

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BARBARA ANN WILSON,)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	
)	CV-10-KOB-2386
CITY OF BIRMINGHAM, et al.,)	
Defendants.)	

DEFENDANTS' WITNESS & EXHIBIT LIST

The Defendants, the City of Birmingham, a municipal corporation under the laws of the State of Alabama, and the Birmingham Library Board, by and through their attorneys of record, and submits the following as their Witness and Exhibit list in the above-styled cause.

A. Primary Witnesses expected to be called:

1. Irene S. Blalock, Director, Birmingham Public Library, Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.
2. Angela F. Hall, Associate Director, Birmingham Public Library, Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.
3. Edith Major, Human Resources Director, Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.
4. Mike Lee, Head of Security, Birmingham Public Library,

Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.

5. Barbara Wilson, c/o: Adam Morel, Esq., 517 Beacon Parkway West, Birmingham, and AL. 35209.
6. Plaintiff's primary witnesses listed per Court's Pre-Trial Order and who are not stricken.

B. Optional Witnesses.

1. Barbara Clotfelter, Department Head, Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.
2. Sandra Lee, Supervisor, Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.
3. David Ryan, Librarian I, Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.
4. Robert Jones, Librarian I, Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.
5. Vera Broussard, Library Assistant III, Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.
6. Karen Jackson, c/o: Adam Morel, Esq., 517 Beacon Parkway West, Birmingham, and AL. 35209. Ms. Jackson is the Plaintiff in CV-11-2632-LSC.
7. Pam Lyons (retired), former Associate Director, Birmingham Public Library, Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.
8. Peggy Polk, Director, Office of Personnel, City of Birmingham, City Hall, 710 North 2^{0th} Street, Birmingham, AL. 35203.
9. Barry Lollar, Deputy Director, Office of Personnel, City of

Birmingham, City Hall, 710 North 20th Street, Birmingham, AL. 35203.

10. Sandy Roberts, Personnel Department, City of Birmingham, 710 North 20th Street, Birmingham, AL. 35203.
11. Barbara Sirmans, former Director, Birmingham Public Library, Birmingham Public Library, 2100 Park Place, Birmingham, Alabama 35203.
12. Any witnesses necessary for authentication purposes.
13. Any witnesses necessary for impeachment.
14. Any witnesses for rebuttal purposes.
15. Plaintiff's optional witnesses listed per Court's Pre-Trial Order and who are not stricken.

C. Optional Witnesses expected to be called by Deposition

1. Defendants currently have no plans to call any witnesses by deposition but reserve the right pursuant to F.R.C.P 32.

D. Exhibits expected to be offered/used at trial.

1. Deposition and attached Exhibits, Irene Blalock. (Pages 311-322, reserve right to use other pages). (Optional Exhibit)
2. Deposition and attached Exhibits of Plaintiff Barbara Wilson. (All pages). (Optional Exhibit)
3. Deposition and attached Exhibits of Mike Lee. (Pages 116-117, reserve right to use other pages). (Optional Exhibit)
4. Deposition and attached Exhibits of David Ryan. (Pages 72-78, 84-87, reserve right to use other pages) (Optional Exhibit)

5. Deposition and attached Exhibits of Angela Hall. (Pages 7-99). (Optional Exhibit)
6. Deposition and attached Exhibits of Sandra Lee. (Pages 7-95). (Optional Exhibit)
7. Deposition and attached Exhibits of Barbara Clotfelter. (Pages 78-85, 87-89, reserve right to use other pages). (Optional Exhibit)
8. Deposition and attached Exhibits of Robert Jones. (Pages 96-141, reserve right to use other pages). (Optional Exhibit)
9. Deposition and attached Exhibits of Edith Major. (Pages 7-26). (Optional Exhibit)
10. Deposition and attached Exhibits of Barry Lollar. (Pages 7-24). (Optional Exhibit)
11. Birmingham Public Library Internet Access and Safety Policy & Guidelines. (Expected to Offer)
12. Birmingham Public Library Patron Behavior Policy. (Expected to Offer)
13. Birmingham Public Library Sexual and Gender Harassment Policy. (Expected to Offer)
14. Birmingham Public Library Working in Public Setting Statement. (Expected to Offer)
15. Birmingham Public Library Staff Manual. (Expected to Offer)
16. Log in procedures; internet filtering and policy access to the Public Computers at all Birmingham Public Libraries. (Expected to Offer)
17. Library Gate Count Report 1/2008 to 12/2010. (Expected to Offer)
18. City of Birmingham Personnel Handbook. (Optional Exhibit)

19. City of Birmingham's Supplemental Personnel Rules. (Optional Exhibit)
20. City of Birmingham Sexual and Gender Harassment Policy - Executive Order 67-92 and Handbook. (Expected to Offer)
21. Plaintiff's EEOC charge, City's response/investigation and Notice of right-to-sue letter, Case# # 420-2010-00065 and Case# # 846-2011-15769. (Expected to Offer)
22. Plaintiff's Board of Manager of the Retirement and Relief System of the City of Birmingham Disability file. (Expected to Offer)
23. Personnel file of the plaintiff, including by not limited to time sheets, evaluations, self assessments, correspondence, letters, memos and specifically the following: (Expected to Offer the below)
 - Barbara Wilson Monthly reports (Expected to Offer)
 - Nine (9) written incidents from 2007 to 2010 reported by Plaintiff Barbara Wilson
 - Memo dated Oct. 20, 2009 meeting with Plaintiff.
 - Memo dated Oct. 22, 2009 Edith Major to Irene Blalock.
 - Memo date November 2, 2010 by Pam Lyons.
24. Job description and duties of Library Assistant III from Birmingham Public Library. (Expected to Offer)
25. Two (2) security manuals for Birmingham Public Library (Optional Exhibit)
26. Birmingham City Code 2-5-71 et. al. (Optional Exhibit)
27. All discovery in this case, including attached exhibits to all depositions, not excluded.
28. Powerpoint display, computer animation or enlargement of listed exhibits.
29. Any and all documents necessary for impeachment of any witness.

30. Plaintiff's Exhibits listed per Court's Pre-Trial Order and that are not stricken.

***Defendants reserve the right to object to any and all witnesses and exhibits listed by other parties to this action, pursuant to this Court's discovery order, and reserves the right to amend this schedule of witnesses and/or documentary evidence should additional witnesses or evidence or exhibits be identified or discovered subsequent to the filing of this list, upon notice of the parties.*

Respectfully Submitted,

/s/Fredric L. Fullerton, II

Fredric L. Fullerton, II
Chief Assistant City Attorney

/s/Nicole E. King

Nicole E. King
Assistant City Attorney

**CITY OF BIRMINGHAM
LAW DEPARTMENT**
710 North 20th Street
Room 600 City Hall
Birmingham, Alabama 35203
(205) 254-2369/(205) 254-2502 (fax)

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Adam P. Morel, Esq.
517 Beacon Parkway West
Birmingham, AL. 35209

/s/Fredric L. Fullerton, II

Of Counsel