

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

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3
4 ELIEZER WILLIAMS, a minor, by) CASE NO.
5 Sweetie Williams, his guardian) 312236
6 ad litem; et al., each individually) VOLUME FOUR
7 and on behalf of all others) (PAGES 437-479)
8 similarly situated,)
9 PLAINTIFFS,)
10 v.)
11 STATE OF CALIFORNIA; DELAINE EASTIN,)
12 State Superintendent of Public)
13 Instruction; STATE DEPARTMENT OF)
14 EDUCATION; STATE BOARD OF EDUCATION,)
15 DEFENDANTS.)
16 -----)

DEPOSITION OF:

17
18 LLOYD J. HOUSKE
19 THURSDAY, JANUARY 10, 2002
20 9:09 A.M.
21

REPORTED BY:

22
23 XAVIER MIRELES
24 CSR NO. 5001
25

1 Deposition of LLOYD J. HOUSKE, a witness,
2 taken on behalf of the Plaintiffs, on THURSDAY,
3 JANUARY 10, 2002, 9:09 A.M., at 400 South Hope
4 Street, 14th Floor, Los Angeles, California 90071,
5 before XAVIER MIRELES, CSR No. 5001.

12 APPEARANCES OF COUNSEL:

14 FOR THE PLAINTIFFS:

15 MALDEF
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1 APPEARANCES OF COUNSEL (CONTINUED):

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12 FOR THE DEFENDANT STATE OF CALIFORNIA:

13 O'MELVENY & MYERS LLP
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1 I N D E X

3	WITNESS	EXAMINATION	PAGE
4	LLOYD J. HOUSKE	BY MR. VILLAGRA	441

8 E X H I B I T S

9 PLAINTIFFS'

10	NO.	PAGE	DESCRIPTION
11	(None offered.)		

1 LOS ANGELES, CALIFORNIA; THURSDAY, JANUARY 10, 2002
2 9:09 A.M.

4 LLOYD J. HOUSKE,
5 having been first duly sworn, was
6 examined and testified as follows:

8 EXAMINATION

10 BY MR. VILLAGRA:

11 Q. Good morning, Mr. Houske.
12 A. Good morning.
13 Q. The same ground rules that applied during
14 the first three days of your deposition apply again
15 today.
16 Do you understand that?
17 A. Yes.
18 Q. Do you understand that you are still under
19 oath?
20 A. Yes, I do.
21 Q. Would you like me to go through the ground
22 rules again?
23 A. Yes.
24 Q. Okay. A lot of them are probably not going
25 to apply because it's going to be so short, so you

1 probably won't need to take a break, but if you want
2 to, we can stop at any point.

3 If you answer a question, the assumption
4 will be that you understood it and that you are
5 providing completely truthful information. If you
6 don't understand a question, please ask me to clarify
7 it, and I will do so.

8 A. Yes.

9 Q. Is there any reason you can't give truthful
10 and complete testimony today?

11 A. No.

12 Q. What did you do, if anything, to prepare
13 for today's deposition?

14 A. Nothing.

15 Q. Did you review any documents to prepare for
16 today?

17 MS. STRONG: Objection. This goes beyond
18 the scope of the questions of the deposition that we
19 are here solely to focus on one limited issue, which
20 is conversations with Mr. Houske and counsel from
21 O'Melveny and Myers. And that goes completely beyond
22 the scope of what we are here today to do.

23 BY MR. VILLAGRA:

24 Q. Do you remember the question?

25 A. Yes.

1 Q. Did you speak with anyone from O'Melveny
2 and Myers about today's deposition?

3 A. No, I didn't.

4 Q. We are here primarily to talk about some
5 questions that you -- that were not answered during
6 your last deposition. Do you understand that?

7 A. Yes, I do.

8 Q. Okay. I don't want you to disclose
9 anything that has been said between your lawyer,
10 Denise Godfrey, and any other attorneys from Lozano
11 and Smith; but if statements were made by you to
12 Ms. Godfrey or by Ms. Godfrey to you when there were
13 other counsel present, like Ms. Strong from O'Melveny
14 and Myers, those conversations are not privileged,
15 and you are allowed to answer as to those
16 conversations.

17 Do you understand that?

18 A. Yes, I do.

19 Q. At your deposition in July of last year, I
20 asked you if you had discussed this case, the
21 Williams case, with anyone from O'Melveny and Myers,
22 and you said that you had. Do you remember that?

23 A. Yes, I do.

24 Q. At your deposition I asked you who from
25 O'Melveny and Myers you had discussed the case with,

1 Q. You can answer it.

2 A. No, I didn't.

3 Q. Did you review your deposition or read your
4 deposition prior to today?

5 MS. STRONG: Same objections.

6 THE WITNESS: No, I didn't.

7 BY MR. VILLAGRA:

8 Q. Did you read any transcripts from the case?

9 MS. STRONG: Same objections.

10 THE WITNESS: No, I didn't.

11 BY MR. VILLAGRA:

12 Q. Did you did you speak with anyone from the
13 California Department of Education before today's
14 deposition?

15 THE WITNESS: No, I didn't.

16 BY MR. VILLAGRA:

17 Q. Did you speak to anyone from the Board of
18 Education about today's deposition?

19 A. No, I didn't.

20 Q. Did you speak with anyone from the
21 Superintendent of Public Instruction's office about
22 today's deposition?

23 MS. STRONG: Same objections.

24 THE WITNESS: No, I didn't.

25 BY MR. VILLAGRA:

1 and you said Sabrina Strong. Do you recall that?

2 A. Yes, that's right.

3 Q. Have you discussed the Williams case with
4 anyone else from O'Melveny and Myers other than
5 Sabrina Strong?

6 A. Not that I can recall.

7 Q. Do you recall when it was that you
8 discussed the Williams case with Ms. Strong?

9 A. I would say probably about a month or so
10 prior to the first deposition.

11 Q. Do you recall approximately what month that
12 might have been?

13 MS. GODFREY: Don't guess.

14 THE WITNESS: Then I don't.

15 BY MR. VILLAGRA:

16 Q. And I believe you testified in July at your
17 deposition that the meeting occurred at LAUSD
18 district headquarters?

19 A. That is correct.

20 Q. And I believe you testified that your
21 attorney, Ms. Godfrey, was also present at the
22 meeting; is that correct?

23 A. That's correct.

24 Q. To your recollection, was anyone else
25 present at that meeting?

1 A. Not that I can remember.
 2 Q. Okay. Did anyone besides you, Ms. Strong
 3 and Ms. Godfrey sit in on any part of the meeting?
 4 A. Pardon?
 5 Q. Did anyone other than you three sit in on
 6 any part of the meeting?
 7 A. No.
 8 Q. Do you recall how long the meeting lasted?
 9 A. I'd say maybe an hour.
 10 Q. Do you recall what time the meeting
 11 started?
 12 A. It was in the morning.
 13 Q. First thing in the morning?
 14 A. No. I don't think so.
 15 Q. Okay. Do you recall what time the meeting
 16 ended?
 17 A. No, I do not.
 18 Q. Do you recall who contacted you about the
 19 meeting?
 20 A. No, I do not.
 21 Q. Did you do anything to prepare for the
 22 meeting with Ms. Strong?
 23 A. No, I did not.
 24 Q. Do you recall whether you inspected any of
 25 your school facilities in preparation for the meeting

1 Q. Did you have an understanding of the
 2 purpose of the meeting with Ms. Strong?
 3 A. Yes.
 4 Q. What was your understanding of the purpose
 5 of the meeting with Ms. Strong?
 6 MS. GODFREY: I am going to object that
 7 that calls for him to reveal communications between
 8 his attorney.
 9 BY MR. VILLAGRA:
 10 Q. Can you answer that question without
 11 revealing any communications you may have had with
 12 Ms. Godfrey about the meeting?
 13 A. Well, it was just that I knew that it was
 14 about the ACLU lawsuit concerning lack of housing for
 15 children, spaces in schools; the charges that the
 16 school was not clean; there weren't textbooks.
 17 Q. Anything else?
 18 A. No.
 19 Q. And how did you come to that understanding
 20 of what the purpose of the meeting with Ms. Strong
 21 was?
 22 MS. GODFREY: Other than what your attorney
 23 discussed with you.
 24 BY MR. VILLAGRA:
 25 Q. Yes.

1 with Ms. Strong?
 2 A. Not any more than I would normally do.
 3 Q. Did you meet with your -- with any of your
 4 teachers in preparation for your meeting with
 5 Ms. Strong?
 6 A. No.
 7 Q. Did you meet with any of your staff in
 8 preparation for the meeting with Ms. Strong?
 9 A. Not that I can recall.
 10 Q. Did you review any documents in preparation
 11 for the meeting with Ms. Strong?
 12 A. Maybe looked over some of the busing
 13 numbers and things like that.
 14 Q. What do you mean by the busing numbers?
 15 A. The number of children that are bused away
 16 from our school.
 17 Q. Do you recall whether you reviewed any
 18 other documents regarding the busing of students from
 19 Cahuenga Elementary, C-A-H-U-E-N-G-A?
 20 MS. STRONG: In preparation for the meeting
 21 with Ms. Strong?
 22 MR. VILLAGRA: Yes.
 23 Q. In preparation for the meeting with
 24 Ms. Strong?
 25 A. No, I didn't.

1 A. I am not sure whether I saw a copy of the
 2 lawsuit before or after that meeting. I think it was
 3 probably before it was probably faxed to me.
 4 Q. Was -- to your knowledge, was the Complaint
 5 faxed to you in preparation for the meeting?
 6 A. I didn't think so. I thought it was just
 7 information.
 8 Q. Did Ms. Strong ever explain to you the
 9 purpose of the meeting?
 10 A. Yes.
 11 Q. What did she say?
 12 A. You wanted to question me.
 13 MS. GODFREY: That she wanted to question
 14 you?
 15 THE WITNESS: No. That you wanted to
 16 question me.
 17 MR. VILLAGRA: Okay.
 18 MS. STRONG: I'd like to move to strike as
 19 nonresponsive.
 20 BY MR. VILLAGRA:
 21 Q. And did she say anything else to you about
 22 the purpose of the meeting?
 23 A. No.
 24 Q. And if you can recall specifically what it
 25 was she told you about my or the plaintiff's wanting

1 to question you.

2 A. No. Just that she wanted information that
3 I had.

4 Q. Information that you had regarding any
5 particular subjects?

6 A. The issues that were mentioned in the
7 lawsuit.

8 Q. Now I am specifically asking about at the
9 meeting. Did Ms. Godfrey explain the purpose of the
10 meeting?

11 A. I'm not sure that she did, no. Other than
12 the fact that it was to let me know what the coming
13 events might be.

14 Q. And what did Ms. Godfrey say about what the
15 coming events might be at the meeting with
16 Ms. Strong?

17 A. Just that we were going to have a meeting
18 later on where you questioned me.

19 Q. And did she refer to it as a meeting where
20 you would be questioned?

21 A. No. It was more formal than just a
22 meeting.

23 Q. And did Ms. Godfrey explain to you what the
24 questioning would be about at this more formal
25 questioning later?

1 information, is it your testimony that both
2 Ms. Godfrey and Ms. Strong were asking you questions
3 during the meeting?

4 A. I believe so.

5 Q. Do you recall any of the questions that
6 Ms. Strong asked you?

7 A. Well, I don't remember who asked the
8 questions, but as I said, they were very much the
9 same type of questions that you asked here. It was,
10 you know, how many children are bused, things like
11 that.

12 Q. Do you recall any of the questions that
13 Ms. Godfrey asked you at the meeting with Ms. Strong?

14 A. No, I do not. It was a conversation. It
15 wasn't a formal kind of thing. We were just
16 discussing.

17 Q. And I believe you said that you don't
18 recall who asked?

19 A. No, I do not. As I said, it was more of a
20 conversation than a formal affair.

21 Q. Besides how many kids are bused away from
22 Cahuenga, what other topics did you address that day?

23 A. To be very honest with you, after we
24 already had three depositions, all the questions
25 blend together now, and it's kind of hard to

1 MS. STRONG: Objection. I feel this might
2 be treading on attorney-client communications. But
3 if you are asking in terms of what Ms. Godfrey said
4 in front of her clients in front of me --

5 MR. VILLAGRA: Yes.

6 MS. GODFREY: I understood the context of
7 that question to mean that.

8 MR. VILLAGRA: Yes.

9 Q. With respect to Ms. Godfrey, I am asking
10 what she specifically said at the meeting with
11 Ms. Strong.

12 A. About?

13 Q. About what the questioning would be
14 concerning.

15 A. Well, maybe she did, but I don't recall it,
16 really.

17 Q. Do you recall what was discussed during the
18 meeting with Ms. Strong?

19 A. Well, it really -- it wasn't so much a
20 discussion as it was questioning.

21 Q. What do you mean by questioning?

22 A. I really felt that they were trying to get
23 information, and they asked me questions very much
24 like what you asked me.

25 Q. And when you say they were trying to get

1 remember.

2 Q. But the busing stands out in your mind?

3 A. Yes.

4 Q. Do you recall whether you brought any
5 documents to the meeting with Ms. Strong?

6 A. No, I did not.

7 Q. I take it then you didn't provide her any
8 documents at the meeting?

9 A. No.

10 Q. Were you shown any documents during the
11 meeting with Ms. Strong?

12 A. No. Well, unless there was a copy of the
13 lawsuit. I am not sure about that, but it might have
14 been.

15 Q. It's possible that you reviewed a copy of
16 the Complaint?

17 A. Yes. Uh-huh.

18 Q. Do you recall what was said at the meeting,
19 if anything, regarding the Complaint in Williams?

20 A. The discussion was more about what --
21 probably what would be asked -- not what you would be
22 asking, but what I would go through, that I would be
23 asked questions. But that was about the extent of
24 it.

25 Q. At the meeting, did Ms. Strong review with

1 you the allegations in the Complaint, in the Williams
2 Complaint that related to Cahuenga Elementary?

3 A. Possibly. I am sure she probably did.

4 Q. Why do you say that?

5 A. Well, because that's what the whole thing
6 is about, so I would imagine that we would review it.
7 But as I said, I had seen it before then, so I am
8 not --

9 Q. Do you recall which allegations in the
10 Williams Complaint Ms. Strong reviewed with you at
11 the meeting?

12 A. All of them.

13 Q. Did she review the allegations in the
14 Complaint regarding the busing of students from
15 Cahuenga?

16 A. Yes.

17 Q. Did she review with you the allegations in
18 the Complaint regarding the three-track calendar
19 schedule that Cahuenga implements?

20 A. I am not sure I understand the word
21 "review."

22 Q. Did she go over that topic with you? Did
23 she discuss it with you?

24 A. She did not discuss it. She just read what
25 it said, but it wasn't a discussion about it.

1 questioning me, and there wasn't any discussion about
2 the answers; it was just answering the questions. So
3 it was a preparation, I suppose, for what I would
4 have with you.

5 Q. Do you recall what answers you gave her
6 regarding the busing of students at Cahuenga
7 Elementary?

8 MS. GODFREY: I am going to object that's a
9 little bit broad and vague in the sense that, what
10 answers he gave, you haven't really posed the
11 specific question. So maybe you could rephrase that.

12 MR. VILLAGRA: Sure.

13 Q. Do you recall any of the specific questions
14 that Ms. Strong asked you about busing at Cahuenga
15 Elementary?

16 A. I suppose she asked -- again, as I say, it
17 all blends together. This was -- after we have done
18 it this many times, I am not sure where it happened.

19 But I know they would ask about the
20 numbers, the number of buses, and distance and things
21 like that. And I am sure they asked about the
22 textbooks and the supplies. And I answered to the
23 best of my ability.

24 Q. Do you recall anything that you said at the
25 meeting to Ms. Strong regarding the busing of

1 Q. So she read to you the allegations in the
2 Complaint regarding busing?

3 A. Right.

4 Q. She said to you the allegations in the
5 Complaint regarding the three-track schedule?

6 A. Yes.

7 Q. She read to you the allegations in the
8 Complaint regarding textbooks?

9 A. Yes.

10 Q. At Cahuenga?

11 A. Yes.

12 Q. She read to you the allegations in the
13 Complaint regarding supplies at Cahuenga?

14 A. Yes.

15 Q. She read to you the allegations in the
16 Complaint regarding non-fully credentialed teachers
17 at Cahuenga?

18 A. Yes.

19 Q. And she read to you the allegations in the
20 Complaint regarding the bathrooms at Cahuenga?

21 A. Yes.

22 Q. Do you recall what Ms. Strong said to you
23 about the busing of students at Cahuenga?

24 A. Well, I don't recall her -- as I said, the
25 meeting was more like we were having here. They were

1 students from Cahuenga Elementary?

2 A. Nothing different than what I would have
3 said to you.

4 Q. So you would have addressed the topic of
5 the number of students that were bused from Cahuenga
6 and the number of buses and the distance that the
7 buses travel to the other schools; is that correct?

8 A. That's possible, yes.

9 Q. Any other topics that you might have
10 covered at the meeting with Ms. Strong regarding
11 busing?

12 A. Not that I recall.

13 Q. And were you answering her questions off
14 the top of your head regarding busing?

15 A. Yes.

16 Q. Okay. Regarding the three-track schedule,
17 do you recall any of the specific questions that
18 Ms. Strong asked you at the meeting?

19 A. No.

20 Q. Do you recall anything you might have said
21 at the meeting about the three-track schedule that
22 Cahuenga Elementary implements?

23 MS. STRONG: Objection; calls for a
24 narrative.

25 THE WITNESS: And again, it would be the

1 same thing that I have said to you. There was
 2 nothing different.
 3 BY MR. VILLAGRA:
 4 Q. Do you recall any of the specific questions
 5 that Ms. Strong may have asked you about textbooks at
 6 Cahuenga?
 7 A. I think it was very broad. I think it was
 8 just like one of the charges. And so then I answered
 9 to the best of my ability as to how I felt about the
 10 charge.
 11 Q. In answering the charge about textbooks at
 12 Cahuenga Elementary, were you answering off the top
 13 of your head?
 14 A. Yes.
 15 Q. Do you recall any of the specific questions
 16 that Ms. Strong asked you about supplies at Cahuenga
 17 Elementary?
 18 A. No, I do not.
 19 Q. Do you recall anything that you may have
 20 said to Ms. Strong about supplies at Cahuenga
 21 Elementary?
 22 A. I am sure that I said that I felt that the
 23 charge was not correct.
 24 Q. Okay. And in answering that charge, what
 25 was your basis?

1 A. Knowing that I had a whole supply room full
 2 of supplies back at school; that we are not a poor
 3 school.
 4 Q. And do you recall if you had inspected the
 5 supply room prior to attending the meeting with
 6 Ms. Strong?
 7 A. No. I did not do that. But when you are a
 8 principal of a school, the teachers let you know very
 9 quickly if you don't have supplies, and that was not
 10 the case.
 11 Q. Would it be fair to say that you were
 12 assuming that the supply room was full at the meeting
 13 with Ms. Strong?
 14 A. Well, I suppose that's true. I was
 15 assuming it, but based on the fact that teachers
 16 would have come to me earlier; and believe me, there
 17 is one thing that teachers cannot be without, and
 18 that's supplies.
 19 Q. So is it fair to say that you are assuming
 20 the supply room was full because you hadn't received
 21 any complaints from teachers of lack of supplies?
 22 A. That's right. And we have a supply clerk
 23 that also would have supplied me; so that was a
 24 pretty accurate assumption.
 25 Q. And do you recall any of the specific

1 questions that Ms. Strong may have asked you about
 2 the number of emergency credentialed teachers at
 3 Cahuenga Elementary?
 4 A. No, I do not.
 5 Q. Do you recall anything that you might have
 6 said at the meeting with Ms. Strong about the number
 7 of emergency credentialed teachers at Cahuenga?
 8 A. If I said anything about it, I probably
 9 said that I object to the fact that people have a
 10 feeling that emergency credentialed teachers are not
 11 good teachers, because I have some of the finest
 12 teachers in our district.
 13 Q. And is the basis for your belief about the
 14 quality of the teachers at Cahuenga, is it any
 15 different than what we have discussed in the other
 16 three days of your deposition?
 17 A. I suppose the latest proof of it is the
 18 fact that the County has named us as a demonstration
 19 site for other schools to come to visit to see how
 20 effective teaching should be done.
 21 MR. VILLAGRA: Because of the scope of
 22 today's deposition, I will move to strike that
 23 answer.
 24 I just didn't want him to testify again as
 25 to the basis for his assuming that his teachers were

1 fine, because we went in detail over that topic; is
 2 that okay with you all?
 3 MS. GODFREY: I am going to object to your
 4 motion to strike that answer. I mean, you asked him
 5 for what his understanding was. I understand what he
 6 just described happened after the meeting, but that
 7 is what you asked him.
 8 THE WITNESS: I could have also said that
 9 based on our test scores.
 10 MS. GODFREY: I don't want to quibble over
 11 it. That's fine just to stay on the record.
 12 BY MR. VILLAGRA:
 13 Q. But at the time of the meeting that you had
 14 with Ms. Strong, your conclusion about the quality of
 15 your teachers, it wasn't based on anything other than
 16 what we have discussed during your three days of
 17 deposition; is that correct?
 18 A. That's correct.
 19 MS. GODFREY: And just for the record, has
 20 it been only three days of deposition? Because I
 21 think there has been more than three times. I think
 22 there might have been four, but I don't know. Just
 23 so that we know, there might have been more than
 24 three sessions of his deposition to date.
 25 BY MR. VILLAGRA:

1 Q. Okay. Do you recall any of the specific
2 questions Ms. Strong may have asked you about
3 bathrooms at Cahuenga Elementary?

4 A. No, I do not.

5 Q. Do you recall anything that you might have
6 said to Ms. Strong about bathrooms at Cahuenga
7 Elementary?

8 MS. STRONG: Objection; calls for a
9 narrative.

10 THE WITNESS: Well, I probably told her
11 that because of our having a new addition to the
12 school, that we had new bathrooms as well.

13 BY MR. VILLAGRA:

14 Q. Do you recall whether you discussed the
15 number of bathrooms at Cahuenga Elementary?

16 A. No, I do not.

17 Q. Do you recall whether you discussed the
18 cleanliness of bathrooms at Cahuenga Elementary?

19 A. I believe so. And as I said, it wasn't
20 discussion; it was questioning. Because I really
21 felt that we didn't have a lot of discussion.

22 Q. So you were questioned by Ms. Strong about
23 the cleanliness of the bathrooms at Cahuenga
24 Elementary?

25 A. Exactly.

1 A. No. They both did.

2 Q. They both did?

3 A. Yes.

4 Q. Do you recall what Ms. Godfrey said to you
5 at the meeting regarding the busing of students at
6 Cahuenga Elementary?

7 A. Again, as I said, it was basically a
8 questioning just as you are doing right now.

9 Q. Do you believe that Ms. Godfrey addressed
10 any topics that Ms. Strong did not cover with you?

11 A. As I said, it was a conversation, and I
12 just don't recall things like that.

13 Q. Do you recall being asked at the meeting
14 about the capacity adjustment program?

15 A. What part of that are you referring to?

16 Q. Any part of it.

17 A. Well, busing is part of that, so of course
18 they did then.

19 Q. But was the program named as such during
20 the meeting?

21 A. That, I don't recall.

22 Q. Okay. Do you recall if you reviewed any
23 statements from students at Cahuenga Elementary
24 during the meeting with Ms. Strong?

25 A. No, I do not.

1 Q. Do you recall what you said about the
2 cleanliness of the bathrooms at Cahuenga Elementary?

3 MS. STRONG: Objection; calls for a
4 narrative.

5 THE WITNESS: I said that the bathrooms
6 were inspected on a regular basis, and I felt that it
7 wasn't an accurate charge.

8 BY MR. VILLAGRA:

9 Q. Based on the inspection schedule?

10 A. Based on the inspection schedule and based
11 on the observations myself.

12 Q. Had you observed the bathrooms prior to
13 attending the meeting with Ms. Strong?

14 A. No more so than I would normally.

15 Q. Do you recall when the last time you would
16 have inspected the bathrooms before the meeting with
17 Ms. Strong would have been?

18 A. No, I would not.

19 Q. Do you recall what day of the week the
20 meeting with Ms. Strong would have occurred?

21 A. I would be guessing.

22 Q. Okay. To your recollection, was Ms. Strong
23 the only one who discussed the allegations in the
24 Complaint regarding Cahuenga Elementary with you at
25 the meeting?

1 Q. Do you recall whether there was any
2 discussion of statements that students had made about
3 Cahuenga Elementary?

4 A. No, I do not.

5 Q. During the meeting, were you asked to
6 collect any documents?

7 A. I thought the only ones that asked for them
8 was you, but I could be wrong, because you have asked
9 for plenty.

10 Q. At any time after the meeting, did
11 Ms. Strong ask you to gather documents?

12 A. I don't recall her doing that.

13 Q. During the meeting, were you asked to write
14 anything?

15 A. No.

16 Q. After the meeting at any time, did
17 Ms. Strong ask you to write anything?

18 A. I don't think so.

19 Q. During the meeting with Ms. Strong, was
20 there any discussion of preparation of a written
21 statement on your behalf?

22 A. No.

23 Q. During the meeting, was there any
24 discussion about preparation of a declaration on your
25 behalf?

1 A. No.
 2 Q. The topic never came up?
 3 A. No.
 4 Q. At the conclusion of the meeting with
 5 Ms. Strong, were you asked to do any kind of
 6 follow-up?
 7 MS. GODFREY: By who?
 8 MR. VILLAGRA: Well, within the context of
 9 the meeting.
 10 MS. GODFREY: I thought you said after the
 11 conclusion of the meeting.
 12 MR. VILLAGRA: No. At the conclusion.
 13 MS. GODFREY: Oh, I am sorry.
 14 THE WITNESS: No, I don't think so.
 15 BY MR. VILLAGRA:
 16 Q. Were you asked to speak with anyone?
 17 A. No. You.
 18 Q. And you have done plenty of that.
 19 Were you asked at the meeting to review any
 20 documents?
 21 A. No.
 22 Q. Subsequent to the meeting?
 23 A. No.
 24 Q. Did you do any follow-up following the
 25 meeting with Ms. Strong?

1 MS. STRONG: Objection; goes beyond the
 2 scope of the questioning permitted in this
 3 deposition.
 4 MS. GODFREY: Actually, I am just objecting
 5 to the term "follow-up" as vague and ambiguous.
 6 BY MR. VILLAGRA:
 7 Q. Okay. As a result of the meeting with
 8 Ms. Strong, did you conduct any kind of inspection of
 9 the facilities at Cahuenga Elementary?
 10 A. Yes.
 11 Q. What kind of inspection did you do?
 12 A. Well, I started looking at textbooks and
 13 making sure the textbooks were -- that we had as many
 14 as I thought that we did, and we did.
 15 And I again checked with the custodian to
 16 make sure there wasn't any confusion over mops.
 17 Q. And as a result of the meeting with
 18 Ms. Strong, did you do any other kind of inspection
 19 at Cahuenga Elementary other than these two items
 20 that you have just described to me?
 21 A. No.
 22 Q. Okay. And you said that you started
 23 looking at textbooks to see if you had as many as you
 24 thought?
 25 A. Uh-huh. Uh-huh.

1 Q. What do you mean by that?
 2 A. Well, you know, in the school, teachers
 3 have lots of different needs, and so we have some
 4 teachers that are using textbooks that go back way
 5 since the time that the State has okayed them, but
 6 they are still effective, that the teachers still use
 7 them. And there are teachers that want the new
 8 textbooks, and I didn't want any confusion about when
 9 the teacher actually complained about it.
 10 And when we got down to looking at it, what
 11 the problem really was was that the parent didn't
 12 understand that the reading system that has been
 13 adopted uses textbooks that are dittoed, run off. So
 14 the parent thought that we didn't have textbooks.
 15 But I wanted to make sure that I clarified that in my
 16 own mind.
 17 Q. And I believe at one point you said that we
 18 looked at this issue.
 19 A. It's the royal we.
 20 Q. It was you?
 21 A. It was me.
 22 Q. Did you speak with anyone at Cahuenga
 23 regarding textbooks as a result of the meeting with
 24 Ms. Strong?
 25 A. Well, not because of a result of the

1 meeting with her. It was as a result of the lawsuit
 2 that I spoke to kindergarten teachers about it.
 3 Q. I am asking you specifically about coming
 4 out of the meeting with Ms. Strong. As a result of
 5 the meeting.
 6 A. No.
 7 Q. So you didn't look at textbooks as a result
 8 of the meeting?
 9 A. No. More as a result of coming to look at
 10 you, to talk to you.
 11 Q. And I believe you said that you came to the
 12 conclusion that the parents didn't understand that
 13 the reading system at Cahuenga uses dittoed
 14 materials; is that correct?
 15 A. That's correct.
 16 Q. To your knowledge, do other elementary
 17 schools in LAUSD, the Los Angeles Unified School
 18 District, use dittoed materials like those used at
 19 Cahuenga?
 20 A. It's a requirement of the series.
 21 Q. What is that?
 22 A. Open court. And that the idea, the concept
 23 of it, and the parents have that at home so that they
 24 can practice with the children more.
 25 Q. For what grades is it a requirement?

1 A. Mostly for kindergarten. Some in first
 2 grade, but not as much as in kindergarten.
 3 Q. What about in second grade?
 4 A. No.
 5 Q. Okay. So mostly in kindergarten, some in
 6 first grade, but not beyond that?
 7 A. No.
 8 Q. Okay. And I believe that you mentioned
 9 that as a result of the meeting with Ms. Strong, you
 10 checked with the custodian about mops; is that
 11 correct?
 12 A. I don't like the word "result." It kind of
 13 makes me feel that she told me to go do something.
 14 It wasn't that.
 15 It was just that, you know, it brought more
 16 to your attention again, and I wanted to go and make
 17 sure, because it was a substitute, and I wanted to
 18 make sure there was no possibility of it doing it
 19 again.
 20 Q. And who was the substitute?
 21 A. It was a substitute custodian.
 22 Q. And how long was that substitute custodian
 23 there?
 24 A. It was a one-time occasion.
 25 Q. How long was that one-time occasion?

1 A. One day.
 2 Q. One day?
 3 A. Yes.
 4 Q. Okay. And who did you verify that from,
 5 that it was a one-day assignment?
 6 A. The plant manager.
 7 Q. So looking into the textbooks issues and
 8 looking into the issues with the mops are things that
 9 you did on your own following the meeting; is that
 10 correct?
 11 A. That's correct.
 12 Q. Were you asked by Ms. Godfrey or Ms. Strong
 13 to verify any of the allegations in the Complaint at
 14 the meeting?
 15 A. No.
 16 Q. During the meeting with Ms. Strong, did you
 17 take any notes?
 18 A. No, I did not.
 19 Q. Did you see Ms. Strong take any notes
 20 during the meeting?
 21 A. I don't remember.
 22 Q. Did you see Ms. Godfrey take any notes
 23 during the meeting?
 24 A. I don't think either one of them did,
 25 really.

1 Q. Did Ms. Strong say anything about the
 2 State's defense of the lawsuit by the Williams
 3 plaintiffs at the meeting?
 4 A. Other than the fact that I would be
 5 appearing.
 6 Q. Did Ms. Strong explain to you who she was
 7 representing at that meeting?
 8 A. Yes.
 9 Q. Who did Ms. Strong say she was
 10 representing?
 11 A. The State.
 12 Q. And was there any explanation given of what
 13 the State was?
 14 A. No.
 15 Q. Did you have an understanding of who more
 16 specifically Ms. Strong represented?
 17 A. No.
 18 Q. Did Ms. Strong say anything at the meeting
 19 about how the State intended to defend the Williams
 20 lawsuit?
 21 MS. GODFREY: Asked and answered.
 22 THE WITNESS: No.
 23 BY MR. VILLAGRA:
 24 Q. Did Ms. Strong at the meeting say anything
 25 about what facts the State intended to rely on to

1 defend the Williams lawsuit?
 2 A. Oh, no.
 3 Q. At the meeting, did Ms. Williams say
 4 anything about what law the State intended to rely on
 5 to defend the Williams lawsuit?
 6 A. No.
 7 Q. At the meeting, did Ms. Strong discuss her
 8 view of strength of the State's defense of the
 9 Williams lawsuit?
 10 A. No. No.
 11 Q. Was there any mention at the meeting with
 12 Ms. Strong that the State had sued various school
 13 districts, including LAUSD?
 14 A. No.
 15 Q. To your recollection, at the meeting, were
 16 you aware that the State had sued various school
 17 districts, including LAUSD?
 18 MS. STRONG: Objection; assumes facts.
 19 THE WITNESS: I am not sure when I reached
 20 that conclusion, whether it was then or afterwards
 21 that -- no, I just don't remember.
 22 BY MR. VILLAGRA:
 23 Q. Is it possible that you knew that during
 24 the meeting, that the State had sued various school
 25 districts, including LAUSD?

1 MS. STRONG: Again, objection; assumes
 2 facts.
 3 THE WITNESS: I really don't think so.
 4 BY MR. VILLAGRA:
 5 Q. Do you recall whether there was any mention
 6 at the meeting as to why the State had sued various
 7 school districts, including LAUSD?
 8 MS. STRONG: Objection; assumes facts.
 9 THE WITNESS: No.
 10 BY MR. VILLAGRA:
 11 Q. Do you recall if there was any discussion
 12 at the meeting of the benefits of your meeting with
 13 Ms. Strong?
 14 A. No.
 15 MS. STRONG: Objection; vague and
 16 ambiguous.
 17 BY MR. VILLAGRA:
 18 Q. Do you recall whether you were told at the
 19 meeting that if you cooperated with Ms. Strong, LAUSD
 20 might be dismissed from the State's lawsuit against
 21 it?
 22 A. No. No.
 23 Q. Were you given any indication at the
 24 meeting that your participation in the meeting would
 25 facilitate a settlement with the State?

1 A. Which meeting?
 2 Q. At the meeting with Ms. Strong and
 3 Ms. Godfrey?
 4 A. That it would result in what?
 5 Q. Facilitate a settlement?
 6 A. No.
 7 Q. Was there any discussion of possible
 8 settlement of the lawsuit by the State against LAUSD?
 9 A. No.
 10 MS. GODFREY: At the meeting?
 11 MR. VILLAGRA: At the meeting.
 12 MS. GODFREY: All right.
 13 BY MR. VILLAGRA:
 14 Q. Was there any discussion at the meeting
 15 about settlement of the suit against LAUSD as far as
 16 Cahuenga Elementary was concerned?
 17 A. No.
 18 MR. VILLAGRA: Thank you very much,
 19 Mr. Houske. That's all I have.
 20 THE WITNESS: Good.
 21 MR. VILLAGRA: Is the standard stipulation
 22 okay?
 23 MS. GODFREY: That's fine.
 24 MS. STRONG: That's fine.
 25 MR. VILLAGRA: All right. That's fine.

1 MS. GODFREY: And this concludes the
 2 deposition of Mr. Houske; is that correct?
 3 MR. VILLAGRA: Yes.
 4 (The following stipulation was incorporated
 5 at the request of counsel:
 6 "MS. STRONG: And may we
 7 stipulate that the original of
 8 this deposition be signed
 9 under penalty of perjury; that
 10 the original be delivered to
 11 the office of Denise Godfrey;
 12 that the reporter is relieved
 13 of liability for the original
 14 of the deposition; that the
 15 witness will have 15 days from
 16 the date of the court
 17 reporter's transmittal letter
 18 to Denise Godfrey to sign and
 19 correct the deposition; and
 20 that Denise Godfrey shall
 21 notify all parties in writing
 22 of any changes in the
 23 deposition; and if there are
 24 no such changes communicated
 25 or signature within that time,

1 that any unsigned and
 2 uncorrected copy may be used
 3 for all purposes as if signed
 4 and corrected?
 5 "MS. GODFREY: Yes.
 6 "MR. VILLAGRA: So
 7 stipulated."
 8 (Deposition session concluded at 9:52 a.m.)
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1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF LOS ANGELES)

4
5
6 I, LLOYD J. HOUSKE, hereby declare
7 under the penalties of perjury of the State of
8 California that the foregoing is my deposition under
9 oath; that these are the questions asked of me and my
10 answers thereto; that I have read my deposition and
11 have made the corrections, additions or changes to my
12 answers that I deem necessary.

13 IN WITNESS THEREOF, I hereby subscribe
14 my name this _____ day of _____,
15 20____.

16
17
18 _____
19 LLOYD J. HOUSKE

20
21
22
23
24
25

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF LOS ANGELES)

4 I, Xavier Mireles, Certified Shorthand
5 Reporter, Certificate No. 5001, for the State of
6 California, hereby certify:

7 I am the deposition officer that
8 stenographically recorded the testimony in the
9 foregoing deposition;

10 Prior to being examined the deponent was by
11 me first duly sworn;

12 The foregoing transcript is a true record
13 of the testimony given.

14
15 Dated _____.

16
17
18 _____
19 XAVIER MIRELES, CSR NO. 5001

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24
25