

# EXHIBIT Y12

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

3 EQUAL EMPLOYMENT :

4 OPPORTUNITY COMMISSION, :

5 Plaintiff, : RWT-07-CV-2612

6 vs. :

7 BLOCKBUSTER, INC., :

8 Defendant. :

9 - - - - -

10 DEPOSITION of BARRY FRANCIS

11 Baltimore, Maryland

12 Friday, May 30, 2008

13 9:33 A.M.

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17 Job No: 1-130251

18 Pages 1 - 243

19 Reported by: Barbara A. Conner, R.P.R.

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1 answer.

2 MR. PHILLIPS: That's fine.

3 MS. SPEIGHTS: You can answer.

4 MR. PHILLIPS: That's fine.

5 Q You can answer.

6 A The employee signed off on the handbook. The  
7 handbook covers those issues.

8 Q Well, first of all, at the time that you were  
9 visiting the Gaithersburg center, was there a  
10 Blockbuster policy regarding harassment and  
11 discrimination issues?

12 A I'm sorry; can you repeat the question.

13 Q During this time frame we're talking about,  
14 when you were visiting the Gaithersburg center, either  
15 for wellness checks or to conduct investigations, during  
16 that time frame was there a Blockbuster policy related  
17 to harassment or discrimination?

18 A Yes.

19 Q There was.

20 And do you know whether Mr. Barrett ever  
21 received a copy of such a policy?

22 A I don't know.

1 CERTIFICATE OF NOTARY PUBLIC

2 I, Barbara A. Conner, Registered Professional  
3 Reporter, the officer before whom the foregoing  
4 proceedings were taken, do hereby certify that the  
5 foregoing transcript is a true and correct record of the  
6 proceedings; that said proceedings were taken by me  
7 stenographically and thereafter reduced to typewriting  
8 under my supervision; and that I am neither counsel for,  
9 related to, nor employed by any of the parties to this  
10 case and have no interest, financial or otherwise, in  
11 its outcome.

12 IN WITNESS WHEREOF, I have hereunto set my  
13 hand and affixed my notarial seal this 10th day of June  
14 2008.

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16 My commission expires:  
17 January 1, 2012

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20 NOTARY PUBLIC

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