

# Fresno Unified looks to outside firm in response to federal subpoena

By Mackenzie Mays  
mmays@fresnobee.com

As the deadline to respond to a federal grand jury subpoena nears, the Fresno Unified School District is proposing that an independent firm step in to handle the vast amount of data sought by the U.S. Attorney's Office in its ongoing investigation of the district's no-bid construction contracts.

At Wednesday's school board meeting, Fresno Unified trustees will vote whether to hire [Discovia](#), a San Francisco-based firm that specializes in helping organizations comply with electronic evidence collection in litigation or government investigations. The firm works to "reduce litigation costs and gain better control and visibility into litigation matters and increase defensibility," according to its website.

If approved, the district will pay nearly \$100,000 to Discovia for services through June that may include "consulting, data collection, forensic analysis, hosting, culling, processing, document review and production," according to the proposed [contract](#).

According to the [subpoena](#), Fresno Unified must respond by Thursday – the deadline set by the U.S. Attorney's Office when the subpoena was served in August. But attorney Carl Faller, whom the district hired to help comply with the subpoena's demands, said FUSD is working with prosecutors to establish a more realistic deadline.

There have been whisperings of data collection that hasn't been correct in the district, with regards to the subpoena, so I'm 100 percent in favor of a professional firm collecting all the data and presenting it to the U.S. Attorney's Office in an accurate, precise manner.

FUSD Trustee Brooke Ashjian

"The mass of information and the procedures that the district had to go through ... that all takes some time. A private business can act a lot faster," Faller said.

"It takes a while to get the process completed, but we're in constant contact with prosecutors. We'll be working with them to make sure they'll get everything they need over the next couple months. It's going to take whatever amount it takes. With a lot of these things, you really don't know what the timeline is going to be until you get inside it."

Faller would not disclose where the district stands in the process.

The subpoena demands a wide range of financial documents related to the use of public bond money for "lease-leaseback" deals made with Harris and Bush Construction firms. Leaseback agreements were designed to allow cash-strapped districts to go outside the traditional competitive bid process to build schools, but Fresno Unified's use of the process has landed the district in [court](#).

The subpoena also asks for district officials' personal emails and phone records, and for any information related to contractors' involvement in the passage of Measure Q and campaigns to get Fresno Unified trustees elected.

"There have been whisperings of data collection that hasn't been correct in the district, with regards to the subpoena, so I'm 100 percent in favor of a professional firm collecting all the data and presenting it to the U.S. Attorney's Office in an accurate, precise manner," FUSD Trustee Brooke Ashjian said. "It's an expense, but we want to know what happened."

Last [month](#), the Fresno Teachers Association voiced concerns that Fresno Unified officials could be shredding documents related to the investigation. Superintendent Michael Hanson has denied those claims, and he and other top officials contend they are complying with the investigation.

Mackenzie Mays: [559-441-6412](tel:559-441-6412), [@MackenzieMays](#)

If you go

Fresno Unified has moved the location of the Board of Trustees' meeting for Wednesday because of elevator problems at the district's headquarters that make getting to the regular meeting room difficult. The 5:30 p.m. meeting will be held in the multipurpose room at Phillip J. Patiño High School, 2000 East Cambridge Ave. Closed session starts at 3:15 p.m. in another room at Patiño.

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