

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

<p style="text-align: right;">Page 17</p> <p>1 A Yes.</p> <p>2 Q And then why did you move to the address in</p> <p>3 Silver Spring?</p> <p>4 A Because the lease was up. The apartment</p> <p>5 lease was up.</p> <p>6 Q And who did you move there with?</p> <p>7 A Dolores Gonzalez, Lolita Gonzalez, Felipe</p> <p>8 Gonzalez, Dessire Gonzalez, myself and my daughter</p> <p>9 Venus Ledesma.</p> <p>10 Q Then you moved to Henderson Avenue. Why did</p> <p>11 you move there?</p> <p>12 A Because I moved there with my sister.</p> <p>13 Q Did you move with your sister to Jetson</p> <p>14 Road?</p> <p>15 THE WITNESS: Yes.</p> <p>16 A Yes.</p> <p>17 Q Why did you move there?</p> <p>18 A Because the lady who is renting out the</p> <p>19 house was going to sell it.</p> <p>20 Q And then you recently moved to Randolph</p> <p>21 Road. Why did you move there?</p> <p>22 A Because the lady there also was going to</p>	<p style="text-align: right;">Page 19</p> <p>1 A From Peru.</p> <p>2 Q What's the name of the school?</p> <p>3 A I don't remember.</p> <p>4 Q What city is it in?</p> <p>5 A In Lima.</p> <p>6 Q Did you attend college?</p> <p>7 A No.</p> <p>8 Q Have you taken any courses after high</p> <p>9 school?</p> <p>10 A No.</p> <p>11 Q How would you describe your ability to speak</p> <p>12 English?</p> <p>13 A I get my ideas across, I believe.</p> <p>14 Q Do you understand English?</p> <p>15 A Yes, but not perfectly.</p> <p>16 Q Are you able to understand -- answer my</p> <p>17 questions today in English?</p> <p>18 A I would prefer to have an interpreter,</p> <p>19 translator.</p> <p>20 Q But do you understand what I'm saying in</p> <p>21 English?</p> <p>22 A Some things.</p>
<p style="text-align: right;">Page 18</p> <p>1 sell her house.</p> <p>2 Q Were you born in Peru?</p> <p>3 A Yes.</p> <p>4 Q Have you ever been married?</p> <p>5 A No.</p> <p>6 Q Do you have any other children besides</p> <p>7 Venus?</p> <p>8 A No.</p> <p>9 Q Does -- does Venus currently live with you?</p> <p>10 A Yes.</p> <p>11 Q And who else lives with you?</p> <p>12 A My sister Milagros Ledesma, Venus, myself,</p> <p>13 and the landlords, the owners of the house.</p> <p>14 Q Do you pay rent to the landlords?</p> <p>15 A Yes.</p> <p>16 Q How much do you pay?</p> <p>17 A \$1,200.</p> <p>18 Q How often do you pay \$1,200?</p> <p>19 A On a monthly basis.</p> <p>20 Q Do you have a high school diploma?</p> <p>21 A Yes.</p> <p>22 Q Where is your high school diploma from?</p>	<p style="text-align: right;">Page 20</p> <p>1 MS. QUAMIE: I'm going to ask the court</p> <p>2 reporter to mark that as Elizabeth Ledesma Exhibit 1.</p> <p>3 (Exhibit 1 was marked for identification and</p> <p>4 attached to the deposition transcript.)</p> <p>5 BY MS. QUAMIE:</p> <p>6 Q Miss Ledesma, have you seen this document</p> <p>7 before?</p> <p>8 A Yes.</p> <p>9 Q Do you -- what is that document?</p> <p>10 A It's Notice of Deposition, but the</p> <p>11 appointment for today was at 9:30.</p> <p>12 Q I'll represent to you that this is, in fact,</p> <p>13 a Notice of Deposition which we sent to your lawyer</p> <p>14 and we agreed to change the time to 9:30.</p> <p>15 MR. PHILLIPS: Because EEOC counsel is a</p> <p>16 little slow to get here, although I was early today.</p> <p>17 A Okay.</p> <p>18 Q So what did you do to prepare for this</p> <p>19 deposition today?</p> <p>20 A What do you -- what are you referring to?</p> <p>21 Q Who did you talk to besides your lawyer?</p> <p>22 A With no one.</p>

<p style="text-align: right;">Page 33</p> <p>1 A Yes.</p> <p>2 Q Did you respond to her in English?</p> <p>3 A Yes.</p> <p>4 MS. QUAMIE: Just for the record,</p> <p>5 Blockbuster reserves the right to object to the -- the</p> <p>6 witness answering her questions in Spanish and</p> <p>7 receiving the benefit of a translator. She has</p> <p>8 testified that she understands English and</p> <p>9 communicated in English.</p> <p>10 MR. PHILLIPS: And EEOC doesn't agree with</p> <p>11 your characterization of the witness' testimony.</p> <p>12 Nevertheless, the record does speak for itself. And</p> <p>13 for the reasons previously stated on the record during</p> <p>14 the Lolita Gonzalez deposition, we believe that an</p> <p>15 interpreter is necessary.</p> <p>16 BY MS. QUAMIE:</p> <p>17 Q What position did she say that you were</p> <p>18 hired for when she called you?</p> <p>19 A Stock.</p> <p>20 Q Did she say anything else about your</p> <p>21 position?</p> <p>22 A That it was for Blockbuster and she briefly</p>	<p style="text-align: right;">Page 35</p> <p>1 working at Blockbuster?</p> <p>2 A Days and now -- and times?</p> <p>3 Q Yes, yes.</p> <p>4 A It was from Monday to Saturday and the times</p> <p>5 I would -- I would go in sometimes at 7, sometimes at</p> <p>6 9. There wasn't -- and there wasn't an exact time I'd</p> <p>7 get off.</p> <p>8 Q How would you determine that you would go in</p> <p>9 at 7 or go in at 9?</p> <p>10 A Because Linc would tell us what time we were</p> <p>11 supposed to go in.</p> <p>12 Q Who is Linc?</p> <p>13 A He was the general manager of the warehouse.</p> <p>14 Q And how did you know it was time to leave?</p> <p>15 A When -- when it was all done.</p> <p>16 Q Why did your employment end with the Express</p> <p>17 Personnel?</p> <p>18 MR. PHILLIPS: Objection. Object to the</p> <p>19 characterization. Misleading. Assumes facts. You</p> <p>20 can answer.</p> <p>21 A Because my cousin, Lolita Gonzalez, and my</p> <p>22 aunt, Dolores Gonzalez, were fired.</p>
<p style="text-align: right;">Page 34</p> <p>1 explained to me what we were supposed to do in the</p> <p>2 warehouse.</p> <p>3 Q What did she say you were supposed to do?</p> <p>4 A Check DVDs and send them to customers when</p> <p>5 they are ordered.</p> <p>6 Q Was Blockbuster your first assignment with</p> <p>7 Express Personnel?</p> <p>8 A Yes.</p> <p>9 Q Did she tell you how much you would be paid?</p> <p>10 A \$10.</p> <p>11 Q Did you ever receive a pay increase while</p> <p>12 you were working?</p> <p>13 A No.</p> <p>14 Q When did your employment end?</p> <p>15 A I don't remember the exact date, but it was</p> <p>16 the same -- but it was the same day that Lolita and</p> <p>17 Dolores Gonzalez were ended.</p> <p>18 Q And what were your work hours while you were</p> <p>19 working at your assignment at Blockbuster?</p> <p>20 THE INTERPRETER: I'm sorry, what was your</p> <p>21 question?</p> <p>22 Q What hours did you work while you were</p>	<p style="text-align: right;">Page 36</p> <p>1 Q Did you choose to leave?</p> <p>2 A Yes.</p> <p>3 Q Did you make that decision on the same day</p> <p>4 that they were fired?</p> <p>5 A Yes.</p> <p>6 Q How did you know that they were fired?</p> <p>7 A Because Miss -- Mrs. Cinnie Brown called on</p> <p>8 the phone and told my aunt and cousin, my Aunt Dolores</p> <p>9 Gonzalez and Lolita Gonzalez.</p> <p>10 Q Called which phone?</p> <p>11 THE INTERPRETER: Excuse me?</p> <p>12 Q Called which phone?</p> <p>13 A If I'm not mistaken, Lolita's cell phone.</p> <p>14 Q And where were you when Miss Cinnie Brown</p> <p>15 called Lolita's cell phone?</p> <p>16 A At -- at the entrance to my house.</p> <p>17 Q And who did you tell that you were not</p> <p>18 returning to work?</p> <p>19 A Miss Cinnie Brown.</p> <p>20 Q Did you tell her at that time that she</p> <p>21 called?</p> <p>22 A Yes.</p>

<p style="text-align: right;">Page 37</p> <p>1 Q What did she tell you?</p> <p>2 A That I wasn't fired and that I could</p> <p>3 continue to work there.</p> <p>4 Q And what did you say?</p> <p>5 A I wasn't going -- that I wasn't going to</p> <p>6 return because there was a lot of abuse against us and</p> <p>7 a lot of pressure and stress on us because of the</p> <p>8 harassment of us from Taj, Lincoln, Kofi, Tutu and Taj</p> <p>9 Thomas.</p> <p>10 Q What did she tell you?</p> <p>11 A That that was fine, that it had been a</p> <p>12 pleasure to work with me and that if I ever needed</p> <p>13 references, that I could give her phone number out.</p> <p>14 Q Did you ever contact her again?</p> <p>15 A I don't recall.</p> <p>16 Q Did Miss Cinnie Brown ever contact you again</p> <p>17 about working again?</p> <p>18 A Yes.</p> <p>19 Q When did she contact you?</p> <p>20 A When Lincoln, Taj were fired from</p> <p>21 Blockbuster.</p> <p>22 Q Do you recall when that was?</p>	<p style="text-align: right;">Page 39</p> <p>1 A Because there was a problem with Mr. --</p> <p>2 Kurt, who was the manager.</p> <p>3 Q What was the problem?</p> <p>4 THE INTERPRETER: I'm going to ask her to</p> <p>5 repeat.</p> <p>6 (Interpreter speaking with witness.)</p> <p>7 A Michael, another manager, accused me of</p> <p>8 using a computer. I was standing in front of it near</p> <p>9 Victor Ruiz, another co-worker. Kurt called me in and</p> <p>10 Victor Ruiz and asked why we were at the computer. He</p> <p>11 gave him a warning but he told me to go home. He</p> <p>12 shouted at me, "Don't come back to the warehouse."</p> <p>13 And the way he did it, he shouted at me in front of</p> <p>14 all my co-workers and it made me cry.</p> <p>15 Q And what did you do, Miss Ledesma?</p> <p>16 MR. PHILLIPS: Objection, vague. Please</p> <p>17 answer.</p> <p>18 A I left the warehouse crying.</p> <p>19 Q And what did you say happened to Mr. Ruiz?</p> <p>20 A They gave him like a warning.</p> <p>21 Q And how do you know that?</p> <p>22 A Because he was told in front of me when the</p>
<p style="text-align: right;">Page 38</p> <p>1 A No, but a bit of time had gone by by then.</p> <p>2 Q And what did she say when she called?</p> <p>3 A Whether I wanted to work at the warehouse</p> <p>4 again.</p> <p>5 MR. PHILLIPS: Just for the benefit of the</p> <p>6 reporter, when the witness was referring to Taj, it's</p> <p>7 spelled T-A-J.</p> <p>8 Q So when did you return to work?</p> <p>9 A After she called me a few days later, if I'm</p> <p>10 not mistaken.</p> <p>11 Q Did you return to your assignment at</p> <p>12 Blockbuster?</p> <p>13 A Yes.</p> <p>14 Q How long were you working there?</p> <p>15 MR. PHILLIPS: The second time?</p> <p>16 MS. QUAMIE: Yes.</p> <p>17 A Not even a month.</p> <p>18 Q What were you doing while you were</p> <p>19 working -- what were your -- what were your duties?</p> <p>20 A The same things that -- the same ones that</p> <p>21 had when I worked there the first time.</p> <p>22 Q Why did you stop working after one month?</p>	<p style="text-align: right;">Page 40</p> <p>1 three of us were in the office.</p> <p>2 Q What is Mr. Ruiz' -- strike that.</p> <p>3 Do you know Mr. Ruiz' ethnicity?</p> <p>4 A Race?</p> <p>5 Q Do you know his race?</p> <p>6 A Yes.</p> <p>7 Q What is it?</p> <p>8 A Latino.</p> <p>9 Q Do you know if he's still working at the</p> <p>10 facility?</p> <p>11 A I have no idea.</p> <p>12 Q Did you try to contact anyone to return to</p> <p>13 Blockbuster after you left?</p> <p>14 A I didn't try to go back, but, rather, I</p> <p>15 called up the person from Spherion, S-P-H-E-R-I-O-N,</p> <p>16 the new --</p> <p>17 Q N or M?</p> <p>18 A M, she said.</p> <p>19 THE WITNESS: N.</p> <p>20 MR. PHILLIPS: N, yes. Spherion.</p> <p>21 THE INTERPRETER: Spherion.</p> <p>22 A The new agency that they used.</p>

Page 41

1 Q And who did you call at Spherion?  
2 A I don't remember the first name, but the  
3 last name I believe was Latoya.  
4 Q And what did she tell you?  
5 A That she was going to investigate or look  
6 into what had happened.  
7 Q Did you contact Spherion to seek other  
8 employment?  
9 A When I speak to Miss Latoya, she said she  
10 was going to try to find another job for me, but she  
11 never -- she never called back.  
12 Q And you also said she was going to  
13 investigate? What was -- do you know what she was  
14 referring to?  
15 A To find out what had happened to me.  
16 Q When you left the facility crying, who were  
17 you receiving your paychecks from at the time? Was it  
18 Spherion?  
19 A I believe it was.  
20 Q Do you recall when you started to receive  
21 paychecks from Spherion and not Express Personnel?  
22 A No.

Page 42

1 Q How did you find out that you would be  
2 receiving your paychecks from Spherion? Did anyone  
3 call you? Did anyone write you a letter?  
4 MR. PHILLIPS: Objection. Assumes facts.  
5 Please answer.  
6 A There was a meeting in court and Cinnie  
7 Brown were there, and if I'm not mistaken, the lady  
8 from Spherion was also there, and they said that they  
9 were going to be changing companies, that it would no  
10 longer be Express, and that there would no longer be  
11 any contracts, is that how you can call it? And that  
12 the new company was going to be Spherion.  
13 Q Do you recall when this meeting took place?  
14 A No.  
15 MS. QUAMIE: Might be a good time to take a  
16 break.  
17 MR. PHILLIPS: Yes, please. Thank you.  
18 (A brief recess was taken.)  
19 BY MS. QUAMIE:  
20 Q Miss Ledesma, when did the EEOC first  
21 contact you or when did you first contact the EEOC  
22 regarding your termination?

Page 43

1 MR. PHILLIPS: Objection. Assumes facts.  
2 Please answer.  
3 A Miss Judy Navarro called me and asked me to  
4 send a letter recounting the events that took place at  
5 the warehouse.  
6 Q Did you communicate with her again before  
7 sending her a letter?  
8 A Before?  
9 Q Yes.  
10 A I don't recall.  
11 MS. QUAMIE: I'm going to ask the reporter  
12 to mark this as Ledesma Exhibit number 2.  
13 (Exhibit 2 was marked for identification and  
14 attached to the deposition transcript.)  
15 BY MS. QUAMIE:  
16 Q Miss Ledesma, do you recognize this  
17 document?  
18 A Yes.  
19 Q At the bottom of the first page, EEOC 00519,  
20 is that your signature?  
21 A Yes.  
22 Q Did you type this document?

Page 44

1 A Yes.  
2 Q Are these your words in the document?  
3 A Yes.  
4 Q Did anyone help you with it?  
5 A No.  
6 Q Is this the letter you sent to Miss Navarro?  
7 A Yes.  
8 Q And what does it allege?  
9 A The things that took place at the warehouse.  
10 Q Can you read the first sentence on the first  
11 page? On the next page, it's EEOC 00520.  
12 A Up to here, right here?  
13 Q Just --  
14 MR. PHILLIPS: Starting with "Todo"?  
15 Q Starting with "Todo," the first sentence.  
16 A Is that first line up to there, or continue?  
17 Q Can you please continue to the end,  
18 "sentarme"?  
19 THE WITNESS: Okay.  
20 MS. QUAMIE: Thank you.  
21 A Everything started when Mr. Taj said to me  
22 that he wanted to marry me -- he wanted -- when

<p style="text-align: right;">Page 45</p> <p>1 Mr. Taj asked me whether I wanted to marry him.</p> <p>2 THE INTERPRETER: That was an interpreter's</p> <p>3 correction. I'm going to start over.</p> <p>4 A Everything started when Mr. Taj asked me</p> <p>5 whether I wanted to get married to him and whether I</p> <p>6 wanted to be his girlfriend. One day he asked me</p> <p>7 whether I would go out with him and I answered I -- I</p> <p>8 wouldn't, and he got mad. His attitude towards me</p> <p>9 changed. He would scream -- he would shout at me. He</p> <p>10 would say that I didn't do a good job. He wouldn't</p> <p>11 let me sit down on the chairs. When the other black</p> <p>12 persons would do so, there were extra seats at the</p> <p>13 warehouse, and he would not let me sit down.</p> <p>14 Q When you referred to Senor Taj, is that</p> <p>15 Thomas Johnson?</p> <p>16 A Yes.</p> <p>17 Q Did you also call him Taj?</p> <p>18 A He told us to call him that.</p> <p>19 Q What did you call him?</p> <p>20 A Taj.</p> <p>21 Q How many times did he ask you to marry him</p> <p>22 and be his girlfriend?</p>	<p style="text-align: right;">Page 47</p> <p>1 Q Did you tell anyone else?</p> <p>2 A He would say it in front of everybody.</p> <p>3 Q When you say "everybody," who are you</p> <p>4 referring to?</p> <p>5 A All the people that worked at the warehouse.</p> <p>6 Q How often did he shout at you?</p> <p>7 A Every day.</p> <p>8 Q And how often did he tell you you did bad</p> <p>9 work?</p> <p>10 A When he was very mad.</p> <p>11 (Interpreter speaking with witness.)</p> <p>12 A When he was very upset.</p> <p>13 Q How often was that?</p> <p>14 A Whenever there were a lot of orders at the</p> <p>15 warehouse.</p> <p>16 Q Did you complain to anyone when he shouted</p> <p>17 at you?</p> <p>18 A Yes.</p> <p>19 Q Who did you complain to?</p> <p>20 A To Linc.</p> <p>21 Q Did you tell anyone else?</p> <p>22 A I told Miss Brown.</p>
<p style="text-align: right;">Page 46</p> <p>1 A I don't remember exactly how many times, but</p> <p>2 he did ask me several times.</p> <p>3 Q Do you remember the first time?</p> <p>4 A He asked me if I wanted to marry him once</p> <p>5 when I was working at the computer and whether I</p> <p>6 wanted to go out with him on a different occasion.</p> <p>7 Q Do you remember the next time he asked you</p> <p>8 to marry him?</p> <p>9 A As I said before, I don't remember exactly,</p> <p>10 but he would do so frequently.</p> <p>11 Q What did you say to him the first time he</p> <p>12 asked you to marry him?</p> <p>13 A No.</p> <p>14 Q Did you complain to anyone that he had asked</p> <p>15 you to marry him?</p> <p>16 A Yes.</p> <p>17 Q Who did you complain to?</p> <p>18 A To Linc.</p> <p>19 Q What did Linc tell you?</p> <p>20 A He was surprised. He said to me, "He said</p> <p>21 that to you?" And I told him, "He did." He laughed.</p> <p>22 And he told me he was going to speak to him.</p>	<p style="text-align: right;">Page 48</p> <p>1 Q What did Linc say when you told him?</p> <p>2 A He laughed and said I'll speak to him.</p> <p>3 Q Do you know what happened after that?</p> <p>4 A What do you mean?</p> <p>5 Q After he said he would speak with him, do</p> <p>6 you know if he spoke with him?</p> <p>7 A I don't know because he kept on shouting.</p> <p>8 Q What did you tell Miss Brown?</p> <p>9 A That he shouted at me and he was -- he was</p> <p>10 on top of everything I did.</p> <p>11 Q Do you remember what she said to you?</p> <p>12 A That he was going to talk --</p> <p>13 THE INTERPRETER: I'm sorry, interpreter's</p> <p>14 mistake.</p> <p>15 A That she was going to talk to him.</p> <p>16 (Interpreter speaking with witness.)</p> <p>17 A That she was going to talk to Linc.</p> <p>18 Q Do you know if she spoke to Linc or if she</p> <p>19 did talk to Linc?</p> <p>20 A I assume. I don't know. I assume she did.</p> <p>21 Q When was the first time that you told</p> <p>22 Miss Brown that Taj was shouting at you?</p>

Page 49

1 A I don't remember the exact date, but I  
2 remember that we made a letter -- she told us to put  
3 down everything that happened to us in the letter and  
4 for us to give it to her.  
5 Q Who is "us"? When did she tell you --  
6 A Lolita, Milagros, me, my Aunt Dolores.  
7 Q When did she tell you to put everything in  
8 the letter?  
9 A I don't remember the exact date.  
10 Q Did you put everything in a letter?  
11 A What had happened up to that point I did.  
12 MR. PHILLIPS: And objection, vague.  
13 BY MS. QUAMIE:  
14 Q Did you give Cinnie Brown a letter?  
15 A Yes.  
16 Q Did you keep a copy of the letter?  
17 A No.  
18 Q Do you recall when you gave a copy of the  
19 letter to Cinnie Brown?  
20 A No.  
21 Q What did you put in the letter?  
22 A What did I tell you? The shouting that we

Page 50

1 received --  
2 (Interpreter speaking with witness.)  
3 THE INTERPRETER: The witness is asking me  
4 to tell her back what she said. Should I do that?  
5 (Interpreter speaking with witness.)  
6 THE INTERPRETER: The shouts that we  
7 received, the things that Taj said to me.  
8 A And the things -- oh, and the things that I  
9 saw.  
10 Q What threats did you refer to in the letter?  
11 THE INTERPRETER: Excuse me?  
12 Q What threats did you refer to in the letter?  
13 Did you -- did you --  
14 MR. PHILLIPS: I'll let the interpreter  
15 interpret the question and then I'll pose my  
16 objection.  
17 THE INTERPRETER: What threats did you  
18 receive in the letter, is that -- is that what you  
19 say?  
20 MS. QUAMIE: Can we just read back the  
21 record, please, of her response to what she put in the  
22 letter?

Page 51

1 (Record read.)  
2 BY MS. QUAMIE:  
3 Q Thank you. I apologize. I thought I heard  
4 something else in there.  
5 What things that Taj said to you did you put  
6 in the letter?  
7 MR. PHILLIPS: If you remember. Don't  
8 guess.  
9 A Whether I did -- whether I wanted to go out  
10 with him and that I didn't do a good job.  
11 Q Do you remember if there was anything else?  
12 A No, that was a long time ago.  
13 Q In the first sentence that you read earlier,  
14 you referred to Personas De Color Negro. Who are you  
15 referring to?  
16 A Name?  
17 Q Yes.  
18 A Blyth, B-L-Y-T-H, Mo, Shon, Fernando, Tara,  
19 Michelle, Tamaro or Takara, I don't remember, Reggie,  
20 and several other people whose faces I remember but I  
21 don't remember their names.  
22 Q Could you read the following sentence

Page 52

1 beginning, "Un dia me tomo"?  
2 A Shall I go on?  
3 Q Yes, just to the end of the sentence.  
4 A "One day he took me by the hand and he  
5 said -- he asked me whether I wanted to go out with  
6 him. Once when some DVDs appeared or -- or turned up  
7 in the wrong place, he blamed me. He said it had been  
8 me.  
9 "I answered him saying whether he had seen  
10 me putting those DVDs there, and he told me that if he  
11 said that I had put them there, then that was -- that  
12 was so.  
13 "He started to shout at me in front of all  
14 the people that were in the warehouse and he made me  
15 cry. I went to Linc's office to tell him what had  
16 happened and he told me to calm down and to stop  
17 crying and I said to Linc, 'Why do you let yourself be  
18 bossed around by Taj if -- if he was the general  
19 manager of the warehouse?' And he started to laugh."  
20 Q Do you remember when it was that he took  
21 your hand and asked if you wanted to go out with him?  
22 A Not the exact day.

Page 53

1 Q When did the DVDs turn up in the wrong place  
2 that you learned about?  
3 A I'd like to say something further. Can I?  
4 MR. PHILLIPS: Answer -- answer only the  
5 question you've been asked.  
6 A What was the question?  
7 Q What were -- when did the DVDs turn up in  
8 the wrong place?  
9 A I don't remember -- recall the exact date.  
10 Q Do you know why Taj thought you were  
11 responsible?  
12 A Because those DVDs had just come in, I  
13 guess, from the other warehouse and I had been the  
14 person who received them.  
15 Q Do you remember exactly what he said to you?  
16 THE INTERPRETER: What he said to you? I'm  
17 sorry.  
18 Q Do you remember what Taj said to you?  
19 A Where the DVDs were, that he was fed up with  
20 all this S-H-I-T, that the DVDs had to appear and that  
21 I should go and look for them throughout the entire  
22 warehouse and that I was no good for anything.

Page 54

1 Q Did he ask anyone else about the DVDs?  
2 MR. PHILLIPS: Objection, foundation.  
3 Q Do you know if he asked anyone about the  
4 DVDs?  
5 A Yes, the whole warehouse, all the people  
6 there.  
7 Q Why did you say that Linc was being ordered  
8 around by Taj?  
9 A Because you could see how he would order him  
10 around at the warehouse.  
11 Q Did you complain to anyone else after this  
12 incident?  
13 MR. PHILLIPS: Objection. Vague.  
14 THE INTERPRETER: Excuse me. Objection,  
15 what?  
16 MR. PHILLIPS: Objection, vague. You can  
17 answer.  
18 A Aside from Linc?  
19 Q Yes.  
20 A I don't remember.  
21 Q Can you read the next paragraph beginning,  
22 "El Senor Coffee Tutu"?

Page 55

1 A "Mr. Kofi Tutu also asked me intimate  
2 questions like whether my period was heavy or light,  
3 whether I shaved my legs and armpits. Once Mr. Taj  
4 asked me how long it had been since I had had sex.  
5 "I respond that it was none of his business.  
6 Once he started to say that his penis was so large  
7 that if he put it on top of the table it would fall  
8 off and continue rolling."  
9 Q How often did Kofi ask you about your  
10 period?  
11 A Like I don't remember how many times, but it  
12 was a few.  
13 Q Did he ask you more than once whether you  
14 shaved your legs and armpits?  
15 A Yes, like two or three times.  
16 Q Did he ask you more than once about how long  
17 it had been since you had sex?  
18 A Who?  
19 Q Who asked you how long it had been since you  
20 had had sex?  
21 A Taj.  
22 Q Did he ask you more than once how long it

Page 56

1 had been since you had sex?  
2 A Yes.  
3 Q Do you know how many times he asked you?  
4 A Several times.  
5 Q Do you know if anyone else heard him ask you  
6 this question?  
7 A What, what do you say?  
8 Q Do you know if anyone else heard him ask you  
9 that question?  
10 A Once when I was alone, I was in the back  
11 with DVDs, he was always checking me out. The other  
12 time was, I believe it was in front of my cousin  
13 Lolita.  
14 Q How did you know he was checking you out?  
15 A Because he would -- because he would stand  
16 at the corner of the section where I was working, he  
17 would -- where I would work and he would -- he would  
18 watch me.  
19 Q And what do you mean by "checking you out"?  
20 A At times he would -- he would watch me  
21 like -- like his face was -- how do I explain it. He  
22 would look at me from head to -- up and down and he



<p style="text-align: right;">Page 57</p> <p>1 would -- he would lick his lips and he would -- he  2 would watch me when I was putting away the DVDs.  3 Q Did you say anything to him when he would do  4 these things?  5 A Yes.  6 Q What would you say?  7 A Yes, to not watch me like that -- to not  8 look at me like that because it made me feel  9 uncomfortable.  10 Q Did he respond to you?  11 A Yes.  12 Q What did he say in response?  13 A He would laugh. He would stay there a  14 little longer and then he would leave.  15 Q Did you complain to anyone about his  16 checking you out?  17 A Yes.  18 Q Who did you complain to?  19 A To Linc.  20 Q Did you complain to anyone else?  21 A I don't remember.  22 Q Do you know if anyone heard Kofi Tutu ask</p>	<p style="text-align: right;">Page 59</p> <p>1 heard him ask you about how long you had -- how long  2 it had been since you had sex?  3 THE INTERPRETER: Excuse me. Could the  4 question be repeated?  5 Q I'll repeat the question.  6 Do you know if anyone else heard Taj ask  7 you -- ask you how long it had been since you had had  8 sex?  9 A My cousin Lolita. I don't know if anybody  10 else.  11 Q Did you say anything to him when he asked  12 you this?  13 A That it was not his business.  14 Q I'm looking at the sentence that begins,  15 "Una vez Q aparecieron," which you read. Who was it  16 that referred to his penis?  17 THE INTERPRETER: Who was it that you  18 referred? I'm sorry.  19 Q Who was it that referred to his penis?  20 A Taj.  21 Q And did you tell anyone about this comment?  22 A He said it so loud that everybody laughed.</p>
<p style="text-align: right;">Page 58</p> <p>1 you about your period?  2 A Yes.  3 Q Who else heard him?  4 A My sister Milagros Ledesma and my cousin  5 Lolita Gonzalez and my aunt Dolores Gonzalez were  6 present.  7 Q Did he ask anyone else?  8 A Yes.  9 Q Who else did he ask?  10 A Lolita and Milagros.  11 Q Did you say anything to him when he asked  12 you this?  13 A Yes.  14 Q What did you say?  15 A Why was he asking things like that? Those  16 were intimate things about -- private things about  17 one's self.  18 Q Did you complain to anyone?  19 A Yes.  20 Q Who did you complain to?  21 A To Linc.  22 Q Did anyone -- do you know if anyone else</p>	<p style="text-align: right;">Page 60</p> <p>1 Q Who's everybody?  2 A The people who worked at the warehouse.  3 Q Can you read the next paragraph beginning,  4 "Yo vi varias veces"?  5 A Up to certain or to the bottom of the  6 paragraph?  7 Q To the bottom of the paragraph.  8 A "Several times I saw how Mr. Taj would touch  9 Blyth and Sara. He would touch Sara's breast and  10 vagina and she didn't say anything. He would stand  11 behind Blyth and would brush up against her with his  12 penis against her butt and she would laugh.  13 "When Takara came to the warehouse, Mr. Taj  14 had an affair with her and it seems that she was --  15 became pregnant and didn't know whether it was Taj's  16 or her husband's.  17 "During the time that Takara -- at the time  18 that Takara arrived at the warehouse, I asked Linc  19 whether I could leave early -- leave work early to  20 pick up my daughter from day care because the day care  21 center closed at 6:30 p.m. and he told me I couldn't  22 and that if I couldn't stay late, that I should go</p>

Page 61

1 look for another job. But when Takara asked whether  
2 she could leave early to take -- to attend to her  
3 husband, he accepted without any objection."  
4 MS. QUAMIE: May I ask the interpreter,  
5 please, to translate the phrase in the fourth line of  
6 that paragraph, "Rosaba las naglas."  
7 THE INTERPRETER: The fourth line, yes.  
8 Brush up against her buttocks, her butt. Buttocks,  
9 probably, is more correct.  
10 MS. QUAMIE: Thank you.  
11 THE INTERPRETER: Because the interpreter  
12 comments that it's -- we would like to add that that's  
13 actually a more formal way than butt.  
14 MS. QUAMIE: The entire phrase, "Rosaba las  
15 nalgas."  
16 THE INTERPRETER: Brushed up against --  
17 starting with "Rosaba las nalgas" or from the  
18 beginning of the line?  
19 MS. QUAMIE: "Rosaba las nalgas."  
20 MR. PHILLIPS: Brushed up against her  
21 buttocks.  
22 MS. QUAMIE: Okay, thank you.

Page 62

1 BY MS. QUAMIE:  
2 Q Do you recall when you saw Taj touch Sara?  
3 A When it started? I don't understand.  
4 Q When was the first time that you saw Taj  
5 touch Sara?  
6 A I don't remember the exact date.  
7 Q Do you recall it happened about how many  
8 times?  
9 A Just about every day.  
10 Q What did you say? Did you say anything when  
11 he touched her?  
12 A No.  
13 Q Did you see Sara do anything or say anything  
14 in response?  
15 A No, he -- she would just laugh.  
16 Q Did you say anything when you saw her -- Taj  
17 touch Blyth?  
18 A No.  
19 Q Was it on more than one occasion?  
20 A Yes.  
21 Q How do you know that Taj and Takara had a  
22 romance?

Page 63

1 A Because Taj would say so.  
2 Q What did he say?  
3 A Taj would -- would mention to his friend  
4 that he -- he was with her and that he would go out  
5 with her.  
6 Q Why do you think she became pregnant with  
7 Taj or by Taj?  
8 MR. PHILLIPS: Objection. Misstates prior  
9 testimony. Assumes facts. You can answer.  
10 THE INTERPRETER: I just want to -- may I  
11 ask?  
12 MS. QUAMIE: Uh-hmm.  
13 (Interpreter speaking with witness.)  
14 A The second time I came to the warehouse, a  
15 friend of Takara's, and I don't remember her name,  
16 said in front of everybody that Takara had become  
17 pregnant and she didn't know whether it was from Taj  
18 or from her husband and that she was going to have an  
19 abortion or something like that.  
20 Q How did you know -- how do you know that  
21 Takara asked to leave early to help her husband?  
22 A Because she did it before I did.

Page 64

1 Q Did she ask him in front of you?  
2 A I was standing near the door of the office  
3 and it was open, I was standing there by it, yes, I  
4 heard.  
5 Q Do you know why she asked to leave early?  
6 A She said that she had to cook for her  
7 husband.  
8 Q Did you hear her say anything else?  
9 A No.  
10 Q Did you ask Linc to leave early more than  
11 once?  
12 A Yes.  
13 Q How many times did you ask to leave early?  
14 A I don't recall.  
15 Q Do you recall what time you were scheduled  
16 to work the day that you asked to leave early?  
17 A As I said before, we didn't have an exact  
18 time we got off, but it was later than 6:30.  
19 Q Do you recall what time you asked to leave?  
20 A I don't understand.  
21 Q Do you recall what time you wanted to leave  
22 the facility to pick up your daughter?

<p style="text-align: right;">Page 65</p> <p>1 A At 6:00.</p> <p>2 Q Can you turn to the following page. Would</p> <p>3 you read the paragraph beginning "Cuando" and ending</p> <p>4 at "con ellos"?</p> <p>5 A "When Michelle arrived, a black girl who's a</p> <p>6 friend of Mo's, Michelle had a relationship with</p> <p>7 Mr. Tutu and also they would favor her just like with</p> <p>8 all Mr. Taj's friends who were Fernando, Aaron, Shon,</p> <p>9 Reggie and Michelle. All of them made mistakes when</p> <p>10 they put back the DVDs, but they wouldn't say anything</p> <p>11 to them. They would comment in front of Taj that they</p> <p>12 would take and use marijuana and he would laugh with</p> <p>13 them."</p> <p>14 Q Who is Mo?</p> <p>15 A A girl who works at the warehouse.</p> <p>16 Q How do you know that Michelle had a</p> <p>17 relationship with Mr. Tutu?</p> <p>18 A Once they kissed each other in front of me.</p> <p>19 They would leave together and they would arrive</p> <p>20 together. And she would say stuff.</p> <p>21 Q Would she tell you?</p> <p>22 A She would mention it in front of me.</p>	<p style="text-align: right;">Page 67</p> <p>1 A Who?</p> <p>2 Q Did anyone tell you to stand?</p> <p>3 A Yes.</p> <p>4 Q Who told you to stand?</p> <p>5 A Taj and Tutu.</p> <p>6 Q Did you ask to sit down?</p> <p>7 A Yes, because sometimes I would be working</p> <p>8 longer than eight hours.</p> <p>9 Q And who did you ask to sit down?</p> <p>10 A Taj and Tutu.</p> <p>11 Q What did Taj and Tutu say?</p> <p>12 A No.</p> <p>13 Q Did they say anything else?</p> <p>14 A That they didn't want me to, to sit down.</p> <p>15 Q Do you know if anyone else asked to sit</p> <p>16 down?</p> <p>17 A Several people did.</p> <p>18 Q How do you know that Michelle would make</p> <p>19 mistakes?</p> <p>20 A Because the movies had to be -- the movies</p> <p>21 that we would look for that the clients would be</p> <p>22 ordering, the movies were supposed to be in their</p>
<p style="text-align: right;">Page 66</p> <p>1 Q Did you ever speak with Michelle about a</p> <p>2 relationship with Mr. Tutu?</p> <p>3 A No, no, I don't remember.</p> <p>4 Q How would he make favors for Michelle?</p> <p>5 A He would let her sit down and Dolores and</p> <p>6 Lolita and I would have to be standing.</p> <p>7 Q Was there any other way that he provided</p> <p>8 favors to Michelle?</p> <p>9 A When she would make mistakes, he wouldn't</p> <p>10 say anything.</p> <p>11 Q Is there anything else?</p> <p>12 A I can't recall at this time.</p> <p>13 Q Did anyone else have to stand besides you,</p> <p>14 Dolores and Lolita?</p> <p>15 A No, it was Milagros, Lolita and me, and if</p> <p>16 I'm not mistaken another guy whose name was Sergio,</p> <p>17 Chad, Kevin and another guy, a Latino, Jimmy. That --</p> <p>18 his name is Jimmy. And Dolores, Lolita -- Lita --</p> <p>19 Dolores, Lita, L-I-T-A. That's all I can remember at</p> <p>20 this time. I can't remember anybody else at any</p> <p>21 other -- anyone else at this time.</p> <p>22 Q Did he tell you to stand?</p>	<p style="text-align: right;">Page 68</p> <p>1 place, and in her section they wouldn't -- they were</p> <p>2 either not in their place or, if they were in their</p> <p>3 place, they were not under the right letter. They</p> <p>4 would be under a different letter.</p> <p>5 Q What type of favors did he -- did Taj do for</p> <p>6 Aaron? Excuse me, strike that.</p> <p>7 Yeah, what kind of favors did Taj do for</p> <p>8 Fernando?</p> <p>9 A He wouldn't mention any of the mistakes that</p> <p>10 he would make. He would allow him to come in late.</p> <p>11 When we would be -- when there was a break, he would</p> <p>12 take whatever length of time he wanted.</p> <p>13 Q What kind of favors did he do for Aaron?</p> <p>14 A The same ones.</p> <p>15 Q What kind of favors did he do for Shon?</p> <p>16 A He didn't say anything -- anything about the</p> <p>17 mistakes he would make, when he would count the number</p> <p>18 of DVDs to figure out the rate of -- that we would</p> <p>19 process per day, he would -- he would pad his count.</p> <p>20 And the same thing, he would come in late and he would</p> <p>21 come back from breaks late and he wouldn't say</p> <p>22 anything to him.</p>

<p style="text-align: right;">Page 89</p> <p>1 You can answer if you can.</p> <p>2 A No, could you explain it to me?</p> <p>3 Q I'm going to reread the phrase, "Such as</p> <p>4 assignment of additional duties." Were you assigned</p> <p>5 additional duties?</p> <p>6 MR. PHILLIPS: Objection. Vague. Answer if</p> <p>7 you can.</p> <p>8 A At the warehouse?</p> <p>9 Q Yes.</p> <p>10 A I received DVDs. I would check to see</p> <p>11 whether the DVDs were damaged. I would put them -- I</p> <p>12 would take them out of their envelope and put them</p> <p>13 back in the label -- in the envelopes with the labels.</p> <p>14 Q Were you ever asked to do more duties than</p> <p>15 anyone else?</p> <p>16 MR. PHILLIPS: Same objection. You can</p> <p>17 answer.</p> <p>18 A At times when DVDs were lost, we were made</p> <p>19 to stay to look for them until they were found until</p> <p>20 whatever hour it was, every one of us.</p> <p>21 Q I'm going to jump to the next paragraph,</p> <p>22 number 20. The sentence begins, "Such harassment" and</p>	<p style="text-align: right;">Page 91</p> <p>1 not read in context. The preceding sentence was not</p> <p>2 read, but you can answer the question.</p> <p>3 BY MS. QUAMIE:</p> <p>4 Q You can answer.</p> <p>5 A When we would get off, they would -- they</p> <p>6 would check our purse. Sometimes they would check our</p> <p>7 lockers. They even check our food when we would eat</p> <p>8 it, sometimes.</p> <p>9 Q And who is "they"?</p> <p>10 A Taj. It depended on who was at the door.</p> <p>11 Taj, Linc, Tutu.</p> <p>12 Q Did anyone else check your property?</p> <p>13 A I don't remember.</p> <p>14 Q When did they check your property?</p> <p>15 A When we would get off. The locker, when</p> <p>16 the -- the lockers were in the place where you eat,</p> <p>17 and sometimes they would be there opening up the</p> <p>18 lockers.</p> <p>19 Q Do you know if there were individuals whose</p> <p>20 property they had not searched?</p> <p>21 A When, the first time I worked at the</p> <p>22 warehouse or the second time?</p>
<p style="text-align: right;">Page 90</p> <p>1 it reads, it states, "Such harassment and other</p> <p>2 discriminatory terms and conditions of employment</p> <p>3 included but are not limited to."</p> <p>4 THE INTERPRETER: Do you want to continue or</p> <p>5 are you going to continue?</p> <p>6 MS. QUAMIE: I don't know if you want to</p> <p>7 translate it or not.</p> <p>8 THE INTERPRETER: Since I'm reading, it's</p> <p>9 okay, you can finish whatever it is you're going to</p> <p>10 refer to.</p> <p>11 Q "Making threats and using physical gestures</p> <p>12 to intimidate them, yelling at them, insulting them</p> <p>13 and leveling unwarranted criticisms of their work,</p> <p>14 making searches of their personal property,</p> <p>15 excessively monitoring their activities, making false</p> <p>16 accusations about them, subjecting them to</p> <p>17 discriminatory work standards, hours of work and</p> <p>18 training opportunities, racial comments and other</p> <p>19 discriminatory terms and conditions of employment."</p> <p>20 Did anyone search your personal property?</p> <p>21 MR. PHILLIPS: And I'll object to the</p> <p>22 question to the extent the sentence that was read is</p>	<p style="text-align: right;">Page 92</p> <p>1 Q The second time.</p> <p>2 A They didn't check anybody's -- Taj's</p> <p>3 friend's jackets, the oversized jackets, nor Blyth or</p> <p>4 Sara. I don't remember who else.</p> <p>5 Q What about the second time?</p> <p>6 A I don't remember.</p> <p>7 Q After personal property, on the next line,</p> <p>8 the phrase begins "subjecting them to discriminatory</p> <p>9 work standards, hours of work and training</p> <p>10 opportunities." It's on the bottom of page 6.</p> <p>11 THE INTERPRETER: Do you want to ask a</p> <p>12 question --</p> <p>13 BY MS. QUAMIE:</p> <p>14 Q Do you know what the phrase means,</p> <p>15 "subjecting them to discriminatory work hours"?</p> <p>16 MR. PHILLIPS: Objection. Lacks foundation.</p> <p>17 Answer if you can.</p> <p>18 A No, I don't.</p> <p>19 Q Were you given different training</p> <p>20 opportunities than other workers at the facility?</p> <p>21 A They only let us do the DVDs, check DVDs,</p> <p>22 pick them up when a lot of DVDs came in, Linc let me</p>

<p style="text-align: right;">Page 93</p> <p>1 receive them.</p> <p>2 Q Were you trained or taught to do your work</p> <p>3 at the facility by anyone?</p> <p>4 A What do you mean?</p> <p>5 Q Did anyone show you how to do your job?</p> <p>6 A Yes.</p> <p>7 Q Who did?</p> <p>8 A Lolita taught me when I arrived because Linc</p> <p>9 told her to teach me.</p> <p>10 Q Did anyone else show you how to do your job?</p> <p>11 A No.</p> <p>12 Q When Lolita showed you how to do your job,</p> <p>13 did she communicate with you in English or Spanish?</p> <p>14 A Spanish.</p> <p>15 Q I don't have any other questions on this</p> <p>16 document.</p> <p>17 After you submitted your letter to the EEOC,</p> <p>18 (indicating), did anyone talk to you about your</p> <p>19 allegations?</p> <p>20 MR. PHILLIPS: May I ask for clarification?</p> <p>21 Anyone from the EEOC, is that what you're asking, or</p> <p>22 anybody?</p>	<p style="text-align: right;">Page 95</p> <p>1 (A brief recess was taken.)</p> <p>2 BY MS. QUAMIE:</p> <p>3 Q Miss Ledesma, so you have in front of you</p> <p>4 what's been marked as Elizabeth Ledesma number 4. If</p> <p>5 would, please, turn to page 16. The last line reads,</p> <p>6 "Ledesma also learned from co-worker Fernando Holquin</p> <p>7 that Johnson told him he was having fantasies about</p> <p>8 having sex with her in the warehouse."</p> <p>9 Were you able to hear the translation?</p> <p>10 A A little bit.</p> <p>11 MS. QUAMIE: Would you please repeat? I</p> <p>12 think she may have been distracted.</p> <p>13 MR. PHILLIPS: I apologize.</p> <p>14 MS. QUAMIE: That's okay.</p> <p>15 Q And who is Fernando Holquin?</p> <p>16 A A worker in the warehouse.</p> <p>17 Q What is his race?</p> <p>18 A Black.</p> <p>19 Q Did you tell anyone about your conversation</p> <p>20 with Fernando about what Johnson told him?</p> <p>21 A No, I don't remember.</p> <p>22 Q The sentence beginning Ledesma, about three</p>
<p style="text-align: right;">Page 94</p> <p>1 MS. QUAMIE: Sure.</p> <p>2 Q Did anyone from the EEOC interview you about</p> <p>3 your allegations?</p> <p>4 A What are allegations?</p> <p>5 Q Did -- I'll ask the question differently.</p> <p>6 Did anyone from the EEOC ask you about the statements</p> <p>7 you made in your letter?</p> <p>8 A Yes.</p> <p>9 Q Who did?</p> <p>10 A Him and Miss -- Miss Marisol.</p> <p>11 Q By "him" are you referring to your lawyer?</p> <p>12 A Yes.</p> <p>13 MR. PHILLIPS: Yes, the record will reflect</p> <p>14 she was gesturing to me.</p> <p>15 MS. QUAMIE: Thank you.</p> <p>16 I'm going to ask the reporter to mark this</p> <p>17 document as Elizabeth Ledesma Exhibit 4.</p> <p>18 (Exhibit 4 was marked for identification and</p> <p>19 attached to the deposition transcript.)</p> <p>20 THE WITNESS: Can I use the restroom?</p> <p>21 MS. QUAMIE: Sure, we can take a break.</p> <p>22 This is a good time.</p>	<p style="text-align: right;">Page 96</p> <p>1 lines down, "Ledesma also was present when Johnson</p> <p>2 made statements about his penis, described more fully</p> <p>3 below, and on one occasion when Johnson pointed to</p> <p>4 scratches on his hands and boasted that they were a</p> <p>5 result of having sex on a carpet."</p> <p>6 THE INTERPRETER: I lost it. Oh, it's up</p> <p>7 here.</p> <p>8 BY MS. QUAMIE:</p> <p>9 Q Do you remember who else was present when</p> <p>10 Johnson pointed to the scratches on his hands?</p> <p>11 A He said it out loud. Everybody was there at</p> <p>12 the warehouse.</p> <p>13 Q Did you complain to anyone when you heard</p> <p>14 him make that statement about the scratches?</p> <p>15 A To Linc.</p> <p>16 Q Did anyone else go with you when you went to</p> <p>17 complain to Linc?</p> <p>18 A I don't remember at this time.</p> <p>19 Q Two sentences down, "Ledesma also witnessed</p> <p>20 Johnson fondling Emetem Nkewett and Yasmina Assoumanou</p> <p>21 on their breasts, buttocks and genitalia through their</p> <p>22 clothes, which she found very offensive."</p>

Page 97

1 Do you know who Emetem Nkwetta is?  
2 A I think it's Blyth.  
3 Q Is Yasmina Assoumanou known by another name?  
4 A If I'm not mistaken, it's Sara.  
5 Q I have no other questions on this document.  
6 Other than the complaints that we spoke  
7 about, did you talk to Cinnie Brown about any other  
8 complaints against Blockbuster employees?  
9 THE INTERPRETER: I'm sorry, did you talk to  
10 Cinnie Brown about what other what?  
11 MS. QUAMIE: Complaints about any other  
12 Blockbuster employees.  
13 A Who are you referring to?  
14 Q Did you complain to Cinnie Brown on any  
15 other occasions than the ones we discussed?  
16 A At this time I can't remember.  
17 MS. QUAMIE: If you would mark this, please,  
18 as Elizabeth Ledesma number 5.  
19 (Exhibit 5 was marked for identification and  
20 attached to the deposition transcript.)  
21 BY MS. QUAMIE:  
22 Q Miss Ledesma, you've been handed what's been

Page 98

1 marked as Exhibit number 5. Do you recognize this  
2 document at all? I'll give you a moment to look  
3 through it.  
4 A If I'm not mistaken, this is that handbook  
5 given by Express when they hire people.  
6 Q Do you remember receiving the handbook?  
7 A I don't recall.  
8 Q I don't have any other questions about that.  
9 And you said Dolores Gonzalez is your aunt?  
10 A Yes.  
11 Q How often do you speak with her?  
12 A You mean weekly or monthly? How often?  
13 Q How many times in a week do you speak with  
14 her?  
15 A One, two or three times.  
16 Q Did you speak with her about the deposition?  
17 A No.  
18 Q Have you spoken with her about this lawsuit  
19 outside of the presence of your attorney?  
20 A No.  
21 Q Did you work with her at the warehouse; did  
22 you work at the same time?

Page 99

1 A The same days?  
2 Q Yes.  
3 A Yes.  
4 Q Did you always work the same days?  
5 A Yes.  
6 Q Did you ever see anyone touch her?  
7 A No.  
8 Q Did you ever hear anyone make any sexual  
9 comments toward her?  
10 A Once Taj said to her that she had a nice  
11 body and that her body was fine for her age, that it  
12 was well put together. Not -- not to her. To me.  
13 Q Did you ever hear anyone say to your Aunt  
14 Dolores or make any sexual comments to your Aunt  
15 Dolores?  
16 MR. PHILLIPS: You mean said directly to  
17 Dolores?  
18 MS. QUAMIE: Correct.  
19 BY MS. QUAMIE:  
20 Q Said directly to your aunt.  
21 A I don't remember at this time.  
22 Q Did you ever hear anyone make any racial

Page 100

1 comments directly to your Aunt Dolores?  
2 A What do you mean "racial"?  
3 Q Did you ever hear anyone make any comments  
4 to your aunt that made you uncomfortable because it  
5 referred to her race or nationality?  
6 A I don't remember at this time.  
7 Q How often do you speak with your cousin  
8 Lolita?  
9 A Just about every day.  
10 Q Did you speak with her about this  
11 deposition?  
12 A No.  
13 Q Have you spoken with her about this lawsuit  
14 outside of the presence of Mr. Phillips?  
15 A No.  
16 Q Did you ever see anyone touch Lolita in a  
17 sexually offensive manner?  
18 A I can't remember at this time.  
19 Q Did you work the same days as Lolita at the  
20 warehouse?  
21 A Yes.  
22 Q Did Lolita ever complain to you about any

<p style="text-align: right;">Page 101</p> <p>1 sexual comments made towards her that you had not 2 heard -- that you were not present for? 3 THE INTERPRETER: Could you repeat that, 4 please? 5 Q Did Lolita ever complain to you about any 6 sexual comments that you were not present for? 7 A Yes. 8 Q What did she tell you? 9 A Could you repeat the question? 10 Q What did she tell you? 11 A The earlier question. 12 Q Did Lolita ever complain to you about sexual 13 comments that you were not present for? 14 A Yes. 15 Q What did she tell you? 16 A That Taj -- Taj spoke about her body. 17 Q Did she tell you what he said? 18 A I can't remember at this time, but she did 19 tell me. 20 Q Did you ever hear anyone make any racially 21 offensive comments to Lolita? 22 A Yes.</p>	<p style="text-align: right;">Page 103</p> <p>1 you," I'm sorry, what do you mean by that, for the 2 interpretation? 3 Q Did Cinnie Brown call you while you were 4 working at the warehouse to ask you how things were 5 going at the warehouse? 6 A Yes, she did call me once. Once or a couple 7 times. 8 Q Did anyone else call you or come by the 9 facility to ask how you were doing at work? 10 A Once Cinnie Brown came by and then two other 11 people came by. They were from Blockbuster, but I 12 don't know their name. 13 Q Do you remember what they asked you? 14 A About how -- what the atmosphere was like at 15 the warehouse, whether I was -- whether there was 16 mistreatment and whether I saw non professional things 17 take -- going on at the -- there. 18 Q Do you remember what you told him? 19 A What Taj had done, how he shouted at us, how 20 he mistreated us, how he would always be checking up 21 on us, how he would insult us and he would use cuss 22 words, swear at us, how he would ask me out, he was</p>
<p style="text-align: right;">Page 102</p> <p>1 Q Who did you hear? 2 A Taj and Linc. 3 Q What did Taj say? 4 A That she was a good for nothing. And he 5 would make fun of her. 6 Q How would he make fun of her? 7 A He would say -- sometimes he would say she 8 was slow, slow. 9 Q What would Linc say? 10 A That she was also slow, she was 11 thick-skulled and several other things, but I can't 12 remember at this time. 13 Q Did you complain about those comments to 14 anyone? 15 A Yes, to Linc. 16 Q And when Linc would make those comments, did 17 you complain to anyone about the comments Linc made? 18 A To Cinnie Brown on the occasions that I 19 would speak with her. 20 Q While you were working at the warehouse, did 21 Cinnie Brown call to check up on you? 22 THE INTERPRETER: When you said "check up on</p>	<p style="text-align: right;">Page 104</p> <p>1 always staring at me and checking me out, and how I 2 had seen what he had done to Emetem, to Blyth and 3 Sara, and that's all. And when they went there, that 4 was -- that was what had happened up to that point. 5 Q Do you remember when that was? 6 A No. 7 Q Do you know or remember who Niema Fields is? 8 A No. 9 Q Fayana Charlton, do you remember -- do you 10 remember who she is? 11 THE INTERPRETER: I'm sorry? 12 MS. QUAMIE: Fayana Charlton. 13 A As I said before, I don't remember names, 14 but I do remember faces. 15 Q Do you remember who Fayana Charlton is? 16 A No. 17 Q Who is LaQuanta Brinson? 18 A A girl who worked at the warehouse. 19 Q Do you think that she received more 20 favorable treatment than you at the warehouse? 21 MR. PHILLIPS: Objection, vague. You can 22 answer.</p>

<p style="text-align: right;">Page 105</p> <p>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</p>	<p style="text-align: right;">Page 107</p> <p>1 Michelle touched in a sexually offensive manner? 2 A What Michelle are you talking about, the one 3 that I'm talking about? 4 Q Is there another Michelle? 5 A The one that she talked about. 6 Q Speaking of a Michelle that you were talking 7 about earlier, can you recall if anyone else -- if 8 anyone touched her in a sexually offensive manner? 9 THE INTERPRETER: Do you remember if you saw 10 or did anybody -- 11 Q Do you remember seeing anyone touch her in a 12 sexually offensive manner? 13 A Yes, I did see her get touched by someone. 14 Q By whom? 15 A Kofi Tutu. 16 Q Did you ever tell anyone that you saw 17 Michelle being touched by Kofi Tutu? 18 A Yes, Linc. 19 Q Did you tell anyone else? 20 A I can't recall at this time. 21 Q Did you hear anyone making any sexual 22 comments to her?</p>
<p style="text-align: right;">Page 106</p> <p>1 towards her referring to her race? 2 A I can't -- I can't remember at this time. 3 Q Do you keep in touch with Michelle Despertt? 4 THE INTERPRETER: Michelle Despertt? 5 MS. QUAMIE: Uh-hmm. 6 A Who is she? 7 Q Did you work with someone named Michelle at 8 the warehouse? 9 A Yes, but I don't know if that's the same 10 Michelle. 11 Q Did you work with more than one Michelle at 12 the warehouse that you know of? 13 A I can't remember at this time. 14 Q The Michelle you're thinking of, is she -- 15 do you know what race she is? 16 A Yes, black. 17 Q And did you ever see anyone touch Michelle 18 in a sexually offensive manner? 19 A It's -- it's the same Michelle that we were 20 talking about? 21 Q Were there any other -- were there any other 22 occasions that we have not discussed in which you saw</p>	<p style="text-align: right;">Page 108</p> <p>1 A What do you mean by sexual comments? 2 Q Did you ever hear anyone make any comments 3 to her that you found sexually offensive? 4 A That were offensive to me? 5 Q Yes. 6 A I don't understand the question. 7 Q Did you ever hear anyone make comments to 8 Michelle that made you uncomfortable or that made you 9 feel offended because they were sexual in nature? 10 A Yes. 11 Q Who did you hear make those comments? 12 A Tutu. 13 Q Do you remember what he said? 14 A Something about -- about, how can I explain 15 it -- the way in which he had sex. 16 Q Do you remember if he was referring to sex 17 with Michelle? 18 A I don't remember at this time. 19 Q Do you remember why you were offended? 20 A Because these things were being said in 21 front of people. 22 Q Did you complain to anyone about those</p>



<p style="text-align: right;">Page 109</p> <p>1 comments?</p> <p>2 A To Linc.</p> <p>3 Q And do you recall what he said?</p> <p>4 A Who?</p> <p>5 Q Linc.</p> <p>6 A He laughed.</p> <p>7 Q Did he say anything?</p> <p>8 A No.</p> <p>9 Q Did you talk to anyone else about those</p> <p>10 comments?</p> <p>11 A I can't recall at this time.</p> <p>12 Q Did you ever hear anyone make sexual</p> <p>13 comments towards Blyth?</p> <p>14 A Taj.</p> <p>15 Q Do you recall what Taj said to her?</p> <p>16 A That she should bathe because her, you know</p> <p>17 what I mean, stunk.</p> <p>18 Q Do you know what he was referring to?</p> <p>19 A To her vagina.</p> <p>20 Q Did he use that word?</p> <p>21 A I can't remember -- I can't remember at this</p> <p>22 time, but he was referring to that.</p>	<p style="text-align: right;">Page 111</p> <p>1 comments to Milagros?</p> <p>2 A Sexual comments, what do you mean?</p> <p>3 Q Did you ever hear anyone make any comments</p> <p>4 that you found offensive because they were sexual in</p> <p>5 nature?</p> <p>6 A Yes.</p> <p>7 Q Who did you hear?</p> <p>8 A Tutu.</p> <p>9 Q Have we already discussed those comments?</p> <p>10 A It was the same things about whether she</p> <p>11 shaved her legs or armpits, how long it had been since</p> <p>12 she had sex, whether her periods were light or heavy.</p> <p>13 Q Were there any other comments?</p> <p>14 A At this time I can't recall.</p> <p>15 Q Did you ever hear anyone make any comments</p> <p>16 towards her that referred to her race?</p> <p>17 A Taj.</p> <p>18 Q And what did Taj say?</p> <p>19 A That she was stupid and that she was an</p> <p>20 S-H-I-T.</p> <p>21 Q Do you know who Grisel Nunez is?</p> <p>22 A Yes.</p>
<p style="text-align: right;">Page 110</p> <p>1 Q How do you know?</p> <p>2 A Because he said so. He said she should</p> <p>3 bathe because it's hot in the warehouse and -- and</p> <p>4 odors come out from down there.</p> <p>5 Q Do you remember if he said "down there"?</p> <p>6 A I can't recall at this time.</p> <p>7 Q Do you recall if he made any other comments</p> <p>8 that you thought were sexually offensive towards</p> <p>9 Blyth?</p> <p>10 A No, I can't recall.</p> <p>11 Q Did you ever hear anyone make any comments</p> <p>12 towards Blyth that you found offensive because they</p> <p>13 referred to her race?</p> <p>14 A No.</p> <p>15 Q Did you ever see anyone touch your sister</p> <p>16 Milagros in a sexually offensive manner at the</p> <p>17 warehouse?</p> <p>18 A No.</p> <p>19 Q Did Milagros ever tell you that someone</p> <p>20 touched her in a sexually offensive manner?</p> <p>21 A I can't recall at this time.</p> <p>22 Q Did you ever hear anyone make any sexual</p>	<p style="text-align: right;">Page 112</p> <p>1 Q Who is she?</p> <p>2 A A girl who works at the warehouse.</p> <p>3 Q Do you keep in touch with Grisel Nunez?</p> <p>4 A No.</p> <p>5 Q Do you know if she still works at the</p> <p>6 warehouse?</p> <p>7 A No, I don't.</p> <p>8 Q Did you work with her at the warehouse?</p> <p>9 A Yes.</p> <p>10 Q Did you ever see anyone touch Grisel in a</p> <p>11 sexually offensive manner?</p> <p>12 A No.</p> <p>13 Q Did you ever hear anyone make any comments</p> <p>14 to Grisel that you found offensive because they were</p> <p>15 sexual in nature?</p> <p>16 A No.</p> <p>17 Q Did you ever hear anyone make any comments</p> <p>18 to Grisel that you found offensive because they</p> <p>19 referred to her race or her nationality?</p> <p>20 A I can't recall at this time.</p> <p>21 Q What's your relationship -- relationship to</p> <p>22 Lolita Zubiarte?</p>

<p style="text-align: right;">Page 113</p> <p>1 A She's my aunt. She's my mother's sister.  2 Q What's your mother's name?  3 A Ava.  4 Q And what's her last name?  5 A Zubiato.  6 Q Thank you.  7 And how often do you speak with your Aunt  8 Lita?  9 A More or less two or three times a month.  10 Q Do you remember the last time you spoke with  11 her?  12 A Yesterday.  13 Q Have you spoken with her about this lawsuit?  14 A No, sir.  15 Q Have you spoken with her about this  16 deposition?  17 A No.  18 Q Do you know if she -- where she currently  19 works?  20 A At a school.  21 Q Do you know when she stopped working at the  22 warehouse?</p>	<p style="text-align: right;">Page 115</p> <p>1 Q Did you ever hear anyone at the warehouse  2 make any comments towards your Aunt Lita that you  3 thought was offensive because it was sexual?  4 A No.  5 Q Did you ever hear anyone make any comments  6 towards your aunt that you thought was offensive  7 because they referred to her race or they were racist?  8 A Taj said she was real slow, that he had  9 never seen anybody so slow at working.  10 Q Were there any other comments?  11 A Not -- not that I can recall at this time.  12 Q Do you know who Gilda Arevalo is?  13 A Yes.  14 Q Who is she?  15 A My aunt.  16 Q Do you keep in touch with her?  17 A Sometimes.  18 Q When was the last time you spoke with her?  19 A Mother's Day.  20 Q Did you speak with her about this lawsuit?  21 A No.  22 Q Did you work with her at the warehouse?</p>
<p style="text-align: right;">Page 114</p> <p>1 A I can't recall at this time.  2 Q Do you remember if it was before you stopped  3 working at the warehouse or after you stopped working  4 at the warehouse?  5 A Before.  6 Q Do you remember why she stopped working  7 there?  8 A He would bother her a lot. He would -- he  9 would be always hovering over her and looking at how  10 many DVDs she'd do and how well she did it. It would  11 cause a lot of stress. He was always checking out  12 what she was doing. He would pick up a piece of paper  13 and hit it down on the -- in front of her and bother  14 her a lot.  15 Q How do you know that he bothered her?  16 A Because I was at a table right across and  17 she was at one table and he would stand up right by  18 her and beat down on the table.  19 Q Did you ever see anyone touch your Aunt Lita  20 in a manner that you thought was sexually offensive --  21 that you thought was offensive because it was sexual?  22 A No.</p>	<p style="text-align: right;">Page 116</p> <p>1 A Yes.  2 Q Do you know where she works now?  3 A No.  4 Q Did you ever see anyone touch her in a  5 manner that was offensive because it was sexual in  6 nature?  7 A No.  8 Q Did you ever hear anyone make any comments  9 to her that you thought was offensive -- that you  10 thought were offensive because they were sexual in  11 nature?  12 A No.  13 Q Did you ever hear anyone make any comments  14 to her that you thought were offensive because they  15 were racial -- racist in nature or referred to her  16 race?  17 A No.  18 Q What is her race or nationality?  19 A She's a Peruvian Latino.  20 Q Did you ever observe her being treated  21 differently because of her race?  22 A No.</p>

1 Q Did you ever -- strike that.  
 2 Do you know someone by the name of Say Wing?  
 3 A Yes.  
 4 Q Who is she?  
 5 A A warehouse person.  
 6 Q When is the last time that you spoke with  
 7 her?  
 8 A I can't remember. It was the last time that  
 9 I left -- that I left the warehouse.  
 10 Q Did you ever see anyone touch Say Wing in a  
 11 manner that you thought was offensive because it was  
 12 sexual in nature?  
 13 A No.  
 14 (Discussion off the record.)  
 15 BY MS. QUAMIE:  
 16 Q We were talking about Say Wing. Do you  
 17 remember whether anyone made any comments towards Say  
 18 Wing that you thought were offensive because they were  
 19 sexual in nature?  
 20 A No.  
 21 Q Do you know if anyone ever made any comments  
 22 toward her that you thought were offensive because

1 they were -- because they were racist in nature or  
 2 referred to her race?  
 3 A No.  
 4 Q Are you aware of whether she ever complained  
 5 about sexual harassment at the workplace?  
 6 A No, I don't know. I'm not aware.  
 7 Q Do you keep in touch with Sara?  
 8 A No.  
 9 Q When was the last time that you saw her?  
 10 A I can't recall at this time.  
 11 Q Have you seen her or spoken with her since  
 12 you left the warehouse?  
 13 A No.  
 14 Q Did you ever hear anyone make any comments  
 15 towards Sara that you thought were offensive because  
 16 they were sexual in nature?  
 17 A Comment?  
 18 Q Did you ever hear anyone at the warehouse  
 19 say anything to Sara that you thought was offensive  
 20 because it was sexual in nature?  
 21 A When Taj would grab her breasts and her  
 22 buttocks.

1 Q Did he say anything?  
 2 A "How nice."  
 3 Q What race -- do you know what race Sara is?  
 4 A Black.  
 5 Q Did you ever hear anyone make any comments  
 6 towards Sara that you thought was offensive because it  
 7 was -- it referred to her race?  
 8 A No.  
 9 Q Who is Victor Ruiz?  
 10 A A warehouse worker.  
 11 Q Are you related to Victor Ruiz?  
 12 A No.  
 13 Q Do you recall when the last time was you  
 14 spoke with Mr. Ruiz?  
 15 A A couple of months ago.  
 16 Q Did you speak with him about this lawsuit?  
 17 A No.  
 18 Q Did you ever hear Mr. Ruiz making sexual  
 19 comments at the warehouse?  
 20 A No.  
 21 Q Did you ever hear anyone make any comments  
 22 to Mr. Ruiz that you thought were offensive because

1 they referred to his race?  
 2 A No.  
 3 Q Do you know who Takara Martin is?  
 4 A A warehouse worker.  
 5 Q Do you remember her race?  
 6 A Black.  
 7 Q What are you seeking from this lawsuit,  
 8 Miss Ledesma?  
 9 MR. PHILLIPS: Objection, foundation.  
 10 Answer the question, please.  
 11 A What are you talking about?  
 12 Q Are you seeking to receive any money from  
 13 this lawsuit?  
 14 A I don't know.  
 15 Q Do you feel that you suffered emotionally  
 16 from your experience working at the warehouse?  
 17 A Yes.  
 18 Q How have you suffered emotionally?  
 19 A Humiliation, depression.  
 20 Q What do you mean by humiliation?  
 21 A The way I was treated isn't the way that a  
 22 human being should be treated.

<p style="text-align: right;">Page 121</p> <p>1 Q And what do you mean by depression?</p> <p>2 A Sometimes I didn't even want to get out of</p> <p>3 bed to go to work because I knew what was waiting for</p> <p>4 me at the warehouse.</p> <p>5 Q When did you first start feeling the</p> <p>6 depression?</p> <p>7 A From the time that Taj began to shout at me.</p> <p>8 Q Have you seen any healthcare professionals</p> <p>9 for your depression?</p> <p>10 A No.</p> <p>11 Q Why not?</p> <p>12 A Because I didn't have time because I was</p> <p>13 working at the warehouse. If I wasn't working at the</p> <p>14 warehouse, I had to -- I couldn't because I had to</p> <p>15 look for work.</p> <p>16 Q Are you currently working?</p> <p>17 A Yes.</p> <p>18 Q Where are you working now?</p> <p>19 A Claire's.</p> <p>20 Q And how long have you been working there?</p> <p>21 A A year and three or four months.</p> <p>22 Q Where were you working before Claire's?</p>	<p style="text-align: right;">Page 123</p> <p>1 A Yes.</p> <p>2 Q Do you remember where you were looking?</p> <p>3 A Different -- different websites.</p> <p>4 Q Do you remember any other websites?</p> <p>5 A No.</p> <p>6 Q And do you remember how you found out about</p> <p>7 the job at Limited Too?</p> <p>8 A Because I went to the mall and I applied</p> <p>9 there.</p> <p>10 Q And why did you leave your position at</p> <p>11 Limited Too?</p> <p>12 A Because I had a kidney operation and I had</p> <p>13 to leave.</p> <p>14 Q And how much time in between when you left</p> <p>15 Limited Too was there between when you started at</p> <p>16 Claire's?</p> <p>17 A A month. The same month. Because when I</p> <p>18 went back to Limited Too, they had -- after the</p> <p>19 operation, they had hired someone else, and so I</p> <p>20 applied at Claire's.</p> <p>21 Q And how much are you currently earning at</p> <p>22 Claire's?</p>
<p style="text-align: right;">Page 122</p> <p>1 A At Limited Too.</p> <p>2 Q How long were you working there?</p> <p>3 A Two years.</p> <p>4 Q And where were you working before Limited</p> <p>5 Too?</p> <p>6 A Let me recall. I believe it was Spherion.</p> <p>7 It was at the time I left the warehouse.</p> <p>8 Q How much time was it between when you left</p> <p>9 the warehouse and when you began working at Limited</p> <p>10 Too?</p> <p>11 A I can't recall at this time.</p> <p>12 Q When did you begin looking for work after</p> <p>13 you left the warehouse?</p> <p>14 A The next day.</p> <p>15 Q And how did you start looking for work?</p> <p>16 A Filling out applications at different</p> <p>17 places.</p> <p>18 Q Did you do anything else?</p> <p>19 A On the computer.</p> <p>20 Q What do you mean by on the computer?</p> <p>21 A Online.</p> <p>22 Q Were you looking for jobs online?</p>	<p style="text-align: right;">Page 124</p> <p>1 (THE FOLLOWING PORTION WAS DESIGNATED AS</p> <p>2 CONFIDENTIAL AND IS BOUND SEPARATELY.)</p> <p>3</p> <p>4 (THIS CONCLUDES THE CONFIDENTIAL PORTION.)</p> <p>5 MR. PHILLIPS: For the record, we'll renew</p> <p>6 our objection as to examination on mitigation and</p> <p>7 earnings. Any earnings information we'll designate as</p> <p>8 confidential pursuant to a protective order. But,</p> <p>9 again, I'll -- again, I'll let the witness answer the</p> <p>10 question.</p> <p>11 Q Were you ever asked to work overtime at</p> <p>12 Claire's?</p> <p>13 A Yes.</p> <p>14 Q And how much do you earn when you work</p> <p>15 overtime?</p> <p>16 (THE FOLLOWING PORTION WAS DESIGNATED AS</p> <p>17 CONFIDENTIAL AND IS BOUND SEPARATELY.)</p> <p>18</p> <p>19 (THIS CONCLUDES THE CONFIDENTIAL PORTION.)</p> <p>20 Q Were there any other instances while working</p> <p>21 at Blockbuster where you felt that you were harassed</p> <p>22 because of your race that we have not already</p>

<p style="text-align: right;">Page 125</p> <p>1 discussed?</p> <p>2 A Yes.</p> <p>3 Q What were those instances?</p> <p>4 A They wouldn't allow me to speak Spanish.</p> <p>5 Q They would not -- who's "they"?</p> <p>6 A Taj, Tutu and Linc.</p> <p>7 Q How do you know they would not allow you to</p> <p>8 speak Spanish?</p> <p>9 A Because they told me.</p> <p>10 Q What did they tell you?</p> <p>11 A Don't speak Spanish.</p> <p>12 Q Did they say -- did they tell you who you</p> <p>13 could not speak Spanish to?</p> <p>14 A With whom?</p> <p>15 Q Yes. Did they tell you with whom you could</p> <p>16 not speak Spanish?</p> <p>17 A To Lolita, Milagros, Dolores, Hilda, Victor,</p> <p>18 Sergio, Jimmy, Lita.</p> <p>19 Q Anyone else?</p> <p>20 A Those who were Spanish speaking.</p> <p>21 Q They say those were Spanish speaking or did</p> <p>22 they say their names?</p>	<p style="text-align: right;">Page 127</p> <p>1 A I can't recall at this time.</p> <p>2 Q Did you complain to anyone or tell anyone</p> <p>3 that Taj said you could not go to the bathroom?</p> <p>4 A Yes, to Lincoln, Cinnie Brown.</p> <p>5 Q Did you complain to anyone when Tutu -- when</p> <p>6 Mr. Tutu told you you could not go to the bathroom?</p> <p>7 A Yes.</p> <p>8 Q Who did you complain to?</p> <p>9 A To Lincoln and her, the lady.</p> <p>10 Q Were there any other instances that you --</p> <p>11 any other examples that we have not discussed where</p> <p>12 you thought you were harassed because of your race?</p> <p>13 A I can't think of any at this time.</p> <p>14 Q Are there any other comments that we've not</p> <p>15 discussed that you thought were offensive because they</p> <p>16 referred to your race?</p> <p>17 A Not that I can recall at this time.</p> <p>18 Q Are there any other instances that we have</p> <p>19 not discussed that you found offensive because of your</p> <p>20 sex or gender?</p> <p>21 A Not that I -- not that I can recall at this</p> <p>22 time.</p>
<p style="text-align: right;">Page 126</p> <p>1 A They said the names of the people that I</p> <p>2 said.</p> <p>3 Q Did you tell anyone that Taj, Tutu and Linc</p> <p>4 would not allow you to speak Spanish?</p> <p>5 A I can't remember at this time.</p> <p>6 Q Were there any other instances that you</p> <p>7 thought you were harassed because of your race while</p> <p>8 working at the warehouse?</p> <p>9 A I couldn't go to the bathroom because they</p> <p>10 would be asking where I was, that I wasn't doing my</p> <p>11 work if I weren't there.</p> <p>12 Q Who is "they"?</p> <p>13 A Taj, Lincoln, Tutu.</p> <p>14 Q Did you have to ask them to go to the</p> <p>15 bathroom?</p> <p>16 A Yes.</p> <p>17 Q Did they tell you you could not go to the</p> <p>18 bathroom?</p> <p>19 A Sometimes.</p> <p>20 Q Did they tell anyone else they could not go</p> <p>21 to the bathroom or did you see them tell anyone else</p> <p>22 they could not go to the bathroom?</p>	<p style="text-align: right;">Page 128</p> <p>1 Q Are there any other comments that we have</p> <p>2 not discussed that you found offensive because they</p> <p>3 were sexual in nature?</p> <p>4 A Once Taj invited me to go to his apartment.</p> <p>5 Q And what did you say?</p> <p>6 A No.</p> <p>7 Q Did anyone else hear Taj invite you to his</p> <p>8 apartment?</p> <p>9 MR. PHILLIPS: Objection, speculation.</p> <p>10 Answer, please.</p> <p>11 A Lolita and Fernando.</p> <p>12 Q Did you tell anyone else or complain to</p> <p>13 anyone else when Taj invited you to go to his</p> <p>14 apartment?</p> <p>15 A Yes.</p> <p>16 Q Who did you complain to?</p> <p>17 A To Lincoln and Miss Cinnie Brown.</p> <p>18 Q Do you remember when that was?</p> <p>19 A I don't remember the exact date.</p> <p>20 Q Were there any other comments that we have</p> <p>21 not discussed that you found offensive because they</p> <p>22 were sexual in nature?</p>

Page 129

1 A Not that I can recall at this time.  
2 MS. QUAMIE: I don't have any other  
3 questions of the witness. Your lawyer may have some  
4 questions for you and then I may follow up with  
5 additional questions.  
6 MR. PHILLIPS: I have a few, but just a few.  
7 EXAMINATION BY COUNSEL FOR PLAINTIFF  
8 BY MR. PHILLIPS:  
9 Q Miss Ledesma, you referenced earlier in your  
10 testimony that you heard Taj make comments about his  
11 penis. Do you recall how many times he made such  
12 comments?  
13 A Yes.  
14 Q How many times that you heard?  
15 A About three times that I can recall at this  
16 moment.  
17 Q Did you ever see Taj wear a Black Power  
18 T-shirt at work?  
19 A What's Black Power?  
20 Q T-shirt with a fist symbol.  
21 MR. PHILLIPS: The record will reflect  
22 counsel is holding up his fist with four knuckles

Page 130

1 showing, a thumb folded across the index finger toward  
2 the witness.  
3 A Yes, he did have one. He had several of  
4 them.  
5 Q Did you ever hear Taj make a comment that  
6 Jesus is black?  
7 A Yes.  
8 Q Earlier you testified that he commented on  
9 Blyth having an odor. Do you recall that testimony?  
10 A Yes.  
11 Q And I wasn't clear exactly on what was being  
12 said, so I want to ask you a few questions about that.  
13 A Okay.  
14 Q Sitting here today, do you remember the  
15 exact words? Can you quote him exactly about what he  
16 said about Blyth's supposed odor?  
17 A I can't remember the exact words right now.  
18 Q But was it your understanding at the time  
19 from what he said that he was referring to an odor  
20 from her vagina?  
21 A Yes.  
22 MR. PHILLIPS: That's all I've got.

Page 131

1 FURTHER EXAMINATION BY COUNSEL FOR DEFENDANT  
2 BY MS. QUAMIE:  
3 Q Did you ever complain to anyone when you saw  
4 Taj wear his Black Power T-shirt?  
5 A No, because I didn't know up until now what  
6 it meant.  
7 Q Did you ever complain to anyone when you  
8 heard Taj refer to Jesus being black?  
9 A What? Excuse me?  
10 Q Did you ever refer to anyone -- excuse me,  
11 strike that.  
12 Did you ever complain to anyone when you  
13 heard Taj say Jesus is black?  
14 A I don't understand what you mean by  
15 complain.  
16 Q Did you tell anyone that you heard Taj say  
17 that Jesus is black?  
18 A Not as a complaint, but Cinnie Brown had  
19 asked me what Taj had said about -- about religion  
20 because somebody had mentioned -- made a comment to  
21 her about that, that Christ was -- that Jesus Christ  
22 was black and that in the bible it said Jesus Christ

Page 132

1 was black.  
2 Q What did you tell Miss Cinnie Brown?  
3 A That -- that Taj had said that Jesus Christ  
4 was black because in the bible it said that he was  
5 black.  
6 Q And did you tell Miss Brown anything else  
7 about that comment?  
8 A What?  
9 Q After you repeated the comment to  
10 Miss Brown, did you say anything else about it?  
11 A No, I didn't say it.  
12 MS. QUAMIE: Thank you, Miss Ledesma. I  
13 don't have any other questions.  
14 MR. PHILLIPS: For the record, we'll read  
15 and sign.  
16  
17 (Signature having not been waived, the  
18 deposition of Elizabeth Ledesma was concluded at  
19 3:42 p.m.)  
20  
21  
22