

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

FILED
Clerk of the Superior Court

JAN 11 2013

A. Munoz

PEOPLE OF THE STATE OF CALIFORNIA,
PLAINTIFF,
VS.
NICHOLAS CARL ALIOTO, GARY ALLEN CABELLO, RAJ KUMAR CHOPRA, JORGE DOMINGUEZ, JEFFREY STEVEN FLORES, YOLANDA SALCIDO JOHN MERRILL WILSON,
DEFENDANTS.

GRAND JURY
CASE NO. SCD235445
DA NO. ADH258
GRAND JURY NO. 12-09
VOLUME 13
PAGES 1919 THROUGH 2043, INCLUSIVE

REPORTER'S TRANSCRIPT OF PROCEEDINGS
NOVEMBER 29, 2012
SAN DIEGO, CALIFORNIA

APPEARANCES:

FOR THE PLAINTIFF: BONNIE DUMANIS
DISTRICT ATTORNEY
BY: LEON H. SCHORR
BY: FREDERIC G. LUDWIG, III
DISTRICT ATTORNEYS
TIFFANY SCOTT
CERTIFIED LEGAL INTERN
330 WEST BROADWAY
SAN DIEGO, CALIFORNIA 92101

BETTY J. ASHE, CSR NO. 4844
OFFICIAL COURT REPORTER
SAN DIEGO SUPERIOR COURT

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ALPHABETICAL AND CHRONOLOGICAL INDEX OF WITNESSES

VOLUME 13 - NOVEMBER 29, 2012

PEOPLE VS. ALIOTO, ET AL.

CASE NO. SCD235445

GRAND JURY

PAGE

JAIME ORTIZ
EXAMINATION BY MR. LUDWIG

1926

1 SAN DIEGO, CALIFORNIA; THURSDAY, NOVEMBER 29, 2012; 9:05 A.M.

2 * * *

3 P R O C E E D I N G S

4 * * *

5 MR. SCHORR: HOW ARE WE DOING ON GRAND JURORS?

6 GRAND JURY SECRETARY: WE HAVE ALL 16 GRAND JURORS PRESENT.

7 MR. SCHORR: THE PLAN TODAY IS TO CONTINUE WITH MR. ORTIZ.
8 BEFORE WE DO SO -- MR. LUDWIG IS GOING TO BE DOING SO -- I WANT
9 TO SEE IF THERE'S ANY QUESTIONS, BUT BEFORE THAT KIND OF REMIND
10 YOU OF A COUPLE THINGS. ONE, YOU HAVE TO JUDGE THE CREDIBILITY
11 OF THE WITNESS ON YOUR OWN. TWO, AS YOU ARE NOTICING, THE DETAIL
12 THAT WE HAVE TO EXAMINE HIM WITH IS NOT THE SAME DETAIL WE HAD
13 WITH MR. AMIGABLE, AND THAT IS NOT NECESSARILY THE FAULT -- WELL,
14 I GUESS IT IS THE FAULT OF THE WITNESS IN THAT HE DIDN'T KEEP AS
15 DETAILED OF RECORDS. BUT AT THE SAME TIME, YOU'LL HAVE TO BEAR
16 WITH US THAT THERE'S CERTAIN REASONS THAT WE'RE ASKING CERTAIN
17 QUESTIONS AND THAT HE MIGHT -- YOU KNOW, YOU CAN DECIDE ON YOUR
18 OWN WHETHER OR NOT YOU THINK HE'S BEING HONEST IN WHETHER OR NOT
19 HE RECALLS THINGS. BUT SOMETIMES WE ARE ASKING QUESTIONS FOR
20 MULTIPLE PURPOSES. WE MIGHT HAVE OTHER INFORMATION RELATED TO A
21 BIG MORTON'S RECEIPT THAT YOU'RE GOING TO HEAR ABOUT AT A LATER
22 DATE AND TIME.

23 ADDITIONALLY, NOT ONLY DOES HE NOT HAVE AS GREAT OF
24 INFORMATION -- IF HE DOESN'T HAVE AS GREAT OF INFORMATION, THAT
25 MEANS THAT WE DON'T HAVE AS GREAT OF INFORMATION WHEN WE DO
26 SEARCH WARRANTS AND WE GET INFORMATION FROM DIFFERENT LOCATIONS.
27 SURE, WE WOULD LOVE TO HAVE -- WE LOVE WALKING IN AN ORGANIZED
28 HOUSE OR PLACE WHERE THEY KEEP TRACK OF EVERYTHING. IT MAKES OUR

1 JOB VERY SIMPLE.

2 YOU KNOW, WE MIGHT NOT HAVE ALL OF HIS CREDIT CARD RECEIPTS
3 FOR ALL OF THE YEARS. WE ONLY HAVE THE ONES THAT WERE THERE,
4 THAT WERE IN HIS POSSESSION, THAT WE'RE ABLE -- AND THAT WE'RE
5 ABLE TO CROSS-REFERENCE THOSE WITH EMAILS, WITH TEXT MESSAGES,
6 WITH OTHER INFORMATION THAT WE HAVE.

7 SO, YOU KNOW, I KIND OF APOLOGIZE IN ADVANCE THAT IT'S NOT
8 AS CLEAN AS WE WOULD LIKE IT TO BE, AS HE WOULD LIKE IT TO BE, AS
9 YOU WOULD LIKE IT TO BE. THAT DOESN'T EXCUSE THAT IF YOU THINK
10 HE'S BEING UNTRUTHFUL, IF YOU THINK HE'S HIDING THINGS IN SOME
11 WAY, YOU NEED TO CALCULATE THAT IN, OR IT MIGHT BE THAT HIS
12 DEMEANOR -- SOME PEOPLE SPEAK LOWER, A LITTLE MORE CALCULATED, A
13 LITTLE MORE COGNIZANT OF WHAT THEY ARE SAYING. IT MAY BE THAT
14 HE'S TRYING TO BE AS HONEST AS HE CAN, AND HE CAN'T REMEMBER
15 CERTAIN THINGS. THERE ARE MORE DETAILS THAT ERIC WILL BE GETTING
16 TODAY WITH HIM, HOPEFULLY TRYING TO NARROW DOWN CERTAIN THINGS.
17 I THINK YOU'LL FIND IT TO BE INTERESTING, JUST ALL OF THE
18 DIFFERENT STUFF THAT HE'S ABLE TO PROVIDE FOR US.

19 ANY SPECIFIC QUESTIONS?

20 GRAND JUROR NO. 13: IS THIS THE KIND OF THING WE'D TALK
21 ABOUT MORE DURING DELIBERATIONS IN THAT --

22 MR. SCHORR: THIS IS GRAND JUROR NUMBER?

23 GRAND JUROR NO. 13: THIRTEEN. WHEN HIS BOSS, MR. FLORES,
24 WAS HERE, THERE WERE SEVERAL TIMES THAT HE SAID, "OH, I THINK
25 THAT JAIME WILL KNOW MORE ABOUT THAT. JAIME SHOULD REMEMBER
26 THAT," BLAH, BLAH. THERE HAVE BEEN SEVERAL INSTANCES THAT HAVE
27 COME BACK UP AND JAIME WILL SAY, "I DON'T REMEMBER. I DON'T
28 REMEMBER. I DON'T REMEMBER. I DON'T REMEMBER." AND IN MY

1 OPINION, HE'S YOUNGER, HE WAS THERE ALL THE TIME. HE WAS NOT THE
2 BIG BOSS IN PASADENA OVERLOOKING IT. HE WAS THERE, THERE, THERE,
3 THERE, THERE, AND HE -- I WOULD THINK THAT SEEING THIS WAS HIS
4 FIRST POSITION OF REAL AUTHORITY WHEN HE WAS OVERLOOKING, HIS
5 MEMORY SHOULD BE SO MUCH BETTER THAN IT SEEMS TO BE. IS THIS THE
6 POINT WHERE IT WOULD BE APPROPRIATE TO SAY OR --

7 MR. SCHORR: I THINK YOU ARE RIGHT TO WAIT TOWARDS
8 DELIBERATING TO DISCUSS AMONGST YOURSELF WHETHER YOU THINK HE'S
9 BEING TRUTHFUL. IF YOU DIDN'T BELIEVE HE WAS BEING TRUTHFUL, TO
10 EXPAND THAT OUT AND DECIDE, OKAY, DOES THAT MEAN HE'S NOT BEING
11 TRUTHFUL ON ANYTHING? DOES THAT MEAN HE'S HIDING THINGS? DOES
12 THAT MEAN HE'S BEING TRUTHFUL WHERE HE CAN? OR TO PROTECT
13 HIMSELF --

14 THE WITNESS: IT'S NOT SOMETHING WHERE YOU WOULD SAY TO
15 HIM --

16 MR. SCHORR: WE COULD. AND IF YOU WANT TO ASK THAT QUESTION
17 OR ERIC WANTS TO ASK THAT QUESTION AT A LATER POINT IN TIME
18 HIMSELF -- AS WE TALKED ABOUT EARLIER, THERE'S KIND OF A -- YOU
19 KNOW, THERE'S A STRATEGY INVOLVED IN WHAT TO GO THROUGH. YOU
20 DON'T WANT TO SHUT A WITNESS DOWN. AT THE SAME TIME, YOU DO WANT
21 TO CONFRONT A WITNESS.

22 ANOTHER THING TO KEEP IN MIND, LIKE WE SAID AT THE
23 BEGINNING, WE DON'T HAVE TO PUT IN ALL THE EVIDENCE THAT RELATES
24 TO CULPABILITY TOWARDS THE GUILT. WE DO HAVE TO PUT IN
25 EVERYTHING THAT WE KNOW OF THAT RELATES TO EXCULPABILITY OR
26 INNOCENCE. I'M NOT SAYING THERE'S A LOT MORE THAT WENT ON THAT
27 WE'RE NOT TALKING ABOUT, BUT PUTTING YOURSELF IN HIS POSITION,
28 YOU KNOW, WE'RE GOING THROUGH A LOT OF THINGS WHICH ARE SOMETIMES

1 FOUR, FIVE YEARS AGO, AND THERE MIGHT HAVE BEEN A LOT MORE
2 THINGS. AND SO WHEN YOU ARE ASKING YOU OR I, POTENTIALLY, WHAT
3 WOULD BE MEMORABLE, TO GO TO A \$800 MORTON'S MEAL, WE MIGHT
4 REMEMBER THAT SIGNIFICANTLY. BUT FOR HIM, IF HE'S DOING THAT
5 MONTHLY, WEEKLY, BIWEEKLY WITH DIFFERENT BOARD MEMBERS EVERY
6 TIME, IT MIGHT NOT BE AS SIGNIFICANT AND AS MEMORABLE FOR HIM
7 SO -- OR IT MIGHT BE. THAT'S SOMETHING YOU HAVE TO KEEP IN MIND.

8 GRAND JUROR NO. 13: AGAIN, IT MAY BE AS THE TIME GETS
9 CLOSER, HIS MEMORY GETS BETTER.

10 MR. SCHORR: SURE. IT MIGHT BE THAT WE HAVE MORE
11 INFORMATION, MORE THINGS TO TRY TO REFRESH HIS MEMORY WITH. THAT
12 OFTENTIMES IS HELPFUL. I'M SURE, AT LEAST FOR ALL OF US, IT
13 WOULD BE GREAT TO SEE A PICTURE FROM THAT NIGHT AND A THANK YOU
14 OR THAT TYPE OF THING BUT WE DON'T ALWAYS HAVE THAT.

15 BUT FOR THE PURPOSE OF THE CASE -- AND AS IT BREAKS DOWN AND
16 STUFF, HE'S ONLY ONE COG, BUT HE'S AN IMPORTANT COG, SO WE NEED
17 TO LISTEN TO HIM, GET THROUGH HIM, AND MOVE ON TO THE NEXT
18 WITNESS AS IT COMES. BUT I THINK HE'LL PROVIDE US WITH SOME VERY
19 USEFUL INFORMATION. I THINK HE'S ALREADY PROVIDED US WITH SOME.
20 WHETHER OR NOT HE'S GETTING GREAT DETAILS OF EVENTS -- HE'S
21 GOTTEN IN A LOT MORE DETAILS OF KIND OF THE FEELINGS AND THE
22 ATMOSPHERE RELATED TO THE EVENTS THAT YOU MIGHT NOT HAVE HEARD IN
23 AS SIGNIFICANT A WAY FROM OTHER WITNESSES. AND, YOU KNOW, YOU
24 HAVE TO AGAIN SEE WHETHER OR NOT HE'S -- WHETHER YOU THINK HE'S
25 BEING TRUTHFUL EVEN IN THAT ASPECT OF IT. YOU HAVE TO JUST JUDGE
26 ALL THAT TOGETHER AND THAT'S WHY YOU ARE SITTING WHERE YOU ARE,
27 AND GOOD LUCK TO YOU.

28 GRAND JUROR NO. 13: THANKS.

1 GRAND JUROR NO. 10: ONE QUESTION I HAVE IS NOW THAT WE'VE
 2 GONE OVER THESE AGREEMENTS THESE WITNESSES HAVE MADE, MAYBE
 3 BECAUSE I CAN SEE THE EXPRESSIONS OF SOME OF THE OTHER GRAND
 4 JURORS -- YOU HAVE THE FATHER APPEARING. THE SON JEFF FLORES HAS
 5 THE OPPORTUNITY TO WALK IN YOUR OFFICE AND SAY, "I WANT TO TALK
 6 TO YOU OR GET A FREE TALK." SOMETIMES THEY INDICT EVEN AFTER TO
 7 MAKE THE SAME DEAL, RIGHT?

8 MR. SCHORR: WELL, YES. LET ME TRY TO ANSWER THAT AS BEST I
 9 CAN. ANY POTENTIAL DEFENDANT HAS UNTIL -- FRANKLY, UNTIL THE
 10 JURY COMES BACK. I'VE HAD CASES WHERE WE PUT THE JURY OUT AND
 11 THE -- LIKE, LITERALLY, THE JURY HAS THE DECISION AND WE'RE ABOUT
 12 TO HAVE -- THEY ARE GOING BACK TO DELIBERATE, AND THE DEFENDANT
 13 WILL COME TO US OR WE'LL COME TO THEM AND WE'LL SAY, "AFTER
 14 HEARING ALL THE EVIDENCE AND IT PLAYED OUT THIS WAY, HERE'S THE
 15 DEAL WE'RE WILLING TO MAKE," OR THEY WILL COME TO US AND THEY
 16 WILL SAY --

17 GRAND JUROR NO. 13: YOU ARE TALKING ABOUT DURING A TRIAL?

18 MR. SCHORR: DURING A TRIAL. YOU CAN -- FRANKLY, YOU CAN
 19 HAVE A CONVICTION AND THEY ARE GOING TO APPEAL THE CONVICTION AND
 20 YOU LOOK AT THE GROUNDS FOR APPEAL AND WHETHER OR NOT YOU THINK
 21 THEY HAVE ANY AND WHETHER YOU'D BE FACED WITH A NEW TRIAL AND AT
 22 THAT POINT IN TIME YOU SAY MAYBE THEY WILL HAVE GOOD GROUNDS,
 23 MAYBE THEY DON'T, AND YOU CAN SETTLE THE CASE AT THAT POINT IN
 24 TIME.

25 TO ANSWER YOUR QUESTION, YEAH, ANY ONE OF THEM AT ANY POINT
 26 IN TIME, IF IT MAKES SENSE TO THEM, AND IF IT MAKES SENSE TO US,
 27 CAN WORK OUT A DEAL. AND THAT'S JUST -- THEY, ON THE DEFENDANTS'
 28 SIDE -- THEY ARE GOING TO MAKE SURE -- OR THEY SHOULD MAKE SURE

1 THAT THE DEAL IS APPROPRIATE FOR WHAT THEY BELIEVE THEIR CONDUCT
2 WAS. AND ON OUR SIDE WE DO THE SAME THING, MAKING SURE THAT WE
3 BELIEVE THAT IT'S APPROPRIATE FOR WHAT THAT CONDUCT WAS.

4 IN THE JUSTICE SYSTEM, FRANKLY, 90, 95 PERCENT OF CASES,
5 THEY WORK OUT IN DEALS BECAUSE, YOU KNOW, THERE ARE RISKS
6 INVOLVED WITH GOING TO A GRAND JURY, THERE'S RISKS INVOLVED IN
7 GOING TO A TRIAL, ON BOTH SIDES. AND OFTENTIMES, FOR DIFFERENT
8 REASONS, PEOPLE WORK OUT DEALS, AND WE'RE -- THERE'S NO -- AS
9 LONG AS IT'S FAIR AND THE JUDGE APPROVES IT -- AND ALL SIDES ARE
10 ALWAYS TALKING. THOSE DISCUSSIONS AREN'T APPROPRIATE FOR YOU TO
11 KNOW. SO, YOU KNOW, IT COULD BE THAT ANY ONE OF THESE WITNESSES
12 HAS HAD DISCUSSIONS -- NOT WITNESSES -- ANY OF THOSE POTENTIAL
13 DEFENDANTS WE MIGHT HAVE HAD POTENTIAL DISCUSSIONS WITH, BUT AT
14 THAT POINT IN TIME, WE, MEANING BOTH SIDES, DIDN'T BELIEVE WE
15 WORKED OUT AN APPROPRIATE DEAL.

16 GRAND JUROR NO. 13: SO FAR WITH THIS WITNESS, THERE'S
17 NOTHING BEEN -- WHAT HE'S REMEMBERING FROM THE FREE TALK AND NOW
18 HE DOESN'T REMEMBER, IS THERE ANYTHING THAT IS INCONSISTENT?

19 MR. SCHORR: ONE OF THE WAYS THAT WE HAVE AN ABILITY TO SHOW
20 YOU INCONSISTENCIES, IF INCONSISTENCIES ARE SIGNIFICANT, IS AFTER
21 A WITNESS LEAVES THE STAND, WE CAN CALL IN, FOR INSTANCE,
22 MR. GIAIME, WHO WAS THE INVESTIGATOR WHO WOULD BE INVOLVED IN THE
23 FREE TALK, AND WE COULD ASK HIM ABOUT SPECIFIC INSTANCES, IF
24 THERE ARE ANY INCONSISTENCIES TO THEM.

25 SO, YOU KNOW, IF MR. ORTIZ, FOR INSTANCE, IS IN HERE TODAY
26 SAYING I HAVE NO RECOLLECTION OF THIS DINNER, BLAH, BLAH, BLAH,
27 BLAH, BLAH AND A MONTH PRIOR OR SIX MONTHS PRIOR OR WHENEVER THE
28 FREE TALK WAS, HE GAVE GREAT DETAIL ABOUT IT, WE WOULD FIRST ASK

1 HIM ABOUT IT HERE. LET'S SAY HE KEPT DENYING IT, WE COULD BRING
2 IN MR. GIAIME AND SAY, YOU KNOW, CAN YOU TELL US ABOUT WHAT HIS
3 ANSWERS WERE AT THE TIME OF THIS AND THAT. THAT'S ONE WAY FOR US
4 TO BOLSTER, OR NOT, TESTIMONY.

5 ALSO, IN A TRIAL OR ANOTHER SETTING, YOU COULD PUT ON PRIOR
6 CONSISTENT STATEMENTS. FOR INSTANCE, LET'S SAY I PUT ON A PRIOR
7 INCONSISTENT STATEMENT, THEN THE DEFENSE COULD SAY -- AND WE
8 WOULD HAVE THAT OBLIGATION HERE IF THERE WAS ANOTHER FREE TALK,
9 FOR INSTANCE, WHERE HE DIDN'T REMEMBER IT, THEN WE WOULD HAVE
10 THAT OBLIGATION TO ALSO PUT ON THAT PRIOR TIME THAT HE DIDN'T
11 REMEMBER, AND IT COULD JUST BE THAT YOU ARE JUDGING THAT, OKAY,
12 SOMETIMES YOU REMEMBER, SOMETIMES YOU DON'T, OR SOMETIMES YOU
13 THINK IT WAS MORE THIS \$800 VERSUS IT WAS MORTON'S THIS \$800 MEAL
14 OR SOMETHING LIKE THAT.

15 SO HOPEFULLY THAT ANSWERS YOUR QUESTION. IF WE CAN,
16 MR. ORTIZ IS OUT IN THE HALL, READY TO GO, AND WE'LL PUT HIM ON.
17 WE'LL TRY TO -- ERIC AND I AND TIFFANY AGAIN LAST NIGHT WENT
18 THROUGH DOCUMENTS AND WERE REVIEWING WHICH ONES WE CAN CUT OUT
19 AND WHICH ONES ARE SIGNIFICANT AND WHICH ONES ARE APPROPRIATE.
20 WE'LL KEEP PARING DOWN AS WE CAN. SO SOMETIMES YOU'LL SEE US
21 CONSULTING WITH EACH OTHER BECAUSE WE SOMETIMES HAVE, YOU KNOW,
22 DIFFERENT VIEWPOINTS AS TO REMEMBERING WHERE IT'S SIGNIFICANT OR
23 NOT.

24 GRAND JUROR NO. 9: I WANT TO POINT OUT -- I APPRECIATE
25 WHERE ERIC -- THIS IS A DIRECTIVE, THESE ARE THE WORDS THAT YOU
26 HAVE, YOU ASK THE QUESTION OR YOU GOT THE ANSWERS --

27 MR. SCHORR: IF WE FALL DOWN AT ALL IN TERMS OF GETTING TO
28 THE POINTS -- YOU HAVE GREAT QUESTIONS. WE APPRECIATE THEM. AND

1 WE'LL NOT ALWAYS ASK THEM IMMEDIATELY, AND AS YOU SEE, SOMETIMES
2 WE'LL GET THEM.

3 GRAND JUROR NO. 17: YOU GUYS ARE READING MY NOTES.

4 MR. SCHORR: I'M GOING TO GET MR. ORTIZ. GREAT. THANK YOU.

5
6 JAIME ORTIZ,

7 GRAND JURY WITNESS, HAVING BEEN PREVIOUSLY SWORN, WAS EXAMINED
8 AND TESTIFIED AS FOLLOWS:

9
10 EXAMINATION

11 BY MR. LUDWIG:

12 Q. GOOD MORNING, MR. ORTIZ.

13 A. GOOD MORNING.

14 Q. BEFORE WE START, LET ME REMIND YOU YOU ARE STILL UNDER
15 OATH. THANKS FOR COMING BACK THIS MORNING. AND WE'LL PICK RIGHT
16 UP WHERE WE LEFT OFF, REVIEWING MORE DOCUMENTS AND TRYING TO STAY
17 AWAKE.

18 A. HOPEFULLY.

19 Q. DO YOU REMEMBER TAKING A TRIP TO NAPA VALLEY, IN THAT
20 AREA, WITH ANY BOARD MEMBERS?

21 A. I DO.

22 Q. I WANT TO SHOW YOU --

23 A. NOT WITH BOARD MEMBERS.

24 Q. NOT WITH BOARD MEMBERS? WITH WHOM?

25 A. WITH THE SUPERINTENDENT.

26 Q. DR. GANDARA?

27 A. YES.

28 Q. WOULD THAT BE SOMETIME IN NOVEMBER OF 2008?

1 A. YES.

2 Q. I HAVE ONE OF YOUR CREDIT CARD ACCOUNT STATEMENTS ON
3 HERE. THERE'S A NUMBER OF SIGNIFICANT CHARGES. FIRST IS
4 NOVEMBER 22ND, RUBICON ESTATE WINERY, RUTHERFORD, CALIFORNIA.
5 WAS THAT RELATED TO THE EVENTS?

6 A. YES.

7 Q. WHO TRAVELED WITH YOU? IT WAS YOURSELF, DR. GANDARA.
8 ANYONE ELSE?

9 A. JENNIE GANDARA, MY WIFE, LANCE JACKSON, HIS WIFE.

10 Q. THE JACKSONS ARE PART OF SGI; RIGHT?

11 A. YES, AND THAT'S IT. RENÉ WAS THERE BUT FOR THE
12 BEGINNING PART OF THE TRIP IN RICHMOND.

13 Q. RENÉ DOESN'T DRINK ALCOHOL; IS THAT CORRECT?

14 A. RENÉ DOES NOT DRINK ALCOHOL.

15 Q. HE WOULDN'T BE PARTICIPATING IN WINE TASTING EVENTS AND
16 THINGS LIKE THAT?

17 A. CORRECT.

18 Q. BACK TO THIS CHARGE HERE FOR RUBICON ON THE 22ND OF
19 NOVEMBER. DO YOU RECALL THAT PURCHASE?

20 A. YES.

21 Q. SO WHAT WAS GOING ON THERE?

22 A. IT WAS A WINE TASTING AND TOUR OF THE WINERY.

23 Q. AND ALL SIX OF YOU PARTICIPATED?

24 A. I BELIEVE SO.

25 Q. DID THAT INCLUDE TAKING ANY WINE HOME WITH YOU?

26 A. I DON'T REMEMBER.

27 Q. WAS THAT THE FULL CHARGE FOR THAT EVENT?

28 A. I BELIEVE SO.

1 Q. NO ONE SPLIT THE CHARGE WITH YOU?

2 A. NO.

3 Q. THE GANDARAS DIDN'T OFFER TO PAY?

4 A. NO.

5 Q. IF WE DIVIDE 450 SIX WAYS WE'LL PROBABLY GET 70
6 SOMETHING. \$75 PER PERSON. WE'LL MARK THAT DOWN. THAT'S THE
7 22ND OF NOVEMBER 2008.

8 Q. QUINTESSA WINERY, IS THAT ANOTHER WINE TASTING EVENT FOR
9 THAT TRIP?

10 A. YES.

11 Q. ALL SIX OF YOU PARTICIPATED THEN?

12 A. I'M NOT SURE IF LANCE'S WIFE WENT TO THAT. IT MIGHT
13 HAVE BEEN JUST THE FIVE OF US.

14 Q. SO WE'LL JUST DIVIDE \$65 SIX WAYS. WE GET \$10 PER
15 PERSON.

16 Q. THERE'S A -- GOING DOWN THE LIST, THERE IS A LOU & MICKEY'S
17 OUT IN SAN DIEGO THAT SEEMS TO BE BEFORE THE NAPA VALLEY TRIP FOR
18 \$548 ON NOVEMBER 4TH. DO YOU RECALL THAT --

19 A. I DO.

20 Q. -- MEAL?

21 A. YES. THIS WAS 2008?

22 Q. THIS IS 2008.

23 A. YES.

24 Q. WHO WAS THERE THAT EVENING AT LOU & MICKEY'S?

25 A. IT WAS A LOT OF PEOPLE. IT WAS ELECTION NIGHT. AND WE
26 KIND OF JUST HOSTED A GATHERING THERE OF DIFFERENT FOLKS WHO
27 WANTED TO SHOW UP TO WATCH THE ELECTION RESULTS.

28 Q. ANY SWEETWATER OFFICIALS IN ATTENDANCE?

1 A. I REMEMBER DR. GANDARA WAS THERE. I CAN'T SAY FOR
2 CERTAIN BUT I BELIEVE GREG WAS THERE. I CAN'T REMEMBER WHO ELSE,
3 BUT THERE WERE MAYBE TEN, 12 OF US. THERE WERE SOME
4 ADMINISTRATORS, I BELIEVE.

5 Q. OKAY. WELL, WE'LL MARK IT DOWN ANYWAY. IF WE
6 DIVIDE -- I ASSUME A 20 PERCENT TIP, DIVIDE BY 1.2 FOR A BILL OF
7 456. WE'LL JUST PUT A DOLLAR DOWN. WE DON'T HAVE THE EXACT
8 NUMBER OF PARTICIPANTS.

9 ARE THERE ANY OTHER CHARGES THAT YOU CAN SEE ON THIS PAGE,
10 LIKE THE CUBAN CIGAR FACTORY BILL ON NOVEMBER 20TH, OR ANOTHER
11 FRIDA'S EXPENDITURE ON THE 11TH, ANYTHING ON THOSE TWO OR ANY
12 OTHERS THAT RELATE TO SWEETWATER OFFICIALS?

13 A. I'M SURE IT IS. I CAN'T REMEMBER WHO WITH OR THE EXACT
14 EVENT, THOUGH.

15 Q. OKAY. ON THE NEXT PAGE OF THE SAME CREDIT CARD
16 STATEMENTS -- SO WE'RE LOOK AT PAGE 12750. THIS IS 12751. IT'S
17 A CONTINUATION. THERE'S MORE CHARGES. IT SAYS BOUDIN, BAKERS
18 HALL IN SAN FRANCISCO. IS THAT PART OF THE TRIP?

19 A. YES.

20 Q. WHAT WERE THOSE PURCHASES; IF YOU RECALL?

21 A. I THINK THAT WAS JUST SOUP AND JUST LUNCH.

22 Q. WITH ALL SIX OF YOU?

23 A. NO. IN SAN FRANCISCO IT WAS JUST THE GANDARAS AND US
24 AND -- MY WIFE AND MYSELF.

25 Q. IF WE HAVE \$50 DIVIDED BY FOUR, 12.50 PER PERSON ON THE
26 21ST OF NOVEMBER.

27 HOW ABOUT BOULEVARD ON THE SAME DAY?

28 A. DINNER ON THE SAME DAY.

1 Q. WITH THE FOUR OF YOU?

2 A. YES.

3 Q. DID EVERYBODY HAVE THE SAME AMOUNT OF FOOD AND BEVERAGE
4 THAT NIGHT?

5 A. YES.

6 Q. NO ONE ORDERED A SALAD OR WERE STUCK WITH BREAD AND
7 WATER? NO. OKAY, WE'LL DIVIDE THAT BY 1.2 FOR THE --
8 SUBTRACTING THE TIP, FOR \$630, AND DIVIDE BY FOUR. THAT'S
9 \$157.50 PER PERSON. WAS DR. GANDARA PARTAKING IN ALCOHOL THAT
10 NIGHT?

11 A. YES.

12 Q. DID YOU EVER KNOW HIM NOT TO DRINK?

13 A. I MEAN, HE WASN'T DRINKING CONSTANTLY.

14 Q. THANK YOU. THAT'S A BAD QUESTION ON MY PART.

15 DID YOU KNOW HIM TO GO TO A DINNER OR WINE TASTING AND OPT
16 FOR A NONALCOHOLIC BEVERAGE RATHER THAN SAMPLE A WINE?

17 A. MAYBE WHEN HE WAS ON A DIET BUT NOT TYPICALLY.

18 Q. THERE ARE TWO CHARGES ON THE 22ND FOR THE PALACE HOTEL.
19 WERE THOSE ALSO RELATED --

20 A. YES.

21 Q. -- WITH THE GANDARAS?

22 A. YES.

23 Q. WAS IT YOU AND YOUR WIFE AS WELL?

24 A. YES.

25 Q. ANYONE ELSE?

26 A. NO.

27 Q. SO 75 DIVIDED BY FOUR, 18.75 PER PERSON, ON THE 22ND.

28 A. ONE OF THOSE -- I REMEMBER I HAD A BREAKFAST IN THE

1 MORNING, ALONG WITH A COWORKER FROM SAN FRANCISCO THAT I WAS
2 TRYING TO GET TO COME DOWN TO SAN DIEGO, SO I'M ASSUMING IT'S THE
3 \$22 ONE.

4 Q. THE \$53 WOULD BE YOU AND THE GANDARAS?

5 A. SOME TYPE OF ROOM CHARGE I'M SURE.

6 Q. WE COULD JUST SKIP IT SINCE WE DON'T KNOW FOR CERTAIN.

7 MR. SCHORR: LET'S JUST SKIP IT.

8 BY MR. LUDWIG:

9 Q. THE NAPA VALLEY ALOFT SEEMS TO BE A BIG HEFTY CHARGE.
10 WHAT IS THAT?

11 A. THAT'S A HOT AIR BALLOON RIDE.

12 Q. THAT WAS WITH YOU, YOUR WIFE, AND THE GANDARAS?

13 A. YES.

14 Q. ANYBODY ELSE PARTICIPATE IN THAT?

15 A. NO.

16 Q. HOW WAS THE BALLOON RIDE?

17 A. IT WAS VERY NICE.

18 Q. THAT COMES OUT TO BE \$245 PER PERSON. AND THEN THAT'S
19 NOVEMBER 22ND. THE 21ST, LA GONDOLA RESTAURANT CHARGE, IN RED.
20 I ASSUME DINNER WITH THE GANDARAS?

21 A. YES.

22 Q. ANYBODY ELSE BESIDES YOUR WIFE?

23 A. I BELIEVE -- I'M NOT SURE IF THE JACKSONS WERE THERE.

24 Q. LET'S JUST GO AHEAD AND SAY THAT THEY WERE. DIVIDED BY
25 1.2, TOTAL BILL OF 450, DIVIDE BY SIX. SO WE HAVE ABOUT \$75 PER
26 PERSON IF THE JACKSONS WERE THERE. SO IT APPEARS THAT YOU WENT
27 BACK TO THE QUINTESSA WINERY?

28 A. IT WAS PROBABLY THE SAME DAY.

1 Q. SAME DAY. OKAY. A DIFFERENT PURCHASE?

2 A. YES. THAT'S PROBABLY THE WINE TASTING CHARGES.

3 Q. WOULD THAT BE FOR ALL SIX OF YOU?

4 A. YES.

5 Q. THAT'S \$65 PER PERSON ON THE 23RD.

6 THE HERTZ RENTAL CAR, WAS THAT A CAR FOR THE ENTIRE GROUP OR
7 MORE THAN ONE CAR?

8 A. THAT WAS A CAR FOR THE ENTIRE GROUP.

9 Q. ALL OF YOU SHARED THE SAME VEHICLE?

10 A. YES.

11 Q. THANK YOU.

12 A. WE DID A TOUR PRIOR TO GOING TO NAPA ON -- SO WE HAD
13 SEVERAL PEOPLE INSIDE THE CAR PRIOR TO GOING UP.

14 Q. SO LET'S SAY 696 DIVIDED BY SIX. SO WHAT WAS -- THIS
15 LEADS INTO, AGAIN, JUROR NO. 9 LOOKING AT MY NOTES WHILE I ASK
16 THE QUESTIONS.

17 MR. LUDWIG: ARE WE ON QUESTION 102.

18 GRAND JURY SECRETARY: THAT'S RIGHT.

19 BY MR. LUDWIG:

20 Q. JUROR NO. 9. THIS IS DIRECTED TO THE WINERY EVENT.
21 "WHAT WAS THE OVERALL PURPOSE OF THE ENTIRE TRIP? WHY GO TO NAPA
22 VALLEY?"

23 A. ORIGINALLY IT STARTED AS A TRIP TO THE BAY AREA TO SEE
24 ONE OF THE HIGH SCHOOLS THAT WE'VE MANAGED CONSTRUCTION ON IN
25 EL CERRITO, CALIFORNIA, PART OF THE WEST CONTRA COSTA SCHOOL
26 DISTRICT. IT WAS A VERY LARGE HIGH SCHOOL, 80-, \$90 MILLION, AND
27 IT WAS -- HAD A FAIRLY INNOVATIVE DESIGN, AND THE WAY IT WAS
28 BUILT WAS FAIRLY INNOVATIVE AS WELL.

1 SO DR. GANDARA, I BELIEVE, WANTED TO -- WAS INTERESTED IN
2 SEEING IT, AND WHILE WE WERE THERE WE TOURED THE SCHOOL. WE
3 TOURED A COUPLE OF OTHER SCHOOLS AS WELL, MET WITH THE
4 SUPERINTENDENT THERE AND, I BELIEVE, ONE OF THE BOARD MEMBERS.
5 AND THAT WAS THE MAIN REASON OF THE TRIP, TO VISIT THAT SCHOOL.
6 AND WE MADE A WEEKEND OF IT AND WENT TO NAPA AFTERWARDS.

7 Q. OKAY. SO, I GUESS, WALK US THROUGH THE TIMELINE OF THE
8 TRIP. SO YOU ARRIVED, WHAT, ON A FRIDAY?

9 A. WE ARRIVED FRIDAY MORNING, I BELIEVE.

10 Q. DID YOU GO DIRECTLY TO THE SCHOOL?

11 A. PARDON ME?

12 Q. DID YOU GO DIRECTLY TO THE SCHOOL?

13 A. YES, WE -- ON FRIDAY MORNING WE RENTED A CAR AND DID
14 THE TOURS OF THE SCHOOL. I'M NOT SURE IF MY WIFE AND
15 DR. GANDARA'S WIFE WENT TO THE HOTEL IN SAN FRANCISCO BECAUSE WE
16 STAYED THERE THAT NIGHT AND THEN AFTERWARDS WE SLEPT THERE, WENT
17 TO BOULEVARD. AND THEN THE NEXT DAY WE WENT TO NAPA AND DID WINE
18 TASTINGS ON SATURDAY AND WINE TASTINGS -- MIGHT HAVE GONE THERE
19 ON THURSDAY NIGHT. I'M NOT SURE WHAT DAY WE GOT THERE. THE
20 FIRST NIGHT WE SLEPT IN SAN FRANCISCO, DID THE TOUR, AND THE
21 OTHER TWO NIGHTS -- OR ONE NIGHT, WE SLEPT IN NAPA.

22 Q. WHO PAID FOR DR. GANDARA'S AIRFARE?

23 A. WE DID.

24 Q. WAS THAT AT HIS REQUEST OR YOURS OR YOUR SUGGESTION?

25 A. I DO NOT REMEMBER.

26 Q. SO THE 21ST OF FEBRUARY 2008 IS A FRIDAY?

27 A. OKAY.

28 Q. I'M SORRY. NOVEMBER. NOVEMBER 21, 2008, IS A FRIDAY.

1 A. OKAY.

2 Q. SO DO YOU BELIEVE YOU ARRIVED ON FRIDAY MORNING?

3 A. I BELIEVE SO. WE DID SLEEP THE FIRST NIGHT IN
4 SAN FRANCISCO AND THE SECOND NIGHT WE WENT TO NAPA.

5 Q. WHAT HOTELS DID YOU STAY IN WHILE YOU WERE THERE?

6 A. WHERE?

7 Q. BOTH IN SAN FRANCISCO AND THEN IN YOUNTVILLE.

8 A. SAN FRANCISCO WE STAYED AT THE PALACE AND IN YOUNTVILLE
9 WE STAYED AT THE VINTAGE INN.

10 Q. WAS THERE A DIFFERENT CREDIT CARD USED TO PAY FOR THE
11 PALACE HOTEL STAY?

12 A. I DON'T KNOW. PROBABLY THE CORPORATE CARD.

13 Q. OKAY. I HAVE A COUPLE QUESTIONS HERE, 103. JUROR 13.
14 WE DISCUSSED THIS A BIT AGO. "WHERE DID YOU STAY IN NAPA? WHO
15 PAID?"

16 A. THE VINTAGE INN AND WE PAID.

17 Q. QUESTION 104, JUROR 19. "WAS THIS TRIP REQUESTED BY
18 DR. GANDARA? DID THE SCHOOL BOARD AT SWEETWATER KNOW ABOUT THIS
19 OR REIMBURSE SGI?" IF YOU KNOW.

20 A. I DON'T BELIEVE THAT THEY REIMBURSED US.

21 Q. WERE YOU AWARE OF WHETHER OR NOT ANY OTHER BOARD
22 MEMBERS HAD ADVANCED KNOWLEDGE OF THE TRIP?

23 A. I DON'T KNOW.

24 Q. WAS -- LET ME STEP BACK AND SET THE STAGE A LITTLE BIT
25 WITH WHAT IS GOING ON BEHIND THE SCENES WITH SGI AND GILBANE AT
26 THIS TIME. WAS THERE TENSION WITH SGI AND GILBANE ON THE PROJECT
27 IN LATE NOVEMBER OF '08?

28 A. UM, THERE WAS TENSION BETWEEN THE TWO COMPANIES, FOR

1 THE MOST PART, FROM THE BEGINNING.

2 Q. IS THERE ANY PARTICULAR REASON WHY THAT WAS THE CASE?

3 A. I THINK A LOT OF IT WAS ATTITUDES OF CERTAIN STAFF,
4 SOMETIMES COMPOUNDED BY -- BY HENRY'S ATTITUDE TOWARD US AND HIM
5 FLAUNTING, IF YOU WILL, OR -- OR LETTING IT BE KNOWN OF HIS
6 STRONG TIES TO THE BOARD AND THE SUPERINTENDENT. AND HE WOULDN'T
7 SAY IT, BUT STAFF ON HIS TEAM, ON THE GILBANE TEAM, WOULD
8 INSINUATE TO OUR STAFF THAT THEY WERE GOING TO TAKE OVER AND THAT
9 THEY WERE GOING TO TAKE US OUT, ESSENTIALLY.

10 Q. WAS PART OF THE PURPOSE OF THIS TRIP TO NAPA TO
11 STRENGTHEN SGI'S RELATIONSHIP WITH THE SUPERINTENDENT?

12 A. I THINK THE MAIN PURPOSE WAS TO SEE THAT SCHOOL, AND AS
13 AN ADDED BENEFIT, SURE, TO STRENGTHEN RELATIONSHIPS.

14 Q. WAS SOMEONE NAMED CHARLES RAMSEY AFFILIATED WITH THAT
15 SCHOOL?

16 A. YES, HE'S A BOARD MEMBER AT THAT SCHOOL.

17 Q. HAD SGI HAD PRIOR DEALINGS WITH MR. RAMSEY?

18 A. YES. WE'D BEEN WORKING FOR HIM FOR 12 YEARS.

19 Q. IS HE A SUPPORTER, A PROPONENT OF SGI AND THE WORK THAT
20 YOU GUYS DO?

21 A. I BELIEVE HE IS.

22 Q. AND YOU MET WITH MR. RAMSEY AND DR. GANDARA UP THERE?

23 A. YES.

24 Q. WAS MR. RAMSEY ABLE TO PROVIDE AN ENDORSEMENT OF SGI
25 AND YOUR ABILITIES DURING THAT MEETING?

26 A. I DON'T REMEMBER A SPECIFIC ENDORSEMENT, YOU KNOW,
27 DIRECT ENDORSEMENT BUT JUST THE FACT THAT HE'S THERE AND TALKS
28 WELL OF THE PROJECTS THAT WE'VE MANAGED I THINK IS UNDERSTOOD.

1 Q. HE WAS ABLE TO PRAISE AND SPEAK HIGHLY OF SGI AND THE
2 WORK YOU GUYS DO?

3 A. AGAIN, I'M NOT SURE IF HE SPECIFICALLY DID THAT AT THE
4 MEETING. I KNOW THAT THEY TALKED A LOT ABOUT EDUCATION RELATED
5 TOPICS. I DON'T REMEMBER -- IT MIGHT HAVE HAPPENED. I DON'T
6 REMEMBER A SPECIFIC MOMENT WHERE HE WAS PRAISING US AND OUR GOOD
7 WORK.

8 Q. AGAIN, KIND OF AROUND THIS TIME, GIVEN THE RIFT THAT
9 WAS, I GUESS, EXISTING FROM DAY ONE WITH SGI AND THE TENSION
10 BETWEEN SGI AND GILBANE, WAS THERE AN EFFORT UNDERWAY BY SGI TO
11 TRY TO PUSH GILBANE OUT OF THE PROJECT WITH SWEETWATER AND ASSUME
12 COMPLETE CONTROL OF THE PROJECT WITHOUT HAVING TO HAVE A PARTNER?

13 A. THERE WERE TIMES WHEN CERTAIN BOARD MEMBERS ASKED US
14 WHY ARE YOU GUYS TEAMED UP WITH GILBANE? WHY AREN'T YOU GUYS
15 DOING THIS ALONE? SO WE HEARD COMMENTS LIKE THAT ONCE IN A WHILE
16 FROM BOARD MEMBERS, SO WE -- YOU KNOW, WE WOULD LISTEN. WE
17 WOULDN'T DISCOURAGE IT, I GUESS.

18 Q. THE PROJECTS LIKE WITH MR. RAMSEY'S DISTRICT, THOSE
19 WERE UNDERTAKEN BY SGI ALONE; IS THAT RIGHT?

20 A. THAT'S CORRECT.

21 Q. THEN BY TAKING DR. GANDARA UP THERE, AT LEAST SGI WAS
22 ABLE TO SHOW DR. GANDARA THAT SGI HAD THE CAPABILITY TO HANDLE
23 MAJOR PROJECTS, LIKE A \$90 MILLION HIGHLY INNOVATIVE SCHOOL
24 CONSTRUCTION SITE AND COULD DO THAT ON ITS OWN WITHOUT NEEDING
25 SOMETHING LIKE A GILBANE AS A CHAPERONE; IS THAT RIGHT?

26 A. THAT'S CORRECT.

27 Q. DID YOU EVER HAVE ANY DISCUSSIONS SORT OF ON THAT TOPIC
28 WITH DR. GANDARA, TRYING TO EXPLAIN TO HIM, THAT IN LIGHT OF WHAT

1 HE SEES UP IN THE BAY AREA, WHY NOT ALLOW SGI TO ASSUME COMPLETE
2 CONTROL?

3 A. EVENTUALLY WE DID. I'M NOT SURE THAT AT THAT TIME
4 THERE WAS THAT DISCUSSION.

5 Q. OKAY.

6 A. BUT LATER DOWN THE ROAD WHEN WE WERE -- WHEN HE
7 APPROACHED US ABOUT MANAGING THE CONTRACTS ON OUR OWN THAT DID
8 COME UP. AND WE MENTIONED, LIKE, WEST CONTRA COSTA OR, LIKE,
9 EASTSIDE, ALL THOSE BILLION DOLLAR PROGRAMS THAT WE MANAGE ALONE.

10 Q. BACK TO THE TRIP. WHOSE IDEA WAS IT TO GO ON THE HOT
11 AIR BALLOON RIDE?

12 A. I DON'T REMEMBER. I DON'T REMEMBER. THE TRIP WAS JUST
13 TO HAVE -- GENERALLY, TO SHOW THEM A GOOD TIME. I DON'T REMEMBER
14 SPECIFICALLY IF IT WAS THEIR IDEA OR OUR IDEA OR MY IDEA.

15 Q. ON THAT POINT, IT SOUNDS LIKE THE BUSINESS PORTION OF
16 THE TRIP CONCLUDED ON FRIDAY --

17 A. YES.

18 Q. -- AT THE MEETINGS AT SCHOOLS. WAS TURNING THAT SITE
19 VISIT TO THE BAY AREA INTO A JOINT BUSINESS AND SOCIAL
20 ENGAGEMENT, WAS THAT DR. GANDARA'S IDEA OR WAS THAT SOMETHING
21 THAT SGI THOUGHT WOULD BE BENEFICIAL AND PRESENTED THAT TO
22 DR. GANDARA?

23 A. I DON'T REMEMBER HOW IT HAPPENED.

24 Q. OKAY. ARE THERE ANY OTHER CHARGES FOR EVENTS AND
25 THINGS THAT YOU DID THAT MAYBE AREN'T ON THE CREDIT CARD
26 STATEMENTS THAT WE'VE SEEN?

27 A. UM, LIKE YOU MENTIONED, JUST THE HOTEL STAY.

28 Q. DID YOUR CREDIT CARD REACH ITS MAXIMUM LIMIT AT SOME

1 POINT DURING THIS TRIP?

2 A. IT DID.

3 Q. WHAT DID YOU HAVE TO DO TO SOLVE THAT PROBLEM?

4 A. I THINK LANCE HAD A CONVERSATION WITH OUR CFO AND THEY
5 INCREASED MY LIMIT.

6 Q. HAD YOU EVER HAD, IN YOUR EXPERIENCE EITHER WITH
7 SWEETWATER OR WITHOUT SWEETWATER, A TIME WHERE YOU WERE
8 ENTERTAINING TO SUCH A LEVEL THAT YOU MAXED OUT YOUR CREDIT CARD?

9 A. YEAH, A COUPLE OF TIMES, WITH SWEETWATER.

10 Q. BEFORE OR AFTER THIS EVENT?

11 A. PROBABLY BOTH.

12 Q. THERE'S ANOTHER EVENT THAT HAPPENED. THIS IS ON
13 PAGE 5262. IT'S AN EMAIL TO MR. FLORES FROM MS. MULHEIM, DATED
14 NOVEMBER 19TH, 2008. IT SAYS, "CLIENT DINNER FOR CSBA ON 12/3."
15 THE TEXT IS, "JUST GOT A CALL FROM JAIME. SAYS HE NEEDS TO
16 INVITE 26 PEOPLE FOR THE DINNER ON THE 3RD, BOARD MEMBERS AND
17 THEIR SPOUSES."

18 DO YOU RECALL SENDING OUT AN INVITATION TO THAT EVENT?

19 A. I DON'T KNOW WHICH DINNER THAT WAS. WAS THAT HERE IN
20 SAN DIEGO?

21 Q. I BELIEVE IT WAS. IT WAS MAYBE CANDELA'S. DO YOU
22 RECALL?

23 A. UH-HUH, I DO.

24 Q. IT WAS A HOLIDAY PARTY?

25 A. YES. CSBA IS THE INDUSTRY ASSOCIATION, THE CALIFORNIA
26 SCHOOL BOARD ASSOCIATION, AND THEY HAVE -- IT'S ACTUALLY GOING ON
27 RIGHT NOW IN SAN FRANCISCO. AND THEY HAVE IT ONCE A YEAR AND
28 THEY ALTERNATE BETWEEN SAN FRANCISCO AND SAN DIEGO. IT'S ALWAYS

1 EARLY DECEMBER. WE TAKE ADVANTAGE OF THAT TO -- ALL THE
2 CONSULTANTS AND INDUSTRY VENDORS HAVE DIFFERENT EVENTS AROUND
3 THIS CONVENTION. AND OUR EVENT IS LIKE THEIRS IN A LOT OF
4 RESPECTS WHERE WE INVITE OUR CLIENTS AND EXISTING CLIENTS AND
5 PROSPECTIVE CLIENTS TO A HOLIDAY PARTY. WE TURN -- NOT EVERYBODY
6 HAS A HOLIDAY THEME TO IT, BUT WE TRADITIONALLY TRY TO PAIR IT UP
7 WITH A HOLIDAY THEME.

8 Q. WE'LL GET BACK TO THAT. ON THE NEXT PAGE IN MY OUTLINE
9 I HAVE SOMETHING THAT MAY RELATE TO THE NAPA TRIP. IT'S
10 PAGE 13091. IT'S AN EMAIL FOR SOUTHWEST AIRLINES AIR CHARGE AND
11 IT LISTS THE GANDARAS AND YOU AND YOUR WIFE FOR TRAVEL ON THE
12 20TH.

13 A. WE DID LEAVE ON THURSDAY.

14 Q. OKAY. SO THE TOTAL -- THAT'S 1,276 DIVIDED BY FOUR.
15 THAT'S \$319 PER PERSON. IT'S 319 PER PERSON. LET ME SHOW YOU
16 HERE, SINCE WE'RE BACK ON THIS TOPIC, A CREDIT CARD SLIP OR
17 ACCOUNT STATEMENT RELATED TO THE FLORES. PAGE 13023. THERE'S A
18 CHARGE ON THE 19TH OF NOVEMBER AT THE VINTAGE INN FOR 537. WOULD
19 THAT BE RELATED TO YOUR TRIP UP THERE?

20 A. YES.

21 Q. THERE'S OTHER VINTAGE INN CHARGES ON THE 24TH, AT THE
22 BOTTOM, EACH FOR \$414. SO CAN YOU KIND OF PIECE TOGETHER WHAT
23 THESE CHARGES REFERENCE?

24 A. THEY ARE LODGING, ROOM CHARGES.

25 Q. WAS THE 19TH -- THE CHARGE ON THE 19TH FOR 537, WAS
26 THAT FOR YOUR ROOM OR WAS THAT SOMETHING SEPARATE? IN OTHER
27 WORDS, DID MR. FLORES AND HIS WIFE STAY AT THE INN?

28 A. I BELIEVE THAT'S THE DOWN PAYMENT CHARGE -- THAT'S

1 PROBABLY WHEN THE RESERVATION WAS MADE.

2 Q. SO THEN THE TOTAL BILL WOULD BE ALL THREE OF THESE
3 AMOUNTS TOGETHER?

4 A. YES. YES.

5 Q. 537 PLUS 828?

6 A. THERE WERE A TOTAL OF FOUR ROOMS.

7 Q. FOUR ROOMS. OKAY. WERE ALL ROOMS THE SAME,
8 EFFECTIVELY?

9 A. YES.

10 Q. THE FOUR ROOMS HOUSED SIX PEOPLE?

11 A. NO, THE FOUR -- THERE WERE ROOMS FOR THE GANDARAS, FOR
12 OURSELVES, FOR LANCE JACKSON AND HIS WIFE, AND I BELIEVE THEY
13 BROUGHT AN AUNT OR SOMEBODY TO BABY-SIT THEIR CHILDREN.

14 Q. OKAY.

15 A. SO IT WAS A SEPARATE ROOM FOR THE AUNT AND THE
16 CHILDREN.

17 Q. THAT COMES OUT TO BE ESSENTIALLY \$341 PER ROOM FOR THE
18 WEEKEND. WE'LL MARK THAT DOWN. 341. I DON'T SEE ANY CHARGE FOR
19 SAN FRANCISCO ON HERE.

20 A. I PAID THAT OUT OF MY CREDIT CARD.

21 Q. IT'S ON YOUR CREDIT CARD?

22 A. YES.

23 Q. WE MIGHT HAVE THAT CHARGE FOR THE PALACE HOTEL.

24 A. RIGHT.

25 Q. THERE'S A CHARGE HERE THAT HAS BEEN PULLED UP ON THE
26 20TH. WAS THIS IN REFERENCE TO YOUR TRIP?

27 A. I DON'T --

28 Q. GUAYMAS?

1 A. I'VE BEEN TO THAT RESTAURANT BEFORE BUT IT WASN'T WITH
2 THE GANDARAS. IT WASN'T AT THAT TRIP.

3 Q. ALL RIGHT. THERE'S A CHARGE FOR CANDELAS ALSO ON THIS
4 STATEMENT. I'M SHOWING YOU PAGE 13024. IT'S IN THE AMOUNT OF
5 2,639.96.

6 A. THAT WAS THE CSBA EVENT.

7 Q. CSBA. OKAY. DO YOU RECALL ABOUT HOW MANY PEOPLE
8 ATTENDED THAT EVENING'S EVENT?

9 A. PROBABLY 40, 50 PEOPLE.

10 Q. OKAY. WE'LL LET THAT ONE SLIDE.

11 ON THE NEXT PAGE, ON THE 5TH, TWO DAYS LATER, IS A CHARGE AT
12 FRIDA'S AGAIN FOR \$834. DO YOU REMEMBER GOING HERE ON THAT DAY.

13 A. I DON'T REMEMBER THAT ONE SPECIFICALLY.

14 Q. OKAY.

15 A. IS THERE ANY EMAILS OR ANYTHING LIKE THAT AROUND THAT
16 TIME?

17 Q. YOU KNOW, WE MAY GET TO SOME. I JUST HAVEN'T REACHED
18 THAT POINT YET. WE CAN ALWAYS COME BACK TO IT. BUT I HAVE GOT
19 ANOTHER QUESTION HERE.

20 MR. LUDWIG: IS THIS 104?

21 GRAND JURY SECRETARY: 105.

22 BY MR. LUDWIG:

23 Q. JUROR 17. FOR THE DINNER AT GUAYMAS ON NOVEMBER 20TH
24 HAD BEEN WHEN YOU ARRIVED AT THE BAY AREA. TIBURON IS JUST NORTH
25 OF SAN FRANCISCO?

26 A. RIGHT. IT IS -- IT IS -- IF IT'S WHEN WE ARRIVED, WE
27 DEFINITELY DIDN'T GO THERE.

28 Q. YOU DIDN'T GO THERE?

1 A. IF IT'S THE FIRST DAY, WE ABSOLUTELY DIDN'T GO THERE.
2 SINCE THAT'S ON RENÉ'S CREDIT CARD, HE MIGHT HAVE BEEN THERE WITH
3 SOMEBODY ELSE.

4 Q. OKAY. I THINK THIS IS SOMETHING WE DISCUSSED EARLIER.
5 THIS IS PAGE 5270, EMAIL DATED NOVEMBER 24TH, BETWEEN MS. GAFFNEY
6 AND MR. FLORES CONCERNING THE CHARGES.

7 THIS WAS WHEN YOUR CREDIT CARD WAS MAXED OUT; IS THAT RIGHT?

8 A. YES.

9 Q. DO YOU KNOW -- I'M GOING TO GO TO PAGE 5270, AT THE
10 VERY TOP. IT'S AN EMAIL WE WERE DISCUSSING WITH MR. FLORES.
11 THIS IS FROM HIM TO MS. GAFFNEY, AGAIN, CONCERNING YOUR CREDIT
12 CARD, DATED NOVEMBER 24TH, '08. HE SAID, "I TOTALLY AGREE THAT
13 WHATEVER WE SPEND THIS WEEK WAS WORTH IT FOR ALL THE THINGS YOU
14 MENTIONED."

15 WOULD YOU SHARE THAT OPINION, THAT YOU THOUGHT AT THE TIME
16 THE EXPENDITURES WERE WORTH IT, WITH DR. GANDARA?

17 A. UM.

18 Q. I KNOW HINDSIGHT IS 20/20.

19 A. RIGHT NOW I DON'T THINK SO.

20 Q. BUT AT THE TIME DID IT SEEM WORTHWHILE TO YOU THAT IT
21 WAS MONEY WELL SPENT?

22 A. I DID, YES.

23 GRAND JUROR NO. 9: I DIDN'T HEAR YOU.

24 THE WITNESS: I SAID I DID. SORRY.

25 BY MR. LUDWIG:

26 Q. WHEN YOU GUYS WOULD GO TO THE WINERIES FOR THE TASTINGS
27 AND SO FORTH, DID YOU THEN MAKE ANY PURCHASES FROM A RETAIL SHOP
28 BRINGING BOTTLES OR CASES HOME?

1 A. IN SOME CASES.

2 Q. WOULD DR. GANDARA REQUEST SOME WINE TO TAKE HOME WITH
3 HIM?

4 A. I BELIEVE HE TOOK SOME WINE, YES.

5 Q. KIND OF SIMILAR TO WHAT WE WERE TALKING ABOUT
6 YESTERDAY, WHEN HE WOULD SELECT SOME WINE TO PURCHASE, AND I
7 ASSUME THE EXPECTATION WAS THAT SGI WOULD PURCHASE IT?

8 A. YES.

9 Q. WAS IT MORE LIKE A SUGGESTION THAT SGI -- IT WOULD BE
10 NICE IF SGI WOULD BUY THIS FOR HIM OR DID YOU TAKE IT AS MORE OF
11 A DIRECTIVE?

12 A. IT WAS EXPECTED.

13 Q. I HAVE ANOTHER CREDIT CARD STATEMENT HERE. AND I
14 APOLOGIZE, THERE'S NO EMAIL THAT SEEMS TO FURTHER ILLUMINATE WHAT
15 IS HAPPENING, BUT IT'S AGAIN YOUR ACCOUNT. THIS IS FOR NOVEMBER
16 AND DECEMBER OF '08. ALL THE QUALCOMM CONCESSION CHARGES AT THE
17 TOP. DO YOU REMEMBER WHAT THAT WAS RELATED TO?

18 A. IT'S PROBABLY A CHARGER GAME.

19 Q. DO YOU REMEMBER IF ANY SWEETWATER OFFICIAL WAS WITH
20 YOU?

21 A. I WOULD ASSUME SO IF IT'S ON THAT BILL.

22 Q. HOW ABOUT THE 12/18 CHARGE OF BEVERAGES & MORE FOR
23 \$616. DO YOU HAVE ANY RECOLLECTION WHAT THIS RELATED TO?

24 A. THAT IS WINE THAT WAS PURCHASED AS CHRISTMAS GIFTS. IT
25 WAS A COUPLE OF CASES OR MORE OF EITHER -- IT WAS SEVERAL YEARS
26 WE'VE DONE THIS. I'M NOT SURE IF WE JUST BOUGHT CASES OF WINE
27 AND INDIVIDUALLY PACKED THEM TO GIVE TO DIFFERENT ADMINISTRATORS
28 OR STAFF. NOT JUST AT SWEETWATER BUT CLIENTS THAT WE WERE

1 COURTING OR STAFF. IN OTHER YEARS WE BOUGHT LITTLE BASKETS AT
2 BEV MO WITH WINE AND CHEESE AND STUFF LIKE THAT. SO THIS IS --
3 THE TIME FRAME IS CONSISTENT WITH THAT.

4 Q. DO YOU BELIEVE THAT SOME SWEETWATER OFFICIALS MAY HAVE
5 RECEIVED WHATEVER THIS WAS, WINE OR A GIFT BASKET?

6 A. YES, NOT ALL OF THEM, THOUGH.

7 Q. WHO WOULD NOT RECEIVE IT?

8 A. NOT ALL OF -- THE PURCHASE WASN'T EXCLUSIVELY FOR
9 SWEETWATER.

10 Q. RIGHT. RIGHT. RIGHT. BUT THEY MAY HAVE RECEIVED ONE
11 OR TWO BOTTLES?

12 A. YES. YES.

13 Q. THE CHARGE BELOW, GOLFSMITH, IS THAT A GIFT OR
14 ANYTHING?

15 A. YES, IT WAS A GIFT.

16 Q. SOMEONE AT SWEETWATER?

17 A. I BELIEVE SO. I DON'T -- IT WAS A GIFT TO -- I'M NOT
18 SURE IF IT WAS TO -- I KNOW IT WAS SOMEBODY WHO LIKED GOLF.

19 Q. ALIOTO FROM SOUTHWESTERN?

20 A. NO. WE DIDN'T DO ANYTHING WITH SOUTHWESTERN.

21 Q. AND THE LAST ONE, THE CHULA VISTA SOUTH BAY FISH AND
22 GRILL, ANY RECOLLECTION AS TO WHO HAD A MEAL THERE?

23 A. NO. TOO LARGE. IT MIGHT HAVE BEEN WITH STAFF.

24 MR. LUDWIG: THIS IS QUESTION 106?

25 GRAND JURY SECRETARY: YES, 106.

26 BY MR. LUDWIG:

27 Q. JUROR NO. 9. GOES BACK TO WHAT WE WERE DISCUSSING AT
28 THE PURCHASES AT THE WINE SHOPS. "WHEN YOU MENTIONED,

1 QUOTE/UNQUOTE, EXPECTED, PLEASE, ELABORATE ON WHAT YOU MEAN."

2 A. WELL, WHENEVER WE WENT OUT WITH THEM WE PAID FOR
3 EVERYTHING.

4 Q. IS THAT ENOUGH FOR -- DID HE DO OR SAY ANYTHING OR
5 INFER IN ANY WAY THAT WOULD KIND OF HELP CLUE YOU IN IT WAS
6 EXPECTED? JUST SOMETHING YOU HAD TO DO?

7 A. WELL, THEY DIDN'T REACH FOR THEIR WALLETS.

8 Q. THAT'S A GOOD INDICATION.

9 A. UM, WE WERE AT THE CASH REGISTER PAYING FOR THINGS AND
10 THEY WEREN'T THERE WITH US.

11 Q. FOLLOW-UP QUESTION.

12 MR. LUDWIG: THIS IS 107?

13 GRAND JURY SECRETARY: YES.

14 BY MR. LUDWIG:

15 Q. AGAIN, FROM JUROR NO. 9. WHY DID YOU SUGGEST TO PAY AT
16 LEAST -- OH, WHY DIDN'T YOU SUGGEST THAT HE PAY AT LEAST HALF OF
17 IT?

18 A. UM, THAT WAS NEVER THE -- NOT THE CUSTOM, BUT THE
19 PRACTICE, I GUESS. AND THAT PRACTICE DIDN'T START AT THAT TRIP.
20 THAT PRACTICE STARTED SINCE WE STARTED TO DO BUSINESS WITH THEM
21 SO I DIDN'T -- AT THAT POINT I WAS SO -- I DON'T KNOW IF CUSTOM
22 IS THE RIGHT WORD BUT JUST USED TO PAYING FOR IT THAT WAS JUST...

23 Q. WOULD IT BE FAIR TO SAY THAT YOU'D SORT OF BEEN
24 INDOCTRINATED TO PAY FOR THIS?

25 A. I THINK SO, YES.

26 GRAND JUROR NO. 13: CAN YOU PLEASE SPEAK UP.

27 THE WITNESS: YES. I THINK THAT'S AN ACCURATE WAY TO PUT
28 IT.

1 BY MR. LUDWIG:

2 Q. SO THERE'S ANOTHER EMAIL HERE. THIS IS PAGE 18015.
3 AND IT APPEARS TO BE BETWEEN MR. SANDOVAL AND YOURSELF,
4 DECEMBER 7TH, CONCERNING MARTIN LUTHER KING SCHOLARSHIP
5 BREAKFAST.

6 DO YOU REMEMBER THIS EXCHANGE AND THIS REQUEST FOR A
7 DONATION?

8 A. SEEING IT HERE, I DO.

9 Q. AND IS YOUR RECOLLECTION THAT SGI PROBABLY DONATED?

10 A. I WOULD BELIEVE SO, YES.

11 Q. AND SO I HAVE QUESTION 108 FROM JUROR NO. 16. "DID YOU
12 EVER FEEL LIKE THE MONEY WAS BEING EXTORTED FROM SGI BY THE BOARD
13 MEMBERS?"

14 A. ABSOLUTELY, YES.

15 Q. TELL US ABOUT THAT. THAT WAS A PRETTY QUICK, ADAMANT
16 RESPONSE.

17 A. I DON'T KNOW. MAYBE SOMEBODY COULD TELL ME WHAT THE
18 DEFINITION OF EXTORTION IS, BUT I BELIEVE THAT IF WE DIDN'T DO
19 THIS WE WOULD -- YOU KNOW, THERE WOULD BE REPERCUSSIONS OR
20 ULTIMATELY GET OUR CONTRACT TERMINATED.

21 Q. YOU MENTIONED YESTERDAY -- I WAS GOING TO PULL IT UP
22 LATER BUT THIS IS AS GOOD A TIME AS ANY -- THAT AT ONE POINT
23 DURING YOUR WORK WITH SGI AND MR. SANDOVAL'S TENURE THERE AT
24 SWEETWATER, I THINK THAT YOU SUGGESTED -- THAT YOU DID SOMETHING
25 THAT UPSET HIM AND HE TRIED TO FIND A WAY TO GET YOU FIRED FROM
26 THAT JOB; IS THAT RIGHT?

27 A. YES.

28 Q. DO YOU MIND TELLING US ABOUT THAT EVENT? WHAT

1 HAPPENED?

2 A. THIS GOES INTO -- THERE WAS ISSUES WITH A CONTRACTOR
3 THAT WAS ON TWO OF OUR SCHOOLS AND THAT CONTRACTOR HAD VERY CLOSE
4 RELATIONSHIPS WITH GREG. AND THAT CONTRACTOR BELIEVED THAT WE
5 WERE STOPPING HIM FROM GETTING PAID HIS MONTHLY CHECKS. THERE
6 WAS A TREMENDOUS AMOUNT OF ISSUES REGARDING HIS PAPERWORK AND FOR
7 LEGAL TECHNICAL REASONS WE COULDN'T PAY HIM. AND SO WE HAD A
8 CERTAIN AMOUNT OF -- THIS CONTRACTOR HAD A CERTAIN AMOUNT OF
9 ANIMOSITY TOWARDS US. AND GREG WAS CONSTANTLY DEFENDING HIM TO
10 US AT BOARD MEETINGS AND THINGS LIKE THAT.

11 AT ONE POINT WHEN WE WEREN'T, I GUESS, CATERING TO THIS
12 CONTRACTOR AS MUCH AS GREG WOULD LIKE, I BELIEVE HE CALLED RENÉ
13 AND TOLD HIM THAT I WAS EITHER STARTING MY OWN COMPANY OR LOOKING
14 FOR ANOTHER JOB OR SOMETHING LIKE THAT. IT WAS COMPLETELY FALSE.
15 AND AFTER DISCUSSIONS, YOU KNOW, IN HOPES OF TRYING TO REMOVE ME
16 FROM MY POSITION AND I THINK OPENING THE DOOR A LITTLE BIT MORE
17 FOR THIS CONTRACTOR TO DO -- TO GET HIS WAY A LITTLE BIT MORE.

18 Q. I'VE GOT SOME EMAILS AND STUFF THAT ARE LATER IN TIME.
19 THIS DIDN'T HAPPEN IN '08, DID IT? IT WAS LATER?

20 A. I WOULD THINK THAT IT'S A LITTLE BIT LATER.

21 Q. YEAH. SO I THINK WE'LL DISCUSS THAT A LITTLE BIT MORE
22 AS TIME GOES ON HERE.

23 A. OKAY.

24 Q. DID IT COME TO PASS THAT YOU HAD TO GET A RESTRAINING
25 ORDER AGAINST THIS PARTICULAR CONTRACTOR?

26 A. YES.

27 Q. ALL RIGHT. WE'LL TALK ABOUT THAT IN A BIT.

28 BACK TO THE CREDIT CARDS. ON 11519 THERE'S A PRETTY HEFTY

1 CHARGE AT STUBHUB RIGHT AROUND NEW YEAR'S EVE 2008/2009. WAS
2 THIS IN CONNECTION WITH THE ROSE BOWL?

3 A. I DON'T THINK SO.

4 Q. OKAY.

5 A. IF IT'S ON MY CREDIT CARD, IT WOULDN'T BE.

6 Q. ANY RECOLLECTION AS TO WHAT SPORTING EVENT THIS WAS?

7 A. I BELIEVE IT'S A CHARGER EVENT.

8 Q. OKAY. THE PLAYOFF GAME WHEN THEY WERE GOOD?

9 A. YES. I REMEMBER THOSE TIMES.

10 Q. HOW MANY TICKETS WERE INCLUDED IN THIS \$1,700 CHARGE?

11 A. THERE WERE -- I DON'T REMEMBER THE EXACT AMOUNT. THERE
12 WERE SEVERAL.

13 Q. FOUR?

14 A. NO, THERE WERE MORE THAN THAT.

15 Q. AND WHO WENT? ANY SWEETWATER OFFICIALS?

16 A. UM, YES. I'M NOT EXACTLY SURE. THERE WERE TWO TIMES,
17 I THINK, TWO DIFFERENT GAMES THAT I REMEMBER. SO I'M NOT
18 SURE WHICH -- HOW MANY TICKETS WERE AT EACH EVENT.

19 Q. OKAY.

20 A. BUT BOTH CASES INCLUDED SWEETWATER OFFICIALS, YES.

21 Q. I KNOW YOU MENTIONED BEFORE THAT MR. SANDOVAL WAS
22 PARTICULARLY ENAMORED OF SPORTING EVENTS. DID ANYONE ELSE AT
23 SWEETWATER SHARE THAT SAME PASSION AND ASK TO GO TO GAMES WITH
24 YOU?

25 A. DR. GANDARA DID.

26 Q. THESE TICKETS -- DO YOU RECALL IF THESE TICKETS WERE
27 PURCHASED AT THE DIRECTION OR REQUEST OF SWEETWATER FOLKS OR
28 SOMETHING THAT SGI DID ON ITS OWN?

1 A. I DON'T REMEMBER.

2 Q. HOW ABOUT THE \$246 CHARGE THERE -- IS THAT FRIDA'S OR
3 PANERA?

4 A. THOSE -- WE -- SEEMS A BIT HIGH, BUT WHEN WE HAD LARGE
5 MEETINGS WE WOULD BRING SANDWICHES IN.

6 Q. THIS IS PAGE 18020, ANOTHER EMAIL FROM MR. SANDOVAL TO
7 YOU, DATED JANUARY 27TH, '09, CONCERNING HOUSE OF MEXICO.

8 A. I DO RECALL THAT.

9 Q. IT'S A REQUEST FROM MR. SANDOVAL FOR SGI TO BUY A TABLE
10 AT AN UPCOMING HOUSE OF MEXICO EVENT?

11 A. YES.

12 Q. DO YOU RECALL HOW MUCH THE TABLE COST?

13 A. I DON'T.

14 Q. DID SGI HAVE A PREVIOUS RELATIONSHIP WITH HOUSE OF
15 MEXICO?

16 A. WE DID NOT.

17 Q. I THINK WE MAY HAVE FOUND OUR TICKETS. PAGE 37431. IT
18 APPEARS TO BE A COPY OF A PRINTOUT OF A TICKET FOR A CHARGERS
19 GAME. IT IS DATED JANUARY 3RD, 2009, FOR \$95. AND IT HAS
20 HANDWRITING AT THE TOP WITH "JAIME O." DO YOU RECALL GOING TO
21 THIS PARTICULAR EVENT WITH MR. SANDOVAL?

22 A. YES.

23 Q. DID HE REIMBURSE YOU FOR THAT \$95 CHARGE FOR THE
24 TICKET?

25 A. THAT'S THE FACE VALUE OF THE TICKET. THAT'S NOT WHAT
26 WE PAID.

27 Q. DO YOU REMEMBER WHAT YOU HAD TO PAY FOR IT?

28 A. WELL, IF IT'S -- IT'S SOMEWHERE AROUND WHAT THE

1 PREVIOUS CHARGE WAS.

2 Q. SO THE PREVIOUS CHARGE WAS 1,717 -- \$1,717. HOW MANY
3 TICKETS BASED ON WHAT YOU SEE HERE WITH THE FACE VALUE OF \$95 --

4 A. THAT -- THAT GAME IT WAS THE GANDARAS, THE SANDOVALS,
5 AND OURSELVES.

6 Q. SIX TICKETS?

7 A. YES.

8 Q. SO WE'LL JUST THEN DIVIDE 1717 DIVIDED BY SIX.

9 DID EVERYONE SIT IN THE SAME AREA OR DID ANYONE HAVE BETTER
10 SEATS THAN ANYONE ELSE?

11 A. IN THAT ONE, WE ALL SAT IN THE SAME AREA.

12 Q. OKAY. THAT'S BASICALLY, I'M SURE WITH TAX AND WHATNOT,
13 COMES UP TO BE \$287 PER TICKET. SOUND ABOUT RIGHT?

14 A. YES.

15 Q. DID THE CHARGERS AT LEAST WIN?

16 A. I DON'T KNOW. I THINK THEY DID. THEN THEY LOST THE
17 NEXT GAME, FOR SURE.

18 Q. MAYBE WHEN WE'RE NOT ON THE RECORD YOU CAN TELL US WHAT
19 IT'S LIKE TO GO TO A CHARGERS GAME WHEN THEY WIN.

20 GRAND JUROR NO. 15: THEY LOST THE NEXT ONE TO THE PATRIOTS.
21 THAT'S HOW GOOD MY MEMORY IS.

22 BY MR. LUDWIG:

23 Q. SO OVER HERE, MORE CREDIT CARDS, 11521. THERE'S A \$400
24 CHARGE THAT -- HOUSE OF MEXICO. DOES THIS REFERENCE THE CHARITY
25 REFERENCED IN THE EMAIL FROM MR. SANDOVAL?

26 A. YES.

27 Q. ARE THESE DONATIONS TO HOUSE OF MEXICO OR MARIACHI
28 FOUNDATION, ARTHRITIS FOUNDATION SO FORTH, ARE THOSE DONE IN THE

1 NAME OF THE BOARD MEMBER REQUESTING THE DONATION OR ARE THEY DONE
2 IN SGI'S NAME?

3 A. IN SGI'S NAME.

4 Q. IS THERE AN INDICATION OR ANY TYPE OF EARMARK THAT
5 WOULD CONVEY TO THE ORGANIZATION THAT THE SGI DONATION COMES ON
6 BEHALF OF MS. QUIÑONES OR MR. SANDOVAL?

7 A. I THINK THEY DO A PRETTY GOOD JOB OF LETTING THE
8 ORGANIZATION KNOW THAT THEY -- IT'S BECAUSE OF THEM.

9 Q. OKAY. THE TORREY PINES GOLF OUTING, ALSO ON THIS PAGE,
10 FOR FEBRUARY 17TH, WAS THAT SWEETWATER RELATED?

11 A. NO.

12 Q. THE NEXT PAGE IS 11522. AND THERE'S A \$1,000 CHARGE
13 FOR CHULA VISTA CHAMBER OF COMMERCE. IS THIS A ROUTINE SGI
14 DONATION OR WAS THIS AT THE REQUEST OF ANY SWEETWATER OFFICIAL?

15 A. UM, THAT'S PROBABLY ROUTINE. I'M ON THE BOARD OF
16 DIRECTORS FOR THEM AND IT'S PROBABLY A GOLF SPONSORSHIP OR
17 SOMETHING.

18 Q. SO ON 5318, MAYBE. SO AT THE BOTTOM -- THIS IS, AGAIN,
19 5318. AN EMAIL FROM ED LÓPEZ TO YOU, COPY GANDARA, MARCH 12TH,
20 '09, NOVEMBER GALA. "ANY UPDATE ON THE SGI CHECK?"

21 NOW, DO YOU RECALL WHY YOU WERE BEING HIT UP IN THIS CASE
22 FOR MONEY?

23 A. THIS IS FOR THE SWEETWATER EDUCATION FOUNDATION GALA.
24 AND EITHER THE GALA HAD ALREADY PASSED OR WAS COMING UP AND WE
25 HAD COMMITTED TO THE SPONSORSHIP AND WE HADN'T SENT THEM THE
26 CHECK YET.

27 Q. IS THIS THE \$25,000 ANNUAL DONATION?

28 A. YES, HOWEVER, WHEN GILBANE WAS OUR PARTNER WE SPLIT

1 THAT \$25,000, 12.5 EACH. AND I DON'T KNOW WHEN THIS OCCURRED.
2 IT WAS EITHER 25 OR 12.5 THAT WE WERE GOING TO COVER.

3 Q. THIS IS EMAIL 18041. WE CAN START AT THE TOP. FROM
4 MR. SANDOVAL TO YOU, DATED FEBRUARY 17TH, '09. TITLED "ASCIP/
5 GALLAGHER/MENDOZA, SAN DIEGO LOCAL REPRESENTATION." MR. SANDOVAL
6 WRITES, "HEY, WHAT HAPPENED TO THE SOLIS CONTRACT?"

7 DO YOU REMEMBER THIS MESSAGE?

8 A. I DO NOT.

9 Q. DO YOU HAVE A RECOLLECTION AS TO WHAT THE SOLIS
10 CONTRACT WAS?

11 A. THE SOLIS GROUP IS LABOR COMPLIANCE CONSULTANTS AND
12 THEY MONITOR THAT -- IT'S A STATE REQUIREMENT THAT ALL
13 CONSTRUCTION JOBS THAT ARE DONE WITH STATE MONEY HAS TO PAY
14 PREVAILING WAGE. AND WE HIRED CONSULTANTS LIKE THIS WHO REVIEW
15 EVERY SINGLE PAYMENT STUB THAT ANY CONTRACTOR WORKING WITH US
16 ISSUES TO THEIR LABORERS AND THEY MAKE SURE THAT PREVAILING WAGE
17 IS BEING PAID TO THE LABOR FORCE.

18 Q. NOW, IF MR. SANDOVAL IS INQUIRING ABOUT -- IS IT SOLIS?

19 A. YES.

20 Q. WAS HE RECOMMENDING THAT ORGANIZATION SOMEHOW? HAD HE,
21 TO YOU, PRIOR TO THIS EMAIL?

22 A. I DON'T REMEMBER IF HE RECOMMENDED THEM SPECIFICALLY.
23 HE MIGHT HAVE. BUT WE WENT -- I BELIEVE WE WENT -- WELL, WE HAD
24 TO HAVE GONE THROUGH A RFQ PROCESS TO HIRE THEM, A REQUEST FOR
25 QUALIFICATION PROCESS.

26 Q. WOULD THAT LIMIT THE ABILITY FOR SGI TO PICK ONE
27 PARTICULAR BIDDER?

28 A. WE DIDN'T PICK THEM. THE BOARD ALWAYS PICKED ALL

1 CONTRACTS. I DON'T KNOW IF WE WERE IN THE MIDDLE OF NEGOTIATIONS
2 WITH THE SOLIS GROUP TO FINALIZE THE CONTRACT OR...

3 Q. FURTHER DOWN AT THE BOTTOM OF THE PAGE -- IT'S ALL PART
4 OF THE SAME CHAIN -- IS AN EARLIER MESSAGE BETWEEN SAL MENDOZA
5 AND MR. SANDOVAL AND BRUCE BEARDSLEY. DOES THIS RELATE TO SOLIS?

6 A. IT'S COMPLETELY DIFFERENT SCOPES OF WORK. SAL MENDOZA
7 IS A FRIEND OF GREG'S AND HE SELLS OWNER-CONTROLLED INSURANCE
8 PROGRAMS, WHERE THE SCHOOL DISTRICTS BUY KIND OF AN UMBRELLA
9 INSURANCE POLICY FOR CONSTRUCTION PROJECTS VERSUS HAVING EACH
10 CONTRACTOR, GENERAL CONTRACTOR HAVE THEIR OWN INSURANCE CONTRACT.
11 AND HE'S TRYING TO SELL THE GLOBAL CONTRACT.

12 Q. WAS MR. SANDOVAL ENCOURAGING SGI TO USE THIS?

13 A. YES, AND WE DID NOT.

14 Q. THE FACT THAT YOU DID NOT, DID THAT CAUSE ANY TENSION
15 WITH MR. SANDOVAL?

16 A. I THINK IT'S ANOTHER LITTLE STRIKE.

17 Q. ANOTHER MARK ON THE NAUGHTY LIST?

18 A. YES.

19 Q. TO THIS FOLLOWING PAGE HERE, 18043. IT'S MORE IN THE
20 SAME CHAIN, JUST EARLIER -- E-MESSAGING LATER IN TIME. IN
21 RESPONSE TO WHATEVER HAPPENED TO THE SOLIS CONTRACT THIS IS YOUR
22 MESSAGE BACK TO HIM. "THIS IS GOING TO THE BOARD IN APRIL." AND
23 THEN MR. SANDOVAL, "WHY NOT MARCH?"

24 A. I DON'T KNOW FOR WHAT REASON HE WAS TRYING TO GET THEM
25 A CONTRACT AS SOON AS POSSIBLE. I DON'T KNOW WHY.

26 Q. PAGE 11523. AGAIN, CREDIT CARDS STATEMENTS. A COUPLE
27 THINGS HERE. \$234 CHARGE AT FRIDA'S AGAIN, ON MARCH 2ND OF '09.

28 DO YOU KNOW WHO WAS THERE?

1 A. I DO NOT.

2 Q. HOW ABOUT THE TORREY PINES GOLF ON THE 6TH OF MARCH FOR
3 \$529?

4 A. THAT WASN'T WITH SWEETWATER FOLKS.

5 Q. OKAY. THE NEXT PAGE IS 11524. THERE'S AN \$800 CHARGE
6 AND A \$55 CHARGE WITH FRIDA'S AND CUBAN CIGARS, AND MORE FRIDA'S
7 ON THE 27TH OF MARCH FOR \$300.

8 ANY OF THIS RELATE TO SANDOVAL CIGAR SMOKING --

9 A. IT SEEMS LIKE -- IT SEEMS LIKE A HIGH DOLLAR AMOUNT FOR
10 JUST FOUR PEOPLE SO I'M NOT SURE WHAT -- IT HAS TO HAVE BEEN A
11 LARGER EVENT.

12 Q. SO IT LOOKS LIKE THERE'S TWO CHARGES ON TWO DAYS, 800
13 ON THE 26TH AND 300 ON THE 27TH.

14 A. MAYBE IT IS SEPARATE. THE \$300 ONE CAN'T HAVE BEEN --
15 IT MIGHT HAVE BEEN A SEPARATE EVENT.

16 Q. BUT YOUR RECOLLECTION IS AS TO WHETHER OR NOT IT WAS
17 SWEETWATER RELATED?

18 A. I WOULD ASSUME SO. I DON'T -- MAYBE IF IT'S
19 CROSS-REFERENCED ON MY CALENDAR.

20 MR. LUDWIG: LET'S TAKE A BREAK HERE. IT'S A LITTLE AFTER
21 10:30. AND THE USUAL TIME, 15 MINUTE RECESS. YOU ARE STILL
22 ADMONISHED, RIGHT, MADAM FOREPERSON?

23 THE FOREPERSON: YOU'RE ADMONISHED.

24 (RECESS.)

25 MR. SCHORR: MR. SECRETARY?

26 GRAND JURY SECRETARY: YES, WE HAVE ALL 16 GRAND JURORS
27 PRESENT.

28 MR. SCHORR: JUROR NO. 9, I BELIEVE, INDICATED SHE WANTED TO

1 CHAT REAL QUICK.

2 GRAND JUROR NO. 9: YES. I WAS GETTING SO FRUSTRATED WITH
3 THIS GENTLEMAN HERE, THE WITNESS. AND I DON'T KNOW WHETHER I'M
4 SOUNDING TOO PERSONAL WITH MY QUESTIONS. AM I ON THE RIGHT TRACK
5 OR...

6 MR. LUDWIG: YOU QUESTION RELATED TO WHY HE THOUGHT THAT
7 EXPECTATION?

8 GRAND JUROR NO. 9: YEAH.

9 MR. LUDWIG: I THINK -- YOU HAVE TO JUDGE WHETHER OR NOT
10 HE'S ANSWERING THE QUESTIONS ACCURATELY AND HONESTLY AND FULLY.
11 I CAN'T TELL YOU. IT DOESN'T MATTER TO ME. WE ASK THE
12 QUESTIONS, HE PROVIDES THE ANSWERS, AND IT'S UP TO YOU TO DECIDE.

13 MR. SCHORR: AND WE CAN -- I'M SORRY. JUROR NO.?

14 GRAND JUROR NO. 14: FOURTEEN. ARE THESE INDICATED EXPENSES
15 ALL TAX WRITE-OFFS FOR THESE COMPANIES?

16 MR. SCHORR: THAT'S A GOOD QUESTION. WE CAN ASK THAT
17 QUESTION, IF HE KNOWS IT, BUT WE CAN GET IT IN THROUGH ANOTHER
18 SOURCE.

19 GRAND JURY SECRETARY: IT'S ALREADY BEEN ANSWERED THAT
20 THEY'RE EXPENSES THAT THEY TAKE OFF. AMIGABLE SAID THAT; RIGHT?

21 MR. SCHORR: YEAH, WE DID HAVE PRIOR TESTIMONY THAT THEY
22 COME OFF -- IT'S EXPENSE THAT COMES OFF OF A PROFIT. SO IN A
23 SENSE THEY WOULDN'T HAVE TO PAY A PROFIT OFF OF IT BECAUSE IT'S
24 AN EXPENSE. SO YOU CAN DEAL WITH IT LIKE THAT. IF YOU WANT MORE
25 DETAIL ON IT WE CAN GET INTO MORE DETAIL.

26 FRANKLY, FOR THE CALL OF THE QUESTION IN TERMS OF THE ACTUAL
27 COUNTS, IT'S NOT SOMETHING THAT NECESSARILY NEEDS TO BE
28 DETERMINED, BUT IF IT'S SOMETHING YOU WOULD LIKE TO KNOW.

1 QUICKLY, NO. 16.

2 GRAND JUROR NO. 16: I'VE GOT A QUESTION ABOUT EXTORTION AND
3 BRIBE.

4 MR. SCHORR: IF YOU LIKE, WE CAN PROVIDE YOU WITH AN ACTUAL
5 DEFINITION OF WHAT EXTORSION -- WE'LL GIVE YOU THE LEGAL
6 DEFINITION. I THINK IT'S PENAL CODE SECTION 588 AND 527. WE'LL
7 PUT THAT IN FRONT OF YOU AND LET YOU UNDERSTAND WHAT THAT IS AND
8 THEN WE CAN DISCUSS IN TERMS OF IF YOU NEED MORE INFORMATION
9 ABOUT IT.

10 GRAND JUROR NO. 16: IT SEEMS LIKE BOARD MEMBERS ARE -- THEY
11 ARE NOT BRIBING SGI. THE CHARGES ARE SGI IS BRIBING THE BOARD
12 MEMBERS.

13 MR. SCHORR: WE'LL GET BACK INTO THE DEFINITION OF BRIBE OR
14 THE DEFINITION OF THE CODE SECTIONS. BUT IT'S ASKING FOR A BRIBE
15 IS PART OF IT. YOU CAN LOOK AT IT AND WE'LL GET INTO THE
16 DEFINITION. BUT AS A BOARD MEMBER, IF YOU ARE ASKING FOR OR
17 DEMANDING SOMETHING OF VALUE IN ORDER TO -- YOU KNOW, WITH A
18 CORRUPT INTENT, THAT GETS TO THAT BRIBERY ASPECT.

19 GRAND JUROR NO. 16: THAT'S WHAT I THOUGHT WAS EXTORTION.

20 MR. SCHORR: IT'S KIND OF BOTH SIDES. AND EXTORTION IS --
21 YOU'LL NOTICE A LOT OF LAWS ARE VERY SIMILAR AND WORDED VERY
22 INTERESTINGLY AND, YOU KNOW, OF COURSE -- NOTICE, OF COURSE,
23 WHICH I PROBABLY TALKED ABOUT BEFORE, IS THAT LAWS RELATED TO
24 POLITICIANS ARE OFTENTIMES -- AS WRITTEN BY POLITICIANS, ARE
25 OFTENTIMES DIFFICULT TO GET A FIRM GRASP ON.

26 GRAND JUROR NO. 17: THE KEYWORD YOU SAID THERE WAS THE
27 INTENT. WE HAVE TO TRY AND FIGURE OUT WAS IT THE INTENT OF THE
28 SWEETWATER BOARD MEMBER TO BRIBE SGI FOR "IF YOU DON'T GIVE ME

1 THIS, WE'LL NOT VOTE FOR YOUR CONTRACT." WE CAN'T GO IN THE
2 MINDS OF THOSE PEOPLE AND THINK, WELL, WAS THAT THEIR INTENT
3 OR -- LIKE HE SAID, WELL, WE DID IT BECAUSE WE WANTED TO KEEP OUR
4 CONTRACT. SO HE'S ASSUMING THAT, YOU KNOW...

5 MR. SCHORR: WE'LL DISCUSS THAT MORE, BUT AN ARGUMENT WOULD
6 BE THAT YOU CAN ACTUALLY GO INTO THEIR MINDS. YOU LOOK AT THE
7 CIRCUMSTANCES RELATED TO IT AND YOU MAKE A DETERMINATION AS TO
8 WHAT THE INTENT WAS OF THE INDIVIDUAL. IF YOU SEE ME, YOU KNOW,
9 GOING AND PUSHING THROUGH THE DOOR AND WALKING OUT AND YOU ASK
10 WHAT WAS MY INTENT. WAS MY INTENT TO GO THROUGH THE DOOR OR WAS
11 MY INTENT TO WALK INTO THE WALL. YOU CAN TAKE IN A LOT OF
12 DIFFERENT FACTORS OF WHAT THE INTENT WAS BASED UPON YOUR
13 OBSERVATIONS AND BASED UPON THE TESTIMONY.

14 WE'RE GETTING AFIELD. WE'RE GETTING INTO DISCUSSIONS THAT
15 ARE LATER ON. AND WE NEED TO MAKE SURE THAT WE -- YOU KNOW ME;
16 I'M A STICKLER. I DON'T WANT TO WASTE YOUR TIME. I KNOW THIS IS
17 VALUABLE STUFF, BUT WE ALSO NEED TO GET THROUGH A CERTAIN AMOUNT
18 OF MATERIAL WITH MR. ORTIZ, AND I KNOW WE'RE TRYING HARD TO DO
19 SO. I THINK YOU'LL SEE THAT WE'LL, AGAIN, CONTINUE TO SPEED UP
20 HOW WE'RE DOING IT TO TRY TO GET TO WHERE WE NEED TO BE. UNLESS
21 THERE'S ANYTHING FURTHER, WHICH I DON'T WANT TO SAY -- NO. IF
22 YOU HAVE -- I KNOW I SHOULD JUST WALK OUT AND BRING HIM BACK IN.

23 IF YOU HAVE SPECIFIC -- IF YOU FEEL LIKE WE'RE NOT ASKING
24 THE QUESTION THAT'S GETTING TO THE POINT THAT YOU WANT TO
25 HEAR -- AND THIS IS DIFFICULT BECAUSE -- IT'S DIFFICULT FOR ALL
26 OF US TO DEVELOP THAT QUESTION. IF YOU WANT TO KNOW WHAT HIS
27 INTENT WAS OR WHAT GANDARA WAS DOING IN TERMS OF HOW HE ASKED FOR
28 THE PAYMENT OF THE WINE -- I DON'T KNOW. WE WERE DISCUSSING IT

1 OVER THE BREAK. IT COULD BE WE COULD ASK HIM, IF YOU LIKE, TO
2 DESCRIBE THE PHYSICAL ACTIONS INSIDE OF THE WINERY, WHAT TOOK
3 PLACE, IF THAT'S THE LEVEL THAT YOU'D LIKE TO HEAR. IS IT
4 GANDARA HANDING HIM THE BOTTLE OF WINE AND THEN WALKING AWAY?
5 ARE THEY WALKING UP TO THE CASH REGISTER TOGETHER? DEPENDING IF
6 YOU WANT TO HEAR IT, WE CAN GET INTO THAT LEVEL. AND THEN WE
7 NEED TO KNOW ARE WE DOING THAT AT EACH OCCASION, AT EVERY
8 MORTON'S -- IT SEEMS LIKE WE MIGHT GET INTO OVERKILL IF WE ASK
9 EVERY TIME WAS THAT A DIRECTIVE OR WAS THAT WHAT WAS ASSUMED? WE
10 CAN DO THAT, IF YOU'D LIKE THAT, BUT IT COULD ALSO BECOME
11 TIME-CONSUMING.

12 GRAND JUROR NO. 16: I THINK IT'S SPLITTING HAIRS TO GO THAT
13 FAR.

14 MR. SCHORR: BUT I'M NOT BY ANY MEANS TRYING TO DISCOURAGE
15 ANY QUESTIONS. I JUST WANT TO MAKE SURE THAT WE GET PINPOINTED
16 AND GET THE ANSWERS THAT YOU GUYS WANT. I UNDERSTAND -- WE
17 UNDERSTAND -- WE'D LOVE TO LET YOU GUYS ASK QUESTIONS WITHOUT
18 WRITING THEM DOWN. THAT'S NOT OUR POLICY. IT'S NOT SOMETHING
19 THAT WE CREATED. AND I WISH WE COULD SAY JUST ASK THE QUESTION,
20 BUT WE HAVE TO ABIDE BY CERTAIN RULES, SO I APOLOGIZE FOR THAT.
21 IT'S PART OF THE LEGISLATURE.

22 I'LL GET THE WITNESS.

23 BY MR. LUDWIG:

24 Q. WELCOME BACK, MR. ORTIZ. I HAVE SOME MORE EMAILS HERE.
25 18048. THERE IT IS. MARCH 25TH, '09, BRIDGET SIRKEGIAN-KAUB TO
26 YOU. EMAIL TALKS ABOUT A BERTHA LÓPEZ EVENT AT SOMEONE NAMED
27 YURI'S HOUSE.

28 DO YOU REMEMBER THIS?

1 A. YES.

2 Q. WHAT WAS THE BERTHA LÓPEZ EVENT?

3 A. I BELIEVE IT WAS A FUNDRAISER EVENT FOR BERTHA LÓPEZ.

4 Q. WHO IS YURI?

5 A. YURI CALDERÓN. HE'S A PARTNER WITH GARCIA, CALDERÓN &
6 RUIZ.

7 Q. SO HE'S BONNY GARCIA'S LAW PARTNER?

8 A. YES.

9 Q. DID YOU ATTEND THIS EVENT?

10 A. I BELIEVE SO, YES.

11 Q. DID YOU OR SGI CONTRIBUTE ANY MONEY TO MS. LÓPEZ?

12 A. I DON'T REMEMBER REALLY. IF WE WOULD HAVE, RENÉ WOULD
13 HAVE CONTRIBUTED.

14 Q. DID YOU WORK ON MS. LÓPEZ'S BEHALF TO TRY TO FUND
15 ADDITIONAL GUESTS TO BRING TO THE EVENT?

16 A. I DON'T BELIEVE SO.

17 Q. ANYTHING ELSE OF SIGNIFICANCE YOU CAN RECALL ABOUT THE
18 LÓPEZ EVENT?

19 A. IT WAS AT YURI'S HOUSE. THERE WERE ONLY 20, 30 PEOPLE
20 THERE.

21 Q. OKAY. I'LL SHOW YOU PAGE NUMBER 18052, AN EMAIL
22 APPARENTLY FROM MR. SANDOVAL TO YOU, DATED MARCH 30TH '09.

23 A. THAT IS THE HISPANIC CHAMBER OF COMMERCE ANNUAL EVENT.

24 Q. DID SGI, INFERRED BY THIS EMAIL, GET A TABLE OR TWO
25 TABLES?

26 A. WE DID. WE PROBABLY SPLIT IT BETWEEN THE TWO
27 COMPANIES.

28 Q. OKAY.

1 A. SO, YES.

2 Q. APART FROM MR. SANDOVAL, DO YOU KNOW OF ANY OTHER
3 SWEETWATER OFFICIALS THAT GOT TABLES?

4 A. I DIDN'T CATCH THE LAST PART.

5 Q. APART FROM MR. SANDOVAL, DO YOU RECALL ANY OTHER
6 SWEETWATER OFFICIALS WHO TOOK SEATS AT ANY OF THOSE TWO TABLES?

7 A. NOT SPECIFICALLY BUT MOST OF THEM PROBABLY ATTENDED.

8 Q. OKAY. ANOTHER CREDIT CARD STATEMENT FROM YOUR SGI
9 ACCOUNT. THIS COVERS MARCH AND PART OF APRIL OF '09. THERE'S A
10 NUMBER OF PETCO CHARGES. IS THIS A BALL GAME?

11 A. YES.

12 Q. HOW ABOUT THE PETCO RETAIL FOR \$52?

13 A. THAT'S THE TEAM STORE.

14 Q. AND THESE CHARGES COVER DIFFERENT -- THERE'S ANOTHER
15 CHARGE FOR CONCESSIONS THE 3RD, 6TH, THE 7TH, AND 9TH. ALL SHOW
16 PETCO CONCESSIONS. WERE THESE THREE SEPARATE PADRES GAMES?

17 A. I WOULD ASSUME SO, YES.

18 Q. DO YOU RECALL IF ANYONE WAS WITH YOU?

19 A. I'D HAVE TO LOOK AT THE CALENDAR. I DON'T KNOW WHO
20 SPECIFICALLY ATTENDED WITH ME.

21 Q. ON THE 9TH THERE'S ALSO A CHARGE FOR CUBAN CIGAR
22 FACTORY. SAME DATE AS THE PETCO CONCESSION. IS IT POSSIBLE THAT
23 YOU PURCHASED CIGARS FOR MR. SANDOVAL AND YOURSELF?

24 A. IT'S POSSIBLE, YES.

25 Q. BUT NO PARTICULAR RECOLLECTION?

26 A. NO.

27 Q. ALL RIGHT. THE NEXT PAGE ARE THE SAME STATEMENTS,
28 PAGE 11530. IT HAS A CMAA CHARGE FOR \$1,250.

1 A. CMAA IS A CONSTRUCTION MANAGERS ASSOCIATION OF
2 AMERICAN. AND I BELIEVE THAT WAS -- THAT SHOULD HAVE BEEN
3 REGISTRATION FOR THE EVENT. WHAT YEAR IS THIS?

4 Q. THIS IS '09, APRIL '09.

5 A. I BELIEVE THAT KARL BRADLEY -- I BELIEVE THIS IS THE
6 YEAR THAT KARL BRADLEY AND I AND DON ROTE, ANOTHER CONSULTANT OF
7 OURS, GAVE A PRESENTATION TO CMAA, THE NATIONAL CONFERENCE. WE
8 GAVE ONE OF THE WORKSHOPS AND WE HAD TO PAY FOR REGISTRATION,
9 EVEN AS SPEAKERS, SO I PAID FOR IT.

10 Q. THIS WAS FOR YOU AND MR. BRADLEY. NO BOARD MEMBER OR
11 SUPERINTENDENT?

12 A. NO.

13 Q. OKAY. TRATTORIA LA STRADA CHARGE FOR 270, WAS THAT
14 SWEETWATER RELATED?

15 A. I DON'T REMEMBER. I DON'T REMEMBER IF I WENT WITH
16 DR. GANDARA.

17 Q. THESE ENTERTAINMENT EXPENSES, ARE YOU AWARE OF WHETHER
18 OR NOT SGI WAS ABLE TO DEDUCT THESE EXPENSES FROM SGI'S INCOME
19 TAXES?

20 A. I DON'T -- AS FAR AS I'M AWARE, THEY ARE ONLY ALLOWED
21 TO DEDUCT THE CHARITABLE DONATIONS.

22 Q. THIS IS PAGE 18058. IT'S AN EMAIL EXCHANGE. ACTUALLY,
23 LET'S GO TO THE TOP. THERE WE GO. FROM MR. SANDOVAL TO YOU,
24 APRIL 7TH, '09. MARIACHI INVITATION. MR. SANDOVAL WRITES, "ARE
25 YOU HAVING ANY LUCK WITH YOUR CONTACTS FOR THE MARIACHI EVENT?"

26 WHAT WAS GOING ON HERE.

27 A. HE WANTED ME TO GET SPONSORSHIPS FOR THE EVENT.

28 Q. SPONSORS IN ADDITION TO SGI?

1 A. YES.

2 Q. HE MADE IT CLEAR THAT WAS YOUR RESPONSIBILITY TO FIND
3 THOSE SPONSORS?

4 A. PRETTY MUCH, YES.

5 Q. HOW DID HE MAKE IT CLEAR LIKE THAT, WHEN YOU SAID
6 PRETTY MUCH HE DID?

7 A. WELL, THE ENTIRE BOARD OF THE MARIACHI FOUNDATION
8 LOOKED TO ME TO HELP FUNDRAISE MOST OF THE EVENTS FROM THE
9 DIFFERENT FOLKS THAT WERE WORKING WITH THE DISTRICT.

10 Q. I'LL SHOW YOU HERE AN EMAIL THAT I'VE GOT NUMBERED
11 18056. "SITTING AT SGI TABLE AT HISPANIC CHAMBER ILUMINADA,"
12 FROM YOU TO YOURSELF. I THINK IT RELATES TO MAYBE A SANDI SMITH
13 MESSAGE?

14 A. THIS IS A CLARIFICATION. THIS ISN'T FROM ME TO --
15 WELL, I HAD A DISTRICT EMAIL AND THAT DISTRICT EMAIL
16 AUTOMATICALLY FORWARDED TO MY SGI EMAIL, SO THAT'S FORWARDED FROM
17 MY DISTRICT EMAIL TO MY SGI MAIL.

18 Q. IT SAYS HERE -- FIRST OFF, DO YOU REMEMBER THIS
19 MESSAGE?

20 A. YES.

21 Q. FROM MS. SMITH: "JAIME, PEARL HAS FOUND A SEAT AT
22 ANOTHER TABLE, SO WE DO NOT NEED TO WORRY ABOUT WHERE SHE'S GOING
23 TO SIT. ARLIE AND ED BAGAPORO AND BERTHA AND JOSE LÓPEZ WILL BE
24 SITTING AT THE SGI TABLE."

25 WHO IS ED BAGAPORO?

26 A. ARLIE'S HUSBAND.

27 Q. DO YOU HAVE ANY DEALINGS WITH MR. BAGAPORO?

28 A. SOCIALLY.

1 Q. TO THE EXTENT THAT MS. RICASA WOULD BRING HIM ALONG TO
2 EVENTS?

3 A. YES.

4 Q. DID YOU HAVE ANY INDEPENDENT RELATIONSHIP WITH HIM?

5 A. WE BECAME FRIENDLY, AND HE INVITED ME TO AN EVENT WHERE
6 HE WAS WITH A NEW COMPANY AND THEY WERE TRYING TO GET INVESTORS
7 IN THE COMPANY OR IN DIFFERENT COMPANIES THAT THEY -- IT WAS LIKE
8 AN INVESTMENT BANKING TYPE OF COMPANY.

9 Q. DID YOU ATTEND THAT EVENT WITH MR. FLORES?

10 A. I ATTENDED AN EVENT. I DON'T THINK -- I THINK IT WAS
11 THE SECOND EVENT. I DON'T THINK IT WAS THE SAME ONE THAT RENÉ
12 ATTENDED. THE ONE I ATTENDED WAS AT VIA LAGO. I DON'T KNOW IF
13 IT WAS THE SAME ONE.

14 Q. DID MR. BAGAPORO WANT YOU PERSONALLY TO INVEST WITH HIM
15 OR HIS COMPANY OR WAS THIS SOMETHING HE WAS PITCHING TO SGI?

16 A. I DON'T REMEMBER THE SPECIFICS OF WHO HE WANTED TO
17 INVEST.

18 Q. PAGE 18318 SHOWS A TRANSACTION RECORD WITH A SGI
19 ACCOUNT. IT SAYS BERTHA LÓPEZ \$2,000 ON APRIL 1ST OF '09.

20 DO YOU RECALL IF YOU BROUGHT A CHECK FOR \$2,000 TO THE
21 BERTHA LÓPEZ EVENT AT YURI CALDERÓN'S HOUSE?

22 A. I DON'T. I ATTENDED THAT EVENT WITH RENÉ.

23 Q. 5349 APPEARS TO BE AN EMAIL FROM YOU TO MS. QUIÑONES,
24 COPYING MR. FLORES, IN RESPONSE TO EARLIER EMAILS RELATED TO MANA
25 LATINA SUCCESS CONFERENCE.

26 DO YOU REMEMBER THIS MESSAGE, BEING ASKED TO SPONSOR THIS
27 ORGANIZATION?

28 A. I DO. I DON'T KNOW IF WE DID OR NOT, THOUGH.

1 Q. THIS IS SOMETHING THAT MS. QUIÑONES ASKED SGI TO
2 SPONSOR?

3 A. YES.

4 Q. WAS THERE ANY PREVIOUSLY RELATIONSHIP WITH MANA?

5 A. NO.

6 Q. DO YOU REMEMBER WHAT CONNECTION, IF ANY, MS. QUIÑONES
7 HAD WITH THE ORGANIZATION?

8 A. I DON'T.

9 Q. THE CMAA CONFERENCE YOU MENTIONED WHERE YOU AND
10 MR. BRADLEY SPOKE, WAS THERE AN AWARDS BANQUET?

11 A. YES.

12 Q. DID SGI OR -- STRIKE THAT.
13 DID ANY SWEETWATER OFFICIALS ATTEND THAT AWARDS BANQUET
14 DINNER?

15 A. YES. IT WAS -- THE CMAA SAN DIEGO CHAPTER GAVE PROP O
16 THE BEST MANAGED PROGRAM AWARD IN SAN DIEGO FOR THREE YEARS IN A
17 ROW, AND WE BOUGHT A TABLE AT THAT EVENT AND HAD -- THE FIRST
18 YEAR WE HAD DR. GANDARA THERE AND KARL. I FORGET WHAT OTHER
19 BOARD MEMBERS WERE THERE. SECOND YEAR WE HAD THE SAME TYPE OF
20 EVENT AND THE THIRD YEAR AS WELL. AND THE THIRD YEAR I REMEMBER
21 JOHN MCCANN ATTENDED. THE SECOND YEAR I CAN'T REMEMBER WHO
22 ATTENDED.

23 Q. IN '09, PAGE 38535, IT'S AN EMAIL FROM SANDI SMITH TO
24 MS. QUIÑONES ON APRIL 17TH, '09. DOES THAT REFRESH YOUR MEMORY
25 AS TO WHETHER OR NOT MS. QUIÑONES OR BERTHA LÓPEZ ATTENDED?

26 A. BERTHA POTENTIALLY WOULD HAVE -- COULD HAVE ATTENDED.
27 I'M NOT SURE THAT PEARL DID, THOUGH.

28 Q. RIGHT AROUND THE TIME THIS IS HAPPENING, ON APRIL 20TH,

1 ON PAGE NO. 58060, THERE'S A MESSAGE WITH GILBANE, PERSON NAMED
2 JOHN KEEFER, ABOUT THE MARIACHI FOUNDATION. DID YOU AND -- DID
3 SGI AND GILBANE SPONSOR TABLES FOR THIS EVENT?

4 A. YES.

5 Q. IS THIS SOMETHING, A FOUNDATION GALA, WHERE MOST IF NOT
6 ALL BOARD MEMBERS WOULD ATTEND?

7 A. YES.

8 Q. THEY WOULD BE AS GUESTS OF GILBANE/SGI?

9 A. OR THE DISTRICT SOMETIMES BOUGHT A TABLE OR OTHER
10 VENDORS, BUT 90 PERCENT OF THE TABLES WERE BOUGHT BY VENDORS.

11 Q. BUYING TABLES WAS IN ADDITION AND SEPARATE FROM A
12 STRAIGHT UP CONTRIBUTION OF CASH TO THE ORGANIZATION; IS THAT
13 RIGHT?

14 A. WELL, THE ORGANIZATION CREATED ITS REVENUE THROUGH
15 THOSE EVENTS SO IT WAS THROUGH THE SPONSORSHIPS.

16 Q. HERE'S A MESSAGE -- IT'S PART OF A THREAD. IT STARTS
17 ON 5365. AND IT APPEARS TO BE DATED AROUND APRIL 22ND OF '09
18 FROM MS. SMITH TO YOU. "JAIME, ATTACHED IS THE INFORMATION
19 REGARDING THE SPONSORSHIP THAT BOARD MEMBER ARLIE RICASA
20 REQUESTED. I'M AWAITING THE LOGO TO PASS ON TO ACSA FOR SGI
21 RECOGNITION."

22 IS THAT MARIACHI FOUNDATION RELATED OR SOMETHING ELSE.

23 A. IT'S SOMETHING ELSE.

24 Q. DO YOU KNOW WHAT IT IS?

25 A. ACSA STANDS FOR ASSOCIATION OF CALIFORNIA SCHOOL
26 ADMINISTRATORS.

27 Q. LET ME SHOW YOU THE OTHER PAGE HERE, 5364. AT THE
28 BOTTOM STARTS A MESSAGE THAT FINISHES ON THE PAGE WE JUST VIEWED,

1 AND IT'S A CONTINUATION OF THE SAME THREAD, FROM YOU TO FLORES
2 FAMILY MEMBERS. IT CONCERNS A TOTAL DONATION OF 955. ONE CHECK
3 FOR 455 TO SAN DIEGO SCHOOL BOARD ASSOCIATION. AND THEN BACK ON
4 PAGE 5365, \$500 FOR THE SAN DIEGO AND IMPERIAL COUNTIES' SCHOOL
5 ADMINISTRATORS FOUNDATION. WERE THOSE RELATED TO THE ACSA?

6 A. I WOULD THINK SO, AND I THINK IT'S PART OF THE SAME
7 EVENT. I RECALL THIS WAS -- I DON'T KNOW -- I THINK ARLIE WAS
8 BEING RECOGNIZED AT THIS EVENT, AND WE BOUGHT A TABLE AND INVITED
9 SWEETWATER FOLKS SO SHE WOULD HAVE SUPPORTERS THERE.

10 Q. DID SHE REQUEST THAT SGI DO THAT?

11 A. WELL, ACCORDING TO SANDI SHE DID. AND SANDI WOULD BE
12 USED A LOT OF TIMES AS AN INTERMEDIARY FOR THEM TO TASK US
13 BECAUSE SANDI WAS THEIR DIRECT ASSISTANT AND SHE WAS LOCATED AT
14 THE DISTRICT WITH US.

15 Q. WHEN YOU SAY "THEY," DO YOU MEAN ALL THE BOARD MEMBERS,
16 ELECTED OFFICIALS?

17 A. YES.

18 Q. WOULD THEY TAKE ADVANTAGE OF MS. SMITH TO CONVEY
19 REQUESTS FOR CONTRIBUTIONS OR DONATIONS?

20 A. YES.

21 Q. IN A SIMILAR VEIN AS MR. SANDOVAL AND DR. GANDARA, DID
22 YOU ALSO FEEL THAT MS. RICASA WAS SOMEONE FOR WHOM YOU COULD NOT
23 REFUSE?

24 A. WE FELT THAT WAY FOR ALL THE BOARD MEMBERS.

25 Q. BEFORE I SHOW THAT EMAIL THAT JUST POPPED UP
26 INADVERTENTLY, DO YOU REMEMBER TAKING MR. SANDOVAL TO A LAKERS
27 GAME IN LATE APRIL '09 WITH MR. AMIGABLE?

28 A. NO, I DON'T REMEMBER -- THAT DIDN'T HAPPEN.

1 Q. YOU DID NOT TAKE -- OKAY. WAS THERE A POINT IN TIME
2 WHERE THERE WAS SOME RUMORS STARTED ABOUT YOU AND MR. SANDOVAL
3 GOING TO A LAKERS GAME?

4 A. ME AND GREG DID GO TO A LAKERS GAME BUT IT WASN'T WITH
5 HENRY.

6 Q. OKAY. SO WHAT HAPPENED IN THAT CIRCUMSTANCE?

7 A. GREG CALLED ME AND SAID -- ASKED ME IF I WANTED TO GO
8 TO A LAKERS GAME WITH MY WIFE AND HIM AND HIS WIFE. AND I, YOU
9 KNOW, EXPECTING, WELL, HERE'S THE INFORMATION FOR TICKETMASTER
10 COMMENTS. HOWEVER, IT TURNS OUT THAT HECTOR CASTILLO, WE TALKED
11 ABOUT YESTERDAY, HAD THE TICKETS AND WE WERE GOING TO USE HIS
12 TICKETS.

13 SO I WAS UNCOMFORTABLE WITH THAT BECAUSE WE WERE -- WE WERE
14 USING THE TICKETS OF SOMEBODY ELSE. HOWEVER, WE WENT AND WE
15 SPENT MOST OF THE TIME AT THE RESTAURANT AT THE STAPLE CENTER
16 OVERLOOKING THE GAME AND WE HAD A COUPLE OF DRINKS AFTERWARDS AT
17 THE BAR THERE AND CAME BACK HOME.

18 Q. YOU SAID THEY WERE HECTOR CASTILLO'S TICKETS AND YOU
19 USED HIS. DID SOMEONE CALL MR. CASTILLO AND HE HANDED OVER HIS
20 TICKETS?

21 A. NO, HE WAS THERE.

22 Q. I UNDERSTAND.

23 A. BUT IT WAS ANOTHER PLOY OF GREG'S TO KIND OF GET HECTOR
24 AND MYSELF TOGETHER AND START A RELATIONSHIP AND ULTIMATELY GET
25 HIM WORK.

26 Q. SO HOW DID THIS -- HOW DID THE NOTION THAT MR. AMIGABLE
27 ATTENDED COME INTO THE PICTURE?

28 A. I HAVE NO IDEA.

1 Q. HAD YOU HEARD RUMORS THAT MR. AMIGABLE -- THAT IT WAS
2 BEING BANDIED ABOUT THAT MR. AMIGABLE WENT TO A GAME WITH YOU AND
3 MR. SANDOVAL?

4 A. YES.

5 Q. AT THIS POINT IN TIME, IN MAY OF '08, WAS MR. AMIGABLE
6 STILL WITH GILBANE?

7 A. I DON'T KNOW.

8 Q. DID THAT RUMOR HAVE A NEGATIVE IMPACT FOR SGI?

9 A. I DON'T THINK SO BECAUSE -- FRANKLY, I DON'T REMEMBER
10 THE RUMOR ALL THAT MUCH. I HAD TOLD RENÉ I WAS GOING TO THE GAME
11 AND I REMEMBER HAVING AN EMAIL CONVERSATION WITH HIM ABOUT IT. I
12 REMEMBER SAYING THAT IT WAS A LITTLE REFRESHING THAT I WASN'T
13 PAYING FOR EVERYTHING.

14 Q. DID YOU EVER HAVE ANY DEALINGS WITH JEFF FLORES?

15 A. VERY, VERY LIMITED. I SAW HIM AT THE BUTCHER SHOP ONCE
16 AND SEVERAL YEARS AGO AT A PICNIC PARTY.

17 Q. OKAY. I'LL SHOW YOU PAGE 18065. DO YOU REMEMBER
18 RECEIVING THIS FROM MR. SANDOVAL? IT'S THE ASF SCHOLARSHIP
19 FOUNDATION FUND GALA.

20 A. NOT SPECIFICALLY.

21 Q. THERE WAS AN ATTACHMENT TO THIS EMAIL ON PAGE 18064,
22 APPARENTLY FROM MR. SANDOVAL TO YOU AND MR. FLORES, MAY
23 20TH, '09. "FYI, IMELDA WANTED ME TO SHARE THIS INFORMATION WITH
24 YOU. SHE'S HOPING YOU CAN HELP. THANKS."

25 A. RIGHT. I DO.

26 Q. WAS THIS SOMETHING WHERE MR. SANDOVAL EXPECTED A
27 DONATION?

28 A. IT WAS.

1 Q. DID SGI COMPLY?

2 A. I DON'T REMEMBER.

3 Q. THIS IS PART OF THAT EMAIL STREAM --

4 A. THEN WE PROBABLY DID.

5 Q. FOR \$250?

6 A. YES.

7 Q. ALL RIGHT. IT'S 05382. LET ME GO BACK TO THE LAKERS
8 GAME. I DON'T KNOW IF THIS IS THE SAME GAME OR NOT. ON
9 PAGE 5380 THERE'S AN EMAIL. THE PRECEDING PAGE SHOWS IT'S FROM
10 MS. MULHEIM TO MR. FLORES CONCERNING LAKERS TICKETS.

11 A. I WASN'T AT THIS GAME.

12 Q. OKAY. SO A DIFFERENT GAME.

13 A. WAS THIS FOR GREG TOO?

14 Q. UM, THAT, I DON'T KNOW. I WAS WONDERING IF YOU MAY
15 KNOW.

16 IN CONNECTION WITH THE AUGUSTINIAN FUND, DO YOU REMEMBER
17 MR. SANDOVAL TELLING YOU THAT IT WAS IMPORTANT TO DONATE SO HE
18 COULD GET BROWNIE POINTS WITH HIS WIFE?

19 A. YES, HE DID.

20 Q. PAGE 5386. HERE'S ANOTHER CREDIT CARD STATEMENT IN
21 YOUR NAME, NUMBERED 11538. IT COVERS JUNE OF '09. THERE'S A
22 STUBHUB CHARGE FOR \$150 ON THE 6TH OF JUNE, AS WELL AS CUBAN
23 CIGARS ON THE 5TH.

24 DO YOU RECALL WHAT THIS CONCERNED?

25 A. I DO NOT.

26 Q. PAGE 5389. EMAILS ON YOU, MR. FLORES, MR. SANDOVAL.
27 STARTS AT THE BOTTOM, DATED JUNE 2ND, '09.

28 DO YOU RECALL THIS EXCHANGE?

1 A. YES.

2 Q. OKAY. SO IT SEEMS TO BE MR. SANDOVAL WRITING TO
3 MR. FLORES. "HELLO, RENÉ. IS JAIME BACK AT WORK? I TEXTED HIM
4 A MESSAGE ABOUT GOING TO THE SAN DIEGO PADRES GAME THIS SATURDAY.
5 LET ME KNOW."

6 WAS IT THE CASE THAT IF MR. SANDOVAL COULDN'T REACH YOU
7 IMMEDIATELY ABOUT A GAME, HE WOULD CONTACT MR. FLORES?

8 A. AND MOST OF THEM, IF THEY COULDN'T REACH ME, THEY WOULD
9 CALL RENÉ AND "WHY ISN'T JAIME CALLING ME BACK?"

10 Q. HERE'S A PAGE THAT'S BEING DISPLAYED. IT'S 37433.
11 PADRES, JUNE 6TH. HAS YOUR NAME ON IT. WOULD THAT BE THE GAME?

12 A. PROBABLY. CURIOUS WHY HE WROTE MY NAME.

13 Q. ONLY MR. SANDOVAL KNOWS THE ANSWER TO THAT QUESTION.
14 DID MR. SANDOVAL REIMBURSE YOU FOR THE PRICE OF THIS?

15 A. NO.

16 Q. DO YOU RECALL IF THIS WAS THE PRICE PAID?

17 A. YES. THOSE WERE OUR SEASON TICKETS.

18 Q. PAGE 5391, EMAIL TO YOU AND MR. FLORES DISCUSSING AN
19 ENVELOPE. THERE IS NO PARTICULAR NAME REFERENCED HERE.

20 DO YOU KNOW WHAT THIS IS ABOUT?

21 A. I DON'T. I DON'T. IF IT IS FOR HIS DAUGHTER OR...

22 Q. WE'RE ON THE SECOND BOOK.

23 A. PROGRESS. CAN THEY GET COPIES OF ALL THESE?

24 Q. THEY DO, ACTUALLY. EVERY DOCUMENT THAT WE REFERENCE,
25 THAT WE PUT UP ON THE SCREEN, IS GOING TO BE AVAILABLE TO THEM.

26 A. IT'S NOT THOSE BINDERS?

27 Q. NO.

28 GRAND JUROR NO. 13: OH, GOD, AND WE HAVE TO MEMORIZE THEM.

1 THE WITNESS: LOVELY.

2 BY MR. LUDWIG:

3 Q. ALL RIGHT. SO THE DAY AFTER THE GAME ON JUNE 7TH,
4 MR. SANDOVAL SENDS THIS MESSAGE HERE. IT APPEARS THAT YOU ARE
5 AMONG THE RECIPIENTS. AND IT'S DOCUMENT 18066. IT CONCERNS A
6 FUNDRAISER FOR DAVID BEJARANO.

7 DO YOU REMEMBER THIS?

8 A. YES.

9 Q. WHO IS THIS PERSON?

10 A. DAVID BEJARANO WAS A BOARD MEMBER AT THE CHULA VISTA
11 ELEMENTARY SCHOOL DISTRICT AND A BOARD MEMBER -- HE WAS RUNNING
12 FOR -- HE WAS RUNNING FOR SOMETHING ELSE BEFORE. AND THEN HE GOT
13 OFFERED THE JOB OF SHERIFF OR POLICE CHIEF OF CHULA VISTA, BUT HE
14 WAS RUNNING FOR SOMETHING ELSE PRIOR TO THAT. I DON'T REMEMBER
15 WHAT. HE DIDN'T WIN.

16 Q. THE SUBJECT SAYS "SHERIFF FUNDRAISER." IS THAT IT? HE
17 WAS RUNNING FOR SHERIFF?

18 A. I DIDN'T KNOW THE SHERIFFS WERE ELECTED. BUT, YEAH, I
19 GUESS.

20 Q. NOW, YOU MENTIONED YESTERDAY THAT MS. QUIÑONES HAD A
21 HABIT OF OPENLY COPYING COMPETITORS AND SO FORTH ON MESSAGES.
22 AND THIS IS FROM MR. SANDOVAL. DID HE DO SOMETHING SIMILAR?

23 A. I DON'T SEE ANY COMPETITORS ON THIS LIST. I SEE PEOPLE
24 INVOLVED IN THE BOND PROGRAM BUT NOT COMPETITORS OF OURS.

25 Q. THE EMAIL STARTING ON PAGE 356548 (SIC), YOURSELF
26 SENDING A MESSAGE TO ED LÓPEZ, COPY TO MR. GANDARA AND JOHN
27 KEEFER. IT SAYS, "HERE IS THE CONTACT LIST. LET ME KNOW WHEN
28 THE LETTERS GO OUT TO FOLLOW UP." AGAIN, DATED JULY 27TH, '09.

1 WHAT IS HAPPENING HERE?

2 A. WE PROBABLY HAD A LUNCH, AND ED ASKED FOR THE CONTACT
3 INFORMATION OF THE PROP O VENDORS AND I'M SENDING HIM THAT LIST,
4 AND WHAT HE WAS GOING TO DO IS SEND SPONSORSHIP REQUESTS TO THESE
5 FOLKS.

6 Q. I THINK IF WE GO DOWN THIS EMAIL, THE NEXT PAGE, 35654.
7 AT THE TOP IS JAIME AND JOHN. IS THAT JOHN KEEFER?

8 A. IT IS.

9 Q. SO THIS DISCUSSES APPROACHING DISTRICT PARTNERS. JOHN
10 KEEFER, DID HE WORK AT GILBANE AT THIS POINT IN TIME?

11 A. YES.

12 Q. DID HE TAKE OVER FOR MR. AMIGABLE?

13 A. HE DID.

14 Q. WHEN DID THAT HAPPEN?

15 A. I DON'T REMEMBER THE EXACT TIME. I'M SURE THAT IT'S IN
16 THE EMAILS.

17 Q. ARE YOU FAMILIAR WITH THE CIRCUMSTANCES SURROUNDING
18 MR. AMIGABLE DEPARTING GILBANE AND MR. KEEFER COMING IN TO HIS
19 PLACE?

20 A. I WAS AROUND THEM IN THE PROCESS, YES. SO I DON'T KNOW
21 EXACTLY, BUT I HAVE HEARD FROM BOTH OF THEM, I GUESS, DURING THE
22 PROCESS.

23 Q. WELL, WHEN -- DID YOU NOTICE A DIFFERENCE IN HOW
24 MR. KEEFER INTERACTED WITH SWEETWATER OFFICIALS AS TO HOW
25 MR. AMIGABLE INTERACTED WITH SWEETWATER OFFICIALS?

26 A. YES, I DID.

27 Q. WOULD YOU MIND ELABORATING ON THAT.

28 A. SURE. HENRY HAD A LONGSTANDING RELATIONSHIP WITH THE

1 SWEETWATER FOLKS. AND JOHN WAS BROUGHT IN -- HENRY'S PREVIOUS
2 BOSS, BRUCE HOFFMAN, STARTED WITH THE JOINT VENTURE. HE RETIRED,
3 I BELIEVE. AND ANDY -- I CAN'T REMEMBER ANDY'S LAST NAME -- TOOK
4 BRUCE'S PLACE AT GILBANE IN ARIZONA. AND HE BROUGHT IN -- HE AND
5 HENRY DIDN'T GET ALONG TOO WELL. I GATHERED THAT FROM DIFFERENT
6 CONVERSATIONS. HE BROUGHT IN JOHN, WHO WAS A CLOSE FRIEND OF HIS
7 FROM BACK EAST, TO MANAGE, MORE OR LESS, OPERATIONS OF THE
8 SAN DIEGO REGION, WHICH WAS WHAT HENRY DID. AND THEY PUT HENRY
9 MORE IN A ROLE OF BUSINESS DEVELOPMENT. AND EVENTUALLY HENRY
10 LEFT. AND HE WAS GOING TO START HIS OWN CONSTRUCTION MANAGEMENT
11 COMPANY AND LATER ENDED UP JOINING JEFF FLORES. AND AS HENRY --
12 HENRY LEFT, JOHN TRIED TO TAKE HIS PLACE AND TRIED TO HAVE THE
13 SAME TYPE OF INTERACTIONS WITH THE SWEETWATER FOLKS; HOWEVER, IT
14 NEVER -- THE -- THEY NEVER HAD CHEMISTRY AND THEY DIDN'T -- THEY
15 DIDN'T TAKE TO HIM AS THEY DID TO HENRY.

16 Q. ARE YOU AWARE OF WHETHER OR NOT MR. KEEFER WOULD
17 ENTERTAIN SWEETWATER OFFICIALS WITH THE FREQUENCY THAT
18 MR. AMIGABLE FORMERLY DID?

19 A. HE WOULDN'T, BUT I THINK IT WAS BECAUSE THEY DIDN'T
20 GIVE HIM A CHANCE. IT WASN'T BECAUSE OF LACK OF WANT OR TRYING.

21 Q. DID ANY SWEETWATER OFFICIAL EVER COMMENT TO YOU
22 DIRECTLY ABOUT MR. KEEFER OR WHY THEY DIDN'T TAKE TO HIM?

23 A. UM, THEY DID. UM, I MENTIONED VERY -- I DON'T KNOW.
24 IT WAS A BACK EAST PERSONALITY OR EAST COAST. THEY TREATED HIM
25 AS AN OUTSIDER, I THINK. IT WAS APPARENT THAT THEY WEREN'T TOO
26 WARM AND FUZZY TO HIM. AND IN MANY CASES HE CAME TO ME AND SAID
27 "HOW CAN I GET IN WITH THEM" AND "HOW CAN I INTERACT WITH THEM
28 MORE." AND AT A COUPLE OF EVENTS THAT WE CO-SPONSORED, I MADE

1 SURE THAT HE SAT -- HIS TABLE SAT WITH CERTAIN BOARD MEMBERS TO
2 ESTABLISH THAT RELATIONSHIP, BUT IT DIDN'T WORK.

3 Q. WHEN HE CAME TO YOU FOR ADVICE ON HOW TO IMPROVE HIS
4 RELATIONSHIP TO INDIVIDUALS, DID YOU SUGGEST THAT HE TAKE THEM TO
5 DINNERS OR ENTERTAIN THEM?

6 A. HE KNEW THAT, BEING AROUND HENRY.

7 Q. LET ME ASK YOU THIS BECAUSE YOU WERE TALKING EARLIER IN
8 CONNECTION WITH THE NAPA VALLEY TRIP THAT THERE WAS SOME TENSION
9 WITH GILBANE: WAS IT -- DID SGI HAVE A REAL STRONG DESIRE FOR
10 GILBANE AND KEEFER TO HAVE A STRONG RELATIONSHIP WITH THE TWO
11 OTHER OFFICIALS OR WAS IT BETTER FOR SGI THAT GILBANE WAS
12 EFFECTIVELY KIND OF SHUT OUT?

13 A. WHAT I WAS INTERESTED IN WAS MAINTAINING OUR
14 RELATIONSHIP WITH THEM. AND AS FAR AS I WAS CONCERNED, WE WERE
15 STILL A JOINT VENTURE AND WE WERE STILL THERE. AND THERE WAS A
16 CONCERTED EFFORT IN JOINTLY SPONSORED EVENTS THAT HE HAVE A SHARE
17 OF BOARD MEMBERS AT HIS TABLE TO CREATE THAT RELATIONSHIP.

18 Q. I GUESS IT APPEARS IN THE EMAIL -- BACK TO OUR EARLIER
19 DISCUSSION WITH THE BOARD NOT NECESSARILY TAKING TO MR. KEEFER.
20 THIS EMAIL SUGGESTS THEY WEREN'T NECESSARILY AFRAID TO TAKE
21 GILBANE AND KEEFER UP FOR FURTHER CONTRIBUTIONS EVEN IF THEY
22 DIDN'T LIKE HIM?

23 A. THAT'S CORRECT.

24 Q. THIS IS PAGE 35758. IT SHOWS AN INVITATION FROM THE
25 SOUTHWESTERN COMMUNITY COLLEGE DISTRICT. RECEPTION FOR
26 MS. HERNANDEZ, MR. NADER, AND TERRI VALLADOLID. WAS SGI INVOLVED
27 IN THIS EVENT?

28 A. I DON'T BELIEVE SO.

1 Q. GO OVER A COUPLE CHARGES ON PAGE 11542. CREDIT CARD
2 STATEMENT, JULY OF 2009. THERE'S A COUPLE HERE. BNI BUILDING
3 NEWS, THERE'S A \$1,000. IS THAT SWEETWATER RELATED OR IS THAT
4 BUSINESS?

5 A. THAT'S FOR OUR BUSINESS WITH SWEETWATER. IT WAS, I
6 BELIEVE, SOME COST ESTIMATING BOOKS THAT WE PURCHASED.

7 Q. THE NEXT PAGE, 11543, THERE'S A FEW HIGH-DOLLAR
8 CHARGES. JOHN SEBASTIAN?

9 A. THAT WAS WITH GREG AND HIS WIFE, AND MYSELF AND MY
10 WIFE.

11 Q. WHAT WAS THAT EVENT?

12 A. IT WAS A CONCERT AT SAN DIEGO STATE.

13 Q. THERE'S THE -- SO THE 657 REPRESENTS THE COST OF FOUR
14 TICKETS?

15 A. YES.

16 Q. DO YOU REMEMBER IF ALL OF YOU SAT IN THE SAME PLACE?

17 A. YES.

18 Q. I SEE AZTEC SHOPS CONCESSIONS. ARE THOSE RELATED TO
19 THE SAME CONCERT EVENT?

20 A. YES. THOSE ARE PROBABLY DRINKS.

21 Q. DID ALL FOUR OF YOU HAVE A DRINK OR SO?

22 A. PROBABLY.

23 Q. DID YOU GET ANY REIMBURSEMENT FOR THIS?

24 A. NO.

25 Q. IF WE ADD THIS UP, 67 PLUS 67, 724. SPLIT FOUR WAYS,
26 \$181.

27 ON JULY 18 OR 19, THE \$500 GREEN BUILD COUNCIL, IS THAT A
28 DONATION OR SGI --

1 A. WE PROBABLY BOUGHT SOME BOOKS, AS WELL, FROM U.S. GREEN
2 BUILD COUNCIL.

3 Q. FOR SGI'S OWN PURPOSES?

4 A. FOR THE DISTRICT'S -- FOR OUR WORK AT THE DISTRICT.

5 MR. LUDWIG: THIS IS QUESTION --

6 ARE WE ON 108 NOW?

7 GRAND JURY SECRETARY: 109.

8 BY MR. LUDWIG:

9 Q. FROM JUROR 13. "THERE HAVE BEEN SEVERAL FLORES CHARGES
10 ON THE CREDIT CARD STATEMENTS. ANY RELATED TO SWEETWATER?"

11 A. ALL OF THEM. WHEN -- THE DISTRICT HAD A MONTHLY
12 CALENDAR THAT THEY DISTRIBUTED TO ALL THE EMPLOYEES AND ALL THE
13 EMPLOYEES AT THE DISTRICT OFFICE. AND IT HIGHLIGHTED WHOSE
14 BIRTHDAY WAS WHICH DATE, AND AS A MATTER OF PRACTICE -- THOUGHT
15 IT A GOOD IDEA AT THE TIME, THAT WHEN MY ASSISTANT WOULD BRING
16 THAT CALENDAR TO ME, AND WHOEVER WE INTERACTED WITH AT THE
17 DISTRICT, WHETHER IT BE ASSISTANTS OR DIRECTORS OR ANYBODY THAT
18 WE HAD DIRECT INTERACTION WITH, WE'D SEND THEM FLOWERS FOR THEIR
19 BIRTHDAY. I THOUGHT IT WAS A NICE GESTURE.

20 Q. ANYONE FROM SUPERINTENDENT AND BOARD MEMBER ALL THE WAY
21 DOWN TO SECRETARIES?

22 A. YES. IT WAS JUST BUILDING GOODWILL, AND NICE.

23 Q. AS YOU ARE LOOKING AT THIS, THE BALANCE OF THE CHARGES,
24 DOES ANYTHING ELSE STAND OUT TO YOU IN YOUR MIND AS TO SWEETWATER
25 OFFICIAL RELATED EVENTS?

26 A. PROBABLY THE LOU & MICKEY'S, BUT I DON'T REMEMBER WHO.

27 Q. DO YOU REMEMBER PROVIDING SOME SCHOLARSHIP MONEY FOR
28 ARLIE RICASA'S DAUGHTER, NATALIE BAGAPORO?

1 A. YES, I DO.

2 Q. PAGE 5417, AN EMAIL DATED JULY 10, '09. WHAT WAS THE
3 CIRCUMSTANCES THAT GAVE RISE TO THIS DONATION?

4 A. I BELIEVE THE REQUEST WAS DIRECTLY TO RENÉ. I DON'T
5 BELIEVE THAT CAME THROUGH ME.

6 Q. HOW ABOUT THE ASIAN HERITAGE AWARDS BANQUET FOR THE
7 GATEWAY MUSEUM. THIS IS PAGE 41737. HERE IS AN EMAIL, DATED
8 JULY 17TH, FROM MS. SMITH THAT INCLUDES A NUMBER OF RECIPIENTS
9 INCLUDING YOURSELF, THE SUPERINTENDENT, MR. SANDOVAL, AND
10 MS. RICASA.

11 A. I DID ATTEND THAT.

12 Q. DID SGI PAY FOR THE TABLE THERE?

13 A. WELL, I WOULD HAVE THOUGHT SO BUT IT SAYS THAT GILBANE
14 WAS SPONSORING IT, SO I'M NOT SURE. I MIGHT HAVE GONE ON
15 GILBANE'S TABLE, UNLESS YOU SEE DIFFERENTLY. OH, THIS WASN'T IT.

16 Q. THIS WAS PAGE 11575.

17 A. THIS IS FOR NATALIE.

18 Q. THIS IS THE EXPENSE CLAIM FOR MS. BAGAPORO?

19 A. YES.

20 Q. HERE ON PAGE 37439 --

21 A. THAT WAS THE CONCERT WITH GREG.

22 Q. OKAY. THIS IS IT. OKAY.

23 A. I DON'T HAVE A STAR GUN.

24 Q. YEAH. ANOTHER CREDIT CARD STATEMENT, 11544, AUGUST
25 OF '09. IT'S A FEW CHARGES HERE. DONOVAN'S ON AUGUST 1ST FOR
26 \$616.

27 A. I DON'T REMEMBER WHO THAT WAS WITH.

28 Q. THE PETCO RESTAURANT CHARGE FOR 244 ON AUGUST 7TH.

1 A. PROBABLY SWEETWATER FOLKS, BUT I DON'T REMEMBER WHO.
2 Q. ARE THESE SEATS FOR MR. SANDOVAL?
3 A. YES.
4 Q. NOW, DID HE TAKE A GUEST?
5 A. I WOULD ASSUME SO, YES.
6 Q. WAS THE PRICE AS LISTED ON THE FACE VALUE, \$40 --
7 A. YES.
8 Q. -- OR WAS IT MORE? NO REIMBURSEMENT I TAKE IT?
9 A. CORRECT.
10 Q. BACK HERE ON YOUR CREDIT CARD STATEMENT -- THE GAME WAS
11 ON THE 1ST, AS THE TICKET SAYS.
12 A. PROBABLY THE SAME GAME.
13 Q. DONOVAN'S WAS ON THE 1ST?
14 A. I WOULD ASSUME THAT IT'S WITH GREG.
15 Q. CAN YOU RECALL WITH ANY CERTAINTY?
16 A. WELL, IF I WENT TO THE GAME WITH HIM AND THAT'S THE
17 SAME DINNER, THE SAME NIGHT --
18 Q. WERE THERE THREE OF YOU THERE, OR FOUR?
19 A. WE HAD FOUR TICKETS.
20 Q. OKAY.
21 A. SO IT WAS PROBABLY FOUR OF US.
22 Q. AND ALL FOUR HAD CIGARS, DO YOU THINK?
23 A. THAT'S A DIFFERENT DAY.
24 Q. HOW ABOUT THE PETCO CONCESSIONS FOR \$52, THAT'S THE
25 SAME DAY?
26 A. YES.
27 Q. DID YOU GO TO -- STRIKE THAT.
28 513 PLUS 62 PLUS 65, 141 PLUS THE \$40 PRICE OF THE TICKET.

1 DOES THAT SOUND ABOUT RIGHT?

2 A. YES.

3 Q. THERE'S AN EMAIL A COUPLE DAYS LATER, A CALENDAR, ON
4 PAGE 5424. IT'S MR. FLORES'S APPOINTMENT REMINDER. IT'S "DINNER
5 WITH JESUS, JAIME - DECIDED TO G OUT," FOR AUGUST 4TH. THERE'S
6 NO ENTRY IN YOUR EXPENSE CREDIT CARD STATEMENT FOR THE 4TH. BUT
7 ON PAGE 5425 THERE'S AN EMAIL HERE FROM MR. FLORES TO YOU DATED
8 AUGUST 5TH, THE FOLLOWING DAY -- YOU ARE KIND OF SMILING. DO YOU
9 REMEMBER THIS EXCHANGE OF THE DINNER?

10 A. UM, I DO. I REMEMBER THAT EMAIL.

11 Q. IT SAYS, "SANDOVAL CALLED ME THIS MORNING. WHY DID I
12 GET HIS SUP DRUNK? THAT'S WHY HE CAME IN LATE."

13 DO YOU REMEMBER BEING OUT LATE WITH DR. GANDARA ON THE 4TH?

14 A. I DON'T. DOES IT SAY WHERE?

15 Q. I DON'T HAVE A CHARGE ON YOUR CREDIT CARD THAT I SEE
16 FOR AUGUST 4TH. HERE'S PAGE 1546. MORE CREDIT CARD STATEMENTS
17 FROM AUGUST THROUGH SEPTEMBER OF '09. A COUPLE ENTRIES ON HERE,
18 KIND OF HIGH DOLLAR AMOUNTS. 410 FOR FRIDA'S ON SEPTEMBER 11TH.
19 AND THEN 456, SEPTEMBER 15TH, AT FRIDA'S. LOTS OF FRIDA'S
20 CHARGES. ANY OF THOSE STAND OUT TO YOU?

21 A. NOT SPECIFICALLY, NO.

22 Q. WHILE WE'RE DISCUSSING KIND OF BEHIND THE SCENES HERE,
23 THERE WAS AN EMAIL, 18076. IT'S DATED AUGUST 28TH, '09, FROM
24 MR. SANDOVAL TO YOU. AND THEN IT REFERENCES "GO TO A PLAY ON
25 SUNDAY. PLEASE ORDER TWO TICKETS." IF WE GO BACK TO YOUR CREDIT
26 CARD STATEMENT, ON 11546, THERE'S SOME CHARGES ON THE 28TH AT
27 NICOS AND ALSO AT ANTHONY'S CHULA VISTA.

28 ANY OF THOSE AMOUNTS RELATE TO YOU AS FAR AS A DINNER WITH

1 MR. SANDOVAL AFTER A PLAY?

2 A. WAS IT ON THE SAME DAY?

3 MR. SCHORR: I'M GOING TO JUMP IN HERE REAL QUICK
4 BECAUSE -- IT'S MY FAULT THAT I'M GETTING IN ERIC'S WAY HERE.
5 THAT'S A DIFFERENT DATE. SO THE 8/28 WAS THE DATE OF THE EMAIL,
6 WHICH ALSO IS THE DATE OF THE NICOS DINNER. THE PLAY WOULD BE ON
7 8/30, WHICH WOULD BE TWO DAYS LATER ON THAT SUNDAY.

8 SO THE QUESTION -- AGAIN, I'M JUST BEING OVER EAGER, JUMPING
9 AHEAD OF MYSELF, WAS WHETHER OR NOT YOU HAD DINNER THAT NIGHT OR
10 WHETHER OR NOT YOU RECALL GOING TO THE PLAY ON SUNDAY, AND, IF
11 SO, WHAT THE PLAY WOULD HAVE BEEN, A SUNDAY PLAY.

12 THE WITNESS: I DON'T REMEMBER IF I HAD DINNER THAT NIGHT
13 WITH GREG. I REALLY DON'T REMEMBER WHAT THE PLAY WAS. IT MIGHT
14 SAY ON MY CREDIT CARD STATEMENT.

15 MR. LUDWIG: SO FAR WE HAVEN'T SEEN THAT. IT'S LUNCH. LOOK
16 AT THAT. SAVED BY THE BELL.

17 MADAM FOREPERSON WILL TELL YOU YOU ARE STILL ADMONISHED.

18 GRAND JURY FOREPERSON: YOU ARE REMINDED THAT YOU ARE STILL
19 ADMONISHED.

20 (LUNCH RECESS.)

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1 SAN DIEGO, CALIFORNIA; THURSDAY, NOVEMBER 29, 2012; 1:04 P.M.

2 * * *

3 P R O C E E D I N G S

4 * * *

5 MR. SCHORR: MR. SECRETARY -- WE'RE BACK ON THE RECORD.

6 GRAND JURY SECRETARY: WE HAVE ALL 16 GRAND JURORS PRESENT.

7 MR. SCHORR: ERIC IS GOING TO BE CONTINUING ON.

8 UNFORTUNATELY, AS WE TALKED ABOUT, AT TIMES SOME OF US CAN'T BE
9 HERE AT ALL TIMES. MS. SCOTT HAS SOMETHING SHE HAS TO -- ANOTHER
10 THING SHE IS INVOLVED IN THIS AFTERNOON. SO WE HAVE ABOUT
11 40 MINUTES TO MAKE SURE THAT I'M UP TO SPEED ON THIS VIEWER
12 ISSUE.

13 GRAND JUROR NO. 16: I CAN RUN IT BY NOW. YOU HAVE THE
14 HIGHLIGHT BUTTON, YOU HAVE THE ZOOM-IN BUTTON.

15 MR. SCHORR: WE'LL PROCEED --

16 GRAND JUROR NO. 13: LET US KNOW IF YOU NEED HELP.

17 MR. SCHORR: YEAH, WE WILL SEE HOW WE ARE DOING.

18 THE WITNESS: TOUGH CROWD.

19 GRAND JUROR NO. 13: WE'RE GETTING WORSE.

20 BY MR. LUDWIG:

21 Q. ALRIGHTY THEN. MEANWHILE, HERE WE ARE.

22 MR. ORTIZ, YOU BECAME INVOLVED WITH SGI RESPONDING TO AN RFP
23 AT SOUTHWESTERN. I'LL PULL THE EMAIL UP FOR YOU AND WE CAN TALK
24 ABOUT IT. IT'S 5433. AND THIS IS AN EMAIL TO YOU BY MR. FLORES,
25 SEPTEMBER 8TH. DOES THIS RING A BELL?

26 A. YES.

27 Q. TELL US ABOUT THE PROCESS THAT LED UP TO THIS EMAIL, AS
28 FAR AS THE SOUTHWESTERN RFP.

1 A. I DON'T RECALL EXACTLY THE PROCESS, BUT THEY ISSUED A
2 RFP FOR PROGRAM MANAGEMENT SERVICES, TO MANAGE THEIR BOND
3 PROGRAM. AND I KNEW THAT HENRY WAS COURTING THEM VERY
4 AGGRESSIVELY AND --

5 Q. LET ME STOP YOU RIGHT THERE. WAS HENRY AT THIS POINT
6 WITH SCS AND JEFF FLORES?

7 A. I BELIEVE SO, YES. BUT HE HAD BEEN COURTING THEM FROM
8 EVEN WHEN HE WAS WITH GILBANE.

9 Q. SO THE PROGRAM MANAGEMENT, WOULD THAT ESSENTIALLY
10 ENTAIL THE SAME TYPES OF DUTIES AS SGI ALREADY PERFORMED WITH
11 SWEETWATER?

12 A. YES.

13 Q. WAS GILBANE, AT THIS POINT, OUT OF THE PICTURE WITH
14 SWEETWATER?

15 A. I DON'T RECALL.

16 Q. THERE'S A MESSAGE HERE -- A PORTION OF THE MESSAGE
17 TRAFFIC THAT MR. SCHORR HIGHLIGHTED FOR US HERE FROM MR. FLORES
18 TO YOU. IT'S DATED SEPTEMBER 8TH. "BONNY TOLD ME THAT WE NEED
19 TO GO THROUGH YORI, THAT JOHN LOVES HIM, YORI SAVED HIS ASS MANY
20 TIMES."

21 ANY IDEA WHO THESE PEOPLE ARE AND WHAT WE'RE TALKING ABOUT
22 HERE?

23 A. YES.

24 Q. OKAY.

25 A. BONNY GARCIA.

26 Q. COUNSEL FOR THE DISTRICT?

27 A. AND YURI CALDERÓN, WHO IS HIS PARTNER AND WAS GENERAL
28 COUNSEL FOR SOUTHWESTERN. I DON'T KNOW IF HE WAS STILL GENERAL

1 COUNSEL AT THE TIME.

2 Q. SO THE JOHN IN THERE, IS THAT JOHN MCCANN?

3 A. JOHN WILSON.

4 Q. OKAY. HAD YOU BEEN INVOLVED IN SETTING UP MEETINGS OR
5 HAVING ANY SOCIAL ENGAGEMENTS WITH ANY FOLKS AT SOUTHWESTERN?

6 A. THESE GROUPS -- SWEETWATER AND SOUTHWESTERN KIND OF RUN
7 IN THE SAME CIRCLES.

8 Q. SOME OF THE SWEETWATER BOARD MEMBERS WERE ALSO
9 EMPLOYEES OF SOUTHWESTERN; RIGHT?

10 A. RIGHT. RIGHT. SO IT'S ALL VERY INCESTUOUS. BUT AS
11 FAR AS SOUTHWESTERN, I HAD MET JOHN WILSON A COUPLE TIMES AT
12 DIFFERENT GALAS. WE HAD PARTICIPATED AT AN EVENT FOR THE
13 SOUTHWESTERN SCHOLARSHIP FOUNDATION. I FORGET THEIR NAME. BUT
14 IT DIDN'T -- I DIDN'T THINK WE HAD MUCH CHANCE AT GETTING IT.

15 Q. WHAT WAS THAT CONTRACT WORTH; DO YOU RECALL?

16 A. I DON'T KNOW.

17 Q. UM, I'LL SWITCH OVER TO ANOTHER EMAIL HERE, 39137.
18 IT'S A SERIES OF MESSAGES WITH SANDI SMITH TO MR. QUIÑONES
19 CONCERNING INVITATION TO A -- I THINK YOU ARE ON HERE, AREN'T
20 YOU? CONCERNING A HELICOPTER RIDE.

21 A. UH-HUH.

22 Q. WHAT IS HAPPENING HERE? WAS THERE A HELICOPTER RIDE
23 WITH THE BOARD MEMBERS?

24 A. YES. TURNER CONSTRUCTION WAS MANAGING ONE OF OUR
25 PROJECTS AND THEY RENTED A HELICOPTER ONCE A MONTH, I BELIEVE,
26 AND TOURED TO TAKE AERIAL PHOTOGRAPHS OF THE CONSTRUCTION SITE.
27 AND THEY OFFERED IF WE WANTED TO TAKE A TOUR OF NOT ONLY THEIR
28 CONSTRUCTION SITE, YOU KNOW, SINCE I THINK THEY WERE RENTED PER

1 HOUR OR SOMETHING LIKE THAT -- AND IF THEY WANTED TO TAKE A TOUR
2 OF THE OTHER CONSTRUCTION SITES THAT PROP O WAS DOING. SO WE
3 OFFERED THE INVITATION TO THE BOARD MEMBERS AND WE DID TAKE THAT
4 TOUR.

5 Q. FROM THIS MESSAGE IT APPEARS THAT MS. QUIÑONES ACCEPTED
6 AN INVITATION. WHO ELSE FROM THE BOARD OR OFFICIALS WENT ON THE
7 RIDE?

8 A. IT WAS THE SUPERINTENDENT, ARLIE, KARL BRADLEY, MYSELF,
9 THE REPRESENTATIVE FROM TURNER, AND PEARL, I GUESS.

10 Q. AND THIS WAS SOMETHING THAT I THINK YOU MENTIONED
11 BEFORE; TURNER CONSTRUCTION PAID FOR THE SERVICES OF THE
12 HELICOPTER?

13 A. YES.

14 Q. DID SGI HAVE TO REIMBURSE TURNER AT ALL?

15 A. NO.

16 Q. DO YOU REMEMBER THE COST TO RENT THE HELICOPTER?

17 A. I HAVE NO IDEA. AND THIS WASN'T SUBMITTED FOR ANY TYPE
18 OF REIMBURSEMENT BY THE DISTRICT.

19 Q. WAS THE NOTION TO GO ON A HELICOPTER RIDE, IS THAT
20 SOMETHING THAT SGI OR YOU THOUGHT OF AND EXTENDED TO THE BOARD OR
21 DID SOMEONE FROM THE BOARD OR THE SUPERINTENDENT REQUEST --

22 A. THEY DIDN'T KNOW ABOUT IT. I THINK IT WAS MY IDEA IN
23 CONVERSATIONS WITH JAMIE FROM TURNER. HE SAID THAT -- HE OFFERED
24 AN INVITATION AND SAID THEY DID IT ONCE A MONTH TO TAKE
25 HISTORICAL AERIAL PHOTOGRAPHS OF THEIR DIFFERENT CONSTRUCTION
26 SITES AND SAID THAT IF WE WANTED TO GO HE WOULD LOVE TO TAKE US
27 UP.

28 Q. DID YOU EVER GO ON A HELICOPTER RIDE WITH OFFICIALS

1 FROM OTHER DISTRICTS IN YOUR PREVIOUS POSITIONS?

2 A. NO.

3 Q. OKAY. WAS THERE ANYTHING UNUSUAL TO YOU ABOUT THE
4 NOTION OF TAKING THE SWEETWATER OFFICIALS UP ON A HELICOPTER
5 RIDE?

6 A. I THINK IT WAS REALLY INTERESTING. AND AT THE TIME
7 SINCE THEY ALREADY WENT THROUGH THE COST OF RENTING OUT THE
8 HELICOPTER TO DO THAT ANYWAY, I THOUGHT IT WAS A GOOD
9 PERSPECTIVE. AND WE DID LOOK AT ALL OF THE NINE CONSTRUCTION
10 SITES WITH THE PEOPLE THERE.

11 Q. I'M SORRY. I INTERRUPTED YOU. SORRY ABOUT THAT. IS
12 THERE ANYTHING ABOUT ANY OF THE SITES THAT MADE A PORTION OR THE
13 SITE AS A WHOLE INACCESSIBLE BY THE GROUND?

14 A. NO, BUT IT'S A DIFFERENT PERSPECTIVE THAT YOU GET FROM
15 THE AIR. YOU'RE ABLE TO VISUALIZE IT DIFFERENTLY, SEE THE
16 STRUCTURE MORE WHOLISTICALLY. AND ARE ABLE TO EXPLAIN DIFFERENT
17 SCOPES OF WORK TO THE BOARD. YOU COULD HAVE STILL DONE THAT ON
18 THE GROUND, OBVIOUSLY, BUT IT'S JUST A DIFFERENT EXPERIENCE.

19 Q. I HAVE ANOTHER ACCOUNT STATEMENT FROM YOUR SGI CARD.
20 THIS COVERS OCTOBER OF '09. THERE'S JUST A COUPLE CHARGES ON
21 HERE THAT SEEM TO STAND OUT. THERE'S A \$700 BILL AT FLEMMING'S
22 ON OCTOBER 3RD, WITH \$24 ON THE 4TH. COULD CONCEIVABLY HAVE BEEN
23 LATER THE SAME EVENING. DO YOU REMEMBER THIS OCCASION AT
24 FLEMING'S?

25 A. NOT SPECIFICALLY.

26 Q. THE FRIDA'S CHARGE ON THE 8TH FOR \$250?

27 A. AGAIN, IT DOESN'T STAND OUT AS A HIGHLIGHT OF WHAT WE
28 DID.

1 Q. STUBHUB ON OCTOBER 4TH FOR \$101, TICKETS FOR SOMETHING?

2 A. YEAH. THEY ARE TICKETS AND -- BUT I DON'T KNOW FOR
3 WHAT.

4 Q. ANY OF THESE CHARGES STAND OUT TO YOU AS BEING
5 SWEETWATER RELATED?

6 A. WELL, MOST OF THEM ARE SWEETWATER RELATED.

7 Q. SWEETWATER OFFICIAL RELATED, I GUESS, ANYTHING THAT
8 PARTICULARLY STANDS OUT?

9 A. NO.

10 Q. I HAVE HERE ON PAGE 1078 AN EMAIL FROM OCTOBER 9TH FROM
11 MS. QUIÑONES TO YOU. DO YOU REMEMBER GETTING THIS ONE?

12 A. I DO.

13 Q. COSTUME PARTY FUNDRAISER FOR MS. QUIÑONES. DID YOU
14 ATTEND?

15 A. I DON'T BELIEVE SO.

16 Q. DO YOU RECALL IF YOU OR SGI SENT A DONATION INSTEAD?

17 A. I -- WE DIDN'T NECESSARILY SEND DONATIONS FOR THAT. IT
18 WAS JUST A GENERAL ONE.

19 Q. THIS IS A CALENDAR APPOINTMENT FROM MR. FLORES'S
20 OUTLOOK AND IT SHOWS -- IT SAYS "LUNCH," BUT THE START TIME IS
21 LATER IN THE DAY. IT CONCERNS A GET-TOGETHER WITH POSSIBLY
22 BERTHA LÓPEZ, ARLIE RICASA, AND YOURSELF ON OCTOBER 15TH. IT'S
23 EL VITRAL. THIS IS PAGE NO. 5461.

24 DO YOU REMEMBER HAVING A LUNCH OR DINNER AROUND THAT TIME?

25 A. NOT SPECIFICALLY, BUT THAT DOESN'T MEAN THAT IT DIDN'T
26 HAPPEN.

27 Q. OKAY. NOW, ABOUT A BIRTHDAY GOLF TOURNAMENT EVENT.
28 THIS IS A MESSAGE ON PAGE 5467, OCTOBER 27TH. "HAPPY BIRTH

1 DATE."

2 A. THAT'S MY BIRTHDAY ON THAT DATE.

3 Q. WE JUST MISSED IT. HAPPY BIRTHDAY.

4 A. THANKS.

5 Q. AND ABOVE IT IS A RESPONSE FROM YOU TO MR. FLORES
6 CONCERNING A GOLF TOURNAMENT SPONSORSHIP, REFERENCE TO HENRY --
7 POSSIBLY HENRY AMIGABLE AND THE LOGO.

8 DID YOU OR SGI SPONSOR THAT GOLF TOURNAMENT?

9 A. YES. THAT'S THE MARIACHI SCHOLARSHIP GOLF TOURNAMENT.

10 Q. OKAY. THERE'S MORE OF THE SAME EMAIL TRAFFIC FROM THE
11 PRECEDING PAGE, 5466. THERE'S A REFERENCE TO JESUS --

12 GRAND JUROR NO. 16: CAN YOU MAKE SURE YOU GET WHO IT'S
13 FROM -- TO AND FROM?

14 MR. LUDWIG: SORRY.

15 MR. SCHORR: THANK YOU.

16 MR. LUDWIG: YOU'VE BEEN CALLED OUT.

17 MR. SCHORR: THAT WAS LEON SCHORR THAT HE'S SPEAKING TO.
18 SORRY.

19 BY MR. LUDWIG:

20 Q. SO HERE'S A REFERENCE TO JESUS. I ASSUME IT'S JESUS
21 GANDARA. AND ABOVE IT THERE'S A NOTATION FOR ED BAGAPORO.

22 DO YOU RECALL WHICH BOARD MEMBERS -- I ASSUME MR. GANDARA,
23 MS. RICASA, ANYONE ELSE YOU CAN THINK OF THAT PLAYED IN THE
24 TOURNAMENT?

25 A. UM, ARLIE DIDN'T PLAY IN THE TOURNAMENT. ED PLAYED IN
26 MY PORTION. AND I THINK IT WAS LANCE AND JOHN KEEFER.

27 Q. WHERE DID YOU PLAY AS FAR AS THE GOLF TOURNAMENT?

28 A. SALT CREEK.

1 Q. DID SGI PAY FOR EVERYONE OR DID SCS PAY?

2 A. NO, SCS DIDN'T PARTICIPATE. WE HAD A SPONSORSHIP. WE
3 SPONSORED -- WE HAD ONE OF THE SPONSORSHIPS THAT THE GOLF
4 TOURNAMENT HAD.

5 Q. DO YOU RECALL THE COST OF THAT OUTING?

6 A. WELL, THE COST FOR THE SPONSORSHIP WAS -- WAS SOMETHING
7 LIKE \$5,000 OR SO. MIGHT BE A LITTLE BIT MORE, BUT IN THAT
8 RANGE. WITH THAT SPONSORSHIP WE GOT A FOURSOME.

9 Q. THERE'S AN EMAIL HERE ON PAGE 35470. WE'LL TALK MORE
10 ABOUT THIS SHORTLY. BUT IT'S FROM MS. SMITH, IT APPEARS TO GO
11 OUT TO ALL BOARD MEMBERS AND THE SUPERINTENDENT CONCERNING AN
12 INVITATION EXTENDED THROUGH YOU FROM SGI TO THE HOLIDAY PARTY.
13 DO YOU REMEMBER THIS?

14 A. YES, IT WAS FOR THE CSBA HOLIDAY PARTY.

15 Q. THE MESSAGE INCLUDES MS. RICASA, MS. QUIÑONES,
16 MR. SANDOVAL, MR. CARTMILL, MS. LÓPEZ, AND DR. GANDARA. DO YOU
17 RECALL, DID THEY ALL ATTEND THE PARTY?

18 A. I THINK MOST OF THEM ATTENDED. I DON'T RECALL
19 SPECIFICALLY WHICH ONES.

20 Q. IT WAS AT EL VITRAL; RIGHT?

21 A. YES.

22 Q. WERE YOU THERE?

23 A. YES.

24 Q. SO LET'S PUT UP -- WE'LL START WITH 12054 AND THEN
25 12055, 12056, AND 12057.

26 GRAND JURY NO. 15: YOU HAVE TWO OF THE SAME.

27 MR. SCHORR: WHAT WAS THE LAST ONE?

28 MR. LUDWIG: 12057.

1 BY MR. LUDWIG:

2 Q. WAS THIS FOUR-PAGE DOCUMENT THE RECEIPT FOR THAT NIGHT
3 AT EL VITRAL?

4 A. YES.

5 Q. WERE ALL THE BOARD MEMBERS, AS FAR AS YOU -- WERE ALL
6 THE SWEETWATER OFFICIALS WHO ATTENDED EFFECTIVELY CONSUMING THE
7 SAME AMOUNT OF FOOD AND DRINK?

8 A. I THINK SO, YES.

9 Q. MR. SCHORR IS PUTTING UP PORTIONS OF THAT RECEIPT.

10 A. THERE WERE JUST TWO PEOPLE THERE.

11 Q. TWO PEOPLE THERE. THEY WERE REALLY THIRSTY.

12 A. THAT WAS A JOKE. THAT WAS A JOKE.

13 Q. WE DISCUSSED SOME OF THESE RECEIPTS WITH MR. FLORES SO
14 WE WON'T GO INTO TOO MUCH DETAIL.

15 GRAND JUROR NO. 13: LEON, WHAT IS THE TOTAL?

16 BY MR. LUDWIG:

17 Q. WHILE WE'RE TALKING ABOUT TOTALS HERE, THERE WAS IN
18 ADDITION TO THIS \$5,000 CHARGE, THIS DOCUMENT HERE, 120 -- WELL,
19 12060 IS ANOTHER RECEIPT, THAT SAME DATE AND LOCATION, FOR AN
20 ADDITIONAL 870.

21 WAS THERE A SECOND ROUND OF DRINKS OR SOMETHING LIKE THAT?

22 A. NO. THAT WAS FOR -- WE HAD A MARIACHI BAND PLAYING AT
23 THE EVENT.

24 Q. OKAY.

25 A. AND WE DIDN'T HAVE CASH TO PAY THEM. SO THE RESTAURANT
26 GAVE US THIS AMOUNT OF CASH TO HAND TO THEM FOR THE MARIACHI.

27 Q. SO HERE'S QUESTION 111, JUROR 13. THE RECEIPT SAYS 12
28 PEOPLE. IS THAT ACCURATE?

1 A. NO, THAT'S NOT ACCURATE. THERE WERE 40, 50 PEOPLE
2 THERE.

3 Q. THERE'S A CREDIT CARD SLIP. THIS COVERS THE END OF THE
4 YEAR OF '09. I'LL BLOW UP SOME OF THE CHARGES. THERE'S A COUPLE
5 INCLUDING THE 247 AT RUTH'S CHRIS. THAT'S IN THE PASADENA AREA.
6 THERE'S A QUALCOMM CHARGE.

7 DOES ANYTHING RING A BELL FOR YOU THERE?

8 A. UM, THE QUALCOMM IS PROBABLY THE CHARGERS.

9 Q. OKAY. DO YOU RECALL IF ANY SWEETWATER OFFICIAL
10 ATTENDED WITH YOU?

11 A. I'M SURE THEY DID. I DON'T REMEMBER WHO.

12 Q. ALL RIGHT. THAT WAS PAGE 11565. THE NEXT PAGE IS
13 11566. WE'LL HAVE SOME CHARGES HERE. THERE'S A WINE BANK CHARGE
14 FOR JUST UNDER \$1,300 ON DECEMBER 16TH, '09.

15 DO YOU KNOW WHAT THIS INVOLVES?

16 A. IT'S A PURCHASE OF WINE FOR THE CHRISTMAS GIFTS,
17 SIMILAR TO THE PREVIOUS YEAR.

18 Q. THE YEAR BEFORE WAS AT BEV MO?

19 A. YEAH.

20 Q. GOT IT. DID SOME BOARD MEMBERS RECEIVE ANY OF THE
21 WINE?

22 A. YES.

23 Q. DO YOU REMEMBER IF THE SUPERINTENDENT ALSO RECEIVED
24 SOME WINE?

25 A. UH-HUH. YES. SORRY.

26 Q. DID HE INDICATE HE WAS RUNNING LOW FROM HIS STASH?

27 A. HE DID NOT.

28 Q. SO, MR. ORTIZ, YOU TALKED EARLIER THIS MORNING ABOUT --

1 WE HAVE AN EMAIL UP HERE. DO WE NEED TO BLOW THAT UP FOR YOU,
2 MR. ORTIZ? IT'S PAGE 35032?

3 A. NO, THAT'S FINE.

4 Q. IT'S FROM MR. FLORES, AND YOU WERE -- THE FOLLOWING
5 PAGE, WHICH IS THE FIRST YOU WERE COPIED ON THIS MESSAGE OR
6 FORWARDED BY MR. FLORES. THE TOPIC IS HECTOR.

7 DOES THIS RELATE TO WHAT YOU WERE DISCUSSING EARLIER WITH A
8 CONTRACTOR FRIEND OF MR. SANDOVAL NOT GETTING PAID?

9 A. YES.

10 Q. AND THEN MR. SANDOVAL TRYING TO GET YOU FIRED?

11 A. YES.

12 Q. OKAY. SO THE DISCUSSION HERE FROM MR. FLORES TO
13 MR. SANDOVAL INDICATES THAT THERE WAS SOME BILLING PROBLEMS WITH
14 HECTOR'S COMPANY AND HOW THEY WERE DOING BUSINESS, WHICH EXPLAINS
15 THE LACK OF PAYMENT. IS THAT THE CASE?

16 A. YES.

17 Q. DID YOU HAVE A DISCUSSION WITH MR. SANDOVAL CONCERNING
18 THOSE ISSUES WITH THE DEFECTIVE BILLING FROM HECTOR'S COMPANY
19 BEING THE REASON WHY HE WASN'T GETTING PAID?

20 A. I WOULD ASSUME SO. I DON'T REMEMBER EXACTLY THE
21 CONVERSATION BUT I WOULD ASSUME THAT I DID. AND WHEN HE DIDN'T
22 GET THE SATISFACTORY ANSWER, HE WOULD GO TO RENÉ.

23 Q. AS FAR AS YOU KNOW, WAS MR. SANDOVAL EVER SATISFIED
24 WITH THE EXPLANATION AS TO WHY IN SGI'S OPINION IT WAS HECTOR'S
25 ISSUE, HECTOR'S RESPONSIBILITY --

26 A. I DIDN'T GET THE IMPRESSION THAT HE WAS SATISFIED.

27 Q. DID YOU EVER FEEL THAT YOUR JOB WAS IN JEOPARDY BECAUSE
28 OF THIS?

1 A. NOT MY JOB WITH SGI, BUT WITH THE DISTRICT. I THINK
2 HAD IT BEEN LEFT UP TO GREG, IT WOULD BE. AND ULTIMATELY, WHEN I
3 WAS QUESTIONED, I WOULD SHOW ALL THE PAPERWORK THAT WE HAD AND
4 THE REASONS WHY WE COULDN'T PAY HIM, AND IT WAS IRREFUTABLE, THE
5 ACTIONS THAT WE WERE TAKING.

6 Q. THAT WAS OF NO CONSEQUENCE TO MR. SANDOVAL?

7 A. NO.

8 Q. DID YOU REMIND HIM HE WAS STILL TRYING TO UNDERMINE
9 YOU?

10 A. I THINK THAT WAS A SIDE CONSEQUENCE. I THINK HE WAS
11 TRYING TO GET HAR PAID.

12 Q. THAT'S RIGHT, IT WAS HAR CONSTRUCTION.

13 A. YES.

14 Q. NOW, IT'S HECTOR ROMERO; RIGHT?

15 A. YES.

16 Q. IS HE THE INDIVIDUAL WHO -- AGAINST WHOM YOU HAD TO
17 EVENTUALLY SECURE A RESTRAINING ORDER?

18 A. YES.

19 Q. THERE'S AN EMAIL HERE I PUT UP -- MR. SCHORR PUT IT UP
20 FOR US. PAGE NO. 406. "GREG, WE TO DISCUSS HAR'S PAYMENTS
21 APPLICATIONS." THIS SEEMS TO BE FROM MR. ROMERO TO YOU AND
22 EVERYBODY ELSE. DO YOU REMEMBER THIS MESSAGE?

23 A. YES.

24 Q. "JAIME, THANK YOU FOR SETTING UP THE MEETING. PLEASE
25 BE AWARE THAT MY MAIN PURPOSE OF REQUESTING THIS MEETING WITH
26 MR. FLORES IS TO CLEAR ALL THE ANIMOSITY AND ILL FEELING YOU HAVE
27 DISPLAYED TOWARDS MYSELF AND ALSO TO CLEAR THE FALSE ACCUSATION
28 RAISED BY YOU THAT I VERBALLY THREATENED YOUR LIFE."

1 WHAT WAS HAPPENING HERE? IT SOUNDS PRETTY SERIOUS.

2 A. I THOUGHT IT WAS. I RECEIVED A CALL FROM HIM -- IT'S
3 KIND OF TWO SEPARATE INCIDENCES WHERE HE THREATENED ME. THE
4 FIRST ONE WAS WHEN HE WASN'T GETTING PAID AND WE GOT A CALL FROM
5 HIM. HE WAS IN MIAMI, I BELIEVE. I HAD PREVIOUSLY TALKED TO
6 LORETO, HIS BROTHER, ABOUT THE SAME SITUATION AND I EXPLAINED THE
7 DIFFERENT ITEMS THAT THEY WERE FAULTY ON IN THEIR PAYMENT
8 APPLICATION. AND I TOLD HIM AS SOON AS I GET IT, WE'LL EXPEDITE
9 THE PAYMENT OF IT, BUT EVERYTHING NEEDS TO BE CORRECT. AND HE
10 WAS CLEARLY VERY FRUSTRATED. AND THERE'S EMAILS THAT I HAVE THAT
11 I SPECIFICALLY OUTLINED THE DAY AFTER AND THE DAY OF WHAT
12 HAPPENED.

13 HE MENTIONED THAT WE WERE BOTH LATINOS OR MEXICANS AND THIS
14 ISN'T HOW WE DO BUSINESS. HE MENTIONED THAT THERE WERE CERTAIN
15 UNWRITTEN RULES THAT WE FOLLOW. AND I SAID THE ONLY RULES THAT
16 WE FOLLOW ARE THOSE IN THE PUBLIC CONTRACT CODE AND THOSE OF THE
17 STATE OF CALIFORNIA. WE'RE NOT FOLLOWING ANY OTHER RULES. AND
18 HE SAID THAT IN TIJUANA AND IN CHULA VISTA THERE ARE CERTAIN
19 UNWRITTEN RULES. AND I SAID, "I DON'T KNOW THOSE RULES." AND HE
20 SAID, "YOU WILL. YOU WILL." AND HE SAID IT IN A WAY THAT I TOOK
21 IT VERY THREATENING.

22 AND AT THAT TIME THERE WAS -- THAT WEEK THERE WAS A LOT
23 OF -- IN THE NEWS ABOUT -- IN TIJUANA THERE WAS A LOT OF
24 KIDNAPPINGS AND PEOPLE WERE FOUND BEHEADED AND STUFF LIKE THAT.
25 SO I DON'T KNOW IF I WAS OVER SENSITIVE BUT I MADE THAT DIRECT
26 LINK.

27 Q. DO YOU TRAVEL DOWN THERE AT ALL?

28 A. I DO. I HAVE FAMILY DOWN THERE. SO I MADE A POLICE

1 REPORT OF THAT CONVERSATION. AND I LET THE SUPERINTENDENT KNOW
2 AND OUR LEGAL COUNSEL AND SUCH. THAT WAS THE FIRST INCIDENT.

3 AND AFTER THAT, THE SUPERINTENDENT SAID THAT I AM NO LONGER
4 TO HAVE ANY INTERACTION WITH HECTOR ROMERO OR HAR CONSTRUCTION
5 AND THAT EVERYTHING WAS GOING TO BE DONE THROUGH KARL BRADLEY,
6 SAID THE SUPERINTENDENT. SO HE KIND OF TOOK ME OUT OF THE
7 EQUATION FOR THAT, FOR THOSE TWO PROJECTS, AS FAR AS INTERACTION
8 WITH HAR CONSTRUCTION.

9 PREVIOUS TO THAT -- I HAD ANOTHER MEETING PREVIOUS TO THAT
10 CONVERSATION AT HECTOR'S OFFICE WHERE I WAS BROUGHT IN, AND HE
11 WANTED TO APOLOGIZE, APPARENTLY. BUT HE ENDED UP THREATENING.
12 IT WAS A LONG CONVERSATION. BUT HE ENDED UP ESSENTIALLY, TELLING
13 ME WHAT I NEEDED TO DO IN ORDER TO PAY HIM, AND I WALKED OUT.

14 Q. IS THERE A SECOND INCIDENT?

15 A. THERE IS. DO YOU WANT ME TO CONTINUE?

16 Q. I THINK WE'RE GOING TO PAUSE HERE AND PICK THAT UP A
17 LITTLE BIT LATER.

18 A. OKAY.

19 MR. LUDWIG: I HAVE QUESTION NO. 111. IS THAT RIGHT?

20 GRAND JURY SECRETARY: YES.

21 BY MR. LUDWIG:

22 Q. THIS IS JUROR NO. 17. IT'S NOT SO MUCH ADDRESSED TO
23 YOU BUT TO THE COUNSEL TABLE. "IS THERE A COPY OF THE
24 RESTRAINING ORDER TO MR. ROMERO FROM MR. ORTIZ IN EVIDENCE?" AND
25 THE ANSWER IS NO.

26 MR. SCHORR: I DON'T KNOW THAT THAT'S ACCURATE. WELL, IN
27 EVIDENCE, IN FRONT OF YOU, THERE IS NOT.

28 GRAND JUROR NO. 17: I MEAN IN OUR BOOK HERE.

1 MR. SCHORR: IF YOU ARE REQUESTING TO SEE A COPY OF THE
2 RESTRAINING ORDER, WE'LL SEE WHETHER OR NOT THAT'S SOMETHING THAT
3 CAN BE PROVIDED.

4 GRAND JUROR NO. 17: THANK YOU.

5 THE WITNESS: AND JUST TO CLARIFY, THE RESTRAINING ORDER
6 WASN'T IN THAT EVENT. IT WAS IN THE SECOND EVENT.

7 BY MR. LUDWIG:

8 Q. RIGHT. I THINK THAT'S WHY WE'LL TALK ABOUT THAT IN A
9 LITTLE BIT. IT COMES LATER IN TIME; RIGHT?

10 A. YES.

11 Q. LET'S LOOK AT SOME OF THESE TRANSACTIONS ON THIS CREDIT
12 CARD STATEMENT ON PAGE 11372. THIS IS DECEMBER '09 AND JANUARY
13 OF 2010. THERE'S A NUMBER OF HIGH-DOLLAR CHARGES IN EARLY
14 JANUARY, TICKET CHARGES IN MID-JANUARY.

15 DO YOU RECALL WHAT IS HAPPENING HERE? I THINK WE CAN GO
16 ACTUALLY, TO THE NEXT PAGE IN MY BOOK, 11329. THERE'S AN EMAIL
17 FROM YOU TO ROAN PASION. I THINK THAT'S A DIFFERENT DATE.

18 MR. SCHORR: THAT'S A DIFFERENT DATE.

19 BY MR. LUDWIG:

20 Q. THE EMAIL REFERENCES DINNER AND CHARGER TICKETS. DO
21 YOU RECALL THAT CHARGER GAME?

22 A. I DO.

23 Q. NOW, THE EMAIL HERE DESCRIBES A DINNER AT FLEMING'S
24 WITH SCOTT BUXBAUM AND HIS WIFE, YOUR WIFE, AND YOURSELF. DID
25 ANY SWEETWATER OFFICIAL ATTEND THAT DINNER?

26 A. NOT AT THAT DINNER, NO.

27 Q. HOW WERE THE CHARGER TICKETS?

28 A. IT WAS FOR A PLAYOFF GAME, I BELIEVE.

1 Q. DID THAT INVOLVE THE BUXBAUMS?

2 A. NO. IT WAS IN FEBRUARY, I BELIEVE.

3 Q. THERE'S ANOTHER CHARGE. I'LL PUT ALL THE CHARGES UP.

4 A. I BELIEVE THIS WAS A PLAYOFF GAME FOR THE CHARGERS, AND
5 I PURCHASED TICKETS FOR THE DIFFERENT BOARD MEMBERS AND THE
6 SUPERINTENDENT.

7 Q. SO NOW, EVEN THOUGH THE CHARGES -- NOT TO BE CONFUSED
8 WITH THE "CHARGERS" -- EVEN THOUGH THE CHARGES REFLECT DIFFERENT
9 DATES THROUGHOUT JANUARY, DO YOU BELIEVE THIS WAS ALL IN
10 CONNECTION WITH THE SAME GAME?

11 A. IT WAS, BECAUSE THE FIRST I BOUGHT I BOUGHT ON THE SAME
12 DAY, I BELIEVE.

13 Q. THIS IS WHEN THE CHARGERS WERE GOOD?

14 A. WERE GOOD, YES. AND SO I BOUGHT DIFFERENT TICKETS.
15 AND THE TICKETS THAT I GAVE TO GREG APPARENTLY WEREN'T GOOD
16 ENOUGH SO I HAD TO BUY BETTER TICKETS, WHICH IS THE LAST CHARGE.

17 Q. OKAY. SO DESCRIBE HOW YOU LEARNED THE TICKETS WEREN'T
18 GOOD ENOUGH.

19 A. PARDON ME?

20 Q. DESCRIBE THE CIRCUMSTANCES SURROUNDING WHERE YOU
21 LEARNED, UNFORTUNATELY, THE TICKETS JUST WEREN'T GOOD ENOUGH.

22 A. HE EITHER EMAILED ME OR CALLED ME, AND I REMEMBER HIS
23 PHRASE PERFECTLY. HE SAID, "IS THIS THE BEST YOU COULD DO?" AND
24 I WAS DUMBFOUNDED. AND BECAUSE IT WAS FOR HIM, HIS WIFE AND, I
25 THINK, DAUGHTER AND BOYFRIEND, OR SOMETHING LIKE THAT, AND I
26 DON'T KNOW IF -- YOU GUYS SHOULD HAVE THE EMAIL IF IT WAS IN
27 EMAIL FORM, BUT IT COULD HAVE BEEN A PHONE CALL. AND HE SAID,
28 "IS THIS THE BEST YOU CAN DO?"

1 Q. WHERE WERE THE ORIGINAL TICKETS THAT HE --

2 A. THEY WEREN'T GREAT. THEY WERE IN THE UPPER RESERVE. I
3 FORGET WHAT THE SECTION WAS, BUT IT WAS UP THERE.

4 Q. AND DO YOU REMEMBER WHAT YOU ENDED UP PAYING FOR THOSE?

5 A. PARDON ME?

6 Q. WE HAVE AMOUNTS HERE THAT ARE CHARGED. THE FIRST
7 PURCHASE -- I GUESS, IF YOU CAN DETERMINE FOR US HERE WHICH
8 CHARGES RELATE TO THE FIRST BATCH OF TICKETS AND WHICH RELATE TO
9 THE SECOND BATCH OF TICKETS AND HOW MANY TICKETS WERE PURCHASED
10 IN EACH TRANSACTION.

11 A. I DON'T REMEMBER THE AMOUNT OF TICKETS IN EACH
12 TRANSACTION. I BELIEVE THAT THEY WERE -- THERE WERE THREE
13 DIFFERENT TRANSACTIONS, OR FOUR, I GUESS, BECAUSE THEY WERE IN
14 DIFFERENT SPOTS. I COULDN'T GET THE AMOUNT OF TICKETS I NEEDED
15 IN THE SAME PLACE. AND I WOULD ASSUME THAT THE TICKETS FOR GREG
16 WOULD HAVE BEEN THE 395 ONES.

17 Q. OKAY. WE'RE LOOKING AT A SEQUENCE HERE. THERE'S A
18 CHARGE ON THE 15TH AND A CHARGE ON THE 16TH FOR AROUND \$680 EACH.
19 SO THOSE COME LATER IN TIME FROM THE JANUARY 8TH PURCHASES OF
20 TICKETS?

21 A. YES.

22 Q. SO DO YOU BELIEVE NOW, SEEING THIS, THAT THE 15TH AND
23 THE 16TH CHARGES WERE THE SECOND BATCH OF SANDOVAL TICKETS?

24 A. I THINK ONLY ONE OF THEM WAS THE SECOND BATCH OF
25 SANDOVAL TICKETS.

26 Q. WHO WOULD HAVE BEEN -- RECEIVED THE BALANCE OF THE
27 TICKETS?

28 A. I BELIEVE THE REST OF THE BOARD, THE SUPERINTENDENT AND

1 HIS WIFE -- I WANT TO SAY THE REST OF THE BOARD MEMBERS.

2 Q. DID THEY EACH ATTEND AND DID THEY EACH BRING A GUEST?

3 A. YES.

4 Q. MR. SANDOVAL BROUGHT THREE GUESTS; IS THAT RIGHT? HIS
5 WIFE, HIS DAUGHTER, AND HIS DAUGHTER'S BOYFRIEND?

6 A. YES.

7 Q. DID ANY -- DO YOU RECALL ANY OTHER BOARD MEMBER OR THE
8 SUPERINTENDENT BRINGING MORE THAN ONE GUEST?

9 A. I DON'T BELIEVE SO.

10 Q. DID THE FIRST BATCH OF UNACCEPTABLE TICKETS WITH
11 SANDOVAL GO UNUSED OR WERE THOSE GIVEN TO OTHER BOARD MEMBERS?

12 A. I DON'T RECALL WHO I GAVE THEM -- THEY WEREN'T UNUSED.
13 I MIGHT HAVE DISTRIBUTED THEM TO OTHER ADMINISTRATORS WITHIN THE
14 DISTRICT.

15 Q. OKAY. SO DO YOU -- WOULD IT BE THE 395 CHARGE THAT
16 WOULD BE THE ONES THAT WERE UNUSED?

17 A. WELL, THAT WERE ORIGINALLY FOR THE SANDOVALS.

18 Q. OKAY. IF WE TAKE THAT \$400 CHARGE OUT AND ADD UP THE
19 OTHER THREE CHARGES, DOES THAT GET US THE TOTAL OF TICKETS
20 PURCHASED FOR THE BOARD MEMBERS AND THEIR GUESTS THAT DAY?

21 A. YES, AND FOR MYSELF.

22 Q. OKAY.

23 A. I DON'T REMEMBER IF MY TICKET WAS INCLUDED IN THERE
24 BECAUSE I HAD SEASON TICKETS ON MY OWN THAT YEAR.

25 Q. LET'S ADD UP THE TOTAL DOLLAR FIGURES AND THEN WE'LL
26 TRY TO COME TO AN ESTIMATION AS TO THE NUMBER OF ATTENDEES. WE
27 TAKE 786, PLUS 1,126, PLUS 683, PLUS 688. THAT'S 3,283. WOULD
28 YOU SAY DIVIDED BY 12, MAYBE? IS THAT TOO MANY, 12 ATTENDEES?

1 A. YEAH. I THINK IT MIGHT -- YEAH, WE HAD A LOT OF PEOPLE
2 BECAUSE GREG HAD FOUR.

3 Q. SO THE SANDOVALS WERE ABSOLUTELY THERE; RIGHT?

4 A. YES.

5 Q. THE GANDARAS ABSOLUTELY THERE?

6 A. YES.

7 Q. THAT WOULD BE JESUS AND JENNIE?

8 A. YES.

9 Q. HOW ABOUT MS. RICASA?

10 A. I BELIEVE SO, YES.

11 Q. WITH BAGAPORO?

12 A. YES.

13 Q. SO THE SANDOVALS HAD FOUR, WE HAVE THE RICASAS.
14 MS. LÓPEZ?

15 A. I DON'T KNOW IF SHE WENT, BUT I THINK JIM WENT AND
16 CINDY.

17 Q. JIM CARTMILL?

18 A. YES.

19 Q. HIS WIFE. SO TEN. HOW ABOUT MS. QUIÑONES?

20 A. YES, AND SHE PROBABLY WENT WITH ERICK.

21 Q. THAT'S A DEFINITE YES FOR MS. QUIÑONES?

22 A. YES.

23 Q. MAYBE WITH HER SON?

24 A. MAYBE WITH HER SON AND HIS WIFE.

25 Q. SO WE'RE AT 12, 13?

26 A. AND THAT'S WITHOUT US; RIGHT?

27 Q. THAT'S WITHOUT YOU. SO IF WE GO -- LET'S SAY 15.
28 THAT'S STILL A PER PERSON AVERAGE OF ABOUT 219.

1 MR. SCHORR: WHY DON'T WE PUT 150 PER PERSON. AND THEN YOU
2 GUYS WHEN GOING THROUGH IT LATER ON WILL MAKE THE DETERMINATION
3 WHETHER YOU BELIEVE THE PERSON WAS OR WAS NOT THERE TO MAKE THE
4 CALCULATIONS THAT GO WITH IT, IF IT'S RELEVANT. LET ME TAKE ONE
5 SECOND.

6 THE WITNESS: THE OTHER FOLKS'S CALENDAR MIGHT CORROBORATE
7 WHETHER THEY --

8 BY MR. LUDWIG:

9 Q. I'M SORRY?

10 A. THE OTHER CALENDARS MIGHT CORROBORATE WHETHER THEY WERE
11 THERE OR NOT.

12 Q. UNFORTUNATELY, WE HAVE LIMITED ADDITIONAL INFORMATION.
13 WE MAY HAVE A FEW. WE'RE TRYING TO PIECE THIS TOGETHER.

14 BACK ON THIS WHILE MR. SCHORR IS GOING TO BRING UP THE
15 CALCULATIONS. ANY OTHER CHARGES ON HERE YOU RECOGNIZE INVOLVING
16 SWEETWATER OFFICIALS?

17 A. THERE'S A CHARGE FOR VONS THERE. I DON'T SEE IT THERE,
18 BUT THAT WAS FOR THE TAILGATE THAT WE DID.

19 Q. THAT IS ON THE NEXT PAGE. WOULD THAT BE THE \$231
20 CHARGE?

21 A. YES.

22 Q. DID THE SAME FOLKS WHO ATTENDED THE GAME ATTEND THE
23 TAILGATE?

24 A. NO. THEY WERE EXTENDED AN INVITATION BUT NOT ALL OF
25 THEM SHOWED UP.

26 Q. WE'VE GOT 5548 UP. IT'S A CALENDAR ENTRY FOR YOU AT
27 DINNER AT ISLAND PRIME ON FEBRUARY 1ST.

28 DO YOU REMEMBER THIS, THIS MEAL?

1 A. NOT -- I REMEMBER GOING THERE BUT I DON'T REMEMBER WHO
2 I WAS WITH AT THIS PARTICULAR DATE.

3 Q. HERE'S ANOTHER ONE. A DIFFERENT DATE. MAYBE YOU MAY
4 REMEMBER IF YOU ATTENDED THIS ONE. IT'S PAGE 5549. IT'S FROM
5 MR. FLORES'S OUTLOOK CALENDAR NOTING A DINNER ON FEBRUARY 11TH
6 WITH JAIME BONILLA, BERTHA LÓPEZ, BONNY GARCIA, AND RENÉ FLORES.

7 A. I THINK THIS WAS AT JAIME'S HOUSE, WASN'T IT? I WASN'T
8 THERE.

9 Q. ANOTHER ACCOUNT STATEMENT FOR YOU. THIS IS FEBRUARY,
10 MARCH 2010. THERE'S A \$661 FLEMING'S DINNER ON FEBRUARY 27TH.

11 DO YOU REMEMBER THIS EVENT?

12 A. WELL, IT LOOKS LIKE WE WENT TO FLEMING'S AND THEN TO A
13 PLAY, I GUESS. I'M ASSUMING THAT WAS WITH THE SANDOVALS. IS
14 THAT THE ONE AT THE BOTTOM? I THINK THE PLAY WAS THE TICKET AT
15 THE BOTTOM.

16 MR. SCHORR: THANK YOU. YEAH.

17 BY MR. LUDWIG:

18 Q. THIS IS 37448. WAS THIS THE PLAY THAT YOU ATTENDED?

19 A. YES. THERE'S NO STAR ON THIS ONE.

20 Q. DINNER WITH MR. --

21 A. PARDON?

22 Q. SO WOULD IT BE THE CASE, THEN, YOU HAD DINNER WITH
23 MR. SANDOVAL?

24 A. I WOULD BELIEVE SO, YES.

25 Q. AND HIS WIFE?

26 A. YES.

27 Q. YOUR WIFE, AS WELL?

28 A. PROBABLY.

1 Q. DO YOU REMEMBER IF ANYONE ELSE WENT?

2 A. I DO NOT.

3 Q. OKAY. DO YOU THINK IT WAS LIKELY OR UNLIKELY THAT
4 SOMEONE ELSE ATTENDED?

5 A. I DON'T THINK ANYBODY ELSE ATTENDED.

6 Q. OKAY. NO ONE PAID YOU BACK FOR THESE TICKETS?

7 A. NO.

8 Q. 661 AND 182. \$843. DIVIDED BY FOUR. THAT'S 210 AND
9 CHANGE. ACTUALLY, LET ME TAKE THE TIP FIRST. THAT BRINGS THE
10 DINNER COST DOWN TO 550 PLUS THE 182, 732, DIVIDED BY FOUR, IS
11 183.

12 MR. ORTIZ, IS THIS WHAT WE'VE SHOWN ON THIS SCREEN, YOUR
13 CREDIT CARD STATEMENT, PAGE 11343, THE SAME STATEMENT THAT HAS
14 THE TICKETS AND DINNER? AS A FINAL ENTRY THERE'S A HANDWRITING
15 ANNOTATION "BERTHA LÓPEZ, MARCH 4TH, 2010." DOES THAT INDICATE A
16 PURCHASE OF FLOWERS FOR MS. LÓPEZ?

17 A. I WOULD BELIEVE SO, YES. AND, AGAIN, PART OF THAT
18 PRACTICE THAT WE HAD.

19 Q. OKAY. WE'LL MAKE A NOTE OF THAT, FOR \$136.46. LET'S
20 TAKE A LOOK AT THIS HERE, PAGE 10535. DID YOU GET INVOLVED WITH
21 RENEGOTIATING OR NEGOTIATING FOR THE EXTENSION, RENEWAL OF THE
22 SGI SWEETWATER CONTRACT?

23 A. YES.

24 Q. THERE'S AN EMAIL FROM YOU TO MR. FLORES ON THE 19TH OF
25 MARCH 2010. WAS THIS THE POINT IN TIME WHERE SGI WAS ATTEMPTING
26 TO TAKE EXCLUSIVE CONTROL OF THE PROJECT MANAGEMENT DUTIES FROM
27 GILBANE?

28 A. THE DISTRICT CAME TO US AND WANTED TO -- YES, THEY --

1 THEY WANTED TO SWITCH THE CONTRACT ONLY TO US AND THIS WAS -- WE
2 WERE NEGOTIATING THE TERMS OF A NEW CONTRACT.

3 Q. DO YOU REMEMBER WHO FROM THE DISTRICT CAME TO YOU OR TO
4 SGI OR WAS IT KIND OF A JOINT EFFORT?

5 A. I THINK IT WAS -- ORIGINALLY, WE TALKED WITH
6 DR. GANDARA. DR. GANDARA BROUGHT IT UP. BUT THE PEOPLE WHO WERE
7 EXECUTING THIS WAS KARL BRADLEY AND PAUL WOODS.

8 Q. DID ANYONE TELL YOU WHY THEY WANTED SGI EXCLUSIVELY TO
9 HAVE THE PROJECT MANAGEMENT JOB?

10 A. WE WERE ABLE TO SAVE ABOUT A MILLION DOLLARS VERSUS THE
11 PREVIOUS FEE THAT THE JOINT VENTURE HAD.

12 Q. THIS IS, AGAIN, A POINT IN TIME WHEN MR. AMIGABLE IS
13 LONG GONE FROM GILBANE --

14 A. CORRECT.

15 Q. -- AND JOHN KEEFER IS IN HIS PLACE?

16 A. CORRECT. THERE WAS A PERFORMANCE ISSUE AS WELL. THERE
17 WAS A SEXUAL HARASSMENT LAWSUIT, ONE OF GILBANE'S SENIOR PEOPLE
18 ON THE PROJECT WITH OUR SGI ASSISTANT, SO THAT HAD -- I'M
19 ASSUMING IT HAD SOMETHING TO DO WITH IT AS WELL.

20 Q. AROUND THIS TIME, IN MARCH OF 2010, ARE YOU DOING
21 ANYTHING DIFFERENT WITH REGARD TO YOUR PRACTICE OF ENTERTAINING
22 BOARD MEMBERS OR OFFICIALS? ARE YOU TAKING THEM OUT MORE OFTEN
23 OR LESS OFTEN?

24 A. NO, NOTHING DIFFERENT.

25 Q. MAINTAINING KIND OF BUSINESS AS USUAL WITH REGARD TO
26 DINNERS?

27 A. UH-HUH, YES.

28 Q. LET ME SHOW YOU A COUPLE TRANSACTIONS AND SEE IF THESE

1 JOG ANY MEMORIES. THIS IS PAGE 11336. JUST A COUPLE LARGE ITEMS
2 HERE. THERE'S AN ISLAND PRIME EXPENSE ON MARCH 29TH, FOR 265.
3 CANDELA'S APRIL 3RD, 2010, FOR 262. ANY OF THOSE INVOLVE
4 SWEETWATER OFFICIALS?

5 A. I'M ASSUMING THE FIRST ONE DID.

6 Q. I'M SORRY. WHAT WAS THAT?

7 A. WHAT YEAR IS THIS?

8 Q. THIS IS 2010. WHEN I SAY SWEETWATER OFFICIAL, I MEAN A
9 BOARD MEMBER OR THE SUPERINTENDENT.

10 A. I'M ASSUMING THE FIRST ONE. I CAN'T RECALL EXACTLY WHO
11 WENT.

12 Q. OKAY. WHO DO YOU SUSPECT WENT?

13 A. COULD HAVE BEEN WITH ARLIE BUT I'M NOT SURE.

14 Q. OKAY. ON THE NEXT PAGE, 11337, THERE'S SEVERAL
15 EXPENSES. FRIDA'S, AGAIN, FOR \$250. CMAA, WAS THAT A
16 REGISTRATION FEE?

17 A. THAT MAY HAVE BEEN THE AWARDS CEREMONY.

18 Q. OKAY. HOW ABOUT THE MARINE ROOM ON APRIL 10TH?

19 A. I BELIEVE THAT WAS WITH RENÉ.

20 Q. WAS IT MAYBE BERTHA LÓPEZ'S BIRTHDAY PARTY?

21 A. BIRTHDAY PARTY AT THE MARINE ROOM?

22 Q. BIRTHDAY DINNER?

23 A. IT COULD HAVE BEEN. I ALSO WENT WITH RENÉ.

24 Q. HOW ABOUT THE DONOVAN'S CHARGE FOR 458. THAT WOULD BE
25 ON APRIL 17TH.

26 A. THAT WAS BEFORE OR AFTER A PADRE GAME. I DON'T KNOW
27 WHO THAT WAS WITH, THOUGH.

28 Q. I GOT IT. SO THIS IS ON THE LEFT -- IT'S TWO DIFFERENT

1 DATES. LEFT IS APRIL 17TH. PADRES TICKET FACE VALUE \$44?

2 A. THAT WAS WITH GREG, I GUESS.

3 Q. WAS THE PRICE YOU PAID FACE VALUE? ARE THESE YOUR
4 SEASON TICKETS?

5 A. YES.

6 Q. WOULD IT HAVE BEEN YOU AND MRS. SANDOVAL AND
7 MRS. ORTIZ --

8 A. PROBABLY.

9 Q. -- AND GREG? ANYBODY ELSE?

10 A. NOT THAT I RECALL.

11 Q. ALL RIGHT. SO 458, TAKE OUT 20 PERCENT TIP. THAT'S
12 381 AND CHANGE FOR DINNER. PLUS \$88 DIVIDED BY FOUR. SO 425 PER
13 PERSON. THAT'S NOT RIGHT.

14 A. WHAT?

15 Q. I'LL DO IT ONE MORE TIME. I GOT A BAD FINGER THERE.

16 A. \$95 FOR DINNER PER PERSON, PLUS 44 FOR A TICKET, FOR
17 139.

18 MR. SCHORR: ARE YOU GOING TO THROW IN THE CONCESSIONS? OR
19 YOU'LL THROW IN THE CONCESSIONS. SO 139.

20 BY MR. LUDWIG:

21 Q. THERE'S A CHARGE FOR HARRY & DAVID'S ON APRIL 9TH.

22 A. BASKETS, GIFT BASKETS.

23 Q. YEAH. THERE'S AN EMAIL DATED THE 12TH. THIS IS
24 PAGE 18088. EMAIL FROM MONICA MCGOVERN TO YOU CONCERNING
25 HARRY & DAVID GIFT BASKET TO JIM CARTMILL.

26 A. I'M SURE IT WAS JIM'S BIRTHDAY.

27 Q. OKAY.

28 MR. SCHORR: IN CASE THE MARINE ROOM ON 4/10 COMES UP AT A

1 DIFFERENT POINT IN TIME -- I'M DRAWING YOUR ATTENTION TO IT FOR
2 521, MARINE ROOM FOR 4/10.

3 GRAND JUROR NO. 16: THERE WAS A SECOND HARRY & DAVID TOO.

4 GRAND JUROR NO. 13: THAT'S THE WRONG DATE. SHE'S ASKING ON
5 THE 12TH.

6 MR. SCHORR: TIFFANY.

7 GRAND JUROR NO. 13: 101.04.

8 THE WITNESS: I WOULD ASSUME THAT JIM'S IS 101.

9 MR. LUDWIG: YOU LET US KNOW IF YOU NEED ANYTHING ELSE.

10 MR. SCHORR: SO AS I INDICATED, MARINE ROOM IS 521.31 ON
11 4/10. JUST FOR NOTATIONS TO YOURSELVES.

12 BY MR. LUDWIG:

13 Q. I'LL SHOW YOU THIS EMAIL. IT'S PAGE 5583. IT IS DATED
14 APRIL 19, 2010. IS THIS WHEN THE CONTRACT WAS OFFICIALLY
15 AWARDED?

16 A. YES.

17 Q. AT THE BOTTOM OF IT IS FROM YOU TO MR. FLORES. "OUR
18 \$16 MILLION CONTRACT WAS APPROVED UNDER CONSENT. NOBODY EVEN
19 COMMENTED ON IT."

20 DID YOU ATTEND THE BOARD MEETING WHERE YOUR CONTRACT WAS
21 APPROVED.

22 A. I ATTENDED EVERY BOARD MEETING.

23 Q. SO THERE WAS NO DESCENSION OR DISCUSSION WHATSOEVER?

24 A. NO.

25 Q. THIS MESSAGE IS CONCERNING MARIACHI SCHOLARSHIP, 18091,
26 APRIL 27, 2010. THERE'S A NOTE FROM MR. FLORES TO ROSY FLORES
27 AND YOU AND CONNIE FLORES IN THE MIDDLE, "PLEASE SEND THE CHECK
28 FOR 250. THANKS."

1 IS THAT THE FULL CONTRIBUTION AT THIS TIME OR WAS THERE
2 LIKELY MORE.

3 A. THERE WAS MORE. THIS WAS SPECIFICALLY FOR THE GIFT
4 BASKETS THAT WERE AUCTIONED FOR THE SILENT AUCTION THAT IMELDA,
5 GREG'S WIFE, WAS TYPICALLY IN CHARGE OF GETTING TOGETHER.

6 Q. SO ON THIS SAME ISSUE, IT'S QUESTION NUMBER?

7 GRAND JURY SECRETARY: 112.

8 BY MR. LUDWIG:

9 Q. JUROR 16. WAS IT SURPRISING TO YOU THAT NOBODY
10 COMMENTED ON THE APPROVAL OF A \$16 MILLION CONTRACT?

11 A. IT WAS. AND I WAS REFERRING MORE TO THE PUBLIC
12 BECAUSE -- AND TO THE BOARD. BECAUSE THE PUBLIC ARE CONSTANTLY
13 PULLING DIFFERENT ITEMS. THE MEETINGS ARE PACKED AT SWEETWATER,
14 TRADITIONALLY. AND THERE'S 60 PEOPLE IN THE ROOM. AND THEY ARE
15 ALL UPSET ABOUT SOMETHING OR OTHER. AND SO IT WAS A LITTLE
16 SURPRISING THAT THIS CONTRACT WAS APPROVED AND NOBODY PULLED IT
17 OR ANYTHING.

18 MR. SCHORR: JUMP IN REAL QUICK. ON THAT CONTRACT, WAS
19 THERE TWO PARTS ON THE CONTRACT? ONE, THE AMENDMENT OF THE
20 ORIGINAL GILBANE/SGI CONTRACT IN ORDER TO REMOVE GILBANE FROM
21 THEIR TERM, AND THEN THE SECOND HALF BEING THE NEW CONTRACT WITH
22 SGI?

23 THE WITNESS: YES. THE FIRST -- THE ORIGINAL CONTRACT HAD A
24 NATURAL TERMINATION DATE OF JULY, I BELIEVE, OR SOMETHING LIKE
25 THAT. AND WHAT THIS CONTRACT -- THE AMENDMENT -- THE FIRST
26 AMENDMENT DID WAS MOVE THAT ORIGINAL TERMINATION DATE OR END DATE
27 OF THE CONTRACT UP TO MAY. SO THE CONTRACT NATURALLY EXPIRED.
28 AND THROUGH THAT AMENDMENT IT JUST EXPIRED. AND THE NEW CONTRACT

1 WAS TO PICK UP FROM THE NEXT DAY GOING FORWARD.

2 MR. SCHORR: SO GILBANE ISN'T ACTUALLY TERMINATED; THEIR
3 CONTRACT EXPIRES AND SGI IS ABLE TO GET IT?

4 THE WITNESS: CORRECT. AND THAT WAS AT GILBANE'S REQUEST.
5 BY MR. LUDWIG:

6 Q. WE JUST PUT UP, MR. ORTIZ, A DOCUMENT NUMBER 18093.
7 AND HIGHLIGHTED AT THE BOTTOM IS A SERIES OF EMAILS BETWEEN YOU
8 AND PAUL BEYL.

9 A. BEYL.

10 Q. WHO IS PAUL BEYL?

11 A. HE IS -- HE IS -- HIS FAMILY OWNS CQAG, WHICH IS AN
12 INSPECTION COMPANY THAT DOES WORK FOR THE DISTRICT.

13 Q. WAS IT MR. SANDOVAL OR ANYONE FROM THE BOARD THAT
14 ADVOCATED OR PUSHED FOR CQAG?

15 A. NO.

16 Q. HOW CLOSELY DID YOU WORK WITH MR. BEYL?

17 A. I BELIEVE THEY HAD -- THEY WERE THE INSPECTORS OF
18 RECORD ON TWO OF THE PROJECTS, I BELIEVE.

19 Q. OKAY. AS THE EMAIL REFERENCES, DID YOU GO TO DINNER
20 WITH MS. RICASA AND MR. BEYL?

21 A. YES.

22 Q. DID YOU GO TO FLEMING'S ON THE 11TH?

23 A. I WOULD ASSUME SO.

24 Q. DID YOU GET A BREAK FROM THE BILL THIS TIME?

25 A. I ACTUALLY THINK I PAID.

26 Q. DID YOU?

27 A. IS IT NOT ON MY CREDIT CARD BILL?

28 Q. THERE'S NO FLEMING'S REFERENCE ON THE 11TH. SO IS IT

1 POSSIBLE YOU USED A DIFFERENT CREDIT CARD?

2 A. NO.

3 Q. HERE'S QUESTION 112.

4 GRAND JURY SECRETARY: 113.

5 BY MR. LUDWIG:

6 Q. 113. THANK YOU. FROM JUROR NO. 19. "YOUR EMAIL SAYS
7 APPROVED UNDER CONSENT. DOES THAT MEAN THE \$16 MILLION WAS
8 BURIED UNDER OTHER ITEMS?"

9 A. I DON'T THINK THE PROPER TERM IS "BURIED." IF IT WAS
10 UNDER CONSENT, IT WAS APPROVED WITH OTHER ITEMS. I'M NOT SURE
11 THE CORRECT TERM IS "BURIED."

12 Q. YOU HAVE --

13 MR. SCHORR: THIS IS 18538 AND THAT DEALS WITH THE ITEM
14 NUMBER -- THE PROGRAM MANAGEMENT AGREEMENT. IT'S A CONSENT ITEM
15 THAT IS A LINE ITEM, SO IT'S DESCRIBED. IT'S NOT THAT IT'S NOT
16 DESCRIBED TO THE PUBLIC.

17 THE WITNESS: IT'S A SINGLE AGENDA ITEM THAT OUTLINES
18 EXACTLY WHAT THEY ARE APPROVING. AND IT'S PUBLISHED X NUMBER OF
19 DAYS AHEAD OF TIME ON THE WEBSITE.

20 BY MR. LUDWIG:

21 Q. THIS IS EMAIL NO. 18095, DATED MAY 2ND, 2010, FROM
22 MR. SANDOVAL TO YOU. MARIACHI EVENT TABLE FOR GREG. DID SGI BUY
23 A TABLE JUST FOR MR. SANDOVAL AND HIS GUESTS?

24 A. APPARENTLY, YES.

25 Q. WE'VE HEARD OF, OBVIOUSLY, GREG SANDOVAL AND IMELDA.
26 WHO WERE THE OTHER FOLKS LISTED HERE?

27 A. NORMA HERNANDEZ USE TO BE THE PRESIDENT OF SOUTHWESTERN
28 COLLEGE. SHE IS NOW A BOARD MEMBER. SHE WAS ALSO VERY CLOSE TO

1 GREG AND A SUPPORTER OF GREG. I DON'T KNOW WHO MARIA PERMAN IS.
2 JAIME SALAZAR AND ESTHER ARE ALSO VERY CLOSE FRIENDS OF GREG.
3 JAIME WORKS AT SOUTHWESTERN COLLEGE. AND I DON'T KNOW WHO THE
4 LAST COUPLE IS.

5 Q. JUST REAL QUICK, THIS IS A MESSAGE YOU WERE COPIED ON.
6 IT'S DOCUMENT NO. 5401, FROM MR. FLORES TO MR. SANDOVAL, RAMON M.
7 AND ESSENTIALLY, MR. FLORES IS RESCHEDULING A DINNER. HE SAYS,
8 "SORRY FOR THE LATE NOTICE BUT BOTH OF YOU KNOW WHEN YOU GUYS
9 CALL, WE JUMP." WAS THAT SORT OF THE ATTITUDE OF SGI --

10 A. ABSOLUTELY.

11 Q. -- TOWARDS THESE FOLKS?

12 A. I MEAN, AGAIN, THEY ARE YOUR CLIENT AND BOSSES AND THEY
13 CAN FIRE US AT ANY TIME.

14 Q. THERE WAS -- WHEN THERE WAS AN OCCASION LIKE THIS WHERE
15 YOU OR MR. FLORES HAD TO RESCHEDULE OR CANCEL A DINNER, HOW DID
16 THE BOARD MEMBERS AND THE SUPERINTENDENT TAKE IT?

17 A. THEY UNDERSTOOD. WE DIDN'T DO IT OFTEN. BUT THEY
18 UNDERSTOOD. I MEAN, I CANCELLED A FEW TIMES BECAUSE I HAD
19 PREVIOUS ENGAGEMENTS OR A FAMILY COMMITMENT AND THEY UNDERSTOOD.

20 Q. THIS IS ON THE CREDIT CARD STATEMENT, 11358. THIS
21 COVERS JUNE 2010. THE BERTRANDS AT MISTER A'S STANDS OUT ON
22 JUNE 2ND FOR \$863. DO YOU REMEMBER THAT DINNER?

23 A. I -- NOT THAT IT DIDN'T HAPPEN; I DON'T REMEMBER WHAT
24 IT WAS.

25 Q. THIS IS THE SECOND PAGE, 11359. A COUPLE CHARGES HERE.
26 THERE'S A FLEMING'S CHARGE FOR 242 ON THE 20TH. NICOS ON THE
27 25TH, FOR \$269. ANY RECOLLECTION OF THOSE?

28 A. NO.

1 Q. THERE'S AN EMAIL FROM MR. SANDOVAL AROUND THE SAME
2 TIME, ON JUNE 1ST. THIS IS PAGE 18100.

3 "HEY, THERE IS AN EVENT ON SATURDAY, JUNE 19TH, 2010. LOS
4 LOBOS ARE GOING TO PLAY. MANA'S, ON HIS WEBSITE. IF YOU ARE
5 ABLE TO GO. LET'S GO, GREG."

6 A. I DON'T BELIEVE I WENT TO THAT. I MIGHT HAVE BOUGHT
7 HIM TICKETS TO GO BUT I DIDN'T GO.

8 Q. THIS IS PAGE 18104. THIS IS MR. SANDOVAL'S RESPONSE.
9 HE DIDN'T GO EITHER.

10 A. APPARENTLY NOT. HE WAS UPSET ABOUT THAT.

11 Q. AND THEN YOUR RESPONSE ON 18105. THIS WAS ON
12 JUNE 20TH, THE DAY AFTER THE EVENT.

13 A. YEAH.

14 Q. BUT NOW -- SO DID YOU -- AS REFERENCED IN THE EMAIL,
15 YOU SAY NEXT FRIDAY JULIO IGLESIAS IS PLAYING AT THE DEL MAR
16 FAIR.

17 A. AFTER HIS COMMENT, I FELT I HAD TO MAKE IT UP TO HIM,
18 BUT I DON'T THINK WE WENT TO THAT EITHER.

19 Q. MAYBE HE'S MORE OF AN ENRIQUE IGLESIAS FAN.

20 A. I GUESS.

21 Q. WE'RE BACK TO 11359. THAT SAME EMAIL WHERE YOU HAVE TO
22 APOLOGIZE FOR MISSING LOS LOBOS, THERE'S A DINNER AT FLEMING'S
23 FOR \$242 ON THE 20TH OF JUNE.

24 IS IT POSSIBLE YOU WENT TO DINNER WITH MR. SANDOVAL TO MAKE
25 AMENDS?

26 A. IT'S POSSIBLE, SURE. I DON'T HAVE SPECIFIC
27 RECOLLECTION OF IT.

28 Q. OKAY.

1 MR. LUDWIG: OKAY. TIME OUT.

2 THE WITNESS: I NEED TO BE ADMONISHED. I'M HEREBY
3 ADMONISHED.

4 THE FOREPERSON: YOU ARE REMINDED THAT YOU ARE STILL
5 ADMONISHED.

6 THE WITNESS: I DON'T KNOW WHAT ADMONISHED MEANS.

7 MR. LUDWIG: ADVISED.

8 (RECESS.)

9 THE COURT: MR. SECRETARY, HOW ARE WE DOING?

10 THE WITNESS: WE HAVE ALL 16 GRAND JURORS PRESENT.

11 BY MR. LUDWIG:

12 Q. WELCOME BACK, MR. ORTIZ. I WANT TO BACK UP AS FAR AS
13 OUR CHRONOLOGY GOES. I'LL SHOW YOU ONE EMAIL HERE, 18010. IT
14 STARTS OUT AT THE BOTTOM -- THE SAME EMAIL WHERE MR. SANDOVAL IS
15 REQUESTING THE LOS LOBOS EVENT. IT APPEARS IN THE SAME BREATH
16 HE'S ALSO ASKING FOR TICKETS TO THE PADRES GAME.

17 A. HE'S LIKE THAT.

18 Q. IS THIS TYPICAL?

19 A. YES.

20 Q. THIS IS PAGE 18103. DID YOU GET THIS MESSAGE FROM
21 MS. RICASA?

22 A. CAN I SEE THE BOTTOM OF IT?

23 Q. JUST APPEARS TO BE YOUR DIGITAL SIGNATURE.

24 A. THAT'S FROM ME TO HER.

25 Q. THAT'S RIGHT. OKAY.

26 A. SHE WANTED PAUL'S CONTACT INFORMATION.

27 Q. DID SHE TELL YOU WHY?

28 A. I'M ASSUMING IT HAD SOMETHING TO DO WITH CAMPAIGN

1 DONATIONS.

2 Q. I'LL TEST YOUR TRANSLATION SKILLS, MR. ORTIZ.

3 A. OKAY.

4 Q. THIS IS PAGE 5641. IT'S AN EMAIL DATED JUNE 17, 2010.
5 DO YOU REMEMBER THIS MESSAGE?

6 A. I DO.

7 Q. FOR THE BENEFIT OF THOSE FOLKS WHO AREN'T SPANISH
8 SPEAKERS, WHAT IS HAPPENING HERE?

9 A. THIS IS DR. ZENDEJAS. HAS USED TO BE A SUPERINTENDENT
10 AT EASTSIDE UNION HIGH SCHOOL DISTRICT. SHE WAS OUT OF A JOB.
11 SHE ASKED IF I COULD SET UP A MEETING WITH ED JUST SO THEY CAN
12 MEET AND IN CASE ED KNOWS OF ANYTHING THAT WILL COME UP. SO HERE
13 I'M TELLING HERBERT THAT I TALKED TO BERTHA AND THAT SHE SAID
14 THAT SHE WOULD GO TO DINNER WITH HER TO GET TO KNOW HER BETTER
15 AND THAT SHE'S AVAILABLE JULY 1ST AT NIGHT, AND I WAS ASKING HER
16 IF SHE WAS AVAILABLE.

17 Q. DID THAT DINNER ULTIMATELY TAKE PLACE?

18 A. I DON'T BELIEVE IT DID, NO.

19 Q. HERE'S PAGE 18106, ANOTHER EMAIL FROM JIM CARTMILL TO
20 YOU. SUBJECT IS "FOR YOUR EYES ONLY."

21 A. SO THE JOKE'S ON HIM.

22 Q. WHAT IS GOING ON HERE?

23 A. HE WAS DRAFTING A LETTER TO SOLICIT CAMPAIGN DONATIONS
24 TO THE PROP O VENDORS AND HE WANTED ME TO REVIEW THAT LETTER TO
25 SEE IF IT MADE SENSE FOR THE CONTRACTORS.

26 Q. DO YOU KNOW WHY MR. CARTMILL SEEMED TO WANT TO ENSURE
27 SOME LEVEL OF PRIVACY OR SECRECY ON THIS?

28 A. I THINK HE DIDN'T WANT ME TO SHARE IT BECAUSE HE HADN'T

1 SENT IT OUT YET, I ASSUME.

2 Q. WE'VE PAGES 11363 AND 11364 UP ON DISPLAY. THIS COVERS
3 PART OF JUNE AND MOST OF JULY 2010. THERE'S A FEW CHARGES THAT
4 JUMP OUT, A JULY 2ND TRANSACTION AT THE FISH MARKET FOR \$200.

5 A. I DON'T RECALL WHO I WAS WITH.

6 Q. HOW ABOUT GEORGE'S AT THE COVE IN LA JOLLA ON JULY 11TH
7 FOR \$210?

8 A. UM, I DON'T REMEMBER. MAYBE MY CALENDAR WOULD SHED
9 SOME LIGHT.

10 Q. OKAY. BEFORE WE GET THERE, HOW ABOUT ISLAND PRIME FOR
11 479 ON THE 14TH?

12 A. I BELIEVE THAT WAS WITH ARLIE.

13 Q. ISLAND PRIME WAS WITH ARLIE RICASA?

14 A. YES.

15 Q. AND ANYBODY ELSE?

16 A. I BELIEVE THAT MYRNA AND JEFF MARSTON WERE THERE AS
17 WELL.

18 Q. WOULD ARLIE HAVE BROUGHT HER HUSBAND, MR. BAGAPORO?

19 A. TRADITIONALLY SHE WOULD HAVE, BUT I DON'T BELIEVE SHE
20 DID TO THIS ONE.

21 Q. HOW ABOUT ROXANNE SEWEEN (PHONETIC), DID SHE ATTEND?

22 A. NO.

23 Q. JUST THE FOUR OF YOU THEN?

24 A. YES.

25 Q. IF WE TAKE 479, TAKE OUT THE TIP, 20 PERCENT, WE'RE AT
26 399. BASICALLY A HUNDRED BUCKS PER PERSON. IS THAT ABOUT RIGHT?

27 A. YES.

28 Q. YOU WERE ABOUT TO SAY SOMETHING. BEFORE WE GET THERE,

1 THE OTHER FOLKS IN ATTENDANCE, DO YOU HAVE ANY RELATIONSHIP WITH
2 THEM?

3 A. THEY ARE SUBCONTRACTORS TO US.

4 Q. THEY WEREN'T GUESTS OF MS. RICASA?

5 A. NO.

6 Q. YOU WERE ABOUT TO SAY? I INTERRUPTED YOU.

7 A. THE BASIC URBAN KITCHEN. THAT WAS A STAFF MEETING THAT
8 I HAD.

9 Q. THIS IS -- ARE THOSE TICKETS --

10 A. YES.

11 Q. -- TO A CONCERT VENUE?

12 A. YES.

13 Q. DID SOMEONE GO WITH YOU THERE?

14 A. I BELIEVE IT WAS THE SANDOVALS.

15 Q. BOTH SANDOVALS OR DID THEY BRING ADDITIONAL GUESTS?

16 A. BOTH.

17 Q. AND YOUR WIFE AS WELL?

18 A. YES.

19 Q. SO WE HAVE HERE ON THE SCREEN --

20 A. DOESN'T HAVE MY NAME.

21 Q. -- 37452. WHAT IS THAT?

22 A. DOESN'T HAVE MY NAME.

23 Q. NO STAR?

24 A. NO STAR. MUST HAVE NOT BEEN A GOOD EVENT.

25 Q. YOU MUST HAVE SAID SOMETHING APPARENTLY WRONG.

26 SO LOOKS LIKE THE FACE VALUE IS 175 -- OH, THERE'S A SERVICE
27 CHARGE OF SIX -- ESSENTIALLY 200 BUCKS A PERSON. IS THAT ABOUT
28 RIGHT?

1 A. YEAH.

2 Q. THAT SHOWS JULY 16TH. WAS THERE A DINNER?

3 A. PROBABLY. NICOS.

4 Q. NICOS?

5 A. IS IT THE SAME DAY?

6 Q. IT'S THE DAY AFTER.

7 MR. SCHORR: YOU MENTIONED A COUPLE TIMES BEING ABLE TO
8 CHECK YOUR CALENDAR AND YOU'LL BE ABLE TO SEE. HOW DID YOU
9 MAINTAIN A CALENDAR? WHAT WAS YOUR CALENDAR THAT YOU MAINTAINED
10 FOR YOUR EVENTS?

11 THE WITNESS: OUTLOOK.

12 MR. SCHORR: IT WAS ALL OUTLOOK?

13 THE WITNESS: YEAH.

14 MR. SCHORR: IS THAT THROUGH YOUR COMPUTER, THROUGH A PHONE,
15 THROUGH --

16 THE WITNESS: THEY BOTH SYNC TOGETHER.

17 MR. SCHORR: WAS IT A BLACKBERRY THAT YOU WERE USING? WHAT
18 TYPE OF PHONE AT THE TIME?

19 THE WITNESS: PROBABLY A BLACKBERRY, YES.

20 MR. SCHORR: OKAY.

21 THE WITNESS: I JUST GOT THE IPHONE A YEAR AND A HALF AGO.

22 MR. SCHORR: OKAY. THANKS. SORRY.

23 BY MR. LUDWIG:

24 Q. ARE THERE ANY OTHER CHARGES THAT YOU RECOGNIZE ON THIS
25 THAT COINCIDE WITH SWEETWATER BOARD MEMBERS OR THE
26 SUPERINTENDENT?

27 A. THE CUBAN CIGAR FACTORY. I DON'T KNOW WHO.

28 Q. REAL QUICK BEFORE WE LEAVE THAT TOPIC, AN EMAIL, 18113,

1 ON MONDAY, JULY 12TH, TO YOU. "UPDATE. JAIME, ARE WE SET FOR
2 FRIDAY NIGHT?"

3 IS THIS THE CONCERT HE'S TALKING ABOUT?

4 A. IF THE DATES COINCIDE, IT PROBABLY IS.

5 Q. THERE'S A MESSAGE HERE ON 18114, ON JULY 21ST. THERE'S
6 DISCUSSIONS WITH MR. SANDOVAL. AND THE LATEST EMAIL IN TIME ON
7 THE 21ST CONCERNS TALKING TO ARLIE AND MR. HERNANDEZ.

8 DO YOU KNOW THIS EXCHANGE?

9 A. I DO.

10 Q. WAS MR. SANDOVAL REQUESTING HELP AND CONTRIBUTIONS FOR
11 MS. HERNANDEZ?

12 A. YES.

13 Q. HOW ABOUT MS. ARLIE RICASA? WAS THERE -- WAS THERE A
14 DIFFERENCE OF OPINION AMONG BOARD MEMBERS REGARDING WHETHER OR
15 NOT SGI SHOULD FINANCE MS. HERNANDEZ?

16 A. VERY MUCH SO.

17 Q. MIND EXPLAINING WHAT ELSE WAS GOING ON THERE WITH THAT?

18 A. IT GOES BACK TO THE WHOLE SOUTHWESTERN -- BOTH ARLIE
19 AND GREG -- ARLIE AT THE TIME WAS AN EMPLOYEE OF SOUTHWESTERN
20 COLLEGE AND GREG WAS NO LONGER AN EMPLOYEE OF SOUTHWESTERN
21 COLLEGE, BUT I BELIEVE THAT HIS IDEA OR HOPE WAS THAT IF NORMA
22 HERNANDEZ WAS ELECTED TO THE BOARD, SHE'D BE ABLE TO REINSTATE
23 HIM AS PRESIDENT OF THE COLLEGE. SO HE WAS VERY STRONGLY
24 ADVOCATING TO GET SUPPORT FOR NORMA HERNANDEZ.

25 ARLIE WAS A SITTING BOARD MEMBER AT SWEETWATER STILL. I
26 DON'T KNOW IF GREG WAS STILL ON THE BOARD AT THE TIME. SHE WAS A
27 BOARD MEMBER OF SWEETWATER AND WORKED AT SOUTHWESTERN COLLEGE AND
28 THE INCUMBENT AT SOUTHWESTERN COLLEGE, YOLANDA SALCIDO, WAS --

1 ARLIE SUPPORTED HER. SO WE HAD TO MAKE SURE THAT IT WAS KOSHER
2 FOR US TO GET INVOLVED OVER THERE AND WITH WHO. SO BECAUSE OF
3 THE POLITICS OF IT ALL, WE CHECKED WITH ARLIE BEFOREHAND AND SHE
4 SAID NOT TO DO IT.

5 MR. SCHORR: WAS THERE A POINT IN TIME YOU WERE ALLOWED TO
6 GO AHEAD AND SUPPORT MS. HERNANDEZ, IF YOU RECALL?

7 THE WITNESS: WELL, BEFORE SHE WAS RUNNING I MET HER SEVERAL
8 TIMES. I THINK SHE'S A NICE LADY. BUT ARLIE, AT THE BEGINNING
9 WHEN WE FIRST BROUGHT THIS UP TO HER, SHE TOLD US TO HOLD OFF AND
10 LET HER THINK ABOUT IT AND SO -- OH, SHE WAS WISHY-WASHY AT THE
11 BEGINNING AND ULTIMATELY LATER WHAT PRECIPITATED THAT EMAIL IS
12 THAT SHE TOLD US NO.

13 BY MR. LUDWIG:

14 Q. LET'S LOOK AT 18122, AN EMAIL FROM ROBERT HENSLEY TO
15 YOU, ON AUGUST 16, 2010. WHO IS ROBERT HENSLEY?

16 A. HE'S AN ARCHITECT WITH WLC ARCHITECTS.

17 Q. THE DINNER -- THERE'S REFERENCE IN HERE CONCERNING A
18 DINNER AT MORTON'S. DID THAT OCCUR?

19 A. YES.

20 Q. HERE'S A CALENDAR ITEM IN MR. FLORES'S OUTLOOK
21 APPOINTMENT REMINDERS CONCERNING LUNCH WITH MCCANN AND JAIME ON
22 AUGUST 18TH OR 19TH. DID YOU GO?

23 A. YES.

24 Q. THIS IS MR. FLORES'S CREDIT CARD STATEMENT THAT WE'LL
25 PULL UP. THIS IS PAGE 10899. IT'S A CHARGE ON THE 18TH,
26 CHEESECAKE FACTORY, FOR \$137. IS THIS THE SAME LUNCH?

27 A. YES.

28 Q. WHO ATTENDED -- ACTUALLY, THIS STREAM IS FOLLOWING

1 PAGE 10900. IT'S COPIED TWICE IN OUR SYSTEM SO THEY ARE
2 IDENTICAL. THIS IS -- YOU ANSWERED. I DIDN'T HEAR YOU BECAUSE I
3 WAS BLABBERING.

4 A. THE SAME ONE.

5 Q. THE THREE OF YOU ATTENDED?

6 A. YES.

7 Q. 37, TAKE OUT THE TIP. \$114 CHECK. THE CALCULATOR IS
8 DOWN.

9 A. ABOUT \$35 PER PERSON.

10 Q. 38, ACTUALLY.

11 MR. SCHORR: IT'S NOW DOWN AT 35.

12 MR. LUDWIG: JUST SAYING...

13 MR. SCHORR: DO YOU RECALL WHETHER OR NOT BERTHA LÓPEZ WAS
14 PRESENT FOR THAT LUNCH?

15 THE WITNESS: I THINK SHE WAS. I REMEMBER BECAUSE THAT
16 LUNCH WAS ORIGINALLY SET UP AT JAIME'S HOUSE, I BELIEVE, AND
17 BERTHA WANTED TO BE THERE TO INTRODUCE US TO MCCANN.

18 BY MR. LUDWIG:

19 Q. THAT'S \$28. THIS IS 18123, AUGUST 20TH. DID YOU BUY A
20 TABLE FOR ILUMINADA AGAIN?

21 A. PROBABLY. I DON'T REMEMBER.

22 Q. THIS IS 18127. SEPTEMBER 3RD. IT IS SENT TO YOU FROM
23 MS. MENDES, A COPY TO MS. RICASA. DO YOU REMEMBER THIS MESSAGE?

24 A. YES.

25 Q. DO YOU REMEMBER -- IT REFERENCES HERE, "HI, JAIME. I
26 JUST WANTED TO THANK YOU AGAIN FOR YOUR COMMITMENT IN SUPPORTING
27 MAAC." DO YOU REMEMBER WHAT YOUR COMMITMENT TO SUPPORT MAAC WAS?

28 A. I BELIEVE WE BOUGHT A TABLE.

1 Q. DO YOU RECALL HOW MUCH?

2 A. NO.

3 Q. AND WHAT IS MAAC, IF YOU RECALL?

4 A. NO IDEA.

5 Q. OKAY.

6 A. ARLIE RICASA IS A BOARD MEMBER OF THAT ORGANIZATION.

7 IT IS SOME SORT OF CHARTER SCHOOL, I BELIEVE.

8 Q. HERE'S THE MESSAGE THAT MAY HELP REFRESH YOUR MEMORY.

9 THIS IS PAGE 5779. THIS WAS THE COST, \$2,500?

10 A. YES.

11 Q. THIS IS THE INVITATION?

12 A. YES.

13 Q. PAGE 5785.

14 A. I DON'T BELIEVE THAT WE WENT TO THAT. WE GAVE THE
15 SEATS TO ARLIE.

16 Q. HERE'S TWO PHOTOGRAPHS FROM 8341. THEY ARE WASHED OUT.
17 CAN YOU MAKE OUT ANYBODY IN THESE IMAGES?

18 A. YES.

19 Q. SO THIS IS THE UPPER RIGHT CORNER OF THAT PAGE, THREE
20 PEOPLE. WHO DO WE SEE HERE?

21 A. THAT'S HECTOR ROMERO.

22 Q. HECTOR ROMERO?

23 A. DR. GANDARA IN THE MIDDLE, AND THAT'S GREG.

24 Q. THAT'S GREG SANDOVAL. WHAT WAS THE CONTEXT OR WHAT WAS
25 THE EVENT AND THE LOCATION?

26 A. LOOKS LIKE -- CAN YOU ZOOM BACK? I WASN'T THERE. I
27 DON'T RECOGNIZE THE PLACE.

28 Q. HERE'S PAGE 5827. SUBJECT IS JOHN MCCANN, DATED

1 SEPTEMBER 21ST, FROM YOU TO MR. FLORES. DOES THIS REFRESH YOUR
2 MEMORY AS TO THE SUBJECT MATTER OF THIS EMAIL?

3 A. YES, I REMEMBER IT.

4 Q. OKAY. SO WAS MR. MCCANN PERSISTENT IN ASKING FOR A
5 CHECK OR DONATION?

6 A. VERY MUCH SO.

7 Q. HOW ABOUT MS. QUIÑONES, WAS SHE ALSO PERSIST IN ASKING
8 FOR DONATIONS?

9 A. ALL OF THEM WHEN THEY WERE RUNNING WERE VERY
10 PERSISTENT.

11 Q. WERE ANY MORE RELENTLESS THAN OTHERS?

12 A. NO. WHEN THEY WERE RUNNING, THEY WERE ALL VERY, VERY
13 PERSISTENT.

14 Q. EARLIER IN THE SAME EXCHANGE IS AN INDICATION THAT
15 THERE WAS \$7,500 SENT FOR JOHN MCCANN; IS THAT RIGHT?

16 A. YES. I BELIEVE WE GAVE HIM MORE THAN THAT, THOUGH.

17 Q. DO YOU RECALL HOW MUCH?

18 A. NO. BUT I'M SURE YOU GUYS DO.

19 Q. THIS IS A SECOND OR THIRD PAGE OF ANOTHER ONE OF YOUR
20 COMPANY CREDIT CARD STATEMENTS, PAGE 11450. THERE'S A FEW
21 CHARGES ON HERE. FIRST OFF, IS \$407 AT THE FASHION VALLEY WITH
22 THE WORD GREG SANDOVAL NEXT TO IT, ON OCTOBER 21ST, WAS THIS A
23 MONT --

24 A. IT WAS.

25 Q. MONT BLANC? WAS IT A PEN?

26 A. IT WAS.

27 Q. A PEN?

28 A. PEN.

1 Q. WHAT WAS THE PURPOSE OF PURCHASING SUCH A NICE PEN?

2 A. TO MAKE HIM FEEL IMPORTANT, I GUESS. HE HAD GRADUATED
3 FROM HIS DOCTORAL PROGRAM AND HE WAS HAVING A -- NO, IT'S ONE OF
4 TWO THINGS. EITHER HE WAS STEPPING DOWN FROM THE BOARD OR
5 HIS -- THERE WAS A PARTY AND -- THERE WAS A FAREWELL PARTY. I
6 THINK IT WAS THE FAREWELL PARTY.

7 Q. LET ME BACK YOU THROUGH SOME THINGS HERE. WE'RE NOW IN
8 OCTOBER 2010. THERE'S AN ELECTION COMING UP?

9 A. HE'S NOT RUNNING.

10 Q. HE'S NOT RUNNING.

11 A. BUT HE'S STEPPING DOWN FROM THE BOARD.

12 Q. IT'S THE END OF HIS TENURE ON THE BOARD?

13 A. YES.

14 Q. WAS THIS A GOING-AWAY PRESENT OF SORTS?

15 A. YES.

16 Q. ARE THERE ANY OTHER CHARGES THAT YOU RECOGNIZE AS
17 RELATING TO A SWEETWATER BOARD MEMBER OR THE SUPERINTENDENT?

18 A. HARRY & DAVID IS PROBABLY ANOTHER GIFT BASKET FOR ONE
19 OF THEM.

20 Q. OKAY.

21 A. THE FLOWERS. IT MIGHT BE FOR A BOARD MEMBER. IT MIGHT
22 BE FOR AN ADMINISTRATOR.

23 Q. HOW ABOUT THE KARL BRADLEY, ANAHEIM? THAT'S
24 OCTOBER 12TH.

25 A. THAT WAS A CONVENTION THAT WE HAD TALKED ABOUT WHERE WE
26 HAD TO REGISTER AND WE WERE GIVING A WORKSHOP.

27 Q. OKAY.

28 A. AND THE PREVIOUS ONE THAT WE MENTIONED WAS PROBABLY THE

1 EVENT, THE AWARDS CEREMONY. WE HAD TALKED ABOUT THIS BEFORE.
2 THAT WAS PROBABLY THE ONE.

3 Q. HERE'S AN EXCHANGE. THIS IS DATED SEPTEMBER 30TH FROM
4 ROAN PASION TO YOUR BOSS AND SO FORTH COVERING CERTAIN DONATIONS.
5 UP ABOVE IT TALKS ABOUT ALL THE CHECKS GOING OUT TO ALL THE
6 PEOPLE. DO YOU REMEMBER THIS?

7 A. YES.

8 Q. WERE YOU RESPONSIBLE FOR HELPING COORDINATE DONATIONS
9 AND CONTRIBUTIONS?

10 A. WITHIN THE COMPANY FOR THIS PROGRAM, YES. I DON'T KNOW
11 IF RESPONSIBLE WAS THE TERM, BUT THE BOARD MEMBERS WOULD COME TO
12 ME.

13 Q. THEY WOULD COME TO YOU. SO HERE'S AN EMAIL. IT'S
14 PAGE 5926, NOVEMBER 2ND, AND I BELIEVE THIS IS AN EVENT WHERE
15 MR. FLORES WAS FLYING IN LATE. DO YOU REMEMBER THIS EVENTS?

16 A. YES.

17 Q. WHAT WAS THE PURPOSE OF IT?

18 A. IT WAS ELECTION NIGHT AND THAT'S WHERE WE WERE GOING TO
19 WATCH THE RESULTS.

20 Q. THIS IS THE FOLLOWING PAGE. IT'S AN ADDITIONAL EMAIL
21 OF THE EXCHANGES, 5927. THERE'S REFERENCE TO MCCANN, CARTMILL
22 AND GANDARA HAVE CONFIRMED MARK WATON OF THE WATER DISTRICT. DID
23 THESE FOLKS ATTEND?

24 A. NO. MARK WATON DIDN'T ATTEND, AND I DON'T BELIEVE JOHN
25 MCCANN MADE IT.

26 Q. OKAY.

27 A. JIM AND CINDY CARTMILL WERE THERE FOR A SHORT PERIOD OF
28 TIME. THEY ARRIVED LATE.

1 Q. JIM AND CINDY CARTMILL ARRIVED LATE. DID THEY ORDER
2 FOOD OR EAT FOOD ANYWAY?

3 A. YES. WE HAD ORDERED APPETIZERS.

4 Q. UP ON THE SCREEN IS A PORTION OF PAGE 11204, A RECEIPT.
5 LOOKS LIKE MR. FLORES'S NAME AND SIGNATURE, DATED NOVEMBER 2ND,
6 2010. WAS THIS THE BILL FOR THAT EVENING?

7 A. YES, I BELIEVE SO.

8 Q. WE HAVE YOUR CREDIT CARD SLIP UP AGAIN, 11411. THERE'S
9 TWO CHARGES ON THE SECOND. ANOTHER ONE AT DONOVAN'S FOR \$97 AND
10 CUBAN CIGAR FACTORY FOR \$79. WERE THESE ALL EXPENSES?

11 A. YES.

12 Q. DO YOU RECALL THE REASON WHY THERE'S TWO SEPARATE
13 CHARGES AT DONOVAN'S THAT NIGHT?

14 A. POTENTIALLY EITHER -- I DON'T KNOW IF WE WERE
15 POTENTIALLY SEATED AT THE BAR INITIALLY, OR LATER, SO WE CLOSED
16 OUT THE BILL AT THE BAR...

17 Q. WERE THE CIGARS BEFORE OR AFTER THE DINNER?

18 A. THAT'S PROBABLY AFTER. THAT WOULD BE WITH DR. GANDARA
19 AND MYSELF.

20 Q. THERE'S A COUPLE CHARGES THE NEXT DAY, OR THE NEXT PAGE
21 RATHER, LATER IN THE MONTH, PAGE 11412, AT IRON WOK ASIAN BISTRO,
22 EACH FOR ABOUT \$400. DO YOU REMEMBER ANYTHING ABOUT THOSE
23 TRANSACTIONS AND VONS?

24 A. THE VONS ONES WERE GIFT CARDS THAT WE BOUGHT AND WE
25 GAVE THEM TO NEEDY STUDENTS AT ONE OF THE HIGH SCHOOLS FOR
26 THANKSGIVING.

27 Q. OKAY.

28 A. INSTEAD OF BUYING TURKEYS, WE THOUGHT IT MORE

1 APPROPRIATE TO BUY GIFT CARDS. AND THE IRON WOK WAS A -- IT WAS
2 A STAFF EVENT. I'M NOT SURE WHY IT'S SO HIGH. BUT THAT WAS -- I
3 REMEMBER A MEETING WHERE OUR ENTIRE STAFF WAS THERE.

4 Q. PAGE 11440 ARE MORE CREDIT CARD STATEMENTS. LET'S GO
5 HALF AT A TIME. THIS COVERS DECEMBER 2010. THERE'S A STUBHUB
6 CHARGE FOR ABOUT A THOUSAND DOLLARS, AND OTHER CHARGES IN THE BAY
7 AREA.

8 DO YOU RECALL WHAT THIS WAS CONCERNING?

9 A. I DON'T.

10 MR. SCHORR: WERE THE RAIDERS -- WERE THE CHARGERS PLAYING
11 THE RAIDERS UP THERE DECEMBER 4TH? DO YOU RECALL?

12 THE WITNESS: IT COULD HAVE BEEN, BUT I'VE NEVER GONE TO
13 RAIDER STADIUM.

14 MR. SCHORR: I WON'T COMMENT ON THAT.

15 DO YOU REMEMBER WHETHER OR NOT YOU BOUGHT ANY TICKETS FOR
16 MR. SANDOVAL TO ATTEND THE GAME THERE?

17 THE WITNESS: I THINK SO. THIS WAS DURING CSBA AT
18 SAN FRANCISCO, BUT I DON'T REMEMBER WHAT IT WAS FOR.

19 MR. SCHORR: LOOKS LIKE MY THOUGHT ON THE RAIDERS PLAYING
20 THERE IS INCORRECT. THE RAIDERS WERE PLAYING DOWN HERE ON THAT
21 SUNDAY, THE 5TH.

22 DO YOU RECALL WHETHER OR NOT YOU WENT TO A GAME WITH MR.
23 SANDOVAL OR GOT TICKETS FOR MR. SANDOVAL FOR THAT GAME.

24 THE WITNESS: I COULD HAVE. I DON'T REMEMBER. I DON'T
25 REMEMBER.

26 MR. SCHORR: OPERATION ERROR.

27 THE WITNESS: NOT THE USER, RIGHT?

28 MR. SCHORR: IT'S POSSIBLE. I PROTEST.

1 THE WITNESS: POTENTIALLY THAT WAS PURCHASED ON THAT DAY BUT
2 FOR A FUTURE EVENT.

3 MR. SCHORR: ON PAGE 5952, IS IT FOR A CHARGER GAME ON
4 DECEMBER 5TH? HOME AGAIN. AND THE DAY BEFORE YOU ARE SENDING
5 THIS EMAIL, IT APPEARS, PAGE 5949, FOR MR. SANDOVAL.

6 THE WITNESS: I GUESS I BOUGHT THEM, BUT I DIDN'T GO TO
7 THAT.

8 MR. SCHORR: WE PROBABLY WON.

9 GRAND JUROR NO. 1: WE DID.

10 BY MR. LUDWIG:

11 Q. AGAIN, THAT'S WHEN THE CHARGERS WERE GOOD.

12 A. RIGHT.

13 Q. SO --

14 A. JUST TWO TICKETS?

15 MR. SCHORR: NO. THERE'S MULTIPLE TICKETS AT THIS POINT.

16 MR. LUDWIG: FACE VALUE IS \$90.13. THERE'S WINE TASTING.

17 MR. SCHORR: WE'LL GO BACK TO THE CREDIT CARD RECEIPT. WE
18 JUMPED AHEAD AND SEE IF THERE'S THINGS OF SIGNIFICANCE DURING
19 THAT. I THINK YOU SAID THIS IS THE CSBA TIME PERIOD.

20 LOOKING AT THAT -- WE'RE TRYING TO SEE WHETHER OR NOT
21 THERE'S THINGS OF SIGNIFICANCE. FOR INSTANCE, RELATED TO
22 SAN FRANCISCO AND DUCK HORN VINEYARDS AT ST. HELENA, DID YOU TAKE
23 ANYONE TO NAPA OR ST. HELENA, WHICH I BELIEVE IS IN THE NAPA
24 AREA, FOR WINE TASTING AND DO SOME OUTINGS EITHER FOR THE DAY OR
25 A COUPLE DAYS?

26 THE WITNESS: YES.

27 MR. SCHORR: WHO WAS THAT THAT YOU TOOK?

28 THE WITNESS: IT WAS DR. GANDARA -- WELL, IT WAS A TRIP I

1 BELIEVE ORGANIZED BY BONNY AND IT WAS BONNY, MYSELF, AND THE
2 GANDARAS.

3 MR. SCHORR: AND THE GANDARAS. SO WIVES INVOLVED OR JUST
4 YOU, MR. GARCIA, AND MR. GANDARA?

5 THE WITNESS: AND JENNIE.

6 MR. SCHORR: AND JENNIE. SO THE FOUR OF YOU?

7 THE WITNESS: YES.

8 MR. SCHORR: AND YOU CAN GO THROUGH WITH US AND HELP US
9 DECIPHER WHICH RECEIPTS ARE RELATED TO THAT TRIP, MEANING THE
10 ST. HELENA THAT THE PACIFIC LIMO, THE AUBERGE DU SOLEIL, KULETO
11 VILLA.

12 BY MR. LUDWIG:

13 Q. THAT'S \$848 TOTAL. IT'S THE FOUR OF YOU ON THE TRIP?

14 A. YES.

15 Q. SO 211 PER PERSON. ON THE STUBHUB CHARGE FOR THE
16 CHARGER TICKETS FOR \$994?

17 A. TOO EXCESSIVE FOR TWO TICKETS.

18 Q. REGARDLESS OF THE NUMBER OF TICKETS, NO MATTER HOW MANY
19 WERE PURCHASED, WERE THEY ALL GIVEN TO MR. SANDOVAL?

20 A. I DON'T KNOW. I WOULD ASSUME SO.

21 Q. OKAY.

22 MR. SCHORR: JUST TO GET CLARIFICATION IF YOU KNOW OR NOT,
23 IN CASE THIS COMES UP AT ANY FUTURE POINT, DO YOU KNOW WHETHER OR
24 NOT THE TICKETS THAT WE'RE LOOKING, AT THE ONES LISTED JIM
25 MADAFFER ARE THE ONES THAT WERE BOUGHT ON STUBHUB OR THOSE COULD
26 BE DIFFERENT TICKETS THAT YOU OBTAINED A DIFFERENT WAY? DO YOU
27 KNOW?

28 THE WITNESS: I THINK THAT IF IT'S FROM A STRANGE NAME IT

1 COMES FROM STUBHUB BECAUSE PEOPLE UPLOAD THEIR OWN PERSONAL
2 PICTURES TO STUBHUB AND YOU BUY THEM THERE.

3 MR. SCHORR: I MIGHT BE I HAVE TOO MANY NAMES IN MY HEAD,
4 BUT JIM MADAFFER I RECOGNIZE AS BEING, I BELIEVE, EITHER A FORMER
5 COUNCIL PERSON FOR CITY OF SAN DIEGO OR SOMEONE RELATED TO. I
6 MIGHT BE COMPLETELY OFF. IF I AM -- I'M NOT TRYING TO DISPARAGE
7 MR. MADAFFER. I DON'T KNOW IF IT'S THIS ONE OR A DIFFERENT ONE.
8 THE REASON I'M ASKING IS THERE'S THE POSSIBILITY IF IT IS A
9 COUNCIL PERSON AND A COUNCIL PERSON OR SOMEONE WHO RECEIVES
10 TICKETS AS PART OF BEING A MEMBER, THEY SOMETIMES GIVE THEM OUT
11 TO DIFFERENT PEOPLE. THAT WOULD BE SOMETHING YOU WOULD HAVE
12 PASSED ON, OR IN THEORY A COUNCIL PERSON COULD SELL THEM ON
13 STUBHUB, WHICH WOULD NOT GO VERY WELL, IF THAT WAS THE CASE. BUT
14 I'M JUST -- SO I'M INDICATING FROM THIS, YOU DON'T KNOW -- WE
15 DON'T HAVE A CLEAR UNDERSTANDING OF HOW YOU PURCHASED -- WHETHER
16 YOU PURCHASED THE JIM MADAFFER TICKETS OR WHETHER YOU RECEIVED
17 THEM IN A DIFFERENT WAY AND PROVIDED THEM?

18 MR. LUDWIG: COULD YOU CLICK ON THE ATTACHMENT? THAT AN
19 EMAIL. THAT'S WHERE THE TICKETS ARE.

20 MR. SCHORR: THESE ARE ATTACHED. WE CAN'T THROUGH OUR
21 PROGRAM CLICK ON THE ATTACHMENT. MY BELIEF IS THAT THESE TICKETS
22 REPRESENT THE ONES THAT WERE ATTACHED. WE PRINTED THEM OUT AND
23 LOCATED THEM NEXT TO IT IN TIME. YEAH, I'M SORRY. I'M LOOKING
24 AT THE SCREEN IN FRONT OF YOU. THAT'S NOT THE SCREEN YOU ARE
25 LOOKING AT. MY UNDERSTANDING WOULD BE THAT THESE ARE THE SAME
26 TICKETS -- THE TICKETS THAT YOU PURCHASED BY WAY OF STUBHUB.

27 THE WITNESS: I WOULD ASSUME SO. BUT THE ONLY THING THAT
28 DOESN'T MAKE SENSE IS THE DOLLAR AMOUNT BECAUSE EVEN ON STUBHUB

1 IT SEEMS LIKES THEY WOULDN'T BE INFLATED 500 TIMES THE VALUE.

2 MR. SCHORR: IN TERMS OF THE NUMBER OF TICKETS THAT ARE
3 ATTACHED, WE CAN LOOK AT THE ROWS ON THE TICKETS. WE HAVE
4 PAGES 5952, 5953, 5954, AND 5955.

5 THE WITNESS: THAT MAKES MORE SENSE.

6 MR. SCHORR: IN LOOKING AT THOSE, WE'VE GOT --

7 MR. LUDWIG: SO THIS IS --

8 MR. SCHORR: SEAT 5, SEAT 6.

9 MR. LUDWIG: DIFFERENT ROW OF 12, SEAT 5 AND SEAT 6.

10 THE WITNESS: ONE'S ABOVE EACH OTHER BUT THEY ARE STILL
11 TOGETHER.

12 MR. LUDWIG: A FOUR PACK.

13 GRAND JUROR NO. 13: I MISS TIFFANY.

14 MR. SCHORR: THAT'S OKAY.

15 THE WITNESS: I WOULD ASSUME THAT THESE ARE THE TICKETS THAT
16 I PURCHASED.

17 MR. SCHORR: ON STUBHUB AND WERE PROVIDED TO MR. SANDOVAL?

18 THE WITNESS: YES.

19 MR. SCHORR: OKAY.

20 BY MR. LUDWIG:

21 Q. WHILE WE'RE DOING THAT, DR. GANDARA WAS UP FOR THE
22 CONFERENCE; RIGHT?

23 A. YES.

24 Q. AND SGI HOSTED AN EVENT?

25 A. WE DID.

26 Q. WAS THIS THE CATERING COSTS FOR THAT EVENT, 21,000?

27 A. WAS THIS -- I THINK IT'S CALLED SPRUCE, SPROUT OR
28 SOMETHING LIKE THAT, SPEAR, SOMETHING WITH AN "S."

1 Q. THERE'S AN EMAIL HERE CONCERNING HUGH GROMAN CATERING,
2 DECEMBER 11TH. THE QUESTION REALLY IS DID DR. GANDARA ATTENDED
3 THIS EVENT?

4 A. YES, ALONG WITH ABOUT 60, 70 OTHER PEOPLE.

5 Q. OKAY. AND THIS INVOICE SHOWS COST OF WINE. WAS THIS A
6 WINE TASTING EVENT?

7 A. YES.

8 Q. AND WE'RE SHOWING 11421 AND 11424 ALSO.

9 MR. SCHORR: WHAT WE'RE TRYING TO DO IS CUT OUT AS MUCH
10 STUFF AS WE CAN TO TRY TO GET THROUGH OUR WITNESS.

11 IF THERE'S A COUPLE CHARGES HERE ON THE 13TH, IS THAT BEFORE
12 OR AFTER THE CONFERENCE IN SAN FRANCISCO, OR DURING?

13 THE WITNESS: DURING, PROBABLY.

14 BY MR. LUDWIG:

15 Q. THERE'S A REFERENCE TO AN OUTING AT ONE MARKET
16 RESTAURANT FOR \$1,100. DO YOU REMEMBER THAT DINNER?

17 A. I DO. THAT WASN'T WITH SWEETWATER.

18 Q. OKAY. HOW ABOUT THE CHARGE AT MORTON'S ON 12/08 FOR
19 373.08?

20 A. I DON'T REMEMBER WHO THAT WAS WITH.

21 Q. HOW ABOUT ISLAND PRIME ON 12/17 FOR 202?

22 A. NO.

23 Q. VILLA CAPRI ON 2/18 FOR 207. THE LAST PAGE OF THIS
24 STATEMENT IS 11441. HOW ABOUT RUTH'S CHRIS, DO YOU SEE THAT, FOR
25 397?

26 A. I BELIEVE THAT WAS WITH BERTHA.

27 Q. MS. LÓPEZ. DO YOU REMEMBER IF ANYONE ELSE ATTENDED THE
28 DINNER?

1 A. HER HUSBAND AND MY WIFE AND MYSELF.

2 Q. OKAY. DID SHE REIMBURSE YOU AT ALL FOR ANYTHING?

3 A. PARDON ME.

4 Q. DID SHE REIMBURSE YOU AT ALL FOR ANYTHING?

5 A. NO.

6 Q. TAKE THE TIP OUT. IT'S 327, SPLIT FOUR WAYS, 81 -- \$82
7 A PERSON, ON DECEMBER 21ST.

8 MR. SCHORR: AS WE MARK THAT DOWN, WE'RE MARKING HER DOWN
9 INDIVIDUALLY, REMEMBERING THE FACT THAT HER HUSBAND IS AN ELECTED
10 OFFICIAL AT OTAY WATER DISTRICT AND HE HAS HIS OWN REPORTING
11 REQUIREMENTS.

12 BY MR. LUDWIG:

13 Q. MR. ORTIZ THERE'S PROBABLY JUST A FEW MORE PARTICULAR
14 EVENTS AND THINGS WE WANT TO DISCUSS, BUT WHILE MR. SCHORR DOES
15 THAT, I WANT TO TALK A LITTLE BIT ABOUT YOUR RELATIONSHIP WITH
16 THE OFFICE.

17 A. WHICH OFFICE?

18 Q. I'M SORRY. GOOD QUESTION. THE D.A.'S OFFICE, OUR
19 OFFICE. AND THE INITIAL INVOLVEMENT OF SGI IN THE INVESTIGATION
20 AND MEETINGS THAT YOU'VE HAD WITH OUR OFFICE AND AGREEMENTS THAT
21 YOU AND MR. FLORES HAVE SIGNED. OKAY?

22 A. YES.

23 Q. I BELIEVE MR. SHORE HAS THAT. WE'LL TRY TO DO THIS NOW
24 SO WE CAN BE DONE WITH YOUR TESTIMONY AND NOT HAVE TO CALL YOU
25 BACK.

26 MR. SCHORR: POTENTIALLY. NO PROMISES.

27 GRAND JURY SECRETARY: THAT'S RENÉ.

28 THE WITNESS: I THINK IT'S THE SAME ONE.

1 GRAND JURY SECRETARY: THAT'S THE SAME ONE THAT COVERS.

2 MR. SCHORR: RIGHT, OKAY. I WANT TO MAKE SURE THAT WE
3 HAD -- ONE DOCUMENT. WE WON'T REMARK IT. IT WILL BE REFERENCED.

4 MR. LUDWIG: I'LL COME UP HERE AND TALK TO YOU ABOUT IT.
5 THIS HAS BEEN MARKED THE OTHER DAY AS EXHIBIT 40 AND THE GRAND
6 JURORS HAVE ALREADY SEEN THIS. YOU DON'T HAVE IT ON THE SCREEN
7 SO WE HAVE TO DO IT THE OLD FASHIONED WAY WITH REAL PAPER.

8 Q. DO YOU REMEMBER A MEETING WITH OUR OFFICE SOMETIME
9 EARLIER THIS YEAR?

10 A. I DO.

11 Q. OKAY. WAS THAT IN THE CONTEXT OF WHAT WE CALLED A FREE
12 TALK WHERE THERE WAS AN AGREEMENT TO PROVIDE SOME INITIAL
13 INFORMATION, AND WHATEVER WAS SAID BY YOU AND MR. FLORES COULD
14 NOT BE USED AGAINST YOU?

15 A. YES.

16 Q. ALL RIGHT. AS A RESULT OF THAT, DID YOU AND MR. FLORES
17 TOGETHER AGREE TO ENTER INTO A CONTRACTUAL RELATIONSHIP WITH THE
18 OFFICE?

19 A. YES.

20 Q. DID YOU DO SO THROUGH THE ADVISEMENT OF AN ATTORNEY?

21 A. YES.

22 Q. IS THIS THE DOCUMENT THAT I'M HOLDING HERE THAT YOU AND
23 MR. FLORES WERE PRESENTED, WHICH YOU HAVE EXECUTED?

24 A. YES.

25 Q. IN CONNECTION WITH THIS PROCESS, YOU WERE NEVER CHARGED
26 WITH ANY TYPE OF CRIME; IS THAT RIGHT?

27 A. CORRECT.

28 Q. THAT WAS YOU WOULD NOT BE CHARGED, YOU WOULD NOT PLEAD

1 GUILTY OR PLEAD NO CONTEST OR ANYTHING?

2 A. RIGHT.

3 Q. BUT MR. FLORES WOULD?

4 A. YES.

5 Q. AND THEN AS A CONSEQUENCE OF THAT, IT WAS UNDERSTOOD
6 THAT BOTH OF YOU WOULD PROVIDE TESTIMONY IN CONNECTION WITH THE
7 PROCEEDINGS TODAY AND ANY PROCEEDING IN THE FUTURE IN RELATION TO
8 THIS CASE?

9 A. CORRECT.

10 Q. ALL RIGHT. WHEN YOU WENT THROUGH THIS DOCUMENT, DID
11 YOU UNDERSTAND IT?

12 A. I BELIEVE I DID, YES.

13 Q. DID YOU UNDERSTAND THAT COLLECTIVELY THIS DOCUMENT
14 REFERS TO CI1 AS RENÉ FLORES AND CI2 AS YOURSELF AND COLLECTIVELY
15 CI'S?

16 A. YES.

17 Q. AND DID YOU UNDERSTAND THAT PROVISION E2 INDICATED YOU
18 HAVE THE RIGHT TO REMAIN SILENT?

19 A. YES.

20 Q. HOW ABOUT --

21 A. I DON'T REMEMBER THAT.

22 Q. PROVISION E2 SAYS YOU HAVE THE RIGHT TO HAVE COUNSEL.
23 DO YOU UNDERSTAND THAT?

24 A. YES.

25 Q. B2, THERE WAS A PENDING CASE CONCERNING MR. SANDOVAL,
26 DR. GANDARA, MS. QUIÑONES, MS. RICASA, MS. LÓPEZ AND
27 MR. AMIGABLE?

28 A. YES.

1 Q. CORRECT.

2 AND THAT YOU AGREE TO FULLY COOPERATE WITH ANY LAW
3 ENFORCEMENT INVESTIGATION OF THE SCHOOL BOARDS AND THE WATER
4 DISTRICTS IN CONNECTION WITH GIFTS AND DONATIONS GIVEN TO THOSE
5 OFFICIALS?

6 A. YES.

7 Q. YOU AGREED THAT CI'S UNDERSTAND AND AGREE THE MOST
8 IMPORTANT OBLIGATION OF THIS AGREEMENT IS TO TELL THE TRUTH?

9 A. YES.

10 Q. HAVE YOU DONE SO TODAY, MR. ORTIZ?

11 A. I HAVE.

12 Q. IT SAYS, "BOTH CI'S WILL FULLY DEBRIEF REGARDING THEIR
13 ACTIVITIES CONCERNING SGI WITH ITS INVOLVEMENT WITH SWEETWATER
14 FOR THE 2006-2012 TIME PERIOD. THEY WILL TRUTHFULLY EXPLAIN AND
15 ANSWER ALL QUESTIONS RELATED TO SGI PAYING FOR CAMPAIGN
16 CONTRIBUTIONS, MEALS, TICKETS AND GIFTS TO EMPLOYEES AND BOARD
17 MEMBERS AT SWEETWATER UNION HIGH SCHOOL DISTRICT. IF CI-1, AND
18 CI-2, WHICH WOULD BE YOURSELF, TRUTHFULLY DEBRIEF AND PROVIDE ALL
19 INFORMATION THEY KNOW ABOUT THE SCOPE OF CAMPAIGN DONATIONS,
20 MEALS, TICKETS AND GIFTS PROVIDED AND ANSWER ALL QUESTIONS ABOUT
21 INVOICES, RECEIPTS, CONVERSATIONS, MEETINGS, AND EMAILS WITH
22 SWEETWATER UNION HIGH SCHOOL DISTRICT THEN THE DISTRICT ATTORNEY
23 WILL AGREE NOT TO CHARGE CI-2," WHICH IS YOU, "NOT TO CHARGE THE
24 SEVILLE GROUP, AND WILL ALLOW RENÉ FLORES, "WHICH IS CI-1," TO
25 PLEAD GUILTY TO ONE MISDEMEANOR COUNT."

26 WAS THAT YOUR UNDERSTANDING?

27 A. YES.

28 Q. AND THEN EXCEPT FOR THE ONE MISDEMEANOR COUNT TO WHICH

1 IF CI-1 IS PLEADING GUILTY, BOTH YOURSELF AND
2 MR. FLORES ARE AFFORDED FULL TRANSACTIONAL IMMUNITY FOR ANY AND
3 ALL ACTIONS WITH THE SWEETWATER UNION HIGH SCHOOL DISTRICT FOR
4 2006 THROUGH 2012 AS WELL AS OTHER PUBLIC ENTITIES IN SAN DIEGO
5 COUNTY TO WHICH THE DISTRICT ATTORNEY HAS OR DOES ELICIT
6 INFORMATION FROM THE CI'S. CI-2 WILL NOT BE CHARGED WITH ANY
7 CONDUCT WITH RESPECT TO THIS CASE.

8 I'M SHOWING HERE THAT SIGNATURE PAGE. IS THIS YOUR NAME AND
9 SIGNATURE ON THIS DOCUMENT?

10 A. YES, IT IS.

11 Q. DID YOU DATE THAT?

12 A. YES.

13 Q. OKAY. IS THERE ANY OTHER PROMISES TODAY IN CONNECTION
14 WITH YOUR ARRAIGNMENT WITH THE D.A. OFFICE?

15 A. NOPE.

16 Q. ANYBODY MAKE ANY THREATS TO YOU, EITHER DIRECTLY OR
17 INDIRECTLY, CONCERNS THIS TRANSACTION, THIS CONTRACT?

18 A. NO.

19 Q. SO WHAT I'LL SHOW YOU NOW -- WHAT WE'VE BEEN DOING, AS
20 I MENTIONED, IS KEEPING A RUNNING TALLY OF ALL FEES AND EXPENSES
21 THAT WE'VE SEEN ON THESE CREDIT CARD SLIPS. WE'VE NOT ONLY DONE
22 THIS WITH YOU FOR TWO DAYS BUT FOR TWO DAYS WITH RENÉ FLORES.
23 WE'RE ALSO MARKING THESE AS SEPARATE EXHIBITS TO BE INCLUDED AS
24 PART OF THE EVIDENCE THAT THE GRAND JURY WILL EVALUATE WHEN THE
25 CASE ENDS AND THEY DELIBERATE.

26 BUT BEFORE WE DO THAT AND BEFORE WE PUT THEM INTO EVIDENCE,
27 I WOULD LIKE YOU TO TAKE A LOOK AT THEM AND ASSESS WHETHER OR NOT
28 YOU BELIEVE THEY ARE FAIRLY ACCURATE AS TO THE VARIOUS DINNERS

1 AND GIFTS AND STUFF PROVIDED ON KIND OF A PER PERSON BASIS? DOES
2 THAT MAKE SENSE?

3 A. YES.

4 Q. SO WHAT THESE REALLY ARE, THESE ARE BLANK COPIES OF THE
5 ACTUAL CALIFORNIA FORMS 700'S FROM THE FAIR POLITICAL PRACTICES
6 COMMISSION. AND WE'VE GONE AHEAD AND FILLED THEM OUT AS IF WE
7 WERE DR. GANDARA OR MR. SANDOVAL OR MS. QUIÑONES IN THIS CASE TO
8 TRY TO REFLECT SOME OF THESE EVENTS.

9 (GRAND JURY EXHIBIT 41, JESUS GANDARA 2007 FORM

10 700 MOCKUP (PLUS 2), MARKED FOR IDENTIFICATION.)

11 BY MR. LUDWIG:

12 SO HERE'S EXHIBIT 41. THERE'S A FEW OF THEM. THIS CONCERNS
13 DR. GANDARA. YOU SEE HERE THE NAME SGI; ADDRESS, THE BILTMORE,
14 THE BILTMORE HOTEL, THE DATES; THE VALUE ON THAT DATE, WHETHER
15 IT'S MEAL OR HOTEL STAY AND OTHER THINGS LIKE THAT.

16 A. UH-HUH.

17 Q. TAKE A LOOK AT 41. DO YOU THINK IT'S FAIRLY ACCURATE?

18 A. WHICH PART, THOUGH?

19 MR. SCHORR: IF I CAN JUMP IN. ERIC HAS DONE MOST OF THE
20 QUESTIONING, BUT I WANT TO MAKE SURE IT'S EXPLAINED TO YOU.
21 BASICALLY WHEN IT SAYS "SGI ORTIZ NEXT TO IT, THEN THAT'S BASED
22 UPON THE CALCULATIONS AND INFORMATION THAT WE DID WITH YOU
23 INDIVIDUALLY. IF IT JUST SAYS "SGI," THEN THAT WOULDN'T BE
24 SOMETHING WE WERE REFERENCING. FOR EXAMPLE, IT TALKS ABOUT SGI
25 BILTMORE, IT HAS A DATE AND A NO. 1225 AS A HOTEL RELATED
26 EXPENSE. WE DIDN'T GO OVER THAT WITH YOU. YOU WOULDN'T BE
27 DISCUSSING OR LOOKING AT THAT. WHERE IT SAYS "SGI ORTIZ,
28 BUO-GIORNO," IT HAS A DATE AND IT HAS NUMBERS. FOR INSTANCE,

1 "43.'" THAT WAS THE \$43 WHAT WE DESCRIBED. NEXT TO IT IT HAS
2 "TIMES TWO." BECAUSE FOR THIS INDIVIDUAL, GANDARA, THERE'S AN
3 INDICATION THAT THE WIFE MIGHT HAVE BEEN PRESENT AT THAT TIME, SO
4 WE INDICATED TIMES TWO. SO IF THE GRAND JUROR AT A LATER DATE
5 WANTS TO CALCULATE IN THE WIFE, THEY CAN. IF THEY DON'T, THEY
6 DON'T HAVE TO. YOU'LL NOTICE THAT IT SAYS -- I THINK ERIC JUST
7 WENT OVER IT -- SAYS WHO IT IS, GANDARA, AND THEN THE FIRST
8 NUMBER HERE IS THE YEAR, 2007, WHICH WOULD CORRELATE WITH THE
9 YEAR OF THOSE DIFFERENT POINTS.

10 THE WITNESS: SO THIS PAYMENT OF \$2,000 -- OH, PAGEANT.

11 MR. SCHORR: THAT'S WHERE THERE'S A HANDWRITING ISSUE. I
12 DON'T KNOW WHO THAT GUY IS. SORRY.

13 THE WITNESS: IT'S REASONABLE.

14 (GRAND JURY EXHIBIT 42, GREG SANDOVAL 2007 FORM
15 700 MOCKUP (PLUS 2), MARKED FOR IDENTIFICATION.)

16 BY MR. LUDWIG:

17 Q. I HAVE TO GO THROUGH THEM ALL. EXHIBIT 42 DEALS WITH
18 MR. SANDOVAL FOR --

19 A. THESE ARE JUST 2007.

20 Q. I'LL LET YOU KNOW. THIS IS 2007 FOR SANDOVAL.

21 MR. SCHORR: SOMETIMES ON THERE YOU'LL NOTICE WE'LL PUT DOWN
22 A DATE. ALSO WE MIGHT PUT A QUESTION MARK BY IT IF WE DON'T HAVE
23 A VALUE ATTRIBUTED TO YOU. IT MIGHT BE SOMETHING THIS IS BEING
24 FILLED IN AT A LATER POINT IN TIME.

25 THE WITNESS: OKAY.

26 MR. LUDWIG: THIS IS -- 42 IS OKAY?

27 THE WITNESS: IT IS.

28 (GRAND JURY EXHIBIT 43, PEARL QUIÑONES 2007 FORM

1 700 MOCKUP (PLUS), MARKED FOR IDENTIFICATION.)

2 BY MR. LUDWIG:

3 Q. 43 IS FOR QUIÑONES AND '07?

4 A. YES.

5 (GRAND JURY EXHIBIT 44, JESUS GANDARA 2008 FROM
6 700 MOCKUP (PLUS 3), MARKED FOR IDENTIFICATION.)

7 BY MR. LUDWIG:

8 Q. OKAY. NOW WE'RE IN '08, WITH DR. GANDARA, EXHIBIT 44,
9 TWO PAGES. THERE'S ANOTHER BILTMORE. THAT LOOKS OKAY?

10 A. UH-HUH.

11 MR. LUDWIG: CAN WE GO OFF THE RECORD.

12 (DISCUSSION HELD OFF THE RECORD.)

13 (GRAND JURY EXHIBIT 45, YOLANDA HERNANDEZ 2008
14 FORM 700 MOCKUP, MARKED FOR IDENTIFICATION.)

15 BY MR. LUDWIG:

16 Q. SO THIS IS 45, NORMA HERNANDEZ FOR 2008?

17 A. YES.

18 (GRAND JURY EXHIBIT 46, PEARL QUIÑONES 2008 FORM
19 700 MOCKUP, MARKED FOR IDENTIFICATION.)

20 BY MR. LUDWIG:

21 Q. EXHIBIT 46, MS. QUIÑONES, 2008?

22 A. YES.

23 (GRAND JURY EXHIBIT 47, GREG SANDOVAL 2008 FORM
24 700 MOCKUP (PLUS), MARKED FOR IDENTIFICATION.)

25 BY MR. LUDWIG:

26 Q. 47, 2008, SANDOVAL?

27 A. YES.

28 (GRAND JURY EXHIBIT 48, JORGE DOMINGUEZ 2009 FORM

1 700 MOCKUP (PLUS), MARKED FOR IDENTIFICATION.)

2 BY MR. LUDWIG:

3 Q. 48, DOMINGUEZ, 2008?

4 A. YES.

5 (GRAND JURY EXHIBIT 50, PEARL QUIÑONES 2009 FORM
6 700 MOCKUP, MARKED FOR IDENTIFICATION.)

7 BY MR. LUDWIG:

8 Q. THIS IS 50, QUIÑONES, 2009?

9 A. YES. IS THE HELICOPTER TRIP CONSIDERED A GIFT?

10 Q. YES.

11 (GRAND JURY EXHIBIT 51, JESUS GANDARA 2009 FORM
12 700 MOCKUP, MARKED FOR IDENTIFICATION.)

13 BY MR. LUDWIG:

14 Q. 51, THIS IS GANDARA, 2009?

15 A. YES.

16 (GRAND JURY EXHIBIT 52, GREG SANDOVAL 2009 FROM
17 700 MOCKUP, MARKED FOR IDENTIFICATION.)

18 BY MR. LUDWIG:

19 Q. ALL RIGHT. THIS IS 52, SANDOVAL, 2009?

20 A. I MEAN, I'M TRUSTING FOR THE MOST PART THAT WHAT WE
21 TALKED ABOUT WAS CAPTURED HERE.

22 MR. SCHORR: CORRECT.

23 MR. LUDWIG: IF THERE'S AN ERROR IN MATH, IT'S ON US.

24 MR. SCHORR: THE GRAND JURY WILL BE DOUBLE CHECKING WHAT
25 WE'VE DONE HERE, AND THERE'S A RECORD THAT ALSO CORRELATES TO IT.
26 WE UNDERSTAND THAT YOU ARE DOING THIS UNDER A RUSH OF TIME.

27 MR. LUDWIG: THESE ARE ONLY FOR DEMONSTRATIVE PURPOSES.

28 WE'RE NOT SAYING THIS IS AN ACTUALLY COMPLETELY ACCURATE

1 REFLECTION OF WHAT HAPPENED, BUT A DEMONSTRATION AS TO MEMORIES
2 OF OUR WITNESSES.

3 THAT WAS 52.

4 THE WITNESS: 49.

5 MR. LUDWIG: 49.

6 THE WITNESS: OH, THE PREVIOUS ONE.

7 MR. LUDWIG: OKAY.

8 (GRAND JURY EXHIBIT 49, ARLIE RICASA 2009 FORM
9 700 MOCKUP, MARKED FOR IDENTIFICATION.)

10 (GRAND JURY EXHIBIT 53, JIM CARTMILL 2010 FORM
11 700 MOCKUP (PLUS), MARKED FOR IDENTIFICATION.)

12 BY MR. LUDWIG:

13 Q. OKAY. THIS IS CARTMILL, 53, FOR 2010.

14 (GRAND JURY EXHIBIT 54, BERTHA LÓPEZ 2010 FORM
15 700 MOCKUP, MARKED FOR IDENTIFICATION.)

16 BY MR. LUDWIG:

17 Q. AND 54, MS. LÓPEZ, 2010. THIS ONE IS OKAY?

18 A. YES.

19 (GRAND JURY EXHIBIT 55, JESUS GANDARA 2010 FORM
20 700 MOCKUP (PLUS), MARKED FOR IDENTIFICATION.)

21 BY MR. LUDWIG:

22 Q. 55, GANDARA, 2010?

23 A. YES.

24 (GRAND JURY EXHIBIT 56, JOHN MCCANN 2010 FORM 700
25 MOCKUP (PLUS), MARKED FOR IDENTIFICATION.)

26 BY MR. LUDWIG:

27 Q. 56, MCCANN, 2010?

28 A. YES.

1 (GRAND JURY EXHIBIT 57, PEARL QUIÑONES 2010 FORM
2 700 MOCKUP, MARKED FOR IDENTIFICATION.)

3 BY MR. LUDWIG:

4 Q. 57, MS. QUIÑONES, 2010?

5 A. YES.

6 (GRAND JURY EXHIBIT 58, ARLIE RICASA 2010 FORM
7 700 MOCKUP (PLUS), MARKED FOR IDENTIFICATION.)

8 BY MR. LUDWIG:

9 Q. 58, RICASA, 2010?

10 A. YES.

11 (GRAND JURY EXHIBIT 59, GREG SANDOVAL 2010 FORM
12 700 MOCKUP, MARKED FOR IDENTIFICATION.)

13 BY MR. LUDWIG:

14 Q. AND SANDOVAL, 2010, 59?

15 A. YES. I'M NOT SURE THAT HE WENT -- I DON'T KNOW OF THE
16 LAKERS PLAYOFF TICKETS.

17 Q. OKAY. DO YOU HAVE A PEN?

18 MR. SCHORR: WHICH ONE ARE YOU REFERRING TO?

19 THE WITNESS: THIS MIGHT HAVE BEEN TALKING ABOUT --

20 MR. LUDWIG: WRITE DOWN "NOT SURE."

21 MR. SCHORR: THE ONE WE MARKED DOWN WAS THE LAKERS PLAYOFF
22 TICKETS RELATED TO HECTOR CASTILLO, NOT RELATED TO ANYTHING ELSE.

23 THE WITNESS: THE ONE TIME I WENT WITH HECTOR CASTILLO IT
24 WASN'T A PLAYOFF.

25 MR. SCHORR: THEN WE'LL SCRATCH OFF -- WE'LL SCRATCH OFF
26 THE "PLAYOFFS" AND WE'LL JUST INDICATE "LAKERS TICKETS."

27 THE WITNESS: OKAY.

28 MR. SCHORR: GREAT.

1 THE WITNESS: SO, YES.

2 MR. LUDWIG: ALL RIGHT. THANK YOU, SIR.

3 THE WITNESS: THANK YOU.

4 MR. SCHORR: WE'RE, YOU KNOW, THREE AND A HALF, FOUR MINUTES
5 OVER OUR USUAL TIME. I APPRECIATE YOUR PATIENCE. DID WE GO
6 THROUGH ALL OF THEM?

7 MR. LUDWIG: YES.

8 MR. SCHORR: I CAN'T PROMISE YOU'LL NOT BE BACK HERE. WE
9 TALKED BEFORE THAT WE MIGHT HAVE A FEW MORE THINGS TO GO OVER.
10 ONE OF THE REASONS ALSO IS, FOR INSTANCE, WE DIDN'T GET TO
11 EVERYTHING THAT WE INDICATED WE WERE GOING TO GET TO. WE DIDN'T
12 GET TO THE SECOND INSTANCE REGARDING HECTOR ROMERO. THERE'S A
13 FEW THINGS WE'LL TRY TO CONDENSE. I'M SURE WE'LL HAVE YOU BACK
14 FOR A SHORT PERIOD OF TIME, ESPECIALLY IF WE HAVE ADDITIONAL
15 QUESTIONS FROM THE GRAND JURY.

16 THE LAST CLOSING QUESTION FROM TODAY WILL BE FROM GRAND
17 JUROR NO. 1. OUR FINAL QUESTION FROM GRAND JUROR NO. 1, IS
18 QUESTION NUMBER?

19 GRAND JURY SECRETARY: 114.

20 MR. SCHORR: "IF IT WAS YOUR OWN MONEY, WOULD YOU BE JUST AS
21 NICE TO PAY FOR EVERYTHING OR WOULD YOU BE A BALLER ON A BUDGET,
22 LIKE ME, AND ASK FOR THEIR SHARE OF THE BILL?"

23 THE WITNESS: UM, I DON'T KNOW HOW TO ANSWER THAT BECAUSE --

24 MR. SCHORR: THAT'S OKAY. I MEAN, IF YOU FEEL YOU CAN
25 ANSWER --

26 THE WITNESS: THEY WERE OUR CLIENTS. AND THE MONEY THAT WAS
27 SPENT WAS, I GUESS, PART OF OUR OPERATING EXPENSES. THEY WERE
28 MUCH, MUCH LARGER THAN ANOTHER DISTRICT WOULD BE BECAUSE OF THE

1 TYPE OF PERSONALITIES THAT WE HAD. BUT IT IS -- YOU HAVE TO DO
2 CERTAIN EVENTS TO MAINTAIN THE RELATIONSHIPS. I THINK IF WE
3 WOULD HAVE ASKED FOR DUTCH DATES EVERY TIME IT WOULDN'T HAVE GONE
4 VERY FAR.

5 MR. SCHORR: THANK YOU. YOU ARE STILL UNDER YOUR SAME
6 ADMONITION, WHICH IS TO MAKE SURE NOT TO TALK TO ANYONE ABOUT
7 THIS EXCEPT FOR YOUR ATTORNEY, IF YOU HAVE ONE.

8 GRAND JURY FOREPERSON.

9 GRAND JURY FOREPERSON: YOU ARE REMINDED THAT YOU ARE STILL
10 ADMONISHED.

11 MR. SCHORR: THANK YOU ALL FOR YOUR PATIENCE TODAY. I THINK
12 WE ACTUALLY ACCOMPLISHED QUITE A LOT.

13 (PROCEEDINGS ADJOURNED AT 4:05 P.M.)

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1 STATE OF CALIFORNIA)
2) SS:
3 COUNTY OF SAN DIEGO)

4 PEOPLE OF THE STATE OF CALIFORNIA

5 VS.

6 ALIOTO, ET AL.

7 CASE NO. SCD235445

8 VOLUME 13

9
10 I, BETTY J. ASHE, AN OFFICIAL REPORTER FOR THE SUPERIOR
11 COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE COUNTY OF
12 SAN DIEGO, DO HEREBY CERTIFY:

13 THAT, AS SUCH REPORTER, I REPORTED STENOGRAPHICALLY THE
14 PROCEEDINGS HAD IN THE ABOVE-ENTITLED CAUSE, AND THAT THE
15 FOREGOING TRANSCRIPT, CONSISTING OF PAGES NUMBERED 1919 THROUGH
16 2043, INCLUSIVE, IS A FULL, TRUE, AND CORRECT TRANSCRIPTION OF MY
17 SHORTHAND NOTES TAKEN DURING THE PROCEEDINGS ON NOVEMBER 29,
18 2012.

19 DATED THIS 9TH DAY OF JANUARY, 2013, AT SAN DIEGO,
20 CALIFORNIA.

21
22
23 
24 BETTY J. ASHE, CSR NO. 4844
25 OFFICIAL COURT REPORTER
26 SAN DIEGO SUPERIOR COURT
27
28