. Not that I can identify at this moment.
 23 Q. From your previous testimony that you gave, a
 24 response that from the people that you talked to and
 25 looking at his job description morale is negatively

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1 affected, do you have a belief that that conversation
 2 would have been after February 3rd, since it was after
 3 February 3rd that you would have talked to the individuals
 4 who you named?
 5 A. I don't recall the date.
 6 Q. It may have even been before that time?
 7 A. It could have been, yes.
 8 Q. Okay. And so you offered up that, from the job
 9 description, morale of the District was a part of that.
 10 What was her response when you said that?
 11 A. I don't recall any specific response.
 12 Q. And what was the next step, then? Was there
 13 something else said in that conversation about what to do
 14 about Mr. Goldschmidt?
 15 A. I don't recall anything specifically in that
 16 conversation. I know that, as we spoke earlier, Vicki had
 17 decided that a change needed to be made and she started
 18 the process forward of making that change.
 19 Q. What was your next contact with her or involvement
 20 with the subject of his termination after the conversation
 21 that you have just described in some detail?
 22 A. I don't recall the specific next step, but we began
 23 the process of preparing some documentation to make that
 24 happen.
 25 Q. The termination documentation?

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1 A. Yes.
 2 Q. Before that time, had you approached Ms. Julia
 3 Brim-Edwards and other Board members with a proposed
 4 process whereby Dr. Phillips was going to order
 5 Mr. Goldschmidt to terminate [REDACTED], [REDACTED]
 6 [REDACTED], and [REDACTED] and, if he refused, he
 7 would be terminated?
 8 A. No. [REDACTED] was never a part of any
 9 discussions about termination.
 10 Q. Okay. Prior to his termination, did you approach
 11 Julia Brim-Edwards and other Board members with
 12 Dr. Phillips' plan to order Mr. Goldschmidt to terminate
 13 [REDACTED] and [REDACTED] and, if he refused,
 14 he would be terminated?
 15 MR. HARNDEN: I'm going to object to the
 16 form of the question. It assumes facts not in evidence,
 17 and I believe it specifically --
 18 BY MR. BUSSE:
 19 Q. Go ahead.
 20 MR. BUSSE: No speaking objections,
 21 Counsel. You've stated your objection.
 22 MR. HARNDEN: Okay, then I object to the
 23 use of the term "plan" as being vague.
 24 Go ahead and answer, if you can.
 25 MR. BUSSE: Well, no speaking objections.

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1 You know better.
 2 THE WITNESS: Vicki Phillips asked me to
 3 contact Julia and let her know that we were going to
 4 terminate those individuals.
 5 BY MR. BUSSE:
 6 Q. Which ones?
 7 A. Steve and [REDACTED] and [REDACTED].
 8 Q. Was that on the date of his termination,
 9 February 9th?
 10 A. No. That was prior to it.
 11 Q. How long prior?
 12 A. I don't recall.
 13 Q. Let me go back to my former question. Did you call
 14 Ms. Brim-Edwards at any time and tell her that Vicki
 15 Phillips was going to order Mr. Goldschmidt to terminate
 16 [REDACTED] and [REDACTED] and, if he refused, he
 17 would be terminated?
 18 A. I spoke with Julia about the general plan to make
 19 the separation occur. One possible way in which that was
 20 going to happen was either Vicki was going to ask Steve to
 21 terminate those two or, as it ended up, Vicki just did all
 22 three.
 23 Q. When was it that you spoke with Julia and said that
 24 Vicki was going to ask Steve to terminate those two?
 25 A. I don't recall specific dates.

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1 Q. Do you recall if that was a day before or a week
 2 before? Without reference to a specific date, can you
 3 give me your best estimate as to when that conversation
 4 occurred?
 5 A. My best estimate would be one to three weeks
 6 before.
 7 Q. Okay.
 8 A. Possibly one to two weeks.
 9 Q. Did you outline that plan to any other Board
 10 member?
 11 A. I believe so.
 12 Q. Which others?
 13 A. I believe I relayed it to David Wynde.
 14 Q. About the same time as to Ms. Brim-Edwards?
 15 A. I believe so.
 16 Q. Any others?
 17 A. I don't recall.
 18 Q. Did you get any resistance from any Board member?
 19 A. Resistance to what?
 20 Q. The proposal to terminate Mr. Goldschmidt.
 21 A. No, not that I recall.
 22 Q. Or to the manner in which it was outlined?
 23 A. No, I don't recall any resistance.
 24 Q. At some point in time, was there a change or a
 25 decision made by Dr. Phillips to move to just terminating

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1 all three?
 2 A. There wasn't a change, because we had discussed
 3 different ways of doing -- getting to the same end, and
 4 the way in which it occurred was the only decision that I
 5 was aware that Vicki had made.
 6 Q. When did you become aware that, of the ways, she
 7 had selected the way it ultimately occurred? Where in
 8 that one-to-three --
 9 A. I don't recall specific dates.

REDACTED

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1 STATE OF OREGON }
2 County of Washington) ss.

3

4 I, Kimberly J. Rise, Certified Shorthand Reporter for
5 the State of Oregon, hereby certify that said witness
6 personally appeared before me at the time and place set
7 forth in the caption hereof; that at said time and place I
8 reported in Stenotype all testimony adduced and other oral
9 proceedings had in the foregoing matter; that thereafter
10 my notes were reduced to typewriting under my direction;
11 and that the foregoing 39 pages constitute a full, true
12 and accurate record of all such testimony adduced and oral
13 proceedings had and of the whole thereof.

14 IN WITNESS WHEREOF I have hereunto set my hand this
15 27th day of June, 2005.

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/S/KIMBERLY J. RISE
Kimberly J. Rise
Certified Shorthand Reporter
for the State of Oregon

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CSR No. 90-0138

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