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TRANSCRIPTION OF RECORDED INTERVIEW

OF

Roy Stearns

September 25, 2012
Sacramento, California

Investigation of Department of Parks
and Recreation - Financial Irregularities

Interviewed by: Thomas M. Patton
Deputy Attorney General
Office of the Attorney General
State of California

Transcribed by: Zipporah Geralnik
eScribers, Inc.
October 4, 2012
New York, New York

(SA201210710)

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1 MR. PATTON: The time is --

2 MR. MATTSON: 2:10.

3 MR. PATTON: Okay. We're back on
4 the record at 2:10 in the afternoon, Tuesday,
5 September 25th, 2012. Thomas M. Patton,
6 Deputy Attorney General. With me is Michael
7 Mattson (ph.); he's an investigator with the
8 Department of Justice. And you, sir, if you
9 could state your name.

10 MR. STEARNS: Sure. Roy Stearns,
11 deputy director for communications, the press
12 guy at California State Parks.

13 MR. PATTON: Great. And Stearns in
14 S-T --

15 MR. STEARNS: E-A-R-N-S.

16 MR. PATTON: Perfect. And so you're
17 the communications guy, press guy.

18 MR. STEARNS: I am.

19 MR. PATTON: Communications
20 director. And you've been in that position
21 for how long?

22 MR. STEARNS: Since June of 2000.

23 MR. PATTON: Okay. So you've been
24 at this awhile.

25 MR. STEARNS: Appointed by Gray

1 Davis, reappointed by Arnold --

2 MR. PATTON: Okay.

3 MR. STEARNS: -- and sitting in the
4 chair since Jerry.

5 MR. PATTON: Okay. Had you worked
6 for Parks other than in this capacity?

7 MR. STEARNS: No. I came from the
8 media side of the house from Channel 3, as a
9 reporter.

10 MR. PATTON: Oh, great.

11 MR. MATTSON: Practical experience.

12 MR. STEARNS: Yeah. I knew about
13 all those reporters and how they thought.
14 That's a whole different subject for a
15 different day, right.

16 MR. PATTON: So you were one of the
17 guys on the morning news?

18 MR. STEARNS: I was one of the
19 reporters.

20 MR. PATTON: Oh, okay.

21 MR. STEARNS: I covered the
22 environment, military, those kinds of things.

23 MR. PATTON: Interesting stuff.
24 Good. So you've seen -- being a reporter,
25 you've seen the news and you've seen the

1 stories about reports of undisclosed funds.
2 And so that's what we've been appointed to do
3 is to go and talk to everybody and find out
4 who knew anything about this or if the topic
5 of reserve monies had come up. And so I'm
6 just going to ask you just to tell us if you'd
7 ever heard of any of that, you know, how you
8 learned about this.

9 MR. STEARNS: I've been thinking
10 about that.

11 MR. PATTON: Yeah.

12 MR. STEARNS: And to the best of my
13 recollection, I think I learned first about
14 the vacation buyouts, somewhere -- it could've
15 been the end of June.

16 MR. PATTON: And you're looking at
17 your calendar.

18 MR. STEARNS: I'm looking at my
19 calendar.

20 MR. PATTON: You note significant
21 events on there, I assume.

22 MR. STEARNS: I sometimes note
23 significant events. I didn't note when I
24 learned about this one but I think I
25 learned -- to the best of my ability -- at the

1 end of June, maybe the first part of July. I
2 had a week and a half of vacation there where
3 I was going to Hawaii and my recollection is I
4 knew about the vacation buyouts before I left
5 for Hawaii, having heard it from the director,
6 Ruth Coleman. And I guess we talked about it.
7 And that was the first I knew about that.

8 Then, as far as the surplus funding,
9 I knew about that sometime after I got back
10 from Hawaii --

11 MR. PATTON: When'd you get back?

12 MR. STEARNS: I got back from Hawaii
13 on the 10th of July. So I was back in the
14 office on the 11th. And sometime between the
15 11th and maybe about the 18th, somewhere in
16 that time frame, I learned about the surplus.

17 MR. PATTON: And how'd you --

18 MR. STEARNS: And I learned about
19 it -- it might have been closer to the 18th,
20 after the vacation buyout story struck.
21 Because the director, Ruth Coleman, walked
22 around to my office and made a comment
23 something like, okay, you know about the
24 vacation buyout, something else is going to
25 hit. And I looked up and said, what? Because

1 as the press guy, I'm always the guy where
2 somebody walks in and say, guess what? And I
3 look at them with that look on my face like,
4 oh, please, what can this be?

5 And Ruth said that we've learned
6 that there's a surplus. She didn't explain
7 how she knew or where she found out or how
8 long she had known. She said there's a
9 surplus. And I said, well, what do you mean?
10 What are you talking about? Well, it could be
11 as much as seventy million.

12 And I said, really? Seventy
13 million? What do you mean surplus? Is this
14 money that's sitting somewhere that we know
15 about and we could've spent? And I don't
16 remember what the answer was but I was aghast.
17 I was thinking well, how do we close seventy
18 parks and then turn around and tell people
19 we've got a surplus that would keep them open
20 for three years? That seems astounding to me.
21 I was just struck.

22 And I reached over and picked up the
23 phone because one of my duties is to always
24 give a head's up, through my chain of command,
25 through resources, to the governor's office of

1 can you believe this? And I called Richard
2 Stapler and I said, Richard --

3 MR. PATTON: He's your compatriot,
4 your counterpart at resources?

5 MR. STEARNS: At resources.

6 MR. PATTON: Yeah.

7 MR. STEARNS: Working for John
8 Laird. I said, Richard, I just learned from
9 Ruth Coleman today, the director, that we have
10 some kind of a surplus going on somewhere that
11 I don't understand yet, that could be as much
12 as seventy million or possibly less; I
13 don't -- I have no idea. I said, do you know
14 anything about that? And I didn't get an
15 answer from Richard but it almost kind of felt
16 like there were people above me that already
17 knew about it.

18 And so I thought, well, all right,
19 I'm the last to know, that figures because
20 usually the press guy is the last to know --

21 MR. PATTON: Yeah.

22 MR. STEARNS: -- on the really ugly,
23 dirty stuff. And then they ask you can you
24 fix this for us in the press?

25 MR. PATTON: So on the theory that

1 bad news gets better with time --

2 MR. STEARNS: I think so. I --

3 MR. PATTON: What was Ruth -- what
4 sort of condition was she in as she was --
5 what was her demeanor and affect as she's
6 explaining this to you?

7 MR. STEARNS: She looked at me like
8 somebody had just punched her in the stomach
9 and her morale was -- she just looked worse in
10 facial expression at that moment than I'd ever
11 seen her and, before she could get the story
12 out, I'm looking at her like this can't be
13 good. The way she walked in like she --
14 somebody just hit her in the stomach.

15 MR. PATTON: Yeah.

16 MR. STEARNS: And I was -- and I
17 have no idea what she knew, when she knew it.

18 MR. PATTON: Yeah, she didn't
19 indicate to you that she had just learned?
20 She just told you we've got --

21 MR. STEARNS: She's just -- yeah,
22 she didn't --

23 MR. PATTON: -- another story's
24 coming out.

25 MR. STEARNS: Exactly.

1 MR. PATTON: She gave no indication
2 whether it was something she learned ten --

3 MR. STEARNS: No.

4 MR. PATTON: -- minutes ago or ten
5 years ago.

6 MR. STEARNS: No, she didn't.

7 MR. PATTON: Okay. The only thing I
8 would say is that I had worked for Ruth for a
9 number of years and she was very cognizant of
10 the optics of issues. And my gut feeling --
11 and I have no evidence to back it up -- is
12 that she probably didn't know or she would
13 have done something to say this is wrong, do
14 you understand what this means? The optics of
15 this are terrible, let's fix this.

16 MR. PATTON: When you say --

17 MR. STEARNS: I don't know.

18 MR. PATTON: -- the optics, you're
19 referring to how the world views this --

20 MR. STEARNS: How the world would
21 view that.

22 MR. PATTON: -- through a prism?

23 MR. STEARNS: Yeah. How her boss --

24 MR. PATTON: Yeah,

25 MR. STEARNS: -- the governor, the

1 legislature, Park people who were help --
2 coming forward to help us close parks.

3 MR. PATTON: Yeah, yeah.

4 MR. STEARNS: All of them would
5 just, you know, have the jaw hit the floor.

6 MR. PATTON: Okay. So your best
7 guess is it was pretty much news to her as
8 well.

9 MR. STEARNS: That was my best
10 guess. That -- but I have no evidence to back
11 that up. I had never heard of it before that.
12 It was -- and after that, I remember people
13 just walking around the office in kind of a
14 daze, like what the hell just happened here?

15 MR. PATTON: Yeah.

16 MR. STEARNS: I was extremely
17 disappointed.

18 MR. PATTON: Have you learned any
19 more about it since?

20 MR. STEARNS: Well, what I read in
21 the papers.

22 MR. PATTON: Yeah. Nobody in the
23 agency has --

24 MR. STEARNS: No.

25 MR. PATTON: -- come and sat you

1 down and said let's tell you the whole story
2 now?

3 MR. STEARNS: No.

4 MR. PATTON: All right. Okay. It's
5 been handled, press-wise, pretty exclusively
6 by the resources level --

7 MR. PATTON: Yeah.

8 MR. STEARNS: -- and the governor's
9 office.

10 MR. PATTON: Yeah.

11 MR. STEARNS: Richard Stapler and
12 Clark Blanchard both are resources. You know,
13 when I think about a reserve, I -- you know,
14 one part of the paper, I think the WISER story
15 that came out on the 21st, said something
16 about this goes back to 1999.

17 And I was thinking about that,
18 thinking, whoa. How could this go on from '99
19 and how did it get started in '99? What was
20 going on then? And I think Rusty was the --
21 appointed about then, as the director. And I
22 don't know who the director was before that.
23 I wasn't in Parks then.

24 But from '99 forward, there were
25 occasions when I heard people say I wish we

1 had some kind of prudent reserve. And I would
2 say, why? And then I learned because we have
3 a cold summer and people don't go to parks, we
4 lose millions and millions of dollars and then
5 you've got to figure out, well, how do you put
6 that back in your budget to pay for this and
7 this. You know, we are a very revenue
8 dependent organization.

9 MR. PATTON: Yeah.

10 MR. STEARNS: And people kept
11 saying that but I never thought much of it. I
12 thought, well, all right, maybe someday
13 they'll -- we'll be allowed to have a prudent
14 reserve, whatever that is, however it happens.
15 But I didn't know there was something there.

16 MR. PATTON: Other than learning
17 about -- okay, so you learned about the
18 vacation buyout before you went to Hawaii.

19 MR. STEARNS: Yeah.

20 MR. PATTON: And then you came back
21 on the 10th and you learned about -- of July
22 and you learned about the prudent reserve, the
23 disparity and funding reports --

24 MR. STEARNS: As the papers have
25 described it: hidden cash --

1 MR. PATTON: Yeah.

2 MR. STEARNS: -- surplus funds,
3 yeah.

4 MR. PATTON: Well, let's not
5 characterize it too much here. Just some --

6 MR. STEARNS: Whatever --

7 MR. PATTON: -- funding disparities.
8 So other -- now what have they brought to you
9 lately that I ought to be aware of, just so I
10 stay up on the Park curve as well.

11 MR. STEARNS: I don't think anything
12 that strikes your level. We've gone through
13 the Malibu Lagoon restoration which has been
14 pretty transparent and well done.

15 MR. PATTON: No more debacles?

16 MR. STEARNS: No debacles that I
17 know of.

18 MR. PATTON: Okay.

19 MR. STEARNS: Yeah.

20 MR. PATTON: Good.

21 MR. STEARNS: But I'm the press guy.
22 Sometimes, I'm the last one to know.

23 MR. PATTON: Yeah, you may not know
24 yet.

25 MR. STEARNS: There's oftentimes --

1 you know, what was it? Sometimes the
2 information just doesn't flow to the press
3 guy.

4 MR. PATTON: Yeah.

5 MR. STEARNS: Until it's going to be
6 in the paper tomorrow morning and then, you
7 know, I get the phone call that says, hi, this
8 is so-and-so with the Sacramento Bee, would
9 you like to comment on X, Y and Z? And it's a
10 quarter to 5 and I'm saying, what? You've
11 given me fifteen minutes? Thanks.

12 MR. PATTON: All right.

13 MR. STEARNS: Yeah.

14 MR. PATTON: Well, I think that's
15 all the questions we have for you. I think,
16 just in fairness, after we stop recording,
17 I'll go ahead and let you see the spreadsheets
18 on this funding disparity which have been
19 obtained by the media, just so you're not the
20 last to know.

21 MR. STEARNS: Yeah.

22 MR. PATTON: There's probably a
23 couple of other people in California that
24 haven't' looked at them yet so you may not be
25 the last one to see them.

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MR. STEARNS: Okay.

MR. PATTON: All right. You have any questions, Michael?

MR. MATTSON: No, I don't.

MR. PATTON: Okay. We'll go off the record. It's --

MR. STEARNS: It is 2:21.

(Off the record at 2:21 p.m.)

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TRANSCRIBER'S CERTIFICATE
Roy Stearns interview on 9-25-12

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) ss.
COUNTY OF SACRAMENTO)

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 I have subscribed this certificate
at New York, New York, this 4th day of
October, 2012.

Zipporah Geralnik
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[1 - governor's]

1	attorney 1:14,15 2:6 audio 16:12 aware 13:9 awhile 2:24	coming 8:24 10:2 command 6:24 comment 5:22 14:9 communications 2:11,17,19 compatriot 7:3 condition 8:4 could've 4:14 6:15 counterpart 7:4 county 16:8 couple 14:23 covered 3:21 curve 13:10	experience 3:11 explain 6:6 explaining 8:6 expression 8:10 extremely 10:16
1 16:11 10th 5:13 12:21 11th 5:14,15 15 16:11 18th 5:15,19 1999 11:16	b	davis 3:1 day 3:15 16:17 daze 10:14 debacles 13:15,16 demeanor 8:5 department 1:10 2:8 16:14 dependent 12:8 deputy 1:14 2:6,11 described 12:25 different 3:14,15 director 2:11,20 5:5 5:21 7:9 11:21,22 dirty 7:23 disappointed 10:17 disparities 13:7 disparity 12:23 14:18 dollars 12:4 duties 6:23	f
2	back 2:3 5:9,11,12 5:13 9:11 10:10 11:16 12:6,20 bad 8:1 bee 14:8 believe 7:1 best 4:12,25 10:6,9 16:12 better 8:1 blanchard 11:12 boss 9:23 brought 13:8 budget 12:6 buyout 5:20,24 12:18 buyouts 4:14 5:4	d	face 6:3 facial 8:10 fairness 14:16 far 5:8 feeling 9:10 felt 7:15 fifteen 14:11 figure 12:5 figures 7:19 financial 1:11 find 4:3 first 4:13 5:1,7 fix 7:24 9:15 floor 10:5 flow 14:2 foregoing 16:11 forward 10:2 11:24 found 6:7 frame 5:16 funding 5:8 12:23 13:7 14:18 funds 4:1 13:2
2000 2:22 2012 1:7,21 2:5 16:18 21st 11:15 25 1:7 25th 2:5 2:10 2:2,4 2:21 15:7,8	c	e	g
3	calendar 4:17,19 california 1:8,16 2:12 14:23 16:6,13 16:15 call 14:7 called 7:1 capacity 3:6 cash 12:25 certificate 16:2,16 certify 16:10 chain 6:24 chair 3:4 channel 3:8 characterize 13:5 clark 11:12 close 6:17 10:2 closer 5:19 cognizant 9:9 cold 12:3 coleman 5:6,21 7:9 come 4:5 10:25	e 2:15 environment 3:22 escribers 1:20 16:22 events 4:21,23 everybody 4:3 evidence 9:11 10:10 exactly 8:25 exclusively 11:5	general 1:14,15 2:6 geralnik 1:19 16:21 give 6:24 given 14:11 go 4:3 11:18 12:3 14:17 15:5 goes 11:16 going 4:6 5:3,24 7:10 11:20 14:5 good 3:24 8:13 13:20 governor 9:25 governor's 6:25 11:8
3 3:8			
4			
4 1:21 4th 16:17			
5			
5 14:10			
9			
9-25-12 16:3 99 11:18,19,24			
a			
ability 4:25 16:12 affect 8:5 afternoon 2:4 agency 10:23 aghost 6:16 ago 9:4,5 ahead 14:17 allowed 12:13 answer 6:16 7:15 appointed 2:25 4:2 11:21 arnold 3:1 assume 4:21 astounding 6:20			

[gray - questions]

<p>gray 2:25 great 2:13 3:10 guess 5:6 6:2 10:7 10:10 gut 9:10 guy 2:12,17,17 6:1,1 7:20 13:21 14:3 guys 3:17</p>	<p>july 5:1,13 12:21 june 2:22 4:15 5:1 justice 2:8 16:14</p>	<p>media 3:8 14:19 michael 2:6 15:3 military 3:22 million 6:11,13 7:12 millions 12:4,4 minutes 9:4 14:11 moment 8:10 money 6:14 monies 4:5 morale 8:9 morning 3:17 14:6</p>	<p>park 10:1 13:10 parks 1:10 2:12 3:6 6:18 10:2 11:23 12:3 part 5:1 11:14 patton 1:13 2:1,3,5 2:13,16,19,23 3:2,5 3:10,16,20,23 4:11 4:16,20 5:11,17 7:3 7:6,21,25 8:3,15,18 8:23 9:1,4,7,16,18 9:22,24 10:3,6,15 10:18,22,25 11:4,7 11:10 12:9,16,20 13:1,4,7,15,18,20,23 14:4,12,14,22 15:2 15:5 pay 12:6 people 6:18 7:16 10:1,12 11:25 12:3 12:10 14:23 perfect 2:16 ph 2:7 phone 6:23 14:7 picked 6:22 please 6:4 position 2:20 possibly 7:12 practical 3:11 press 2:11,17 6:1 7:20,24 11:5 13:21 14:2 pretty 10:7 11:5 13:14 prism 9:22 probably 9:12 14:22 prudent 12:1,13,22 punched 8:8 put 12:5</p>
<p>h</p>	<p>k</p>	<p>n</p>	<p>q</p>
<p>half 5:2 handled 11:5 happened 10:14 happens 12:14 hawaii 5:3,5,10,12 12:18 head's 6:24 heard 4:7 5:5 10:11 11:25 heidi 16:13 hell 10:14 help 10:1,2 hi 14:7 hidden 12:25 hit 5:25 8:14 10:5 house 3:8 how'd 5:17</p>	<p>keep 6:19 kept 12:10 kind 7:10,15 10:13 12:1 kinds 3:22 knew 3:12 4:4 5:4,7 5:9 6:7 7:17 8:17,17 know 4:7 5:23 6:14 7:13,19,20 9:12,17 10:5 11:12,13,22 12:7,15 13:17,22,23 14:1,7,20 known 6:8</p>	<p>name 2:9 never 10:11 12:11 new 1:22,22 16:17 16:17 news 3:17,25 8:1 10:7 note 4:20,22,23 number 9:9</p>	<p>o</p>
<p>i</p>	<p>l</p>	<p>o</p>	<p>o</p>
<p>idea 7:13 8:17 indicate 8:19 indication 9:1 information 14:2 interesting 3:23 interview 1:1 16:3 interviewed 1:13 investigation 1:10 investigator 2:7 irregularities 1:11 issues 9:10</p>	<p>lagoon 13:13 laird 7:8 lately 13:9 learned 4:8,13,24,25 5:16,18 6:5 7:8 8:19 9:2 10:18 12:2,17 12:21,22 learning 12:16 left 5:4 legislature 10:1 level 11:6 13:12 long 2:21 6:8 look 6:3,3 looked 5:25 8:7,9 14:24 looking 4:16,18 8:12 lose 12:4</p>	<p>o0o 1:25 16:23 obtained 14:19 occasions 11:25 october 1:21 16:18 office 1:15 5:14,22 6:25 10:13 11:9 oftentimes 13:25 oh 3:10,20 6:4 okay 2:3,23 3:2,5,20 5:23 9:7 10:6 11:4 12:17 13:18 15:1,5 open 6:19 optics 9:10,14,18 organization 12:8 ought 13:9</p>	<p>o</p>
<p>j</p>	<p>m</p>	<p>p</p>	<p>p</p>
<p>jaw 10:5 jerry 3:4 john 7:7</p>	<p>m 1:13 2:5 malibu 13:13 mattson 2:2,7 3:11 15:4 mean 6:9,13 means 9:14</p>	<p>p.m. 15:8 pages 16:11 paper 11:14 14:6 papers 10:21 12:24</p>	<p>o</p>

[r - zipporah]

<p>r</p> <p>r 2:15 reached 6:22 read 10:20 really 6:12 7:22 reappointed 3:1 recollection 4:13 5:3 record 2:4 15:6,8 recorded 1:1 recording 14:16 16:12 recreation 1:11 referring 9:19 remember 6:16 10:12 reporter 3:9,24 reporters 3:13,19 reports 4:1 12:23 reserve 4:5 11:13 12:1,14,22 resources 6:25 7:4,5 11:6,12 restoration 13:13 revenue 12:7 richard 7:1,2,8,15 11:11 right 3:15 7:18 11:4 12:12 14:12 15:2 roy 1:5 2:10 16:3 rusty 11:20 ruth 5:6,21 6:5 7:9 8:3 9:8</p>	<p>seventy 6:11,12,17 7:12 side 3:8 significant 4:20,23 sir 2:8 sitting 3:3 6:14 somebody 6:2 8:8 8:14 someday 12:12 sort 8:4 spent 6:15 spreadsheets 14:17 ss 16:7 stapler 7:2 11:11 started 11:19 state 1:16 2:9,12 16:6 stay 13:10 stearns 1:5 2:10,10 2:13,15,18,22,25 3:3,7,12,18,21 4:9 4:12,18,22 5:12,18 7:5,7,22 8:2,7,16,21 8:25 9:3,6,17,20,23 9:25 10:4,9,16,20 10:24 11:3,8,11 12:10,19,24 13:2,6 13:11,16,19,21,25 14:5,13,21 15:1,7 16:3 stomach 8:8,14 stop 14:16 stories 4:1 story 5:20 8:11 11:1 11:14 story's 8:23 strikes 13:12 struck 5:20 6:21 stuff 3:23 7:23 subject 3:14 submitted 16:13 subscribed 16:16 summer 12:3 sure 2:10</p>	<p>surplus 5:8,16 6:6,9 6:13,19 7:10 13:2</p>	<p>v</p> <p>vacation 4:14 5:2,4 5:20,24 12:18 view 9:21 views 9:19</p>
<p>s</p> <p>s 2:14,15 sa201210710 1:24 sacramento 1:8 14:8 16:8,14 sat 10:25 saying 12:11 14:10 says 14:7 see 14:17,25 seen 3:24,25,25 8:11 september 1:7 2:5</p>	<p>ss 16:7 stapler 7:2 11:11 started 11:19 state 1:16 2:9,12 16:6 stay 13:10 stearns 1:5 2:10,10 2:13,15,18,22,25 3:3,7,12,18,21 4:9 4:12,18,22 5:12,18 7:5,7,22 8:2,7,16,21 8:25 9:3,6,17,20,23 9:25 10:4,9,16,20 10:24 11:3,8,11 12:10,19,24 13:2,6 13:11,16,19,21,25 14:5,13,21 15:1,7 16:3 stomach 8:8,14 stop 14:16 stories 4:1 story 5:20 8:11 11:1 11:14 story's 8:23 strikes 13:12 struck 5:20 6:21 stuff 3:23 7:23 subject 3:14 submitted 16:13 subscribed 16:16 summer 12:3 sure 2:10</p>	<p>t</p>	<p>w</p>
<p>t</p> <p>t 2:14 talk 4:3 talked 5:6 talking 6:10 tell 4:6 6:18 11:1 ten 9:2,4 terrible 9:15 thanks 14:11 theory 7:25 thing 9:7 things 3:22 think 4:13,24 8:2 11:13,14,20 13:11 14:14,15 thinking 4:9 6:17 11:17,18 thomas 1:13 2:5 thought 3:13 7:18 12:11,12 three 6:20 time 2:1 5:16 8:1 today 7:9 told 8:20 tomorrow 14:6 topic 4:4 transcribed 1:19 16:11 transcriber's 16:2 transcription 1:1 transparent 13:14 tuesday 2:4 turn 6:18</p>	<p>ss 16:7 stapler 7:2 11:11 started 11:19 state 1:16 2:9,12 16:6 stay 13:10 stearns 1:5 2:10,10 2:13,15,18,22,25 3:3,7,12,18,21 4:9 4:12,18,22 5:12,18 7:5,7,22 8:2,7,16,21 8:25 9:3,6,17,20,23 9:25 10:4,9,16,20 10:24 11:3,8,11 12:10,19,24 13:2,6 13:11,16,19,21,25 14:5,13,21 15:1,7 16:3 stomach 8:8,14 stop 14:16 stories 4:1 story 5:20 8:11 11:1 11:14 story's 8:23 strikes 13:12 struck 5:20 6:21 stuff 3:23 7:23 subject 3:14 submitted 16:13 subscribed 16:16 summer 12:3 sure 2:10</p>	<p>u</p> <p>ugly 7:22 understand 7:11 9:14 undisclosed 4:1 usually 7:20</p>	<p>walked 5:21 8:13 walking 10:13 walks 6:2 way 8:13 we've 4:2 6:5,19 8:20 13:12 webb 16:13 week 5:2 went 12:18 when'd 5:11 whoa 11:18 wise 11:5 wiser 11:14 wish 11:25 worked 3:5 9:8 working 7:7 world 9:19,20 worse 8:9 wrong 9:13</p>
<p>x</p>	<p>x 14:9</p>	<p>x 14:9</p>	<p>x 14:9</p>
<p>y</p>	<p>y 14:9</p>	<p>y 14:9</p>	<p>y 14:9</p>
<p>yeah 3:12 4:11 7:6 7:21 8:15,18,21 9:23,24 10:3,3,15 10:22 11:7,10 12:9 12:19 13:1,3,19,23 14:4,13,21</p>	<p>years 6:20 9:5,9 york 1:22,22 16:17 16:17</p>	<p>z</p>	<p>z 14:9 zipporah 1:19 16:21</p>