

EXHIBIT F

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1 MR. CONWAY: You can answer that yes or no.

2 MR. HANNAFAN: What do you mean by legal  
3 advice?

4 MR. CONWAY: Right. And he's a layperson.  
5 So if you want, I can take him out in the hallway  
6 and talk to him about the conversation --

7 MS. HAMILTON: You're not his lawyer,  
8 Mr. Conway. So if you take him out in the  
9 hallway, the court reporter and I will be there.

10 MR. CONWAY: I'm just looking for a way to  
11 cut through it. But objection.

12 MS. ELKIN: She can lay a foundation as to  
13 whether it's a proper objection.

14 MR. CONWAY: She can do whatever she wants.  
15 I made a suggestion. She said she didn't want to  
16 do it.

17 MS. ELKIN: He can answer the foundational  
18 question.

19 MR. CONWAY: What was the foundational  
20 question?

21 MS. ELKIN: Was he seeking legal advice.

22 MR CONWAY: And I'm going to object to that  
23 question on the basis of form and foundation.

24 MS. ELKIN: But you're not instructing him

1 not to answer?

2 MR. CONWAY: No, I said he could answer it  
3 yes or no. I already said that on the record.

4 MR. HANNAFAN: I'm going to instruct him not  
5 to answer unless you define for him what you mean  
6 by legal advice.

7 BY MS. HAMILTON:

8 Q. Mr. White, as you understand the term,  
9 were you seeking legal advice from Mr. Miller?

10 MR. HANNAFAN: Give him a definition or ask  
11 him what he understands to be legal advice.  
12 That's easy. You've made your foundation.

13 So I'm going to instruct you not to  
14 answer until she wants to pop with the definition.

15 MS. HAMILTON: Excuse me. Mr. Hannafan, if  
16 Mr. White doesn't understand my question, he can  
17 let me know.

18 BY THE WITNESS:

19 A. I don't understand the question.

20 MR. HANNAFAN: There you go. Are you happy?

21 BY MS. HAMILTON:

22 Q. Were you seeking advice from Mr. Miller  
23 in his role as a lawyer regarding an issue of  
24 legal concern to you?

1 A. No.

2 Q. Were you seeking legal assistance from  
3 Mr. Miller at the time of that phone call?

4 MR. HANNAFAN: Why don't you rephrase that?

5 BY MS. HAMILTON:

6 Q. Mr. White, you've already testified  
7 that you were not seeking legal advice from  
8 Mr. Miller.

9 A. Right.

10 Q. Were you seeking legal assistance due  
11 to any legal concern that you had at that time  
12 from Mr. Miller?

13 MR. HANNAFAN: You can answer yes or no.

14 THE WITNESS: Could you read that back to me,  
15 please? I've lost my train of thought.

16 MS. HAMILTON: As it's hard to maintain with  
17 all of these speaking objections.

18 (WHEREUPON, said record was  
19 read by the reporter.)

20 BY THE WITNESS:

21 A. No.

22 BY MS. HAMILTON:

23 Q. During that conversation, were you  
24 asking Mr. Miller to serve as your attorney?

1 A. No.

2 Q. Then I reiterate my question. What did  
3 you tell Mr. Miller during that conversation?

4 MR. HANNAFAN: Wait. I don't know if  
5 Mr. Conway has an objection.

6 MR. CONWAY: I am going to object on the  
7 grounds of work product and privilege. At the  
8 time, he was -- and again, I mean, I've offered a  
9 way to cut through this. I could have a private  
10 conversation with him in the hallway. But we were  
11 offering legal advice. Mr. Miller was acting as  
12 counsel to the firm in connection with this  
13 matter. Having a conversation with Mr. White  
14 about activities during the scope of his  
15 employment I think is privileged. And if I'm not  
16 going to have an opportunity to talk with him and  
17 confirm outside your presence that it's not  
18 privileged, I'm going to instruct him not to  
19 answer or --

20 MS. HAMILTON: I don't see how it could  
21 possibly be privileged.

22 MR. CONWAY: You know what, I'm sure that  
23 you're saying that sincerely. And I don't want to  
24 waste time on this. I've offered a way to cut

1 through it. I can have a conversation with him in  
2 the hallway. If it's not privileged, then I'll  
3 let him testify. But you're not giving me that  
4 opportunity. He's a layperson. He doesn't  
5 understand necessarily what was going on. So I --  
6 so --

7 BY MS. HAMILTON:

8 Q. Is it correct that at that time,  
9 Mr. White, you were working for Sidley & Austin as  
10 a part-time hourly employee?

11 A. Correct. Oh, no, that is not correct.  
12 I was not an employee.

13 Q. As a part-time hourly contract worker.

14 A. Correct.

15 Q. Other than the conversation that you  
16 had with Mr. Miller regarding the article in the  
17 paper, did you have a conversation with -- other  
18 than the conversations with Mr. Miller and  
19 Mr. Bergen, did you have a conversation with  
20 anyone else regarding the article in the paper?

21 A. No.

22 Q. Is that the only conversation that you  
23 had with Mr. Miller about the letter that's  
24 identified as Exhibit 14?