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8 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

9 STERICYCLE OF WASHINGTON, INC.,

10 Complainant,

11 v.

12 WASTE MANAGEMENT OF  
13 WASHINGTON, INC., d/b/a WM  
14 HEALTHCARE SOLUTIONS OF  
WASHINGTON,

15 Respondent.

Docket No. TG-121597

DECLARATION OF JARED VAN KIRK IN  
SUPPORT OF STERICYCLE OF  
WASHINGTON, INC.'S MOTION FOR  
THIRD-PARTY DISCOVERY

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17  
18 1. I, Jared Van Kirk, am over 18 and competent to testify as to the matters stated  
19 herein. I make this declaration based on my own personal knowledge.

20 2. I am counsel to Complainant Stericycle of Washington, Inc. in this matter.

21 3. After learning that Waste Management identified Robert Spohn as the Skagit  
22 Valley Hospital employee knowledgeable about negotiations with Waste Management , I  
23 learned from Stericycle representatives that Mr. Spohn was no longer an employee of Skagit  
24 Valley Hospital. I confirmed this information through internet searches, which revealed that  
25 Mr. Spohn is now the Facilities Manager at Scott and White Memorial Hospital in Temple,  
26 Texas.

1           4.       Attached hereto as Exhibit 1 is a true and correct copy of the LinkedIn profile of  
2 Rob Spohn indicating that he is the Facilities Manager at Scott and White Memorial Hospital  
3 and was the Environmental Services Manager at Skagit Valley Hospital.

4           5.       Beginning on June 5, 2013 I made extensive efforts to interview Ms. Spohn by  
5 telephone to discuss his negotiations with Waste Management on behalf of Skagit Valley  
6 Hospital. For over a month I made numerous telephone calls to Mr. Spohn at Scott and White  
7 Memorial Hospital and left numerous messages with Mr. Spohn indicating that I needed to  
8 speak with him about his discussions with Waste Management, including calls on June 5, 10,  
9 12, 13, and 14, 2013 and July 2 and 5, 2013.

10          6.       On June 14, 2013 I reached Mr. Spohn who confirmed that he was now working  
11 for Scott and White Memorial Hospital. I explained the nature of Stericycle's complaint and  
12 the reason that I needed to interview him about his communications with Waste Management.  
13 Mr. Spohn was driving at the time I reached him and indicated that he could not talk at that  
14 time. He agreed to speak with me the following week and told me that he would contact me  
15 with a time that he would be available. I did not receive any communication from Mr. Spohn  
16 the next week. Since that time I have called Mr. Spohn on several occasions and left several  
17 messages asking to speak with him but to date I have received no further response.

18          7.       Waste Management has identified Jeremy Wyatt as a Valley Medical Center  
19 employee knowledgeable about some Waste Management's communications concerning  
20 recycling services. Through colleagues at Garvey Schubert Barer who represent Valley  
21 Medical Center on unrelated matters I asked Valley Medical Center if Stericycle counsel could  
22 interview Mr. Wyatt about these communications. I have since been informed that Valley  
23 Medical Center will not permit an informal interview with Mr. Wyatt.

24          8.       After learning that Waste Management identified Andy Flodin as the Virginia  
25 Mason Medical Center employee knowledgeable about negotiations with Waste Management  
26 for biomedical waste and recycling services, I attempted to interview Mr. Flodin about these

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**CERTIFICATE OF SERVICE**

I, Vickie L. Owen, certify under penalty of perjury under the laws of the State of Washington that, on July 19, 2013, I caused to be served on the person(s) listed below in the manner shown a copy of DECLARATION OF JARED VAN KIRK IN SUPPORT OF STERICYCLE OF WASHINGTON, INC.'S MOTION FOR THIRD-PARTY DISCOVERY:

Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Dr. SW  
PO Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160  
[records@utc.wa.gov](mailto:records@utc.wa.gov)

- Via Legal Messenger
- Via Facsimile
- Via FedEx
- Via Email

Administrative Law Judge  
Adam E. Torem  
[atorem@utc.wa.gov](mailto:atorem@utc.wa.gov)

- Via Email

Jessica Goldman  
Polly L. McNeill  
Summit Law Group  
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Seattle, WA 98104  
[jessicag@summitlaw.com](mailto:jessicag@summitlaw.com)  
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[kathym@summitlaw.com](mailto:kathym@summitlaw.com)  
[deannas@summitlaw.com](mailto:deannas@summitlaw.com)

- Via Legal Messenger
- Via Facsimile
- Via U.S. Mail, First Class,  
Postage Prepaid
- Via Email

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Utilities and Transportation Division  
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- Via Legal Messenger
- Via Facsimile
- Via FedEx
- Via Email

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James K. Sells  
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*Attorney for Washington Refuse and  
Recycling Association*

- Via Legal Messenger
- Via Facsimile
- Via U.S. Mail, First Class,  
Postage Prepaid
- Via Email

Dated at Seattle, Washington this 19<sup>th</sup> day of July, 2013.

  
\_\_\_\_\_  
Vickie L. Owen  
vowen@gsblaw.com

# EXHIBIT 1

Search...

Advanced

10 2



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The Law Firm of Tomorrow - Become the Law Firm of Tomorrow, Today! Download Our Free Ebook Here.

## Rob Spohn

Facilities Manager at Scott and White Memorial Hospital  
Temple, Texas | Hospital & Health Care

Current Skagit Valley Hospital



4 connections

[www.linkedin.com/pub/rob-spohn/45/451/200/](http://www.linkedin.com/pub/rob-spohn/45/451/200/)

### Background

### Experience

#### Environmental Services Manager

Skagit Valley Hospital



### Following



**Hospital & Health Care**  
189,614 followers  
Follow

**Skagit Valley Hospital**  
Hospital & Health Care  
Follow

### People Similar to Rob



**Robert Tussey**  
Environmental Services Manager at Saint Jos...  
[+Connect](#)

### ADS BY LINKEDIN MEMBERS



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### People Also Viewed



**Kocsis Michael**  
Facilities Manager Engineering Admin. at Scott & White Healthcare



**Smith Mark**  
Facilities Manager at Scott & White Healthcare



**Spinn Patrick**  
Plant Operations manager at Scott & White hospital



**Jennifer Williams**  
Philanthropy Coordinator, Scott & White Healthcare Foundation



**Scott Liles**  
Vice Pres. - Facilities and ConstructonScott & White Healthcare



**Laurie Alkek**  
Independent Hospital & Health Care Professional



**Stuart Stavig**  
DST-Senior Reimbursement Analyst-Government Programs at Skagit Valley Hospital



**Davis Brenda**  
--



**Paul Hoover**  
Director, Rehabilitation Services at Scott & White



**Mugleston Roma**  
RN--Radiation Oncology at Skagit Valley Hospital