

# EXHIBIT Y3

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION )

Plaintiff, )

v. ) Case No. 8:07-CV-02612

BLOCKBUSTER, INC., )

Defendant. )

\*\*\*\*\*

DEPOSITION OF  
JUNE MARIE DAVIS  
SEPTEMBER 17, 2008

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On the 17th day of September, 2008, at 1:09 p.m.,  
the oral deposition of the above-named witness was taken  
at the instance of the Plaintiff before Lezley Cull,  
Certified Shorthand Reporter in and for the State of  
Texas, at the offices of Morgan, Lewis & Bockius, LLP,  
1717 Main Street, Suite 3200, in the City of Dallas,  
County of Dallas, State of Texas, pursuant to Notice and  
the agreement hereinafter set forth.

1 A. At his office.

2 Q. And when was the first time you met with him  
3 and told him that there was inappropriate comments going  
4 on at the facility?

5 A. I don't recall.

6 Q. But it's your testimony that it was prior to  
7 March of -- prior to March of 2005?

8 A. Yes.

9 Q. Did you provide him with anything in writing  
10 prior to March of 2005 concerning complaints of  
11 inappropriate comments at the facility?

12 A. Not that I recall.

13 Q. So was the March of 2005 e-mail that we looked  
14 at to Mr. Collen from you, was that the first thing that  
15 you provided in writing to Mr. Collen about issues going  
16 on at the facility?

17 A. I don't recall.

18 Q. The last paragraph here says, I'll update you  
19 as I hear more, same on your end, okay?

20 Did you provide any further updates to  
21 Ms. Brown?

22 A. I would imagine yes, but I don't recall. I  
23 know Mr. Collen made several trips out there. We  
24 communicated, but I don't recall specifically dates.

25 (Exhibit No. 5 marked.)

1 respected the employees in a very positive manner.

2 (Exhibit No. 9 marked.)

3 Q. (BY MS. SPEIGHTS) Ms. Davis, what is  
4 Exhibit 9?

5 A. It's an e-mail from Scott Collen to myself  
6 saying he had spoken to Cinnie Brown to see if she would  
7 allow him to sit in on interviews of the temporary  
8 employees, and wanted to know if May 9th would work.  
9 And she replied -- or I spoke to her I guess and she  
10 said that May 9th would be good and just to coordinate  
11 that with her directly.

12 Q. Do you know if Cinnie Brown had to get  
13 approval from Mr. Collen to sit in on the interviews  
14 with employees?

15 A. I believe she was talking to her corporate  
16 office, her legal department in Oklahoma City.

17 Q. Do you know why she had to get approval from  
18 her corporate office to let Mr. Collen sit in on the  
19 interviews?

20 A. Well, typically, we try to avoid coemployment  
21 issues. So in that situation, you would go and get  
22 approval for them to sit down and interrogate an  
23 employee.

24 Q. And what do you mean by you try to prevent  
25 coemployment issues?

1           A.    Well, the employees work for Express  
2    Personnel.  Blockbuster was their assignment, but  
3    Blockbuster was not their employer.  So in these  
4    situations, we always get approval.  For a manager to  
5    sit down and have a discussion with someone of a  
6    negative nature, we get approval to have that happen.

7           Q.    And did you do that in circumstances where --  
8    in other circumstances with other companies in addition  
9    to Blockbuster?

10          A.    If it was a situation like this.  If it was  
11   more of, like, a performance situation, no.  But when  
12   there's allegations being made of something not  
13   politically correct, yes.

14          Q.    So this wasn't a practice that was just  
15   specific to Blockbuster as the client here, you've done  
16   that with other clients?

17          A.    Yes.

18          Q.    And do you know if Cinnie Brown got that  
19   approval?

20          A.    I believe she did, but I don't -- I mean, this  
21   is three years ago.  I don't remember all the details,  
22   but I think so.

23          Q.    And do you know if Mr. Collen actually sat  
24   down with Cinnie Brown and participated in interviews?

25          A.    I believe so, but I don't know for sure.

1 STATE OF TEXAS )  
COUNTY OF DALLAS )

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3 I, Lezley Cull, Certified Shorthand Reporter in and  
4 for the State of Texas, certify that the foregoing  
5 deposition of JUNE MARIE DAVIS was reported  
6 stenographically by me at the time and place indicated,  
7 said witness having been placed under oath by me, and  
8 that the deposition is a true record of the testimony  
9 given by the witness.

10 I further certify that I am neither counsel for nor  
11 related to any party in this cause and am not  
12 financially interested in its outcome.

13 Given under my hand on this the 25th day of  
14 September, 2008.

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18 Lezley Cull, Texas CSR 5528  
Expiration Date: 12/31/09  
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Firm Registration No. 191

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