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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KING

PATRICK JONES, individually,)
)
Plaintiff,)
)
vs.) No. 16-2-22028-2SEA
)
BELLEVUE SCHOOL DISTRICT 405, 14A)
public school district; WASHINGTON)
INTERSCHOLASTIC ACTIVITIES)
ASSOCIATION, a nonprofit corporation;))
KINGCO CONFERENCE, a nonprofit)
corporation; and SEA-KING DISTRICT 2)
OF THE WIAA, a nonprofit corporation;))
YARMUTH & WILDSON, PLLC, a Washington)
Professional Limited Liability)
Company, BOB WESTINGHOUSE and)
CARL BLACKSTONE, in their individual)
capacities,)
)
Defendants.)

Deposition Upon Oral Examination of
MICHAEL COLBRESE

Taken at [REDACTED]
Bellevue, Washington
Thursday, April 13, 2017

Atkinson-Baker, Inc.
Court Reporters
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REPORTED BY: Mindy L. Suurs, CSR No. 2195
File No. AB03B6F

1 A. We felt that Bob and Carl were very credible
2 fact-finders.

3 Q. Did the Bellevue School District provide you with
4 any examples of how -- what the basis for this point of
5 emphasis was?

6 A. I do not remember.

7 Q. Did the WIAA provide any response back as to why
8 they felt that the investigators were not seeking
9 information which was not factual?

10 MR. TONDINI: Object --

11 MS. JONES: Sorry for the double negative. Let's
12 try that again.

13 Q. Did the WIAA produce any evidence to the Bellevue
14 School District proving that Bob and Carl, as
15 investigators, were only looking for factual information?

16 MR. CALFO: Object to the form.

17 A. No.

18 BY MS. JONES:

19 Q. Okay. Can you go to Section 1E. What was the
20 WIAA's response to that issue raised by the Bellevue School
21 District?

22 A. That there was no Appendix 11.

23 Q. Okay. Was there ever a discussion between the
24 Bellevue School District and the WIAA that this
25 fact-finding would be consistent with Appendix 11?

1 A. Not before the -- this was the first time
2 Appendix 11 was brought up.

3 Q. Is in December?

4 A. Yes.

5 Q. And so what about did the Bellevue School
6 District ever contend that they wanted the WIAA
7 fact-finders to use the rules that were in place at the
8 time that the alleged violations must have occurred, which
9 was prior to the 2015, '16 handbook where Appendix 11 was
10 removed?

11 MR. CALFO: Object to the form.

12 A. Once -- once the fact-finders were selected, then
13 the interaction between the fact-finders, Bob and Carl,
14 Mr. Westinghouse and Mr. Blackstone, were between
15 Mr. Olson, the association's attorney, and Mr. Miller, the
16 association staff member, John Miller, whom I mentioned
17 earlier, and Mr. Lowell and Mr. Harrison and Ms. Annie
18 Cole, Bellevue counsel at that time. So I couldn't testify
19 to that. I was not involved.

20 Q. At the meeting what was discussed with respect to
21 that issue of the Appendix 11 needing to be followed and
22 that's what the Bellevue School District thought that they
23 were getting?

24 MR. CALFO: Object to the form.

25 A. That, again, Appendix 11 was not part of the

1 handbook when the investigations were started, nor was it a
2 part of any preliminary or any previous discussions.

3 Q. Did Bellevue in the meeting raise the issue that
4 Appendix 11 was in the handbook at the time that the
5 violations occurred and that the policies and procedures at
6 the time the violation occurred should be followed?

7 MR. CALFO: Objection to the form.

8 A. Not that I remember.

9 BY MS. JONES:

10 Q. Can you look at Section 2A. What was discussed
11 at this December 16th meeting with respect to Section 2A?

12 MR. CALFO: Object to the form.

13 A. I remember a little bit. I don't remember -- may
14 not remember all of it, but I do remember some of it.

15 BY MS. JONES:

16 Q. Okay. What do you recall?

17 A. I was asked about the other three fact-finders
18 who had all had some kind of a school background, and what
19 I had -- what I had discovered is when I'd had the
20 conversation with Mr. Harrison and Mr. Lowell, I made some
21 initial contact with the individuals who had done the
22 previous ones. One of them actually had a granddaughter
23 who had graduated from Bellevue High School, so obviously
24 he was -- had a conflict of interest; one of them was still
25 involved with Blanchet, with the Blanchet fact-finding, so