

EXHIBIT Y10

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

vs.

BLOCKBUSTER, INC.,

Defendant.

Case No.

8:07-CV-02612

Deposition of ELIZABETH LEDESMA
(CONFIDENTIAL PORTIONS REDACTED)

Bethesda, Maryland

June 18, 2008

9:30 a.m.

Job No. 1-129327

Pages 1 - 137

Reported by: Michele E. Eddy

1 A I believe at Macy's.

2 Q Do you recall how long you were working at
3 Macy's?

4 A I believe for a year.

5 Q And what were you doing there?

6 A I would tidy up the clothes.

7 Q Why did you leave Macy's to go to Ames?

8 A Because I moved from California to here.

9 THE INTERPRETER: Can the interpreter ask
10 one clarification question?

11 MS. QUAMIE: Sure.

12 (Interpreter speaking with witness in Spanish.)

13 THE INTERPRETER: Just for the record, I
14 want to clarify when she said "I tidied up clothes,"
15 that was the right translation, but it could have also
16 meant that she sewed clothes, fixed them.

17 MS. QUAMIE: Thank you.

18 BY MS. QUAMIE:

19 Q Have you ever been self-employed?

20 A No.

21 Q When did you begin working with Express
22 Personnel?

1 A I don't remember the exact date, but it was
2 in December of 2004.

3 Q How did you find that job?

4 A My cousin, he -- he let me know about it.
5 She let me know about it. Lolita.

6 MR. PHILLIPS: Interpreter's mistake. It
7 was, "My cousin, she let me know. Lolita."

8 MS. QUAMIE: Thank you.

9 BY MS. QUAMIE:

10 Q Did you complete an application?

11 A Yes.

12 Q How did you receive the application?

13 A Miss Cinnie, Cinnie Brown gave it to me.

14 Q Who is Cinnie Brown?

15 A She was Express' manager.

16 Q Did you call her and ask her to mail it to
17 you?

18 A No, she was at the warehouse handing out
19 applications.

20 Q And did you complete the application at the
21 warehouse?

22 A Yes.

1 Q Did you complete it in Spanish or English?

2 A I believe it was in English.

3 Q Did you complete it by yourself?

4 A Yes.

5 Q Were you interviewed for the position?

6 A Yes.

7 Q Who interviewed you?

8 A Miss Cinnie Brown.

9 Q And when did she interview you?

10 A I don't remember the exact date, but it was
11 in December of 2004.

12 Q Was it the same day that you filled out the
13 application or a different day?

14 A I believe it was the same day.

15 Q Do you remember where she interviewed you?

16 A At the warehouse.

17 Q Who informed you that you were hired to the
18 position?

19 A Miss Cinnie Brown.

20 Q And how -- how did she inform you?

21 A Over the phone.

22 Q Did she speak with you in English?

1 working at Blockbuster?

2 A Days and now -- and times?

3 Q Yes, yes.

4 A It was from Monday to Saturday and the times
5 I would -- I would go in sometimes at 7, sometimes at
6 9. There wasn't -- and there wasn't an exact time I'd
7 get off.

8 Q How would you determine that you would go in
9 at 7 or go in at 9?

10 A Because Linc would tell us what time we were
11 supposed to go in.

12 Q Who is Linc?

13 A He was the general manager of the warehouse.

14 Q And how did you know it was time to leave?

15 A When -- when it was all done.

16 Q Why did your employment end with the Express
17 Personnel?

18 MR. PHILLIPS: Objection. Object to the
19 characterization. Misleading. Assumes facts. You
20 can answer.

21 A Because my cousin, Lolita Gonzalez, and my
22 aunt, Dolores Gonzalez, were fired.

1 Q Did you choose to leave?

2 A Yes.

3 Q Did you make that decision on the same day
4 that they were fired?

5 A Yes.

6 Q How did you know that they were fired?

7 A Because Miss -- Mrs. Cinnie Brown called on
8 the phone and told my aunt and cousin, my Aunt Dolores
9 Gonzalez and Lolita Gonzalez.

10 Q Called which phone?

11 THE INTERPRETER: Excuse me?

12 Q Called which phone?

13 A If I'm not mistaken, Lolita's cell phone.

14 Q And where were you when Miss Cinnie Brown
15 called Lolita's cell phone?

16 A At -- at the entrance to my house.

17 Q And who did you tell that you were not
18 returning to work?

19 A Miss Cinnie Brown.

20 Q Did you tell her at that time that she
21 called?

22 A Yes.

1 A No, but a bit of time had gone by by then.

2 Q And what did she say when she called?

3 A Whether I wanted to work at the warehouse
4 again.

5 MR. PHILLIPS: Just for the benefit of the
6 reporter, when the witness was referring to Taj, it's
7 spelled T-A-J.

8 Q So when did you return to work?

9 A After she called me a few days later, if I'm
10 not mistaken.

11 Q Did you return to your assignment at
12 Blockbuster?

13 A Yes.

14 Q How long were you working there?

15 MR. PHILLIPS: The second time?

16 MS. QUAMIE: Yes.

17 A Not even a month.

18 Q What were you doing while you were
19 working -- what were your -- what were your duties?

20 A The same things that -- the same ones that I
21 had when I worked there the first time.

22 Q Why did you stop working after one month?

1 Mr. Taj asked me whether I wanted to marry him.

2 THE INTERPRETER: That was an interpreter's
3 correction. I'm going to start over.

4 A Everything started when Mr. Taj asked me
5 whether I wanted to get married to him and whether I
6 wanted to be his girlfriend. One day he asked me
7 whether I would go out with him and I answered I -- I
8 wouldn't, and he got mad. His attitude towards me
9 changed. He would scream -- he would shout at me. He
10 would say that I didn't do a good job. He wouldn't
11 let me sit down on the chairs. When the other black
12 persons would do so, there were extra seats at the
13 warehouse, and he would not let me sit down.

14 Q When you referred to Senor Taj, is that
15 Thomas Johnson?

16 A Yes.

17 Q Did you also call him Taj?

18 A He told us to call him that.

19 Q What did you call him?

20 A Taj.

21 Q How many times did he ask you to marry him
22 and be his girlfriend?

1 place, and in her section they wouldn't -- they were
2 either not in their place or, if they were in their
3 place, they were not under the right letter. They
4 would be under a different letter.

5 Q What type of favors did he -- did Taj do for
6 Aaron? Excuse me, strike that.

7 Yeah, what kind of favors did Taj do for
8 Fernando?

9 A He wouldn't mention any of the mistakes that
10 he would make. He would allow him to come in late.
11 When we would be -- when there was a break, he would
12 take whatever length of time he wanted.

13 Q What kind of favors did he do for Aaron?

14 A The same ones.

15 Q What kind of favors did he do for Shon?

16 A He didn't say anything -- anything about the
17 mistakes he would make, when he would count the number
18 of DVDs to figure out the rate of -- that we would
19 process per day, he would -- he would pad his count.
20 And the same thing, he would come in late and he would
21 come back from breaks late and he wouldn't say
22 anything to him.

1 A LaQuanta, if I'm not mistaken, she wasn't
2 treated well either. Taj would insult her also.

3 Q Do you remember what Taj would say to her?

4 A That he was going to hit her and that she
5 was -- I believe she was a lesbian and he would make
6 that comment and he would call her a damn lesbian.

7 Q Who would he call her a damn lesbian in
8 front of?

9 A In front of all the people at the warehouse.

10 Q What -- do you know what race LaQuanta
11 Brinson is?

12 A If I'm not mistaken, she was black.

13 Q Did you hear anyone else make any other
14 sexual comments towards LaQuanta Brinson?

15 THE INTERPRETER: About LaQuanta Brinson or
16 to?

17 MS. QUAMIE: To LaQuanta Brinson.

18 A I can't remember at this time.

19 Q Did you ever hear anyone making any racial
20 comments to LaQuanta Brinson?

21 A What do you mean "racial"?

22 Q Did you ever hear anyone making any comments

CERTIFICATE OF SHORTHAND REPORTER

I, Michele E. Eddy, Registered Professional Reporter and Certified Realtime Reporter, the court reporter before whom the foregoing deposition was taken, do hereby certify that the foregoing transcript is a true and correct record of the testimony given; that said testimony was taken by me stenographically and thereafter reduced to typewriting under my supervision; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 30th day of June, 2008.

My commission expires: April 26, 2011

MICHELE E. EDDY

NOTARY PUBLIC IN AND FOR

THE STATE OF MARYLAND