



Matt Kirk [REDACTED]

Re:

Matt Kirk [REDACTED] Tue, Oct 17, 2023 at 5:03 PM
To: Brett Geithman <bgeithman@lcmschools.org>
Cc: [REDACTED], John Carroll
<jcarroll@marinschools.org>, Jon Weinberg [REDACTED]
[REDACTED] Kristina Neal [REDACTED] Sara
Ryba <sryba@sparkschools.org>, Stephen Marotto [REDACTED]
[REDACTED]

Also, I think you mistakenly didn't reply to the latest correspondence between us on this matter. Pasting below so it is also part of the email record for all parties to review.

Let's move forward from the back and forth to scheduling the volunteer audit. That is a productive use of time. Spark board, please confirm that it is also your wish to proceed with the volunteer audit and we can transition our focus to scheduling.

On the topic of good news, I will indicate that Spark can expect this audit to have an immediate benefit to fundraising. My family will commit to donating at a certain level if the audit is allowed to happen and I (or Mr. Marotto) am one of the volunteers, and we will grow our giving if it is clean. Additionally, we will again seek to commit to grow our giving if the audit is clean AND Spark hits various efficiency thresholds. To assist with sizing the potential contribution levels, I will offer If Spark can deliver a clean volunteer audit and a 95%+ efficiency level, inline with '09-'13 levels, my family will seek to give at a higher level than we ever have historically. This won't be binary. With a clean audit and a 90%+ efficiency level we would still commit to give at a substantial level, etc.

This can be a great outcome. I will happily advertise that I am giving which should also help to reinstall trust and confidence in other families that are considering making a donation.

Thanks,
Matt

----- Forwarded message -----

From: **Matt Kirk** [REDACTED]
Date: Tue, Oct 17, 2023 at 5:32 AM
Subject: Fwd: Beers today 4:45/5:00pm
To: Brett Geithman <bgeithman@lcmschools.org>
Cc: John Carroll <jcarroll@marinschools.org>, <trustees@lcmschools.org>

Following up again here. For the avoidance of doubt, my Oct 11th email contains no CPRA requests. You have no legal requirement pursuant to CPRA laws to respond to anything in that email that you mistakenly interpreted to be a CPRA request. If you continue to "process" and spend district time and funds on responding to that email under the guise that it contains CPRA requests, that is on you alone.

I also find myself wondering why you have taken to reporting to Ms. Ryba on these purported CPRA requests, and if you represented to her dishonestly that I was presented an offer for a Spark audit and rejected it (as she reported to other Spark board members) or if she just made it up. It of course never happened, as multiple witnesses can attest.

Recent communications from both you and her have seemed to seek to weaponize the alleged costs associated with my three actual CPRA requests in mass community communications to predictably elicit community calls for me to stop seeking information that remains important to potentially addressing still outstanding questions.

I will again point out that I believe it to be highly inappropriate and unusual to actively campaign the community to pressure me to withdraw my one remaining CPRA request, which seeks email correspondence to and from you in part, in front of fulfilling it. It also presents as a clear conflict of interest.

And let's not forget why this matters. If Spark can improve its transparency and repair the community's trust after the financial restatements, unreported PPP loans and Ryba "zero compensation" false statements on a federal tax filing, the community will be able to give more generously. An audit can do that. A volunteer-led audit is free.

And if Spark can get back to pre-Ryba efficiency levels, I estimate that would drive an incremental \$3.3m to the kids over the next decade.

A Spark audit and improved efficiency benefits the kids. You instructing the district to engage in profligate legal spending to stonewall me does not.

On Tue, Oct 17, 2023 at 4:37 PM Matt Kirk [REDACTED] wrote:

Brett, you are too funny. These types of shenanigans will not work. It always comes out. Given we are now playing semantics, please consider any PRA requests that you believe to have been made by me in the October 11 email to you to be withdrawn, though I continue to assert they never existed in the first place. What a waste of time this all is.

If you want to dutifully respond, please direct your attention to fulfilling the PRA that has been outstanding since June 23rd. That one is real, and it has been 116 days since the request was made.

On Tue, Oct 17, 2023 at 4:27 PM Brett Geithman <bgeithman@lcmschools.org> wrote:

Hi Matt,

The district is committed to transparency and dutifully responds to all requests. You can expect my response on or before October 23, 2023.

Thanks,

Dr. Brett Geithman

Superintendent

he/him/his

Larkspur-Corte Madera School District

230 Doherty Drive, Larkspur, CA 94939

415.927.6960 x3202

#WEareLCMSD

www.lcmschools.org

bgeithman@lcmschools.org

From: Matt Kirk [REDACTED]

Date: Monday, October 16, 2023 at 9:19 PM

To: Brett Geithman <bgeithman@lcmschools.org>

Cc: [REDACTED]
John Carroll <jcarroll@marinschools.org>, Jon Weinberg [REDACTED]

Kristina Neal

[REDACTED], [REDACTED] Sara Ryba
<sryba@sparkschools.org>, Stephen Marotto [REDACTED]

[REDACTED]

Subject: Re: Beers today 4:45/5:00pm

No. That was not a CPRA. I can both state that questions are outstanding in a correspondence and not make requests for those questions to be addressed via the CPRA process.

Please stop weaponizing the CPRA process. And for the future rest assured that if I am making a PRA request I will designate it as such.

On Mon, Oct 16, 2023 at 7:06 PM Brett Geithman <bgeithman@lcmschools.org> wrote:

Hi Matt,

To clarify, on October 11, 2023, you sent me an email titled, "Fwd: Oct 10, 2023 Digest: 2 new messages from Larkspur-Corte Madera School District today." Due to its content, that email has been classified as a new CPRA request with six questions. One will most likely be denied and the other five will receive my initial response on or about October 23, 2023.

One does not need to formally state they are making a CPRA request, it is more about what is being asked which determines whether or not it is a CPRA request.

Thanks,

Dr. Brett Geithman

Superintendent

he/him/his

[Larkspur-Corte Madera School District](#)

[230 Doherty Drive, Larkspur, CA 94939](#)

[415.927.6960 x3202](#)

[#WEareLCMSD](#)

www.lcmschools.org

bgeithman@lcmschools.org

From: Matt Kirk [REDACTED]
Date: Monday, October 16, 2023 at 5:03 PM

To: Sara Ryba <sryba@sparkschools.org>

Cc: Jon Weinberg [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Kristina Neal [REDACTED]
[REDACTED]
[REDACTED] John Carroll <jcarroll@marinschools.org>, Stephen Marotto
[REDACTED] Brett Geithman <bgeithman@lcmschools.org>, [REDACTED]
[REDACTED]

Subject: Fwd: Beers today 4:45/5:00pm

Hi Sara,

Director Strasser shared with me that you told her and other Spark board members today that Mr. Marotto and I were recently offered that Spark would undergo an independent audit as a path to moving forward from these matters and that we did not accept. This was said to have happened at a meeting earlier this month with Ryan Wagner and Brett Geithman at Mr. Wagner's residence. **For the avoidance of doubt, this is not true.**

In fact, not only did both myself and Mr. Marotto advocate for an audit during the meeting but we also both sent follow-up emails (to which Dr. Geithman has yet to respond) below to the same effect. And I am sure both Mr. Wagner and Dr. Geithman (cc'd here) can also confirm this fact.

She also told me that you said I have recently also filed another 5 CPRA requests. **For the avoidance of doubt, this is also not true. To Dr. Geithman, I am very clear in indicating in my correspondence to you when I am making a PRA and this statement is patently false. Please confirm such here on this chain.**

Going forward, please be more careful before attributing any quotes to either Mr. Marotto or myself. While I can understand you may not appreciate the questions we have asked, they are in the interest of transparency and to the benefit of the kids and I think it remains important that everyone involved still seek to operate with integrity.

On to the good news, since you are also amenable to proceeding with an audit let's move past the back and forth and proceed. I will again offer here that I am willing to accept the results of a volunteer-led audit that includes myself or Mr. Marotto alongside other community members, and offer that I will perform those services for free if Spark wishes to proceed with a volunteer-led process to save money. I think this could be a free and important step to moving past existing concerns around the reliability of Spark's financials given past misstatements and the change in accountant and bolstering Spark's commitment to transparency. I think this step would also benefit Spark's fundraising efforts.

Please confirm you wish to proceed and we can go about collectively identifying and soliciting other volunteers and setting a timeline to complete.

Thanks,

Matt

----- Forwarded message -----

From: **Stephen Marotto** [REDACTED]
Date: Fri, Oct 6, 2023 at 7:07 AM
Subject: Re: Beers today 4:45/5:00pm
To: Matt Kirk [REDACTED]
Cc: [REDACTED] bgeithman@lcmsschools.org <bgeithman@lcmsschools.org>

Brett, [REDACTED] nd Matt,

Great to spend time together yesterday. Thank you [REDACTED]

Trust but verify is necessary to move forward given the circumstances and abundance of factual and behavioral red flags. And I think that can be solved via a small private committee review quickly and efficiently. How do we do that?

We can easily put together an agreeable audit plan to review the core issues and ultimately prepare a simple report (signed by the committee) of key findings (or lack thereof) for the recent fiscal years in question. The report may be shared with key interested parties only.

Setting a clear objective and process would make this effective, fair and brief. Close out the issue.

Thereafter, we see opportunity to review and improve, as needed, the policies, governance and procedures of the organization to safeguard against potential errors or fraud, and ultimately promote sustainable and responsible growth for Spark. That could be done by a new board member position perhaps being responsible for "internal audit" function and that position would likely need to be refreshed with a new outsider every couple of years.

I'd love to see a committee to transparency, reliability and governance to ensure success for years to come.

Glad to help in any way and collaborate with Spark.

Best,

Stephen

On Thu, Oct 5, 2023 at 9:21 PM Matt Kirk [REDACTED] wrote:

Thanks for hosting today [REDACTED] and to Brett and Stephen for also attending.

I really like the group's focus on how we move forward. I will again offer here that I am willing to volunteer alongside other community members to do an audit once the new figures are finalized. I think this could be a free and important step to moving past existing concerns around the reliability of Spark's financials given past misstatements and the change in accountant and bolstering Spark's commitment to transparency. I think this step would also benefit Spark's fundraising efforts.

Best,

Matt

See you guys soon. Cobwebs in front walkway

From: Matt Kirk [REDACTED]
Sent: Thursday, October 5, 2023 12:01 PM
Cc: Stephen Marotto [REDACTED] bgeithman@lcmschools.org
<bgeithman@lcmschools.org>
Subject: [EXTERNAL] Re: Beers today 4:45/5:00pm

Caution: Message from external sender

Thanks [REDACTED] Adding Stephen.

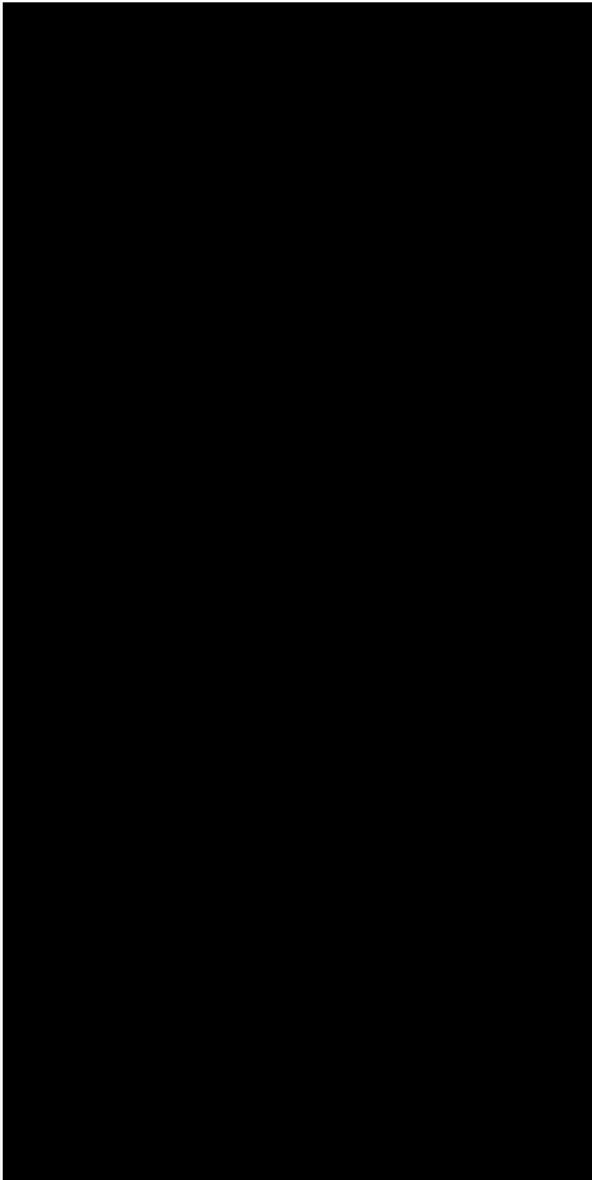
On Thu, Oct 5, 2023 at 9:19 AM [REDACTED] wrote:

Friends-

Let's get a beer at my house today. I think this works with all of our schedules, looking forward to it.

[REDACTED]

Looking forward to it!



*&

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