

1 THE STATE OF NEW HAMPSHIRE  
 2 STRAFFORD, SS. SUPERIOR COURT  
 3 \*\*\*\*\* \*  
 4 DAVID K. TAYLOR, \*  
 5 Plaintiff, \*  
 6 vs. \* No. 219-2011-CV-00349  
 7 THE OYSTER RIVER \*  
 8 COOPERATIVE SCHOOL BOARD, \*  
 9 ET AL., \*  
 10 \*\*\*\*\* \*

DEPOSITION OF MEGAN TURNBULL

15 Deposition taken by agreement of  
 16 counsel at The Oyster River School  
 17 District, 36 Coe Drive, Durham,  
 18 New Hampshire, on Friday, October 7,  
 2011, commencing at 11:07 a.m.

Court Reporter: Sonia E. Bishop, CCR

21 -----  
 22 DAVID R. JORDAN & ASSOCIATES  
 23 Certified Court Reporters

P.O. Box 303 603-778-7710  
 Exeter, NH 03833 NH 1-800-562-3945

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I N D E X

1 WITNESS:  
 2 Megan Turnbull  
 3 EXAMINATION: Page  
 4 By Mr. Taylor 5  
 5 EXHIBITS FOR IDENTIFICATION:  
 6 Turnbull Description Page  
 7 1, Notice of Deposition 5  
 8 2, David K. Taylor's First Amended Petition 5  
 9 For Injunctive Relief Pursuant To RSA  
 10 91-A:7  
 11 3, Letter from Kim Clark to the Oyster 30  
 12 River School Board  
 13 4, School Board Response to the Community 41  
 14 5, Emails 70  
 15 6, Emails 70  
 16 7, Trident Communications Group Business 86  
 17 Card  
 18 8, Emails 91  
 19 9, Emails 92  
 20 10, Emails 98  
 21 11, Emails 111  
 22 12, Emails 111  
 23 13, Emails 119  
 14, Email 119  
 15, Email 122

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APPEARANCES

FOR THE PLAINTIFF:

David Taylor, Pro Se  
 16 Surrey Lane  
 Durham, NH 03824

FOR THE DEFENDANT:

WIGGIN & NOURIE, P.A.  
 BY: Dennis T. Ducharme, Esq.  
 670 North Commercial Street  
 Manchester, NH 03105

Also present: Henry Brackett

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1 (Whereupon, Exhibit 1, Notice of  
 2 Deposition, is marked for  
 3 identification.)  
 4 (Whereupon, Exhibit 2, David K. Taylor's  
 5 First Amended Petition For Injunctive  
 6 Relief Pursuant To RSA 91-A:7, is marked  
 7 for identification.)

**MEGAN TURNBULL**

8 having been duly sworn by  
 9 the court reporter, was deposed  
 10 and testified as follows:

**EXAMINATION**

11 MR. TAYLOR: Thank you all for coming today.  
 12 I'd like to state that I'm David Taylor. With  
 13 me is Megan Turnbull, the deponent, Dennis  
 14 Ducharme, counsel, Sonia Bishop, the recorder,  
 15 and Henry Brackett, the defendant.

16 Standard stipulations?

17 MR. DUCCHARME: Sure.

18 BY MR. TAYLOR:

19 **Q.** Please state your name.

20 **A. Megan Turnbull.**

21 **Q.** And your address.

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1 **A. 28 Sandy Brook Drive in Durham, New Hampshire.**

2 **Q.** How long have you lived here?

3 **A. Let's see, just over four and a half years,**  
 4 **roughly.**

5 **Q.** Phone number?

6 **A. Area code 603-397-5573.**

7 **Q.** Can you describe your education?

8 **A. I have multiple degrees. I have an**  
 9 **undergraduate degree from the University of**  
 10 **Michigan. I have two Master's, one from**  
 11 **Washington University in St. Louis, and a MBA**  
 12 **from the University of Chicago.**

13 **Q.** Thank you. Can you describe your career?

14 **A. I'm sorry, could you rephrase that?**

15 **Q.** Could you describe your career?

16 **A. I worked in telecommunications industry for**  
 17 **approximately 14 years as a marketing manager.**

18 **Q.** What is your relationship to the schools?

19 **A. My children attend the schools, and I serve on**  
 20 **the Oyster River Cooperative School District**  
 21 **School Board.**

22 **Q.** How long have you served on the board?

23 **A. Approximately six months.**

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1 **Q.** What role do you serve on the board?

2 **A. I'm an at-large school board member,**  
 3 **representing the three towns of Durham, Lee and**  
 4 **Madbury.**

5 **Q.** Do you serve on any committees?

6 **A. I do serve on the policy committee and the**  
 7 **communications committee. I also had served on**  
 8 **the academic affairs committee, but that**  
 9 **committee was dissolved as of a few months ago,**  
 10 **I believe.**

11 **Q.** Going to the right-to-know request that I  
 12 made -- before I go into that. I'll give you  
 13 Exhibit 1. Look at that.

14 **A. (Reviewing document.)**

15 MR. DUCCHARME: I'm going to jump in. When  
 16 he gives you a document --

17 THE WITNESS: I'm reading it, right?

18 MR. DUCCHARME: You don't have to read it  
 19 when he's asking a question.

20 THE WITNESS: Oh, okay. Sorry. I'm almost  
 21 done.

22 MR. DUCCHARME: All right. I did tell you to  
 23 read documents carefully.

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1 THE WITNESS: Sorry.

2 BY MR. TAYLOR:

3 **Q.** Can you describe that?

4 **A. Could you rephrase, please.**

5 **Q.** Can you describe what the document is?

6 **A. Oh, it is -- it's -- it looks like a Superior**  
 7 **Court docket, document. It's a notice to take**  
 8 **oral deposition of Megan Turnbull.**

9 **Q.** Have you read that document before?

10 **A. I have read it before, yes.**

11 **Q.** Are you familiar with the list of documents that  
 12 were requested?

13 **A. I'm familiar with the list that's present in**  
 14 **these papers.**

15 **Q.** Okay. Thank you.

16 **A. You want it back?**

17 **Q.** Exhibit 2.

18 **A. (Reviewing document.) Okay.**

19 **Q.** Can you please describe that document?

20 **A. This is a document from the Superior Court.**  
 21 **It's the document of David Taylor's First**  
 22 **Amended Petition For Injunctive Relief.**

23 **Q.** Are you familiar with that document?

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1 **A. I think -- actually, I'm not sure. I'm not sure**  
 2 **if I have -- I think I've seen it. This is an**  
 3 **amended version of the original petition. Okay.**  
 4 **Yeah, I'm familiar with this, yes.**  
 5 **Q.** You're familiar with the issues in this case?  
 6 **A. Yes.**  
 7 **Q.** Okay. Thank you.  
 8 Moving on to my right-to-know request. Are  
 9 you familiar with my right-to-know request of  
 10 June 20?  
 11 **A. I don't recall what it was specifically that you**  
 12 **did on June 20th. You'll have to show it to me**  
 13 **again.**  
 14 **Q.** This is Exhibit 11 within Exhibit 2.  
 15 **A. All right. Okay.**  
 16 **Q.** Are you familiar with this --  
 17 **A. Yes.**  
 18 **Q.** -- right-to-know request?  
 19 **A. Yes.**  
 20 **Q.** Did you respond to that right-to-know request?  
 21 **A. I did.**  
 22 **Q.** When you were responding, about how many emails  
 23 did you have to go through?

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1 **A. One. I found one. Oh, how many did I have to**  
 2 **go through to get to the one?**  
 3 **Q.** That's correct.  
 4 **A. I don't know.**  
 5 **Q.** Any approximate estimate of how many emails you  
 6 had at that time?  
 7 **A. I have a lot of emails. I use -- at that time I**  
 8 **was using my email for personal use as well as**  
 9 **school board use, so there are literally**  
 10 **thousands of emails in my computer. So I**  
 11 **just...**  
 12 **Q.** Okay. Approximately how long did it take you to  
 13 satisfy the request?  
 14 **A. Probably maybe five minutes.**  
 15 **Q.** It took you five minutes to go through thousands  
 16 of emails?  
 17 **A. Mm-hmm. I had used the search function on my**  
 18 **computer.**  
 19 **Q.** Yesterday Ann Lane testified that Howard Colter  
 20 had asked for a clerk to be hired to go through  
 21 his emails. Are you familiar with that?  
 22 **A. I am.**  
 23 **Q.** Can you please describe that?

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1 **A. Henry had -- well, Henry had mentioned to, I**  
 2 **guess, several board members about his need to**  
 3 **get a clerk to help him go through his emails**  
 4 **because he needed help. He was on the board**  
 5 **much longer, and you'd have to ask Henry to get**  
 6 **more detail about that.**  
 7 **Q.** Was there any follow-up to that?  
 8 **A. I don't know.**  
 9 **Q.** Do you know if a clerk was hired for that?  
 10 **A. I'm not sure, but I don't believe so.**  
 11 **Q.** Turning to the initiation of the buy-out  
 12 process. I'm trying to identify meetings and  
 13 non-meetings that have occurred during this  
 14 process, so I'm trying to go through the  
 15 timeline to find those meetings. So I'm trying  
 16 to sort of identify when this started, what the  
 17 timeframe is.  
 18 When did you first consider a change in  
 19 employment of Howard Colter?  
 20 **A. It was -- I don't remember the exact date. But**  
 21 **it was around the time of -- let me think.**  
 22 **May I look -- I'm going to look at this. I**  
 23 **can probably give you a better date. It was**

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1 **around the time of, I think, April 14th-ish, I'm**  
 2 **guessing.**  
 3 **Q.** Are you saying April 14th was the first time you  
 4 thought about changing Howard Colter's  
 5 employment?  
 6 **A. Yeah.**  
 7 **Q.** You had never entertained that idea before that  
 8 date?  
 9 **A. Well, I guess I could say I thought of it, but I**  
 10 **never talked about it as a school board member.**  
 11 **Q.** Had you talked about it with community members  
 12 prior to being a school board member?  
 13 **A. Can you rephrase the first question?**  
 14 **Q.** Had you discussed changing Howard Colter's  
 15 employment with any community members prior to  
 16 you being on the school board?  
 17 **A. Yes.**  
 18 **Q.** Can you describe those conversations?  
 19 **A. I can.**  
 20 MR. DUCHARME: I'm going to say, David, as I  
 21 said yesterday, I don't think anything  
 22 Ms. Turnbull did before being elected to the  
 23 board has anything to do with your case.

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1 If you want a couple of minutes of  
2 background from her, fine, just in the interest  
3 of moving this along. But I don't want to spend  
4 a half an hour on something that clearly is not  
5 relevant.

6 BY MR. TAYLOR:

7 **Q.** Please answer the question.

8 **A. Other than people were just perhaps were**  
9 **dissatisfied with -- um, I'm concerned about**  
10 **violating the terms of our separation agreement.**  
11 **So I'm having trouble answering this question.**

12 **Q.** I'm asking about before you were a school board  
13 member.

14 MR. DUCHARME: But the separation agreement  
15 does have anti-disparagement language, so I  
16 understand her concern.

17 MR. TAYLOR: Please answer the question.

18 MR. DUCHARME: We're going to take a break.  
19 I just want to make sure that she couches her  
20 answers in a way that's not in violation of that  
21 agreement.

22 MR. TAYLOR: Okay, we'll stay on record.

23 MR. DUCHARME: No.

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1 MR. TAYLOR: Yes, we will.

2 MR. DUCHARME: We're walking out. You can  
3 stay on the record in here.

4 (11:20 a.m., recess.)

5 (11:23 a.m., deposition resumes.)

6 MR. DUCHARME: I've instructed the witness  
7 to tell you what others said about Mr. Colter in  
8 response to your question, but not to talk about  
9 what board members have said about Mr. Colter,  
10 and that's based on the language in the  
11 termination agreement.

12 THE WITNESS: So others in the community had  
13 expressed concerns about, um, related to his  
14 performance in serving our district.

15 BY MR. TAYLOR:

16 **Q.** Can you elaborate on that?

17 **A. Others stated that he was -- did not communicate**  
18 **well, did not feel he was committed to our**  
19 **district.**

20 **Q.** Who are these people?

21 **A. They are a variety of people who live in Oyster**  
22 **River community.**

23 **Q.** Can you name them?

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1 MR. DUCHARME: Why does this have any  
2 relevance to your request? It's pre her  
3 election to the board conversations with private  
4 citizens.

5 BY MR. TAYLOR:

6 **Q.** Please answer the question.

7 MR. DUCHARME: Not until you have to give me  
8 some --

9 MR. TAYLOR: I don't have to answer it. We  
10 can discuss this in court. Please answer the  
11 question.

12 MR. DUCHARME: Don't answer. Move on.

13 BY MR. TAYLOR:

14 **Q.** Did you have any conversations with board  
15 members prior to you being elected?

16 **A. Yes.**

17 **Q.** Can you describe those conversations?

18 MR. DUCHARME: Don't answer that.

19 MR. TAYLOR: I'm not asking for the content  
20 of the conversation?

21 MR. DUCHARME: Yes, you are.

22 BY MR. TAYLOR:

23 **Q.** Can you tell me when you had conversations with

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1 other board members prior to being elected?

2 **A. I can't tell you when, because I had many**  
3 **conversations with many people. I will tell you**  
4 **one thing, I certainly talked to board members**  
5 **before I decided to run for school board.**

6 **Q.** Did you ever meet with more than one board  
7 member together at once?

8 MR. DUCHARME: Before being elected?

9 BY MR. TAYLOR:

10 **Q.** Yes.

11 **A. Does that include attending board meetings?**

12 **Q.** No.

13 **A. That was one time. Well, I can think of maybe**  
14 **at least one occasion, and then maybe prior to**  
15 **certain board members being elected, yeah.**

16 **Q.** Can you describe that?

17 **A. I held a campaign tea for folks at my home.**

18 **Q.** This is while you were running or previously?

19 **A. No, this is before I was on the school board.**

20 **Q.** Were there any between January and March?

21 MR. DUCHARME: Of 2011?

22 MR. TAYLOR: Yes.

23 THE WITNESS: I'm sorry, I can't remember

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- 1 the prior part leading up to your question.  
 2 BY MR. TAYLOR:  
 3 **Q.** From January 1st till the time you were elected  
 4 to the board, did you have any meetings with  
 5 more than one board member?  
 6 **A. I don't remember.**  
 7 **Q.** Okay. Were you aware that Howard Colter on  
 8 March 24th met with Attorney Kim Memmesheimer?  
 9 **A. No.**  
 10 **Q.** Are you aware of that now?  
 11 **A. I am as a result of looking at the bill from the**  
 12 **attorney.**  
 13 **Q.** When was the first time you were aware of Kim  
 14 Memmesheimer being involved with the school  
 15 board?  
 16 **A. I was aware of her being involved when we were**  
 17 **sent an email, and I think it was sent to us**  
 18 **April 19th to have a non-meeting at her office**  
 19 **April 21st. I don't recall the content of that**  
 20 **email. And I'm not recalling if her name was**  
 21 **mentioned or just the name of the firm she**  
 22 **served. So it either was the 19th or was when I**  
 23 **actually met her for the first time on the 21st**

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- 1 **of April, 2011.**  
 2 **Q.** Did you have any meetings with other board  
 3 members after you got elected before the meeting  
 4 on March 16th?  
 5 **A. Meetings?**  
 6 **Q.** Did you get together with any other board  
 7 members?  
 8 **A. Yeah, I did, because I took the oath of office**  
 9 **on, I think it was March, I think it was a**  
 10 **Saturday in Madbury, I think, and yeah, so we**  
 11 **were at the same place at the same time taking**  
 12 **the oath of office.**  
 13 **Q.** Did you have any discussions besides taking the  
 14 oath?  
 15 **A. We had informal discussions about what we were**  
 16 **doing for the weekend.**  
 17 **Q.** No discussions related to the board?  
 18 **A. Nothing, just, you know, here we go, we're on**  
 19 **the board now, we're going to be in the thick of**  
 20 **it. You know, I don't know. No agenda type**  
 21 **discussions, no.**  
 22 **Q.** So the first time you had any substantive  
 23 discussion was at the March 16th meeting?

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- 1 **A. As far as I recall.**  
 2 **Q.** Okay. Turning to the high school search, when  
 3 did you first consider the high school  
 4 candidates, or when did you first get involved  
 5 in the high school search or interest in the  
 6 search?  
 7 **A. I was actually interested in the search prior to**  
 8 **joining the school board. I don't remember the**  
 9 **exact date. I've always been interested, I**  
 10 **think, from the moment I learned that our**  
 11 **present principal had resigned, I became very**  
 12 **interested in that matter.**  
 13 **Q.** Do you remember when she resigned or when you  
 14 learned about her resigning?  
 15 **A. I don't know the date, but I can tell you it was**  
 16 **right around -- it was actually something that**  
 17 **influenced my deciding to run, so it was a**  
 18 **couple of days before I decided to run for**  
 19 **office, and whenever I submitted the paperwork,**  
 20 **I had learned that. It was publicly known.**  
 21 **Q.** Do you remember approximately when that was?  
 22 **A. I just told you. It was a couple of days before**  
 23 **I decided to put my -- whatever, decided to run**

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- 1 **for school board. I don't remember. I think it**  
 2 **was January. I don't remember. Or February. I**  
 3 **can't remember.**  
 4 **Q.** Did you have any discussions with people on the  
 5 search committee about the high school search?  
 6 **A. Yes.**  
 7 **Q.** Can you describe those discussions?  
 8 **A. I asked who they -- the types of candidates they**  
 9 **were seeing, I had asked basically about the**  
 10 **types of candidates and the caliber and the fit**  
 11 **with our district. Just generic information.**  
 12 **Q.** Did you ask once or many times?  
 13 **A. I think there were several conversations. I was**  
 14 **friendly with someone who was on the search**  
 15 **committee, and I'd see her often, so we'd talk.**  
 16 **Q.** Who was that?  
 17 **A. Julie Reece.**  
 18 **Q.** Did you talk with any other board members about  
 19 that?  
 20 **A. I talked with Ann Wright and Jocelyn O'Quinn at**  
 21 **the time.**  
 22 **Q.** Can you describe those conversations?  
 23 **A. Very similar, you know. I would like to add,**

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1 **though, that they were very guarded. There was**  
2 **a timeframe before I was on the board, and these**  
3 **were personnel issues, so it wasn't until I was**  
4 **on the board that maybe they spoke more openly.**

5 Q. What kinds of questions were they guarded about?

6 A. **Well, they can't tell me the names of the**  
7 **people, you know, where they are. Those are**  
8 **things that would violate, you know, the**  
9 **confidentiality. But once I was on the board, I**  
10 **was privy to more of that information.**

11 Q. So you're saying you were able to get lists of  
12 names of candidates once you were on the board?

13 A. **Actually, no. I was able to -- I actually**  
14 **requested a list of all the candidate, and I was**  
15 **prevented from looking at that. I was told that**  
16 **I was not allowed to look at that.**

17 **But by the time I was on the board, I'm not**  
18 **sure, I think it was my first board meeting or**  
19 **second, I can't recall, but the finalists, they**  
20 **were down to 2 or 3 finalists at that point.**  
21 **And to my recollection we were given those names**  
22 **during a nonpublic session.**

23 Q. You think that was at your first meeting on the

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1 board?

2 A. **It may have been. That was March 16th. I do**  
3 **remember the date of my first board meeting.**  
4 **Probably. Not really, just kidding. Sorry.**  
5 **First time you're under those hot lamps.**

6 Q. Were you on the search committee?

7 A. No.

8 Q. At that March 16th meeting in the nonpublic  
9 session, the minutes refer to discussion about  
10 the relationship of the board with  
11 administration.

12 Do you remember that discussion?

13 MR. DUCHARME: That's a yes or no question.

14 THE WITNESS: I don't remember. I don't  
15 remember anything to that. I think, I would say  
16 no, I don't remember, no.

17 BY MR. TAYLOR:

18 Q. Do you remember any discussion about the  
19 employment status of Howard Colter at that  
20 meeting?

21 A. No.

22 Q. Do you remember Henry Brackett being given  
23 instruction from the board to talk to a lawyer

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1 or begin considering changes in the employment  
2 of Howard Colter?

3 A. **No. At the March 16th meeting?**

4 Q. At the March 16th meeting.

5 Do you remember any other meeting where he  
6 was given that kind of authority?

7 A. **Can you repeat -- can you rephrase the question?**

8 Q. Do you remember any other board meetings where  
9 Henry Brackett was given authority to contact a  
10 lawyer or otherwise begin the exploring changing  
11 Howard Colter's employment status?

12 A. No.

13 Q. So you're saying he was never given authority to  
14 do that?

15 MR. DUCHARME: Object to the form of the  
16 question. Go ahead and answer.

17 THE WITNESS: I don't understand what to do.

18 MR. DUCHARME: Don't worry about my  
19 objection, worry about whether I tell you to  
20 answer or not. So go ahead and answer.

21 THE WITNESS: No, no, there was no meeting  
22 where that happened, as I remember.

23 ///

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1 BY MR. TAYLOR:

2 Q. Was he given authority outside of the meeting at  
3 any time?

4 A. Yes.

5 Q. Can you describe that?

6 A. **He, I think, took informal poles among board**  
7 **members to get their sentiments and then moved**  
8 **forward and established the non-meeting.**

9 Q. And which non-meeting does this refer to?

10 A. **The one on April 21st.**

11 Q. Was it the first meeting with Kim Memmesheimer  
12 and Daniel Hoefle?

13 A. Yes.

14 Q. Can you describe that pole in a little more  
15 detail?

16 A. **Henry called me and -- this is -- Henry called**  
17 **me and gave me some information and asked what I**  
18 **thought, and I gave him my opinion.**

19 Q. Can you describe that information?

20 A. **I'm concerned it might violate our separation**  
21 **terms.**

22 MR. DUCHARME: Okay. Let's take a break.  
23 (11:35 a.m., recess.)

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1 (11:37 a.m., deposition resumes.)  
 2 **A. Henry had told me that several other board**  
 3 **members had some concerns, that those concerns**  
 4 **were of a nature that would warrant our wanting**  
 5 **to explore a possible separation for the better**  
 6 **good of our district.**  
 7 **Q.** Did he tell you who those other board members  
 8 were?  
 9 **A. Yes.**  
 10 **Q.** Who were they?  
 11 **A. Jocelyn O'Quinn and Krista Butts.**  
 12 **Q.** And what did you say in response?  
 13 **A. I don't recall my exact words. But I thought**  
 14 **that these things warranted proceeding, and I**  
 15 **said yes, I think we should pursue this.**  
 16 **Q.** And what did Henry do with this pole  
 17 information?  
 18 **A. You'll have to ask Henry. But my assumption is**  
 19 **that it resulted in a meeting, so he must have**  
 20 **contacted the attorney's office.**  
 21 **Q.** So he scheduled a meeting following that?  
 22 **A. Yes.**  
 23 **Q.** So he made a decision to move ahead?

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1 BY MR. TAYLOR:  
 2 **Q.** You interviewed two candidates; is that correct?  
 3 **A. Yes.**  
 4 **Q.** Who were those candidates?  
 5 **A. We interviewed, I believe, his name was Bob**  
 6 **Thompson and Justin Campbell.**  
 7 **Q.** Had there been any discussion among the board  
 8 members prior to that meeting about those  
 9 candidates?  
 10 **A. Yes.**  
 11 **Q.** Can you describe that discussion?  
 12 **A. I did talk to people who had gone on the site**  
 13 **visit to get their impressions.**  
 14 **Q.** Any other conversations?  
 15 **A. I don't -- I don't recall. I don't remember.**  
 16 **Q.** Ann Wright testified that about a week  
 17 beforehand that she and Henry Brackett had  
 18 basically poled other board members to see if  
 19 they would be willing to support the  
 20 superintendent's nomination.  
 21 Do you remember that?  
 22 **A. I don't remember that.**  
 23 **Q.** You don't remember either one of them talking to

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1 **A. Yes.**  
 2 **Q.** Prior to this meeting, you had met on April 11th  
 3 to interview high school candidates and make a  
 4 decision?  
 5 **A. Mm-hmm.**  
 6 **Q.** Can you describe that meeting?  
 7 **A. Was that -- I'm assuming that meeting was a**  
 8 **school board meeting where -- I can't remember**  
 9 **exactly what that meeting was. I don't remember**  
 10 **what it was. We did -- I can't remember the**  
 11 **date, but we had -- we interviewed the**  
 12 **candidates, and they were on television. And**  
 13 **then we went back into a nonpublic and voted.**  
 14 **I don't know if that was April 11th, if**  
 15 **that's what you were referring to.**  
 16 **Q.** That's what I was referring to.  
 17 **A. Okay. What's the question again?**  
 18 **Q.** Can you describe that meeting?  
 19 **A. I think I just did.**  
 20 MR. DUCHARME: Good job.  
 21 THE WITNESS: I can't remember all the  
 22 dates.  
 23 ///

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1 you about whether you could support the  
 2 nomination?  
 3 **A. I don't remember that, no. I don't remember**  
 4 **being asked about that.**  
 5 **Q.** Prior to the vote on April 11th, were you at the  
 6 SAU?  
 7 **A. I don't remember. On that day you mean?**  
 8 **Q.** On that day.  
 9 **A. I don't remember.**  
 10 **Q.** What was the result of that vote?  
 11 **A. It was a 3/4 vote to reject the nomination.**  
 12 **Q.** How did you vote?  
 13 **A. I voted against. I voted no.**  
 14 **Q.** Prior to that meeting, had you discussed the  
 15 issue with any community members?  
 16 **A. Can you rephrase? I'm not sure what you mean by**  
 17 **the issue.**  
 18 **Q.** Prior to that meeting on April 11th, had you  
 19 discussed the nominations with any community  
 20 members?  
 21 **A. Yes.**  
 22 **Q.** Can you describe those conversations?  
 23 **A. Well, we had a community forum, a lot of people**

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1 **met these folks, these two gentlemen, and many**  
2 **of whom I'm friendly with, and I asked for their**  
3 **impressions, and they thought it would be good**  
4 **for our district.**

5 **Q.** Did any discussion about the relationship of the  
6 high school principal and the superintendent  
7 come up in those conversations?

8 **A. With Ms. Rogers and Mr. Colter?**

9 **Q.** With the candidates and Mr. Colter or their  
10 positions.

11 **A. Yes, probably, yeah.**

12 **Q.** Can you describe that?

13 **A. Just about their management styles, are they**  
14 **similar or different, are their schools similar**  
15 **or different to Oyster River. More like**  
16 **comparative to what, you know, what we have**  
17 **versus where they came from. That may actually**  
18 **change my answer to no, I think. I'm not sure.**

19 **Q.** What do you mean by no?

20 **A. Well, you asked me if it was about the**  
21 **superintendent and the principal, and I don't --**  
22 **that's more to me about comparing our district**  
23 **as to other districts.**

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1 **Q.** Did you have any conversations with Kim Clark  
2 about that letter or about her position on the  
3 candidates?

4 **A. I only remember asking Kim if she were going to**  
5 **be able to attend one of the forums, and I think**  
6 **her husband attended. That's the only**  
7 **conversation I remember having with her on this.**

8 **Q.** Do you remember having any discussion with  
9 anybody in the community about whether the high  
10 school principal position should stay unfilled  
11 until a new superintendent was hired?

12 **A. I never thought we should -- well, I've had**  
13 **conversations about having an interim principal,**  
14 **yes. If that's what you're alluding to, yes.**

15 **Q.** Can you describe those conversations?

16 **A. Sure. I talked to my father, who actually**  
17 **doesn't live in the community, but he had taught**  
18 **in public schools for many years. So I asked**  
19 **him, told him our situation, and he gave me his**  
20 **opinion. And that factored in some of my**  
21 **feelings that, you know, maybe an interim might**  
22 **be a good idea. I talked to other people to get**  
23 **their opinions. However -- well, you know,**

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1 (Whereupon, Exhibit 3, Letter from Kim  
2 Clark to the Oyster River School Board,  
3 is marked for identification.)

4 BY MR. TAYLOR:

5 **Q.** Can you describe that document?

6 **A. This is a letter from Kim Clark to the Oyster**  
7 **River School Board about the principal search,**  
8 **and she shares her opinions.**

9 **Q.** Are you familiar with that letter?

10 **A. Yes, I am.**

11 **Q.** Is that an authentic copy of that letter?

12 **A. I guess so. I don't know. I don't remember the**  
13 **details. I mean, we get lots of letters.**

14 MR. DUCHARME: Authentic is a legal term.

15 If you don't mind, what he's asking you is, as  
16 far as you know, is that the same version you  
17 got.

18 THE WITNESS: Yeah, probably. I don't think  
19 it's been doctored or anything.

20 BY MR. TAYLOR:

21 **Q.** Do you remember reading that letter?

22 **A. I remember receiving it and I remember skimming**  
23 **it. So, yes.**

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1 **there were other factors that changed my mind**  
2 **and wanted us to have a permanent principal**  
3 **hired.**

4 **Q.** Thank you. Following the vote, did you talk  
5 with any community members about the decision?

6 **A. Yes.**

7 **Q.** Can you describe those conversations?

8 **A. I talked to some of my closest friends and said**  
9 **it was an incredibly difficult decision, and I**  
10 **was having a difficult time dealing with the**  
11 **aftermath of the decision.**

12 **Q.** Did you describe any of the rationale that went  
13 into your decision?

14 **A. I just said there were a lot of factors and it**  
15 **was a very complex decision.**

16 **Q.** You didn't enumerate any of those factors?

17 **A. No. I would have been violating**  
18 **confidentiality.**

19 **Q.** Did you post anything on facebook about the  
20 decision?

21 **A. I don't think -- no, I wasn't even using**  
22 **facebook.**

23 **Q.** So you didn't mention on facebook about

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1 financial concerns?  
 2 **A. No.**  
 3 **Q.** And then take it down a day later?  
 4 **A. No. I don't think so. I don't believe I did.**  
 5 **I don't believe I ever put that type of thing up**  
 6 **there.**  
 7 **Q.** Ann Wright has testified that your husband,  
 8 Brian Turnbull, on April 14th went over to visit  
 9 her.  
 10 Are you aware of that visit?  
 11 **A. That my husband went over to visit whom?**  
 12 **Q.** Ann Wright testified that Brian Turnbull went  
 13 over to visit Julie Reece.  
 14 Are you aware of that visit?  
 15 **A. I was aware after he did it. I was not aware he**  
 16 **was going to do that.**  
 17 **Q.** Can you describe that visit?  
 18 **A. You'll have to ask my husband.**  
 19 **Q.** Can you describe what you know about that visit?  
 20 **A. He -- he knew I was very distraught, he knew**  
 21 **that I had -- okay, it was my second or third**  
 22 **board meeting, and I was being publicly**  
 23 **name-called, and I was feeling very unsettled.**

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1 **And he knew I was friends with Julie, so he**  
 2 **thought he could go over there and try to help**  
 3 **me.**  
 4 **Q.** What do you know about what he did?  
 5 **A. He talked to her about -- Julie told him, you**  
 6 **know, why they were upset. And I honestly don't**  
 7 **remember all the details about that. I just**  
 8 **know she gave him some information, you know,**  
 9 **why she was upset with our decision.**  
 10 **Q.** Did he give her any rationale for why the  
 11 decision was made?  
 12 **A. I don't think so. Because he wasn't a school**  
 13 **board member.**  
 14 **Q.** Did he tell her something about Justin Campbell  
 15 wanting to get a job in Brunswick?  
 16 **A. I don't know.**  
 17 **Q.** Are you aware of any discussion about Justin  
 18 Campbell wanting to get a job in Brunswick?  
 19 **A. I recall that Justin Campbell -- he actually**  
 20 **told me he had other job opportunities. He told**  
 21 **me that before we interviewed him.**  
 22 **Q.** What did you think about that?  
 23 **A. I thought -- is this something that -- I have a**

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1 **question for my attorney. I'm not sure how to**  
 2 **answer this. But I thought that --**  
 3 MR. DUCHARME: If you really need to step  
 4 out.  
 5 THE WITNESS: Yeah, it's quick. It won't  
 6 take long. Sorry.  
 7 (11:53 a.m., recess.)  
 8 (11:54 a.m., deposition resumes.)  
 9 THE WITNESS: I think it's understandable  
 10 that candidates will interview elsewhere, but I  
 11 was thinking I really hoped this candidate would  
 12 consider us as his number one choice.  
 13 BY MR. TAYLOR:  
 14 **Q.** Did you feel that he didn't consider it to be  
 15 the number one choice?  
 16 **A. I had reservations.**  
 17 **Q.** Can you describe those reservations?  
 18 **A. I had reservations that we may not be his number**  
 19 **one choice based on his demeanor and the way he**  
 20 **was talking.**  
 21 **Q.** Where did you get this impression?  
 22 **A. From his demeanor.**  
 23 **Q.** During the interview?

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1 **A. During the interview. He made a comment and,**  
 2 **you know, he had opportunity to make closing**  
 3 **remarks, and he said something like, "I'm really**  
 4 **glad this is over."**  
 5 **It was joking but, you know, that was an**  
 6 **interesting thing to say. The other candidate**  
 7 **was a lot more -- didn't answer it in that**  
 8 **manner. I thought that was surprising.**  
 9 **Q.** Are you aware of any sense that Howard Colter  
 10 had any part to play in Justin's job offer in  
 11 Brunswick?  
 12 **A. I did not know, no, I did not know Howard had**  
 13 **any play in that.**  
 14 **Q.** Were you aware that your husband said to Julie  
 15 Reece that Howard was trying to get Justin a job  
 16 offer here so that he could get a better job  
 17 offer from Brunswick?  
 18 **A. I don't remember. He may have thought that. I**  
 19 **don't know. Said that. I can't say if I**  
 20 **remember for sure if he said it. Because I**  
 21 **wasn't there.**  
 22 **Q.** Did Julie Reece react to that comment?  
 23 **A. I wasn't there. You'd have to ask Julie. I**

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- 1 **would assume she did. She probably was angry.**
- 2 **Q.** Did she react to you?
- 3 **A. I wasn't there. You're talking about a**
- 4 **conversation between my husband and Julie. I**
- 5 **wasn't there. How can I be reacted to if I**
- 6 **wasn't there?**
- 7 **Q.** Did she react after the meeting to you?
- 8 **A. Yes.**
- 9 **Q.** Can you describe that reaction?
- 10 **A. She reacted -- she sent me an email.**
- 11 **Q.** Could you describe that email?
- 12 **A. It was saying that I was disingenuous, that I**
- 13 **had every intention of never hiring somebody,**
- 14 **that I had predetermined ideas, and she had**
- 15 **these statements about me. And I was very**
- 16 **offended by them.**
- 17 **Q.** Did she describe the fact that your husband had
- 18 come over?
- 19 **A. She felt that -- yeah, she thought that was some**
- 20 **crazy plan, and it was nothing of the sort.**
- 21 **Q.** How did your husband know about the Brunswick
- 22 job?
- 23 **A. I guess I told him that. Maybe. That he was**

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- 1 **applying elsewhere.**
- 2 **Q.** Did you also express to him your reservations?
- 3 **A. Yeah, probably. I mean, there were many factors**
- 4 **that -- there many other factors involved, too.**
- 5 **But I didn't get into -- you know, I said there**
- 6 **were many factors. I don't remember, honestly.**
- 7 **It was very traumatic.**
- 8 **Q.** But you do remember having a discussion with
- 9 him?
- 10 **A. Yeah. He's my husband. I talk to my husband.**
- 11 **Q.** Did you talk to your husband after he met with
- 12 Julie Reece?
- 13 **A. Yes, I talked to him before I came here, too.**
- 14 **Q.** On that day?
- 15 **A. Of course.**
- 16 **Q.** About his visit to Julie Reece?
- 17 **A. Yes. I was very angry with him. I thought what**
- 18 **he did was -- he was trying to help me, and I**
- 19 **think he ended up creating a misconstrued**
- 20 **situation.**
- 21 **Q.** Did you talk to other community members about
- 22 any of your rationale for why you made your
- 23 decision?

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- 1 **A. I did.**
- 2 **Q.** Can you describe those conversations?
- 3 **A. I shared my rationale, I said it was very**
- 4 **difficult, I said that there were a lot of**
- 5 **different factors, I felt, you know, that went**
- 6 **into that decision.**
- 7 **Q.** Can you describe those factors?
- 8 **A. Oh, gosh. I've got to think about it for a**
- 9 **second. Honestly, I don't remember a lot. You**
- 10 **know, there was the factor of, you know, I think**
- 11 **there was a major factor that was lack of**
- 12 **information, and I thought very strongly at the**
- 13 **time that we were going to be deliberating on**
- 14 **two candidates. And I thought through that**
- 15 **comparison process that we would be able to make**
- 16 **a good decision. And we were not afforded that**
- 17 **opportunity. And only a single candidate was**
- 18 **nominated, and there was no more discussion.**
- 19 **And I was going into a situation where I thought**
- 20 **we would be deliberating on two different**
- 21 **candidates. And I think that created a much**
- 22 **different result, I guess. I don't know how**
- 23 **else to put it.**

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- 1 **Q.** Following the decision, did the board issue a
- 2 statement on April 11th?
- 3 **A. I know that there was a statement -- I think**
- 4 **there was. Yes, there was a statement, and I**
- 5 **think that was released, and I remember it was**
- 6 **after April 11th. It wasn't on that day, I**
- 7 **don't believe. I think it was at a subsequent**
- 8 **board meeting it was released.**
- 9 **Q.** Did you talk to Seth Fiermonti of the Oyster
- 10 River Community Blog Spot that evening about
- 11 your decision?
- 12 **A. I don't think so. I don't remember if I did.**
- 13 **Q.** Did you talk to him about what you just
- 14 described as you expected to have two
- 15 candidates?
- 16 **A. I don't remember talking to him about that.**
- 17 **Q.** Do you remember that the Oyster River Blog Spot
- 18 had that information that evening?
- 19 **A. I don't remember that.**
- 20 **Q.** Do you frequently talk with Seth Fiermonti about
- 21 school board business?
- 22 **A. I don't frequently talk with Seth Fiermonti. I**
- 23 **attend the same church with him. I say hello to**

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1 **him after mass. Our children are similar ages,**  
2 **and his son and my daughter are in the same**  
3 **class at Moharimet.**

4 **Q.** Do you know if any other board members gave him  
5 information to post on that blog spot?

6 **A. I don't know.**

7 **Q.** Let's move to the 13th meeting. April 13th, I  
8 believe is where that statement was.

9 (Whereupon, Exhibit 4, School Board  
10 Response to the Community, is marked for  
11 identification.)

12 BY MR. TAYLOR:

13 **Q.** Do you recognize that statement?

14 **A. Yes.**

15 **Q.** Is that authentic?

16 **A. Yes.**

17 **Q.** Do you know who wrote that?

18 **A. I think Jocelyn O'Quinn did.**

19 **Q.** Did she write it on her own?

20 **A. I think so, yes.**

21 **Q.** Did she discuss writing it with anyone else  
22 before?

23 **A. We actually had to discuss it as a board before**  
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1 **Q.** Thank you.

2 On April 14th, there was a meeting of the  
3 search committee at the high school.

4 Do you remember that meeting?

5 **A. Yes.**

6 **Q.** Can you please describe that meeting?

7 **A. Well, this was a meeting that the search**  
8 **committee put together to talk about next steps**  
9 **after the board had not accepted the nomination.**

10 **Q.** Were you on the committee at that time?

11 **A. No, I was not on the committee. I was never on**  
12 **the committee.**

13 **Q.** Did you attend that meeting?

14 **A. I did. I was an uninvited guest.**

15 **Q.** Can you describe what happened while you were  
16 there?

17 **A. I went in there with the hopes of explaining the**  
18 **difficulty of the decision, I wanted the search**  
19 **committee to know that I was very sorry that**  
20 **what -- you know, I recognize their work and**  
21 **that I was disappointed at the way things had**  
22 **unraveled, and that the board -- I think things**  
23 **could have been a different outcome had we been**

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1 **we released it.**

2 **Q.** Prior to that meeting, was there any discussion  
3 about her writing it?

4 **A. I don't remember. I mean, I think we asked her**  
5 **to do this. I remember, I felt like there was**  
6 **a -- I don't know. I might be mixing things up.**  
7 **I can't remember if she just did this on her own**  
8 **and then brought it. I don't remember. I think**  
9 **she probably did, because we didn't have any**  
10 **meetings in between those two things. So it had**  
11 **to be she just started working on this on her**  
12 **own.**

13 **Q.** Was there any discussion at the April 11th  
14 meeting about a press statement?

15 **A. No.**

16 **Q.** And she wasn't given instruction?

17 **A. I don't remember. I can't remember. It was a**  
18 **very disconcerting time. I don't remember.**

19 **Q.** After she started writing it, did anyone else  
20 participate in writing that statement?

21 **A. I don't know.**

22 **Q.** Was it circulated by email?

23 **A. I don't know. I don't remember.**

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1 **able to deliberate on the two candidates, but I**  
2 **didn't for sure. I just felt there was a**  
3 **process issue that got us to this point. And I**  
4 **felt very badly. I felt -- I wanted to try to**  
5 **mend, and I was trying to in many ways extend an**  
6 **olive branch. That's why I went there. I**  
7 **thought I could bring some good.**

8 **Q.** Were there other board members at that meeting?

9 **A. Yes.**

10 **Q.** Who?

11 **A. Ann Lane and I think Ann Wright. I can't**  
12 **remember if Ann Wright was there or not. And**  
13 **there was a former board member, Jennifer Rief.**  
14 **I don't remember if Ann Wright was there. I**  
15 **think she was. I'm not sure.**

16 **Q.** She testified yesterday that she was.

17 **A. Okay.**

18 **Q.** Any other Board members at that meeting?

19 **A. No. I saw Henry Brackett in the hall --**  
20 **actually, outside the high school leaving before**  
21 **I entered the building. He told me he had been**  
22 **in there.**

23 **Q.** Were you aware when he was in there that he was

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1 in there?

2 **A. I didn't know he was in there until I got to the**  
3 **high school and he was there. I didn't know he**  
4 **was going to be there.**

5 **You know what, I want to take that back. I**  
6 **actually, I remember -- I think I thought -- I**  
7 **think I knew he could be there, yes, actually.**

8 **Q. How were you aware of that?**

9 **A. Because I remember we wanted him to thank the**  
10 **search committee for their work. So it was**  
11 **likely he went to them to thank them.**

12 **Q. When you got there, was there discussion about**  
13 **you being there?**

14 **A. Oh, yes.**

15 **Q. Can you describe that discussion?**

16 **A. There were people -- I was very upset. I was**  
17 **practically in tears. There were people who**  
18 **were very kind to me and asked me to sit down.**  
19 **And said, you know -- one person of the**  
20 **committee, Jennifer Rief, started questioning**  
21 **me, asked me what my intentions were and why did**  
22 **I just barge in here.**

23 **Another member -- I don't know her name --**

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1 **said let her talk. And they allowed me to say a**  
2 **few things. And I said basically what I had**  
3 **said earlier.**

4 **Q. Anything else happen after that?**

5 **A. I left. And they concluded their meeting.**

6 **Q. Do you remember Ann Lane and Jennifer Rief**  
7 **exchanging words?**

8 **A. Yeah. Ann Lane said to Jennifer Rief, "Stop**  
9 **badgering her."**

10 **Q. What happened after that?**

11 **A. I don't remember.**

12 **Q. Did Ann Lane say anything to any teachers?**

13 **A. There was a lot of talking in the room. You**  
14 **know, people saying, okay, blah, blah. It was**  
15 **hard to hear. I don't remember if she said**  
16 **something.**

17 **Q. Do you remember something like, "I don't know**  
18 **who you are, buddy, but you better watch out"?**

19 **A. I don't remember her saying that.**

20 **Q. Do you have any knowledge of any complaints that**  
21 **followed that meeting?**

22 **A. I do.**

23 **Q. Can you describe that?**

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1 **A. I heard that there was a complaint regarding**  
2 **what was supposedly she said to a teacher. And**  
3 **that was handled without, you know -- I wasn't**  
4 **involved in those dealings.**

5 **Q. Who was she in that answer?**

6 **A. Oh, Ann Lane. Sorry.**

7 **Q. Do you know anything more about that complaint**  
8 **or how it was handled?**

9 **A. I know there was a meeting, and that's about --**  
10 **or, you know, get together, I don't know. They**  
11 **had to deal with it. So I don't know. I**  
12 **wasn't -- I don't know what they did.**

13 **Q. What do you know about that meeting?**

14 **A. I don't know. I know there was a discussion,**  
15 **and the teachers guild, and the superintendent,**  
16 **I think.**

17 **Q. Do you know of any follow-up meetings following**  
18 **that?**

19 **A. No.**

20 **Q. Turning to the meeting on April 19th at Hoefle?**

21 **A. Yes.**

22 **Q. Can you describe that meeting?**

23 **A. It was a non-meeting in Portsmouth,**

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1 **New Hampshire.**

2 **Q. Can you describe what happened at that meeting?**

3 **A. It's a non-meeting. I don't have to describe**  
4 **the contents of that meeting.**

5 **Q. Was any --**

6 **A. I'm sorry. What was the date of the meeting?**

7 **Q. April 19th.**

8 **A. I'm sorry. I don't know. There was no meeting**  
9 **April 19th, as far as I know. It was the 21st.**  
10 **That was our first meeting. On the 18th there**  
11 **was an email telling us how to get to the**  
12 **meeting.**

13 **Q. Are you aware that Henry Brackett met with**  
14 **Hoefle on the 19th?**

15 **A. No. I misspoke. I thought you were talking**  
16 **about the April 21st meeting.**

17 **Q. That's fine. On April 20th there was a meeting**  
18 **at the Durham Police Department.**

19 **Are you aware of that meeting?**

20 **A. No.**

21 **Q. April 21st, at Hoefle is the meeting you were**  
22 **thinking about before?**

23 **A. Mm-hmm.**

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1 Q. Can you describe that meeting?  
 2 A. **It was a non-meeting with attorneys from the**  
 3 **firm.**  
 4 Q. Who attended?  
 5 A. **I don't remember. I think the board, I believe**  
 6 **all of us were there. I can't remember. There**  
 7 **may have been one board member missing. I think**  
 8 **maybe Krista. I can't remember.**  
 9 Q. Who else was there?  
 10 A. **The board. Everyone except probably Krista.**  
 11 Q. Besides the board?  
 12 A. **The attorneys.**  
 13 Q. Which attorneys?  
 14 A. **Kim Memmesheimer, and I think Dan Hoefle was his**  
 15 **name.**  
 16 Q. Did you discuss fee structures then, fee  
 17 schedule?  
 18 MR. DUCHARME: I'm going to let you answer  
 19 that. Fees are not legal advice.  
 20 THE WITNESS: Okay. Yes.  
 21 BY MR. TAYLOR:  
 22 Q. What did you discuss about fees?  
 23 A. **How much they charge per hour for their service.**

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1 Q. Was there any discussion about that, any  
 2 negotiations, any difference of rates, any  
 3 discussion?  
 4 A. **No.**  
 5 Q. Do you remember what their rate was?  
 6 A. **I can't say with certainty I remember. I think**  
 7 **it was -- I'm guessing -- I think it was like**  
 8 **\$150 an hour.**  
 9 Q. Was there any action of the board following that  
 10 meeting in response to that meeting?  
 11 A. **The board felt that this firm and Kim would be**  
 12 **good representation for us.**  
 13 Q. When did that happen?  
 14 A. **During the non-meeting.**  
 15 Q. So during that meeting the board decided to  
 16 accept that firm?  
 17 A. **Yeah.**  
 18 Q. What was the bidding process for selecting that  
 19 firm?  
 20 MR. DUCHARME: I object to the form. Go  
 21 ahead and answer.  
 22 THE WITNESS: The bidding process. Henry  
 23 was -- Henry presented this firm, and we thought

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1 it was acceptable. There was no formal bidding  
 2 process, as far as I'm aware.  
 3 BY MR. TAYLOR:  
 4 Q. Were other firms considered?  
 5 A. **I believe there were some other firms**  
 6 **considered, yeah.**  
 7 Q. What do you know of those other firms?  
 8 A. **I don't recall. But I remember, I think it**  
 9 **could have been Ann Wright gave some suggestions**  
 10 **to Henry of other firms.**  
 11 Q. Did you consider those other firms?  
 12 A. **No. I was only presented one firm to consider,**  
 13 **so I considered what I was presented.**  
 14 Q. And you were okay with just selecting from that  
 15 list of one?  
 16 A. **I had apprehension.**  
 17 Q. Can you describe that apprehension?  
 18 A. **I thought -- I was concerned that, you know,**  
 19 **kind of getting to the spirit of what you're**  
 20 **getting at, I thought we might want to, you**  
 21 **know, compare. But my peers seemed to feel**  
 22 **comfortable, and I felt comfortable enough to**  
 23 **move forward. And I know enough about attorneys**

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1 **to feel that they were -- would be fine.**  
 2 Q. Had they experience with school board law?  
 3 A. **They had, I think, municipal experience, as I**  
 4 **recall.**  
 5 Q. How did the board decide to go with that firm?  
 6 What form did that decision take?  
 7 A. **It was sort of an informal, "How do you feel? I**  
 8 **feel good. Okay, go ahead."**  
 9 Q. Consensus?  
 10 A. **Yeah, there was no vote.**  
 11 Q. No thumbs up?  
 12 A. **I don't even think we did a thumbs up. I don't**  
 13 **remember.**  
 14 Q. Was any legal advice provided at that meeting?  
 15 A. **Yeah. I mean, there was, I guess. No, I don't**  
 16 **know. I don't know what constitutes legal**  
 17 **advice.**  
 18 MR. DUCHARME: Yes or no is fine, but don't  
 19 get into the advice.  
 20 THE WITNESS: Okay. I don't know what  
 21 constitutes legal advice in certain cases, but I  
 22 would say yes.  
 23 ///

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1 BY MR. TAYLOR:

2 **Q.** Were there any discussions besides the fee  
3 structure that were not legal advice?

4 **A. Yes.**

5 **Q.** Can you describe those discussions?

6 **A. I remember asking, because Kim was presented as  
7 the attorney, and I was asking would we have  
8 support of other attorneys in the firm. I  
9 remember asking that. And I remember that was  
10 discussed. Just generic, you know, idea of how  
11 much -- you know, where else, you know,  
12 description -- we asked for description of other  
13 clients and things like that. So I guess that  
14 would constitute nonlegal advice. Right? So  
15 maybe, I don't know. I don't know what you  
16 call. I don't know.**

17 **Q.** Was there any discussion of public relations at  
18 that meeting?

19 **A. No.**

20 **Q.** Any discussion of the interim search?

21 **A. I don't think so. I'd say no.**

22 **Q.** Any discussion about what to do following the  
23 separation agreement?

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1 **She was against it. But she -- yeah.**

2 MR. DUCHARME: I could use a break when you  
3 get to a breaking point.

4 MR. TAYLOR: We can break now.

5 (12:19 p.m., recess.)

6 (12:26 p.m., deposition resumes.)

7 BY MR. TAYLOR:

8 **Q.** Going back to the meeting of the 21st. How was  
9 the attorney found?

10 **A. Henry found the attorney.**

11 **Q.** Do you know where, anything about the selection?

12 **A. I think Henry knew the attorney personally. She  
13 attended his church.**

14 **Q.** Did that bother you?

15 **A. I was concerned about the qualifications more  
16 than how he came about finding the attorney. I  
17 was more focused on whether this attorney was a  
18 good fit for our situation.**

19 **Q.** Is bidding important to you?

20 **A. Yes.**

21 **Q.** Did Henry bringing in a friend from church as  
22 the attorney bother you from your concerns about  
23 bidding?

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1 **A. No.**

2 **Q.** Did you decide at that meeting to move forward  
3 with the separation agreement?

4 **A. No.**

5 **Q.** When did that decision occur?

6 **A. Well, we voted on the separation agreement on  
7 June 15th.**

8 **Q.** When did you decide that you wanted to seek a  
9 separation agreement?

10 **A. We, I believe -- I believe that was at our -- we  
11 had a non-meeting April 29th.**

12 **Q.** That's when the decision occurred?

13 **A. Yeah.**

14 **Q.** What form did that decision take?

15 **A. I think we may have done a thumbs up on that  
16 one. I'm not sure. I don't remember.**

17 **Q.** Was it unanimous?

18 **A. You know, it's hard to remember. Ann Wright was  
19 opposed, but she left. I don't know, she left  
20 one of our meetings. She had to get her dog out  
21 of her car and go home, and I don't remember if  
22 she was present when that was concluded. But  
23 she must have been. No, she was against it.**

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1 **A. Surprisingly, no, it didn't bother me.**

2 **Q.** At the 21st meeting, you said that you took a  
3 vote to select the firm -- by consensus you  
4 selected the firm.

5 Were there any other decisions made at that  
6 meeting?

7 **A. I don't remember.**

8 **Q.** April 27th, there was a non-meeting prior to the  
9 public meeting in the auditorium.

10 Do you remember that meeting?

11 **A. I remember, yes.**

12 **Q.** Can you describe that?

13 **A. I remember we had a non-meeting, and I --  
14 remember, I think it had to do with the guild  
15 contract that we were getting ready to sign. I  
16 don't remember very much from that meeting,  
17 though.**

18 **Q.** Who attended?

19 **A. Our superintendent was there for sure. I don't  
20 remember -- I don't remember if the entire board  
21 was there or not. I was there, I'm sure that.  
22 I'm trying to think. I think it was the board  
23 and the superintendent. And most -- most of our**

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1 **non-meetings Danielle Bulduc and Meredith Nadeau**  
2 **were also there as well as Sue Caswell. But I**  
3 **can't remember if they were there or not. I**  
4 **don't remember.**

5 **Q.** Was there any attorney there?

6 **A. There might have been. I need to think back.**

7 **Q.** Take your time.

8 **A. There may have been. I'm not sure if it was**  
9 **that non-meeting or another non-meeting. But**  
10 **there could have been an attorney there. But**  
11 **I'm not sure.**

12 **Q.** Do you know what attorney might have been there?

13 **A. No, I don't remember. I think it was a man. I**  
14 **don't remember.**

15 MR. DUCHARME: That narrows it down.

16 THE WITNESS: I'm sorry.

17 MR. DUCHARME: Humor is allowed.

18 BY MR. TAYLOR:

19 **Q.** Ann Wright testified that Gordon Graham was  
20 there.

21 **A. Oh, all right. Good guess. I don't remember**  
22 **his name. Really. It was an incredibly**  
23 **stressful time in my life.**

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1 **Q.** Were any -- did any discussions occur at that  
2 meeting that did not involve the attorney?

3 **A. During the non-meeting?**

4 **Q.** Mm-hmm.

5 **A. I don't remember.**

6 **Q.** Any decisions occur at that meeting?

7 **A. I don't remember. I barely remember that**  
8 **meeting at all, to be honest with you.**

9 **Q.** Returning to the April 29th meeting at Hoeffle,  
10 you said you decided at that meeting to move  
11 forward with the separation agreement?

12 **A. Mm-hmm.**

13 **Q.** Did you have any other discussions at that  
14 meeting that did not involve legal advice from  
15 the attorney?

16 **A. Well, I remember after we kind of decided --**  
17 **this is why I knew Ann Wright had to have been**  
18 **there -- we asked for -- well, I guess our**  
19 **attorney advised us, yes, sorry. Sorry.**

20 MR. DUCHARME: It's all right. See, you  
21 woke me up.

22 THE WITNESS: It's tricky. Did I answer the  
23 question? Yes. I don't know what to do. I'm

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1 confused.

2 MR. DUCHARME: Can you repeat the question,  
3 David, just to kind of help her backtrack.

4 BY MR. TAYLOR:

5 **Q.** At this meeting were there any discussions that  
6 did not involve legal advice from the attorney?

7 **A. I'm not sure this constitutes legal advice or**  
8 **not.**

9 MR. DUCHARME: Do you want to talk with me?

10 THE WITNESS: Yeah. It's small. It's not a  
11 big thing.

12 (12:33 p.m., recess.)

13 (12:34 p.m., deposition resumes.)

14 THE WITNESS: Can you restate it, please?

15 (Whereupon, the record is read as follows:

16 "At this meeting were there any discussions  
17 that did not involve legal advice from the  
18 attorney?")

19 THE WITNESS: I believe, so, yes. It came  
20 after receiving legal advice.

21 BY MR. TAYLOR:

22 **Q.** Can you describe the discussions?

23 **A. We had come to the determination about the**

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1 **course of action we wanted to take, and the**  
2 **attorney advised us to contact the**  
3 **superintendent directly and get the name of his**  
4 **attorney and forward that, to have that name**  
5 **forwarded to Kim.**

6 **And then the non -- I guess nonlegal advice**  
7 **portion was a discussion on who should go about**  
8 **a doing that. And we agreed that it made sense**  
9 **for Henry Brackett and Ann Wright to approach**  
10 **Howard.**

11 **Q.** How did that agreement take form?

12 **A. It was a very, you know, pretty much just said,**  
13 **"Okay, who should do it?"**

14 **Well, Ann or somebody said, "I think Henry**  
15 **and Ann should. Okay."**

16 **There was no like consensus thing going on.**

17 **Q.** Were there any other discussions that did not  
18 involve legal advice from the attorney?

19 **A. I don't recall.**

20 **Q.** Any other decisions that were made?

21 **A. Yes.**

22 **Q.** Describe those decisions.

23 **A. We had to make a decision about the course of**

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1 **action. We had several options.**

2 **Q.** What were those options?

3 MR. DUCHARME: Is that without the lawyer or  
4 with the lawyer?

5 THE WITNESS: Oh, with the lawyer. I'm  
6 sorry. I got confused. I apologize. The  
7 lawyer was always there.

8 BY MR. TAYLOR:

9 **Q.** Did the lawyer give you legal advice on those  
10 options?

11 **A. Yes.**

12 **Q.** Did you make a decision after you got the legal  
13 advice on those options?

14 **A. Yes.**

15 **Q.** What was that decision?

16 **A. To have an amicable separation and honor the  
17 contract.**

18 **Q.** What does honor the contract mean?

19 **A. To complete the payment that we -- you know, it  
20 was a three-year contract, so we were going to  
21 end it early, we would, you know, complete our  
22 obligations.**

23 **Q.** Basically pay him in full?

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1 **Q.** Did she participate in the actual decision?

2 **A. Can you rephrase that?**

3 **Q.** Did the attorney participate in the decisions  
4 about the terms of the separation agreement?

5 **A. I don't know. I don't know. I don't know how  
6 to answer it, honestly. I don't know how to  
7 answer that question.**

8 **Q.** How does a board make decisions?

9 **A. A variety of manners.**

10 **Q.** How many members are there on the board?

11 **A. Seven.**

12 **Q.** Is the attorney a member of the board?

13 **A. No.**

14 **Q.** Does the attorney have a vote in the decision?

15 **A. No.**

16 **Q.** Does the attorney participate in thumbs up?

17 **A. No.**

18 **Q.** So when the board makes the decision, who makes  
19 the decision?

20 **A. The board.**

21 **Q.** Is the attorney involved in those decisions?

22 **A. Okay. Thank you. No. She was not involved in  
23 the decision.**

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1 **A. Correct.**

2 **Q.** Did you have any other discussions at any other  
3 meetings about the terms of the settlement  
4 agreement?

5 **A. Can you rephrase the question, please?**

6 **Q.** Did you have any other discussions at any other  
7 meetings about the terms of the separation  
8 agreement?

9 **A. Yes, at subsequent non-meetings.**

10 **Q.** Can you describe those discussions?

11 MR. DUCHARME: No. Because that was legal  
12 advice.

13 BY MR. TAYLOR:

14 **Q.** Were there any discussions about the terms that  
15 did not involve advice from the attorney?

16 **A. About the terms? No.**

17 **Q.** So all the subsequent discussions about terms of  
18 the agreement involved legal advice from the  
19 attorney?

20 **A. Yes.**

21 **Q.** Was the attorney involved in decisions about  
22 those terms?

23 **A. Yes. Providing legal advice, relevant.**

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1 **Q.** So was there any other decisions by the board on  
2 the terms of the agreement at other meetings?

3 **A. I'm sorry. I'm not -- I don't know what you  
4 want. I don't know what to say here.**

5 MR. DUCHARME: If you either need the  
6 question read back or need it rephrased, just  
7 say so.

8 THE WITNESS: Please rephrase the question.

9 BY MR. TAYLOR:

10 **Q.** Did you have any other decisions about the terms  
11 of the agreement at subsequent meetings?

12 **A. Yes.**

13 **Q.** Can you describe those decisions?

14 **A. This is about the terms. Okay. Well, there was  
15 some -- as our attorneys -- our attorney was  
16 working with our superintendent's attorney,  
17 there were things that would arise.**

18 **You know, for example, she would say, "Do  
19 you want to give him his full sick pay due? Do  
20 you want to, you know, there is unused vacation,  
21 or other things. Do you want to include that in  
22 your settlement?"**

23 **And we had to decide yes or no on those.**

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- 1 **Q.** And what form did those decisions take?
- 2 **A.** **They were usually -- it was pretty clear that we**
- 3 **wanted to -- they occurred as a very simple**
- 4 **informal consensus at a non-meeting.**
- 5 **Q.** But you did make decisions about those terms?
- 6 **A.** **Absolutely, yes.**
- 7 **Q.** Do you remember at what meetings those decisions
- 8 were made?
- 9 **A.** **Well, it had to be meetings in May. If you look**
- 10 **at the bookends, somewhere in between. You**
- 11 **know, I don't remember. I could use your cheat**
- 12 **sheet for me, but I don't remember.**
- 13 **Q.** Probably May 28th or May 23rd?
- 14 **A.** **I would say, yeah. Hold on. Probably. There's**
- 15 **certainly ones made on May 23rd. I don't know**
- 16 **about a 28th meeting. Honestly, I don't**
- 17 **remember the date of the meeting in May. I'm**
- 18 **using your document to help me remember, because**
- 19 **I don't remember those dates.**
- 20 **Q.** Okay. Did the board consult with anyone besides
- 21 Kim Memmesheimer about the separation agreement?
- 22 **A.** **Yes.**
- 23 **Q.** Who?

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- 1 **how it happened, we were kind of given the**
- 2 **go-ahead to work on it.**
- 3 **Q.** When did that go-ahead get assigned to you?
- 4 **A.** **It must have been -- I'm cheating on the dates,**
- 5 **because I don't remember. But I assume it's at**
- 6 **that May 23rd meeting, I think. Non-meeting.**
- 7 **Q.** How did that decision -- how did that delegation
- 8 occur?
- 9 **A.** **Pretty much the same informal consensus, go**
- 10 **ahead.**
- 11 **Q.** Was there any discussion about who would do
- 12 that?
- 13 **A.** **Yeah, a little. Because Jocelyn had been kind**
- 14 **of -- you know, everyone on the board -- yes,**
- 15 **there was discussion.**
- 16 **You want to know what the discussion was,**
- 17 **right?**
- 18 **Q.** Please describe the discussion.
- 19 **A.** **Up to this point everyone has their strengths,**
- 20 **right, and Jocelyn was sort of like our PR, kind**
- 21 **of a de facto expert on PR. I don't know, we**
- 22 **just looked to her for PR among ourselves.**
- 23 **And I felt, you know, that I could help her,**

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- 1 **A.** **We consulted with a PR firm, a representative**
- 2 **from a PR firm.**
- 3 **Q.** Who was that?
- 4 **A.** **His name was Rhoades Alderson.**
- 5 **Q.** Can you describe those consultations?
- 6 **A.** **Well, we needed to have a press release**
- 7 **incorporated in our separation agreement, and**
- 8 **our attorney advised us to get a professional to**
- 9 **help us. So we had a couple calls with him to**
- 10 **work on that.**
- 11 **Q.** When did those calls occur?
- 12 **A.** **I don't remember the exact dates.**
- 13 **Q.** How did you select him?
- 14 **A.** **Well, he was someone who was referred to me by**
- 15 **another individual. And I don't know. There**
- 16 **was -- let me think how to phrase this.**
- 17 **We had -- we had agreed that Jocelyn and I**
- 18 **would work on the PR piece during a non-meeting**
- 19 **under the advice of our attorney that we needed**
- 20 **to have help.**
- 21 **And so we were charged to talk to somebody,**
- 22 **and so I had a relationship with somebody who**
- 23 **could refer me to Rhoades. And that's kind of**

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- 1 **and so I just offered and everyone said fine.**
- 2 **Q.** Did anyone else help you with that effort?
- 3 **A.** **I asked Henry to participate once, I think, just**
- 4 **to keep him in the loop.**
- 5 **Q.** And you said you asked him once?
- 6 **A.** **I wasn't looking for his help. I just felt**
- 7 **since he was our chair, I wanted to keep him**
- 8 **abreast of things that were occurring.**
- 9 **Q.** My question was more, you said you asked him
- 10 once.
- 11 **Does that mean that he participated one time**
- 12 **or that you only asked once?**
- 13 **A.** **Can you go back and tell me what the question**
- 14 **was again. Maybe I didn't answer it accurately.**
- 15 **Q.** I asked if anyone else worked with you and
- 16 Jocelyn on the PR piece, as you call it?
- 17 **A.** **I would say yes.**
- 18 **Q.** Can you describe that involvement?
- 19 **A.** **I had Kim Memmesheimer, our attorney, was**
- 20 **involved, and Henry was involved as a board**
- 21 **chair in terms of keeping him abreast. I felt**
- 22 **it was good to let him know what I was doing.**
- 23 **And then later Krista got involved in terms of**

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1 **being kind of speaking on behalf of the board to**  
2 **the press.**

3 **Q.** So Krista worked with you and Jocelyn?

4 **A. She -- I guess so. Yeah, you could say so.**

5 **Q.** What did you do following this meeting, given  
6 that instruction?

7 **A. Can you rephrase, what meeting we're referring**  
8 **to?**

9 **Q.** At a meeting possibly on May 23rd, you said you  
10 and Jocelyn were given the go-ahead to do a PR  
11 piece, and you said you also involved Kim and  
12 Henry. After this meeting that you were given  
13 instruction, what did you do?

14 **A. What I think I did, the best of my knowledge,**  
15 **was I -- honestly, I don't remember. Okay. So**  
16 **I knew of this gentleman Rhoades through a**  
17 **confidant. And I contacted Rhoades to see if**  
18 **he'd be willing to talk to us on a conference**  
19 **call where we could share what we needed his**  
20 **help on.**

21 **So I went ahead and I set up a conference**  
22 **call. And I believe that occurred on -- I think**  
23 **it was May 27th -- with myself, Jocelyn, Henry**

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1 **and Rhoades Alderson.**

2 **I believe that was the day. I'd like to**  
3 **check the date. Yeah. Must have been that day.**

4 **Q.** Was that the first time you had talked to him  
5 over there as a conference call?

6 **A. No. I believe I had talked to him before that.**

7 **Q.** But as a conference call?

8 MR. DUCHARME: The question was as a  
9 conference call.

10 THE WITNESS: Oh, yes.

11 (Whereupon, Exhibit 5, Emails, is marked  
12 for identification.)

13 (Whereupon, Exhibit 6, Emails, is marked  
14 for identification.)

15 BY MR. TAYLOR:

16 **Q.** Can you describe the document you have?

17 **A. I have an email that I forwarded to Henry**  
18 **Brackett on May 22nd of an email that I had sent**  
19 **to Skip Hanson earlier.**

20 **Q.** Who is Skip Hanson?

21 **A. Skip Hanson is a former superintendent of the**  
22 **Exeter Cooperative School District. And he --**  
23 **he is a retired superintendent.**

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1 **Q.** How do you know Skip Hanson?

2 **A. I was referred to him by another individual.**

3 **Q.** Who was that?

4 **A. Ben Hilliard.**

5 **Q.** And what was Skip Hanson doing for you?

6 **A. Well, as I mentioned earlier -- I don't know if**  
7 **I mentioned it earlier. I don't know if I**  
8 **mentioned this earlier.**

9 **My perception after, you know, many board**  
10 **meetings was that the district was in somewhat**  
11 **of a crisis situation, and I felt that we needed**  
12 **help. And on my own, I contacted -- I had heard**  
13 **Ben speak at a board meeting because I do listen**  
14 **to people when they speak at board meetings, and**  
15 **I thought he seemed like someone who had some**  
16 **information about conflict resolution or crises**  
17 **management or helping communities.**

18 **So I reached out to him. I did not know him**  
19 **prior. And I told him, you know, my concerns.**  
20 **And he referred me to Skip.**

21 **He said, "I know a good guy who can help**  
22 **you."**

23 **I basically just had conversations with Skip**  
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1 **just about my concerns and the district.**

2 **Q.** Did you ever formalize your relationship with  
3 Skip Hanson? Was there ever a vote to the board  
4 to accept him as a consultant or anything of  
5 that sort?

6 **A. No.**

7 **Q.** Was there anyone besides you who worked with  
8 Skip Hanson?

9 **A. I don't think I ever really worked with Skip**  
10 **Hanson, so no.**

11 **Q.** Was there anyone besides you who was involved in  
12 a conference call with Skip Hanson?

13 **A. Yes.**

14 **Q.** Can you describe those?

15 **A. There was -- so as I said, I had reached out to**  
16 **him as an individual just with concerns in**  
17 **trying to gather information about how can we**  
18 **heal and because our community was upset. And I**  
19 **was very concerned.**

20 **And thanks to you, David, we had money in**  
21 **our budget to look at mistrust in the community.**  
22 **I viewed that money as something that maybe we**  
23 **could use to have public forums and help us heal**

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- 1 **our divide. And I talked to Skip about that.**  
 2 **And he suggested that I speak to another**  
 3 **individual. And we had an informational**  
 4 **conference call. And it was with myself --**  
 5 **you're going to ask me who was on it, right?**  
 6 **Q.** Mm-hmm.  
 7 **A. Skip, me, Henry, Jocelyn and Duke Albanese. And**  
 8 **it was an informational discussion.**  
 9 **Q.** That was Skip, Megan, Jocelyn, Henry, Duke; is  
 10 that right?  
 11 **A. Skip, Duke, me, Jocelyn, Henry.**  
 12 **Q.** And when did that call occur?  
 13 **A. That happened -- I'm referring to your dates, so**  
 14 **I hope you're right. It was -- I remember it**  
 15 **was an evening call. It was probably -- I think**  
 16 **it was on May 22nd. I'm guessing.**  
 17 **Q.** Take a look at that, please.  
 18 **A. Okay. Okay.**  
 19 **Q.** Does that refresh your memory about the date  
 20 that conference call occurred?  
 21 **A. Oh, yeah. It does refresh my memory.**  
 22 **Q.** So that conference call you described occurred  
 23 on May 22nd, and this email describes it?

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- 1 **A. Yes.**  
 2 **Q.** Okay. Why were Jocelyn and Henry involved in  
 3 that discussion as well?  
 4 **A. Good question. Well, Henry is our chair, so --**  
 5 **honestly, I don't remember why I picked them,**  
 6 **but I could speculate.**  
 7 MR. DUCHARME: Do the best you can.  
 8 THE WITNESS: Okay. I mean, Henry is our  
 9 chair, and as I said, I like to keep my chair  
 10 abreast of things I'm doing, and that's  
 11 consistent with my forwarding the email earlier  
 12 that you showed me. So I thought he should be  
 13 involved.  
 14 And then like I said, Jocelyn is someone --  
 15 you know, I just -- I just appreciate her input,  
 16 and I thought it would be good to have her  
 17 included.  
 18 BY MR. TAYLOR:  
 19 **Q.** Okay. Were any decisions made at that  
 20 conference call?  
 21 **A. I don't believe so, no.**  
 22 **Q.** Did you decide to maintain a relationship with  
 23 these people or establish a relationship?

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- 1 **A. Well, I personally did not see a reason not to**  
 2 **keep my relationship with them. I felt there**  
 3 **would be -- he was a contact who was very kind,**  
 4 **and he gave me good advice. So I assumed I**  
 5 **would talk with him again in the future.**  
 6 **Q.** Did you have any discussion with Jocelyn or  
 7 Henry either at that conference call or  
 8 afterwards?  
 9 **A. I think what you're thinking of is -- yeah, I**  
 10 **guess, I may have talked to Henry after that**  
 11 **call.**  
 12 **Q.** Can you describe that conversation?  
 13 **A. It was probably something of the nature of,**  
 14 **"Well when we get to the point of when we want**  
 15 **to do forums, maybe we should consider inviting**  
 16 **these people to present to the board."**  
 17 **Q.** What would they present?  
 18 **A. Well, Duke Albanese represented an organization**  
 19 **that does a lot of these types of public forums,**  
 20 **and, you know, they do come to districts and**  
 21 **help. And I think there are a number of**  
 22 **organizations throughout the country who do**  
 23 **similar things. They're one example of that.**

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- 1 **And they could present, you know, just like a**  
 2 **search firm might present to the board for their**  
 3 **services.**  
 4 **Q.** To be selected to provide a service?  
 5 **A. Yeah.**  
 6 **Q.** Did you select Duke for that purpose?  
 7 **A. No.**  
 8 **Q.** Did you have any discussion with Jocelyn  
 9 following that meeting?  
 10 **A. I don't recall.**  
 11 **Q.** How did you communicate to Jocelyn and Henry  
 12 about that meeting?  
 13 **A. I sent them an email to set up the meeting,**  
 14 **which you just showed me. I think.**  
 15 **Is that a trick question? I don't know.**  
 16 **Q.** Was there any other discussion besides that?  
 17 **A. Like I said, I think I spoke to Henry after**  
 18 **probably on the telephone.**  
 19 **Q.** But not before?  
 20 **A. I don't think so. It was Sunday night. I don't**  
 21 **remember talking to Henry beforehand about this.**  
 22 **Q.** Okay.  
 23 **A. Wait. You know what, hold on. I do remember**

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1 **talking to Henry. Sorry. Because I had just**  
 2 **spoken to Skip, I believe, for the first time in**  
 3 **my life, I think the previous day. And I think**  
 4 **I called Henry to tell him that I had spoken to**  
 5 **Skip.**

6 **Q.** Can you describe that conversation?

7 **A. I spoke to Skip, and he -- you know, I think**  
 8 **Skip had agreed that he would talk to Duke and**  
 9 **see if we could maybe -- I had a very lengthy**  
 10 **conversation with Skip. And I think, actually,**  
 11 **it's two. I don't remember.**

12 **But we were talking about what was going on,**  
 13 **and the district, and you know, just kind of a**  
 14 **brainstorming, information, you know, how to**  
 15 **handle conflicts. And I thought it was helpful.**  
 16 **And I let Henry know that I had that**  
 17 **conversation.**

18 **And I'm fairly sure -- I'm not 100 percent**  
 19 **sure, but I'm fairly sure I called Henry and**  
 20 **told him.**

21 **Q.** How did the conference call get set up?

22 **A. Skip had a conference bridge that he gave to us**  
 23 **to use, and we dialed in using the conference**

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1 **A. I don't know if it was -- can you rephrase it?**

2 **It wasn't a personal cost to him.**

3 **Q.** His company?

4 **A. Yeah. Yes. He was allowing us to use the**  
 5 **bridge that was part of his group.**

6 **Q.** Did you ever discuss contracting with him?

7 **A. Yes.**

8 **Q.** Can you describe that conversation?

9 **A. I said to Skip -- I'm sorry, not contracting.**  
 10 **Shoot, it wasn't with Skip. No. I didn't**  
 11 **discuss contracting with Skip.**

12 **Q.** Can you elaborate what you were thinking about?

13 **A. All right. Well, really, the group that we were**  
 14 **talking to in terms of potential arrangements**  
 15 **was the previous, with Duke Albanese, that he**  
 16 **would do a presentation to the board and present**  
 17 **his services in terms of doing public forums and**  
 18 **helping with crisis management or whatever we**  
 19 **needed. And that would be something that has**  
 20 **never occurred. That, I would assume --**  
 21 **that's -- does that answer your question? I**  
 22 **assume if we ever picked them, then we would**  
 23 **have done a contract.**

DAVID R. JORDAN & ASSOCIATES

1 **bridge.**

2 **Q.** Was there any financial arrangements for use of  
 3 that bridge?

4 **A. None.**

5 **Q.** Did the question of financial arrangements ever  
 6 come up?

7 **A. No. It was just -- there was no financial**  
 8 **aspects to these discussions or anything at this**  
 9 **point.**

10 **Q.** Were there at any later point?

11 **A. No.**

12 **Q.** Have you ever worked with conference calls and  
 13 set up bridges yourself before?

14 **A. Yes.**

15 **Q.** Are they free?

16 **A. No.**

17 **Q.** Are they expensive?

18 **A. I don't know how much they cost. I was always**  
 19 **just someone using it. I never looked at how**  
 20 **much conference bridge services cost.**

21 **Q.** So basically Skip Hanson was providing this  
 22 service at some cost to him but for free to the  
 23 district?

DAVID R. JORDAN & ASSOCIATES

1 **Q.** You never had any discussions with Skip Hanson  
 2 or any SSC, the business he worked for, about  
 3 contracting his services?

4 **A. No, I don't think so.**

5 **Q.** Do you know why Skip provided these services to  
 6 you without compensation?

7 **A. I can guess. I don't know for sure. I think he**  
 8 **just wanted to help. He's a nice man. He was**  
 9 **trying to help.**

10 **Q.** Did he later apply to be interim superintendent?

11 **A. Did he apply? I asked him to apply. I asked**  
 12 **him if he would consider applying.**

13 **Q.** When did you do that?

14 **A. Oh, I don't remember. I think probably the**  
 15 **beginning of June.**

16 **Q.** And what did he say?

17 **A. He said he would consider it.**

18 **Q.** Was this a part of the interim search process?

19 **A. This was part --**

20 **Q.** This discussion that you had with Skip where you  
 21 asked him to apply?

22 **A. No, it kind of just -- it wasn't part of that.**

23 **No, it wasn't. It came out -- I was very**

DAVID R. JORDAN & ASSOCIATES

1 **impressed with him and the support he was**  
 2 **lending, and I just, I asked him out of the**  
 3 **blue. It wasn't part of any specific process.**

4 **Q.** So what you're saying is the first time you had  
 5 a conversation with Skip about the interim  
 6 search process is when you asked him to apply?

7 **A. I asked him if he would ever consider being an**  
 8 **interim for us.**

9 **Q.** Had you discussed anything about the interim  
 10 search process with him prior to that?

11 **A. No.**

12 **Q.** On May 16th there was a meeting at Ann Lane's  
 13 house.

14 Were you aware of that meeting?

15 **A. No.**

16 **Q.** May 20th, nonpublic meeting at Hoefle. Can you  
 17 describe that meeting?

18 **A. No, I can't describe it. I don't remember.**

19 **Q.** Do you remember whether you attended that  
 20 meeting?

21 **A. No.**

22 **Q.** Were there any non-meetings that you didn't  
 23 attend?

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1 **A. Can you rephrase the question?**

2 **Q.** Were there any meetings with Kim Memmesheimer or  
 3 Dan Hoefle that you know you did not attend?

4 **MR. DUCHARME:** Do you understand the  
 5 question?

6 **THE WITNESS:** Yeah. Can I just -- I'm  
 7 struggling, because I found out later that there  
 8 were. I didn't know at the time. I found out  
 9 by looking at invoices that you probably got  
 10 through your right-to-know request. I didn't  
 11 know, but apparently there were meetings where I  
 12 wasn't there.

13 **BY MR. TAYLOR:**

14 **Q.** Which meetings were those?

15 **A. Or called or something. Like you just said, I**  
 16 **don't know. I wasn't there, so I didn't know.**  
 17 **They were non-meetings, so I didn't know. I**  
 18 **guess. I don't know. God, this is a terrible**  
 19 **answer.**

20 **Can you ask the question over again?**

21 **Q.** Sure. Let me try approaching it differently.

22 There were two principal non-meetings of the  
 23 board and Kim Memmesheimer in May. May 20th and

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1 May 23rd.

2 Did you attend both of those meetings?

3 **A. I don't remember. I will tell you this:**

4 **That -- yeah, I don't remember. I can't**  
 5 **remember.**

6 **Q.** May 22nd, there was a conference call we already  
 7 talked about.

8 Was there any bid process for the selection  
 9 of the PR firm?

10 **A. I would say yes.**

11 **Q.** Can you describe that process?

12 **A. It was the process of gathering names of**  
 13 **different PR firms. And one -- yeah, one of**  
 14 **whom getting references from individuals and**  
 15 **then making a determination.**

16 **Q.** Who did this process?

17 **A. I would say it was primarily between Jocelyn and**  
 18 **me.**

19 **Q.** Would you consider this part of the PR piece  
 20 that you were charged?

21 **A. Absolutely, yes.**

22 **Q.** Where did you gather names from?

23 **A. Jocelyn got some names, and then I got the name**

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1 **Rhoades through Skip.**

2 **Q.** How did you check the references?

3 **A. I don't know. How did I check the references?**  
 4 **I don't know if we called references. I don't**  
 5 **remember. It's hard for me to answer that**  
 6 **question the way it's phrased. Sorry.**

7 **Q.** You previously said that you gathered names,  
 8 checked references, made your determination.

9 **MR. DUCHARME:** I object to the form. I  
 10 think she said they got references as opposed to  
 11 checked.

12 **THE WITNESS:** Yes.

13 **BY MR. TAYLOR:**

14 **Q.** You said you got references. How did you get  
 15 references?

16 **A. The firms provided a list of clientele being**  
 17 **served, and when we had a call with Rhoades -- I**  
 18 **think -- I think when I first spoke to Rhoades,**  
 19 **when I first talked to him, he elaborated on the**  
 20 **kinds of work he had done. Very impressive**  
 21 **credentials. And he gave that information to**  
 22 **me. And I shared it with Jocelyn, probably.**

23 **Q.** How did you make a determination?

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- 1 **A. We had a call. I don't know when it was.**  
 2 **May 27th. And it was pretty apparent that this**  
 3 **individual was exceptional and could really help**  
 4 **us.**  
 5 **Q.** So as part of that conference call?  
 6 **A. Yeah, it was just obvious. I don't know how it**  
 7 **was really decided, per se. I can't give you**  
 8 **that detail, because I don't remember.**  
 9 **Q.** So did you and Jocelyn discuss the candidates?  
 10 **A. We must have, yeah, I guess.**  
 11 **Q.** But you don't remember anything about it?  
 12 **A. I can't get into detail because I can't**  
 13 **remember. I'm just thinking what I would have**  
 14 **done if I could remember. I'm sure, you know.**  
 15 **That's all I can tell you.**  
 16 **Q.** Did you talk with any other firms?  
 17 **A. There were -- Jocelyn, yes.**  
 18 **Q.** Can you describe that?  
 19 **A. There was another firm from, I believe, based in**  
 20 **Dover or Portsmouth. I can't remember. And**  
 21 **this firm works with municipalities, I think.**  
 22 **///**  
 23 **///**

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- 1 (Whereupon, Exhibit 7, Trident  
 2 Communications Group Business Card, is  
 3 marked for identification.)  
 4 BY MR. TAYLOR:  
 5 **Q.** Can you describe that document?  
 6 **A. It looks like a Xerox copy of Raymond Mitchell's**  
 7 **business card.**  
 8 **Q.** Is that the firm that you talked to from Dover?  
 9 **A. Yes. Yes, I think so. I honestly don't**  
 10 **remember the name of it.**  
 11 **Q.** How did you talk with that firm?  
 12 **A. We used our mouths. I'm sorry.**  
 13 MR. DUCHARME: Are you getting tired?  
 14 THE WITNESS: Oh, dear. You have to  
 15 rephrase that question.  
 16 BY MR. TAYLOR:  
 17 **Q.** Did you meet with that firm, did you call them  
 18 over the phone?  
 19 **A. I believe that Jocelyn called them and talked to**  
 20 **them, and then we had a meeting with them at our**  
 21 **attorney's office prior to a meeting with the**  
 22 **greater group under the advice and instruction**  
 23 **of our attorney.**

DAVID R. JORDAN &amp; ASSOCIATES

- 1 **Q.** Did that meeting occur on May 23rd?  
 2 **A. Yeah.**  
 3 **Q.** Can you describe that meeting?  
 4 **A. Well, we went to Portsmouth and we sat, I**  
 5 **believe, it was Jocelyn and I, I think Henry.**  
 6 **I'm not sure if Henry was there. And we met**  
 7 **with Kim and this gentleman, Raymond, and we**  
 8 **talked about -- Kim described, you know -- is**  
 9 **this a problem?**  
 10 MR. DUCHARME: I'm not sure.  
 11 THE WITNESS: Okay.  
 12 BY MR. TAYLOR:  
 13 **Q.** Was this person a party to the separation  
 14 agreement?  
 15 **A. We were looking for the professional help on**  
 16 **this joint release, and Kim was explaining,**  
 17 **helping explain that. And that occurred during**  
 18 **that non -- at that meeting.**  
 19 **Q.** Did you interview this person at the PR firm at  
 20 that meeting?  
 21 **A. Well, we certainly asked questions about how --**  
 22 **asked the individual for his subject matter**  
 23 **expertise on the matter. I don't know if you**

DAVID R. JORDAN &amp; ASSOCIATES

- 1 **call that -- I don't know. We asked questions**  
 2 **about his expertise related to our needs.**  
 3 **Q.** Did you decide to retain that person for  
 4 services?  
 5 **A. No.**  
 6 **Q.** Did you decide at that meeting to recommend to  
 7 the board to retain that person or not?  
 8 **A. No.**  
 9 **Q.** So at the meeting with you and Jocelyn and  
 10 Henry, Kim and Raymond, did you decide how you  
 11 would -- did you settle on a recommendation to  
 12 make to the board?  
 13 **A. Did I?**  
 14 **Q.** Did that group make a decision on a  
 15 recommendation to make to the board?  
 16 **A. No.**  
 17 **Q.** In a subsequent meeting did you talk about this  
 18 person, this firm?  
 19 **A. Yes.**  
 20 **Q.** In that discussion, did you make a  
 21 recommendation about that person?  
 22 **A. I did, yes.**  
 23 **Q.** Did any others?

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- 1 **A. Probably Jocelyn said some things. I don't**  
 2 **remember.**  
 3 **Q.** Did the board make a decision based on that  
 4 discussion?  
 5 **A. I would say yes. There was a consensus that**  
 6 **Jocelyn and I should go forward and approach**  
 7 **Rhoades.**  
 8 **Q.** What do you mean by approach?  
 9 **A. About doing -- helping us with the joint press**  
 10 **release that goes in the separation agreement.**  
 11 **Q.** So you're saying that the board decided on  
 12 selecting the Rhoades firm?  
 13 **A. I guess they trusted that I had good judgment**  
 14 **and said go ahead.**  
 15 **Q.** How did that go ahead take form?  
 16 **A. I don't remember.**  
 17 **Q.** Was there a vote?  
 18 **A. No vote. There was never a vote. It was go**  
 19 **ahead, let them go do that, that sounds good. I**  
 20 **don't remember exactly how it was done.**  
 21 **Q.** Did you ever pay Rhoades' firm for his services?  
 22 **A. Did I?**  
 23 **Q.** Did the board ever pay, or the district?

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- 1 **A. Yes.**  
 2 **Q.** Did you ever get authority from Henry to accept  
 3 that fee?  
 4 **A. I received authority from Henry for the hourly,**  
 5 **to engage at the hourly rate.**  
 6 **Q.** When did that happen?  
 7 **A. I don't remember.**  
 8 (Whereupon, Exhibit 8, Emails, is marked  
 9 for identification.)  
 10 BY MR. TAYLOR:  
 11 **Q.** Take a look at this.  
 12 **A. Okay.**  
 13 **Q.** Can you describe that document?  
 14 **A. It's a couple of emails. My first email to**  
 15 **Skip. And then I had forwarded that to -- let**  
 16 **me look at it. Looks like I forwarded it to**  
 17 **Rhoades, copy to Jocelyn and Henry.**  
 18 **Wait, wait. I'm sorry. Okay.**  
 19 **Q.** Did that describe you getting approval from  
 20 Henry?  
 21 **A. No.**  
 22 **Q.** Sorry.  
 23 ///

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- 1 **A. Can I ask for advice on this?**  
 2 MR. DUCHARME: Sure.  
 3 (1:17 p.m., recess.)  
 4 (1:18 p.m., deposition resumes.)  
 5 THE WITNESS: Can you repeat the question?  
 6 (Whereupon, the record was read as  
 7 follows: "Did the board ever pay, or the  
 8 district?")  
 9 THE WITNESS: Yes.  
 10 BY MR. TAYLOR:  
 11 **Q.** Can you describe that?  
 12 **A. Describe it?**  
 13 **Q.** How much did you pay?  
 14 **A. I think his services cost about 750, I think.**  
 15 **Q.** Was there a vote to authorize that payment?  
 16 **A. Can you rephrase the question.**  
 17 **Q.** Was there ever a vote of the board to contract  
 18 this service to --  
 19 **A. No.**  
 20 **Q.** To commit --  
 21 **A. No vote.**  
 22 **Q.** So the board, basically, obligated themselves to  
 23 pay something without a board vote?

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- 1 (Whereupon, Exhibit 9, Emails, is marked  
 2 for identification.)  
 3 BY MR. TAYLOR:  
 4 **Q.** I'll try again.  
 5 **A. Okay.**  
 6 **Q.** So can you describe that document?  
 7 **A. This is a series of emails. First one from Skip**  
 8 **to Rhoades, and then Rhoades to Skip, and then**  
 9 **me to Skip. All with Henry copied. And it's**  
 10 **discussing conference call, understanding what**  
 11 **the rate would be from Rhoades, and then**  
 12 **instructions I was forwarding to Skip to give to**  
 13 **Rhoades.**  
 14 **Q.** Does that email talk about you getting approval  
 15 of the rate with Henry?  
 16 **A. The email states I have approval from Henry to**  
 17 **forward the hourly rate for now.**  
 18 **Q.** How did you know that?  
 19 **A. I'm not sure of my recollection, but I believe I**  
 20 **called Henry. And he said it would be fine,**  
 21 **it's all part of the separation agreement.**  
 22 **Q.** Did the board ever give approval to that?  
 23 **A. No.**

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- 1 **Q.** Did they approve it after the fact?
- 2 **A. This is tricky. The board did approve this**
- 3 **indirectly.**
- 4 **Q.** Can you describe that?
- 5 **A. Our attorney had advised us to work with a PR**
- 6 **firm and told us that we should work with a PR**
- 7 **firm. So she told me to make sure that any PR**
- 8 **work sent to her office, and that this -- all**
- 9 **this -- this is part of the separation agreement**
- 10 **and should be included together with her bill to**
- 11 **the district for the separation agreement. And**
- 12 **the board did agree on paying the attorneys, so**
- 13 **I would say, yeah, it was tied in and approved**
- 14 **that way.**
- 15 **Q.** Did this PR group do anything besides work on
- 16 the separation agreement?
- 17 **A. Yes.**
- 18 **Q.** What other work did they do?
- 19 **A. I asked Rhoades to just read over a letter that**
- 20 **I was working on with Jocelyn in response to the**
- 21 **student senate letter about graduation. And**
- 22 **Rhoades went ahead and did that as a favor.**
- 23 **Q.** Did he charge you for that?

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- 1 **A. No.**
- 2 **Q.** The bill was for seven hours worth of service.
- 3 Can you account for those seven hours?
- 4 **A. Yep.**
- 5 **Q.** Would you, please.
- 6 **A. He spent, I believe, five and a half hours on**
- 7 **the joint separation piece, the actual verbiage,**
- 8 **and getting background from us. And then he**
- 9 **spent, I would say, an hour and a half working**
- 10 **with Krista and Jocelyn to prepare them for**
- 11 **speaking on the board's behalf about the**
- 12 **separation agreement.**
- 13 **Q.** When did that discussion occur?
- 14 **A. Would you rephrase, be more specific?**
- 15 **Q.** When did the discussion with Krista and Jocelyn
- 16 and Rhoades occur?
- 17 **A. I'm not sure. I have to refer to your timeline,**
- 18 **David. It was in June. I don't remember the**
- 19 **exact date. I can't give you that.**
- 20 **Q.** Were there any other times that the PR firm was
- 21 used besides the separation agreement and the
- 22 letter for the students, and the preparing
- 23 Krista and Jocelyn for interview?

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- 1 **A. No, not that I'm aware of.**
- 2 **Q.** Any time since then?
- 3 **A. No.**
- 4 **Q.** Do you still maintain a relationship with this
- 5 PR firm?
- 6 **A. No.**
- 7 **Q.** Did Henry talk with anyone else to give
- 8 approval to the fee structure for the PR firm?
- 9 **A. I don't know.**
- 10 **Q.** Did he mention any other process, did he give
- 11 you any indication that he talked with anyone
- 12 else?
- 13 **A. All I can think of is maybe he talked to our**
- 14 **attorney about, you know, how we handle bringing**
- 15 **in a third party to help us, but that was**
- 16 **discussed during a non-meeting, and I was there.**
- 17 **So I don't believe so.**
- 18 **Q.** When you talked to him, you raised this issue to
- 19 him, you said you gave him a phone call?
- 20 **A. Yeah.**
- 21 **Q.** Did he give you an answer at that point, or did
- 22 he get back to you with an answer?
- 23 **A. He gave me an answer, I believe, during that**

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- 1 **call.**
- 2 **Q.** Prior to that, had the board given Henry the
- 3 authority to approve fee structures for PR
- 4 firms?
- 5 MR. DUCHARME: I think it's been asked and
- 6 answered, but go ahead.
- 7 THE WITNESS: Not specifically, no.
- 8 BY MR. TAYLOR:
- 9 **Q.** There was no vote taken?
- 10 **A. No vote.**
- 11 **Q.** Did that bother you, that approval process?
- 12 **A. No.**
- 13 **Q.** Do you think that the board chair has the
- 14 authority to approve those without board
- 15 approval?
- 16 **A. I think yes in this case.**
- 17 **Q.** What makes this case distinct?
- 18 **A. It was involving a separation agreement between**
- 19 **the district and our superintendent, and it was**
- 20 **understood there would be costs associated with**
- 21 **that, and that we all had agreed that we needed**
- 22 **to get the PR help, so this would be embedded in**
- 23 **that cost. So, I think, I took that as part of**

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1 **the whole package of the separation agreement.**  
2 **And I believe my peers felt the same.**

3 **Q.** Had Henry given you and Jocelyn the PR piece, or  
4 had the whole board given you that instruction?

5 **A. Like I say, it was the board, yeah. And I think**  
6 **they -- yeah.**

7 **Q.** Ann Wright testified that there was a close 4/3  
8 vote at the non-meeting on whether to have a PR  
9 firm.

10 Do you remember any discussion about whether  
11 they should have a PR firm, whether that vote  
12 might have occurred?

13 MR. DUCHARME: I'm objecting to the form  
14 only because I don't remember that testimony. I  
15 could be wrong. So go ahead and answer anyway.

16 THE WITNESS: Can you say the question  
17 again?

18 BY MR. TAYLOR:

19 **Q.** Ann Wright testified that at one of the  
20 meetings, probably May 20th or May 23rd, there  
21 was a discussion of some passion about whether  
22 to have a PR firm, maybe which PR firm to go  
23 with, and that it was a close vote, possibly a

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1 **finalizing the meeting. All attorney-client**  
2 **privilege document.**

3 **Q.** This is talking about the May 23rd meeting; is  
4 that correct?

5 **A. Yeah.**

6 **Q.** The date on which there were actually two  
7 meetings, right, a committee meeting first and  
8 then a full board after that?

9 **A. There were two meetings.**

10 **Q.** Can you -- the first was the meeting that you  
11 and Jocelyn, Henry, Raymond Mitchell and Kim  
12 Memmesheimer; is that correct? And then the  
13 full board afterwards?

14 **A. Correct.**

15 **Q.** What did the full board do while you had the  
16 first meeting, the rest of the board?

17 **A. I believe they were driving to the attorney. I**  
18 **don't believe they had arrived yet.**

19 **Q.** Can you read the document again? I believe it  
20 said they all showed up at five.

21 **A. Okay. I didn't remember that correctly. What**  
22 **did they do? I wasn't there. I was in another**  
23 **meeting, so I don't know what they did while we**

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1 4/3 vote.

2 Do you remember that discussion?

3 **A. I don't remember that discussion, and I can**  
4 **assure you we never voted on anything.**

5 **Q.** So all of this work was done without votes?

6 **A. Right.**

7 (Whereupon, Exhibit 10, Emails, is  
8 marked for identification.)

9 MR. DUCHARME: I will take that back. That  
10 was her testimony. Thank you.

11 THE WITNESS: Okay.

12 BY MR. TAYLOR:

13 **Q.** Can you describe the document?

14 **A. It's an email from Ann Wright to Henry and Kim**  
15 **saying she's unable to make the meeting because**  
16 **of prior commitment. Which is interesting in my**  
17 **mind. Because she claims she was at the meeting**  
18 **where she voted.**

19 **Then there is an email from Henry to Kim**  
20 **about myself, Jocelyn, and the third party to**  
21 **meet at the office.**

22 **And then the lawyer giving her**  
23 **recommendation on what we should do. And then**

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1 **were...**

2 **Q.** Do you remember seeing any other board members  
3 when you went into the first meeting?

4 **A. I don't remember. I'm trying to think. Maybe.**  
5 **Probably. Now that you talk about it, yeah, I**  
6 **probably did see a couple of. I don't know who,**  
7 **though. And I don't know what they did when I**  
8 **wasn't in the room with them.**

9 **Q.** But they weren't in that meeting; they were at  
10 the lawyer, and then they joined you afterwards?

11 **A. No, that's not what happened.**

12 **Q.** Can you describe it?

13 **A. We were in a separate room, and then we went**  
14 **into a larger room and rejoined our group, as I**  
15 **recall.**

16 **Q.** On May 27th there was the conference call that  
17 you said you had with the Rhoades firm?

18 **A. Mm-hmm.**

19 **Q.** And that's where you basically agreed afterwards  
20 to go with that firm; is that correct?

21 I'm just trying to recall your earlier  
22 testimony.

23 **A. I think so. It's hard to remember. I'll be**

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1 **honest with you, I can't remember exactly.**

2 **Q.** Whatever you can remember.

3 **A. What's the question? Do I have to answer that I**  
4 **can't remember?**

5 MR. DUCHARME: You don't have to answer if  
6 you don't remember.

7 THE WITNESS: Okay. Sorry.

8 BY MR. TAYLOR:

9 **Q.** That's fine. On June 3rd, there was a meeting  
10 of a legal team.

11 Are you aware of that?

12 MR. DUCHARME: I object to the form, but go  
13 ahead and answer.

14 THE WITNESS: No.

15 BY MR. TAYLOR:

16 **Q.** In Henry's calendar there's a reference to legal  
17 team on June 3rd.

18 Do you know what that reference might be  
19 related to?

20 **A. No. I mean, I can guess, but no.**

21 **Q.** Were there any members of the board who were  
22 concerned with legal issues?

23 **A. Can you rephrase and be more specific?**

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1 **them.**

2 **Q.** Could you describe how you understood the  
3 choices?

4 **A. I understood choices more not on a temporal**  
5 **level, but more of how we could separate our**  
6 **relationship with our superintendent.**

7 **Q.** Can you explain that? I didn't understand your  
8 answer.

9 **A. Well, you can end a contract in many different**  
10 **manners, and that was discussed throughout, you**  
11 **know.**

12 **Q.** Was there any discussion about whether the  
13 process should be announced and done so that  
14 people were aware of it or whether to keep it  
15 hidden?

16 **A. I don't recall any discussion about doing an**  
17 **announcement of this.**

18 **Q.** Was there a discussion about whether it should  
19 be hidden?

20 **A. I don't recall any discussion, no.**

21 **Q.** Did you ever have discussions about -- you  
22 talked about the PR firm billing through the  
23 attorney. What was the purpose of that?

DAVID R. JORDAN & ASSOCIATES

1 **Q.** Were there any members of the board that were  
2 dealing with legal issues outside of your work  
3 with -- at the non-meetings with the attorneys?

4 **A. I don't know.**

5 **Q.** You weren't aware of any?

6 **A. I don't know. No. I don't know of any.**

7 **Q.** Do you want to take a break now?

8 **A. All right. I'll take a break.**

9 (1:39 p.m., recess.)

10 (1:43 p.m., deposition resumes.)

11 BY MR. TAYLOR:

12 **Q.** Ann Wright testified that beginning with the  
13 discussions from Howard that the board was  
14 presented with three options for a separation:  
15 Basically to do it quickly, roughly in a week;  
16 to announce that you were working on a  
17 separation agreement and basically do it in  
18 public; or to wait until the end and do  
19 everything secretly, she said.

20 Were those options discussed by the board?

21 **A. No.**

22 **Q.** You were never aware of those choices?

23 **A. I was not aware of them in the way you describe**

DAVID R. JORDAN & ASSOCIATES

1 **A. The purpose was that the attorney told me to do**  
2 **it, she advised me to have the bills sent to her**  
3 **office because the work that Rhoades was doing**  
4 **was integrally tied to the overall separation,**  
5 **and she wanted to have -- I'm speculating on**  
6 **some of this -- but my understanding is that she**  
7 **wanted to have the complete, you know, all the**  
8 **costs associated with the project together, and**  
9 **that's why she advised me to do that and told me**  
10 **to do that, in fact.**

11 **Q.** Did she participate in the decision of which PR  
12 firm?

13 **A. No. She's not a member of the board.**

14 **Q.** So the board by itself made that decision? Or  
15 members of the board made that decision?

16 **A. Yes. Members of the board made the decision.**

17 **Q.** And that was the PR piece group that you, or  
18 whatever you called it, Megan, you and Henry?

19 **A. No. It was me and Jocelyn.**

20 **Q.** I'm sorry. Was the attorney ever involved in  
21 conference calls with the PR firm?

22 **A. Can you rephrase that, please?**

23 **Q.** You've had several conference calls with the PR

DAVID R. JORDAN & ASSOCIATES

- 1 firm. Was Kim Memmesheimer ever on those  
2 conference calls?  
3 **A. No.**  
4 **Q.** Did any of the press documents, any of the work  
5 with the PR firm -- did she -- was she involved  
6 in that work?  
7 **A. Yes.**  
8 **Q.** Anything besides the separation agreement and  
9 press release?  
10 **A. Yes. I think.**  
11 **Q.** Did she work on anything besides the press  
12 release? Did the PR firm work on anything  
13 besides the press release, the student letter,  
14 and the preparing Jocelyn?  
15 **A. Yes.**  
16 **Q.** What other things did the PR firm work on?  
17 **A. I recall that we, Jocelyn and I, thought it**  
18 **might be helpful to create a FAQ document, and**  
19 **we asked Rhoades to look at that as part of**  
20 **the -- I would call it the whole communication**  
21 **about the release -- I'm sorry, the**  
22 **communication of the separation agreement.**  
23 **And we proceeded to, in a non-meeting,**

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- 1 **discuss that with our attorney, and she**  
2 **instructed us, advised us not to use an FAQ**  
3 **document.**  
4 **Q.** What date was that non-meeting?  
5 **A. I don't recall. I think it may have been in**  
6 **June. I don't know. I can't remember.**  
7 **Q.** Was that a meeting with the whole board or with  
8 just the PR piece?  
9 **A. It was with a quorum of the board. I don't**  
10 **remember which board members were there.**  
11 **Q.** On June 6th, you had a meeting at the Durham  
12 Police Department.  
13 Can you describe that meeting?  
14 **A. Sure. It was a meeting with Henry and me and**  
15 **Skip Hanson. And we were asking questions of**  
16 **Skip.**  
17 **Q.** What kinds of questions?  
18 MR. DUCHARME: You want to talk?  
19 THE WITNESS: Sure.  
20 (1:50 p.m., recess.)  
21 (1:51 p.m., deposition resumes.)  
22 THE WITNESS: Can you restate your question,  
23 please?

DAVID R. JORDAN &amp; ASSOCIATES

- 1 BY MR. TAYLOR:  
2 **Q.** What kinds of questions?  
3 **A. Oh, we asked Skip questions about his**  
4 **background, we asked for advice about conducting**  
5 **a search for an interim, and we asked for**  
6 **references of potential interim candidates.**  
7 **Q.** Did he provide advice about the search and  
8 candidates?  
9 **A. Yes.**  
10 **Q.** Was this an interview?  
11 **A. Part of it was, yes.**  
12 **Q.** Was everyone there aware that it was an  
13 interview?  
14 **A. I don't know. You'd have to ask the other**  
15 **people there.**  
16 **Q.** Was it clear to you that it was an interview?  
17 **A. Yes.**  
18 **Q.** Is this the first interview you had of Skip  
19 since you asked him to consider the position?  
20 **A. Yes.**  
21 **Q.** Did you have any subsequent interviews with  
22 Skip?  
23 **A. I believe we did, yes.**

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- 1 **Q.** When did those occur?  
2 **A. After June 15th.**  
3 **Q.** Do you remember the date?  
4 **A. No. There was one.**  
5 **Q.** Was Jim Kach at that meeting?  
6 **A. He came late, I believe.**  
7 **Q.** How was that group formed?  
8 **A. The group was formed very simply. The board had**  
9 **asked Henry to pursue investigating interims,**  
10 **starting to make some calls, we were on a very**  
11 **tight timeframe to find an interim, and like I**  
12 **described in other non-meetings, we had given**  
13 **kind of tacit, you know, go ahead, go call,**  
14 **we're in a tight timeframe. And he was making**  
15 **calls. He received the names of candidates**  
16 **from, actually, from Howard, I believe. He made**  
17 **some calls, he hit some road blocks. He then**  
18 **called me up and said, "Megan, can you help me?"**  
19 **I said, "I'd be glad to help you."**  
20 **And he asked me to help. And I assume he**  
21 **did the same with Jim.**  
22 **Q.** When was he given the go-ahead from the board to  
23 pursue this?

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1 **A. I believe -- I think it was around the May 23rd**  
2 **non-meeting when that happened.**

3 **Q.** Do you remember whether it was at a meeting  
4 or --

5 **A. It was at a non-meeting. It was very clear in**  
6 **my mind. I remember that clearly. And I have a**  
7 **reason why I can remember it clearly.**

8 **Q.** Can you describe that I reason?

9 **A. Yes. Because I remember there was a point where**  
10 **we did not know when the actual effective date**  
11 **of the contract separation agreement would**  
12 **occur.**

13 **The attorneys had come to that agreement,**  
14 **and we recognized that we would be in a very**  
15 **tight timeframe. And I remember Ann Wright**  
16 **yelling at Henry in that meeting for not having**  
17 **started to call people.**

18 **She said, "Henry, you should have -- you've**  
19 **had these names for this time, you haven't done**  
20 **anything."**

21 **And it was it was clear that Henry was**  
22 **expected to go and start investigating and doing**  
23 **research for the board so that once we could**

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1 this meeting?

2 **A. No.**

3 **Q.** Probably a conference call?

4 **A. Don't recall this meeting.**

5 **Q.** June 10th was another meeting at the Durham  
6 Police Department.

7 Can you describe that meeting?

8 **A. I believe, and I'm going from memory -- that**  
9 **this was a meeting where Henry and I were**  
10 **speaking to Lyonel Tracy and asking him**  
11 **questions, same as what we did with Skip.**

12 **Q.** Did you interview Lyonel Tracy?

13 **A. We interviewed him about his background.**

14 **Q.** Did he provide a resumé?

15 **A. I don't remember. I don't remember.**

16 (Whereupon, Exhibit 11, Emails, is  
17 marked for identification.)

18 (Whereupon, Exhibit 12, Emails, is  
19 marked for identification.)

20 THE WITNESS: I've read it.

21 BY MR. TAYLOR:

22 **Q.** Can you describe the document?

23 **A. Sure. It's an email from Henry, May 31st -- or**

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1 **actively interview, we would have a good**  
2 **starting point.**

3 **Q.** Did that go-ahead include discussions of  
4 interviews?

5 **A. Yeah. I mean -- well, yes. How can you assess**  
6 **unless you talk to somebody and ask questions?**

7 **Q.** So you had a clear understanding from that  
8 meeting that Henry had the authority to  
9 interview interim search candidates?

10 **A. Mm-hmm.**

11 **Q.** Did Henry get the authority to include other  
12 members in that process?

13 **A. No authority was specifically given on that**  
14 **point.**

15 **Q.** Was there any discussion about that?

16 **A. No.**

17 **Q.** Did anyone volunteer at that meeting to help  
18 with that?

19 **A. I don't remember.**

20 **Q.** Was anyone else involved in that June 6th  
21 meeting? Any other candidates interviewed?

22 **A. No.**

23 **Q.** Let's go to the June 9th meeting. Do you recall

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1 **I'm sorry, to Henry. Sorry, I misspoke. From**  
2 **somebody. I don't know who.**

3 **And then it was then forwarded by Henry to**  
4 **me and Jim about interviewing somebody at the**  
5 **Durham Police Department.**

6 **Q.** Can you describe that?

7 **A. Similar email, May 31st, somebody sent Henry a**  
8 **letter of interest in resumé, and then Henry**  
9 **replied to this person about a possible meeting**  
10 **in Durham, and then it was forwarded to me and**  
11 **Jim.**

12 **And then I wrote back to Henry, "Could you**  
13 **forward me information." And then talking about**  
14 **my daughter having a birthday party. And then**  
15 **there's reference to our asking -- Skip offered**  
16 **to give us a copy of a sample interim**  
17 **superintendent contract, and I was wondering if**  
18 **he got that.**

19 **Q.** So do either of these documents remind you what  
20 happened at that June 10th meeting?

21 **A. Those don't help me with the June 10th meeting.**

22 **Q.** Are these both referring to the June 10th  
23 meeting?

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- 1 **A. I'm not sure which meeting. Oh, well, okay,**  
 2 **this obviously is referring to that meeting. My**  
 3 **recollection may be incorrect. I know we spoke**  
 4 **to Lyonel. Maybe it wasn't at this meeting. It**  
 5 **was at a subsequent one. This could have been**  
 6 **another individual.**
- 7 **Q.** Do you remember meeting at the Durham Police  
 8 Department around June 10th to interview two  
 9 candidates?
- 10 **A. Yes, I definitely attended this meeting. I just**  
 11 **don't know with whom it was.**
- 12 **Q.** Do you remember a meeting where you interviewed  
 13 two candidates?
- 14 **A. There was -- I don't remember interviewing two**  
 15 **candidates simultaneously.**
- 16 **Q.** Back to back?
- 17 **A. I don't remember. I don't remember. I just --**  
 18 **yeah. I can't remember.**
- 19 **Q.** Do you remember who was at this meeting?
- 20 **A. May I take a break?**
- 21 MR. DUCHARME: Sure.  
 22 (2:02 p.m., recess.)  
 23 (2:02 p.m., deposition resumes.)

DAVID R. JORDAN &amp; ASSOCIATES

- 1 **Q.** What did you mean by independent meetings?
- 2 **A. I'm not suggesting that perhaps Skip and Lyonel**  
 3 **were in the room with us at the same time. We**  
 4 **met with a subject matter expert person at a**  
 5 **separate time.**
- 6 **Q.** Were you, Henry and Jim at all of those  
 7 meetings?
- 8 **A. No.**
- 9 **Q.** What was the exception?
- 10 **A. Jim missed probably 90 percent of the meeting**  
 11 **with Skip. So I wouldn't consider him there for**  
 12 **most of that discussion or -- I don't believe**  
 13 **Jim attended our meeting with Lyonel Tracy**  
 14 **either, for our talk with Lyonel.**
- 15 **Q.** But he interviewed the other candidates?
- 16 **A. He attended those other two, to my recollection.**  
 17 **You know, I have to say I don't know. I can't**  
 18 **say for certain. I really don't remember. He**  
 19 **was there for at least one of those other two.**  
 20 **I'll put it to you that way.**
- 21 **Q.** What did the board -- what did this group, you,  
 22 Henry and Jim, do after you did these  
 23 interviews? Did you report to the board?

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- 1 THE WITNESS: All right. So this is the  
 2 situation: My recollection is, I remember the  
 3 date of the meeting with Skip, and I recollect  
 4 speaking to three other former superintendents.  
 5 But I don't remember what day and what time  
 6 those happened.
- 7 BY MR. TAYLOR:
- 8 **Q.** Okay.
- 9 **A. They were all independent meetings.**
- 10 **Q.** So you're saying that three other interviews  
 11 each occurred at their own meeting? I'm  
 12 trying to --
- 13 **A. Yeah. Just to be clear, the four people whom we**  
 14 **spoke to to gather information were never**  
 15 **together.**
- 16 **Q.** But you didn't stay in one spot, have one person  
 17 come in, go away, and then someone else come in?  
 18 Those meetings occurred on two different dates  
 19 or two different times?
- 20 **A. I can't remember, to be honest. I can't talk**  
 21 **about that because I can't remember.**
- 22 **Q.** You said they were independent meetings.
- 23 **A. Yes.**

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- 1 **A. No.**
- 2 **Q.** Did you do anything?
- 3 **A. Can you rephrase it?**
- 4 **Q.** Did you have any action that this group took  
 5 following these interviews that you did? Did  
 6 you communicate information, did you have any  
 7 discussions?
- 8 **A. Okay. At a much later date, we shared some of**  
 9 **the insights about what we had learned by**  
 10 **meeting with these people with the board. And I**  
 11 **believe that happened, most likely, after**  
 12 **June 15th or on June 15th. I can't remember**  
 13 **when.**
- 14 **Q.** So when you said insights, can you describe that  
 15 in more detail?
- 16 **A. Sure. Well, for example, one thing we learned**  
 17 **by talking to these individuals was that they're**  
 18 **retired individuals in the state of**  
 19 **New Hampshire, there was limitation on the hours**  
 20 **they could work. That was something that I was**  
 21 **not -- that was information that was new in my**  
 22 **mind. There was also information shared about**  
 23 **the sources and places to look for candidates**

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1 **for potential interim superintendents. That was**  
2 **something we shared, I believe.**

3 **Q.** Did you discuss any of the candidates?

4 **A. I believe we did offer insight about two of them**  
5 **at that point because they were interested in**  
6 **interviewing with the search committee.**

7 **Q.** Did those two continue with the search  
8 committee?

9 **A. One did. And then one was scheduled to but**  
10 **withdrew. And then the one who did, did**  
11 **interview, and then he withdrew. And that was**  
12 **with the search committee.**

13 **Q.** You mentioned a contract that you were working  
14 on with Skip Hanson. Can you describe that  
15 process?

16 **A. I never worked on a contract with Skip Hanson.**

17 **Q.** In the document you referred to, I'll refer you  
18 back to that one.

19 MR. DUCHARME: Which number?

20 MR. TAYLOR: On 12.

21 THE WITNESS: This is a sample contract that  
22 he simply forwarded as an example. We had asked  
23 him when he met with him at the police station,

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1 **sure if it was this one, but I'm guessing it is.**

2 **You know, I can't remember, honestly.**

3 (Whereupon, Exhibit 13, Emails, is  
4 marked for identification.)

5 (Whereupon, Exhibit 14, Email, is marked  
6 for identification.)

7 BY MR. TAYLOR:

8 **Q.** Can you describe that document?

9 **A. It's an email between Ann Wright and Henry and**  
10 **Jocelyn on June 15th, and then about Ann. I'm**  
11 **sorry, and then a reply from Jocelyn. Then a**  
12 **reply from Ann.**

13 **Q.** Was Ann referring to the fact that you talked  
14 about earlier?

15 **A. Yeah, she said she never received copies of any**  
16 **FAQ sheet or additional press releases as we**  
17 **spoke about Monday night. Were they written,**  
18 **Ann.**

19 **Do you want me to read?**

20 **Q.** No, you don't need to read it.

21 Do you remember whether the FAQ was  
22 discussed at that June 15th meeting?

23 **A. I recall a meeting, a non-meeting where Kim**

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1 "Do you have an example of an interim  
2 superintendent contract?"

3 And he gave it to me, and I forwarded it to  
4 Henry. And nothing was ever done with that, to  
5 the best of my knowledge.

6 BY MR. TAYLOR:

7 **Q.** Thank you. On June 13th there was a non-meeting  
8 with Attorney Kim Memmesheimer.

9 **A. Okay.**

10 **Q.** Can you describe that meeting? Do you know  
11 where it took place?

12 **A. I don't know. I'm not sure if I remember where**  
13 **it took place.**

14 **Q.** I think that's wrong.

15 MR. DUCHARME: You think it's wrong that she  
16 doesn't remember?

17 MR. TAYLOR: No, I think that document is  
18 wrong.

19 THE WITNESS: This is the only thing I have.

20 BY MR. TAYLOR:

21 **Q.** Did you go to that meeting? It was the Monday  
22 before the announcement.

23 **A. There was a meeting, a non-meeting, and I'm not**

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1 **said, "I don't think you should use an FAQ and**  
2 **post it."**

3 **I don't remember either -- actually, I don't**  
4 **remember either if we ever did have any FAQ to**  
5 **look at in terms of a document that was**  
6 **finalized.**

7 **I just want to clarify. I don't know,**  
8 **because I can't remember the sequence, I don't**  
9 **remember if she said don't do this, and we**  
10 **thought we should start doing this and had**  
11 **talked to Rhoades, and we never even brought it**  
12 **to Rhoades' attention. I don't remember now**  
13 **that I see this.**

14 **So he may not have helped us at all on an**  
15 **FAQ, when I go back in my mind. I remember**  
16 **thinking if we do do one, we should get his**  
17 **input. But then I believe the attorney advised**  
18 **us not to. I think that's what happened.**

19 **Q.** Is it possible that at that meeting you  
20 discussed having it, and then subsequently there  
21 was some discussion and decided not to?

22 **A. It's possible. I just can't recall the sequence**  
23 **related to that.**

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- 1 Q. Okay.
- 2 **A. All right.**
- 3 Q. Can you describe this document?
- 4 **A. It's an email from Henry to me and Jim about**
- 5 **having a meeting with Lyonel Tracy to get his**
- 6 **insights. On the date of a Tuesday date. I**
- 7 **don't know what that date is.**
- 8 Q. Likely the 14th, Tuesday the 14th?
- 9 **A. If that was a Tuesday, probably, because this**
- 10 **was written on Sunday the 12th.**
- 11 Q. So that was the likely meeting you had with
- 12 Lyonel Tracy; is that correct?
- 13 **A. Yeah.**
- 14 Q. You said that meeting was the same as the
- 15 meeting you had with Skip Hanson?
- 16 **A. No, I don't recall saying that. I recall saying**
- 17 **I asked him the questions during that meeting.**
- 18 Q. Did you feel that meeting was an interview?
- 19 **A. I felt it was an interview to gather**
- 20 **information.**
- 21 Q. Were you considering him as a candidate for
- 22 interim superintendent?
- 23 **A. No, because Henry said he's not a candidate in**

DAVID R. JORDAN &amp; ASSOCIATES

- 1 **this email here.**
- 2 Q. Had you considered Skip Hanson a candidate for
- 3 interim?
- 4 **A. Yes, I considered him to be a candidate, because**
- 5 **he said he was interested.**
- 6 Q. Thank you.
- 7 (Whereupon, Exhibit 15, Email, is marked
- 8 for identification.)
- 9 BY MR. TAYLOR:
- 10 Q. Are you familiar with this document?
- 11 **A. I am familiar with it.**
- 12 Q. Can you describe it?
- 13 **A. It's an email from Howard Colter to Henry and**
- 14 **Ann about somebody who called him and was**
- 15 **wondering what was going on at Oyster River.**
- 16 **And alluded he was invited to meet -- this**
- 17 **person indicated he was invited to meet -- he**
- 18 **was invited to meet at the June 14th meeting at**
- 19 **the police station.**
- 20 Q. Had you originally considered Lyonel Tracy as a
- 21 candidate for superintendent?
- 22 **A. Had I? No.**
- 23 Q. Had this group, when it first considered Lyonel

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- 1 Tracy considered him as a candidate for
- 2 superintendent?
- 3 **A. I would say I never considered him as a**
- 4 **candidate because Henry told me he wasn't a**
- 5 **candidate. So I can't answer that question.**
- 6 Q. So as far as you know, he was not a candidate?
- 7 **A. No. Because -- no.**
- 8 Q. Okay.
- 9 **A. The first time I heard of him I was told he was**
- 10 **not a candidate.**
- 11 Q. That's fine. How did you know about this
- 12 document?
- 13 **A. I received a copy of it from our attorney.**
- 14 Q. When did you receive that copy?
- 15 **A. I received it on Friday of last week.**
- 16 Q. You hadn't seen it before then?
- 17 **A. No.**
- 18 Q. On June 14th there was also a conference call
- 19 that afternoon. Were you involved in that?
- 20 **A. I don't remember.**
- 21 Q. You don't remember whether there was a
- 22 conference call around that time?
- 23 **A. No.**

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- 1 Q. Did you make any other conference calls with PR
- 2 firms prior to the June 15th meeting of that
- 3 week?
- 4 **A. There was a conference call -- I don't remember**
- 5 **the date -- among myself, Krista, Jocelyn and**
- 6 **Rhoades for Rhoades to help them prepare, as I**
- 7 **mentioned earlier. But I don't remember when**
- 8 **that was. I don't remember.**
- 9 Q. On June 15th there was a call to interview
- 10 another candidate.
- 11 Are you familiar with that call?
- 12 **A. No.**
- 13 Q. Had you talked with Henry about calling other
- 14 candidates?
- 15 **A. No.**
- 16 Q. Okay. On the June 15th regular business
- 17 meeting, were any board members delegated to do
- 18 a task?
- 19 **A. Yes.**
- 20 Q. Can you describe that?
- 21 **A. During our board meeting we had announced the**
- 22 **separation agreement, and it was discussed**
- 23 **that -- I don't remember who raised it, I think**

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1 **it was Jocelyn -- and Krista would be willing to**  
 2 **speak to the press about the separation**  
 3 **agreement. And sort of -- I don't know what**  
 4 **language we used to describe it. But I**  
 5 **considered them to be spokespeople representing**  
 6 **the district.**

7 **Q.** How did that delegation occur, what form?

8 **A. I can't recall. But -- I can't recall, but I**  
 9 **think there may have been a vote. But I can't**  
 10 **recall for sure.**

11 **Q.** Was this the delegation that gave you the  
 12 authority to talk with Rhoades about preparing  
 13 them for an interview?

14 **A. Yes.**

15 **Q.** How did you get involved in that?

16 **A. Well, I was the one who had been Rhoades'**  
 17 **primary point of contact, so it made sense for**  
 18 **me to send an email to him to set up that**  
 19 **conference call. So I was the facilitator.**

20 **Q.** Did you participate in that conference call?

21 **A. I did participate on the call.**

22 **Q.** Why did you participate?

23 **A. Because I was the facilitator and I wanted to**

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1 **make sure things were going smoothly.**

2 **Q.** Had you been given authority to be a contact to  
 3 the press at that meeting on June 15th?

4 **A. No.**

5 **Q.** Did you consider that a problem?

6 **A. No.**

7 **Q.** Why did you not consider that a problem?

8 **A. I was helping my fellow board members do**  
 9 **something they were tasked to do, facilitating**  
 10 **and helping.**

11 **Q.** On June 21st there was a PR conference call. Is  
 12 that the one you were talking about with Rhoades  
 13 and Krista, Jocelyn and you?

14 **A. Let's see. Probably, I would say probably,**  
 15 **yeah. That makes sense in my mind.**

16 **Q.** How did you set up this conference call?

17 **A. Through email.**

18 **Q.** Did Skip again provide the bridge?

19 **A. I believe he did.**

20 **Q.** Was he a candidate for interim superintendent at  
 21 that point?

22 **A. I don't remember.**

23 **Q.** He had been a candidate prior to this point?

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1 **A. Yeah. I just don't remember when he withdrew**  
 2 **his candidacy. I don't remember when that was.**

3 **Q.** Okay. Going back to the June 15th meeting where  
 4 you made your decision to approve the separation  
 5 agreement?

6 **A. May I take a break for a moment?**

7 **Q.** Sure.

8 (2:23 p.m., recess.)

9 (2:24 p.m., deposition resumes.)

10 THE WITNESS: I'd like to make a point of  
 11 clarification with the conference bridge. The  
 12 conference bridge, to the best of my  
 13 recollection, was a bridge that was maintained  
 14 or used by Duke Albanese's organization, of  
 15 which Rhoades Alderson is a communications  
 16 expert. It's not -- Skip had access to that  
 17 bridge and was able to allow us to use it. I'm  
 18 not sure how that arrangement was made. So I  
 19 want to be clear that was -- that was the  
 20 arrangement.

21 BY MR. TAYLOR:

22 **Q.** Thank you very much.

23 So going back to the June 15th meeting, what

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1 was the reaction to your decision of the  
 2 community?

3 **A. At the meeting?**

4 **Q.** Following that meeting, at the meeting and  
 5 following it.

6 **A. The community seemed to be upset, but there were**  
 7 **also community members who seemed to be quite**  
 8 **happy. It was a very vocal group of people at**  
 9 **our meeting who seemed to be aware of this, that**  
 10 **we were going to make this announcement. And I**  
 11 **found that to be very shocking, but, because we**  
 12 **had kept it confidential. You know, there was a**  
 13 **lot of questions on why, and seeking**  
 14 **information.**

15 **Q.** Was it tense?

16 **A. Depends on where you were sitting. I would**  
 17 **characterize it as tense, yes.**

18 **Q.** Did you as a member of the board feel a lot of  
 19 pressure because of the reaction from the  
 20 community?

21 **A. Yes.**

22 **Q.** Did other board members probably feel the same?

23 **A. I would assume so. You'd have to ask them to**

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1 **find out how they felt.**  
 2 **Q.** Did you get inquiries from community members  
 3 about why the decision was made?  
 4 **A. Yes.**  
 5 **Q.** How did you respond to those?  
 6 **A. I responded based on the advice given to us by**  
 7 **our counsel and what we could say. And I would**  
 8 **respond with only that information. And I'd**  
 9 **often refer people to read the joint release**  
 10 **that contained the information we could give.**  
 11 **Q.** Were there any rumors that were floated around  
 12 that time to try to explain or cover or respond  
 13 to that? Were you aware of any rumors?  
 14 **A. Can you be more specific and rephrase?**  
 15 **Q.** Were you aware of a rumor that Howard Colter had  
 16 embezzled funds?  
 17 **A. No.**  
 18 **Q.** You weren't aware that Mike Lane had spread that  
 19 rumor?  
 20 **A. No. That's news to me.**  
 21 **Q.** Are you aware that Henry Brackett had said that  
 22 unencumbered funds were sort of illegal at the  
 23 subsequent Lee Town meeting?

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1 **A. No.**  
 2 **Q.** Thank you.  
 3 June 27th there was a meeting of Jocelyn and  
 4 Krista and Roni Reino at Jackson's Landing.  
 5 Were you aware of that?  
 6 **A. I'm sorry, I didn't hear the last.**  
 7 **Q.** Are you aware of that?  
 8 **A. Am I aware of it now? Yes.**  
 9 **Q.** Were you aware of it at the time?  
 10 **A. I wasn't aware when that meeting was going to**  
 11 **take place.**  
 12 **Q.** When did you first become aware of it?  
 13 **A. When it took place, when I -- when I read the**  
 14 **article in the paper.**  
 15 **Q.** Did you attend the nonpublic meeting, the  
 16 non-meeting with Attorney Ducharme on  
 17 September 7th?  
 18 MR. DUCHARME: It's okay to say whether you  
 19 were there or not.  
 20 THE WITNESS: I didn't think it was on  
 21 September 7th. I thought it was a different  
 22 date.  
 23 MR. DUCHARME: It was a Monday.

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1 THE WITNESS: I feel like, Okay, whenever,  
 2 yeah.  
 3 MR. DUCHARME: It might have been the 12th.  
 4 THE WITNESS: I thought it was the 12th. I  
 5 not it was Monday the 12th. Yes, I did.  
 6 MR. DUCHARME: That sounds right.  
 7 THE WITNESS: Yes, I did attend.  
 8 BY MR. TAYLOR:  
 9 **Q.** What board members attended?  
 10 **A. Now we're getting closer to recent memory.**  
 11 **That's good.**  
 12 **Well, I can't say for certain who was there.**  
 13 **Honestly, I think it was the full board. I'm**  
 14 **not sure.**  
 15 **Q.** Did the board make a decision at that meeting?  
 16 **A. I don't remember.**  
 17 **Q.** Did the board decide not to settle this lawsuit  
 18 at that meeting?  
 19 **A. I don't remember. I can't remember.**  
 20 **Q.** Okay.  
 21 **A. We made a decision, but I don't remember if it**  
 22 **was at that meeting. I don't remember if we had**  
 23 **a subsequent meeting or not. I just can't**

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1 **remember.**  
 2 **Q.** Have you had any other non-meetings with  
 3 Attorney Ducharme?  
 4 **A. Yes.**  
 5 **Q.** When did those occur?  
 6 **A. Well --**  
 7 MR. DUCHARME: It was deposition  
 8 preparation, David.  
 9 MR. TAYLOR: Not the full board?  
 10 MR. DUCHARME: Exactly. Just the witnesses.  
 11 THE WITNESS: I honestly couldn't remember  
 12 if we met once or twice as a full board. I  
 13 couldn't remember.  
 14 BY MR. TAYLOR:  
 15 **Q.** That's fine. At the Wednesday's school board  
 16 meeting there was discussion at the end about  
 17 regular manifest reviews.  
 18 **A. Sure.**  
 19 **Q.** Can you describe those?  
 20 **A. Sure. Before school board meetings I come into**  
 21 **the SAU office, and I look at the manifest, and**  
 22 **I look at individual invoices. And if I have**  
 23 **questions or, you know, if I see something that**

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1 **doesn't make sense, I will then -- Sue and I**  
 2 **have an arrangement where I can ask her for**  
 3 **clarification if she's available. And I've done**  
 4 **that pretty much before every school board**  
 5 **meeting with the exception of maybe 1 or 2**  
 6 **meetings.**

7 **Q.** Do you do it just yourself?

8 **A. Ann Lane sometimes does it. We sometimes are**  
 9 **here at the same time, sometimes not. It**  
 10 **depends on our individual schedules. You know,**  
 11 **one thing, out of a courtesy to Sue, I do try to**  
 12 **coordinate sometimes with Ann so she doesn't**  
 13 **have to answer all these questions. So we do**  
 14 **try to be here around the same time if we can,**  
 15 **but it's not always possible.**

16 **Q.** How are these meetings set up initially?

17 **A. I wouldn't call them meetings. We come in and**  
 18 **look at documents, you know. I just say to Ann,**  
 19 **"Are you going over to the SAU?"**  
 20 **I talk to her. She'll say, "Yeah, I have to**  
 21 **do this and that."**

22 **And then usually comes. Also Sue sends us**  
 23 **an email letting us know when they're available.**

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1 **She's done that as a courtesy to us. Because we**  
 2 **seem to be the only board members interested in**  
 3 **looking at this stuff.**

4 **Q.** She sends that email just to you and Ann?

5 **A. Mm-hmm.**

6 **Q.** Do you and Ann ever discuss what you're  
 7 reviewing?

8 **A. Well, Ann has a lot of knowledge because she's**  
 9 **had -- her children are older than mine. So if**  
 10 **we're sitting next to each other looking at the**  
 11 **files, sometimes I'll say, "Do you know what**  
 12 **this is?" And she'll tell me. We're trying not**  
 13 **to waste people's time in the office. She'll**  
 14 **say, "Oh, yeah, that's for some sports team or**  
 15 **whatever."**

16 **Q.** Did you ever get authority from the board to do  
 17 this?

18 **A. No.**

19 **Q.** Going back to the facebook question after the  
 20 April 11th decision of the board to reject  
 21 Justin Campbell.

22 You testified you didn't even have a  
 23 facebook account at that time?

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1 **A. No, I didn't say that.**

2 **Q.** Do you remember what you said about it? You  
 3 weren't using it?

4 **A. I remember not really using it for any of the**  
 5 **purposes -- you know, can you rephrase your**  
 6 **question, please?**

7 **Q.** Can you describe your use of facebook around  
 8 April 11th?

9 **A. I believe it was for -- I'm having difficulty**  
 10 **remembering, but I did initially have a school**  
 11 **board facebook page that I took down. And I**  
 12 **don't remember when I took that down. And so I**  
 13 **would assume that most of my facebook, at some**  
 14 **point there was a facebook page that was sort of**  
 15 **a school board facebook page, and I removed it.**  
 16 **And then I had just my personal page, which is**  
 17 **with friends and things about my children and**  
 18 **sharing. But I wasn't really actively using**  
 19 **facebook at that time, as I recall.**

20 **Q.** Do you think you had this school board facebook  
 21 page around that time?

22 **A. I don't remember, honestly.**

23 **Q.** Did you post something to the effect of, "I just

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1 had my first big vote. It was very difficult.  
 2 Due to financial considerations, I could not  
 3 support the nominee"? Does that jog your  
 4 memory?

5 **A. I don't remember writing that.**

6 **Q.** You don't remember having anything of that sort  
 7 around that time?

8 **A. I don't remember it, honestly.**

9 MR. TAYLOR: I think I'm done.

10 MR. DUCHARME: Okay. Thank you.

11 MR. TAYLOR: Thank you very much.

12 (Deposition concludes at 2:37 p.m.)  
 13  
 14  
 15  
 16  
 17  
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 23

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C E R T I F I C A T E

1  
2  
3 I, Sonia E. Bishop, a Certified Court  
4 Reporter and Commissioner of Deeds of the State  
5 of New Hampshire, do hereby certify that the  
6 foregoing is a true and accurate transcript of  
7 my stenographic notes of the deposition of **MEGAN**  
8 **TURNBULL**, who was duly sworn, taken at the place  
9 and on the date hereinbefore set forth.  
10 I further certify that I am neither attorney  
11 nor counsel for, nor related to or employed by  
12 any of the parties to the action in which this  
13 deposition was taken, and further that I am not  
14 a relative or employee of any attorney or  
15 counsel employed in this case, nor am I  
16 financially interested in this action.  
17

18 \_\_\_\_\_  
Sonia E. Bishop, CCR  
New Hampshire License No. 76  
19

20  
21  
22  
23 DAVID R. JORDAN & ASSOCIATES

ERRATA SHEET

1  
2 RE: MEGAN TURNBULL:  
3 Page No. \_\_\_ Line No. \_\_\_ Reason \_\_\_\_\_  
4 Change \_\_\_\_\_ to \_\_\_\_\_  
5 Page No. \_\_\_ Line No. \_\_\_ Reason \_\_\_\_\_  
6 Change \_\_\_\_\_ to \_\_\_\_\_  
7 Page No. \_\_\_ Line No. \_\_\_ Reason \_\_\_\_\_  
8 Change \_\_\_\_\_ to \_\_\_\_\_  
9 Page No. \_\_\_ Line No. \_\_\_ Reason \_\_\_\_\_  
10 Change \_\_\_\_\_ to \_\_\_\_\_  
11 Page No. \_\_\_ Line No. \_\_\_ Reason \_\_\_\_\_  
12 Change \_\_\_\_\_ to \_\_\_\_\_  
13 Page No. \_\_\_ Line No. \_\_\_ Reason \_\_\_\_\_  
14 Change \_\_\_\_\_ to \_\_\_\_\_  
15 Page No. \_\_\_ Line No. \_\_\_ Reason \_\_\_\_\_  
16 Change \_\_\_\_\_ to \_\_\_\_\_  
17 Page No. \_\_\_ Line No. \_\_\_ Reason \_\_\_\_\_  
18 Change \_\_\_\_\_ to \_\_\_\_\_  
19 Page No. \_\_\_ Line No. \_\_\_ Reason \_\_\_\_\_  
20 Change \_\_\_\_\_ to \_\_\_\_\_  
21  
22 \_\_\_\_\_  
MEGAN TURNBULL Date \_\_\_\_\_  
23

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1  
2  
3 \_\_\_\_\_  
MEGAN TURNBULL

4  
5  
6 STATE OF \_\_\_\_\_  
7  
8 COUNTY OF \_\_\_\_\_, SS.

9  
10 Subscribed and sworn to before me this \_\_\_\_  
11 day of \_\_\_\_\_, 2011.

12  
13 \_\_\_\_\_  
Notary Public/Justice of the Peace

14  
15 My Commission Expires: \_\_\_\_\_  
16  
17  
18  
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23

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