

# **EXHIBIT 16**



1 so.

2 Q. Do you know where he is now?

3 A. I don't. He used to live in Steilacoom. I  
4 don't know where he is now.

5 Q. Okay. Anybody else?

6 A. You're talking just on this side or in  
7 general?

8 Q. Well, Airway Heights and --

9 A. Monroe.

10 Q. -- the areas that would include Airway  
11 Heights and the west side.

12 A. I think those would be the only people  
13 involved with those sites.

14 Q. And what about Clallam Bay, that same group?

15 A. Well, Jacky was the main because she was  
16 fairly close. I don't recall anybody else.

17 Q. On McNeil, you mentioned him.

18 A. Yes.

19 Q. Anybody else for McNeil?

20 A. McNeil. Ramona would handle McNeil on  
21 occasion. McNeil is a tough site to get to because  
22 you've got to take the ferry out there.

23 Q. And Monroe we already talked about, I guess.

24 A. Yes.

25 Q. Okay. We've seen some indication of changes

1 to the P-III system, chip changes where there would  
2 have to be an addition or change of voice chips and  
3 sometimes program chips.

4 Are you familiar with that?

5 A. Yes.

6 Q. Were you personally involved in changing  
7 program chips?

8 A. Yes.

9 Q. Were you personally involved in changing  
10 voice chips?

11 A. Yes.

12 Q. Did any of the level one folks do those chip  
13 changes as well?

14 A. Yes.

15 Q. Is there any reason why you would do chip  
16 changes as opposed to them or --

17 A. No. Maybe a scheduling or I would help them  
18 out, maybe. It wasn't because they couldn't do it, it  
19 was if they needed help -- like Airway Heights would  
20 be 160 chips you had to change.

21 And when you're changing chips, you've got  
22 to remember the phones are down at the same time. So  
23 the faster you get it done, the faster you get the  
24 phones up.

25 Q. Now we've been provided copies of your

1           A.    I believe so, yes.

2           Q.    And it says he called you back, and  
3           apparently you had called him about something?

4           A.    I would guess, yes.

5           Q.    And his reference is to Qwest announcements.  
6           Do you know what this discussion you were  
7           having with Mr. Roth was about?

8           A.    This was 2000?

9           Q.    This looks like August of 2000.

10          A.    I'd have to be guessing. I don't know. I  
11          have some ideas, but I would be guessing.

12          Q.    Well, your ideas are perhaps inspired by  
13          some work that you did in connection with this?

14          A.    Well, the main one, probably, is that we  
15          were still quoting -- not quoting, but announcing the  
16          local calls as U. S. West instead of Qwest.

17                 And it could be that it was in reference to  
18          that, when are they going to change the chips to allow  
19          us to change the announcement at that time frame.

20          Q.    Do you remember Mr. Roth was working on a  
21          project that involved changes to chips?

22          A.    I couldn't remember at that time.

23          Q.    I'm going to show you what's, around this  
24          time frame, what's been previously marked as  
25          Exhibit 22.

1 Exhibit 45, I'd like you just to read that and let me  
2 know when you're done, please.

3 A. Okay.

4 Q. Have you seen Exhibit 45 before?

5 A. I think I have, yes.

6 Q. I wanted to show Exhibit 45 to you to see if  
7 this brings back any more memories about the project  
8 that Mr. Roth was doing regarding rate quotation in  
9 Washington state which is called in this email  
10 "Operation cooperation rate quote, AT&T/Washington."

11 Do you now have any further memory regarding  
12 the rate quoting project in the state?

13 A. Well, this is in reference to us trying  
14 to -- Ken Stibler, when he came on, one of his things  
15 was revenue generation. And that was to get the  
16 people like partners to pay for additional items that  
17 we had been doing.

18 We used to just change announcements and  
19 stuff, just -- we just did a change. They told us  
20 "Hey, we did a change. That shouldn't be AT&T, it  
21 should be Verizon" or whatever, and we went ahead and  
22 changed it and sent it out to the field, and expensed  
23 all the personnel cost and stuff to change that.

24 What they were trying to do with that is to  
25 make them charge AT&T for us to recreate the chips and

1 replace the chips, especially voice chips.

2 So they went to Qwest to change it from  
3 U.S. West to Qwest. And AT&T had a bunch of changes  
4 and changing rate quoting, and so on. And so on.

5 So they wanted us to get reimbursed for  
6 that, and that's what part of this is. And that's  
7 what he's quoting at \$85,000. That's \$85,000 of what,  
8 billing AT&T to change the stuff.

9 Q. Okay.

10 A. And I know that was a contentious thing  
11 between us and AT&T at the time, and especially Qwest  
12 and U S West. Qwest refused to pay and said "Leave it  
13 as U S West."

14 And i think to this day the one site we have  
15 left as P-III still quotes U S West for local calls,  
16 because they refused to pay to change the chip.

17 Q. What site is that?

18 A. It's a juvenile site. Multnomah Juvenile in  
19 Portland.

20 Q. So on any of the U S West sites here within  
21 the state of Washington there was no change made to  
22 change from U S West to Qwest?

23 A. No, none.

24 Q. Do you know whether U S West paid T-Netix to  
25 have rate quoting put on the systems?