

Kelly M. Drew, ID Bar 9985  
[kdrew@grsm.com](mailto:kdrew@grsm.com)  
Brittney C. Adams, ID Bar 11754  
[badams@grsm.com](mailto:badams@grsm.com)  
GORDON REES SCULLY MANSUKHANI, LLP  
999 W. Main Street, Suite 100  
Boise, ID 83702  
Tel: 208-489-9095  
Fax: 877-306-0043

*Counsel for Defendant North Idaho College*

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

DOMINIC SWAYNE, an individual,

Plaintiff,

v.

NORTH IDAHO COLLEGE, a community  
college in the State of Idaho,

Defendant.

Case No.: CV28-22-7712

*Hon. Cynthia K.C. Meyer*

**DECLARATION OF SARAH GARCIA  
IN SUPPORT OF DEFENDANT’S  
MOTION FOR RECONSIDERATION**

I, SARAH GARCIA, declare as follows:

1. I am the Vice President of Finance at North Idaho College (“NIC”). I have held this position for 4 months, but was interim for a year prior to that and have been the controller at the college since 2003. I have personal knowledge of the information contained in the declaration and if called as a witness in this matter, I could and would testify thereto under oath.

2. I have reviewed a transcript of Dr. Swayne’s testimony provided to me by Gordon Rees Scully Mansukhani LLP from the hearing on February 24, 2023.

3. I was asked to review the transcript of the testimony and correct inaccuracies.

DECLARATION OF SARAH GARCIA

4. Below is a summary of the statements in Dr. Swayne's testimony for which I wish to provide clarification.

5. Dr. Swayne statement testified to the following:

*A: Strategic planning and planning to address the shortcomings and improve what was going on at the college. Those are all the things that we're engaged with building community relations.*

*Q: And were you working on a strategic plan prior to being placed on leave?*

*A: Correct.*

*Q: Okay. And what was part of that strategic plan?*

*A: The big part of the strategic plan was repairing and improving the relationships with the community and -- and primarily focus on enrollment and retention and recruiting the students.*

Hearing Transcript, p. 49: 4-16.

This statement is not in alignment with my experience. There has not been a coordinated or formal process to update or revise the college strategic plan that I have been advised of or involved with.

6. Dr. Swayne further testified to the following:

*Q: Okay. And based on the communications with the individuals from NIC, had they done research in regards to the cost of changing conferences?*

*A: Yes.*

*Q: Okay. And what is your understanding of what the cost to change conferences would be?*

*A: Yeah, likely to be, as I said, 1 to \$2 million.*

Hearing Transcript, p. 63: 5-12. *See also*, p. 65-66.

My office has not done a formal calculation of the cost of the change in conferences. I likely had a conversation about the fact that the change would be an additional expense with Dr. Swayne, but I did not provide or calculate a specific amount. In fact, as of today I have still not done any calculation as there is not enough information for me to do so and I have not been asked to make that specific calculation. Therefore, any cost calculation for the change in conferences would only be an estimate.

DECLARATION OF SARAH GARCIA

7. I have been asked to provide this affidavit for the college, and agreed to do so as I feel it important to provide additional clarification. This is uncomfortable to me. However, I do believe that I have an ethical obligation to ensure the record is clear about the issues raised herein.

I declare under penalty of perjury that the foregoing is true and correct, and that I executed this document on this 17th day of March, 2023, in Coeur d'Alene, Idaho.

DocuSigned by:  
*Sarah Garcia*  
841001BA25E14AD...  
\_\_\_\_\_  
SARAH GARCIA

## CERTIFICATE OF SERVICE

On March 17 2023, I caused the foregoing document to be filed via the Court's iCourt CM/ECF system which will send same to all counsel of record in this matter.

Tara Malek, ISB 8709 Katie L. Daniel, ISB 10473 Kyle A. Engels, ISB 11109 Smith + Malek, PLLC 601 E. Front Street, Suite 304 Coeur d'Alene, ID 83814 (208) 215-2411 <a href="mailto:service@smithmalek.com">service@smithmalek.com</a> Attorney for Plaintiff	By Hand Delivery By U.S. Mail By Overnight Mail By Facsimile By Email X By iCourt
Bret A. Walther Anderson Julian & Hull LLP 250 S. 5 <sup>th</sup> Street , Suite 700 Boise, ID 83702 (208) 344-5800 (208) 344-5510 <a href="mailto:bwalther@ajhlaw.com">bwalther@ajhlaw.com</a> Attorney for Defendants	By Hand Delivery By U.S. Mail By Overnight Mail By Facsimile By Email X By iCourt

/s/ Kelly M. Drew

Kelly M. Drew, ID Bar 9985

kdrew@grsm.com

DECLARATION OF SARAH GARCIA