

In the Matter of:
Investigative Hearing

LYNN GONZALEZ

February 14, 2019



1 BEFORE THE FLORIDA HOUSE OF REPRESENTATIVES
 Public Integrity & Ethics Committee

2

3

4 IN RE:

5 Investigative Hearing on the
6 Unauthorized Use of Appropriated
7 Funds for Fixed Capital Outlay
8 Projects at the University of
9 Central Florida.

8 _____ /

9 DEPOSITION OF: LYNN GONZALEZ

10 DATE: THURSDAY, FEBRUARY 14, 2019

11 TIME: 7:59 A.M. - 9:13 A.M.

12 PLACE: UCF COMMUNICATIONS & MARKETING
13 12443 RESEARCH PARKWAY
14 SUITE 301
15 ORLANDO, FLORIDA 32826

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22 STENOGRAPHICALLY
23 REPORTED BY: ANTHONY ROLLAND, CRR

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1 A P P E A R A N C E S :

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1 P R O C E E D I N G S

2 *****

3 THE COURT REPORTER: Would you raise your right
4 hand, please?

5 Do you solemnly swear or affirm that the
6 testimony you're about to give in this case will be
7 the truth, the whole truth and nothing but the
8 truth?

9 THE WITNESS: I do.

10 THE COURT REPORTER: Thank you, ma'am.

11 THEREUPON

12 LYNN GONZALEZ

13 was called as a witness and, having first been duly
14 sworn, testified as follows:

15 MS. MITZ: Okay. Is Ms. Gonzalez near the
16 phone, by any chance?

17 THE WITNESS: I most certainly am.

18 EXAMINATION

19 BY MS. MITZ:

20 Q. Okay. Great. Good morning, Ms. Gonzalez.

21 A. Good morning. How are you?

22 Q. I'm good. How are you?

23 A. I'm as well as can be expected. I've never
24 been deposed before.

25 Q. That was going to be the first question I was

1 going to ask you. So let me talk to you a little bit
2 about what's going to happen today so that you know what
3 to expect.

4 A. Okay.

5 Q. So the purpose of the deposition is for
6 Mr. Rubottom and I to better understand what's been
7 going on. As you know, we didn't sit in in your
8 interview with Bryan Cave. We didn't have the
9 opportunity to sit in any of the interviews. So all
10 we've had is papers, you know, things to read off of,
11 documents, and now we want to put that in context and
12 talk to people and get some questions that we don't yet
13 know the answers to answered.

14 So what I'd like to do first is just kind of go
15 over some ground rules for a deposition. You were just
16 placed under oath, so the most important thing is to be
17 honest today, just to tell us the truth. That's all we
18 want to know is what happened. We're not looking to
19 blame anybody or anybody like that.

20 The court reporter will be taking down
21 everything that each of us says. So if you're a fast
22 talker like I am, try to be cognizant of your speed, and
23 if you get too fast, try to slow it down. The court
24 reporter needs us to be audible about certain things, so
25 don't say uh-huh, uh-uh, say yes or no.

1 If you don't know the answer to a question,
2 that's a perfectly fine answer. I don't want you to
3 guess. If you don't know, say "I don't know."

4 If you know something because someone else told
5 you, please let us know that.

6 If you're telling us something and you're
7 estimating or approximating, please tell us that.

8 If you don't understand something that's asked
9 of you, you need it rephrased, please ask us to do that
10 and we will.

11 And lastly, this isn't a test. There's no
12 right or wrong answer. Again, we're not trying to, you
13 know, pin anything on anybody. We're just trying to
14 better understand what happened at the university that
15 led to where we are today.

16 So do you understand all of that?

17 A. I do. That's very helpful. Thank you.

18 Q. Perfect. Okay. So let's get started.

19 Can you please state your name for the record.

20 A. My name is Lynn Gonzalez.

21 Q. Okay. And have you discussed this deposition
22 with anybody?

23 A. Yes. I do have an attorney that is with me
24 here today.

25 Q. Okay. Have you discussed it with anybody at

1 the University of Central Florida?

2 A. Yes. My colleagues know that I was going to be
3 deposed today.

4 Q. Okay. Did anybody ask you to report back to
5 the university what was asked of you or what you
6 testified to?

7 A. No.

8 Q. Okay. Have you reviewed anything in
9 preparation for today's deposition?

10 A. Yes. I did look at -- I did get a copy of my
11 testimony that I gave or the comments that I made to the
12 investigation team that came to UCF.

13 Q. Okay. Did you also get copies of the interview
14 notes of other witnesses?

15 A. I have seen -- I have looked at -- in the
16 course of the investigation, when all the materials were
17 published on the UCF Board of Trustees website, I have
18 looked at the report and looked at all the materials
19 that were out there, as best as I could.

20 Q. You haven't seen the notes of the interview?
21 The ones like you have for yourself, you haven't seen
22 those notes for any other witnesses?

23 A. No, I have not.

24 Q. So were you interviewed by the Bryan Cave
25 investigators just one time?

1 A. Just one time; that is correct.

2 **Q. And was everything that you told them at that**
3 **time true?**

4 A. Yes, to the best of my knowledge.

5 **Q. Okay. Has anybody else interviewed you or**
6 **asked you questions, either before, during or after the**
7 **Bryan Cave investigation?**

8 A. No. No one has interviewed me after that
9 investigation, no.

10 **Q. Okay. How about before or during?**

11 A. No, no.

12 **Q. So no one from the general counsel's office has**
13 **asked you to answer any questions?**

14 A. No, no, no, no, no.

15 **Q. Nobody from the president's office?**

16 A. No, no. The only question I really had, and I
17 stated that during the interview, is when my former
18 supervisor, Christy Tant, actually mentioned to me
19 that -- what was occurring, that they had been asked
20 about the -- how the -- the source of the E&G funds.
21 And she mentioned that to me and said that I would
22 probably get asked questions, but that was about it.

23 **Q. And do you recall about when that happened?**

24 A. I want to say -- it was in the fall. I want to
25 say around September, but that's my best guesstimate.

1 Q. Okay. That's fine. Thank you.

2 MS. MITZ: Don, have you pulled out her packet
3 of exhibits?

4 MR. RUBOTTOM: Yes.

5 MS. MITZ: Okay. Great.

6 BY MS. MITZ:

7 Q. Ms. Gonzalez, if you can turn your attention to
8 the packet there that's presumably in front of you and
9 flip to the document at tab 1.

10 A. All right. Okay. I'm there.

11 Q. Do you recognize that?

12 A. I believe so. Let me scan it real quickly.

13 Yes, I do.

14 Q. Does that appear to be a true and accurate copy
15 of the letter that your attorney prepared on your
16 behalf?

17 A. Yes, it is.

18 Q. Okay. And is everything in that letter true?

19 A. Yes.

20 Q. Perfect.

21 Okay. How long did you work directly with
22 Provost Whittaker?

23 A. He was hired by the university in August of
24 2014. And then we reorganized -- when he came into the
25 office, he decided he wanted to reorganize and do things

1 a little bit differently, and that reorganization took
2 place officially in March. I was notified the last
3 Monday in March, and then I was moved to finance and
4 accounting on March 30 of 2015.

5 Q. Okay. Thank you.

6 Do you know whether Tracy Clark began reporting
7 to Provost Whittaker around the time that you left that
8 position, that that reorganization was occurring?

9 A. My recollection is yes. I know they left me --
10 to ease the transition, they left me -- even though I
11 was -- I physically moved to finance and accounting and
12 began reporting -- I reported directly to Tracy at the
13 time immediately. My title wasn't changed officially
14 until July 1, but my recollection is that she was made
15 associate provost, that was added to her existing title
16 right away at that time in March.

17 Q. Okay. Thank you.

18 So what position did you take after March?
19 What was the official title?

20 A. I was offered a position -- the title is
21 director of budget initiatives. And at the time -- this
22 all happened very quickly. I think they were really
23 still trying to decide exactly what my job
24 responsibilities were going to be. It took them a few
25 months to actually give me a job description and, I

1 think, figure out what my new role was going to be.

2 Q. And is that the position that you're in today?

3 A. That is correct.

4 Q. Okay. So why don't we talk about what budget
5 initiative means and what your duties involve.

6 A. Okay. It's a little bit of a mix of things,
7 what I do. If you look at my job description
8 specifically, really what they were envisioning for this
9 position is that I would interface between the budget
10 operations group that works for finance and accounting,
11 and between -- we have a group within F&A that's called
12 financial support services. They're kind of our
13 financial IT group, if you will. And the idea there is
14 that I would facilitate between those two to help
15 implement system processes that were going to help the
16 university with budget management.

17 And I think that was particularly one of the
18 main reasons I had been hired so many years ago in
19 academic affairs because my particular background is in
20 computer systems. I have an undergraduate degree in
21 management information systems, and that was really kind
22 of -- I was told that I was hired in academic affairs,
23 that that's one of the things that they really wanted,
24 somebody who could help with processes and systems and
25 what have you.

1 So that was kind of the focus, but really what
2 it has evolved to on a day-to-day -- truthfully, you
3 know, we simply haven't been putting the financial
4 resources into a lot of systems. And really to do the
5 kind of system that I personally would like to see done
6 at UCF, we need to invest significant resources.

7 So really, that hasn't been the primary focus
8 at the moment. So really, my responsibilities have been
9 primarily regarding -- I always used to do in academic
10 affairs and continue in the provost's office and have
11 continued doing that in finance and accounting --
12 writing and helping to facilitate the process for all
13 our legislative budget requests, responding to all Board
14 of Governors -- not all, but anything related to kind of
15 academic Board of Governors requests.

16 So, for example, every year there's a request
17 for our operating budget. And as part of that, there's
18 a request for -- to report on -- let me think of the
19 things that we do. There's a budget reduction exercise
20 document that comes in there every year, a report of
21 university efficiencies. We have to write how to --
22 we're using performance funding. And then a big part of
23 that is putting together what are called legislative
24 budget requests.

25 And in my role, specifically what I was doing

1 is then facilitating that process. I would go to Tracy
2 and say, "We just got the request in, you know, we need
3 to -- I need you to talk to the provost and really get a
4 good reading on what kind of request that they need,
5 they'd been talking about putting to the state."

6 And then they would report back to me, "Okay,
7 we want to put in a request for" -- whatever it was,
8 smart cities, Crohn's and colitis research. And then I
9 would facilitate that process, get in touch with the
10 PIs, give them guidance about writing their LBRs and
11 they would all come in. I would edit them, look over
12 them, read them, you know, editorial, general editorial,
13 put the package together, forward it to the provost and
14 others for approval.

15 So I spent quite a bit of time doing things of
16 that kind. So that --

17 **Q. Okay.**

18 A. -- that's a big part of my job currently and,
19 as I said, kind of facilitating between the FSS and
20 budget operations group to kind of help with different
21 procedures and where I'm needed.

22 MR. RUBOTTOM: Carine, let me ask a follow-up.

23 MS. MITZ: Sure.

24 BY MR. RUBOTTOM:

25 **Q. Who would initiate those requests from the BOG?**

1 What individuals normally make those kind of requests?

2 A. From the university, you mean?

3 Q. From the Board of Governors.

4 A. Oh, from the Board of Governors. I think they
5 normally come in from Tim Jones, I want to say.

6 Q. Thank you.

7 And do you -- as a conclusion of your work on
8 LBR efforts, do you interact with the legislative
9 affairs office for UCF?

10 A. No, no.

11 MR. RUBOTTOM: Thank you very much.

12 BY MS. MITZ:

13 Q. So when you were working directly with the
14 provost, was your position -- was the title of your
15 position associate VP for academic budget and personnel
16 administration?

17 A. Yes, associate vice president. I want to
18 clarify that because I saw somewhere associate vice
19 provost, but it was associate vice president.

20 Q. Okay. Gotcha.

21 And so in that role, what were your duties?

22 A. There my duties were kind of twofold.
23 Primarily, I was responsible for the academic budget and
24 personnel administration itself. It was a very large
25 operation. On the personnel side, I managed all the

1 day-to-day processing and for faculty, all the hires,
2 reclassification requests, everything that was done. So
3 I interfaced with our collective bargaining groups, you
4 know, our faculty excellence office, with our attorneys,
5 with audit, to oversee that day to day, make sure we
6 were following all rules, regulations when we were
7 hiring people, what have you, providing advice to the
8 provost in that regard.

9 And then on the academic budget side, assisting
10 the provost, advising him about making allocations,
11 again, of the academic budget and then actually
12 implementing everything, overseeing the day-to-day
13 operation, public -- you know, he would make the
14 decisions on what to allocate, and then I would publish
15 a document within the academic affairs division that
16 outlined for every direct report to the provost all
17 the -- that meant all the deans, different vice
18 presidents, vice provosts that reported to him. They
19 would each get what I called the allocation document
20 from academic affairs that had all the details of their
21 academic affairs budget allocation.

22 **Q. All right. And so that allocation document,**
23 **did that deal just with E&G funds or was it all sorts of**
24 **funds?**

25 A. No, that was an E&G allocation.

1 Q. Very good.

2 So in your role at that time, did you have to
3 become familiar with certain BOG regulations on
4 university budgeting or administration?

5 A. Yes, yes.

6 Q. And did you ever have a question about the law
7 that applied to you?

8 A. Not that I can recall specifically, but if I
9 did have questions, I had very strong relationships with
10 our audit office and with our legal counsel office. So
11 whenever I had any question about anything, I would
12 simply call on one of them.

13 Q. Okay. Great. You answered the question before
14 I had to ask it. That's great.

15 Okay. And while working with the various
16 provosts that you worked with, did they ever have such a
17 question?

18 A. Not that I recall. I can't recall any specific
19 case. But if they had, you know, they would have
20 presumably asked me, and then we would have -- or asked
21 one of the people that we worked with. But I can't
22 remember any specific case.

23 Q. Okay. Very good.

24 So when you served in that role working with
25 Provost Whittaker, did you participate in the weekly

1 budget chats?

2 A. I did.

3 Q. Okay. Are those budget chats referred to by
4 other names, such as the budget operations group or BOG
5 Jr.?

6 A. Well, they called them a variety of names, so,
7 yes. I think, yes to all of those three names that you
8 mentioned.

9 Q. Any other names that I haven't mentioned?

10 A. Not that I can recall. I think the final thing
11 that they were calling them were budget chats. I think
12 they meant to -- they were informal meetings. There
13 weren't minutes taken or agendas or anything like that.

14 Q. Gotcha. Okay. And who participated in those
15 meetings?

16 A. Do you mean during then Provost Whittaker's
17 tenure, specifically?

18 Q. Yes.

19 A. Okay. It was myself and the provost,
20 Dr. Whittaker, Vice President Merck, Tracy Clark and
21 Christy Tant. And then -- she wasn't a regular
22 participant, but one of my direct reports, Megan Diehl.
23 And she was particularly -- I drew her in at the time
24 because I was -- because of medical reasons. I had a
25 lot of medical turmoil happening in my family during

1 that time. So I was on a reduced or a flex schedule
2 from about October through the end of -- October of '14
3 through the end of January of '15. So I had her coming
4 into the meetings and/or representing me when I was
5 unable to be there.

6 **Q. Okay. Well, what was the purpose or the reason**
7 **for having these meetings?**

8 A. Well, these were on the calendar on a weekly
9 basis, if I recall correctly. I can't recall correctly
10 if it was weekly or biweekly, but the idea was for the
11 groups to -- you know, for both sides, the academic and
12 our chief financial officer and his staff, to be able to
13 come together and talk about different things that were,
14 you know, kind of on the horizon or in the landscape
15 regarding budget.

16 And as a result of those, at some point -- I
17 can't remember exactly how it all evolved, but for
18 academic affairs, I know I was keeping a list of
19 commitments or things, obviously, that we discussed that
20 might be things that we needed to fund in the future.
21 And there was a list, a similar list, on the financial
22 side of the house. And at some point, we put those
23 lists together so there was what was called the list of
24 commitments that wasn't -- it was just everything that
25 was kind of discussed at those meetings. They weren't

1 necessarily things that got funded but -- or that came
2 to fruition, but the list was a comprehensive list, and
3 usually -- and Tracy Clark and Christy Tant were
4 maintaining that list.

5 I would feed in -- so that list, I'm mentioning
6 that because during those meetings, you know, a lot of
7 times that was kind of the focus of discussion, you
8 know, the items that were on that list.

9 **Q. Okay. So was there ever a meeting where the**
10 **list wasn't discussed, or was that a big part of the**
11 **meeting?**

12 A. It wasn't -- no, the meetings varied. I don't
13 believe it was at every single meeting that it was a
14 topic. Sometimes different people were asked -- or
15 would come in.

16 I remember one time, for example, that Bill
17 came to the meeting and mentioned that there were --
18 that there were needs in one of the divisions, and it
19 happened to be Grant Heston, and he was going to -- he
20 wanted to come in and talk to the group and to be able
21 to describe some of the needs that he had in his new
22 role in the marketing division. That's just an example.

23 So we had different -- there were different
24 topics. It wasn't always focused around the list.

25 **Q. Okay. Do you recall whether Mr. Merck stopped**

1 attending those meetings at any given time?

2 A. To my recollection, never formally. I mean,
3 sometimes any of the members might not be able to be in
4 attendance because of their schedule. We didn't always
5 have everybody there. But I don't recall that he simply
6 stopped attending the meetings, at least not while I was
7 still there.

8 Q. Okay. Very good. Thank you.

9 So what was your role -- I mean, it sounds like
10 your role was to update and maintain your portion of the
11 E&G commitment list, is that correct?

12 A. That is correct. I was -- yes. And I worked
13 very closely with finance and accounting because I was
14 feeding to them the academic things that were on that
15 list, for example, awards for faculty, salary increases
16 for faculty. So things that the provost was, you know,
17 telling me and that we were discussing, you know, that
18 we had placeholders for, I would tell them so that they
19 could add it to the list.

20 Q. Okay. And do you know who was ultimately
21 responsible for making the final budget decisions
22 regarding the E&G commitment list?

23 A. Well, my understanding is the provost.

24 Q. And that's not just limited to the academic
25 part of the budget, that would be everything that you

1 **guys combined?**

2 A. Yes. My understanding, from my years of
3 experience, is that the role of the provost, that he or
4 she was ultimately responsible for the E&G allocation of
5 the university.

6 Q. Okay. So what is the difference between the
7 E&G commitment list and then the E&G allocation summary
8 or allocation document?

9 A. Okay. Good question.

10 The allocation document was a document that was
11 published every year by finance and accounting that
12 represented things that were actually funded. So the
13 list of commitments were just that, commitments, things
14 that were being discussed.

15 And by the way, the list of commitments was, I
16 think, labeled E&G, but sometimes other things were on
17 there, simply because they were placeholders and they
18 were still being discussed. So if there was any kind of
19 inkling that something could be partially funded or it
20 wasn't sure where it was going to be funded, it might
21 make it on that list, whereas the allocation document
22 was E&G strictly and it was things that were funded.

23 So if it was not on that list -- you know, that
24 was what was officially funded. And they tried to make
25 that -- and I say "they." Finance and accounting

1 published that document, and they tried to make it as
2 comprehensive as possible. Sometimes midyear
3 adjustments. They knew things that were going to --
4 there were things that may have perhaps been planned to
5 do later, resources permitting, or they weren't making
6 the allocation up front. They would put that on the
7 allocation document as midyear commitments as well.
8 They would try to make that as comprehensive as
9 possible. And that document was signed every year by
10 the president and the provost.

11 **Q. Okay. All right. So we start out with the**
12 **commitment list, and things then that are approved or**
13 **funding is available for end up on the allocation list.**
14 **Who -- is it the provost again that makes the decision**
15 **to say, "Okay, project X is coming off of the commitment**
16 **list and going onto the allocation list," or is it the**
17 **whole budget chat group? Who makes the decision to get**
18 **that finalized, I guess?**

19 **A.** Well, I think the finalization -- my
20 understanding is the finalization of that document was
21 the signature of the president and the provost. So the
22 provost was making all the final decisions and
23 recommendations to the president, and then the
24 president -- so they would both sign off on that
25 document as their authorization. It was not signed by

1 the chief financial officer. It was signed by those two
2 individuals. So that was my understanding, that by that
3 signature, all those things were officially approved at
4 that level.

5 MR. RUBOTTOM: Carine, let me ask two
6 follow-ups on those.

7 MS. MITZ: Sure.

8 BY MR. RUBOTTOM:

9 Q. Was that the document that they would sign in
10 August?

11 A. They would sign it as quickly as possible as
12 they could after -- the goal was always to get it in
13 July 1st, but it usually didn't happen that way. So it
14 could be July, August.

15 Q. And that was a carryforward commitment list,
16 correct? So that's the money left over --

17 A. It was E&G, so it included -- carryforward is
18 E&G.

19 Q. Right. But there's other budgeting that goes
20 on to the new current E&G. The legislature ups the
21 revenue or they allow tuition to go up. Would you track
22 that current year increases in that document or was that
23 just carryforward?

24 A. The document was based on the total E&G
25 allocation for that year, which are the new. So if we

1 received performance funding, anything that was
2 allocated to the university for that fiscal year,
3 including E&G carryforward, was part of that document.

4 **Q. Okay. Including carryforward?**

5 A. Including carryforward.

6 **Q. You mentioned midyear. I understand the**
7 **signatures on the -- I've seen a couple of those. But**
8 **midyear changes, midyear adjustments, who would have**
9 **approval authority for those midyear adjustments and do**
10 **you know how that would be evidenced?**

11 A. It would depend. Usually it was the provost.
12 And the document is, I think, a very good one because
13 you can see -- the midyear changes to it actually starts
14 with the base of the previous year, and then you can see
15 any midyear adjustments that happen, and then they start
16 with the new allocation for the year. So every year you
17 could see the mid allocations that would occur in the
18 previous year, but it would depend on the nature of it.

19 Officially, the process that was in place then,
20 if things were discussed and, let's say, the provost
21 gave approval for something and the budget office, under
22 finance and accounting, was going to do the transfer of
23 funds from central reserves to fund something that was
24 not on the allocation document, they would request that
25 permission from one of two people.

1 And this was under Whittaker specifically. If
2 it was under a million dollars, he delegated that
3 authority to me. So if there was an allocation that he
4 had approved, you know, either through discussions in
5 budget chat -- and it was a very informal process back
6 then. We did not have a university budget committee.

7 So if that was approved, the budget office,
8 Christy or Tracy, it was usually Christy, would initiate
9 a transfer. If it was under a million, she would send
10 me the email. If I hadn't heard about it for some
11 obscure reason, I would ask the provost. If he told me
12 it was okay, I would authorize the transfer from central
13 reserve.

14 **Q. So for instance, if there was something on the**
15 **signed commitment list in August and \$2 million was**
16 **added to that before the end of the fiscal year, Bill**
17 **Merck couldn't do that just by himself. The provost or**
18 **the president or -- would it always be the provost?**

19 A. Anything over a million they would send an
20 email to the provost.

21 **Q. Even if it wasn't academic?**

22 A. Even if it wasn't academic. That's my
23 recollection.

24 MR. RUBOTTOM: Thank you.

25 MS. MITZ: I'm just taking some notes here, so

1 give me one second.

2 BY MS. MITZ:

3 Q. Okay. So let's take a step back in time and
4 talk about your -- when you worked with Provost Waldrop.
5 While working with him, did the Colbourn Hall renovation
6 project come up?

7 A. I cannot actually remember. What I do
8 recall -- and this was looking back when all this came
9 back. I looked back at the allocation document, and
10 Waldrop signed the first allocation that was labeled
11 Colbourn Hall renovations.

12 Q. Okay. So do you recall anything before that,
13 like who might have been responsible for adding that
14 project to the E&G commitment list?

15 A. No. I mean, I can only surmise, and that's
16 purely -- I mean, the discussions and my purview of
17 responsibilities, I didn't have any oversight or
18 anything to do that wasn't in my level of expertise,
19 but -- didn't have an active role in capital planning or
20 capital budgeting.

21 Q. Okay. Do you recall whether other capital
22 projects were discussed during the budget chats?

23 A. Not specifically. I'm not saying that they
24 weren't. I'm saying that I simply don't recall them.

25 Q. Okay. And I appreciate you clarifying that.

1 Do you know who had responsibility over space
2 allocation and determining which colleges or which
3 faculty would go into a specific space?

4 A. Yes. At that time our former vice provost --
5 and I can't recall what his role was there. His name
6 was Ed Neighbor, like next-door neighbor. And he
7 originally -- he's the person who hired me into academic
8 affairs. He was the associate VP at the time. And at
9 some point over the years, he wanted to retire, and he
10 recommended to the provost that I report to him, and
11 that's when the budgeting and the personnel transitioned
12 to me. But in his capacity, he was overseeing space
13 allocation.

14 So there was an office that was originated or
15 under his tenure, and it was called SPAA, S-P-A-A, and
16 it was space planning analysis and administration. And
17 he was the one that was providing advice to the provost
18 about space allocation.

19 Q. Okay. Do you know who Ronnie Korosec is?

20 A. Yes.

21 Q. Okay. Do you know how she fits into this? Why
22 would she have had involvement in space allocation if
23 someone else was designated to do it?

24 A. I'm not really sure during that time. Dale was
25 reorganizing, and I think he was really trying to build

1 the organization, and Ronnie's role -- and then she
2 became chief of staff. So he was increasingly having
3 her attend meetings. So I'm not really sure at that
4 point in time really what her role was. I knew before
5 I --

6 Q. Okay. Thank you.

7 A. Okay.

8 Q. All right. So I'd like you to flip to tab 2 of
9 the packet in front of you. I want you to take a look
10 at the email there, take as much time as you need to
11 become familiar with it, and then let me know when
12 you're done.

13 A. Okay. I've scanned this very quickly. I've
14 seen this before.

15 Q. So just to make sure, since I'm over the phone,
16 we are both looking at an email chain dated February 15
17 of 2013, is that correct?

18 A. Correct. Correct.

19 Q. And does this appear to be a true and accurate
20 copy of the email dialogue that you engaged in that day?

21 A. I can't recollect, but yes, unless somebody has
22 tampered with this, it does appear to be a normal email.

23 Q. Okay. Who was your immediate supervisor on
24 that day?

25 A. It would have been Tony Waldrop.

1 Q. And he was copied on this email, correct?

2 A. Yes.

3 Q. And who did Vanessa Fortier report to at that
4 time?

5 A. She reported to Bill Merck.

6 Q. Okay. And what does the subject line read?

7 A. It reads: "Carryforward report submissions."

8 Q. And to whom are carryforward report submissions
9 provided?

10 A. I believe they are talking about the reports
11 that were prepared and submitted to the Board of
12 Governors.

13 Q. Okay. If you could direct your attention to
14 the bottom half of the page, to the email sent to you by
15 Ms. Fortier on the 15th at 12:46 p.m.

16 A. Yes.

17 Q. And then, please, if you could look just above
18 that to your response, which was sent at 3:24 p.m.

19 A. Yes.

20 Q. Okay. What did you mean by, quote, We are
21 still planning to cover from E&G?

22 A. Well, as -- I don't remember this, but what I
23 am putting together, based at this point in time, is I
24 was aware that we had a placeholder for Colbourn Hall
25 renovations. And my understanding is that the

1 renovations were going to be paid from -- with E&G
2 funds.

3 **Q. Okay. And who is the "we" that you refer to in**
4 **that sentence?**

5 A. The provost for the university.

6 **Q. Okay. And how about the following sentence,**
7 **quote, We removed that for the purpose of this report**
8 **simply to place more emphasis on the commitments**
9 **directly related to faculty instructional and start-up**
10 **costs, end quote. What did you mean by that?**

11 A. Probably, what I'm guessing, because I'm having
12 to go back and try to remember what I thought with that,
13 is we had a lot, a lot of commitments that we were
14 paying from carryforward and other non-recurring
15 resources. And we were paying for different things. We
16 were paying for faculty, for instructional, for
17 renovations. And then I would have reported an emphasis
18 on the instructional activities.

19 **Q. Because you oversaw the academic stuff?**

20 A. Yes.

21 **Q. Okay.**

22 A. So if they would have asked me, normally I was
23 reporting those types of things. But we were paying for
24 a whole bunch of different things from different types
25 of E&G. I mean -- I'm sorry, from carryforward versus

1 non-recurring E&G.

2 Q. Okay.

3 BY MR. RUBOTTOM:

4 Q. Excuse me. Clarify. Carryforward is
5 non-recurring, isn't that correct?

6 A. Yes, correct.

7 Q. So recurring versus non-recurring?

8 A. Yeah, we have regular recurring E&G that we can
9 use for non-recurring purposes that's not carryforward.

10 So when we were keeping that list, we were very
11 specific. We would pay for certain things with
12 recurring funds that we were using to fund non-recurring
13 E&G obligations, and then we had things that we would
14 fund from carryforward specifically.

15 Q. I understand that. But these commitment
16 lists -- these reports to the BOG, they just related to
17 E&G?

18 A. E&G carryforward, correct. Yes, you are
19 correct.

20 Q. One other thing. "We," could that have
21 included the entire budget chat group?

22 A. It could have, yes.

23 Q. Would anybody in finance have been directing
24 that Colbourn not be included on that report at that
25 time but that other things be put ahead of that?

1 A. I'm sorry. Can you ask that again?

2 Q. Well, you said you would have been emphasizing
3 academics, but this is a combined document that
4 everybody is submitting together on behalf of the
5 university.

6 A. Correct.

7 Q. So would it be -- is it possible that Merck or
8 Tracy directed that Colbourn be taken off at that time
9 and y'all put other academic priorities on that list
10 that month?

11 A. It could have been. You know, and our
12 academic -- from my vantage point, in my position, the
13 academic priorities, I mean that's what we do, are first
14 and foremost.

15 Q. Right. But I'm just saying on this deal, you
16 wouldn't be replacing somebody else's priorities with
17 yours. This would have been a consensus document?

18 A. Yes, this was a consensus document. Yes, that
19 is a good way to say it.

20 MR. RUBOTTOM: Thank you.

21 BY MS. MITZ:

22 Q. Okay. During the time that the project only
23 involved renovating Colbourn Hall, was it well-known
24 that E&G funds were going to be used?

25 A. What do you mean by "well-known"? Do you mean

1 outside of the budget chat?

2 Q. Yes.

3 A. I wouldn't know. I mean --

4 Q. How about within the budget chat? You guys
5 were talking about it, so I think we can conclude that
6 everybody present was aware that E&G was going to fund
7 the renovation, right?

8 A. I think so. And it was -- you know, my guiding
9 document was always the allocation document. And in
10 there, in '13 and '14, it was specifically noted as a
11 Colbourn Hall renovation.

12 Q. Okay. At any time while you reported to Tony
13 Waldrop, were you told that using E&G carryforward funds
14 for capital projects was prohibited?

15 A. I don't recall having a specific conversation
16 in that regard.

17 Q. Okay. Did anybody ever educate you on the
18 appropriate uses or the intended uses of E&G funds?

19 A. That's a really good question. I've been
20 giving this a lot of thought since all this happened. I
21 don't remember -- and you have to remember, I've been at
22 UCF or over 20 years, so -- and working in academic
23 affairs and budget related. So I don't remember anybody
24 specifically sitting down with me and educating me.

25 I remember that -- and really, when I hired

1 people in my office, you know, I realized you have to be
2 extremely diligent, you have to work very closely
3 with -- I worked very closely, as I stated before, with
4 legal counsel, with audit. I would call the BOG. I
5 would call finance and accounting. Because sometimes
6 things were ambiguous. I think I had more clarity about
7 what wasn't allowable and than what was allowable. It
8 was easier to understand that way. Because we all
9 understood we could use E&G to support the mission of
10 the university, but that's a little broad.

11 MR. RUBOTTOM: Let me follow up.

12 BY MR. RUBOTTOM:

13 Q. What did you know that you couldn't use it for?

14 A. For example, I knew we couldn't use it to buy
15 food, you know. We had a concession budget to buy food.

16 Q. So you're talking about auxiliary services?

17 A. So we used -- you know, like if we wanted to
18 have an event, for example, we couldn't use E&G
19 resources to have an event. We had to use concession
20 funds. So that's an example of something that I knew
21 that we couldn't use E&G resources for.

22 MS. MITZ: Done, Don?

23 MR. RUBOTTOM: Yes. I'm sorry.

24 BY MS. MITZ:

25 Q. All right. Did you ever hear anybody mention

1 that using E&G for any project could result in an audit
2 comment?

3 A. I don't. I really -- because I've been
4 wracking my brains trying to remember what happened back
5 then and what I recall hearing after all this happened.
6 I don't think that I recall Bill Merck saying in front
7 of me that this would result in an audit comment. I've
8 heard that repeatedly after, but I don't remember.

9 Q. Okay. Fair enough.

10 Can you describe the working relationship that
11 you had with Provost Whittaker during that time that you
12 guys worked together?

13 A. In what sense?

14 Q. Like, was -- did you guys communicate a lot?
15 Were you giving him a lot of information? Were you
16 educating him?

17 A. I worked with him for a short amount of time,
18 and I was on a reduced schedule for a big part of the
19 time, and my perception is that my interaction with
20 Dr. Whittaker was less than I had had with other
21 provosts in the past, particularly when they were new to
22 the role. He had a different management style, less
23 meetings. So I was not seeing him as frequently as I
24 had other provosts in the past.

25 Q. Okay. So based on that, can you say whether he

1 appeared to have come to UCF with a good grasp of
2 university budgeting, you know, capital and operating
3 budgets?

4 MR. RUBOTTOM: Let me ask it, just to clarify.
5 Do you want to ask her in comparison to the other
6 new provosts? Is that what you're looking at?

7 MS. MITZ: Well, no.

8 BY MS. MITZ:

9 Q. Actually, I want to start out with just whether
10 you, Ms. Gonzalez, could sense that Provost Whittaker
11 had a good grasp of university budgeting during the time
12 that you two worked together.

13 A. I'm thinking. That's a hard question to answer
14 because I remember at the time being surprised that I
15 wasn't having more interaction with him. So I was, you
16 know -- you know, "concerned" isn't the right word, but
17 I was -- you know, it was curious to me that I wasn't
18 having more interaction with him at the time. I was
19 really seeing him primarily during our budget chat
20 meetings. But again, it was a very short time.

21 Q. Did he ever explain to you why there was less
22 contact between the two of you?

23 A. My sense wasn't -- I'm glad you asked that
24 question. My sense is that there -- I think he was
25 trying to -- and I'm only surmising here. I think, you

1 know, his focus and goal was trying to learn about the
2 whole university, and he wasn't -- and we used to have a
3 lot of meetings in academic affairs, not just -- all of
4 the direct reports to the provost would have standing
5 meetings regularly with the provost and what have you.
6 And he, I think during this initial period, pulled back
7 from that and was trying to learn about the university
8 in a different way.

9 **Q. Okay.**

10 A. So we weren't having -- it wasn't just me. I
11 know that the deans weren't having one-on-one meetings
12 with him as regularly, or at some point they were
13 temporarily deferred, was my understanding. And, again,
14 I'm trying to go back and recollect all of this. But I
15 think the meetings had subsided somewhat.

16 **Q. Okay. Did there ever come a time when he asked**
17 **you or you offered to educate him on how university**
18 **budgeting in Florida worked?**

19 A. No, I do not recall doing that. What I do
20 recall was preparing documents for him. My concern was
21 primarily sharing with him, making sure that he
22 understood the picture within -- the landscape within
23 academic affairs.

24 So I'd put together for him, for example, an
25 executive summary of what the reserve was within

1 academic affairs, the division of academic affairs
2 budget reserve. I had put together funding histories,
3 like a one-page summary for each of the areas that
4 reported to him in academic affairs, so each of the
5 colleges, so that he could see -- and it was a
6 multiple-year summary because we had just come through a
7 year of -- many years of budget reductions, and then we
8 had been putting money back into the hands of the
9 different areas, and I wanted him to be able to get a
10 comprehensive picture of each of his units.

11 So I was really more educating or preparing
12 documents to educate him about the academic affairs
13 landscape, not -- you know, truthfully, that's occurred
14 to me now, you know, who educates all of us and who
15 educated the provost about how to spend these resources
16 that I really -- I don't recall having any conversation
17 with him about that.

18 Q. Okay. Thank you.

19 Did you and Provost Whittaker ever have any
20 discussions about the permitted uses of E&G carryforward
21 funds?

22 A. Not to my recollection.

23 Q. Do you recall whether you were the one that
24 presented the 2014 E&G commitment list to him for his
25 signature?

1 A. You mean the allocation document? That's what
2 he would have signed.

3 MR. RUBOTTOM: I think we've got tab 5.

4 THE WITNESS: I wouldn't have presented it -- I
5 don't recall if I was the one who presented it to
6 him for signature.

7 BY MS. MITZ:

8 **Q. Okay.**

9 A. My recollection is no, but I can't really
10 remember. Typically, I was not the one presenting that
11 to the provost for signature.

12 MR. RUBOTTOM: Carine, let me butt in. I'm
13 sorry.

14 BY MR. RUBOTTOM:

15 **Q. Would you say what the date of his signature is**
16 **there?**

17 A. Yes. This is 8-8-14.

18 **Q. And that would have been like his first two**
19 **weeks on the job?**

20 A. Absolutely. I think he started August 1st.

21 **Q. Who would have discussed that document with him**
22 **or explained it to him?**

23 A. If it wasn't me, it would have been Bill Merck
24 or Tracy Clark. And if I had to guess, I would most
25 likely say Bill Merck. But again, I really do not

1 recall who presented the document to him.

2 Typically, what would happen with this document
3 is I -- my understanding is you can see all the
4 divisions are listed here. And before this document was
5 presented, it was my understanding that they would
6 circulate it to the different divisions.

7 Like, I would always get a draft of this
8 document, and I would pore over the academic affairs
9 column to make sure everything that I knew from the
10 budget commitments list, anything hadn't been left off,
11 that the amounts were correct and what have you. And
12 then I would let Tracy and Bill know, and then the
13 document was signed mysteriously in some fashion. I
14 wasn't sure how that was presented.

15 **Q. But it was your understanding, I think you said**
16 **earlier, that when the provost signed that, that was his**
17 **approval of the entire financial plan, and then that**
18 **would go to the president for ratification?**

19 A. Correct. And then once this document was
20 signed -- I didn't mention that earlier, so I'll mention
21 this now. Once this document was signed, anything that
22 was on here, the budget office, it was my recollection,
23 my understanding that they weren't -- because it was on
24 here and it was approved already that they didn't
25 need -- when they were transferring money from central

1 to anywhere else that they had to get another
2 authorization.

3 **Q. One other thing. Were these ever presented to**
4 **the Board of Trustees in any year that you know of?**

5 A. Not -- I don't really know the answer to that.
6 I typically did not go to the Board of Trustees
7 meetings. I tried to stay away from that. And then --
8 and I did not present documents to the board.

9 MR. RUBOTTOM: Okay, Carine.

10 BY MS. MITZ:

11 **Q. Outside of the budget chats, do you recall**
12 **attending any other meetings during which the use of E&G**
13 **funds for either the renovation of Colbourn Hall or the**
14 **construction of Trevor Colbourn Hall was discussed?**

15 A. The only thing that I could recollect, and I
16 provided this to the investigation team, is that at some
17 point I became aware, and this was in late '14, when
18 Diane Chase -- she was our former vice provost, and she
19 was interim provost between Waldrop and Whittaker. So
20 after Tony came, she came and asked me -- she sent me an
21 email, and I remember her coming to my door and
22 basically saying, you know, that they were talking about
23 doing a renovation coupled with a construction, and that
24 Dale had asked her to look at a proposal that had been
25 put together about who might go into such a space.

1 And I provided -- and I had that email
2 exchange, and I remember that I didn't answer. I do
3 remember that because I really normally didn't have
4 much, really, role in allocating space. So I really
5 didn't have much to report there.

6 And the conversation, to my -- then I know that
7 there was a meeting that Diane and asked me to attend
8 where she basically gave her feedback to the provost,
9 but that was more geared towards, you know, who would
10 potentially go into the meeting -- I'm sorry -- into the
11 buildings, into a renovated building or a new building,
12 if they were going to go that route.

13 **Q. Okay. So no discussions about funding at that**
14 **time?**

15 A. No, not that I recall.

16 **Q. Okay. Very good.**

17 All right. I'd like you to flip to tab 3 in
18 your packet and take a look at the email that's there
19 and let me know when you've had an opportunity to review
20 it.

21 A. All right.

22 Okay.

23 **Q. Just so -- again, just to clarify, because I'm**
24 **over the phone and I can't see exactly what you're**
25 **looking at, but I want to confirm that we're both**

1 looking at an email chain dated December 2nd of 2014, is
2 that correct?

3 A. That is correct.

4 Q. So let me begin by asking: Who is David Noel?

5 A. David Noel reported -- he was -- I believe his
6 title was associate dean. He was basically the budget
7 officer for the college of medicine reporting to Deb
8 German.

9 Q. Okay. And were you privy to the conversations
10 that led to this email, or when you were copied on the
11 email, was this the first time you were hearing about
12 his questions?

13 A. I don't remember.

14 Q. Okay. Do you recall whether you would have
15 done anything with Tracy's response? Would you have
16 given that to the provost, done anything with it?

17 A. I don't think so, no. And I wouldn't have
18 responded to something like this because normally this
19 is the type of thing that Tracy would have responded to.

20 BY MR. RUBOTTOM:

21 Q. Do you have any idea whether Dr. Whittaker
22 would have been in on that discussion?

23 A. Let me look at this again and see what he's
24 asking for specifically.

25 Normally not. The way I'm reading this, this

1 is really an operational question, and I don't think
2 they would have -- she would have brought this to his
3 attention or I would have brought this to his attention
4 unless we thought that there was something that needed
5 his specific approval.

6 Q. But the request was to use the remaining E&G
7 for a particular purpose?

8 A. Uh-huh.

9 Q. And you wouldn't have talked to him unless
10 Tracy had confirmed that that was legitimate, is that
11 right?

12 A. Exactly.

13 BY MS. MITZ:

14 Q. Okay. So after this email, I'm presuming that
15 you -- that you guys continued with the budget chat
16 meetings, probably in December and then in January of
17 '15. Is that a correct assumption on my part?

18 A. Yes. They were on -- they were on all our
19 schedule. Sometimes they were canceled because of, you
20 know, scheduling issues. But, yes, they were on our
21 calendars on a weekly basis.

22 Q. Okay. Do you recall whether the information
23 that Tracy Clark conveyed in this email was ever
24 discussed at a subsequent budget chat meeting?

25 A. I do not recall that.

1 Q. Okay. Did you ever personally discuss the use
2 of E&G funds for either the Colbourn Hall or the Trevor
3 Colbourn Hall project or any other capital project with
4 Provost Whittaker?

5 A. Not that I recall.

6 Q. Okay. And do you recall witnessing anybody
7 having those discussions with Provost Whittaker?

8 A. Unfortunately, not that I can recall.

9 Q. Did you ever witness any discussions that
10 occurred between Provost Whittaker and any trustee?

11 A. I don't think so, no. Again, not that I
12 recall.

13 Q. All right. So in your interaction with Provost
14 Whittaker, were you able to make any observations about
15 whether he'd be someone who would maybe not challenge an
16 answer given by a peer?

17 A. I'm thinking.

18 Q. Sure.

19 A. That's a difficult question for me to answer.
20 I think simply -- to put that simply, I think from my --
21 and it was limited interaction with him. Truthfully, it
22 was a very short time. My perception is that he was
23 less engaged in the details simply compared to past
24 provosts I had worked with. I don't know if that
25 answers your question.

1 Q. Not directly, but it does provide me good
2 information.

3 Let me ask you this: Did you ever witness him
4 challenge someone's idea or maybe disagree with someone?
5 And if you don't know because your interaction was
6 limited, that's a perfectly fine answer.

7 I guess what I'm trying to find is if you are
8 able to tell us whether he was someone who would fight
9 for something that he wanted done or if he was
10 challenged, if he would just succumb to the challenge
11 and let it go?

12 A. Oh, no, no, no. That's a clear question.

13 No, absolutely not. I thought he was, you
14 know, very clear about articulating, you know, his goals
15 and what he wanted done. He was very clear about that.
16 And he was, you know, very much about -- you know, if
17 you presented something to him and he didn't want it
18 done that way and he wanted it another way, he was very
19 assertive.

20 Q. Okay. Very good.

21 MR. RUBOTTOM: Carine --

22 MS. MITZ: I'm sorry.

23 MR. RUBOTTOM: Carine, I'm sorry. I think
24 we're running short on time, so let's skip the Bryan
25 Cave, but I think your last question prior to that

1 probably needs to be asked.

2 MS. MITZ: Okay. Don, I'm not sure what you're
3 pointing to. Do you want to ask the questions?

4 MR. RUBOTTOM: Yeah, let me just go ahead and
5 take over. Is there any follow-up you wanted on
6 what she you just said?

7 MS. MITZ: No.

8 MR. RUBOTTOM: Okay. Well, let me ask one
9 follow-up.

10 BY MR. RUBOTTOM:

11 **Q. The budget chats regularly, and the provost**
12 **participated in those, they would discuss commitments of**
13 **E&G for Trevor Colbourn Hall, these other projects that**
14 **were on the list that y'all were working on, correct?**

15 A. Anything that was on the list could have been
16 discussed at those meetings.

17 **Q. So you just don't recall specific discussions**
18 **of those projects?**

19 A. Exactly.

20 **Q. Okay. Thank you.**

21 **You've looked at the interview notes from Bryan**
22 **Cave. Do those accurately reflect your answers in that**
23 **interview?**

24 A. They reflect my answers. I was not happy when
25 I saw them because it didn't reflect the questions.

1 **Q. Okay. Is there anything that those notes don't**
2 **reflect about your interview that you think would be**
3 **significant to our investigation, or just that is**
4 **meaningful to you?**

5 A. No. The only thing that I was not happy about
6 the notes is I was asked, you know, what I thought
7 Dr. Whittaker knew about the use of E&G funds for this
8 project. And I told them I really couldn't recall the
9 conversations, I didn't recall being present, so that I
10 could only speculate. And I was very clear saying that
11 I was speculating, and I was disappointed that that was
12 not in the document. I didn't simply volunteer that.

13 **Q. Were they hostile to you on those points or**
14 **friendly or --**

15 A. No, no. There was one question which I don't
16 recall seeing in the notes that -- where the only time
17 that I felt that they became a little hostile with me is
18 that they asked -- you know, where they became more
19 aggressive, let me just say it way. I didn't feel in
20 any way uncomfortable during the meeting, but where they
21 became more assertive with me is when they were asking
22 me if I had ever personally looked up the regulation or
23 the statute about the usage of E&G funds. And I said,
24 "No." And he said, "Oh, come on," you know. And I
25 said, "Well, I had no reason to."

1 Q. Okay.

2 A. And I wasn't engaged in capital planning or
3 funding.

4 Q. Thank you very much.

5 Would you go to tab 4 now. Is that an email
6 chain between you and Christy Tant, the 14th, January
7 14th of '15?

8 A. Okay.

9 Q. Were you supposed to go over those attachments
10 with Dr. Whittaker?

11 A. It looks that way, yes.

12 Q. Just take a quick look. I think there's about
13 three of them. I don't expect you to remember them all,
14 but --

15 A. Okay.

16 Q. Would you look at the 10:10 message from
17 Christina.

18 A. 10:10, you said? Oh, you mean 10:10, the time?

19 Q. Yeah. I'm sorry. I think it's the top one or
20 the second one from the top.

21 A. I see a 10:04. Okay. Wait. Sorry, which one
22 are you talking about?

23 Q. Let me look. Oh, it's the very top one.

24 A. Okay.

25 Q. Was she advising you to hide any columns of one

1 of those documents from Dr. Whittaker?

2 A. No, no. I don't take that to mean that at all.

3 Normally, when we do these documents in Excel,
4 we collapse -- we put a lot of detail, and then we
5 collapse the columns so that the executives can either
6 expand them or collapse them. And the official term is
7 hiding them.

8 Q. Okay. Well, I understand. I just didn't know.
9 She's not explicit.

10 A. It's a legitimate question. I think what she
11 was telling me is -- I think she was giving me -- you
12 know, letting me know, because they were the ones that
13 created and maintained these documents, that they're
14 calling attention that there were columns that were
15 hidden. That's how I'm reading this.

16 Q. Can you tell which document she's talking
17 about?

18 A. The list of commitments, which is --

19 Q. The big one?

20 A. -- the big one. Yes, this is the document that
21 I would have gone over with him.

22 BY MS. MITZ:

23 Q. Which one? Can you identify it by name?

24 A. I'm sorry. It is the planned E&G budget
25 allocations.

1 MS. MITZ: Okay. Thank you.

2 BY MR. RUBOTTOM:

3 Q. Was this the first time you had gone over that
4 category of documents with Dr. Whittaker, or was that a
5 regular thing from the time --

6 A. I don't remember. I don't remember going
7 over -- you know, if we were doing that regularly. I
8 don't think so.

9 Q. Okay. Let me draw your attention to the second
10 attachment, which bears the caption in the upper
11 right-hand corner that says -- it might be on the upper
12 left-hand. It says: Capital projects funding update,
13 January 17.

14 A. Yes.

15 Q. Under "Current funding plan," there are five
16 categories of funding: Investments, interest earnings,
17 auxiliary, auxiliary AA and E&G.

18 Does that cover all the forms of funding for
19 capital projects that you are aware of?

20 A. I don't know.

21 Q. Did you have any opportunity to explain or
22 discuss with Provost Whittaker those different forms of
23 funding?

24 A. I wouldn't have discussed that with him. I
25 wouldn't have gotten into that.

1 Q. Who would have discussed those with him or been
2 responsible to? You all are putting this document --

3 A. Presumably Bill --

4 Q. -- in front of me.

5 A. Presumably Bill or Tracy.

6 Q. Okay. Would you read aloud -- out loud note
7 two on the second page of the attachment. I think
8 it's -- I think it's the second attachment you were
9 looking at. There's a footnote.

10 A. On this one?

11 Q. No, the next page. The one you just -- right
12 here.

13 A. All right. Okay. Note one: The amount funded
14 from E&G represents the estimate for furniture and
15 equipment. PECO funds of 46.6 million have been
16 requested for phase one and phase two.

17 Q. That's note one. Now read note two.

18 A. Okay. Need to review components of furniture
19 and equipment number. A portion of the 18 million -- or
20 1.8 million estimate may need to come from non-E&G
21 sources.

22 Q. Okay. Do you recall discussions of those kind
23 of details?

24 A. Unfortunately, I do not.

25 Q. Okay. Do you believe Dr. Whittaker saw this

1 document?

2 A. I would -- guessing from these notes, from the
3 exchange, I would think that he had seen this at some
4 point, but I can't say that with certainty.

5 Q. And then I want to show you an email chain from
6 January 21st. And, unfortunately, I didn't print the
7 document, but I've got it on my screen here.

8 A. Yes.

9 Q. Do you recall those exchanges?

10 A. Yes. I provided this to the team, the
11 investigation team.

12 Q. Does that indicate that Dr. Hitt made the
13 decision on January 20th to do the combined project of
14 renovation and the new building?

15 A. That was my understanding.

16 Q. And that would have been a week after y'all had
17 reviewed those documents with Dr. Whittaker, is that
18 correct?

19 A. I guess so, yes.

20 Q. Would you expect anybody else to have been in
21 the meeting between Dr. Hitt and Dr. Whittaker that
22 Mr. Merck's email discusses there?

23 A. Would I have expected anybody?

24 Q. Yeah, would Rick Schell or somebody have been
25 in that meeting?

1 A. I don't know. I didn't -- no, I wouldn't have
2 known.

3 Q. Okay. Do you -- would you have helped
4 Dr. Whittaker prepare for that meeting?

5 A. No.

6 Q. Who do you think would have helped him prepare?

7 A. I really -- I was not normally involved with
8 discussions of capital, so my guess would be Bill Merck.

9 Q. Okay. Do you know if Dr. Whittaker would have
10 taken those documents to that meeting?

11 A. Again, I don't know, unfortunately. Dr. Hitt
12 was normally very detailed, but it depends. I don't
13 know what the focus of that discussion was at this point
14 in time.

15 Q. And so you wouldn't have known if they
16 discussed the whole commitments list at that point
17 either?

18 A. No. I don't know if that was -- if this was
19 something that resulted -- that they had a larger
20 meeting and this came up and was discussed or if the
21 meeting was specifically about that. Unfortunately, I
22 don't have any knowledge of that.

23 MR. RUBOTTOM: Carine, I think you can go ahead
24 with any follow-ups or do the conclusion.

25 MS. MITZ: Okay. Thank you.

1 BY MS. MITZ:

2 Q. Ms. Gonzalez, I'd like to take you back to that
3 planned E&G budget allocation attachment, not the last
4 email you just discussed, but the email before. And my
5 question is: Do you recall how many variations of the
6 E&G budget allocations document you would have given to
7 Provost Whittaker to review during the time that you
8 worked with him?

9 A. Do you mean of the plan list --

10 Q. Yes.

11 A. -- specifically?

12 This was kind of a living, breathing document
13 that was maintained constantly. You know, as things
14 came up, we -- you know, as the provost would say
15 something to me or Tracy would get information from Bill
16 on that side, things were added, removed. So it's not
17 something that we were going over constantly. It was --
18 it meant -- it was represented -- it was meant to be the
19 list of all the things that we knew of that were
20 possible considerations for funding out of E&G.

21 So it's not something that I would have been
22 going over with him regularly. I think the time when we
23 would have gone over this with him would be as we were
24 making steps to finalize an allocation document,
25 perhaps.

1 Q. Okay. All right. So is there anything else
2 that you can tell us about who at UCF knew that E&G were
3 being used for new construction?

4 A. Unfortunately, not from my direct knowledge,
5 no.

6 Q. All right. Is there anything else you can tell
7 us about the people at UCF who knew that E&G shouldn't
8 be used for new construction?

9 A. All I can tell you is after all this, I became
10 aware, in recent months, that this was going to be
11 investigated and what had transpired. I went back and
12 looked. The first thing I looked at was the allocation
13 document to see what it said, because my recollection
14 was that it was a renovation at that time. And I went
15 back and looked and said, yeah, it was still a
16 renovation when we were talking about it and that it had
17 been signed. And then I did look at all the documents
18 after that. I was very aware of the plan list and what
19 have you, and then I saw -- you know, I work in finance
20 and accounting. And then, of course, the report came
21 out, and I looked at all the documents. And from my
22 vantage point, there was no effort from any of the
23 employees in finance and accounting to conceal the
24 source of funds that was being used for this building.
25 And, again, I'm just telling you what I saw

1 after the fact.

2 Q. Right. Thank you for that.

3 I just thought of a question. While you worked
4 directly with Provost Whittaker, did he ever discuss
5 with you using monies out of the provost budget to fund
6 the CREOL building?

7 A. The CREOL building. I'm sorry, but I don't
8 remember that.

9 Q. Okay. That's fair.

10 Okay. So is there anything else you think we
11 need to know in order to complete our investigation into
12 the misuse and or misdirection of E&G funds for capital
13 projects that we haven't already talked about?

14 A. No. I mean, the only thing I want to emphasize
15 again is, you know, the -- as I mentioned before, I
16 didn't see any effort of folks to conceal anything.

17 And I have to tell you, the four people that
18 were let go from the university, two of them I knew very
19 well. I worked with them very closely when I worked in
20 academic affairs, Tracy Clark and Christy Tant. And
21 these people have the highest integrity. They were
22 always very direct, any questions that I asked. They
23 were sticklers for details about labeling everything
24 very careful on the document. They worked 10-, 12-hour
25 days, not because they had -- I mean, these jobs called

1 for them, but they just were dedicated to the
2 university.

3 MR. RUBOTTOM: Carine, let me ask a follow-up
4 on that, if you don't mind.

5 BY MR. RUBOTTOM:

6 Q. Who would they have gone to, compliance,
7 ethics? If they believed the university was doing
8 something wrong, that the leadership had directed
9 something wrong, who would they have gone to to report
10 that or to inquire about whether their perception was
11 correct?

12 A. That's a hard question because you're asking me
13 to -- what I think they would have -- what would I have
14 done.

15 Q. Who would you go to? You've been there 20
16 years. Who would you go with a compliance or legality
17 question? Would you go general counsel --

18 A. If I had a question myself, I would have asked
19 audit. It would have been my first stop. I worked very
20 close with them when I was in academic affairs. I used
21 to have regular budget meetings with our -- with the
22 budget directors from all the colleges in the areas that
23 reported to the provost. And Kathy Mitchell used to
24 come to my meetings.

25 MR. RUBOTTOM: Thank you.

1 I'm sorry, Carine.

2 MS. MITZ: Oh, that's okay.

3 BY MS. MITZ:

4 Q. Okay. Two more questions.

5 While you reported directly to Provost
6 Whittaker, did you make it a habit to take notes, keep
7 journals, diaries, things to that effect of the daily
8 goings on there at the university?

9 A. No, unfortunately not.

10 Q. Okay. So lastly we ask, because this is an
11 ongoing investigation, that you don't discuss this
12 deposition with anybody. And by that I mean that you
13 don't discuss the questions that were asked and the
14 answers that you have given to anybody, including former
15 employees and current employees of UCF. Do you agree to
16 do that?

17 A. I do.

18 MS. MITZ: Okay. Great. Thank you very much.
19 You did very well and you gave us a lot of good
20 information, so thank you.

21 MR. ECKHART: I'm sorry. There's just one
22 thing I wanted to clarify because I think it's
23 important, because throughout this whole interview
24 or deposition there was the use of the word "hide,"
25 which -- can you just explain that again on that

1 PDF, what that really meant?

2 THE WITNESS: Of course. Of course. And that
3 is a good question.

4 MR. RUBOTTOM: I think I can save us time
5 because I use Excel spreadsheets a lot. Hide is a
6 term on how you put certain columns out of your view
7 screen. And her answer, I think we understood it
8 very clearly.

9 MR. ECKHART: Okay. As long as everybody
10 understands that.

11 MR. RUBOTTOM: It was not an intent to conceal.
12 It was a means to be efficient in presenting
13 information, and I believe -- let me -- if I
14 characterize correctly, if they wanted to see the
15 details, you would open the details and show them
16 the details or you -- the conversation might lead to
17 you. So there was never any attempt to -- we're
18 just not going to show this person those columns.

19 THE WITNESS: Yes.

20 MR. ECKHART: Excellent.

21 MR. RUBOTTOM: Thank you very much.

22 MS. MITZ: All right. Well, great, guys.
23 Thank you so much.

24 MR. RUBOTTOM: Yeah, we are going to mark this
25 as an exhibit.

1 MR. ECKHART: Can she read before you -- how
2 does that work?

3 (Discussion off the record.)

4 MR. RUBOTTOM: The House rules allow -- if
5 anything's said about anybody in a House proceeding,
6 they have an opportunity to -- I can't remember the
7 details, but to submit a written response or ask to
8 address the committee. So there's that other
9 procedure where -- if there's anything about the
10 transcript that somebody wants to clarify. If we
11 bring it out in the proceeding, there would be an
12 opportunity for her to do that.

13 So we don't want to put anybody in a box and
14 keep them there, but we're wanting the truth for the
15 committee.

16 MR. ECKHART: Excellent. Okay. Well, thanks
17 for your time.

18 (Deposition concluded at 9:13 a.m.)

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CERTIFICATE OF OATH

STATE OF FLORIDA:
COUNTY OF ORANGE:

I, Anthony Rolland, Notary Public, State of Florida,
do hereby certify that LYNN GONZALEZ personally appeared
before me on February 14, 2019 and was duly sworn and
produced a Florida driver's license as identification.

Signed this 16th day of February, 2019.

Anthony Rolland

Anthony Rolland

Notary Public, State of Florida
My Commission No.: GG 162479
Expires: December 17, 2021

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CERTIFICATE OF REPORTER

STATE OF FLORIDA:
COUNTY OF ORANGE:

I, Anthony Rolland, Notary Public, State of Florida, certify that I was authorized to and did stenographically report the deposition of LYNN GONZALEZ; that a review of the transcript was not requested; and that the foregoing transcript, pages 4 through 61, is a true and accurate record of my stenographic notes.

I further certify that I am not a relative, employee, or attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED this 16th day of February, 2019.

Anthony Rolland

Anthony Rolland

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