

EXHIBIT C

BEFORE THE
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

SANDY JUDD and TARA HERIVEL, *

*

Plaintiffs,

*

*

VS.

*

DOCKET NO.

*

UT-042022

AT&T COMMUNICATIONS OF THE *
PACIFIC NORTHWEST, INC., and *

T-NETIX, INC., *

*

Defendants. *

*

ORAL DEPOSITION OF

SCOTT PASSE

APRIL 15, 2009

ANSWERS AND DEPOSITION of SCOTT PASSE, a witness
produced on behalf of the Defendant AT&T Communications,
taken in the above styled and numbered cause on the 15th
day of April, 2009, from 9:02 a.m. to 5:08 p.m., before
Rachel D. Chavez, a Certified Shorthand Reporter in and
for the State of Texas, taken in the offices of Bennett
Weston & Lajone, P.C., 1750 Valley View Lane, Suite 120,
in the City of Dallas, County of Dallas, State of Texas,
in accordance with the Washington Utilities and
Transportation Commission.

1 SCOTT PASSE,
2 having been first duly sworn, testified as follows:

3 EXAMINATION

4 BY MR. PETERS:

5 Q. Mr. Passe, my name is Charles Peters and I
6 represent AT&T in this litigation. Have you ever had
7 your deposition taken before?

8 A. I had a deposition practice before related to a
9 patent and we -- we stopped just sort of the deposition.
10 We settled immediately before the deposition started.

11 Q. Okay. Have you ever actually had your
12 deposition taken?

13 A. No.

14 Q. I'll be asking you a lot of questions today
15 and I'd like you to answer those questions.

16 A. Uh-huh.

17 Q. If there's any reason at all that you don't
18 understand my question or have any doubt at all about my
19 question, will you let me know that you don't understand
20 the question?

21 A. Yes.

22 Q. Thanks. You said that you had a practice
23 session in -- for some litigation that settled.

24 A. Uh-huh.

25 Q. Was that while you worked for SECURUS or one of

1 Q. Okay. Any reason to believe -- take whatever
2 time you need to familiarize yourself with it. Any
3 reason to believe that -- well, strike that.

4 Do you know how the Site Administrator's
5 Handbook was used?

6 A. As -- well, it was issued to the site
7 administrator for the understanding and administration
8 of the system.

9 Q. So it was to help them do their job?

10 A. Yes.

11 Q. Could you turn to the page that has production
12 number 369 on it? It says that "T-Netix has established
13 contractual and strategic relationships with American
14 Telephone and Telegraph and several of the RBOCs,
15 including Bell Atlantic, U.S. West." It goes onto to
16 say -- include GTE. Do you see that?

17 A. Yes.

18 Q. Okay. I understand you don't know any details
19 about it, but is it your understanding that T-Netix did
20 in fact have contractual relationships with U.S. West
21 and GTE?

22 A. I don't -- I'm not aware of those contracts, so
23 I -- I recorded prompts, you know, that used their name
24 and so forth, so that would be the extent of my
25 knowledge of any contractual relationship.

1 Q. Okay. So you just don't know one way or the
2 other?

3 A. Yeah.

4 Q. You don't -- okay. You don't have any reason
5 to believe that this is inaccurate in terms of what was
6 written?

7 A. Not -- not based on a cursory review. I'd have
8 to -- you know, there's -- they talk about a bunch of
9 things here. They talk about percentage in prison --

10 Q. Oh, I'm just talking about this paragraph.

11 A. Yeah, okay. I'm sorry. I know we worked with
12 these various companies. I don't know what the -- our
13 relationships were with those -- with them
14 contractually.

15 Q. Would you turn to page TMXWA 370?

16 A. Okay.

17 Q. In describing the product I'm looking at the
18 third paragraph from the bottom. The paragraph that
19 begins "In addition."

20 A. Uh-huh.

21 Q. Do you see that? The second sentence in that
22 paragraph says that "The system's, quote, automated
23 operator, end quote, feature eliminates the need for a
24 live operator." Do you see that?

25 A. Yes.