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INTERVIEW OF AMANDA BLACK

Interview Conducted by:
Linda M. Callahan

Also Present:
Doctor Barry Logan
Shannon Inglis, Assistant Attorney General
Matt Anderson, King County Prosecuting Attorney
Blakeley Warbinton

1 DOCTOR LOGAN: Linda, we're back on line.
2 MS. CALLAHAN: Okay.
3 DOCTOR LOGAN: Kelly Gross is not here today, so
4 Amanda Black is with us.
5 MS. CALLAHAN: Oh, okay, all right. Well let me
6 switch gears then.
7 DOCTOR LOGAN: Okay. And just while we're doing
8 that why don't I just check the rest of the schedule so we
9 don't throw you off. So Naziha Nuwayhid is here, Lisa Noble
10 is here, and (unintelligible), Estuardo Miranda is here.
11 FEMALE VOICE: (Unintelligible) will be -- was in
12 court.
13 DOCTOR LOGAN: Oh, that's right.
14 FEMALE VOICE: So he may not be back yet.
15 DOCTOR LOGAN: That's right, Naziha Nuwayhid has
16 gone to Spokane for court this afternoon.
17 MS. CALLAHAN: Okay, okay. So we have Ms. Black,
18 and Ms. Noble, and Mr. Miranda?
19 DOCTOR LOGAN: I believe so. Is that -- yes, yes.
20 MS. CALLAHAN: Okay, okay, okay, great.
21 MS. INGLIS: And Ms. Black has agreed to be tape
22 recorded.
23 MS. CALLAHAN: Okay, thank you. And Ms. Black, are
24 you there?
25 MS. BLACK: Yes.

1 MS. CALLAHAN: Okay, good afternoon.

2 MS. BLACK: Good afternoon.

3 MS. CALLAHAN: I just wanted to start off with a
4 couple of opening remarks about -- that as you know, this is
5 being tape recorded. I understand you've given your
6 permission. I probably won't need the 20 minutes with you.
7 But if I ask you any questions that you don't understand, I'd
8 ask that you just let me know that and I'll rephrase the
9 question and make it less confusing.

10 MS. BLACK: Okay.

11 MS. CALLAHAN: Okay. Now the -- the AG is there
12 and I don't -- you know, I don't know the full extent of her
13 capacity. But my understanding is it's probably to represent
14 the agency and -- and maybe not you personally. So you do
15 have the right to have a lawyer present if you want. And we
16 can reschedule the hearing if you want to do that.

17 MS. BLACK: No, that's fine.

18 MS. CALLAHAN: Okay. Any questions so far?

19 MS. BLACK: No.

20 MS. CALLAHAN: Okay. When did you first become
21 aware that -- that Ms. Gordon was not testing her own
22 solutions?

23 MS. BLACK: We had a lab meeting after the fact and
24 we were all informed. I believe it was by Doctor Logan, that
25 she had delegated the testing to someone else.

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MS. CALLAHAN: Okay.

MS. BLACK: But I did not know about it, no.

MS. CALLAHAN: Okay, okay. And -- and so actually you never saw her do any testing?

MS. BLACK: No, I did not.

MS. CALLAHAN: Okay. Now what was the reason given to you as to why she was resigning?

MS. BLACK: I'm sorry, I missed that question.

MS. CALLAHAN: Was there a reason given to you as to why she was resigning?

MS. BLACK: Oh. No, not at the time.

MS. CALLAHAN: And so -- but later?

MS. BLACK: No one specifically said to us that that was the reason. But because of the events that followed her resignation, that's what I took it to be --

MS. CALLAHAN: Okay.

MS. BLACK: -- the cause of her resignation.

MS. CALLAHAN: Okay. So that was your conclusion?

MS. BLACK: Yes.

MS. CALLAHAN: Okay. Now you -- you often have -- you've -- you've prepared the solutions, haven't you?

MS. BLACK: Yes.

MS. CALLAHAN: Okay. And you've -- you've tested them?

MS. BLACK: Yes.

1 MS. CALLAHAN: And you've entered the results into
2 the -- the database?

3 MS. BLACK: Yes.

4 MS. CALLAHAN: Okay. Have -- have you ever
5 analyzed anyone else's samples for them?

6 MS. BLACK: No.

7 MS. CALLAHAN: Okay. Have you ever been asked to?

8 MS. BLACK: No.

9 MS. CALLAHAN: Okay. And are you aware of the --
10 who the person is that -- that has been testing the samples
11 for Ms. Gordon?

12 MS. BLACK: We were told, yes, in a meeting.

13 MS. CALLAHAN: Okay. And who is that?

14 MS. BLACK: Ed Formoso.

15 MS. CALLAHAN: And was there anyone else doing it?

16 MS. BLACK: I don't know.

17 MS. CALLAHAN: Okay. And as far as you're aware,
18 you're not aware of anyone else doing it?

19 MS. BLACK: No.

20 MS. CALLAHAN: So when you -- when you test the
21 solution after you -- after you test it, at some point you do
22 a certification, right?

23 MS. BLACK: Yes.

24 MS. CALLAHAN: And that certification you sign
25 under penalty of perjury, right?

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MS. BLACK: Yes.

MS. CALLAHAN: And do you take that seriously?

MS. BLACK: Of course.

MS. CALLAHAN: Okay. So what was your -- your reaction when you realized that she was -- your boss -- you laboratory manager was signing things under penalty of perjury that she really -- that really weren't true?

MS. BLACK: I guess my reaction was a little bit confused.

MS. CALLAHAN: Okay.

MS. BLACK: As to what exactly was going on.

MS. CALLAHAN: Okay. Were you surprised?

MS. BLACK: Yes.

MS. CALLAHAN: Were you a little bit professionally embarrassed that someone, you know, above you would be doing that sort of thing?

MS. BLACK: I wouldn't use the word embarrassed. I would say that it was surprising, but not knowing any of the details, I can't say that it was professional or unprofessional on her part because I don't know any of the other circumstances.

MS. CALLAHAN: Well -- but if you sign something under penalty of perjury that you did something -- saying that you did something, but you really didn't do it --

1 MS. BLACK: I never saw the certificates that she
2 or anybody else signed. I only see the certificates that I
3 sign. So I don't know that the certificate that she would
4 have signed would have had the exact same wording as the ones
5 that I sign.

6 MS. CALLAHAN: Okay, okay. That's fair enough.
7 Okay. So you say -- you say professionally embarrassed or
8 whatever wouldn't be correct. Were you disappointed?

9 MS. BLACK: Yes.

10 MS. CALLAHAN: Okay. What kind of a boss was
11 Ms. Gordon? Was she a real hands on type of a boss, or was
12 she -- was she mostly in her office, you know, on the phone,
13 working, or running papers, or traveling, or what not?

14 MS. BLACK: I would say for the most part she was
15 very involved in the administrative aspects of the lab and
16 testifying in court when she needed to. But any time that we
17 did need her to be involved in the actual laboratory
18 activities, she would make time and help us out with anything
19 we needed help with in the lab. But mostly my time with her
20 was spent in her office discussing various training or
21 testing.

22 MS. CALLAHAN: Okay. Okay. So was she the kind of
23 boss that would look the other way when, you know, she saw
24 corners being cut or you know, sloppiness?

25 MS. BLACK: I would say no.

1 MS. CALLAHAN: Okay. I'm going to ask you a little
2 bit about when you prepare -- let's say you prepare a batch
3 of -- of solution for external standard simulator. And you
4 have to testify that afternoon, so you do it in the morning.
5 And so you don't have time to test or -- or package it or
6 anything. So when you get to work the next day, or maybe it's
7 over the weekend, maybe it's Monday you get back to work and
8 you run your tests and the numbers come out fine and then you
9 see that there are three other -- two others that maybe did
10 their test. Is it ready to be packaged now?

11 MS. BLACK: As long as three analysts have tested
12 the solution and all of their results agree with what's stated
13 in the SOP. Then after those three people have tested it,
14 then we would bottle it.

15 MS. CALLAHAN: Okay. Will you tell -- will you
16 tell me, Ms. Black, exactly how you go through the bottling
17 process?

18 MS. BLACK: We use 500 mil plastic bottles with
19 screw cap tops. So we use a plastic hose to transfer the sim
20 solution from the 52 liter jug into the bottle. So normally
21 we pre-label them with a sticker that says external standard
22 solution and the value that it should read, as well as the
23 batch number. So we label all the bottles and then stack the
24 bottles next to the 52 liter jug and then fill them using the

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1 hose, cap them tightly, and then place a piece of evidence
2 tape over the cap.

3 MS. CALLAHAN: Okay. So where is the magnetic
4 stirrer at this point when you begin the process?

5 MS. BLACK: It is still at the bottom of the jug.

6 MS. CALLAHAN: It's at the bottom of the -- the
7 jug. Are you talking -- referring to the carboy?

8 MS. BLACK: Yes, the 52 liter.

9 MS. CALLAHAN: Okay. And is it in operation?

10 MS. BLACK: No.

11 MS. CALLAHAN: Okay. Now do you stir it before you
12 package? Do you -- do you make -- have that magnetic stirrer
13 stir a bit?

14 MS. BLACK: Once it's stirred for the two hours
15 that is stated in the SOP, we don't stir it any longer. If it
16 goes over two hours, I don't see how that would effect
17 anything. But the minimum of two hours is what I've done.

18 MS. CALLAHAN: Okay.

19 MS. BLACK: So wouldn't stir it again before
20 bottling it.

21 MS. CALLAHAN: Okay. Now I'm going to ask you a
22 bit about going back to when you prepared it.

23 MS. BLACK: Okay.

24 MS. CALLAHAN: Okay. So you -- you stir it for a
25 minimum of -- of two hours?

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MS. BLACK: Yes.

MS. CALLAHAN: And then you take a sample out. How much -- how much of a sample are you going to take out?

MS. BLACK: It's approximately 50 mils.

MS. CALLAHAN: Approximately 50 mils, okay, okay. All right. Let's fast forward then to the point when you're testing. And you take how many -- how many aliquots do you take?

MS. BLACK: Five.

MS. CALLAHAN: Five. And you -- you run them in the GC?

MS. BLACK: Yes.

MS. CALLAHAN: And then the GC prints out a graph with numbers on it?

MS. BLACK: Yes.

MS. CALLAHAN: So do you -- you take those numbers and you put them in the -- in the computer, right?

MS. BLACK: Yes. The sheets print out the -- the results from the five aliquots. And we take those five results and place them in the spreadsheet, as well as the result of the control.

MS. CALLAHAN: Okay. And what type of a -- a fail safe system is there to be sure that you -- you put those numbers in accurately?

1 MS. BLACK: What I usually do is I take the
2 paperwork with me over to the computer that has the database,
3 and they're numbered one through five in the paperwork. So I
4 go through on line one through five and put in the five
5 results, put in the control, add my name and date at the
6 bottom. And then before I close the spreadsheet, I review it
7 one more time to make sure that the five numbers are correct.
8 And then when we receive the certificate -- I guess it's not a
9 certificate, the worksheet after everyone has tested it, which
10 we sign, I review my values again before signing.

11 MS. CALLAHAN: Okay, okay. So you just -- you do
12 your own review?

13 MS. BLACK: Yes

14 MS. CALLAHAN: Okay. And were you trained to do
15 that?

16 MS. BLACK: Yes.

17 MS. CALLAHAN: Okay. Okay, well I think -- I think
18 that's -- that's about all that I have for you, Ms. Black. I
19 do thank you for your time this afternoon.

20 MS. BLACK: No problem, thank you.

21 MS. CALLAHAN: Okay, good afternoon.

22 DOCTOR LOGAN: Okay.

23 MS. CALLAHAN: Doctor Logan --

24 DOCTOR LOGAN: Yes.
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MS. CALLAHAN: I'd like to take just a five minute
break.

DOCTOR LOGAN: Oh, you bet.

MS. CALLAHAN: Okay, thank you.

DOCTOR LOGAN: Okay.

MS. CALLAHAN: Okay, we'll call you back.

MS. WARBINTON: Okay, thank you.

MS. CALLAHAN: Thank you.

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