

ERIN SMITH - February 09, 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Kimberly R. Sweidy,	)	
	)	
Plaintiff,	)	
	)	Case No.
v.	)	CV-21-08013-PCT-SPL
	)	
Spring Ridge Academy, an	)	
Arizona corporation, Jean	)	
Courtney, Suzanne Courtney,	)	
Brandon Courtney, Erin Smith,	)	
Leslie Filsinger, Justin Zych,	)	
Kate Deily, Veronica Borges,	)	
and Does 1 through 20,	)	
	)	
Defendants.	)	
	)	

VIDEOTAPED DEPOSITION OF ERIN SMITH

February 9, 2022

8:57 a.m.

711 Whipple Street, Suite C
Prescott, Arizona 86301

Shelley E.D. Pearce, RPR, CR No. 50301

ERIN SMITH - February 09, 2022

1 would it have been to other people at Spring Ridge
2 Academy?

3 A. It would have been to all of the above, I guess.

4 Q. But you don't have any recollection of any
5 specifics?

6 A. Not specifics, no.

7 Q. All right. I'm going back to the February
8 letter, Exhibit 267. Paragraph 5, the final paragraph
9 reads [as read]: Any court documents pertaining to Jane
10 Doe's attendance at Spring Ridge Academy, including all
11 court orders, shall be immediately submitted to Spring
12 Ridge Academy in order that it can comply with the court's
13 ruling.

14 Was there a reason that this request was put in
15 this letter?

16 A. I believe it was just to ensure we had complete
17 information.

18 Q. As of February 25th, 2020?

19 MR. CASAZZA: Form.

20 THE WITNESS: No. So just as, like, future
21 court orders came about, knowing that the ex parte order
22 would require additional judgment, we wanted to ensure
23 that we received all -- all necessary information in order
24 to comply with the court's orders.

25 BY MS. ALLARD:

ERIN SMITH - February 09, 2022

1 Q. Are you aware that the court had to make
2 additional orders that would allow mother to have the same
3 access as father in April of 2020?

4 A. Yes.

5 Q. What efforts did Spring Ridge Academy make to
6 rescind the February 25th, 2020, directive to be compliant
7 and consistent with the court's April 7th, 2020, order?

8 A. I don't know.

9 MR. CASAZZA: Form.

10 BY MS. ALLARD:

11 Q. Isn't it true that Spring Ridge Academy did not
12 make any changes to the February 25th, 2020, directive in
13 response to the April 7th, 2020, order?

14 MR. CASAZZA: Form.

15 MR. GRUSE: Form and foundation.

16 THE WITNESS: I don't know about specific
17 actions. We did not create a new document.

18 BY MS. ALLARD:

19 Q. Did you facilitate in-person visits for
20 Ms. Sweidy to visit her daughter --

21 MR. CASAZZA: Form.

22 MR. GRUSE: Join.

23 BY MS. ALLARD:

24 Q. -- after April 7th, 2020?

25 MR. GRUSE: Form.

ERIN SMITH - February 09, 2022

1 MR. CASAZZA: Join.

2 THE WITNESS: No, we did not allow visitors on
3 our campus during that time.

4 BY MS. ALLARD:

5 Q. Did you rescind the restriction regarding
6 Ms. Sweidy's contact with Veronica Borges after April 7th,
7 2020?

8 MR. GRUSE: Form.

9 MR. CASAZZA: Join.

10 THE WITNESS: Not that I'm aware of.

11 BY MS. ALLARD:

12 Q. Did you rescind the restriction from
13 Ms. Sweidy's ability to contact staff after the order
14 dated April 7th, 2020?

15 MR. GRUSE: Form.

16 MR. CASAZZA: Join.

17 THE WITNESS: Not that I'm aware of.

18 BY MS. ALLARD:

19 Q. The February 25th, 2020, letter stated that
20 Ms. Sweidy was to get copies of monthly summaries prepared
21 by Veronica Borges.

22 Were you aware of that?

23 MR. CASAZZA: Form.

24 THE WITNESS: Yes.

25 BY MS. ALLARD:

ERIN SMITH - February 09, 2022

1 Q. In the production, when you pressed control all,
2 I did not see any monthly summaries prepared by Veronica
3 Borges. Is there a reason for that?

4 MR. CASAZZA: Form.

5 MR. GRUSE: Join.

6 THE WITNESS: It's outside of my knowledge.

7 BY MS. ALLARD:

8 Q. Do you know whether or not any records
9 maintained by Spring Ridge Academy contain monthly
10 summaries prepared by Veronica Borges?

11 A. I do not know.

12 Q. I'm going to show you Exhibit 37.

13 (Exhibit 37 marked.)

14 BY MS. ALLARD:

15 Q. Do you recognize Exhibit 37?

16 A. Yes.

17 Q. Did you receive the email dated Thursday
18 June 11th, 2020, from me on April 7th -- I'm sorry -- on
19 June 11, 2020?

20 A. Yes.

21 Q. Did you understand from my communication to you
22 that a demand was made for all therapy and academic
23 records, as well as records from all of Jane Doe's current
24 teachers on measures used to track Jane Doe's performance,
25 including testing? Typically, this would include a class

ERIN SMITH - February 09, 2022

C E R T I F I C A T I O N

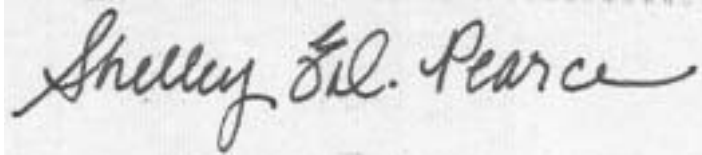
I, SHELLEY E.D. PEARCE, RPR, a Certified Reporter within and for the State of Arizona, do hereby certify:

That the foregoing deposition was taken before me; that an oath or affirmation was duly administered to ERIN SMITH, pursuant to A.R.S. 41-324(B); that the questions propounded to the witness and the answers of the witness thereto were taken down by me in shorthand and thereafter reduced to typewriting; that the transcript is a full, true, and accurate record of the proceedings, all done to the best of my skill and ability; and that the preparation, production, and distribution of the transcript and copies of the transcript comply with the Arizona Revised Statutes and ACJA 7-206(J)(1)(g)(1) and (2).

The witness has requested transcript review and signature.

I FURTHER CERTIFY that I am not related to any of the parties, nor am I in any way interested in the outcome hereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of February, 2022.



Shelley E.D. Pearce, RPR
Arizona CR No. 50301



Registered Reporting Firm No. R1210

Assignment No. 158559