

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

3 \_\_\_\_\_

4 )

5 EQUAL EMPLOYMENT OPPORTUNITY )

6 COMMISSION, )

7 Plaintiff, )

8 )

9 v. ) Civil Action No.:

10 ) 8:07-CV-02612

11 BLOCKBUSTER INC., )

12 Defendant. )

13 \_\_\_\_\_)

14  
15 DEPOSITION OF LAQUANTA BRINSON

16 Raleigh, North Carolina

17 Monday, September 8th, 2008

18 10:00 a.m.

19  
20 Job No.: 24-136236

21 Pages: 1 - 69

22 Reported by: Vivian Marino, RPR

Page 13

1 A. The job sites began to get scarce, and it wasn't  
2 like a lot of job sites available. They kept losing  
3 them.  
4 Q. Did you quit?  
5 A. I resigned.  
6 Q. You resigned?  
7 A. Yes.  
8 Q. And that's when you went to U.S. Security?  
9 A. Correct.  
10 Q. Why did you leave U.S. Security?  
11 A. The same reason.  
12 Q. And before Pinkerton where did you work?  
13 A. United States Navy.  
14 Q. Were you an officer or an enlisted member of the  
15 Navy?  
16 A. Enlisted member.  
17 Q. And how long were you in the Navy?  
18 A. Three and a half years.  
19 Q. And were you honorably discharged?  
20 A. Yes.  
21 Q. And did you work anywhere before you went into  
22 the Navy?

Page 14

1 A. Piggly Wiggly.  
2 Q. Piggly Wiggly?  
3 A. Yes.  
4 Q. Is that here in North Carolina?  
5 A. Yes, it was.  
6 Q. Was that during high school or between high  
7 school and the Navy?  
8 A. During high school.  
9 Q. During high school. So after you graduated high  
10 school you went to the Navy?  
11 A. Yes.  
12 Q. Have you ever been self-employed?  
13 A. No, I have not.  
14 Q. When did you begin working for Express Personnel?  
15 A. Don't quote me, but I believe around January of  
16 2005.  
17 Q. And did you fill out an application?  
18 A. Yes.  
19 Q. And you said while you were working at U.S.  
20 Security that was at the Blockbuster facility, correct?  
21 A. Correct.  
22 Q. Is that the Gaithersburg facility?

Page 15

1 A. Yes, ma'am.  
2 Q. And how did you hear about the position?  
3 A. Well, just being in the same building and they  
4 looked as though they needed help.  
5 Q. And did you continue working at U.S. Security, or  
6 did you resign and then start working at Blockbuster?  
7 A. I resigned.  
8 Q. Did you have an interview for Express Personnel?  
9 Did someone interview you for the position?  
10 A. Yes.  
11 Q. Do you remember who that was?  
12 A. I know it was a common name, but I don't remember  
13 her name.  
14 Q. If I said Cynthia Brown would that jog your  
15 memory?  
16 A. Yes.  
17 Q. And is Ms. Brown the person who made the decision  
18 to hire you?  
19 A. Yes.  
20 Q. What position were you hired for?  
21 A. I don't remember the technical term.  
22 Q. What were your job duties?

Page 16

1 A. To place the DVD's in the sleeves to be shipped  
2 out.  
3 Q. Were there any other duties?  
4 A. And read the -- the sheet to make sure that it  
5 was going to the right person and address and the  
6 quantity.  
7 Q. And what was your salary there?  
8 A. Ten dollars an hour.  
9 Q. Did you ever receive a salary increase while you  
10 were working there?  
11 A. No.  
12 Q. What were your work hours? What was your shift?  
13 A. Maybe eight to five; eight to four.  
14 Q. Did you ever work the evening shift?  
15 A. Yes.  
16 Q. Did your shifts change?  
17 A. No, I may have stayed longer, but I usually came  
18 in at the same time every day.  
19 Q. And did you receive any benefits --  
20 A. No.  
21 Q. -- while working? No benefits. And when did  
22 your employment end?

<p style="text-align: right;">Page 17</p> <p>1 A. Mid February.</p> <p>2 Q. And how did it end? Were you terminated? Were</p> <p>3 you -- did you quit?</p> <p>4 A. Yes, I did.</p> <p>5 Q. You quit?</p> <p>6 A. Uh-huh, yes.</p> <p>7 Q. Did you ever go back to working for Express</p> <p>8 Personnel after that?</p> <p>9 A. No.</p> <p>10 Q. Did you file an EEOC charge about your employment</p> <p>11 there after you quit?</p> <p>12 A. No.</p> <p>13 Q. Why not?</p> <p>14 A. I mean I felt like it was done and over.</p> <p>15 Q. Did anyone suggest to you that you contact the</p> <p>16 EEOC or the Maryland Commission on Human Rights?</p> <p>17 A. No, ma'am.</p> <p>18 Q. While you were there, do you feel you were</p> <p>19 sexually harassed?</p> <p>20 A. Yes.</p> <p>21 Q. Who do you think sexually harassed you?</p> <p>22 A. Taj.</p>	<p style="text-align: right;">Page 19</p> <p>1 Q. While you were working there at -- for Express at</p> <p>2 the Blockbuster facility, do you think you were harassed</p> <p>3 because of your race?</p> <p>4 A. No.</p> <p>5 MS. KEILLER: I'm going to hand you Exhibit</p> <p>6 2.</p> <p>7 (EXHIBIT NUMBER 2 WAS MARKED FOR IDENTIFICATION)</p> <p>8 BY MS. KEILLER:</p> <p>9 Q. Have you seen this document before?</p> <p>10 A. No.</p> <p>11 Q. I will represent to you that this is the</p> <p>12 complaint filed in this matter on your behalf and other</p> <p>13 parties to this action; if you could turn to page five,</p> <p>14 please.</p> <p>15 MR. PHILLIPS: And just to clarify, what she</p> <p>16 meant by that was that that is the federal court</p> <p>17 complaint that started this lawsuit that was filed by</p> <p>18 the EEOC against Blockbuster.</p> <p>19 THE WITNESS: Thank you.</p> <p>20 MR. PHILLIPS: Okay.</p> <p>21 BY MS. KEILLER:</p> <p>22 Q. Do you want a chance to review it further, review</p>
<p style="text-align: right;">Page 18</p> <p>1 Q. Taj?</p> <p>2 A. Yes.</p> <p>3 Q. Is that Thomas Johnson you're referring to?</p> <p>4 A. Yes, ma'am.</p> <p>5 Q. Why do you feel like Taj -- that's spelled T-A-J</p> <p>6 -- why do you feel like Taj sexually harassed you?</p> <p>7 A. His words and his gestures and the extra work if</p> <p>8 you didn't oblige with him.</p> <p>9 Q. Do you believe that Kofi Tutu sexually harassed</p> <p>10 you?</p> <p>11 MR. PHILLIPS: Objection. Lacks foundation.</p> <p>12 BY MS. KEILLER:</p> <p>13 Q. You can answer.</p> <p>14 A. No.</p> <p>15 Q. Do you know who Lincoln Barrett is?</p> <p>16 A. Yes.</p> <p>17 Q. Do you feel that Lincoln Barrett sexually</p> <p>18 harassed you?</p> <p>19 A. No.</p> <p>20 Q. Is there anyone other than Taj that you felt</p> <p>21 sexually harassed you?</p> <p>22 A. No.</p>	<p style="text-align: right;">Page 20</p> <p>1 the complaint further?</p> <p>2 A. Yes.</p> <p>3 Q. Okay.</p> <p>4 (PAUSE)</p> <p>5 THE WITNESS: Okay.</p> <p>6 BY MS. KEILLER:</p> <p>7 Q. Are you ready?</p> <p>8 A. I'm ready for page five.</p> <p>9 Q. Okay. We're going to look at paragraph 18.</p> <p>10 A. Okay.</p> <p>11 Q. Fourth line down, it says that you -- and when I</p> <p>12 say "you," you're a female employee who is allegedly</p> <p>13 aggrieved, that you're part of this complaint -- were</p> <p>14 subject to a continuing course of unwelcome and</p> <p>15 offensive harassment because of your sex, race and</p> <p>16 national origin.</p> <p>17 MR. PHILLIPS: Where is that?</p> <p>18 MS. KEILLER: Paragraph 18, line four.</p> <p>19 MR. PHILLIPS: Okay. Because of sex,</p> <p>20 female, and conduct protected by Section 704(a).</p> <p>21 MS. KEILLER: Oh, excuse me. I'm going to</p> <p>22 reread it for you.</p>

<p style="text-align: right;">Page 21</p> <p>1 MR. PHILLIPS: Just for the record, I said  2 conduct protected by Section 704(a).  3 MS. KEILLER: That's sex, female, and  4 conduct protected by Section 704(a). Excuse me. I  5 did not mean race. I apologize.  6 BY MS. KEILLER:  7 Q. You said that Taj sexually harassed you.  8 A. Yes.  9 Q. Could you tell me what comments Taj made towards  10 you?  11 A. Sorry. Let's go to the club; have a drink; get a  12 room at the hotel. Let's do some girls together.  13 Everything will be okay if you just do what I say.  14 Oh, and, for the record, I need to say that I do  15 agree that Lincoln Barrett did condone sexual  16 harassment. And at the time that's all I can think of.  17 Q. Okay. He said -- you said he said let's go to  18 the club?  19 A. Yes.  20 Q. How often did he say that?  21 A. On a daily basis.  22 Q. You said that he said let's get some drinks?</p>	<p style="text-align: right;">Page 23</p> <p>1 Q. And when he made the sexual comments to you, did  2 he say this in front of other people?  3 A. Sometimes, yes.  4 Q. Who were those people?  5 A. I apologize, but I don't remember.  6 Q. And did he also say these things to you when you  7 were alone?  8 A. On a couple of occasions, yes.  9 Q. And where were you in the facility when he made  10 those comments?  11 A. At my station.  12 Q. Could you describe your station for me?  13 A. It was like a long table similar to this one, and  14 I was sitting on the far end and the next person was  15 sitting beside me and continue on down.  16 Q. And when he made comments when you were alone,  17 where were those made?  18 A. Maybe in the lunchroom or outside smoking.  19 Q. And you said he made gestures towards you that  20 you felt were sexually harassing?  21 A. Yes, he put his arm around me; brushed his body  22 up against mine.</p>
<p style="text-align: right;">Page 22</p> <p>1 A. Yes.  2 Q. How often did he say that?  3 A. On a daily basis.  4 Q. You said that he said let's get a room at the  5 hotel?  6 A. Yes.  7 Q. How often did he say that?  8 A. Maybe every other day.  9 Q. And he said let's do some girls together?  10 A. Yes.  11 Q. And how often did he say that?  12 A. Every day.  13 Q. And he said everything will be okay if you do  14 what he says?  15 A. Yes.  16 Q. And how often did he say that?  17 A. After every sentence.  18 Q. Are there any other comments that he made to you  19 that you can think of?  20 A. That he wanted to fight me like a man.  21 Q. How often did he say that?  22 A. I've heard that twice from him give or take.</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. How often did he put his arms around you?  2 A. Probably once a day.  3 Q. And did he put his arm around your shoulders,  4 around your waist? Where did he put his arm?  5 A. Generally around my shoulder but his hand would  6 hang like right in front of my breast.  7 Q. Did he ever touch your breast?  8 A. Yes.  9 Q. And when he brushed up against you, where did --  10 how did he do that?  11 A. Like just would slide in front of me or behind  12 me.  13 Q. And how often would he brush up against you?  14 A. Several times a week he would try.  15 Q. When Taj made sexual comments to you, what would  16 you say to him?  17 A. Man, go ahead. Stop playing. It's not funny.  18 Q. And would he say anything back to you?  19 A. You know you want it; you just haven't met the  20 right man; things of that nature.  21 Q. Do you remember any of the dates that he touched  22 you?</p>

<p style="text-align: right;">Page 25</p> <p>1 A. I'm sorry, I don't.</p> <p>2 Q. Did you tell anyone about the touching?</p> <p>3 A. No, I didn't. I apologize.</p> <p>4 Q. Do you need a break?</p> <p>5 A. I did.</p> <p>6 Q. Oh, you did?</p> <p>7 A. Linc Barrett. I was thinking you was meaning</p> <p>8 someone personal.</p> <p>9 Q. You didn't tell anyone personal?</p> <p>10 A. No.</p> <p>11 Q. How often did you tell Linc Barrett about the</p> <p>12 sexual comments?</p> <p>13 A. Several times. I told him on numerous occasions.</p> <p>14 Q. Would you tell him right after the comments</p> <p>15 happened, or would you wait until the end of the day?</p> <p>16 When would you tell him?</p> <p>17 A. Generally, when Taj would leave, then I would go</p> <p>18 to Linc.</p> <p>19 Q. Was Linc always there during your shift?</p> <p>20 A. No.</p> <p>21 Q. Was Taj always there during your shift?</p> <p>22 A. No.</p>	<p style="text-align: right;">Page 27</p> <p>1 Did he make any other sexual requests?</p> <p>2 MR. PHILLIPS: Objection. Asked and</p> <p>3 answered.</p> <p>4 Go ahead and answer.</p> <p>5 THE WITNESS: Yes.</p> <p>6 BY MS. KEILLER:</p> <p>7 Q. What were those requests?</p> <p>8 A. Asking me to perform sexual favors with him and</p> <p>9 just him.</p> <p>10 Q. I realize this might be uncomfortable, but what</p> <p>11 were those favors he asked?</p> <p>12 A. Oral favors and actual intercourse.</p> <p>13 Q. And how often did he ask for those sexual favors?</p> <p>14 A. Several times.</p> <p>15 Q. Are there any other requests he made of you</p> <p>16 sexually?</p> <p>17 MR. PHILLIPS: Beyond what she's already</p> <p>18 testified to?</p> <p>19 BY MS. KEILLER:</p> <p>20 Q. Beyond what you've already testified about.</p> <p>21 A. At this time, I don't think of any.</p> <p>22 Q. Did Taj inquire into your sexual life, your</p>
<p style="text-align: right;">Page 26</p> <p>1 Q. And did you also tell Linc about the touching?</p> <p>2 A. Yes.</p> <p>3 Q. How many times did you tell Linc about the</p> <p>4 touching?</p> <p>5 A. Several.</p> <p>6 Q. And what did he say when you told him about the</p> <p>7 touching?</p> <p>8 A. Oh, it was just an accident. He was probably</p> <p>9 just trying to move fast so he could get the work done;</p> <p>10 making up excuses basically.</p> <p>11 Q. What did you say when Linc made up those excuses?</p> <p>12 A. I don't believe it was an accident because of the</p> <p>13 things that he says and the way that he works.</p> <p>14 Q. What response did Linc give you about the sexual</p> <p>15 comments?</p> <p>16 A. You know he's just playing. He's not being</p> <p>17 serious, things of that nature.</p> <p>18 Q. And what did you tell him after he said that Taj</p> <p>19 was just playing or wasn't serious?</p> <p>20 A. Okay, whatever and we'd just go back to work.</p> <p>21 Q. Did Taj make any sexual requests? You already</p> <p>22 mentioned that he said let's do other girls together.</p>	<p style="text-align: right;">Page 28</p> <p>1 personal sexual life?</p> <p>2 A. Yes.</p> <p>3 Q. And how often did he do that?</p> <p>4 A. Every day, two or three times a day.</p> <p>5 Q. And what were those inquiries?</p> <p>6 A. I know you be meeting some bad -- can I curse?</p> <p>7 MR. PHILLIPS: Say exactly what he said to</p> <p>8 you.</p> <p>9 THE WITNESS: I know you be meeting some bad</p> <p>10 bitches. Why don't you share with me because I seen</p> <p>11 the one that came by today. She hot. Let me do her</p> <p>12 with you. You watch. Just pretty much the same thing</p> <p>13 I said earlier; stop playing; I know you want it; you</p> <p>14 just haven't met the right man; I could show you a</p> <p>15 good time; you won't regret it; your workload will be</p> <p>16 easier.</p> <p>17 Then he would call me a dike, lesbian when</p> <p>18 he got mad, when I wasn't interested in entertaining</p> <p>19 what he would say or do or anything.</p> <p>20 BY MS. KEILLER:</p> <p>21 Q. Other than those comments, did he make any other</p> <p>22 sexual inquiries about your personal sexual life?</p>

1 A. At the moment, I can't think of any.  
 2 Q. What was your response to that, to those  
 3 comments?  
 4 A. Trying to act hard like it didn't bother me or  
 5 offend me; like man, you can't handle what I got and  
 6 things of that nature.  
 7 Q. Did you tell anyone about the sexual inquiries he  
 8 was making? I know you said you told Linc about the  
 9 touching and the sexual -- the other sexual comments.  
 10 Did you tell Linc about these comments also?  
 11 A. Yes, I did.  
 12 Q. Did he give you the same response?  
 13 A. His response was he's just jealous.  
 14 Q. Did you tell anyone else?  
 15 A. Not that I can recall.  
 16 Q. What about Cynthia Brown, did you make any  
 17 complaints to her?  
 18 A. No.  
 19 Q. Did anybody leer at you? Do you know what I mean  
 20 when I say leer at you, like look at you in an overtly  
 21 sexual way?  
 22 A. Yes.

1 Q. And was that -- who was that?  
 2 A. Taj.  
 3 Q. And how often did he leer at you?  
 4 A. He would wink and make those crazy-looking eyes  
 5 and things of that nature whenever I would look up.  
 6 Q. Look up from your work?  
 7 A. Yes.  
 8 Q. When you say "crazy-looking eyes," what do you  
 9 mean by that?  
 10 A. Attempting to look sexual.  
 11 Q. And what was your response to that, to the  
 12 leering?  
 13 A. Roll my eyes and smack my lips. And that was  
 14 before he would get angry with me.  
 15 Q. And where did he look at you? Did he just look  
 16 at your face, or did he look at your body?  
 17 A. Yes, he looked at the body occasionally.  
 18 Q. Did anyone ever stand too close to you in an  
 19 inappropriate way?  
 20 A. Yes.  
 21 Q. Who was that?  
 22 A. Taj.

1 Q. Did anyone else?  
 2 A. Linc Barrett a couple of times.  
 3 Q. How often did that happen?  
 4 MR. PHILLIPS: Asked and answered.  
 5 You can answer again.  
 6 THE WITNESS: On a daily basis.  
 7 BY MS. KEILLER:  
 8 Q. Did anyone make threats against you?  
 9 A. Yes.  
 10 Q. Who?  
 11 A. Taj.  
 12 Q. Did anyone else make threats towards you?  
 13 A. Not that I can think of.  
 14 Q. And what were those threats other than the  
 15 threats you've already told us about, about fighting you  
 16 like a man?  
 17 MR. PHILLIPS: Objection. Assumes facts.  
 18 Answer. You can go ahead and answer.  
 19 THE WITNESS: Just he said he was going to  
 20 beat my ass and make me want to go back to a man.  
 21 BY MS. KEILLER:  
 22 Q. Did he say anything else?

1 A. At the moment, I can't think of anything.  
 2 Q. Did anyone ever make unfair criticisms of your  
 3 work?  
 4 A. Yes.  
 5 Q. Who was that?  
 6 A. Taj and Linc.  
 7 Q. And what were those criticisms that you felt were  
 8 unfair?  
 9 A. That I'm supposed to do everything that they tell  
 10 me to do, but when they started giving me extra work, I  
 11 felt that it was unfair that I had to do extra work all  
 12 because I wouldn't give in to his gestures.  
 13 Q. Any other criticisms? Any other criticisms of  
 14 your work?  
 15 A. That's all I can think of.  
 16 Q. How often did he give you extra work?  
 17 A. Out of a five day work week maybe three days.  
 18 Q. And what kind of extra work did he give you?  
 19 A. Putting up movies or picking out the movies.  
 20 Q. Did he give anyone else extra work?  
 21 MR. PHILLIPS: If you know.  
 22 THE WITNESS: Yes.

<p style="text-align: right;">Page 33</p> <p>1 BY MS. KEILLER:  2 Q. If you know.  3 A. Yes.  4 Q. Do you know who those people were?  5 A. No, I don't. But he would also make me take the  6 trash out, clean out the lunchroom, things of that  7 nature.  8 Q. Did he make anyone else take the trash out or  9 clean up the workroom -- clean up the lunchroom?  10 A. Yes.  11 Q. How often did he make you take the trash out or  12 clean up the work room?  13 A. Maybe just several times.  14 Q. And when he gave you extra work, what was your  15 response to that?  16 A. I would have an attitude and be upset and think  17 that it wasn't fair, but I would go ahead and do it.  18 Q. Did you tell anyone that he was giving you extra  19 work that you thought was unfair?  20 A. Yes, Linc.  21 Q. Did you tell anyone else?  22 A. No, not that I can recall.</p>	<p style="text-align: right;">Page 35</p> <p>1 Q. Do you know who those people are?  2 A. I don't. I don't remember any of those people's  3 names.  4 Q. But were they people working at your table?  5 A. A few of them, yes.  6 Q. Did anyone ever interview you about your  7 complaints other than your attorney, of course?  8 MR. PHILLIPS: You mean literally anybody?  9 MS. KEILLER: Anyone.  10 MR. PHILLIPS: Okay. And you're referring  11 to the complaints to Barrett?  12 MS. KEILLER: Yes.  13 MR. PHILLIPS: Okay.  14 BY MS. KEILLER:  15 Q. I'll repeat the question.  16 A. Okay.  17 Q. Did anyone ever interview you about your  18 complaints? And when I say "interview," did anyone ever  19 call you about your complaints or sit down with you and  20 talk to you about your complaints?  21 A. I honestly don't remember. It's -- I think  22 maybe, but I'm not sure, so I don't know.</p>
<p style="text-align: right;">Page 34</p> <p>1 Q. Were you ever sent home from work?  2 A. Early?  3 Q. Yes, early.  4 A. Yes.  5 Q. How often were you sent home early from work?  6 A. Maybe several times. It wasn't a whole, whole  7 lot.  8 Q. And how early were you sent home?  9 A. Maybe three hours before the shift ended, give or  10 take.  11 Q. Were you upset that you were sent home early?  12 A. Yes.  13 Q. And did you complain about being sent home early?  14 A. Yes.  15 Q. Who did you complain to?  16 A. Linc.  17 Q. And what did Linc say?  18 A. That's just how the job goes. We don't have a  19 lot of work and somebody has to take the time to go  20 home, however he worded it.  21 Q. Was anyone else sent home early?  22 A. Yes.</p>	<p style="text-align: right;">Page 36</p> <p>1 Q. You know, I forgot to tell you that if you need a  2 break, don't hesitate to ask, if you need to go to the  3 bathroom or get something to drink. Okay?  4 A. Thank you.  5 (EXHIBIT NUMBER 3 WAS MARKED FOR IDENTIFICATION)  6 BY MS. KEILLER:  7 Q. These are interrogatory answers from the EEOC.  8 Have you seen this document before?  9 A. No, ma'am.  10 MR. PHILLIPS: Just to let you know, an  11 interrogatory answer is a written question that the  12 EEOC responded to that was submitted to the EEOC by  13 Blockbuster. When she says interrogatory, that's what  14 she's talking about.  15 THE WITNESS: Okay.  16 BY MS. KEILLER:  17 Q. If you could turn to page 16. I know it's a lot  18 of pages. Would you like to review that page before I  19 ask you questions?  20 A. Yes, please.  21 Q. Okay.  22 (PAUSE)</p>

<p style="text-align: right;">Page 37</p> <p>1 THE WITNESS: I'm ready.</p> <p>2 BY MS. KEILLER:</p> <p>3 Q. On line two it says he asked her out for drinks.</p> <p>4 Is that what you told me about earlier?</p> <p>5 A. Which line are you referring to because my line</p> <p>6 two --</p> <p>7 Q. Excuse me, third full paragraph.</p> <p>8 A. Okay.</p> <p>9 Q. So the next to last paragraph, line two.</p> <p>10 A. Okay.</p> <p>11 Q. Excuse me. I've got mine -- a highlight around</p> <p>12 it so --</p> <p>13 A. Okay.</p> <p>14 MR. PHILLIPS: And just to make sure that</p> <p>15 you're aware, Chaka, you are aware that the EEOC has</p> <p>16 supplemented this interrogatory answer?</p> <p>17 MS. KEILLER: Yes. Thank you.</p> <p>18 MR. PHILLIPS: Okay. Okay.</p> <p>19 MS. KEILLER: When we say supplemented the</p> <p>20 interrogatory answer, it means that after they</p> <p>21 answered the first time our questions, written</p> <p>22 questions, they sent an update to the written</p>	<p style="text-align: right;">Page 39</p> <p>1 BY MS. KEILLER:</p> <p>2 Q. Have you seen this document before?</p> <p>3 A. No.</p> <p>4 Q. If you could turn to page two, starting in</p> <p>5 February 25 -- February 2005, if you could review that</p> <p>6 paragraph for me.</p> <p>7 (PAUSE)</p> <p>8 THE WITNESS: Okay.</p> <p>9 MS. KEILLER: Okay.</p> <p>10 THE WITNESS: I'm ready.</p> <p>11 BY MS. KEILLER:</p> <p>12 Q. Paragraph A -- excuse me, there is a second line</p> <p>13 and it says (A). Is that the same asking you out on</p> <p>14 dates that you discussed with us before?</p> <p>15 A. Yes.</p> <p>16 Q. B, he put his arms around her. Is that the same</p> <p>17 touching that we talked about before?</p> <p>18 A. Yes.</p> <p>19 Q. C, he deliberately brushed his body across her</p> <p>20 breast. Is that the same brushing that we were talking</p> <p>21 about before?</p> <p>22 A. Yes.</p>
<p style="text-align: right;">Page 38</p> <p>1 questions.</p> <p>2 THE WITNESS: Oh, okay.</p> <p>3 BY MS. KEILLER:</p> <p>4 Q. Okay. So third paragraph, starting in March</p> <p>5 2005.</p> <p>6 A. Okay.</p> <p>7 Q. Second line says he asked her out for drinks. Is</p> <p>8 that what you told me about earlier?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. The next part of the sentence, after she declined</p> <p>11 to go out with him he referred to her as a "dike" and</p> <p>12 gave her extra work. Is that what you told me about</p> <p>13 earlier?</p> <p>14 A. Yes.</p> <p>15 Q. And it also says that when you complained about</p> <p>16 extra work, he angrily declared that she would do</p> <p>17 whatever he directed her to do or he would fight her</p> <p>18 like a man. Is that what you told me about earlier?</p> <p>19 A. Yes.</p> <p>20 MS. KEILLER: Okay. Thank you.</p> <p>21 Exhibit Number 4.</p> <p>22 (EXHIBIT NUMBER 4 WAS MARKED FOR IDENTIFICATION)</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. E, he made daily sexual comments to her. Are</p> <p>2 those the same comments that we were talking about</p> <p>3 before?</p> <p>4 A. Yes.</p> <p>5 Q. F, when she rejected his sexual advances, he</p> <p>6 often became angry and said I don't want to mess with</p> <p>7 you anyway.</p> <p>8 A. Yes, that was said.</p> <p>9 Q. And G, when you complained about being assigned</p> <p>10 extra work, he angrily declared that she would do</p> <p>11 whatever he directed her to do and come on outside and</p> <p>12 fight me like a man. Are those the same comments we</p> <p>13 were discussing before?</p> <p>14 A. Yes.</p> <p>15 Q. And the next sentence it says, shortly after this</p> <p>16 threatening comment, Brinson resigned due to the</p> <p>17 aforementioned treatment.</p> <p>18 A. Yes.</p> <p>19 Q. Is that why you resigned?</p> <p>20 A. Yes.</p> <p>21 Q. Did anyone ask you to resign?</p> <p>22 A. No.</p>



<p style="text-align: right;">Page 41</p> <p>1 Q. Did anybody suggest to you that you should 2 resign? 3 A. No. 4 Q. Do you understand what I mean by that? 5 A. Yes, I do. 6 Q. Okay. And the last sentence in that paragraph, 7 prior to her resignation, on at least four occasions 8 Brinson reported Johnson's sexual harassment and 9 discrimination to Lincoln Barrett, who apparently took 10 no action. Is that -- are those the same times you were 11 speaking of before? 12 A. Yes, that is correct. 13 Q. Other than everything you've already told us, are 14 there any other sexual comments, touching or any other 15 incidents that you can think of? 16 A. Not at the moment. 17 Q. When you worked at Blockbuster, did you know 18 about the ethics line, hotline? 19 A. No, I didn't. 20 Q. Do you know Lolita Gonzalez? 21 A. I don't recall. 22 Q. Do you know Dolores Gonzalez?</p>	<p style="text-align: right;">Page 43</p> <p>1 remember exactly who, but I do remember racial comments 2 being said. Things as far as being like -- how exactly 3 did he say it? They're dirty, things of that nature, 4 which I believe to be racial. 5 Q. And when you say "they're," who is the they're? 6 A. I don't know. I never heard a specific race 7 being said or anything of that nature, but I've just 8 heard things of like they are and things like that. 9 They'll do anything for nothing, things like that. 10 Q. Do you know who made those comments? 11 A. Yes, management, talking amongst each other. 12 Q. And which members of management? 13 A. Taj, Linc and I don't remember the other 14 gentleman's name. 15 Q. Now, the mother, Dolores Gonzalez, did you ever 16 see anyone touch Dolores? 17 A. I can't even place her face, so I can't recall. 18 Q. Okay. Do you remember Niema Fields? 19 A. No. 20 Q. Do you remember Elizabeth Ledesma? 21 A. No. 22 Q. Do you remember Milagros Ledesma?</p>
<p style="text-align: right;">Page 42</p> <p>1 A. Those are mother and daughter? 2 Q. Yes. 3 A. I remember vaguely. 4 Q. Did you ever see -- well, let's take Lolita first 5 who is the daughter. Did you ever see anyone touch 6 Lolita? 7 A. Yes. 8 Q. Who? 9 A. Taj. 10 Q. Did you ever hear anyone make sexual comments to 11 Lolita? 12 A. No, I didn't actually hear. 13 Q. Did you -- excuse me one second. 14 Did you ever hear anyone make racial comments 15 towards Lolita? 16 A. I've heard racial comments, but specifically 17 towards her, I do not remember. 18 Q. What were the racial comments that you heard? 19 A. I don't actually recall the actual comments word 20 for word. 21 Q. Who were those comments directed to? 22 A. Different people in the facility. I can't</p>	<p style="text-align: right;">Page 44</p> <p>1 A. No. 2 Q. Do you remember Michelle Despertt? 3 A. Vaguely. 4 Q. Did you ever see anyone touch Michelle? 5 A. In all honesty, I was concerned about myself and 6 just becoming a recluse where I didn't really pay 7 attention to anything. 8 Q. Do you remember Emetem Nkwetta? 9 A. Who? 10 Q. I'll take that as a no. 11 MS. KEILLER: Emetem, and the name is 12 spelled E-M-E-T-E-M. Last name is spelled 13 N-K-W-E-T-T-A. 14 THE WITNESS: Definite no. 15 BY MS. KEILLER: 16 Q. Okay. Do you remember a Grisel Nunez? 17 A. No. 18 Q. Do you remember Lita Zubiata? 19 A. No. 20 MS. KEILLER: Name is spelled L-I-T-A. Last 21 name is spelled Z-U-B-I-A-T-E. 22 BY MS. KEILLER:</p>

<p style="text-align: right;">Page 61</p> <p>1 around people. I don't come out much. The only times I  2 do come out is when I have set up an interview for a job  3 or if I have to go to the doctor. I don't -- I don't  4 really leave the house. I stay in the house, and I mind  5 my business. That way I won't be in the wrong place at  6 the wrong time. And that's how I be.  7 Q. Other than what you've already testified to, is  8 there any other emotional pain that you can think of?  9 A. Just that it upsets you; it pisses you off. It  10 shows you that some people take their authority and turn  11 it into what they want it to be and try to get their own  12 -- I don't know what the word to use. They try to get  13 what they want out of just having the authority or  14 feeling like they have the authority.  15 And just men in general, like with Linc, for  16 example, he didn't say anything or do anything about any  17 of the complaints that I myself had made. And I know I  18 wasn't crazy, you know. And it just pisses you off. It  19 upsets you. It makes you feel like damn, what am I  20 supposed to do? Where am I supposed to work? Can I  21 trust anybody? That's what it makes you feel like.  22 Q. Do you know of anyone else that made complaints</p>	<p style="text-align: right;">Page 63</p> <p>1 to clarify Ms. Brinson's testimony.  2 I'll try to be brief, Ms. Brinson.  3 THE WITNESS: Okay.  4 EXAMINATION  5 BY MR. PHILLIPS:  6 Q. You were asked earlier whether you were  7 interviewed by anybody about your complaints. And I  8 wanted to get a little more specific in that regard,  9 because you weren't 100 percent sure on your testimony.  10 So, I wanted to ask you, first, did anyone from  11 Blockbuster ever question you about sexual harassment?  12 A. I don't recall.  13 Q. Did Lincoln Barrett ever follow up -- ask  14 follow-up questions of you when you made complaints to  15 him?  16 A. No, he didn't.  17 Q. Did -- okay. Did you ever speak with anyone from  18 Blockbuster Corporate, anybody above Lincoln Barrett's  19 level?  20 A. I don't recall.  21 Q. Okay. Were you ever informed by Blockbuster that  22 it had a policy against sexual harassment?</p>
<p style="text-align: right;">Page 62</p> <p>1 about Taj?  2 A. I only know based upon what I see in these  3 documents.  4 (EXHIBIT NUMBER 5 WAS MARKED FOR IDENTIFICATION)  5 BY MS. KEILLER:  6 Q. Have you ever seen this document before?  7 MR. PHILLIPS: Take your time. Look through  8 it.  9 MS. KEILLER: Review it.  10 (PAUSE)  11 MS. KEILLER: Ron, do you need a break?  12 MR. PHILLIPS: I'll be all right, yeah. Off  13 the record.  14 (OFF THE RECORD)  15 MS. KEILLER: Can we go back on the record?  16 THE WITNESS: I don't recall.  17 MS. KEILLER: Okay.  18 THE WITNESS: I honestly do not recall.  19 I've tried to push all this out of my head. I don't  20 recall.  21 MS. KEILLER: No further questions.  22 MR. PHILLIPS: Okay. I just have a couple</p>	<p style="text-align: right;">Page 64</p> <p>1 A. By Blockbuster?  2 Q. Yes.  3 A. No, I don't recall.  4 Q. Were you ever informed by Blockbuster about the  5 procedure for complaining about sexual harassment?  6 A. I don't recall.  7 MR. PHILLIPS: Okay. No further questions.  8 MS. KEILLER: I have just a couple of  9 follow-up questions.  10 EXAMINATION  11 BY MS. KEILLER:  12 Q. Did you ever have an orientation when you began  13 your assignment at Blockbuster?  14 A. I believe so.  15 Q. Did anyone from Express Personnel inform you of  16 their policy against sexual harassment?  17 A. That I do not recall.  18 Q. Did anyone from Express Personnel talk to you  19 about their procedures for lodging complaints?  20 A. I don't recall that either.  21 Q. How often did you see Cynthia Brown at the  22 Gaithersburg facility?</p>