

1 IN THE SUPERIOR COURT FOR THE COUNTY OF COBB
2 STATE OF GEORGIA

3
4 JOSEPH C. THOMPSON) CIVIL CASE
5 -vs-) NO. 05-1-4594
6 KATHLEEN JOHNSTONE,) VOL I
7 LAURA SEARCY,)
8 JOHNNY JOHNSON,)
9 TERESA PLENGE,)
10 CURTIS JOHNSTON, JR.,)
11 JOSEPH REDDEN,)
12 COBB COUNTY SCHOOL DISTRICT)

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14 Transcript of the Proceedings before the
15 HONORABLE LARK INGRAM on July 8, 2005,
16 In Marietta, Cobb County, Georgia.

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19 APPEARANCES OF COUNSEL:

20 FOR THE PLAINTIFF:

ROY BARNES, ESQ.

JOHN SALTER, ESQ.

23 FOR THE DEFENDANT:

C. LATAIN KELL, ESQ.

CAROL CALLAWAY, ESQ.

1 A. Ms. Oliver prepared documents for each of us at
2 each meeting. We met several times. I was there 15
3 different days, full days. And depending upon which point
4 we were in the process, those documents would reflect that.
5 When she talked to us about -- when I think I am answering
6 your question now is the document we got on Friday that
7 listed the four vendors. And it listed their scores out of
8 two hundred. And we went over and over and over that
9 document and several people asked why are we doing this.
10 Because it was very clear who had the highest points, the
11 two vendors who had the highest points, and then the
12 significant differential to the next vendor. And we were in
13 an office, a small conference room and she asked one of the
14 members of the committee to shut the door and put all of her
15 things down and said we all know how this has to work out.

16 Q. Who were the two highest scores?

17 A. Dell receive received the highest scores, IBM was
18 next.

19 Q. Who was the far one that could not be reached that
20 you just --

21 A. Apple.

22 MR. BARNES: That is all.

23 THE COURT: Cross examination.

24 MR. KELL: Just briefly, Your Honor.

25 FURTHER CROSS-EXAMINATION BY MR. KELL:

1 Q. Were you the final decision makers as to who was
2 going to get the contract for the RFP?

3 A. After that comment made, we weren't any decision
4 makers.

5 Q. My question to you is after the time you were in
6 that meeting, were you the final decision makers to decide
7 who was going to get the RFP? Were you going to vote and
8 decide who got the RFP or were you simply going to make some
9 kind of a recommendation?

10 A. Our committee was asked to make a recommendation
11 in general.

12 Q. But you weren't the final decision makers on that;
13 correct?

14 A. We weren't the final decision makers on what would
15 be recommended.

16 Q. But not on who would get the contract; correct?

17 A. Correct.

18 Q. What did you do after the conversation you just
19 related from Ms. Oliver?

20 A. I asked what that comment meant.

21 Q. Did you change your vote?

22 A. Did I change my vote?

23 Q. Yes, ma'am?

24 A. I did not change my vote, but the scores for the
25 vendors were changed.

1 Q. Did you change your vote?

2 A. No.

3 Q. Do you know of anybody else who changed their vote
4 as a result the comments of Ms. Oliver?

5 A. Yes.

6 Q. Who were they?

7 A. They were all Cobb County employees. I was the
8 only one on the committee who wasn't an employee. So the --
9 not all of them changed their votes, but those people who
10 changed their votes were employees and there was an
11 incredible lengthy discussion that was, in fact, carried on
12 and on and on. And that pretty much to me was the end of
13 the process as I had seen its integrity at the beginning.

14 Q. Did you have a problem with the laptop initiative
15 from the beginning?

16 A. Because of what I do professionally, I don't think
17 a one to one taking them home is the best idea.

18 Q. Why did you continue to be apart of the process if
19 you thought what you were deciding on was not something that
20 ought to be done at all by the school district?

21 A. Because I had been asked by a school board member
22 to be apart of this and that committee, the F and T
23 committee, and that committee of employees told me that my
24 input was valuable.

25 Q. Do you still believe that the school board should