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The WAO Files 6: Sumner Matthes.

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“Why are you calling me?” Sumner Matthes asked when I called him in early October, days after Carol and Ron Asvestas had been terminated and their daughter Nicole put in charge of WAO.

After examining hundreds of pages of public records related to WAO, I came to the conclusion that Matthes, WAO’s vice president, was often the most lucid voice in a disintegrating operation. I was curious to know why, after years of siding with WAO’s bosses, he eventually decided to join in the uprising.

In early October, Matthes spoke with us on the phone from Florida (where he resides) and later sent us additional answers via email.

Why am I calling you? You’re a member of the board, aren’t you?

Yes, I am.

Going through public records, it seemed to me that you’ve been the voice of reason all along, and I thought you were a good person to call to help me make sense of the latest developments at WAO.

And who are you with?

San Antonio Current...

Well... I’ll talk to you a little bit... I might have to turn you back to our attorney, but I’ll give it a shot. What do you need?

The Asvestas claim that they were wrongfully terminated, because there were only three people at the board meeting where it was decided to terminate them, not five, as dictated by WAO’s by-laws.

Yeah... I can tell you one thing: There were five members when we terminated them. Not “terminated,” but when we put them on administrative leave and then, subsequently, took action when they tried to remove equipment from the office. And that resolved into termination.

Why did the board decided to raise Ron and Carol’s salaries to \$100,000, in the middle of an investigation by the USDA?

It was voted upon... The reason it was done was... We reviewed other organizations, similar organizations throughout the country to determine how much the executive directors were being paid, and that felt that was the right amount.

But the raise took place in the middle of so many allegations. It sounds like a lot of

money to me...

Depending on how you look at it, sir... It depends on what's being done by the individuals who were given the pay raise at that time. You will probably find it not excessive at all.

Was the vote to suspend and terminate unanimous?

Yes, it was.

Couldn't you have acted earlier? Why now? Didn't you think the allegations were true before?

The allegations probably have a lot of true in them, I can't say they were all true simply because I haven't seen all of them. There is supposedly a 600-page list of allegations that the Attorney General gave to Carol Asvestas. I have attempted since that time, and that was months ago, to get a copy of them and nobody [gave them to me]. As far as doing what we did, I think we went over backwards trying to resolve this problem. I think a lot of the problems were due to the fact that they have a lot of personal problems that affected their running of the orphanage.

So far do you see any change with Nicole running WAO?

Absolutely. I think things are definitely changing for the better. In fact, I just got off the phone with people out of Talley Rd., just a couple of hours ago, asking them if the food situation now there has improved for the animals and they guaranteed and assured me: Yes it had. I have to credit that to Nicole's diligence in getting that straightened out. I have heard nothing but positive things on Nicole since she's taking over the operation as CEO. I have been in touch with her on a daily basis to determine if there are any real problems. There are a number of problems that she's having personally with her family but, as far as the operation of the Wild Animal Orphanage, I think it has improved tremendously since she has taken over the job. As far as the lawsuit, I wasn't aware of it.

Among other things, the Asvestases claim WAO owes them money.

Anything like that I'm sure it's going to be a very long-term thing. There are many questions about how much money is owed to them. It's not something I want to talk about because, if we're going to be sued, we'll have to bring it up in the courts. I'm very disappointed in the actions of the Asvestas to sue the board of directors, who did everything they possibly could to work with them and to make things better down there, and it didn't happen.

Any examples?

I have been working with Carol Asvestas and Ron Asvestas, more Carol than Ron, for 13 years. I've been involved with the sanctuary down there for 13 years, and I kept finding things in the last couple years. Again, I think because of their personal problems, things were not getting accomplished. We were asking for the things that were not provided to us. We were asking for financial data, it did not get to us. As I said, that 600-page document that the Attorney General presented to them concerning the allegations that were being made by Ms. Brunner and others, as I understand it we were never able to determine who had it. In fact, at the last voting we asked about it and nobody seemed to

know where it was. So there's been a series of things over a considerable period of time that I think the board has tried their best to work with Carol and Ron Asvestas, but it hasn't been satisfactory. And in the last few months we've gotten complaints from the employees we got in the operations down there. And it was time, probably the best time, to take some positive actions to try to get this situation straighten down and I think we've been successful in doing that.

As opposed to Kristina Brunner's lonely crusade in the past, this time it was a massive uprising and you decided to take action?

That was part of it... But, again, part of it also was the fact that I wasn't obtaining information concerning the operation of the orphanage that I felt I was due as a board member.

That "information" includes, for example, the animal's death certificates?

That was part of the problem, yes. I don't know... Again, this is an ongoing thing because of the number of animals involved and the allegations that have been made. I don't think they've been reconciled totally. I believe the veterinarian was working on that, but again, nothing has been accomplished or finalized on the records of the animals.

Do you want to add anything else?

I don't know what are your plans based on my discussion with you, but I would like to say that everybody, employees and the board of directors at the orphanage, seem to be in an upbeat mood. I would hate to see some lawsuit destroy what we have accomplished in the last two weeks.

After Tammy Click, attorney for the Asvestases, sent responses on behalf of her client, I sent more questions to Matthes. The following are his written replies (my comments in brackets; third-person references were prepared, I assume, by Buck Benson, the new WAO lawyer, who was cc'd on the email I received from Matthes):

Was anybody present in person at the board meeting that ended with the suspension/firing of Ron and Carol, or was it a telephone meeting?

There were two (2) individual board members initially present at the initial meeting in which Carol and Ron were placed on Administrative Leave. Three (3) board members attended via a telephone conference call line. Our attorney at that time, Mr. [Eric] Turton [who no longer represents WAO but who represents Carol Asvestas in her libel suit against R.G. Griffing], was also physically present at the board meeting. It should be clearly understood that this meeting resulted in the unanimous vote to place Carol and Ron on Administrative Leave for 90 days without pay. At that point both Carol and Ron walked out of the meeting. It should be noted that one of the board members, Andrew Behaine, took the tapes that recorded the meeting and we have not been able to get them back, although our then-attorney [Eric Turton] indicated that he would see that they were returned. As a result, no minutes of this meeting are yet available. The board members were subsequently advised that Carol and Ron had left the meeting and had gone to the WAO office and were removing files, computers and other items from the WAO office. Law enforcement was called and responded. I believe a police report was made but I do

not have a copy.

As a result of the unlawful actions of Ron and Carol by removing company records, it was determined that there could well be obvious possible guilt reasons for their actions.

Based on their actions, three (3) board members (a quorum) met in a conference call and voted to terminate, for cause, the employment of Carol and Ron. At that point Andrew Behaine and Chris Morton both tendered their resignation from the [board of directors].

Is it true that they didn't have a chance to ask the board the reason of their firing nor to defend themselves?

Ron and Carol were not given specific reasons for the action that ended in their being placed on Administrative Leave. Sumner Matthes advised them that the board had more than sufficient documentation from employees and the [Attorney General] to take our action. Mr. Matthes has been attempting to obtain a copy of the AG Listing that contains 607 pages of copies of complaints filed against the ASUS/WAO. This file was requested by Carol and was sent to her on January 10, 2008. I have been trying to get the WAO to provide me with a copy since that date. When asked about this file during the Administrative Leave meeting nobody seemed to know where the file was. Also it is well known that Carol and Ron have had serious domestic problems in the immediate past which the board felt did not have to be made public at that time, but were taken into consideration by the BOD in reaching the decision to place them on Administrative Leave.

Is it true that, prior to the board meeting, there was a "secret" conference call between the three members who voted in favor of the suspension and in favor of putting Nicole in charge?

To the best of my knowledge, there were no "secret" phone calls between board members prior to the initial meeting. Because of the severity of the subsequent actions of Ron and Carol, the (3) remaining board members certainly did discuss what action should be taken. A board meeting by telephone was then convened and the termination action was voted on unanimously.

Haven't there been tours at Leslie Rd. before Nicole was in charge? Was there any insurance at Leslie Rd. in case a visitor gets injured? I was surprised to read Click's email accusing Nicole's WAO of touring without a license or insurance.

There have been tours at Leslie Road for many, many years. I do not know what the insurance status is for the Leslie Road property. This will be looked into by the board of directors and, if insurance coverage is not adequate, appropriate action will be taken to obtain proper insurance.

Posted by Kamikaze108 on 11/4/2009 2:36:09 PM