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 1          I am going to make sure I agree with what you're

 2          saying.  So if you could repeat it I'd

 3          appreciate it.

 4     Q.   The dialer report can provide detail of how many

 5          hours were logged or worked by client?

 6     A.   Yes.

 7     Q.   You can pull that information up in a dialer

 8          report?

 9     A.   You can.

10     Q.   And that would be the source of the information

11          for us to perform this analysis?

12     A.   I would think that would be the source.  Again,

13          my concern was hours added.  You had mentioned

14          breaks and things like that.  I would think the

15          column would say breaks.  I wouldn't think that

16          they would say that.  And actually some things

17          you said today would also furthers my belief

18          that they have been a problem there.

19              ARBITRATOR CROW:  Let me, there are a lot of

20          decisions that I need to make, as you both know,

21          with respect to this matter.  Let me see if I

22          can summarize what I think the issue is with

23          respect to Exhibit 15 and what ultimately

24          resulted from it, and that is that Mr. Zweizig
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Exhibit 7 page 000123

25   received Exhibit 15 via e-mail from someone. He

Exhibit 7 page 000124

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1   looked at Exhibit 15 and saw columns about hours

2   added, which he believed to be inappropriate

3   believing, as I understand it, that someone of

4   NorthWest Direct tell a services clients had

5   been over billed because of the hours added. He

6   forwarded this Exhibit 15 to Mr. Rote and said

7   it appears to me that the company is over

8   billing someone. Can you explain to me whether

9   that is the case? And if not, why it is not the

10   case. Mr. Zweizig did not hear from Mr. Rote

11   within the time he thought was reasonable, so he

12   asked his lawyer what shall I do?

13   Based upon advice of counsel from

14   Mr. Zweizig's testimony, he was told that he

15   should report it to the state of Oregon

16   department justice as a potential over billing.

17   The department of justice, as I understand it,

18   investigated and found there was no over

19   billing. And I think it's fair for me to

20   conclude, based upon the department of justice

21   conclusion as well as what I've heard from

22   Mr. Rote and now Exhibit 120, that there was, in

23   fact, no over billing. But it does not

24   necessarily lead to the conclusion that

Exhibit 7 page 000125

EX6 pg125

25   Mr. Zweizig was wrongful in following advice of

Exhibit 7 page 000126

EX6 pg126

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1       counsel about the report.  Am I miss judging the

2       circumstances of Exhibit 15?  First of all you,

3       Mr. Rote.  Am I mistaken in my conclusions about

4       Exhibit 15.

5            MR. ROTE:  You are not, no.

6            ARBITRATOR CROW:  Ms. Marshall.

7            MS. MARSHALL:  I would take one exception

8       and that is I don't think there's been any

9       evidence that the department of justice reached

10      any conclusion.  They simply didn't investigate,

11      is I think what the evidence has been.

12           ARBITRATOR CROW:  Certainly they didn't

13      conclude NorthWest Direct had done anything

14      wrongful.

15           MS. MARSHALL:  Right.  So they may have

16      drawn that, well I don't know that they drew

17      that conclusion.

18           ARBITRATOR CROW:  They didn't do anything

19      about it.

20           MS. MARSHALL:  They may not have

21      investigated because they didn't believe it was

22      within their purview to investigate T it may not

23      have fallen under their statute.  They just

24      didn't do anything.
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Exhibit 7 page 000127

EX6 pg127

25   ARBITRATOR CROW: Well, I have nothing in

Exhibit 7 page 000128

EX6 pg128

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1        front of me at this point to conclude that

2        NorthWest Direct did anything wrongful.  But I

3        do have evidence this front of me that led

4        Mr. Zweizig to question whether it had done

5        anything wrong.  Okay.

6            MR. ROTE:  Yes.

7            ARBITRATOR CROW:  Is that what I can

8        conclude from Exhibit 15 and the analysis of

9        that exhibit from Exhibit 120?

10            MR. ROTE:  I presume everyone's exhausted

11        with Exhibit 120 at this point.  So I'm going

12        to --

13            ARBITRATOR CROW:  Good.  I think I

14        understand what the issue is with respect to the

15        report by Mr. Zweizig, why he made it and.

16            MS. MARSHALL:  May I take a one minute

17        break?

18            ARBITRATOR CROW:  Yes.  Starting right now.

19            (Break taken from * to *.)

20            ARBITRATOR CROW:  You are prepared to

21        proceed with cross-examination.

22            MR. ROTE:  I am, yes.

23            ARBITRATOR CROW:  Go ahead.

24    Q.  BY MR. ROTE:  There are a number of just kind of
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Exhibit 7 page 000129

EX6 pg129