

# Exhibit 5

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
06 CIV. 0589

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ANUCHA BROWNE-SANDERS,  
Plaintiff,

- against -

MADISON SQUARE GARDEN, L.P., ISIAH LORD  
THOMAS III, AND JAMES DOLAN,  
Defendants.

-----x

November 7, 2006  
10:20 a.m.

VIDEOTAPE DEPOSITION of RUSTY  
McCORMACK, taken by the Plaintiff,  
pursuant to Notice, held at the offices of  
Vladeck Waldman Elias & Engelhard, P.C.,  
1501 Broadway, New York, New York, before  
Debbie Zaromatidis, a Shorthand Reporter  
and Notary Public of the State of New  
York.

<p style="text-align: right;">18</p> <p>1 McCORMACK</p> <p>2 Q. That was after the -- so after</p> <p>3 Ms. Browne-Sanders internal complaint you</p> <p>4 had this discussion with Mr. Ratner?</p> <p>5 A. No. No. This was after the</p> <p>6 call I assume from you or whatever</p> <p>7 attorney to our attorneys.</p> <p>8 Q. Right. So after -- after</p> <p>9 Ms. Browne-Sanders' counsel made the</p> <p>10 complaint on her behalf, you had a</p> <p>11 discussion with Mr. Ratner about the</p> <p>12 substance of the complaint?</p> <p>13 A. Yes.</p> <p>14 Q. And it was -- who said what in</p> <p>15 that discussion?</p> <p>16 A. Well, I -- it was just again a</p> <p>17 passing conversation, and it -- what it</p> <p>18 amounted to was the fact that, you know,</p> <p>19 we had not been -- at least to that stage</p> <p>20 in the investigation we had no</p> <p>21 corroboration of the allegations that she</p> <p>22 -- that were apparently made.</p> <p>23 Q. Any other discussions that you</p> <p>24 had with Mr. Ratner on the subject --</p> <p>25 A. No, I don't remember --</p>	<p style="text-align: right;">20</p> <p>1 McCORMACK</p> <p>2 Dolan is usually present with you and Mr.</p> <p>3 Ratner or that you -- you travel with Mr.</p> <p>4 Dolan on other occasions?</p> <p>5 A. I -- I have traveled</p> <p>6 infrequently with Mr. Dolan on other</p> <p>7 occasions.</p> <p>8 Q. Usually when you travel with Mr.</p> <p>9 Dolan, it is with Mr. Ratner as well?</p> <p>10 A. That's correct.</p> <p>11 Q. Anyone else present for those</p> <p>12 helicopter rides?</p> <p>13 A. Generally not. We have a senior</p> <p>14 staff meeting every Wednesday afternoon,</p> <p>15 so both Jim and Hank will come in</p> <p>16 virtually ever Wednesday, and we fly</p> <p>17 together in and back.</p> <p>18 Q. Do they not come in -- do Mr.</p> <p>19 Dolan and Mr. Ratner not come in every day</p> <p>20 to -- to Madison Square Garden's offices</p> <p>21 in Manhattan?</p> <p>22 A. They do not.</p> <p>23 Q. About how often do they come in?</p> <p>24 A. Hank will be here more often</p> <p>25 than Jim, but, as I said, at least once a</p>
<p style="text-align: right;">19</p> <p>1 McCORMACK</p> <p>2 Q. You have to let me finish the</p> <p>3 question.</p> <p>4 A. I am sorry.</p> <p>5 Q. That's okay.</p> <p>6 Any other discussion that you</p> <p>7 had with Mr. Ratner on the subject of</p> <p>8 Ms. Browne-Sanders?</p> <p>9 A. No, not that I remember.</p> <p>10 Q. What about Mr. Dolan, have you</p> <p>11 ever discussed them -- the lawsuit with</p> <p>12 Mr. Dolan?</p> <p>13 A. I never have.</p> <p>14 Q. Have you ever discussed</p> <p>15 Ms. Browne-Sanders with Mr. Dolan?</p> <p>16 MR. GREEN: Objection to form.</p> <p>17 You may answer.</p> <p>18 A. No, I have not.</p> <p>19 Q. Do you ever ride to work with</p> <p>20 Mr. Dolan?</p> <p>21 A. Yes, I do.</p> <p>22 Q. And is it by the same -- same</p> <p>23 mode of transportation, helicopter?</p> <p>24 A. Same mode of transportation.</p> <p>25 Q. Does -- is it the case that Mr.</p>	<p style="text-align: right;">21</p> <p>1 McCORMACK</p> <p>2 week. Recently it has been at least a</p> <p>3 couple of days a week, and sometimes Hank</p> <p>4 will be here three days a week.</p> <p>5 Q. Okay. And they also ---Mr. Dolan</p> <p>6 an Mr. Ratner also have offices on Long</p> <p>7 Island as well?</p> <p>8 A. Yes, they do.</p> <p>9 Q. And those are at Cablevision</p> <p>10 headquarters?</p> <p>11 A. Correct. So do I.</p> <p>12 Q. You have an office at</p> <p>13 Cablevision's headquarters?</p> <p>14 A. Yes.</p> <p>15 Q. How often do you go there?</p> <p>16 A. Every morning.</p> <p>17 Q. How often do you come to -- to</p> <p>18 Madison Square Garden?</p> <p>19 A. Every day.</p> <p>20 Q. So is it -- so is it the case</p> <p>21 that you go to Cablevision in the morning,</p> <p>22 and then you spend your afternoon at</p> <p>23 Madison Square Garden?</p> <p>24 A. No. No. I go in the morning</p> <p>25 but leave generally at 9:15 to come to the</p>

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1 McCORMACK  
 2 A. Yes.  
 3 Q. Okay.  
 4 A. The whole project was his.  
 5 Q. I think you said earlier in your  
 6 testimony that Mr. Moran and Ms. Noel  
 7 updated you about the progress of their  
 8 investigation as it was ongoing?  
 9 A. Yes.  
 10 Q. What did they say to you about  
 11 it?  
 12 A. There wasn't a lot done until  
 13 they completed, but the -- the feedback as  
 14 the -- as it progressed was that they  
 15 had -- they were not corroborating the  
 16 allegations of Anucha.  
 17 Q. Did they tell you that they were  
 18 corroborating any of the allegations of  
 19 Ms. Browne-Sanders?  
 20 A. Well, that there was a -- as I  
 21 remember, Dan Gladstone, for instance,  
 22 said, yeah, Stephon did say that to him,  
 23 and Isiah did say, yes, I put my arms  
 24 around Anucha and tried to kiss her, but  
 25 that was it that I remember anyhow.

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1 McCORMACK  
 2 Q. They told you that while the  
 3 investigations was ongoing?  
 4 A. I think so. I -- or it may  
 5 come -- come later. I -- the timing I  
 6 don't know. It was either in a report or  
 7 -- or prior to that.  
 8 Q. Did you eventually receive a  
 9 report reflecting the results of an  
 10 investigation?  
 11 A. Yes, I did.  
 12 Q. Did you take any action in  
 13 connection with that report?  
 14 A. I did not.  
 15 Q. Did you make any recommendations  
 16 in connection with that report?  
 17 A. I did not.  
 18 Q. Did you have discussions with  
 19 anyone --  
 20 A. Immediately. We did write a  
 21 report later, a memo later.  
 22 Q. Well, my question was: Did you  
 23 make any recommendations in connection  
 24 with that -- the report that had been  
 25 given to you by Mr. Moran and Ms. Noel?

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1 McCORMACK  
 2 A. Yes.  
 3 Q. What -- what recommendations did  
 4 you make?  
 5 A. I recommended that Isiah be  
 6 given some sensitivity training, and that  
 7 Steve meet to do a recap and lessons  
 8 learned from the -- from the events.  
 9 Q. Did you make any other  
 10 recommendations?  
 11 A. No.  
 12 Q. Did you recommend that  
 13 Ms. Browne-Sanders be terminated?  
 14 A. No, I don't think it was a  
 15 recommendation. It was -- it was a  
 16 statement that -- that based upon her  
 17 relationships both, you know, within the  
 18 organization primarily but -- that she  
 19 should be separated. I didn't say  
 20 recommend.  
 21 Q. Could you clarify for me the  
 22 distinction that you are making? You said  
 23 you said in your memo that she should be  
 24 separated, but you didn't view that as a  
 25 recommendation?

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1 McCORMACK  
 2 A. It is up -- that is not my -- it  
 3 is up to management then to decide how  
 4 they do it. I -- I recommended in the  
 5 case of -- of Isiah and Steve, but the  
 6 organization then has to react to the  
 7 Anucha thing.  
 8 Q. Did you make a recommendation  
 9 that Ms. Browne-Sanders should be  
 10 separated?  
 11 A. No.  
 12 Q. Did you have -- did you make a  
 13 statement in your report that  
 14 Ms. Browne-Sanders should be separated?  
 15 A. I did.  
 16 Q. And could you clarify for me in  
 17 your mind what is the distinction between  
 18 a statement that she should be separated  
 19 and a recommendation that she should be  
 20 separated?  
 21 A. There is not a lot, but it is  
 22 not -- not a recommendation.  
 23 Q. Are you --  
 24 A. She obviously wasn't fitting in  
 25 the organization, and by then she had

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1 McCORMACK  
 2 pretty much decided her fate.  
 3 Q. How -- are you able to explain  
 4 at all what the difference is in your mind  
 5 between a statement that she should be  
 6 separated and a recommendation that she  
 7 should be separated?  
 8 A. It is close, but there is a  
 9 difference. I -- I just didn't use the  
 10 word recommend.  
 11 Q. Is there any particular reason  
 12 why you didn't use the word recommend?  
 13 A. Because that is the way Mark  
 14 Schoenfeld wrote it.  
 15 Q. You did not write it -- you did  
 16 not write your --  
 17 A. That was drafted by Mark  
 18 Schoenfeld.  
 19 Q. When you say that, you are  
 20 referring to the --  
 21 A. That memo.  
 22 Q. You've got to let me ask the  
 23 questions.  
 24 A. Sorry.  
 25 Q. The -- the memo in which

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1 McCORMACK  
 2 people had different sensibilities, and we  
 3 just thought for the sake of the  
 4 organization, et cetera, we -- we would  
 5 give him some training to sensitize him to  
 6 that. It would be one-on-one.  
 7 Q. Was it -- and then that in your  
 8 judgment was based solely on the  
 9 determination that he had hugged  
 10 Ms. Browne-Sanders and attempted to kiss  
 11 her? Was it based on any other facts?  
 12 A. No, that was -- that was the  
 13 primary -- because that is all we knew  
 14 that had really taken place.  
 15 Q. Did you know whether or not Mr.  
 16 Brown -- Mr. Thomas had used profanity in  
 17 the workplace?  
 18 A. The investigation did not  
 19 corroborate that.  
 20 Q. No. That -- it did not  
 21 corroborate that he used profanity?  
 22 A. Correct.  
 23 Q. And what was the basis of the  
 24 recommendation with respect to Steve  
 25 Mills?

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1 McCORMACK  
 2 you -- you just described that you made  
 3 recommendations with respect to Mr. Thomas  
 4 and -- and Mr. Mills, that memo was  
 5 drafted by Mr. Schoenfeld?  
 6 A. Correct.  
 7 Q. You just signed your name to it?  
 8 A. No. I -- we -- I did some minor  
 9 edits, but for the most part it was  
 10 written by Mark Schoenfeld. The only  
 11 thing I did was wordsmithing the memo.  
 12 Q. How did you wordsmith it?  
 13 A. I don't remember. It was minor  
 14 edits.  
 15 Q. Did you agree with all of the  
 16 statements that were made in this  
 17 memorandum that Mr. Schoenfeld drafted?  
 18 A. Yes, I did.  
 19 Q. Okay. And what was the basis  
 20 for the conclusion that Mr. Thomas should  
 21 be given I think you said sensitivity  
 22 training?  
 23 A. Well, he admitted that he had  
 24 touched her and attempted to kiss her, and  
 25 so -- our concern was that different

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1 McCORMACK  
 2 A. With Steve, you know, we thought  
 3 that -- that if he sits down and -- we  
 4 thought let him sit down with some  
 5 HR -- by the way Frank Lavotic and Rob  
 6 Dotien are both -- Frank is a senior vice  
 7 president for cable operations in charge  
 8 of human resources, which is a big chunk  
 9 of our company. Rob Dotien is a  
 10 corporate -- he might be SVP now too I  
 11 think, but I am not really sure. Anyway,  
 12 they are HR professionals, and we thought  
 13 let's -- let Steve sit down with somebody  
 14 who has not been involved with this thing  
 15 and do sort of a post mortem lessons  
 16 learned sort of exercise.  
 17 Q. Your recommendation was that  
 18 Mr. Mills should sit down with Mr. Dotien  
 19 and Mr. Lavotic?  
 20 A. Right.  
 21 Q. Did you think that there was any  
 22 lessons that Mr. Mills needed to learn as  
 23 a result of this investigation?  
 24 A. We didn't know. That is why we  
 25 wanted somebody who had not been involved,

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1 McCORMACK  
 2 you know, who -- who was really separate  
 3 from the organization to take a look at  
 4 it.  
 5 Q. Did that meeting happen to your  
 6 knowledge?  
 7 A. I don't think it did.  
 8 Q. Do you know why it -- it didn't?  
 9 A. No, I don't know that.  
 10 Q. Do you know whether --  
 11 A. Just -- you know, I think the  
 12 lawsuit came and -- and we just  
 13 didn't -- we didn't follow-up on it.  
 14 Q. And did Mr. Thomas receive the  
 15 sensitivity training that you referred to?  
 16 A. No.  
 17 Q. And do you know why he did not?  
 18 A. Because the -- when the lawsuit  
 19 came that -- that was about as much  
 20 sensitivity training as he -- he would  
 21 ever want.  
 22 Q. What do you mean by that?  
 23 A. Well, he had been accused of  
 24 some serious things, and he obviously I  
 25 don't think would -- would do anything,

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1 McCORMACK  
 2 anyone else at MSG other than Mr.  
 3 Schoenfeld about that statement?  
 4 A. No, I had not.  
 5 Q. Had you discussed the  
 6 possibility of Ms. Browne-Sanders being  
 7 separated with anyone else at MSG at the  
 8 time that you signed that memorandum?  
 9 A. No.  
 10 Q. At any point, did you have any  
 11 discussion with Steve Mills about  
 12 separating Ms. Browne-Sanders from MSG?  
 13 A. No.  
 14 Q. Did you have any conversation  
 15 with James Dolan about separating  
 16 Ms. Browne-Sanders from MSG?  
 17 A. No, I did not.  
 18 Q. And did you have any  
 19 conversations with Hank Ratner about  
 20 separating Ms. Browne-Sanders from MSG?  
 21 A. No, I did not.  
 22 Q. Is it fair to say the only  
 23 person you spoke to about that was Mr.  
 24 Schoenfeld?  
 25 A. I believe that is correct.

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1 McCORMACK  
 2 even the hug and kiss ever again.  
 3 MR. MINTZER: Why don't we take  
 4 a five-minute break.  
 5 THE VIDEOGRAPHER: Okay. The  
 6 time is 3:47 p.m., November 7, 2006. This  
 7 is the end of tape number 3 of the  
 8 videotape deposition of Rusty McCormack.  
 9 (Recess taken.)  
 10 THE VIDEOGRAPHER: Okay. The  
 11 time is 3:59 p.m., November 7, 2006. This  
 12 is tape number 4 of the videotape  
 13 deposition of Rusty McCormack.  
 14 BY MR. MINTZER:  
 15 Q. Mr. McCormack, before the break  
 16 you had mentioned a -- a memo that Mr.  
 17 Schoenfeld had drafted that you signed.  
 18 Do you recall that?  
 19 A. Yes.  
 20 Q. And that there was a statement  
 21 in that memorandum that said that  
 22 Ms. Browne-Sanders should be separated  
 23 from MSG, correct?  
 24 A. Correct.  
 25 Q. Had you had any discussions with

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1 McCORMACK  
 2 Q. What is -- what was the  
 3 substance of your conversation with Mr.  
 4 Schoenfeld about separating  
 5 Ms. Browne-Sanders from MSG?  
 6 A. Well, we --  
 7 MR. GREEN: I instruct the  
 8 witness not to answer. Privileged  
 9 communication.  
 10 MR. MINTZER: You are taking  
 11 the position that that is privileged?  
 12 MR. GREEN: Yes, I am not  
 13 taking the position that the letter itself  
 14 is privileged, but the underlying  
 15 conversations which would be advice sought  
 16 or rendered would be privileged.  
 17 Q. Are you aware -- were there any  
 18 drafts of the memorandum that you signed  
 19 that was authored by Mr. Schoenfeld?  
 20 MR. GREEN: Same objection.  
 21 All communications between Mr. McCormack  
 22 and Mr. Schoenfeld would be privileged  
 23 except for the version of the document  
 24 that is in evidence as to which no  
 25 privilege has been asserted.

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1 McCORMACK  
 2 please.  
 3 (McCormack Exhibit 8 marked for  
 4 identification.)  
 5 (Document handed to witness.)  
 6 MR. MINTZER: For the record,  
 7 McCormack 8 is a two-page document that's  
 8 Bates stamped MSG 6363 and 6364.  
 9 (Pause.)  
 10 Q. Have you had a chance to review  
 11 McCormack 8?  
 12 MR. GREEN: Take a moment, if  
 13 you need it, to read it please, Mr.  
 14 McCormack.  
 15 (Pause.)  
 16 A. Okay.  
 17 Q. Is this the memorandum that you  
 18 referred to earlier in your testimony that  
 19 was drafted by Mr. Schoenfeld --  
 20 A. Correct.  
 21 Q. -- that you signed?  
 22 A. That's correct. Yes.  
 23 Q. Okay. The top line says that  
 24 it's to files. Do you see that?  
 25 A. Yes.

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1 McCORMACK  
 2 Q. What does that refer to?  
 3 A. It's a memorandum -- a  
 4 memorandum to file, which -- which then  
 5 goes into the employee relations files.  
 6 Q. Was this a memorandum that was  
 7 intended to be read by any particular  
 8 person?  
 9 A. Not necessarily. It was really  
 10 written because at that point we -- we  
 11 assumed we probably were going to be sued.  
 12 So this was just to be on the record.  
 13 Q. So this was a document that was  
 14 created in contemplation of litigation?  
 15 A. That's correct.  
 16 Q. In the document, you made  
 17 certain recommendations, as you said  
 18 before, concerning Isiah Thomas and Mr.  
 19 Mills, right?  
 20 A. Um hum.  
 21 Q. Yes?  
 22 A. Yes. Yes.  
 23 Q. Who were you directing those  
 24 recommendations to?  
 25 A. In the case of Isiah,

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1 McCORMACK  
 2 it's -- obviously that's Steve Mills'  
 3 decision as to whether he would do that or  
 4 not.  
 5 Q. And what about with respect to  
 6 Mr. Mills?  
 7 A. That would be Jim Dolan's  
 8 decision.  
 9 Q. Okay. And so did you  
 10 contemplate that both Steve Mills and Mr.  
 11 Dolan were going to read this memorandum?  
 12 A. I don't remember contemplating  
 13 it at the time.  
 14 Q. Well, did you intend it, this  
 15 memorandum, to be read by Mr. Mills and  
 16 Mr. Dolan?  
 17 A. No, not necessarily. It was  
 18 up -- you know, I really was pretty much  
 19 taking directions from the legal  
 20 department.  
 21 Q. And the statements that you made  
 22 concerning Ms. Browne-Sanders, did you  
 23 intend them to be read by anyone?  
 24 A. Not necessarily.  
 25 Q. I think you -- you testified

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1 McCORMACK  
 2 before that you had had no discussion with  
 3 anyone other than Mr. Schoenfeld about the  
 4 statements you've made concerning  
 5 Ms. Browne-Sanders in this memo?  
 6 A. I'm sure I discussed it with  
 7 John Moran at the time.  
 8 Q. You discussed the content --  
 9 A. Yes.  
 10 Q. -- of the paragraph relating to  
 11 Ms. Browne-Sanders --  
 12 A. Well, these --  
 13 Q. Hold on. Hold on.  
 14 A. I'm sorry.  
 15 Q. Let me finish my question, sir.  
 16 You discussed the content of the  
 17 paragraph related to Ms. Browne-Sanders  
 18 with Mr. Moran?  
 19 A. That's correct.  
 20 Q. When did you do that?  
 21 A. Well, I showed him the  
 22 memorandum.  
 23 Q. You showed him this entire  
 24 memorandum?  
 25 A. Yes, I did.

<p style="text-align: right;">258</p> <p>1 McCORMACK</p> <p>2 Q. When did you do that?</p> <p>3 A. I showed to him -- actually I</p> <p>4 might have showed it to him before I</p> <p>5 signed it. I can't remember.</p> <p>6 Q. So sometime shortly -- either</p> <p>7 shortly before you signed it or shortly</p> <p>8 after you signed it?</p> <p>9 A. Yes.</p> <p>10 Q. The memorandum is dated January</p> <p>11 19, 2006. Do you see that?</p> <p>12 A. Um hum. Yes.</p> <p>13 Q. You've already said that you</p> <p>14 didn't draft it. Mr. Schoenfeld drafted</p> <p>15 it. When did you first see a draft of</p> <p>16 this?</p> <p>17 A. Maybe a couple of days prior to</p> <p>18 that at most.</p> <p>19 Q. You wrote in the first paragraph</p> <p>20 that you have reviewed the report of the</p> <p>21 investigation conducted by Rochelle Noel</p> <p>22 and John Moran regarding the allegations</p> <p>23 recently made by Anucha Browne-Sanders and</p> <p>24 her counsel. "In light of that report, I</p> <p>25 am making certain recommendations."</p>	<p style="text-align: right;">260</p> <p>1 McCORMACK</p> <p>2 and you -- believe me having been a</p> <p>3 private company for some time and may be</p> <p>4 going to be private again, but</p> <p>5 it -- the -- particularly today with the</p> <p>6 SEC and regulations, that he</p> <p>7 wouldn't -- he probably wouldn't know</p> <p>8 that, so we wanted to sensitize him, so</p> <p>9 that he could -- he would -- and with</p> <p>10 Steve, as I said, we -- we recommended</p> <p>11 that he meet with two people who had not</p> <p>12 been involved with this issue and -- but</p> <p>13 who are professionals and do follow-up.</p> <p>14 Q. When you say though "in light of</p> <p>15 the report," what did the report have to</p> <p>16 do with the recommendations that you were</p> <p>17 making --</p> <p>18 A. They --</p> <p>19 Q. -- with respect to</p> <p>20 Ms. Browne-Sanders?</p> <p>21 A. They -- it did not have anything</p> <p>22 do with it.</p> <p>23 Q. So where you wrote "in light of</p> <p>24 that report I am making certain</p> <p>25 recommendations," you didn't really mean</p>
<p style="text-align: right;">259</p> <p>1 McCORMACK</p> <p>2 What did you mean by that</p> <p>3 sentence, "in light of that report I am</p> <p>4 making certain recommendations"?</p> <p>5 A. Well, we -- we -- based upon</p> <p>6 again the -- the difficulty that Anucha</p> <p>7 was having, the interpersonal problems</p> <p>8 that she was having, her expressed desire</p> <p>9 to leave the company, and all of the</p> <p>10 things that we have discussed today in</p> <p>11 terms of things like the open practice</p> <p>12 fiasco where somebody could have been</p> <p>13 hurt, in view of things that I personally</p> <p>14 was involved with, you know, we -- we -- I</p> <p>15 did not disagree that she should probably</p> <p>16 leave the company or should leave the</p> <p>17 company. She just had poor relationships,</p> <p>18 and she had already lost the confidence of</p> <p>19 the -- certainly the vice chairman of the</p> <p>20 company with the budget fiasco.</p> <p>21 With Isiah we said, again we</p> <p>22 need to sensitize him. We should -- you</p> <p>23 know, different people have different</p> <p>24 sensitivities. Is he aware of that? He</p> <p>25 hasn't worked in a large public company,</p>	<p style="text-align: right;">261</p> <p>1 McCORMACK</p> <p>2 that with respect to the recommendations</p> <p>3 for Ms. Browne-Sanders?</p> <p>4 A. No, the -- again, Mark</p> <p>5 Schoenfeld wrote this, but -- but</p> <p>6 we -- the -- the action taken with Anucha</p> <p>7 was done by Jim Dolan.</p> <p>8 Q. How do you know that?</p> <p>9 A. Okay. So -- well, that's the</p> <p>10 word I got.</p> <p>11 Q. The word you got from whom?</p> <p>12 A. That I'm not sure. I don't know</p> <p>13 whether it was Steve. I don't know</p> <p>14 whether it was -- I don't remember that</p> <p>15 exactly.</p> <p>16 Q. Someone had decided --</p> <p>17 A. But Jim Dolan decided to -- that</p> <p>18 he was going to fire Anucha.</p> <p>19 Q. Someone -- someone told you that</p> <p>20 that Jim Dolan said that</p> <p>21 Ms. Browne-Sanders was going to be</p> <p>22 separated?</p> <p>23 A. That's correct.</p> <p>24 Q. Great. And then you had heard</p> <p>25 that before you made this -- you signed</p>



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1 McCORMACK  
 2 your name to this document, McCormack 8?  
 3 A. Yes.  
 4 Q. So it's fair to say that you  
 5 learned about Mr. Dolan's decision, and  
 6 then you and Mr. Schoenfeld drafted a  
 7 memorandum that would conform to Mr.  
 8 Dolan's decision?  
 9 MR. GREEN: Objection to form.  
 10 Q. Is that accurate?  
 11 A. We -- yeah, we did write  
 12 this -- we did write this with that, yes,  
 13 but the decision was him. You have speak  
 14 to Jim.  
 15 Q. Did you hear about  
 16 Ms. Browne-Sanders' supposed desire to  
 17 leave the company from anyone other than  
 18 Steve Mills?  
 19 A. No, I don't believe so.  
 20 Q. No, you didn't hear about it  
 21 from anyone other than Steve Mills?  
 22 A. That's correct. Steve came to  
 23 me to discuss the possibility of her  
 24 continued employment while she looked for  
 25 work.

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1 McCORMACK  
 2 Q. And -- and when did that happen?  
 3 A. It was after she came to him,  
 4 which was in late November I think.  
 5 Q. Your -- your memorandum says in  
 6 the second line "However, based on  
 7 comments Browne-Sanders made to Steve  
 8 Mills and members of her department before  
 9 making the -- her complaint, it is clear  
 10 that Browne-Sanders has a poor  
 11 relationship and difficulty interacting  
 12 with Mills and other members of MSG  
 13 management."  
 14 Do you see that sentence?  
 15 A. Yes.  
 16 Q. What were the comments that  
 17 Ms. Browne-Sanders had made to other  
 18 members of her department that was the  
 19 basis of that statement?  
 20 A. She -- I had heard that  
 21 she -- she made some statements to other  
 22 members. I don't know exactly who that  
 23 was, but I -- I -- that's what I  
 24 understood. That was -- that was the talk  
 25 around in the -- in the -- that

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1 McCORMACK  
 2 specifically, and Steve Mills of course  
 3 was the fact that she wanted to leave the  
 4 company.  
 5 Q. Right. But the statements that  
 6 were supposedly made to members of her  
 7 department, those were not statements you  
 8 heard firsthand?  
 9 A. I can't remember who exactly it  
 10 was, but I may -- I may have been told. I  
 11 can't remember.  
 12 Q. You may have been told. You may  
 13 not have been told. Is that a fair -- is  
 14 that accurate?  
 15 A. Well, I probably was told  
 16 because that was the scuttlebutt in the  
 17 company is she was having -- she was  
 18 having conversation, and -- and the fact  
 19 that she was unhappy and probably was  
 20 going to leave the company.  
 21 Q. So that part of your -- your  
 22 statement with respect to  
 23 Ms. Browne-Sanders' future at the company  
 24 was based on scuttlebutt?  
 25 A. Yes.

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1 McCORMACK  
 2 MR. GREEN: Objection to form.  
 3 Q. Who are the other members of MSG  
 4 management that are referred to in that  
 5 sentence?  
 6 A. Well, I mentioned to you I am  
 7 one of them and Fran Hurley, my vice  
 8 president of training and development, is  
 9 another one. Tim Hassett, Joe DeCoco, who  
 10 was in charge of security. Of course,  
 11 Hank Ratner, who is -- you know with  
 12 budget issues and the fact that -- that he  
 13 had said that she was probably over her  
 14 head, and there were other people.  
 15 Specifically I don't know. I can't name  
 16 them all, but I -- I had heard again talk  
 17 around the company that Anucha was just  
 18 over her head.  
 19 Q. Did you -- did you personally  
 20 have any difficulty interacting with  
 21 Ms. Browne-Sanders?  
 22 A. No, I didn't, but I didn't -- I  
 23 didn't have to.  
 24 Q. Okay.  
 25 A. I didn't have a real business



MEMORANDUM

To: Files

From: Rusty McCormack



Date: January 19, 2006

Re: Knicks Employee Relations Issues

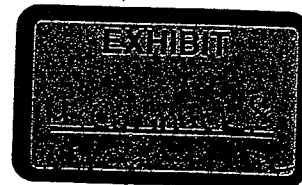
I have reviewed the report of the investigation conducted by Rochelle Noel and John Moran regarding the allegations recently made by Anucha Browne Sanders and her counsel. In light of that report I am making certain recommendations.

Anucha Browne Sanders

As the report indicates, most of Browne Sanders' allegations were not confirmed. However, based on comments Browne Sanders made to Steve Mills and members of her department before making her complaint, it is clear that Browne Sanders has a poor relationship and difficulty interacting with Mills and other members of MSG management. Browne Sanders is unable to function effectively in her position. Moreover, MSG cannot function if its senior management cannot communicate and work together effectively. In light of this, and considering related issues with Browne Sanders' communication skills and overall effectiveness, Browne Sanders should be separated from MSG and offered severance and outplacement services, subject to her execution of an appropriate release.

Isiah Thomas

As indicated above, most of Browne Sanders' allegations against Thomas were not confirmed. Based on the interviews, the investigation made clear that Browne Sanders and Thomas had a number of business disagreements and differences in philosophy and management style. Other employees asserted that Thomas has on occasion used profanity and has raised his voice in the workplace at MSG. He also acknowledged that on one occasion he greeted Browne Sanders with a hug and kiss. In light of the above, I recommend that Thomas undergo one-one-one sessions with a qualified outside expert in order to sensitize him further with regard to the concerns that his conduct could raise in a corporate environment and in light of company policy. This can be dovetailed with our ongoing efforts to work with Thomas to help him manage his organization and deal effectively with other people in the Knicks organization and at MSG. This training should begin in the next 30 days.



CONFIDENTIAL

MSG 6363

Steve Mills

The investigation did not establish that Mills contravened the company's anti-harassment policy. In fact, as the report indicates, Mills took appropriate action to respond to the incidents that were called to his attention. Nevertheless, it is my experience that these situations can be used as learning tools to improve effectiveness in the future. I therefore recommend that Mills meet with my counterparts from Corporate and Rainbow, Rob Doodian and Frank Livoti, who have not been involved in this matter, to discuss what lessons, if any, may be learned from the facts described in the report. This meeting should occur in the next 30 days.

# Exhibit 6

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
06 Civ. 0589 (CGE)

-----x

ANUCHA BROWNE-SANDERS,

Plaintiff,

- against -

MADISON SQUARE GARDEN, L.P., ISIAH LORD  
THOMAS, III, and JAMES DOLAN,  
Defendants.

-----x

January 8, 2007  
11:01 a.m.

Videotaped Deposition of STEPHON  
MARBURY, taken by Plaintiff, pursuant to  
Notice, held at the offices of Vladeck  
Waldman Elias & Engelhard, P.C., 1501  
Broadway, New York, New York, before Todd  
DeSimone, a Registered Professional  
Reporter and Notary Public of the State of  
New York.

<p>1 MARBURY</p> <p>2 Knick?</p> <p>3 A. The middle of the season of</p> <p>4 2003.</p> <p>5 Q. What caused you in the summer</p> <p>6 of 2005 to refer to Anucha Browne-Sanders</p> <p>7 as a bitch to Dan Gladstone?</p> <p>8 A. I was having a conversation</p> <p>9 with Dan Gladstone about my cousin,</p> <p>10 Hassan, about him not getting his overtime</p> <p>11 pay, and Dan had told me that I had to</p> <p>12 take it up with Anucha.</p> <p>13 But I was talking to Dan about</p> <p>14 what had happened with why he wasn't</p> <p>15 getting paid his overtime pay, and Dan</p> <p>16 basically was saying that it wasn't his</p> <p>17 call. Then I asked him how did his time</p> <p>18 sheets -- how did his time sheets get</p> <p>19 changed when he never changed it.</p> <p>20 Q. And what did he say in</p> <p>21 response?</p> <p>22 A. I don't recall.</p> <p>23 Q. So you were talking to Dan</p> <p>24 Gladstone about your cousin, Hassan,</p> <p>25 regarding him not getting overtime?</p>	<p>14</p> <p>1 MARBURY</p> <p>2 Q. So you were having a</p> <p>3 conversation with Mr. Gladstone regarding</p> <p>4 your cousin Hassan getting overtime and,</p> <p>5 during the conversation it just came up,</p> <p>6 you just referred to Ms. Sanders as a</p> <p>7 bitch?</p> <p>8 A. Yes.</p> <p>9 Q. Do you know why you called her</p> <p>10 a bitch during this conversation?</p> <p>11 A. That's how I felt.</p> <p>12 Q. Why did you feel during that</p> <p>13 conversation in the summer of 2005 that</p> <p>14 Anucha Browne-Sanders was a bitch?</p> <p>15 MR. GREEN: Objection. Asked</p> <p>16 and answered. You may answer again.</p> <p>17 A. I don't know why I felt that</p> <p>18 way. That's just how I felt at that time.</p> <p>19 Q. Now, you said that, if I'm</p> <p>20 correct, that conversation with Dan</p> <p>21 Gladstone is the only time you've referred</p> <p>22 to Anucha Browne-Sanders as a bitch?</p> <p>23 A. Yup, from what I recall.</p> <p>24 Q. Did you ever feel outside of</p> <p>25 that time in the summer of 2005 that</p>
<p>15</p> <p>1 MARBURY</p> <p>2 A. Uh-huh.</p> <p>3 Q. Is that correct?</p> <p>4 A. Yes.</p> <p>5 Q. And he said that there was</p> <p>6 nothing he could do?</p> <p>7 A. Basically, yes.</p> <p>8 Q. So how did Ms. Sanders' name</p> <p>9 come up in this discussion,</p> <p>10 Ms. Browne-Sanders' name?</p> <p>11 A. Because he was saying that I</p> <p>12 had to speak to Anucha about it and I was</p> <p>13 asking him, and then he was saying that</p> <p>14 she changed his schedule, his work</p> <p>15 schedule, or something like that.</p> <p>16 Q. And so how during that</p> <p>17 conversation did you refer to -- how did</p> <p>18 you use the term "bitch" when referring to</p> <p>19 Anucha Browne-Sanders come up?</p> <p>20 MR. SHERWOOD: Objection as to</p> <p>21 form.</p> <p>22 A. I just called her a bitch. It</p> <p>23 wasn't no specific way or certain way that</p> <p>24 it came up in the conversation. That's</p> <p>25 just how it came up.</p>	<p>17</p> <p>1 MARBURY</p> <p>2 Anucha Browne-Sanders was a bitch?</p> <p>3 MR. GREEN: Objection to form.</p> <p>4 He is not going to answer that question.</p> <p>5 Q. Let's go back.</p> <p>6 You said you felt that</p> <p>7 Ms. Browne-Sanders was a bitch because you</p> <p>8 asked for some passes for your family; is</p> <p>9 that correct?</p> <p>10 A. Yes, and her disposition.</p> <p>11 Q. When did you ask for the passes</p> <p>12 for your family?</p> <p>13 A. When I first got there.</p> <p>14 Q. So that would be sometime in,</p> <p>15 when, 2003-2004?</p> <p>16 A. I don't remember.</p> <p>17 Q. When you first got to the New</p> <p>18 York Knicks?</p> <p>19 A. Yes.</p> <p>20 Q. So sometime when you first got</p> <p>21 to the New York Knicks when you had this</p> <p>22 conversation with Anucha Browne-Sanders,</p> <p>23 you felt that she was a bitch, and then in</p> <p>24 the summer of 2005 again you felt that she</p> <p>25 was a bitch; is that correct?</p>

26

1 MARBURY  
 2 Q. Now, you said that you had  
 3 conversation with Mr. Gladstone about your  
 4 cousin in the summer of 2005; is that  
 5 correct?  
 6 A. Yes.  
 7 Q. After reading this document,  
 8 would it have been around June of 2005?  
 9 A. Yes.  
 10 Q. Now, this document says that  
 11 you called Mr. Gladstone. Do you recall  
 12 calling him?  
 13 A. Yes.  
 14 Q. So this conversation you had  
 15 with Mr. Gladstone was over the phone?  
 16 A. Yes.  
 17 Q. Do you recall calling him at  
 18 night in June around 9 p.m.?  
 19 A. Yes.  
 20 Q. During your conversation with  
 21 Mr. Gladstone, did you express that you  
 22 were upset regarding the compensation of  
 23 your cousin?  
 24 A. Yes.  
 25 Q. And during your conversation

27

1 MARBURY  
 2 with Mr. Gladstone, did you ever say that  
 3 you believed that your cousin was being  
 4 treated unfairly?  
 5 A. I think that was stated.  
 6 Q. Do you recall Mr. Gladstone  
 7 having any conversations with -- any  
 8 discussions with you during that  
 9 conversation regarding your cousin only  
 10 working 35 hours?  
 11 A. I don't know. The only thing  
 12 that I do know is that Hassan was telling  
 13 me that he did overtime hours and that he  
 14 had signed one of his slips and checking  
 15 in saying that he had signed in, and then  
 16 his name was crossed out or something  
 17 where it wasn't his initials or it wasn't  
 18 his signature as far as his time slip was  
 19 concerned.  
 20 Q. Do you know what job Hassan had  
 21 with the Knicks?  
 22 A. Community Relations.  
 23 Q. Now, during your conversation  
 24 with Mr. Gladstone, was there any  
 25 discussions regarding Hassan's use of the

28

1 MARBURY  
 2 parking garage?  
 3 A. I don't remember about that. I  
 4 know I was looking at that. I don't  
 5 remember that.  
 6 Q. Now, when you called  
 7 Mr. Gladstone, were you upset at the time?  
 8 A. I probably was more wondering,  
 9 you know, why was his hours being switched  
 10 around, and I thought that that wasn't  
 11 right if he was working overtime hours and  
 12 he was doing what he was supposed to be  
 13 doing, you know, why wasn't he being  
 14 compensated for that.  
 15 Q. Now, in this e-mail,  
 16 Mr. Gladstone says that you referred to  
 17 Ms. Anucha Browne-Sanders using several  
 18 phrases. I want to go over those phrases  
 19 with you. Okay?  
 20 A. Fine.  
 21 Q. "He says no one likes that  
 22 black bitch." Do you recall saying that  
 23 to Mr. Gladstone?  
 24 A. I didn't call her a black  
 25 bitch. I called her a bitch. And I

29

1 MARBURY  
 2 didn't say "no one," referring to -- I was  
 3 talking about myself. I said I don't like  
 4 that -- I don't like her basically.  
 5 Q. "I don't like her"? What was  
 6 the phrase that came out using the term  
 7 "bitch" to refer to her?  
 8 A. I just called her a bitch. I  
 9 was like "She's a bitch." Like I don't  
 10 know how I phrased it, but I know I didn't  
 11 call her a black bitch. That's not how I  
 12 would call her a bitch. Like "that black  
 13 bitch," that's not even in my lingo.  
 14 Q. But you do recall just calling  
 15 her a bitch?  
 16 A. Yeah.  
 17 Q. So the next phrase, where it  
 18 says "Fuck that black bitch. She thinks  
 19 she runs the Knicks. She doesn't run  
 20 shit. I sell the tickets around here, not  
 21 her. I put people in the seats. This is  
 22 my team."  
 23 Do you recall having any --  
 24 saying that to Mr. Gladstone?  
 25 A. I said that -- what I said to



30

1 MARBURY  
 2 him was she acts like she runs the Knicks.  
 3 She don't run the Knicks. From the way  
 4 how she walks around here telling people  
 5 what to do and demanding people to do  
 6 certain things as opposed to asking people  
 7 to do things. She didn't do that. Like  
 8 that's not her job.  
 9 Q. Did you say anything about that  
 10 you put people in the seats?  
 11 A. Yes, I did say that.  
 12 Q. You did say that?  
 13 A. Yes.  
 14 Q. And that you sell the tickets  
 15 around here?  
 16 A. When I got here, when I first  
 17 came to New York, it was a sold-out crowd.  
 18 My name was on the marquee and they have  
 19 my name plastered all over New York  
 20 basically. So yeah, I did sell seats.  
 21 Q. But did you tell Mr. Gladstone  
 22 that --  
 23 A. Yeah, I did.  
 24 Q. And did you say "this is my  
 25 team"?

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1 MARBURY  
 2 A. I probably did say that.  
 3 Q. The next statement he says you  
 4 said, "We don't like her. She thinks she  
 5 tells us what to do. She doesn't tell us  
 6 shit."  
 7 Did you say that to  
 8 Mr. Gladstone?  
 9 A. No, I didn't say we don't like  
 10 her. I said I don't like her.  
 11 Q. And did you say "she tells us  
 12 what to do"?  
 13 A. She thinks she can tell people  
 14 what to do.  
 15 Q. "She don't tell us shit," did  
 16 you say that?  
 17 A. Yeah.  
 18 Q. The last sentence, it says  
 19 "Fuck that black bitch. She ain't shit.  
 20 We'll see what happens this year."  
 21 Did you say that?  
 22 A. I didn't call her a black  
 23 bitch, and I did say "fuck her."  
 24 Q. You said "fuck her"?  
 25 A. Uh-huh.

32

1 MARBURY  
 2 Q. Did you say "fuck that bitch"?  
 3 A. No.  
 4 Q. You just said "fuck her"?  
 5 A. Uh-huh. I said "fuck her."  
 6 Q. Did you say "she ain't shit"  
 7 and "we'll see what happens this year"?  
 8 A. No.  
 9 Q. Why did you say "fuck her"?  
 10 A. Because that's how I felt.  
 11 Q. Why did you feel that way?  
 12 A. I don't know why I felt that  
 13 way at that time. But that's how I felt.  
 14 Q. For the period of time when you  
 15 first started with the New York Knicks up  
 16 until June of 2005, how many conversations  
 17 did you have with Anucha Browne-Sanders?  
 18 A. After she said that -- after  
 19 she came up to me -- or two. She spoke  
 20 with me the first time when she told me  
 21 about the passes and then the second time  
 22 when she asked me was I okay. After that  
 23 I never spoke to her again.  
 24 Q. You never spoke to her again?  
 25 A. No, there wasn't no need.

33

1 MARBURY  
 2 Every time I see her, I walked past her.  
 3 It was like two ships in the night  
 4 passing.  
 5 Q. So after the conversation about  
 6 the passes, and then, if I'm correct, that  
 7 same day or night, she said "Are you  
 8 okay?"  
 9 A. No. It was the next day.  
 10 Q. It was the next day, okay.  
 11 A. After that, we haven't had --  
 12 we never spoke.  
 13 Q. So you had two conversations,  
 14 one about the passes and then the next day  
 15 she says "Are you all right," and you  
 16 haven't had any other conversations?  
 17 A. And I never said anything else  
 18 to her. I never had a conversation with  
 19 her.  
 20 Q. But you felt during your  
 21 conversation with Mr. Gladstone that, one,  
 22 she was a bitch, and, two -- I'm sorry,  
 23 you referred to her as a bitch and you  
 24 said "fuck her"; is that correct?  
 25 MR. GREEN: Objection to form.

34

1 MARBURY  
 2 You may answer, Stephon.  
 3 A. Yes.  
 4 Q. Do you know how Mr. Hassan --  
 5 what is your cousin's last name?  
 6 A. Gonsalves.  
 7 Q. How he was hired?  
 8 A. By Mr. Dolan.  
 9 Q. Did you ask Mr. Dolan to hire  
 10 your cousin?  
 11 A. Yes.  
 12 Q. Did you ask Mr. Dolan to hire  
 13 any other of your family members?  
 14 A. Tasheem Ward.  
 15 Q. Do you know if Anucha  
 16 Browne-Sanders interviewed your cousin?  
 17 A. No.  
 18 Q. Do you know if Anucha  
 19 Browne-Sanders interviewed Hassan  
 20 Gonsalves?  
 21 A. No.  
 22 Q. Do you know if Anucha  
 23 Browne-Sanders interviewed Tasheem Ward?  
 24 A. No.  
 25 Q. Do you know if your cousins

35

1 MARBURY  
 2 worked in her department?  
 3 A. If she was running Community  
 4 Relations, that's what I thought that they  
 5 were doing.  
 6 Q. Now, I want to refer you to, on  
 7 Marbury 1, on the first page it says "time  
 8 sheets." Did you have any conversations  
 9 with Mr. Gladstone regarding your cousin's  
 10 inability to fill out time sheets?  
 11 A. Not that I recall.  
 12 Q. Do you recall having any  
 13 conversations with your cousin, Hassan,  
 14 regarding his time sheets?  
 15 A. How to fill them out or about  
 16 his time sheet? The only conversation I  
 17 had about was he told me about that he put  
 18 in for his overtime.  
 19 Q. I want to go to the next page  
 20 of Marbury 1 regarding the parking. Did  
 21 you have any conversations with  
 22 Mr. Gladstone regarding Hassan using his  
 23 parking account?  
 24 A. I don't recall.  
 25 Q. Did you have any conversations

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1 MARBURY  
 2 with Hassan regarding his use of  
 3 Gladstone's parking account?  
 4 A. I don't recall.  
 5 Q. Do you know who Karin Buchholz  
 6 is?  
 7 A. Uh-huh.  
 8 Q. You have to say --  
 9 A. Yes.  
 10 Q. Okay, thank you. And who is  
 11 Karin Buchholz?  
 12 A. She works for the Knicks.  
 13 Q. Do you know what she does for  
 14 the Knicks?  
 15 A. I don't know people's job  
 16 descriptions. I mean, I use community  
 17 relationship for basically everything  
 18 because that's what they normally do.  
 19 Q. Do you know who Chris Bernard  
 20 is?  
 21 A. Yes.  
 22 Q. Who is Chris Bernard?  
 23 A. He works for the Knicks.  
 24 Q. And do you know what area or  
 25 what does he do for the Knicks?

37

1 MARBURY  
 2 A. Player relationship.  
 3 (Marbury Exhibit 2 marked for  
 4 identification.)  
 5 (Witness perusing document.)  
 6 Q. Have you had time to review  
 7 what has been marked as Marbury Exhibit 2,  
 8 which is a one-page document, it is an  
 9 e-mail from Karin Buchholz dated November  
 10 28th, 2005 and it is Bates stamped MSG  
 11 05361?  
 12 A. Yes.  
 13 Q. Did Mr. Bernard ever ask you to  
 14 sign some jerseys?  
 15 A. Yes.  
 16 Q. In the e-mail, he says that you  
 17 did not want to help out Ms. Anucha  
 18 Browne-Sanders?  
 19 MR. SHERWOOD: Objection.  
 20 MR. GREEN: Objection.  
 21 Misstates what the e-mail says.  
 22 MR. SMITH: I'll withdraw that.  
 23 Q. Did you ever say to Mr. Bernard  
 24 that you didn't want to help out Anucha  
 25 Browne-Sanders?

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1 MARBURY  
 2 Did you ever say that to Jamie  
 3 Matthews?  
 4 A. I didn't have to say it. They  
 5 already knew that from the way how I  
 6 basically looked when they said something  
 7 about her.  
 8 Q. How did you look when they said  
 9 something about her?  
 10 A. Like that look like down with  
 11 that face, like no expression.  
 12 Q. So you believe it was very  
 13 clear that people knew that you did not  
 14 like Anucha Browne-Sanders?  
 15 A. Yes.  
 16 Q. And it wasn't like you were  
 17 looking to hide that you didn't like  
 18 Anucha Browne-Sanders?  
 19 A. Not at all.  
 20 Q. Did anybody from the Knicks  
 21 ever talk to you about referring to Anucha  
 22 Browne-Sanders as a bitch?  
 23 A. No.  
 24 Q. Were you ever disciplined for  
 25 referring to Anucha Browne-Sanders as a

47

1 MARBURY  
 2 bitch?  
 3 A. The conversation was between  
 4 two men. So I didn't think that when I  
 5 was talking to Dan Gladstone that that was  
 6 going to be repeated to anyone else.  
 7 MR. SMITH: Could you read back  
 8 the question.  
 9 (The record was read.)  
 10 A. I just answered, I don't see no  
 11 reason for me -- like I said, it was two  
 12 men speaking. We were talking. And no  
 13 one ever really said -- nobody said  
 14 anything to me about me calling her a  
 15 bitch.  
 16 Q. So were you ever disciplined  
 17 for calling her a bitch?  
 18 A. Nobody said anything to me  
 19 about me calling her a bitch. So I didn't  
 20 get a spanking for that.  
 21 Q. Under the collective bargaining  
 22 agreement with the players and the NBA,  
 23 are you required to perform community  
 24 events?  
 25 A. Yes.

48

1 MARBURY  
 2 Q. Do you know how many events you  
 3 are required to do?  
 4 A. More than I normally do.  
 5 Q. So you do less than what is  
 6 required?  
 7 A. No, I do more.  
 8 Q. And do you know how many you  
 9 are required to do?  
 10 A. I think 10 or 12.  
 11 Q. With your contract with the New  
 12 York Knicks, is there a morals clause?  
 13 MR. GREEN: Objection to form.  
 14 You may answer if you understand the  
 15 question.  
 16 A. I don't understand.  
 17 Q. Is there any clause in your  
 18 contract that deals with your conduct  
 19 acting as a professional with regards to  
 20 the New York Knicks?  
 21 A. Yes.  
 22 Q. Under your contract, are you  
 23 supposed to hold yourself out as a  
 24 professional?  
 25 A. Yes.

49

1 MARBURY  
 2 Q. And under your contract can you  
 3 be disciplined for not holding yourself  
 4 out as a professional?  
 5 A. Yes.  
 6 Q. In your contract, is there any  
 7 discussion about what they require you to  
 8 do to act as being a professional?  
 9 MR. GREEN: Objection to form.  
 10 You may answer, Stephon.  
 11 A. Yes.  
 12 Q. And what is required?  
 13 A. There is a whole list of  
 14 things. I don't know all of them off the  
 15 top of my head.  
 16 Q. Can you name any of them that  
 17 you can recall?  
 18 MR. GREEN: Same objection.  
 19 You can testify, Stephon. If you can  
 20 recall them, you can mention them.  
 21 A. I choose not, because I don't  
 22 know all of them.  
 23 Q. I'm only asking you what you  
 24 recall.  
 25 A. Make sure when you are in the

90

1 MARBURY  
 2 A. No. I never had any  
 3 conversations with anyone.  
 4 Q. Did anyone at The Garden ever  
 5 talk to you about your relationship with  
 6 [REDACTED]?  
 7 MR. GREEN: Objection to form.  
 8 You can answer, Stephon.  
 9 A. No.  
 10 Q. Did you ever have any  
 11 conversations with Isiah Thomas regarding  
 12 your relationship with [REDACTED]?  
 13 A. He just told me to be careful  
 14 with everything -- anything and everything  
 15 that I'm doing.  
 16 Q. When did this conversation  
 17 occur?  
 18 A. I don't remember.  
 19 Q. Was it during the season, after  
 20 the season?  
 21 A. This was during the season.  
 22 Q. Do you recall how [REDACTED]  
 23 [REDACTED] name came about?  
 24 MR. SHERWOOD: Objection.  
 25 A. No.

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1 MARBURY  
 2 MR. SHERWOOD: This misstates  
 3 prior testimony.  
 4 MR. SMITH: I'll rephrase.  
 5 Q. You said he said be careful  
 6 with everything and anything that you were  
 7 doing. Did he ever refer to [REDACTED]  
 8 [REDACTED] in that conversation?  
 9 A. No.  
 10 Q. Then why did you take it that  
 11 he was referring to [REDACTED] during  
 12 that conversation?  
 13 MR. SHERWOOD: Objection.  
 14 There is no indication that he took it  
 15 that way.  
 16 MR. SMITH: I asked him did he  
 17 ever have a conversation with Isiah Thomas  
 18 about [REDACTED].  
 19 THE WITNESS: And I said no.  
 20 MR. SMITH: Go back. Let's go  
 21 back.  
 22 (The record was read.)  
 23 Q. Now, you are saying during that  
 24 conversation that --  
 25 A. The conversation wasn't about

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1 MARBURY  
 2 [REDACTED].  
 3 Q. What was the conversation  
 4 about?  
 5 A. It was about everything that  
 6 was going on in my life, everything that  
 7 was going on in basketball.  
 8 Q. Did Mr. Isiah Thomas ever ask  
 9 you about [REDACTED] specifically?  
 10 A. No, he never asked me about  
 11 [REDACTED].  
 12 Q. Did anyone from The Garden ever  
 13 ask you about [REDACTED]?  
 14 A. No.  
 15 Q. Outside of Dan Gladstone, did  
 16 anyone from The Garden ever talk to you  
 17 about Hassan while he was employed at The  
 18 Garden?  
 19 A. When you say talked to me about  
 20 Hassan, what do you mean?  
 21 Q. Did anyone talk to you about  
 22 Hassan's work?  
 23 A. No.  
 24 Q. Did anyone talk to you about  
 25 the allegations made about Hassan?

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1 MARBURY  
 2 A. I told you no already.  
 3 Q. Prior to him being terminated?  
 4 A. Exactly.  
 5 Q. Now, you said that you had  
 6 conversation when you first got to the  
 7 Knicks with Anucha Browne-Sanders  
 8 regarding the passes. Do you recall who  
 9 did you ask for passes for from Anucha  
 10 Browne-Sanders?  
 11 A. There was so much going on that  
 12 day. It could have been a numerous amount  
 13 of people.  
 14 Q. Was this your first -- was this  
 15 during the first time you were --  
 16 A. Yes, the first --  
 17 Q. You've got to let me finish.  
 18 Was this your first game at The  
 19 Garden as a New York Knick?  
 20 A. Yes.  
 21 Q. Do you recall who you were  
 22 asking for passes for?  
 23 A. At that time I was just trying  
 24 to -- I was just trying to make sure that  
 25 everybody was straight. I was