

COPY

TRANSCRIPT OF:  
JACQUELINE M. PUBANZ

DATE: FEBRUARY 5, 2008

CASE NAME:  
U.S.A.  
V.  
MENOMINEE TRIBAL ENTERPRISES

CASE NO. 07-C-316

BAY REPORTING SERVICE, INC.  
414 SOUTH JEFFERSON STREET  
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**JACQUELINE M. PUBANZ**

11:57:46 1 your position with respect to the roads  
 11:57:49 2 contract, did MTE do anything different in  
 11:57:52 3 preparing invoices or otherwise administering  
 11:57:56 4 the roads contract?  
 11:57:58 5 A I don't know.  
 11:57:58 6 Q I want to talk about the forest management  
 11:58:01 7 contract for a minute. That's separate from the  
 11:58:04 8 roads contract.  
 11:58:05 9 A Correct.  
 11:58:05 10 Q Did you have administrative duties with respect  
 11:58:07 11 to the forest management contract?  
 11:58:09 12 A Yes.  
 11:58:10 13 Q What were your duties pursuant to the forest  
 11:58:14 14 management contract?  
 11:58:15 15 A Administratively I prepared the invoices, the  
 11:58:20 16 drawdowns, faxing the 269s.  
 11:58:26 17 Q And pursuant to the forest management contract,  
 11:58:29 18 when you faxed the 269s, same question as the  
 11:58:32 19 roads contract, did you ever indicate that that  
 11:58:33 20 was an invoice when you faxed it?  
 11:58:35 21 A No, I did not.  
 11:58:36 22 Q And was SF 269A an invoice?  
 11:58:40 23 A No, it is not.  
 11:58:41 24 Q Keep going, other duties. I'd like the full  
 11:58:46 25 list, to the best you can remember.

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**JACQUELINE M. PUBANZ**

11:59:44 1 A It was for money already spent.  
 11:59:46 2 Q Okay. Did you have possession of modifications  
 11:59:50 3 to the forest management contract in your files?  
 11:59:52 4 A Yes.  
 11:59:54 5 Q And did you read the forest management contract?  
 11:59:58 6 A Yes.  
 12:00:00 7 Q Did you read the forest management contract  
 12:00:02 8 modifications?  
 12:00:04 9 A Yes.  
 12:00:04 10 Q Were you familiar with the terms of the forest  
 12:00:09 11 management contract?  
 12:00:09 12 A Yes.  
 12:00:10 13 Q And were you familiar with the terms of  
 12:00:13 14 modifications to the forest management contract?  
 12:00:16 15 A Yes.  
 12:00:17 16 Q And did you understand how the forest management  
 12:00:21 17 contract worked? In other words, I want to say  
 12:00:24 18 terms, but you were having trouble with that  
 12:00:26 19 phraseology earlier. Did you know generally  
 12:00:29 20 what was required pursuant to the forest  
 12:00:31 21 management contract?  
 12:00:32 22 A Generally, yes.  
 12:00:33 23 Q And did you know how to administer it?  
 12:00:36 24 A Cler -- administratively.  
 12:00:42 25 Q You knew how to perform your duties pursuant to

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11:58:48 1 A I have -- I had administrative functions.  
 11:58:58 2 Q Right. And I'm just wanting to get the list of  
 11:59:01 3 specifically what it is you did with respect to  
 11:59:03 4 that contract.  
 11:59:03 5 A Okay. I gave them.  
 11:59:06 6 Q And that's the full list?  
 11:59:07 7 A Yes.  
 11:59:07 8 Q Okay. Did you have possession of the forest  
 11:59:09 9 management contract?  
 11:59:13 10 A Yes.  
 11:59:13 11 Q Why are you certain that S -- Form SF 269A is  
 11:59:18 12 not an invoice?  
 11:59:19 13 A Because it's a report. We don't -- because you  
 11:59:24 14 don't get money from the invoice. It's money  
 11:59:27 15 you spent already.  
 11:59:28 16 Q So the company never considered that to be an  
 11:59:30 17 invoice, as far as you knew?  
 11:59:33 18 A I don't know that.  
 11:59:33 19 Q But you didn't?  
 11:59:34 20 A No.  
 11:59:34 21 Q And you were never told it was an invoice?  
 11:59:37 22 A No.  
 11:59:38 23 Q And you didn't ever understand that BIA was  
 11:59:40 24 considering this as an invoice. That's correct,  
 11:59:44 25 isn't it?

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12:00:45 1 that contract?  
 12:00:46 2 A Clerically, yes.  
 12:00:49 3 Q And did you know which expenses were allowable  
 12:00:54 4 or disallowable pursuant to the forest  
 12:00:56 5 management contract?  
 12:00:58 6 A Yes.  
 12:00:58 7 Q Did you make presentations to Larry Waukau about  
 12:01:03 8 the forest management contract?  
 12:01:05 9 A I don't recall.  
 12:01:06 10 Q How about the MTE Board?  
 12:01:09 11 A No.  
 12:01:10 12 Q Did you make any presentations to Marshall  
 12:01:14 13 Pecore about the forest management contract?  
 12:01:15 14 A I don't recall.  
 12:01:16 15 Q Did you communicate with BIA about road contract  
 12:01:21 16 terms?  
 12:01:23 17 A I thought we were talking about forestry.  
 12:01:26 18 Q Excuse me. Forest management contract terms.  
 12:01:29 19 Thank you.  
 12:01:31 20 A Can you repeat the question?  
 12:01:33 21 Q Yes. Did you communicate with anybody from BIA  
 12:01:35 22 about forest contract -- forest management  
 12:01:40 23 contract terms?  
 12:01:41 24 A Possibly.  
 12:01:45 25 Q Did you communicate with Sean Hart about the

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**JACQUELINE M. PUBANZ**

1 STATE OF WISCONSIN )

)

2 COUNTY OF BROWN )

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4 I, JACQUELINE M. PUBANZ, do hereby  
5 certify that the foregoing transcript was taken of me  
6 on February 5, 2008; that I have read the foregoing  
7 transcript, that corrections, if any, are itemized on  
8 a separate page attached hereto; that said transcript  
9 is now a true and correct transcript of my testimony.

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Deponent

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