

# Exhibit 7

## Part 1

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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

November 10, 2006  
10:10 a.m.

VIDEOTAPE DEPOSITION of JOHN D.  
MORAN, 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.

70

1 MORAN

2 that there was an issue in her area, and

3 that in fact she had -- by the time she

4 had called me she had already investigated

5 it, which -- which was a problem for me

6 because that is not the process. The

7 process is that if she receives a

8 complaint, she should bring her complaint

9 to me, and I'm to do the investigating,

10 and the reason I say that was a problem

11 was because the individuals she was

12 interviewing were people in her

13 department. They have to work together.

14 They have a personal relationship. It's,

15 you know, in a sense that -- and I don't

16 think it is best that the supervisor

17 interview their own subordinates in terms

18 of that subordinates might not be as

19 forthcoming, and they might not be -- if

20 you are not trained, you may be tipping

21 what you want them to say.

22 But at any rate she did do that.

23 She called me up. I immediately went to

24 her office, and she relayed to me what she

25 discovered. She had interviewed actually

71

1 MORAN

2 a couple of people, more than one, and I

3 heard what she had to say, and then I

4 conducted my own investigation.

5 Q. When you were conducting your

6 own investigation, did you do that

7 investigation with anyone else?

8 A. A couple of the -- one -- at

9 least one of the interviews that -- there

10 were other people present. Anucha was

11 present, and I believe Karen Buchholz was

12 present, but they weren't -- they

13 weren't -- they weren't conducting the

14 investigation at that point.

15 Q. Is there a woman by the name of

16 Anne Jackson on your staff?

17 A. Yes.

18 Q. Was she involved in the

19 investigation at all?

20 A. She was involved in a piece of

21 it, yes.

22 Q. What piece was she involved in?

23 A. I believe she interviewed one or

24 two of the individuals -- actually on a

25 couple of the interviews she -- that I did

72

1 MORAN

2 she sat in with me, and then I believe she

3 conducted one interview on her own of an

4 employee.

5 Q. You referred in your earlier

6 answer to Ms. Browne-Sanders having what

7 you say conducted her own investigation

8 about what -- Mr. Gonsalves' conduct?

9 A. Yes.

10 Q. And you said that she had you

11 believe interviewed two people?

12 A. Yes.

13 Q. Who did she interview?

14 A. [REDACTED]

15 [REDACTED]

16 Q. Both of those individuals

17 reported to Ms. Browne-Sanders indirectly?

18 A. Indirectly, yes.

19 Q. Are you aware whether

20 Ms. Browne-Sanders discussed the issue of

21 Mr. Gonsalves' conduct with Steve Mills

22 before calling you about it?

23 A. It's my understanding that she

24 did call him first, and I believe she sent

25 us both an E mail around that same time,

73

1 MORAN

2 either that day or the next day outlining

3 some of her findings.

4 Q. Did you talk to Mr. Mills about

5 it -- the allegations against Mr.

6 Gonsalves at all?

7 A. I'm -- I'm not sure that I did.

8 I'm not sure that I did.

9 Q. At any point?

10 A. I don't believe so. I don't

11 recall.

12 Q. We started this line of

13 questioning because I had asked you

14 whether or not there were any instances in

15 in which you conducted an investigation

16 but didn't speak to the person who was

17 accused of wrongdoing.

18 A. Yes.

19 Q. And I take it you didn't speak

20 to Mr. Gonsalves about the allegations

21 against him?

22 A. No, I didn't.

23 Q. Why not?

24 A. There -- there are very few

25 cases, and this was one of them,

74

1 MORAN  
 2 that -- that was very clear cut in my  
 3 mind. We had multiple witnesses who  
 4 corroborated each other's experiences.  
 5 When he was making very inappropriate  
 6 comments, others overheard it. So we have  
 7 four, five witnesses who -- at periodic  
 8 different times overheard his again  
 9 inappropriate comments. It was very -- in  
 10 my mind it was very clear cut that he  
 11 needed to be terminated.  
 12 Q. When you say inappropriate  
 13 comments, what sort of comments are you  
 14 referring to?  
 15 A. Well, one that comes to mind is  
 16 he said to one of the women, gee, you look  
 17 nice. I bet your pussy looks nice, too.  
 18 He said I hear -- to another one he said I  
 19 hear you give good head or blow jobs. I'm  
 20 not sure which. To one of the women he  
 21 sent an E mail, which I had -- she saved  
 22 it and sent me a text message, and it was  
 23 Thanksgiving time, and he said -- she said  
 24 something about happy Thanksgiving he says  
 25 yes, you know, when can I stick

75

1 MORAN  
 2 the -- when can I stick it in. There were  
 3 others, but those are the ones that come  
 4 to mind.  
 5 Q. With respect to the comments  
 6 that were made, not the text message, do  
 7 you recall were there witnesses to those  
 8 comments being made other than the people  
 9 who were --  
 10 A. It is --  
 11 Q. I just have to finish the  
 12 question.  
 13 A. Sorry.  
 14 Q. With respect to the comments  
 15 that you've referred to, were there  
 16 witnesses to the comments other than the  
 17 people who they were directed at?  
 18 A. I -- I understand the -- I think  
 19 on two of the occasions, the one that you  
 20 look nice today I bet your pussy does too,  
 21 I understand there was a witness.  
 22 Q. Who was the witness in that  
 23 case?  
 24 A. I'm not going to retrieve the  
 25 name, but I believe it was the individual

76

1 MORAN  
 2 that Anne Jackson interviewed.  
 3 Q. When you do a harassment  
 4 investigation, is it your belief that in  
 5 order to conclude that a violation of the  
 6 company's anti harassment -- harassment  
 7 policies occurred, there has to be  
 8 corroboration of what the complaining  
 9 witness has -- has said?  
 10 MR. GREEN: Objection to form.  
 11 You may answer.  
 12 A. Yeah. It would -- it would  
 13 depend on the circumstances, but it is  
 14 certainly the key -- a key element on it.  
 15 Q. Are there any instances  
 16 in -- where you have done a harassment  
 17 investigation and you have credited what a  
 18 complainant has said even though there  
 19 wasn't independent corroboration of  
 20 the -- the allegations?  
 21 MR. GREEN: Same objection to  
 22 form. You can answer, Mr. Moran.  
 23 A. Not that I'm aware of.  
 24 MR. GREEN: Kevin, it is 11:30.  
 25 Good time for a few minutes.

77

1 MORAN  
 2 THE VIDEOGRAPHER: We have come  
 3 to the end of the tape 1. It is now 11:28  
 4 a.m. We are going off the record. End of  
 5 tape 1.  
 6 (Recess taken.)  
 7 THE VIDEOGRAPHER: This is the  
 8 beginning of tape number 2. We are back  
 9 on the record at approximately 11:43 a.m.  
 10 MR. MINTZER: For the record, I  
 11 think we should just state that we had a  
 12 couple of other lawyers join us from when  
 13 we started. If you want to note your  
 14 appearance.  
 15 MR. GREEN: Sure. I will note  
 16 it for you. Brian Cesaratto and Teresa  
 17 Holland of Epstein Becker.  
 18 MS. VLADDECK: Didn't you forget  
 19 a name? Epstein Becker.  
 20 (Laughter.)  
 21 MR. GREEN: I have always done  
 22 that.  
 23 Q. Mr. Moran, in your investigation  
 24 of Mr. Gonsalves' conduct, did it come to  
 25 your attention that there was any

78

1 MORAN  
 2 inappropriate conduct by any other  
 3 employee of Madison Square Garden?  
 4 MR. GREEN: I object to form.  
 5 You may answer, Mr. Moran.  
 6 A. I'm thinking. Nothing comes to  
 7 mind.  
 8 Q. Did you learn about any  
 9 inappropriate conduct by Stephon Marbury?  
 10 A. Stephon Marbury's name came up.  
 11 I don't know that I would have necessarily  
 12 categorize it as inappropriate.  
 13 Q. How did Stephon Marbury's name  
 14 came up -- come up?  
 15 A. I'm trying to get the names  
 16 right. I believe [REDACTED], [REDACTED]  
 17 [REDACTED] and [REDACTED] is the --  
 18 one of the names I couldn't -- couldn't  
 19 recall before -- went to a club in I  
 20 believe the Bronx. Not -- no, Westchester  
 21 it was. I believe it was [REDACTED]  
 22 [REDACTED], and [REDACTED] and [REDACTED]  
 23 had been there Before and offered to take  
 24 her there [REDACTED], and while they  
 25 were there they ran into Hassan who was

79

1 MORAN  
 2 there at the club, and Stephon Marbury was  
 3 at the club. I don't know whether -- I  
 4 don't know whether Hassan and Stephon were  
 5 together, but -- but I was told they were  
 6 at the club. So Stephon's name came up in  
 7 that context.  
 8 Q. Did you learn anything else  
 9 about Mr. Marbury's conduct in connection  
 10 with your investigation?  
 11 A. After the -- after the -- well  
 12 at some point in the evening the three  
 13 women decided to go home, and they were in  
 14 the parking lot, and Hassan, as it was  
 15 relayed to me, said to [REDACTED], you know,  
 16 I'll -- I can give you a ride home because  
 17 I guess she -- I believe she lived  
 18 somewhere -- had an apartment somewhere  
 19 around [REDACTED] and she agreed to do that  
 20 and went with him.  
 21 Q. With Mr. Gonsalves?  
 22 A. With Mr. Gonsalves, yes.  
 23 Q. And how did Mr. Marbury get  
 24 involved in this?  
 25 A. And then -- well, they were

80

1 MORAN  
 2 going to his car. Mr. Marbury -- Stephon  
 3 Marbury was in his vehicle. I'm not sure  
 4 what type it was, but he was in his  
 5 vehicle and asked [REDACTED] to -- to join  
 6 him in his vehicle.  
 7 Q. And what did you learn about  
 8 what happened in the vehicle?  
 9 A. I understand that from -- this  
 10 is strictly from [REDACTED], that she went  
 11 into his vehicle. She indicated that they  
 12 had sex, and she didn't tell me what that  
 13 meant, and then she left the vehicle, and  
 14 Hassan she related drove him -- drove her  
 15 home.  
 16 Q. What was Mr. -- Ms. [REDACTED]  
 17 position at Madison Square Garden at this  
 18 time?  
 19 A. I believe at that point she was  
 20 [REDACTED]  
 21 Q. Did you inquire at all about  
 22 whether Ms. [REDACTED] gave consent to have  
 23 sex with Mr. Marbury?  
 24 A. Yes, I did.  
 25 Q. What were you told?

81

1 MORAN  
 2 A. I was told -- well, I asked  
 3 [REDACTED] directly. Actually when I was  
 4 interviewing her, Rochelle Noel was with  
 5 me, and I believe it was Rochelle who  
 6 asked her directly did you get into the  
 7 van voluntarily, and she said yes, and did  
 8 you -- was he -- did he force you to do  
 9 anything. She said no, and it was  
 10 actually asked -- I think I asked her are  
 11 you saying it was consensual, and she said  
 12 yes.  
 13 Q. Did you have any discussions  
 14 about that allegation with anyone else  
 15 other than Ms. [REDACTED]?  
 16 A. Well, when we interviewed [REDACTED]  
 17 [REDACTED] and [REDACTED], we asked  
 18 them to take us through the evening, and  
 19 the last they remember -- I don't -- I  
 20 don't believe they are aware of -- of what  
 21 happened with [REDACTED] and Stephon Marbury  
 22 because she left with Hassan, and they  
 23 went home, and they might know because  
 24 maybe -- when I did the investigation  
 25 I -- I felt fairly certain that they did

82

1 MORAN  
 2 not know of -- of this consensual sex.  
 3 Q. Did they -- did anyone tell you  
 4 that Ms. [REDACTED] had been drinking alcohol  
 5 that night?  
 6 A. They said that -- that they had  
 7 had a couple of drinks. As I recall -- as  
 8 I recall, someone said they didn't think  
 9 she was -- I would have to check my notes,  
 10 but -- well, let me answer your question.  
 11 I am sorry. Yes, they had had drinks.  
 12 Q. And Ms. [REDACTED] had had alcohol  
 13 that night?  
 14 A. Yes.  
 15 Q. Did you have any conversation  
 16 about that allegation with Karen Buchholz?  
 17 A. Karen -- Karen was aware of  
 18 the -- of the -- [REDACTED] I believe had  
 19 told both Anucha and Karen what happened.  
 20 So -- I mean Karen wasn't there. So  
 21 we -- we might have had a conversation  
 22 about it, but I don't know that -- I'm not  
 23 sure what Karen -- I'm not sure what  
 24 Karen -- I'm just trying to think. Well,  
 25 as I said, Karen was aware of the

83

1 MORAN  
 2 situation.  
 3 Q. Well, do you recall what Karen  
 4 told you about anything more than what you  
 5 have said?  
 6 A. I'm not sure it was Karen.  
 7 Someone made the statement because I don't  
 8 believe she made -- I'm not sure [REDACTED]  
 9 made it to me, but [REDACTED] made a  
 10 statement to someone that she might not  
 11 have gotten in the car if it hadn't been  
 12 Stephon.  
 13 Q. So you think that that was  
 14 Ms. Buchholz who told you that or someone  
 15 else?  
 16 A. I'm not sure who it was.  
 17 Q. Did --  
 18 A. I think -- I think it was  
 19 Anucha. It could have been both actually,  
 20 but --  
 21 Q. Did you discuss -- did you  
 22 separately interview Ms. Buchholz and  
 23 Ms. Browne-Sanders in your investigation  
 24 of the Gonsalves issues?  
 25 A. Yes. Yes.

84

1 MORAN  
 2 Q. Did Ms. Buchholz tell you that  
 3 [REDACTED] felt like she had to do it with  
 4 Mr. Marbury?  
 5 MR. GREEN: Objection to form.  
 6 You may answer, Mr. Moran.  
 7 A. Yes, I -- I don't know what her  
 8 exact words were, but it was something to  
 9 the effect that I recall it was more like  
 10 if it wasn't Stephon Marbury I probably  
 11 wouldn't have done it.  
 12 Q. Did Ms. Buchholz tell you that  
 13 Ms. [REDACTED] had said to her that she felt  
 14 like a prostitute?  
 15 MR. GREEN: I am going to  
 16 object. I am going to ask also if you are  
 17 reading from any document would you please  
 18 give the witness the opportunity to read  
 19 the document you are reading from.  
 20 Otherwise, I will instruct him not to  
 21 answer to the extent your question is  
 22 coming from a document that you have  
 23 access to and could share with him on a  
 24 nonprivileged basis.  
 25 MR. MINTZER: If you are going

85

1 MORAN  
 2 to object and instruct him not to answer,  
 3 we are going to call the court based on  
 4 that. You have no right to instruct him  
 5 not to answer. Whether I am or am not  
 6 reading from a document, I have a right to  
 7 probe his recollection. If I want to ask  
 8 him a question without giving him the  
 9 document, that is perfectly legitimate.  
 10 Tell me if we are going to have continual  
 11 directions not to answer on that basis,  
 12 then I am afraid we are going to have to  
 13 call the court.  
 14 MR. GREEN: You can call the  
 15 court any time you like, Kevin. My  
 16 objection is to the extent you are reading  
 17 from a document that is not privileged, in  
 18 fairness you should not test the witness'  
 19 memory but give him a chance to see what  
 20 you are reading from. If your question is  
 21 a paraphrase, that is different.  
 22 MR. MINTZER: You can object.  
 23 My only concern is if you are going to  
 24 direct him not to answer on that basis, we  
 25 are going to have to call the court.

86

1 MORAN  
 2 MR. GREEN: Well, let's call  
 3 the court.  
 4 THE VIDEOGRAPHER: We are now  
 5 going off the record. The time is 11:53  
 6 a.m.  
 7 (Discussion held off the  
 8 record.)  
 9 THE VIDEOGRAPHER: We are going  
 10 back on the record at approximately 11:57  
 11 a.m.  
 12 Q. What did -- what do you recall  
 13 Ms. Buchholz telling you about what  
 14 ██████████ relayed about how she felt  
 15 about the interaction with Mr. Marbury?  
 16 MR. GREEN: Objection to form.  
 17 You may answer.  
 18 A. As I recall, she felt very  
 19 poorly about herself and was sorry she did  
 20 it, but -- and again made some statement  
 21 that if it hadn't -- if it hadn't been  
 22 Stephon Marbury I don't think I would have  
 23 done it or something to that effect.  
 24 Q. Did you ask Ms. Buchholz --  
 25 MR. MINTZER: Well, strike that.

87

1 MORAN  
 2 Q. Did Ms. Buchholz tell you  
 3 anything in words or substance that she  
 4 didn't feel that Ms. ██████████ was very  
 5 convincing in her statement that it  
 6 wasn't -- that the interaction was  
 7 consensual?  
 8 MR. GREEN: Objection to form.  
 9 You may answer.  
 10 Q. Let me try to ask it a little  
 11 better.  
 12 Did Ms. Buchholz tell you that  
 13 in her view Ms. ██████████ was not very  
 14 convincing in her statement that the  
 15 interaction between her and Mr. Marbury  
 16 had been consensual?  
 17 MR. GREEN: Objection to form.  
 18 You may answer.  
 19 A. I don't recall that.  
 20 MR. MINTZER: Can we mark this  
 21 as Moran 1.  
 22 (Moran Exhibit 1 marked for  
 23 identification.)  
 24 (Document handed to witness.)  
 25 MR. MINTZER: For the record, I

88

1 MORAN  
 2 have given a -- the witness a four-page  
 3 document that's Bates stamped MSG 00277  
 4 through 00280.  
 5 Q. Let me know after you have had a  
 6 chance to review it, Mr. Moran.  
 7 (Pause.)  
 8 MR. GREEN: While the witness  
 9 is reading that, to avoid some unnecessary  
 10 paperwork, Kevin. Any objection to our  
 11 noting as confidential all accusations of  
 12 inappropriate conduct with respect to the  
 13 names and the incidents involved?  
 14 MR. MINTZER: Of this matter?  
 15 MR. GREEN: How about during  
 16 this deposition today, all allegations of  
 17 impropriety made by anyone against anyone  
 18 marked as confidential.  
 19 MR. MINTZER: Including the  
 20 claims that Ms. Browne-Sanders has made?  
 21 MR. GREEN: No, not  
 22 Browne-Sanders. We have heard this  
 23 morning so far alleged other incidents,  
 24 what is coming up now with respect to  
 25 Stephon Marbury and Hassan Gonsalves.

89

1 MORAN  
 2 MR. MINTZER: Why don't we say  
 3 I -- I don't think we -- I don't have an  
 4 objection to at this stage treating them  
 5 as confidential. If we upon looking at  
 6 the transcript think otherwise, we'll  
 7 notify you.  
 8 MR. GREEN: Okay.  
 9 A. I'm finished reading it.  
 10 Q. Okay. Can you tell me what  
 11 these notes are, do you know?  
 12 A. It looks like it was a phone  
 13 conversation on November 29 of '05 that I  
 14 had with Karen Buchholz.  
 15 Q. These are your notes, right?  
 16 A. These are my notes.  
 17 Q. And these are notes that you  
 18 took in connection with your investigation  
 19 of Mr. Gonsalves' alleged misconduct?  
 20 A. Yes.  
 21 Q. Having reviewed the notes, does  
 22 it refresh your recollection that  
 23 Ms. Buchholz had told you that Ms. ██████████  
 24 was not convincing in her statement that  
 25 she did not say no to Mr. Marbury?

90

1 MORAN  
 2 MR. GREEN: Objection to form.  
 3 You may answer.  
 4 A. Correct. She -- my -- my notes  
 5 reflect that she said Karen -- Karen felt  
 6 that -- her opinion was that [REDACTED] was  
 7 not real convincing.  
 8 Q. And Ms. [REDACTED] also told you  
 9 that that Mrs. --  
 10 MR. MINTZER: Strike that.  
 11 Q. Ms. Buchholz also told you that  
 12 Ms. [REDACTED] had said to her that she felt  
 13 like she had to do it?  
 14 MR. GREEN: Objection to form.  
 15 You may answer, Mr. Moran.  
 16 A. Yes, she said that -- she  
 17 related to me that [REDACTED] said to her  
 18 that she felt like she had to do it, which  
 19 I'm not sure it is totally consistent with  
 20 what [REDACTED] told me when I interviewed  
 21 her.  
 22 Q. Just to take a step back, when  
 23 you take notes of conversations such as  
 24 this do you make an attempt to write down  
 25 everything that you regard as relevant to

91

1 MORAN  
 2 the investigation?  
 3 A. Yes, I try to.  
 4 Q. Okay. And I take it that  
 5 you're -- you're not trying to take down a  
 6 verbatim transcript of what someone has  
 7 said to you?  
 8 A. I -- I try to -- it's -- during  
 9 a conversation I don't -- you know, I  
 10 don't take shorthand, and as you can see I  
 11 am sort of -- I am writing -- I am trying  
 12 to write down as much as I can. If -- if  
 13 time allows, I try to write it down.  
 14 Q. Okay. Do you ever go back after  
 15 a conversation is done and supplement your  
 16 notes or do you generally simply rely on  
 17 the notes as you take them during a  
 18 conversation?  
 19 A. I -- I might do that on  
 20 occasion. Typically it would be something  
 21 in the margin, so I could tell the  
 22 difference, try to make sure I could tell  
 23 the difference.  
 24 Q. So with respect to Moran 1, do  
 25 you see any notation you think you might

92

1 MORAN  
 2 have had made after the conversation you  
 3 had with Ms. Buchholz?  
 4 A. Probably on 00278.  
 5 Q. Um hum.  
 6 A. Where it says "get date,"  
 7 that -- that was mostly likely afterwards  
 8 because I have a blank to the right.  
 9 Q. Um hum.  
 10 A. I think -- 00280, if you go to  
 11 the fifth line from the bottom,  
 12 it's -- there are three stars there. It  
 13 says "when/time frame." It would seem to  
 14 be after the situation with Stephon. That  
 15 might have been afterwards. I'm not sure.  
 16 And perhaps the -- perhaps the sentence  
 17 after that. I'm not -- I'm not sure.  
 18 Q. Other than those notationss, do  
 19 you think you took the notes during your  
 20 conversation with Ms. Buchholz?  
 21 A. Yes.  
 22 Q. Did you find out what  
 23 Ms. [REDACTED] was?  
 24 A. I did, but I'm not going to  
 25 remember it.

93

1 MORAN  
 2 Q. Do you recall approximately how  
 3 old she was at this time?  
 4 A. No.  
 5 Q. Can I ask you to take a look at  
 6 page 278. Okay.  
 7 Q. The last line on the page says,  
 8 "[REDACTED] said she was pretty out of it."  
 9 A. Um hum.  
 10 Q. What does that refer to?  
 11 A. Again, that is -- talking with  
 12 Karen, that was a -- as much as possible a  
 13 quote from -- from Karen saying that  
 14 [REDACTED] said she was pretty out of it.  
 15 Q. Did you understand that to mean  
 16 that Ms. Buchholz had said that Ms. [REDACTED]  
 17 had told her that she had consumed alcohol  
 18 that evening?  
 19 MR. GREEN: Objection to form.  
 20 You may answer it.  
 21 A. I didn't ask specifics, but when  
 22 she said it I -- when she said I thought,  
 23 you know, that she might have had a couple  
 24 of drinks, but I didn't ask -- I didn't  
 25 ask about the alcohol at that time.



94

1 MORAN

2 Q. Did you ask Ms. [REDACTED] when you

3 spoke to her whether she had had alcohol?

4 A. I'm not sure. I don't recall.

5 Q. Did you learn in the

6 investigation that Mr. Marbury had sent

7 any text messages to Ms. [REDACTED] following

8 their encounter in the vehicle?

9 A. Right. I don't recall whether I

10 learned that from Karen's discussions with

11 [REDACTED] or my own, but I recall a

12 follow-up text from Stephon to her. I'm

13 not -- again, I'm not sure whether -- I'm

14 not sure whether [REDACTED] told me this

15 directly or I'm getting it from Karen, but

16 something to the effect of, you know, when

17 can I get -- when can I get some more of

18 that.

19 Q. Did you make any further

20 inquiries about those text messages after

21 you learned of it?

22 A. Yes. She --

23 Q. Excuse me?

24 A. She said I'm not sure in what

25 context, but she said they stopped.

95

1 MORAN

2 Q. Who did, Ms. [REDACTED]?

3 A. Yes. Yes.

4 Q. When did she say that they

5 stopped?

6 A. I'm not sure of the exact time

7 frame. My sense was it was a month or so

8 that -- I don't think there were that many

9 of them, but I know she said they stopped.

10 Q. And was it your understanding

11 that there was more than one text message

12 sent?

13 A. I'm not really sure. I would

14 have to review my notes.

15 Q. Did any of what you learned in

16 connection with the allegations that were

17 made about what happened with Ms. [REDACTED]

18 and Mr. Marbury cause you concern about

19 whether Mr. Marbury had violated the

20 company's harassment or nondiscrimination

21 policies?

22 MR. GREEN: Objection to form.

23 You may answer.

24 A. Well, it was certainly something

25 I considered and looked at. It was -- it

96

1 MORAN

2 was off premises. It was after work. It

3 was something that she said was

4 consensual, so I did not -- I did not feel

5 that it was something that violated the

6 company's policies.

7 Q. And is the same true for the

8 text messages that were sent?

9 A. The text messages were -- were

10 again between two individuals.

11 They -- there was no reporting

12 relationship. I viewed it as

13 outside -- outside of the workplace.

14 Q. Mr. Marbury is the -- one of the

15 star basketball players of the team;

16 correct?

17 A. That's correct.

18 Q. And Ms. [REDACTED], as you said, at

19 this time was an [REDACTED]

20 A. Yes.

21 Q. Did you consider that there was

22 any power imbalance in that pairing?

23 MR. GREEN: Objection to form.

24 You may answer, Mr. Moran.

25 A. I'm not sure what you mean

97

1 MORAN

2 by --

3 Q. Well, did you consider that

4 Ms. [REDACTED] may have been in a position

5 where she felt that she had to go along

6 with what Mr. Marbury wanted?

7 MR. GREEN: Objection to form.

8 You may answer.

9 A. Well, I did consider that, and

10 that is why I asked her and Rochelle Noel

11 who was with me asked her was she forced.

12 Was there any -- anything physical. She

13 said no and -- and told me it was

14 consensual.

15 Q. Okay. And did you have any

16 concern that notwithstanding her statement

17 that it was consensual, that she may have

18 felt as though she had to consent because

19 of who Mr. Marbury is?

20 MR. GREEN: Objection to form.

21 You may answer, Mr. Moran.

22 A. I -- I -- I took her at her

23 word.

24 Q. With respect to the text

25 messages, was it your belief that because

98

1 MORAN  
 2 those text messages were not sent on the  
 3 premises of Madison Square Garden that it  
 4 was not a violation of the company's  
 5 anti-harassment policy?  
 6 MR. GREEN: Objection to form.  
 7 You may answer, Mr. Moran.  
 8 A. I'm not sure -- the definitive  
 9 point for me wouldn't be whether it  
 10 was -- if one of their -- one or both  
 11 might have been on or one was on or off.  
 12 It was employees -- employees have a right  
 13 to have relationships even though they  
 14 work for The Garden. We don't prohibit  
 15 that as long as it is not a direct  
 16 reporting relationship, and if they are  
 17 text messaging each other, that is -- I  
 18 wouldn't consider that a violation.  
 19 Q. Well, I mean a text message that  
 20 says in substance, you know, when can I  
 21 get more of that, do you consider that to  
 22 be appropriate under all circumstances  
 23 unless it is not from a supervisor to  
 24 their subordinate?  
 25 MR. GREEN: Objection to form.

99

1 MORAN  
 2 Asked and answered. You may answer again,  
 3 Mr. Moran.  
 4 A. I -- I don't get into value  
 5 judgements as to what people are saying to  
 6 one another when they're not, you  
 7 know -- when they are conducting their own  
 8 private business.  
 9 Q. So you considered what went on  
 10 between Mr. Marbury and Ms. [REDACTED] their  
 11 own private business?  
 12 A. Yes, I did.  
 13 Q. Did you make any inquiries of  
 14 Mr. Marbury about what had transpired?  
 15 A. No, I didn't.  
 16 Q. Did you make any effort to  
 17 communicate to Mr. Marbury that he -- he  
 18 needed to be cognizant of the company's  
 19 anti-harassment policy?  
 20 MR. GREEN: Objection to form.  
 21 You may answer, Mr. Moran.  
 22 A. No, I didn't.  
 23 Q. Is there any reason why you  
 24 didn't explore any of these issues with  
 25 Mr. Marbury?

100

1 MORAN  
 2 MR. GREEN: Objection to form.  
 3 Asked and answered. You may answer again,  
 4 Mr. Moran.  
 5 A. I felt it was outside -- outside  
 6 of the company's -- outside of the  
 7 company's viewing. It was something that  
 8 he was doing on his own personal time.  
 9 Q. In the course of your  
 10 investigation into Mr. Gonsalves' conduct,  
 11 did you learn of any other inappropriate  
 12 conduct by Mr. Marbury other than with  
 13 respect to Ms. [REDACTED]?  
 14 MR. GREEN: Objection to form.  
 15 Misstates prior testimony as to Mr.  
 16 Marbury. You may answer, Mr. Moran.  
 17 A. I am sorry. Would you -- would  
 18 you repeat --  
 19 Q. Other than Mr. Marbury's conduct  
 20 with respect to Mr. -- Ms. [REDACTED], did you  
 21 learn of any inappropriate conduct by  
 22 Ms. Marbury -- Mr. Marbury in connection  
 23 with your investigation of Ms. -- Mr.  
 24 Gonsalves' alleged misconduct?  
 25 MR. GREEN: Objection to form.

101

1 MORAN  
 2 You may answer.  
 3 A. Nothing -- nothing comes to mind  
 4 at the moment.  
 5 Q. Did you learn that in the course  
 6 of that investigation that Mr. Marbury had  
 7 made inappropriate comments about  
 8 Ms. Browne-Sanders?  
 9 A. I -- I did learn that Mr.  
 10 Marbury called a gentleman named Dan  
 11 Gladstone and made comments -- according  
 12 to Mr. Gladstone he said that Stephon  
 13 called him, and they -- made comments  
 14 towards Anucha.  
 15 Q. How did you learn that?  
 16 A. From Mr. -- from Mr. Gladstone.  
 17 Q. Were you speaking with Mr.  
 18 Gladstone in the context of your  
 19 investigation of Mr. Gonsalves?  
 20 A. I believe so, yes.  
 21 Q. Mr. Gladstone relayed to you  
 22 what the comments were that Mr. Marbury  
 23 made about Ms. Browne-Sanders?  
 24 A. Yeah. Just the -- back up. I  
 25 think the context came not so much

102

1 MORAN  
 2 in -- in the investigation of Mr.  
 3 Gonsalves, but -- and I'm not clear on the  
 4 context, but Anucha had asked him to put  
 5 in writing a conversation that took place  
 6 maybe a year earlier, and I'm not sure  
 7 that it -- I'm not sure that it had any  
 8 relationship at all to the investigation.  
 9 It was something that -- for whatever  
 10 reasons I'm not sure, but Anucha said to  
 11 him she -- we -- we had a conversation.  
 12 You told me about a year ago, what --  
 13 whatever the time frame was, that Stephon  
 14 had called you and made remarks about me.  
 15 Can you now put that in writing for me,  
 16 and he did I guess. He -- I know he did,  
 17 and I don't -- I don't think it had  
 18 anything to do with the Gonsalves  
 19 investigation. I mean it might have come  
 20 up during that time frame, but it wasn't  
 21 directly related to my investigation.  
 22 Q. Does Mr. Gonsalves have any  
 23 relation to Mr. Marbury?  
 24 A. He is referred to as his cousin,  
 25 but I don't know that to be accurate.

103

1 MORAN  
 2 Q. Who told you that they were  
 3 cousins?  
 4 A. I -- it is sort of folklore  
 5 around.  
 6 Q. Do you have a basis to doubt  
 7 that they are cousins?  
 8 A. Someone had told me after  
 9 the -- after all of this that they weren't  
 10 in fact cousins, but to this day I don't  
 11 know.  
 12 Q. In the context of interviewing  
 13 Mr. Gladstone concerning Mr. Gonsalves'  
 14 conduct, did Mr. Gladstone make you aware  
 15 of Mr. Marbury's comments towards  
 16 Ms. Browne-Sanders?  
 17 A. He did. He -- again I am not  
 18 sure in what context. I'm not sure -- I'm  
 19 not sure why it came up because it didn't  
 20 seem to be relevant to investigating  
 21 Gonsalves' -- we are investigating what  
 22 Gonsalves did -- said, did or whatever to  
 23 these individuals. That -- it did come  
 24 up, but I don't -- I don't recall why. It  
 25 seemed extraneous to me.

104

1 MORAN  
 2 Q. What did Mr. Gladstone tell you  
 3 that Mr. Marbury had said?  
 4 MR. GREEN: Objection to form.  
 5 You may answer.  
 6 A. I'm not going to be able to  
 7 quote it correctly, but he said that he  
 8 was -- called Anucha names, you know, that  
 9 she's not running this place, and he -- he  
 10 might have used the term bitch, ho. I  
 11 don't know. It was that type of language.  
 12 He was very upset.  
 13 Q. Mr. Gladstone was upset?  
 14 A. No, Mr. Marbury was upset  
 15 with -- when he was -- he was making these  
 16 comments towards Anucha. I'm not sure  
 17 why.  
 18 Q. Did you ever see an E mail in  
 19 which these comments were reflected?  
 20 A. Yes, I did.  
 21 Q. And did you see that E mail at  
 22 around the time you were investigating Mr.  
 23 Gonsalves' conduct?  
 24 A. Yes, I did.  
 25 Q. When you saw that E mail, were

105

1 MORAN  
 2 you concerned that Mr. Marbury's comments  
 3 were contrary to the company's  
 4 anti-harassment policy?  
 5 MR. GREEN: Objection to form.  
 6 You may answer.  
 7 A. Well, the comments -- the  
 8 comments concerned me, and, you know, in  
 9 terms of the policy, you know, everything  
 10 is -- needs to be looked at in context,  
 11 and I wasn't sure what the context was,  
 12 but the -- but the words concerned me.  
 13 Q. Well, did you make any effort to  
 14 find out what the context was?  
 15 A. It is my -- my understanding of  
 16 what the context was -- well, the call was  
 17 like -- the call we are talking about  
 18 didn't take place in November when -- when  
 19 the E mail was asked for. The call took  
 20 place -- I don't know -- six months or a  
 21 year earlier, and my understanding was  
 22 that Gon -- Hassan Gonsalves had been  
 23 forging the signature of a supervisor for  
 24 parking tickets, and it came to our  
 25 attention. Not my attention, it came to

106

1 MORAN  
 2 the department's attention, and so he was  
 3 reprimanded for that and told he would  
 4 have to repay the money and told he  
 5 couldn't park in that parking lot any  
 6 more, and I think that, if I have this  
 7 correct, that is when Stephon called Dan  
 8 Gladstone and said, you know, why are you  
 9 picking on, you know, Hassan, you know.  
 10 This is, you know -- I think he said this  
 11 is Anucha trying to -- she doesn't like me  
 12 or something like that and then said  
 13 whatever he said.  
 14 Q. Did you have any personal  
 15 knowledge of the issues related to Mr.  
 16 Gonsalves forging his --  
 17 A. No.  
 18 Q. -- manager's signature?  
 19 A. No, that was actually the first  
 20 I had heard about it.  
 21 Q. You hadn't been involved in  
 22 investigating that?  
 23 A. No.  
 24 Q. So to be clear, your  
 25 understanding of the context was that Mr.

107

1 MORAN  
 2 Marbury made the comments to Mr. Gladstone  
 3 about Ms. Browne-Sanders because he was  
 4 upset that Mr. Gonsalves had been  
 5 reprimanded for forging his manager's  
 6 signature?  
 7 A. Well, I think he was upset  
 8 because he had lost his parking  
 9 privileges.  
 10 Q. His cousin had lost his  
 11 parking --  
 12 A. I am sorry. Yes. His cousin  
 13 had lost his parking privileges.  
 14 Q. And his cousin had lost his  
 15 parking privileges because he was forging  
 16 his manager's signature?  
 17 A. That's correct.  
 18 Q. So understanding that context,  
 19 were you concerned that Mr. Marbury's  
 20 comments were a violation of the company's  
 21 anti-harassment policy?  
 22 MR. GREEN: Same objection as  
 23 to form. You may answer.  
 24 A. Well, they weren't  
 25 directed -- they weren't directed to

108

1 MORAN  
 2 Anucha, and she didn't, you know -- she  
 3 didn't hear them. So that is -- as we  
 4 look at all the factors, that is certainly  
 5 a factor that we have to consider, you  
 6 know. If someone uses a curse word in a  
 7 conversation and it might be directed to  
 8 someone but it is not directed towards  
 9 them, I have to take that into -- that is  
 10 a factor I take into consideration.  
 11 Q. But you understood that  
 12 Ms. Browne-Sanders learned of these  
 13 comments, correct?  
 14 A. Yes, she -- she did. She asked  
 15 him to -- as I stated, she asked him to  
 16 put them in an E mail.  
 17 Q. Is it your understanding that is  
 18 how she learned of them, when Mr.  
 19 Gladstone put them in an E mail?  
 20 A. I think when it happened he had  
 21 made some comments to her, but -- Stephon  
 22 called and said some not nice things about  
 23 you, but at that time to my understanding  
 24 he did not elaborate what they were. Fast  
 25 forward to, you know, the -- a year later

109

1 MORAN  
 2 whenever it was, she said; you know, do  
 3 you remember that conversation you told me  
 4 about. I now want you to tell me in  
 5 detail in an E mail just what was said.  
 6 Q. And that understanding, does  
 7 that come from Mr. Gladstone or some other  
 8 source?  
 9 A. I'm sorry. I -- I'm -- would  
 10 you repeat that?  
 11 Q. You just said you had an  
 12 understanding about how a sequence of  
 13 events transpired.  
 14 A. That came from -- yes, that came  
 15 from Mr. Gladstone.  
 16 Q. Mr. Gladstone you understood was  
 17 one of the members of Ms. Browne-Sanders'  
 18 team?  
 19 A. Yes.  
 20 Q. And Mr. Gladstone reported to  
 21 Ms. Browne-Sanders indirectly?  
 22 A. Yes.  
 23 Q. So you had understood that she  
 24 learned from one of the people she  
 25 supervised that the star player or one of

110

1 MORAN  
 2 the star players for the Knicks had been  
 3 referring to her in derogatory terms,  
 4 correct?  
 5 A. Correct.  
 6 Q. And you understood that those  
 7 derogatory terms were in at least in part  
 8 gender based?  
 9 MR. GREEN: Objection to form.  
 10 You may answer, Mr. Moran.  
 11 A. I'm not sure what you mean.  
 12 Which words would have --  
 13 Q. Well, you testified that your  
 14 recollection was Mr. Gladstone had said to  
 15 you something about  
 16 being -- Ms. Browne-Sanders being called a  
 17 ho and a bitch?  
 18 A. Um hum.  
 19 Q. You would agree with me that  
 20 those are gender-based terms?  
 21 MR. GREEN: Objection to form.  
 22 You may answer, Mr. Moran, if that is your  
 23 recollection.  
 24 A. Yeah. I do remember those  
 25 words, and it is -- one could certainly

111

1 MORAN  
 2 argue those are gender based, yes.  
 3 Q. Could one -- in your view, is  
 4 there an interpretation of those words  
 5 that are not gender based?  
 6 A. I have heard -- I have heard  
 7 guys call other guys ho, bitch. So  
 8 it's -- I don't know that that is -- it is  
 9 always --  
 10 Q. Mr. Moran --  
 11 A. It seems to be terms that people  
 12 use interchangeably with men and women.  
 13 Q. Mr. Moran, when a woman is  
 14 referred to as a bitch or a ho, do you  
 15 have any doubt in your mind that that is a  
 16 gender-based insult?  
 17 MR. GREEN: Objection to form.  
 18 You may answer Mr. Moran.  
 19 A. I -- I don't know. I don't  
 20 know.  
 21 Q. Okay. I think you said in one  
 22 of your earlier answers that you had some  
 23 concern about the comments --  
 24 A. Um hum.  
 25 Q. Is that fair to say?

112

1 MORAN  
 2 A. That is fair to say, yes.  
 3 Q. Is it your testimony that you  
 4 had some concern about whether they were  
 5 contrary to the company's anti-harassment  
 6 policy?  
 7 A. Yes.  
 8 MR. GREEN: Objection to form.  
 9 Just give me a chance to object.  
 10 THE WITNESS: I am sorry.  
 11 MR. GREEN: You may answer.  
 12 Q. What did you do in -- in  
 13 response to those concerns?  
 14 A. I -- I didn't do anything. I  
 15 didn't do anything directly. The comments  
 16 were -- were conveyed to -- to -- other  
 17 managers were wear of those comments.  
 18 Q. What other managers were aware  
 19 of those comments?  
 20 A. Steve Mills would have been made  
 21 aware of the comments.  
 22 Q. How do you know that?  
 23 A. Because we were -- well, that  
 24 is -- I don't know that I do know that. I  
 25 just have a recollection of talking to him

113

1 MORAN  
 2 about it.  
 3 Q. Did you talk to  
 4 Ms. Browne-Sanders about those comments at  
 5 or around the time that Mr. Gonsalves was  
 6 being investigated?  
 7 A. Well, she talked to me about it.  
 8 She -- she is the one that brought it to  
 9 my attention.  
 10 Q. What did she say?  
 11 A. She wanted me to see -- she sent  
 12 me the E mail I believe and wanted me to  
 13 look at it.  
 14 Q. Was -- was she upset about it?  
 15 A. You know, it was more in the  
 16 context, look -- it was more in the  
 17 context look at this. This is what he  
 18 thinks of me or something like that. I  
 19 didn't get the -- she -- I didn't get the  
 20 impression she was upset about it. It  
 21 was -- she just wanted me to see it.  
 22 Q. Did she tell you that she was  
 23 scared of Mr. Marbury?  
 24 MR. GREEN: Objection to form.  
 25 You may answer, Mr. Moran.

114

1 MORAN  
 2 A. Not at that time.  
 3 Q. Did Ms. Browne-Sanders say  
 4 anything else to you about these comments  
 5 at the time of the Hassan Gonsalves  
 6 investigation?  
 7 A. I don't recall. I think that  
 8 was it.  
 9 Q. I just want to go back to your  
 10 answer a couple of questions ago. I think  
 11 you said that in response to learning of  
 12 these comments by Mr. Marbury, that you  
 13 didn't do anything because you believed  
 14 that other management were aware of these  
 15 comments?  
 16 MR. GREEN: Objection.  
 17 Misstates testimony.  
 18 A. Yeah. I am not --  
 19 MR. GREEN: You may answer.  
 20 A. I'm not sure that is what I  
 21 said, but I know in -- I'm not sure what I  
 22 said actually.  
 23 Q. Let's -- let's start over again.  
 24 A. Okay.  
 25 Q. What did you do, if anything, in

115

1 MORAN  
 2 response to learning of these comments?  
 3 A. It -- at that point I didn't do  
 4 anything. I just continued the -- the  
 5 investigation of -- of Hassan because at  
 6 the same time there was another situation  
 7 I had to deal with in -- in -- in that  
 8 department, so I -- I didn't do anything.  
 9 Q. When you say there was another  
 10 situation you had to deal with, what are  
 11 you referring to?  
 12 A. There was another employee who I  
 13 had to investigate whether he should be  
 14 terminated.  
 15 Q. Who was that?  
 16 A. That was Vernon -- Vernon  
 17 Manuel.  
 18 Q. Are you saying that you didn't  
 19 take any action in response to the  
 20 comments you learned were made by Mr.  
 21 Marbury because you had to investigate Mr.  
 22 Manuel's situation?  
 23 A. Basically when -- I, you  
 24 know -- it slipped my mind, and I didn't  
 25 go back and do anything about it.

116

1 MORAN  
 2 Q. What were you investigating with  
 3 respect to Mr. Manuel?  
 4 A. Karen Buchholz or actually I  
 5 think Anucha brought it to my attention,  
 6 but I -- they were having a problem with  
 7 this employee, and so I interviewed Karen,  
 8 and she said this employee had  
 9 been -- been very hostile to them. His  
 10 work performance was poor. He had major  
 11 attendance problems. He had also been  
 12 involved in forging -- I don't know if he  
 13 was forging -- I think he was forging his  
 14 supervisor's signature on parking  
 15 vouchers. So we already had that  
 16 situation with him, and she said she felt  
 17 intimidated by him. He was -- could be  
 18 very -- could be hostile to her, and so  
 19 I -- I spoke to her about that, and I  
 20 spoke to Anucha about that, and I -- I  
 21 interviewed Dan Gladstone about that  
 22 because Dan Gladstone I believe was  
 23 her -- was his direct supervisor.  
 24 Dan reiterated that he had major  
 25 performance problems. He had significant

117

1 MORAN  
 2 absentee problems. He was insubordinate.  
 3 He often refused assignments plus the  
 4 hostility aspects of it, and we talked  
 5 about the best way to deal with him  
 6 should -- is this something to be  
 7 corrected. We -- in lieu of the fact that  
 8 he had already forged the signatures on  
 9 the parking tickets, the fact that he was  
 10 rejecting assignments, he had severe  
 11 absentee problems, and -- et cetera, as  
 12 they were related, we decided to terminate  
 13 him.  
 14 Q. Had you been aware that  
 15 Mr. Manuel had forged his manager's  
 16 signature prior to this -- this time?  
 17 A. No, I hadn't.  
 18 Q. Okay. And -- and by the way,  
 19 this is -- your looking into Mr. Manuel's  
 20 conduct, this is late November of 2005  
 21 approximately?  
 22 A. Right. I think it was the same  
 23 week that we were dealing with Hassan.  
 24 Q. In your experience as a human  
 25 resources professional, is forging a

<p style="text-align: right;">126</p> <p>1 MORAN</p> <p>2 that clear and that definitive, you know,</p> <p>3 where a resource were available. They</p> <p>4 know we are available to help. You know,</p> <p>5 as long as, you know -- as long as we are</p> <p>6 involved in the termination, then -- then</p> <p>7 I think that would satisfy the policy or</p> <p>8 the practice. Not the policy.</p> <p>9 Q. Did you make a recommendation to</p> <p>10 anyone that Mr. Manuel should be</p> <p>11 dismissed?</p> <p>12 A. I don't know that I made a</p> <p>13 recommendation. I -- well, at -- let me</p> <p>14 think about that. Actually I believe I</p> <p>15 did. I told -- told Rusty McCormack that</p> <p>16 we were going to terminate -- we wanted to</p> <p>17 terminate him.</p> <p>18 Q. What did Mr. McCormack say?</p> <p>19 A. He said -- he said fine. I gave</p> <p>20 him the facts, and he -- he concurred that</p> <p>21 that was appropriate.</p> <p>22 Q. Do you know whether Mr.</p> <p>23 McCormack spoke with anyone before</p> <p>24 agreeing with your recommendation to</p> <p>25 dismiss Mr. Manuel?</p>	<p style="text-align: right;">128</p> <p>1 MORAN</p> <p>2 MR. GREEN: Okay.</p> <p>3 THE VIDEOGRAPHER: We are now</p> <p>4 going off the record at approximately</p> <p>5 12:45 p.m.</p> <p>6 (Luncheon recess: 12:45 p.m.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">127</p> <p>1 MORAN</p> <p>2 A. Not that I am aware of.</p> <p>3 Q. What about with respect to Mr.</p> <p>4 Hassan, did you make a recommendation that</p> <p>5 Mr. Hassan be dismissed?</p> <p>6 A. Yes.</p> <p>7 Q. To whom did you make that</p> <p>8 recommendation?</p> <p>9 A. Well, again, you know -- well</p> <p>10 Anucha already wanted him dismissed, so</p> <p>11 that wasn't -- that wasn't an issue. I --</p> <p>12 again I would have told Mr. McCormack and</p> <p>13 someone at -- I don't know whether it was</p> <p>14 me. Someone informed Steve Mills. I</p> <p>15 don't recall who, and he -- he also</p> <p>16 concurred.</p> <p>17 Q. You didn't speak to Mr. Mills</p> <p>18 directly about Mr. Hassan -- Mr.</p> <p>19 Gonsalves' situation?</p> <p>20 A. I'm not really sure.</p> <p>21 Q. Did you speak to Mr. Mills</p> <p>22 directly about Mr. Manuel's situation?</p> <p>23 A. Again, I'm not -- I'm not sure.</p> <p>24 MR. MINTZER: This might be a</p> <p>25 convenient point to take lunch.</p>	<p style="text-align: right;">129</p> <p>1 MORAN</p> <p>2 AFTERNOON SESSION.</p> <p>3 1:51 p.m.</p> <p>4 THE VIDEOGRAPHER: We are now</p> <p>5 going back on the record at approximately</p> <p>6 1:51 p.m.</p> <p>7 MR. MINTZER: Can you mark this</p> <p>8 as 2.</p> <p>9 (Moran Exhibit 2 marked for</p> <p>10 identification.)</p> <p>11 (Document handed to witness.)</p> <p>12 MR. MINTZER: For the record, I</p> <p>13 have given the witness a document that we</p> <p>14 marked as -- marked as Moran 2 for</p> <p>15 identification. It is a multi-page</p> <p>16 document Bates stamped MSG 318 through</p> <p>17 323.</p> <p>18 (Pause.)</p> <p>19 J O H N D. M O R A N, resumed.</p> <p>20 CONTINUED EXAMINATION</p> <p>21 BY MR. MINTZER:</p> <p>22 Q. Mr. Moran, why don't you just</p> <p>23 let me know after you have had a chance to</p> <p>24 look through it?</p> <p>25 A. Okay.</p>

130

1 MORAN  
 2 (Pause.)  
 3 A. Okay.  
 4 Q. Mr. Moran, I just ask you to  
 5 look at the first page, page 318, the  
 6 first page. Is this -- it is a little  
 7 hard to make out with the copy, but it  
 8 appears to say "file folder," and it has  
 9 Dan Gladstone written on the right-hand  
 10 side.  
 11 Do you see that?  
 12 A. Yes.  
 13 Q. Is this your file of your  
 14 interview with Dan Gladstone in connection  
 15 with the investigation of Hassan  
 16 Gonsalves?  
 17 A. Yes.  
 18 Q. And as part of your file, you  
 19 have the E mail that Mr. Gladstone sent to  
 20 Ms. Browne-Sanders that reflects the  
 21 comments made to Mr. Gladstone by Stephon  
 22 Marbury.  
 23 Do you see that?  
 24 A. Yes, I do.  
 25 Q. And the E mail was forwarded by

131

1 MORAN  
 2 Ms. Browne-Sanders to Steve Mills.  
 3 Do you see that at the top?  
 4 A. Yes.  
 5 Q. Do you know how this -- you came  
 6 in possession of this E mail?  
 7 A. No, I am -- I'm not sure.  
 8 Q. Did Mr. Mills give you a hard  
 9 copy of this E mail?  
 10 A. No. I am pretty certain he  
 11 didn't give it to me.  
 12 Q. Do you have any idea of how  
 13 you -- how you got this?  
 14 A. I -- I thought I  
 15 received -- actually received my own copy.  
 16 I mean it is clearly not here, but I --  
 17 Q. Okay.  
 18 A. I thought I got my own E mail.  
 19 Q. Okay. Can I ask you just to  
 20 look at the second page of the notes.  
 21 A. Of my notes.  
 22 Q. Yeah. Of your notes, your  
 23 handwritten notes, 322.  
 24 A. Yes.  
 25 Q. Could I ask you to read the

132

1 MORAN  
 2 paragraph beginning with -- it is about I  
 3 guess two-thirds of the way down where it  
 4 says "Based".  
 5 Do you see that?  
 6 A. Yes. "Based upon Hassan being  
 7 reprimanded Steven M. called Dan to  
 8 complain about Hassan's mistreatment.  
 9 Said it was BS and a personal attack on my  
 10 cousin. He was enraged for not getting  
 11 special treatment and used racial and  
 12 gender terms to refer to Anucha, black  
 13 bitch, et cetera. Not her team. I run  
 14 things, et cetera."  
 15 Q. Okay. In reading it you said it  
 16 is Steven M. Does that mean --  
 17 A. I am sorry. Stephon.  
 18 Q. Stephon M?  
 19 A. Stephon.  
 20 Q. Okay. And are these accurate  
 21 notes of what Dan Gladstone told you?  
 22 A. Yes, I would say so.  
 23 Q. Can I ask you to look at the  
 24 next page, MSG 323.  
 25 A. Yes.

133

1 MORAN  
 2 Q. You -- you wrote Dan Gladstone's  
 3 name in what appears to be a series of  
 4 questions?  
 5 A. Um hum.  
 6 Q. Do you remember the context  
 7 in -- that you wrote these -- these  
 8 questions?  
 9 A. Let me just look at them again.  
 10 Q. Um hum.  
 11 (Pause.)  
 12 A. Well, I -- I think I was trying  
 13 to determine when -- when the first  
 14 conversation was. He is relating  
 15 conversations -- he is now relating the  
 16 conversation that took place back in June  
 17 I guess. So I was trying to figure  
 18 out -- I was trying to figure out since it  
 19 was, you know, six months ago when it  
 20 happened because I am not sure I had that  
 21 E mail then and what the -- what the  
 22 context of the whole thing was, and I  
 23 remember Dan -- I don't have it in my  
 24 notes, but I remember at some point it all  
 25 sort of fit together for me that, you



138

1 MORAN  
 2 Karen a similar scenario, and maybe Karen  
 3 related back to me, but --  
 4 Q. So you might have heard this  
 5 second hand from Ms. Buchholz?  
 6 A. Well, I think the initial -- I  
 7 believe I heard it from Anucha, but then I  
 8 might have heard it back through Karen.  
 9 Q. And they both told you that this  
 10 was an issue of seating Ms. -- some member  
 11 of Mr. Marbury's family at the game?  
 12 A. That's correct.  
 13 Q. It wasn't to your recollection  
 14 an issue about whether a member of the  
 15 family could go back into the locker room  
 16 area?  
 17 A. That part I didn't -- I don't  
 18 recall that part.  
 19 Q. So is it your understanding that  
 20 one of Mr. Marbury's family members  
 21 weren't -- wasn't permitted to attend the  
 22 game?  
 23 A. You know, I am not clear on  
 24 that. That is my recollection, but that  
 25 they actually couldn't attend the game but

139

1 MORAN  
 2 -- I don't know. It seems so severe to  
 3 me. I just don't know whether that  
 4 happened or not, but that is my  
 5 understanding. Yeah.  
 6 Q. I think you used the word  
 7 credentialing. What does that mean?  
 8 A. Well, I guess there are certain  
 9 seats reserved for family, you know,  
 10 celebrities, et cetera, and if you don't  
 11 have, you know, the right passes,  
 12 credentials that you can't get in that  
 13 area. And so he wanted them to be in this  
 14 certain area, which I take it were the  
 15 better seats, and she said no.  
 16 Q. And do you know was she applying  
 17 a policy that Mr. Thomas had established?  
 18 A. Yes. That there -- that -- I  
 19 think that day or somewhere before the  
 20 game they talked about who would be  
 21 credentialed and who wouldn't. Yes,  
 22 that's correct.  
 23 Q. Okay. To your understanding,  
 24 Ms. Browne-Sanders was applying the policy  
 25 to Mr. Marbury's family member that Mr.

140

1 MORAN  
 2 Thomas had set down that day or the day  
 3 before?  
 4 A. Yes. So I -- that is my  
 5 understanding. It is that -- I would have  
 6 hoped that or -- that she would have gone  
 7 to Isiah just to double-check, since it  
 8 was his first game, and it was such an  
 9 emotional evening, but she didn't,  
 10 but -- and yes, that is what happened.  
 11 Q. When you say you would have  
 12 hoped --  
 13 A. Yeah.  
 14 Q. -- you would have hoped when you  
 15 learned of this from Ms. Browne-Sanders?  
 16 A. Well, I -- I would have liked to  
 17 have heard that night before she told  
 18 him -- before they got into a  
 19 confrontation just to go back to Isiah and  
 20 say, hey, Isiah I know what you said, and  
 21 he's got some family members here. This  
 22 is a big night for him. Can we make an  
 23 exception, and it seems like Isiah would  
 24 have, but at that point it was too late.  
 25 Q. Okay.

141

1 MORAN  
 2 THE VIDEOGRAPHER: Counsel, you  
 3 have five minutes.  
 4 MR. MINTZER: Why don't we --  
 5 THE VIDEOGRAPHER: Do you it  
 6 now?  
 7 MR. MINTZER: Why don't you  
 8 change the tape now.  
 9 THE VIDEOGRAPHER: We are now  
 10 going off the record at approximately 2:08  
 11 p.m.  
 12 (Discussion held off the  
 13 record.)  
 14 (Moran Exhibit 3 marked for  
 15 identification.)  
 16 (Document handed to witness.)  
 17 THE VIDEOGRAPHER: Now going  
 18 back on the record at approximately 2:09  
 19 p.m. This is videotape number 3.  
 20 Q. Mr. Moran, I have given you a  
 21 document that has been marked for  
 22 identification as Moran 3. It's MSG 300  
 23 through 307.  
 24 MR. MINTZER: I'll -- also I'd  
 25 ask counsel, page 306, the notes seem to

142

1 MORAN  
 2 be cut off on the bottom, so I would ask  
 3 if we could be provided with a better copy  
 4 of that.  
 5 MR. GREEN: Okay.  
 6 Q. Mr. Moran, you know, you are  
 7 obviously welcome to look at the whole  
 8 thing. I am going to ask you to focus on  
 9 some material on page 306 and 307.  
 10 A. Let me just look at it, so I get  
 11 the context of it.  
 12 Q. That's fine.  
 13 (Pause.)  
 14 A. Okay.  
 15 Q. Does -- Moran 3, is this  
 16 your -- your file reflecting your notes of  
 17 conversations with ██████████ in  
 18 connection with the Hassan Gonsalves  
 19 investigation?  
 20 A. Yes.  
 21 Q. Could I ask you to take a look  
 22 at page 306, please. About the middle of  
 23 the page, if you could read for me  
 24 starting with "had to work." Do you see  
 25 that?

143

1 MORAN  
 2 A. Yes. "Had to work at 7:15.  
 3 Hassan said I will take you. Walking to  
 4 Hassan truck Stephon was there. Where are  
 5 you going? Why don't you come in? Had sex  
 6 with him. After got out of SUV, Hassan  
 7 took me home. Mid to late April I told  
 8 him I was seeing someone." You want me to  
 9 keep going?  
 10 Q. Yes, please.  
 11 A. "Stephon text a couple of times.  
 12 When can I get that again?"  
 13 Q. And the notes appear to be cut  
 14 off, right?  
 15 A. Yeah. It says --  
 16 Q. Okay. That's fine.  
 17 A. Yeah.  
 18 Q. When -- do you recall what  
 19 Ms. ██████████ was telling you that she said  
 20 had to work at 7:15, what that was  
 21 referring to?  
 22 A. I think she meant she had -- I'm  
 23 not sure where because I'm not -- I don't  
 24 know if she had another job or not, but I  
 25 took that as a 7 a.m. in the morning she

144

1 MORAN  
 2 had to get to work, but I don't know that  
 3 for certain.  
 4 Q. And where it said towards the  
 5 end of that -- that paragraph mid to late  
 6 April I told him I was seeing someone, do  
 7 you know what that refers to?  
 8 A. Yeah. She was -- she was -- she  
 9 was trying to -- she had this relationship  
 10 with Hassan, and she was trying to end it.  
 11 So her way of -- her way of politely  
 12 ending it is telling him I am seeing  
 13 somebody else.  
 14 Q. Okay. Okay. And can I ask you  
 15 to take a look at page 307.  
 16 A. Yes.  
 17 Q. It looks like on the fourth  
 18 paragraph down you wrote a series of  
 19 questions.  
 20 A. Yes.  
 21 Q. And these were questions related  
 22 to Mr. Marbury sending Ms. ██████████ text  
 23 messages?  
 24 A. Yes.  
 25 Q. Did you get answers to those

145

1 MORAN  
 2 questions?  
 3 A. Well, sort of. The Steven text  
 4 she said that -- before she said here a  
 5 couple of times -- I guess that answers  
 6 the second question also -- last time.  
 7 I'm not sure -- I'm not sure I got that.  
 8 Then she says when did you see him last?  
 9 She -- the only time she was him was at  
 10 the time with the SUV, and then she said  
 11 yes, it was consensual, and he didn't  
 12 force -- he didn't force  
 13 him -- himself -- he didn't force himself  
 14 on you was the question, and she says no.  
 15 I never said no.  
 16 Q. Do you know why you were writing  
 17 these questions about did he text you from  
 18 that question after Ms. ██████████ had  
 19 previously told you in the conversation  
 20 that he had?  
 21 A. You know, I'm not really sure  
 22 why I wrote them.  
 23 Q. Was Ms. Noel present for this  
 24 conversation?  
 25 A. I am pretty certain she

146

1 MORAN  
 2 was -- that she was at all the interviews,  
 3 yes.  
 4 Q. Okay. You -- if you can go over  
 5 to page 302.  
 6 A. Yes.  
 7 Q. You --  
 8 A. Oh, wait a minute. No. No.  
 9 Q. Yeah.  
 10 A. Let me back up. It is  
 11 not -- no, I don't think she was there. I  
 12 am sorry.  
 13 Q. Okay. Who -- who were the  
 14 attendees of this conversation?  
 15 A. On page 302?  
 16 Q. Yes.  
 17 A. Anucha was there, Karen  
 18 and -- and [REDACTED] of course because that  
 19 is who we are talking to.  
 20 Q. Okay. And then page -- does  
 21 page 304 reflect notes of another  
 22 conversation with Ms. [REDACTED]?  
 23 A. Pages 0 -- 302 and 303 go  
 24 together.  
 25 Q. Right.

147

1 MORAN  
 2 A. Yes, 304 is a separate  
 3 conversation.  
 4 Q. Okay.  
 5 A. And -- and that one was probably  
 6 just with me.  
 7 Q. Just you and Ms. [REDACTED]?  
 8 A. Yes.  
 9 Q. Do you know where you had that  
 10 conversation?  
 11 A. It probably would have been in  
 12 my office. It doesn't say it was on the  
 13 phone, but it was probably in my office.  
 14 Q. That was a follow-up to the  
 15 first conversation you had?  
 16 A. Yes.  
 17 Q. Did you personally work with  
 18 Ms. Browne-Sanders on any -- any matters  
 19 at Madison Square Garden?  
 20 A. I -- I don't know that we  
 21 actually worked on any assignments. She  
 22 held a weekly staff meeting, which I  
 23 attended. I didn't attend every week, but  
 24 I tried to get there when I got there.  
 25 So, you know, I might go two weeks in a

148

1 MORAN  
 2 row, and then I am might not go for two  
 3 weeks, but I probably maybe attended two  
 4 out of four for -- for, you know, an  
 5 extended period.  
 6 Q. So if there were four held in a  
 7 month, you approximately went to two of  
 8 them?  
 9 A. Yes.  
 10 Q. And for what period of time was  
 11 that?  
 12 A. I think -- I'd say up until the  
 13 time she left. I'm not sure when I  
 14 started but approximately over a year and  
 15 a half to two years maybe.  
 16 Q. About how many people attended  
 17 these meetings?  
 18 A. They were pretty -- it was a  
 19 fairly large room. I would say  
 20 15 -- maybe 15.  
 21 Q. And these were members of the  
 22 basketball --  
 23 MR. MINTZER: Strike that.  
 24 Q. These were members of the  
 25 business operations staff for the Knicks?

149

1 MORAN  
 2 A. Right. Some of those -- some of  
 3 those were her direct reports, but there  
 4 were -- there were -- there were people  
 5 there who didn't report to her. Frank  
 6 Murphy came and folks like that.  
 7 Q. Anyone outside of business  
 8 operations other than Mr. Murphy attend on  
 9 a regular basis?  
 10 A. Usually the attorney assigned to  
 11 Anucha was there.  
 12 Q. Who was that?  
 13 A. Ron Dershowitz. The gentleman  
 14 in charge of suite sales of suite  
 15 sales --  
 16 Q. Who was that?  
 17 A. -- was there. Give me a second  
 18 to get his name.  
 19 Q. Um hum.  
 20 A. Brian Lafemina. Joel Fischer,  
 21 who was senior VP of sports -- sports  
 22 operations. He -- he didn't have the  
 23 Knicks or Rangers but other sports like  
 24 college and boxing. I mentioned -- well  
 25 Frank Murphy was sort of part of that

198

1 MORAN

2 Q. Okay. And from that point on

3 she continued to come to work, correct?

4 A. I believe so, yes.

5 Q. You didn't at any point after

6 she raised those concerns to you before

7 her lawyers got in touch with The Garden

8 tell her that she couldn't come to work

9 because of security concerns, correct?

10 A. Correct.

11 Q. And then after she made a

12 complaint through her lawyers, you say you

13 sent a letter to her and said that she

14 couldn't come to work because of security

15 concerns?

16 MR. GREEN: Objection to form.

17 You may answer, Mr. Moran.

18 A. Yeah. I -- well, during

19 the -- when we were in this room and she

20 was making her allegations, I recall -- I

21 recall that she again reiterated her

22 concerns for her security very similar to

23 the same concerns she reiterated on

24 November 29. It was a month later. So it

25 was based on those discussions

199

1 MORAN

2 that -- and -- you would have to help me

3 with the time frames, but it was based

4 upon those renewed concerns about her

5 security that -- that we issued that

6 letter is my understanding.

7 Q. Mr. Moran, so your recollection

8 is that -- that you interviewed

9 Ms. Browne-Sanders, and then you sent her

10 a letter saying that -- that she couldn't

11 come back to work because of security

12 concerns?

13 MR. GREEN: Objection to form.

14 A. I -- I really don't recall the

15 timing and the -- I know there were -- I

16 am sure you probably have them. There

17 were letters that went back and forth, and

18 then finally she -- well, I don't know. I

19 am confused on the timing at this point.

20 Q. Mr. Moran, my -- you are -- what

21 I am -- let me ask a few question.

22 You -- you just testified that

23 you instructed Ms. Browne-Sanders not to

24 come to work because of security concerns

25 based on statements that she made in an

200

1 MORAN

2 interview that you had with her.

3 MR. GREEN: Objection to form.

4 Mischaracterizes prior testimony.

5 Q. Okay. Is that accurate?

6 MR. GREEN: Same objection.

7 A. I -- I believe so, but I would

8 have to review the letters on the timing.

9 Q. Is there any other reason other

10 than the statements that she made in the

11 interview that you would -- that you know

12 of why you would have told her not to come

13 to work because of security concerns?

14 MR. GREEN: Objection. Asked

15 and answered. You may answer it again,

16 Mr. Moran.

17 A. Well, I was under the impression

18 that when she and I talked she

19 didn't -- she didn't -- she didn't object

20 that when -- when I said it is my

21 understanding the attorneys had an

22 agreement that you weren't

23 coming -- because I guess there were some

24 discussions going on between counsel that

25 until the -- until that was resolved and

201

1 MORAN

2 the investigation was resolved, that she

3 wasn't going to come back to work, and we

4 had that conversation, and she

5 didn't -- she didn't -- she didn't tell me

6 that was wrong.

7 Q. You think you had that

8 conversation with her after her interview,

9 your interview with her?

10 A. It might have been before. I am

11 not sure at this point. I am not sure.

12 MR. MINTZER: Can I ask you to

13 mark this as 4.

14 (Moran Exhibit 4 marked for

15 identification.)

16 (Document handed to witness.)

17 MR. GREEN: Take your time to

18 read it.

19 THE WITNESS: Okay.

20 MR. MINTZER: For the record,

21 Moran Exhibit 4 for identification is a

22 one-page document Bates stamped MSG 4230.

23 (Pause.)

24 A. Okay.

25 Q. Reading this letter, does it

202

1 MORAN

2 refresh your recollection that you

3 instructed Ms. Browne-Sanders that she

4 should not come to the office before you

5 had your interview with her?

6 A. Yes, it does.

7 Q. Okay.

8 A. Yes.

9 Q. And -- first of all, is this a

10 letter that you signed?

11 A. Yes.

12 Q. And did you write this letter?

13 A. No.

14 Q. Did Mr. Schoenfeld write this

15 letter?

16 A. I'm not sure who wrote the

17 letter.

18 Q. How did it come to your -- your

19 attention?

20 A. It would have been through one

21 of our counsel.

22 Q. So one of your counsel presented

23 you this letter and asked you to sign it?

24 MR. GREEN: Objection to form.

25 A. Well, they -- they asked me to

203

1 MORAN

2 read it, and -- and then it -- was it

3 consistent with my understanding, and I

4 wanted to make sure I understood it, and,

5 yeah, I mean I signed it.

6 Q. Okay. Did you make any changes

7 to it before you signed it?

8 A. I don't believe so.

9 Q. The -- in the third paragraph

10 where the letter refers to what

11 we "-- what you have expressed as your

12 concerns about your personal physical

13 safety" --

14 A. Um hum.

15 Q. -- what were you referring to

16 there?

17 A. I am sorry. Where is it?

18 Q. In the third paragraph. You

19 refer to "including particularly what you

20 have expressed as your concerns about your

21 personal physical safety," do you see

22 that? It is in the third and fourth line

23 in the third paragraph.

24 A. Um hum.

25 (Pause.)

204

1 MORAN

2 A. Well, again she was -- I don't

3 know. She was making -- she was making

4 statements, and I don't know how often,

5 but she had been -- I know at least on

6 that one occasion about her security and

7 that she was afraid of -- well, concerned

8 about her security.

9 Q. The statement to you that she

10 made that was approximately a month before

11 you sent this letter, right?

12 A. Yes.

13 Q. And she came to work for several

14 weeks after she first made that statement

15 to you, correct?

16 A. That's correct.

17 Q. And so your instruction to her

18 not to come to work because of concerns

19 about her personal safety only was made

20 after you were aware that her counsel had

21 complained about discrimination and

22 harassment?

23 MR. GREEN: Objection to form.

24 You may answer, Mr. Moran.

25 A. I'm sorry. Do that again for

205

1 MORAN

2 me?

3 Q. Your instruction to

4 Ms. Browne-Sanders not to come to the

5 office out of concerns for her personal

6 safety --

7 A. Um hum.

8 Q. -- you only made --

9 MR. MINTZER: Strike that.

10 Q. You only gave Ms. Brown-Sanders

11 the instruction not to come to work after

12 her counsel complained about

13 discrimination on her behalf?

14 MR. GREEN: Objection.

15 Q. Is that true?

16 MR. GREEN: Objection to form.

17 You may answer, Mr. Moran.

18 A. Well, it might have been after,

19 but I don't -- I didn't see any connection

20 at the time.

21 Q. Whose decision was it for

22 Ms. Browne-Sanders not to come back into

23 the office?

24 A. I -- I don't know.

25 Q. Who informed you of that?

206

1 MORAN

2 A. Well, I was asked if -- I was

3 asked if I was aware that she had

4 made -- had been concerned about her

5 safety, and I said I had, and I don't

6 recall which counsel I was -- that would

7 have asked me these questions at this

8 point.

9 Q. My question was who informed you

10 of the decision to tell Ms. Browne-Sanders

11 that she couldn't come to work while the

12 investigation was pending?

13 A. I believe it was Mark

14 Schoenfeld.

15 Q. In this letter you had also

16 asked that Ms. Browne-Sanders reconsider

17 what you understood to be her decision not

18 to be interviewed?

19 A. Yes.

20 Q. Did you receive a response to

21 that request?

22 A. Yes, I did.

23 Q. And what was the -- what was the

24 response?

25 A. It was -- I believe it was a

207

1 MORAN

2 letter from Anucha saying that she would

3 give me a call and would -- would set up a

4 date or something like that.

5 Q. So Ms. Browne-Saders expressed

6 her willingness to be interviewed?

7 A. That's correct.

8 THE VIDEOGRAPHER: Counsel,

9 there are four minutes left on this tape.

10 MR. MINTZER: You want to

11 change it.

12 THE VIDEOGRAPHER: Okay. Now

13 going off the record at approximately 3:37

14 p.m., the end of tape 3.

15 (Recess taken.)

16 (Moran Exhibit 5 marked for

17 identification.)

18 THE VIDEOGRAPHER: This is the

19 beginning of tape number 4. We are going

20 back on the record at approximately 3:47

21 p.m.

22 MR. MINTZER: For the record, I

23 have given the witness an exhibit that has

24 been marked for identification as Moran 6,

25 MSG 4228 to 29. 5, Exhibit 5. I am

208

1 MORAN

2 sorry.

3 Q. Let me know after you have had a

4 chance to look at it.

5 (Pause.)

6 A. Okay.

7 Q. Do you recognize this document,

8 Mr. Moran?

9 A. Yes, I do.

10 Q. This was the letter that

11 Ms. Browne-Sanders sent to you in response

12 to your letter that you signed Moran 4?

13 A. Yes.

14 Q. And among other things

15 Ms. Browne-Sanders expressed her

16 willingness to be interviewed in this

17 letter?

18 A. Yes.

19 Q. Does this letter also refresh

20 your recollection that Ms. Browne-Sanders

21 complained of being retaliated against?

22 I'll call your attention to the third

23 paragraph in the first sentence.

24 A. I am sorry. The third sentence,

25 you want me to read it.

209

1 MORAN

2 Q. I am sorry. The third

3 paragraph.

4 A. Yes. There is -- I see

5 retaliation.

6 Q. Did you -- at the time that you

7 got this letter, did you understand that

8 Ms. Browne-Sanders was expressing a

9 concern about retaliation?

10 A. Yes. Yes.

11 Q. What, if anything, did you do in

12 response to Ms. Browne-Sanders concern?

13 A. Well, if I have my timing right,

14 we were -- we were still -- we were doing

15 our investigation. It was still going

16 forward, so --

17 Q. The issue Ms. Browne-Sanders was

18 raising was the failure to allow her

19 to --

20 MR. MINTZER: Strike that.

21 Q. Ms. Browne-Sanders was raising

22 the issue about whether she could come

23 back to the office, correct?

24 A. Yes.

25 Q. And she was saying that the