

# Exhibit 12

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANUCHA BROWNE SANDERS,

Plaintiff,

-against-

06 CV 0589 (GEL)

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

Defendants.  
-----X

VIDEOTAPED DEPOSITION OF JEFFREY NIX

New York, New York

Friday, January 26, 2007

REPORTED BY:

BARBARA R. ZELTMAN

JOB NO.: 11467



**David Feldman**  
Worldwide

From File to Trial.

805 Third Avenue, 8<sup>th</sup> Floor  
New York, NY 10022  
(800) 642-1099

600 Anton Boulevard, 11<sup>th</sup> Floor  
Costa Mesa, CA 92626  
(866) DFW-1380

74

1 JEFFREY NIX  
 2 But let me just in terms of time,  
 3 because you've expressed some confusion  
 4 about whether it was '04 or '05. Isiah  
 5 Thomas would have come in December of '03.  
 6 would have started working probably  
 7 actively I could say in January of '04.  
 8 Would this have been relatively  
 9 soon after he arrived that this event  
 10 occurred?  
 11 A I think it was in the spring of  
 12 '04, yes.  
 13 Q And do you have a specific  
 14 recollection of her telling you that he  
 15 had stood over her desk and used the word  
 16 "bitch"; do you have a specific  
 17 recollection of her telling you about it  
 18 at the time?  
 19 MR. MINTZER: Asked and answered.  
 20 A She told me at the time, yes.  
 21 Q And how was it that she told you?  
 22 Was it in person, was it by phone?  
 23 A It was by telephone.  
 24 Q When she told you that, were you  
 25 surprised?

75

1 JEFFREY NIX  
 2 A No.  
 3 Q And why were you not surprised?  
 4 A Because I thought Frank had some  
 5 animosity towards Anucha.  
 6 Q And so would it be fair to say  
 7 that you believed Frank had animosity  
 8 towards Anucha well prior to the time that  
 9 Isiah Thomas ever arrived?  
 10 MR. MINTZER: Objection to form.  
 11 A I wouldn't know that.  
 12 Q Well, I mean did you think that  
 13 this was a long-standing animosity between  
 14 Frank Murphy and Anucha Browne Sanders?  
 15 MR. MINTZER: Objection to form.  
 16 A I think there was animosity that  
 17 built up over time.  
 18 Q And was it just starting to build  
 19 in '04 or had it been building prior to  
 20 that time?  
 21 MR. MINTZER: Objection to form.  
 22 Asked and answered.  
 23 A I am not sure. I think it was  
 24 built over a period of time.  
 25 Q Would it be fair to say that as

76

1 JEFFREY NIX  
 2 Frank Murphy took on more responsibilities  
 3 that -- strike that.  
 4 Would it be fair to say that  
 5 Anucha Browne Sanders had an easier time  
 6 dealing with you than she had with Frank  
 7 Murphy?  
 8 MR. MINTZER: Objection to form.  
 9 A I don't know.  
 10 MR. ADES: Did she get along with  
 11 you?  
 12 THE WITNESS: She got along with  
 13 me.  
 14 MR. ADES: Did she get along with  
 15 Frank?  
 16 THE WITNESS: She worked with  
 17 Frank.  
 18 MR. ADES: Come on, Jeff. Did  
 19 she get along with Frank?  
 20 THE WITNESS: I thought she got  
 21 along with Frank.  
 22 Q And so when she told you that he  
 23 uses language with you, what, if anything  
 24 else, was said?  
 25 A When he left the office, she got

77

1 JEFFREY NIX  
 2 on the phone and called Isiah Thomas.  
 3 Q She told you that?  
 4 A That's what Anucha Browne Sanders  
 5 told me, she called Isiah Thomas.  
 6 Q Because obviously I'll be saying  
 7 quite often probably during the course of  
 8 this deposition, you weren't a witness to  
 9 any of these interactions between her and  
 10 Isiah Thomas?  
 11 MR. MINTZER: Objection to form.  
 12 Q With the exception of the hug  
 13 that we talked about earlier?  
 14 A That's correct.  
 15 Q And so what did she -- with  
 16 regard to whatever else she told you about  
 17 that conversation with Isiah Thomas, did  
 18 she tell you about it at the time or did  
 19 she tell you about it later?  
 20 MR. MINTZER: Objection to form.  
 21 Asked and answered.  
 22 A Shortly after it happened.  
 23 Q And what was it that she told you  
 24 occurred?  
 25 A She told me that Frank come in to

78

1                   **JEFFREY NIX**  
 2   her office to discuss about something,  
 3   stood over her desk and called her a  
 4   bitch.  
 5   Q   What did she tell you what  
 6   happened when she called Isiah Thomas?  
 7   A   Prior to her calling Isiah  
 8   Thomas, Frank Murphy left the office.  
 9   Faye Brown, who was her assistant, walked  
 10  in, asked her if there was anything wrong  
 11  and she got on the phone and called Isiah  
 12  Thomas to tell him about -- Anucha  
 13  Browne Sanders got on the phone, called  
 14  Isiah Thomas to tell him what Frank called  
 15  her and did.  
 16  Q   And what did she then tell you  
 17  occurred in that conversation?  
 18  A   She told me that Isiah told her,  
 19  "What the fuck is your job? What the fuck  
 20  do you do? You fucking bitch, fucking  
 21  ho."  
 22  Q   And you are saying you have a  
 23  specific memory of her telling you both  
 24  about the word "bitch" and the word "ho"  
 25  in March of '04?

79

1                   **JEFFREY NIX**  
 2   A   That was a pretty telling  
 3   statement. I would remember that, yes.  
 4   Q   Okay.  
 5   A   In the -- excuse me. In the  
 6   spring of '04.  
 7   Q   In the spring of '04.  
 8   A   Yes.  
 9   Q   And when she told you about it,  
 10  did she say she was going to do anything  
 11  about it?  
 12  MR. MINTZER: Objection to form.  
 13  A   She told me she was calling Steve  
 14  Mills.  
 15  Q   And did she ever tell you that in  
 16  fact she called Steve Mills?  
 17  A   She told me that they had a  
 18  meeting the following day with Steve  
 19  Mills, Isiah Thomas and Anucha  
 20  Browne Sanders.  
 21  Q   And did she tell you what had  
 22  occurred at the time of that meeting?  
 23  A   She told me that Steve Mills  
 24  clearly stated her job responsibilities to  
 25  Isiah, and then at that time Steve Mills

80

1                   **JEFFREY NIX**  
 2   left the office to take a phone call and  
 3   Isiah said to her, "Just remember, fucking  
 4   bitch, I am the fucking president of this  
 5   team."  
 6   And then Steve Mills came back  
 7   into the office and they concluded the  
 8   meeting.  
 9   Q   Between the time of this alleged  
 10  occurrence in the spring of '04 and today,  
 11  have you had conversations with Anucha  
 12  Browne Sanders where she has talked about  
 13  this event?  
 14  MR. MINTZER: Objection to form.  
 15  A   No.  
 16  Q   So there haven't been times after  
 17  you went back to Indiana when she called  
 18  and talked to you about the fact that  
 19  Isiah Thomas had called her a bitch?  
 20  MR. MINTZER: Objection to form.  
 21  Mischaracterizes the testimony.  
 22  A   In this specific occurrence, no.  
 23  Q   So you are saying "in this  
 24  specific occurrence" and you are referring  
 25  to the meeting with Mills, that the only

81

1                   **JEFFREY NIX**  
 2   time she talked to you about this event  
 3   was in the spring of '04?  
 4   A   Shortly after that meeting.  
 5   Q   And when she told you that, did  
 6   you say to her -- strike that.  
 7   Did she tell you that she had  
 8   told Mills about Isiah Thomas' outburst?  
 9   A   Anucha Browne Sanders told me  
 10  that Steve Mills was aware of the  
 11  outburst, yes.  
 12  Q   Well, did she tell it to you in  
 13  that way in the conversation?  
 14  MR. MINTZER: Objection to form.  
 15  A   She told me that Steve was aware  
 16  of what transpired in the meeting.  
 17  Q   I guess what I'm saying to you  
 18  is: Is if she was communicating this all  
 19  to you within a few days of its happening,  
 20  did she say to you, "I told Steve, I  
 21  talked to Steve later. This is what I  
 22  said to Steve, this is what Steve said to  
 23  me"?  
 24  MR. MINTZER: Objection to form.  
 25  A   She just said Steve's aware of

90

1                   **JEFFREY NIX**  
 2   personnel that were back there never  
 3   really changed as far as I know. I mean,  
 4   you have three specific locations for the  
 5   most part. You have the New York Knicks'  
 6   locker room, you have the lounge area and  
 7   you have the New York Rangers' locker  
 8   room.  
 9   Q   What kind of changes took place  
 10   in terms of after Isiah Thomas came in  
 11   terms of people who would have access to  
 12   the lounge or the ability to come in the  
 13   lounge?  
 14   A   I think he just wanted to keep it  
 15   off limits -- I don't think Isiah wanted  
 16   people just lounging and hanging out there  
 17   during the game, being around there. He  
 18   wanted to create a sterile environment  
 19   around the team on game days at Madison  
 20   Square Garden.  
 21   Q   Did he ever tell you why?  
 22   A   No.  
 23   Q   Did there ever come a time in  
 24   this January-to-March time frame -- strike  
 25   that.

91

1                   **JEFFREY NIX**  
 2   In this January-to-March time  
 3   frame, did Isiah Thomas ever make a  
 4   statement to you where he said, "Players  
 5   aren't going to do any more community  
 6   events"?  
 7   A   No.  
 8   Q   Did anyone ever tell you that he  
 9   had said such a thing?  
 10   A   Yes.  
 11   Q   Who told you that?  
 12   A   Anucha.  
 13   Q   And when did she tell you that?  
 14   A   She told me after the Utah loss  
 15   in I think February of '04.  
 16   Q   Did she tell you that he had made  
 17   that statement to her himself?  
 18   A   Yes.  
 19   Q   What exactly did she tell you he  
 20   had said?  
 21   A   It was after a loss against Utah  
 22   at Madison Square Garden and it was in the  
 23   hallway outside the locker room. She told  
 24   me that -- Anucha told me that he grabbed  
 25   her by the arm, pulled her into the room

92

1                   **JEFFREY NIX**  
 2   across from the locker room, which we  
 3   would call the bike room, stationary bikes  
 4   in there, and he told her that there would  
 5   be no more player appearances and, "Don't  
 6   you fuck up what I'm trying to do here,  
 7   you fucking bitch."  
 8   Q   And you have a specific  
 9   recollection of her telling you that at  
 10   that time?  
 11   MR. MINTZER: Objection to form.  
 12   A   Soon after that time, yes.  
 13   Q   So it's now at least two  
 14   occasions that she has told you that he's  
 15   called her a bitch?  
 16   A   He has called her a fucking  
 17   bitch.  
 18   Q   So it's two occasions that you  
 19   are saying that she told you at or near  
 20   the event that he called her a fucking  
 21   bitch?  
 22   MR. MINTZER: Asked and answered.  
 23   Q   Is that correct?  
 24   A   What event?  
 25   Q   You told me I think that there

93

1                   **JEFFREY NIX**  
 2   was the event that you just described for  
 3   me, correct?  
 4   A   After a game in February of '04.  
 5   Q   Okay.  
 6   And I believe you told me that he  
 7   called her a fucking bitch in a phone call  
 8   after she had the interaction with Murphy,  
 9   correct?  
 10   A   That's correct.  
 11   Q   Any other events that she told  
 12   you about where he called her a fucking  
 13   bitch?  
 14   MR. MINTZER: Objection to form.  
 15   A   Not that I am aware.  
 16   Q   Any other events that you haven't  
 17   told me about where he called her a bitch?  
 18   MR. MINTZER: Objection to form.  
 19   A   There are times -- I can't  
 20   specifically -- but there were times in  
 21   conversations where she would say he  
 22   called her a bitch.  
 23   Q   But she never told you about  
 24   those times until after you had gone back  
 25   to Indiana; isn't that correct?

94

1 JEFFREY NIX  
 2 MR. MINTZER: Objection to form.  
 3 A No. I worked -- I was there for  
 4 a year and she told me things were going  
 5 on.  
 6 Q When's the next time she told you  
 7 that, that he had called her a bitch?  
 8 A She told me over the course of  
 9 two years that he would call her a bitch,  
 10 on occasion.  
 11 Q When's the next time he called  
 12 her a bitch?  
 13 MR. ADES: If you remember that  
 14 she told you he called her a bitch.  
 15 A I don't remember.  
 16 Q Regardless of when the next time  
 17 was, did she tell you that she had told  
 18 Steve Mills?  
 19 MR. MINTZER: Objection to form.  
 20 A She told me that Steve Mills was  
 21 aware.  
 22 Q So regardless of when this next  
 23 time was, the conversation went something  
 24 like this: "Isiah called me a bitch  
 25 again, but Steve Mills is aware"?

95

1 JEFFREY NIX  
 2 MR. MINTZER: Objection to form.  
 3 Mischaracterizes testimony.  
 4 Q Is that how the conversation  
 5 occurred?  
 6 A No. Through the course of  
 7 conversations she would say, "He called me  
 8 a bitch again."  
 9 Q Did she tell you what was going  
 10 on on this next occasion when he called  
 11 her that?  
 12 A I don't recall. I don't recall.  
 13 Q Did you say to her, "You know, if  
 14 in fact that's happening, you really need  
 15 to tell somebody else if Steve Mills isn't  
 16 doing anything about it"?  
 17 MR. MINTZER: Objection to form.  
 18 A She was under the strong opinion,  
 19 telling me, that the president of Madison  
 20 Square Garden, if he was aware of it and  
 21 he wasn't going to do anything about it,  
 22 then who else would do something about it.  
 23 She did speak to someone in human  
 24 resources.  
 25 Q Okay. We'll come back to that.

96

1 JEFFREY NIX  
 2 But -- strike that.  
 3 By the next time after the events  
 4 that you've now told me about, by the next  
 5 time she says to you that he's called her  
 6 a bitch, did she tell you at that time  
 7 that she's talked to somebody in human  
 8 resources?  
 9 MR. MINTZER: Objection to form.  
 10 A I don't recall that.  
 11 Q Did she tell you the next time  
 12 that she's talked to somebody in human  
 13 resources?  
 14 A I don't recall.  
 15 Q At some point in the  
 16 conversations that you and she have, don't  
 17 you say to her, "You really need to go to  
 18 somebody else in human resources"?  
 19 MR. MINTZER: Objection to form.  
 20 A No, I didn't tell her that.  
 21 Q Did you say to her, "Go to Jim  
 22 Dolan. You see Jim Dolan, Anucha, at  
 23 meetings, why don't you tell Jim Dolan  
 24 about it?"  
 25 Did you ever have that

97

1 JEFFREY NIX  
 2 conversation with her?  
 3 A No.  
 4 Q Over the course of '04, while you  
 5 are there, how many times is it that she  
 6 tells you that this occurs?  
 7 A Calling her a bitch?  
 8 Q Yeah.  
 9 A A few times.  
 10 Q So we are talking about a few  
 11 times more than the times that you've  
 12 already told me about; is that correct?  
 13 MR. MINTZER: Objection.  
 14 A I think, yeah, there were few  
 15 occurrences where she was called a bitch,  
 16 yes.  
 17 Q And while we're kind of still on  
 18 that topic, at the time then when you go  
 19 back to Indiana, are there any other  
 20 occasions after that where she says, "He's  
 21 called me a bitch"?  
 22 A There were occasions where she's  
 23 mentioned it, yes.  
 24 Q How many occasions after you go  
 25 back to Indiana?

138

1 JEFFREY NIX  
 2 around let's say October of '04 until the  
 3 end of the year of '04.  
 4 All right?  
 5 A Yes.  
 6 Q Just so you get centered in terms  
 7 of time.  
 8 And I understand that there was  
 9 an event that you witnessed involving a  
 10 hug between Isiah Thomas and Anucha Browne  
 11 Sanders; is that correct?  
 12 A That's correct.  
 13 Q And do you have a specific memory  
 14 of the date that that occurred?  
 15 A It was at the end of December.  
 16 Game was Minnesota at the Garden. It  
 17 probably was 28th, 29th, something like  
 18 that of December.  
 19 Q And so do you recall it being  
 20 actually the last game before the new  
 21 year?  
 22 A I am not sure if it was the last  
 23 game. Could have been a road game. It  
 24 was the last home game before the new  
 25 year, possibly.

139

1 JEFFREY NIX  
 2 Q Did the Knicks win?  
 3 A The Knicks won the game, yes.  
 4 Q Where would you have watched the  
 5 game from?  
 6 A The TV booth upstairs.  
 7 Q And where would Isiah Thomas have  
 8 watched the game from, if you know?  
 9 A At that time, he would have been  
 10 standing in Gate 1 in the main entrance  
 11 from the block room to the court.  
 12 Q Okay.  
 13 And where was Anucha, if you  
 14 know?  
 15 A I don't recall where she was.  
 16 Q She didn't watch it from the TV  
 17 booth?  
 18 A I don't recall. I don't think  
 19 so, no.  
 20 Q And before I get into the actual  
 21 facts of what you saw, is it fair to say  
 22 that Isiah Thomas, during the time period  
 23 that he was acting as president in this  
 24 kind of general manager role, that he  
 25 would actually stand in Gate 1, at the

140

1 JEFFREY NIX  
 2 entrance of Gate 1 during the games?  
 3 A That's what I saw, Gate 1, yes.  
 4 Q But not only at this particular  
 5 game, but was it usual that that's where  
 6 he would be standing?  
 7 A Yes.  
 8 Q And he would kind of greet people  
 9 who might be passing through?  
 10 MR. MINTZER: Objection to form.  
 11 A I don't know if he was greeting  
 12 people. I don't pay attention to whether  
 13 he was -- I just know where he was  
 14 standing. I don't know what he was doing.  
 15 Q Okay.  
 16 And again, I'm talking more  
 17 generally. When you would go to games and  
 18 you would see him, you would see him  
 19 standing in this Gate 1 area?  
 20 A Yes.  
 21 Q But you are saying you don't know  
 22 what he was doing in Gate 1?  
 23 A He was watching the game.  
 24 Q Okay.  
 25 And what did you see happen that

141

1 JEFFREY NIX  
 2 night between Anucha Browne Sanders and  
 3 Isiah Thomas?  
 4 A I left the TV booth prior to the  
 5 end of the game. We were leading. I took  
 6 the elevator from that area down to the  
 7 courtside, court level, and my usual route  
 8 was behind the -- underneath the Garden,  
 9 underneath the stands, whatever you want  
 10 to call it. Down the hallway past the  
 11 visitors' locker room and then into the  
 12 hallway, continued down that hallway into  
 13 the Knicks' locker room is at.  
 14 I specifically remember that as I  
 15 walked past the locker room of the  
 16 Minnesota Timber Wolves, Kevin Garnett  
 17 passed me in the hallway as he walked into  
 18 the locker room. He was upset. He was  
 19 yelling at the team because they played  
 20 poorly and the Knicks won.  
 21 As I continued down the hall,  
 22 went through the doors leading to the  
 23 entrance to the Knicks/Rangers hallway,  
 24 and that's when I saw an embrace and then  
 25 what looked to me like she pushed away and

142

1                   **JEFFREY NIX**  
 2   **then she walked down --**  
 3       Q   Let me stop you there for a  
 4   minute.  
 5       MR. MINTZER: Wait. Let him give  
 6   his full answer, Counsel, please. He's  
 7   telling you what he saw. And then you can  
 8   follow up. I think that's the appropriate  
 9   thing to do. The witness should be  
 10   allowed to give his full answer.  
 11       Q   Let me stop you there. We will  
 12   come back to that point.  
 13       You've indicated that you hear  
 14   Kevin Garnett yelling at his teammates and  
 15   you see an embrace, and I want to direct  
 16   your attention to that part of your  
 17   testimony for the moment and then we'll  
 18   come back so you can finish your answer.  
 19       Tell me what you see in terms of  
 20   where Anucha is standing, where Isiah  
 21   Thomas is standing.  
 22       A   **It was up close to the entrance**  
 23   **to the New York Rangers' locker room.**  
 24       Q   Are other people standing in the  
 25   area as well?

143

1                   **JEFFREY NIX**  
 2       A   **I think some people might have**  
 3   **been trying to walk through to the locker**  
 4   **room area. The game had just concluded.**  
 5       Q   Can you tell whether Isiah is  
 6   talking to anyone else or talking to  
 7   anyone when this embrace occurs?  
 8       A   **I didn't see him talking with**  
 9   **anyone, no.**  
 10       Q   Okay.  
 11       And where is it that you see his  
 12   hands?  
 13       A   **I just saw his hands around her,**  
 14   **embracing her.**  
 15       Q   Okay.  
 16       Is her back to you?  
 17       A   **No. It was like a 45-degree**  
 18   **angle where I could see where his hands**  
 19   **were around her and it was at an angle to**  
 20   **the wall. It was not directly against the**  
 21   **wall or directly -- I did not see Isiah's**  
 22   **back. I saw at an ankle.**  
 23       Q   Did you see the beginning of the  
 24   embrace?  
 25       A   No.

144

1                   **JEFFREY NIX**  
 2       Q   And how long did it last that you  
 3   saw it before it broke?  
 4       A   **It was a brief -- it seemed brief**  
 5   **to me and it looked like she pushed away**  
 6   **and started walking down the hallway.**  
 7       Q   And what did he do after she  
 8   started walking down the hallway?  
 9       A   **I am not sure because I walked**  
 10   **past her and I walked into the lounge area**  
 11   **so I am not sure what he did after that,**  
 12   **whether he went to the coach's locker room**  
 13   **or our locker room, the Rangers' locker**  
 14   **room. I have no idea.**  
 15       Q   After she pushes away and you see  
 16   her, what happens next?  
 17       A   **She walked probably 10, 15 feet**  
 18   **towards the Knicks' locker room, almost**  
 19   **like she was going to walk out of the**  
 20   **hallway at the other end. And then she**  
 21   **did an abrupt turn and then that's where I**  
 22   **passed her, walking, and she walked -- she**  
 23   **told me she walked out into Gate 1 as I**  
 24   **walked past into the lounge area.**  
 25       Q   So you don't stop and talk to her

145

1                   **JEFFREY NIX**  
 2   at that point?  
 3       A   No, no.  
 4       Q   And so she tells you what? The  
 5   same evening that that's what happens?  
 6       A   **When I passed her, she looked**  
 7   **disturbed. I knew something happened and**  
 8   **then she was out.**  
 9       Then after I was in lounge, I  
 10   walked back out into the Gate 1 area and  
 11   that's when I saw her and she was -- she  
 12   was disturbed.  
 13       Q   Okay.  
 14       And did you and she talk about  
 15   the reasons for her being disturbed at  
 16   that time?  
 17       A   Yes.  
 18       Q   And what did you say to her?  
 19       A   **I said, "You got to talk to Steve**  
 20   **about this."**  
 21       Q   No. What's the very first thing  
 22   you said to her when you saw her there?  
 23       A   **I said "Hi, how you doing?"**  
 24       Q   And what did she say?  
 25       A   **She said -- I don't know exactly**



146

1                   **JEFFREY NIX**  
 2 **what she aid. Probably not well, not**  
 3 **doing well. I am not sure what she said.**  
 4     Q So you don't recall the words  
 5 that she used?  
 6     **A I recall her saying, "You are not**  
 7 **going to believe what just happened."**  
 8     Q Okay.  
 9         And what else did she say, if  
 10 anything?  
 11     **A He just -- she said that he said,**  
 12 **"I am in love with you, and it's like and**  
 13 **love basketball."**  
 14     Q And you are saying you have a  
 15 specific recollection today of her saying  
 16 that to you that night?  
 17     **A Yes.**  
 18     Q This isn't some memory that's  
 19 been refreshed since the time of its  
 20 occurrence?  
 21     **A No.**  
 22           MR. MINTZER: Objection.  
 23     Q Did you ever tell anyone actually  
 24 that the conversation had something to do  
 25 with a playground?

147

1                   **JEFFREY NIX**  
 2     **A A playground?**  
 3     Q Yes.  
 4     **A No.**  
 5     Q Did you ever make any statement  
 6 to anyone that indicated that what was  
 7 said at that time was something different  
 8 than what you've now told me?  
 9           MR. MINTZER: Objection to form.  
 10     **A No.**  
 11     Q How many times have you told this  
 12 story to anyone?  
 13     **A I haven't told it to anyone, that**  
 14 **I can remember. Other than Rob. Rob's is**  
 15 **aware of it.**  
 16     Q When you met with counsel back in  
 17 May of '06, did you tell them the story  
 18 just as you have told me?  
 19           MR. MINTZER: Objection to form.  
 20 You are asking about his conversations  
 21 with Madison Square Garden counsel?  
 22           MS. FRANCO: Yes.  
 23           MR. CESARATTO: Wait. Can we  
 24 take a break a second.  
 25           (Discussion off the record.)

148

1                   **JEFFREY NIX**  
 2           MS. FRANCO: I've been corrected  
 3 on something. Let me withdraw that  
 4 question.  
 5     Q When you were interviewed in May  
 6 of '06, did you make the statement about  
 7 what occurred just as you have now?  
 8     **A To my knowledge, I did, yes.**  
 9     Q And did she tell you why that  
 10 upset her?  
 11           MR. MINTZER: Objection to form.  
 12     **A No, she didn't. She didn't need**  
 13 **to tell me why it upset her. I clearly**  
 14 **understood why she was upset when she told**  
 15 **me what was said.**  
 16     Q And why did you believe she was  
 17 upset?  
 18     **A Because what was said to her I**  
 19 **would suspect would clearly upset a**  
 20 **married woman.**  
 21     Q Did she tell you what the context  
 22 was in which that conversation occurred?  
 23     **A The only thing she told me was**  
 24 **she was walking back in there and then he**  
 25 **grabbed her and hugged her. To my**

149

1                   **JEFFREY NIX**  
 2 **knowledge, I don't think there's any**  
 3 **discussion prior to that.**  
 4     Q Okay.  
 5         By December of 2004, from your  
 6 conversations with Anucha, did you have  
 7 the sense by that time that she and Isiah  
 8 Thomas were not interacting well with each  
 9 other?  
 10           MR. MINTZER: Objection to form.  
 11     **A I sensed that there was some**  
 12 **tension.**  
 13     Q Did she ever tell you that she  
 14 would make notes in a journal on a daily  
 15 basis of either work events or her  
 16 personal life events?  
 17           MR. MINTZER: Objection to form.  
 18     **A She had a book that she's had**  
 19 **every day, that she carries every day at**  
 20 **Madison Square Garden. She writes notes.**  
 21     Q So you've actually seen that  
 22 book?  
 23     **A Yes.**  
 24     Q Did she ever tell you how she  
 25 characterized that interaction with Isiah

166

1 JEFFREY NIX  
 2 frame, does Anucha Browne Sanders tell you  
 3 that anything has occurred with Isiah  
 4 Thomas that she considers to be  
 5 inappropriate?  
 6 A In '05, there was a situation I  
 7 think when they compared their scars and  
 8 he said, "I'm in love with you" and "I  
 9 think you're beautiful."  
 10 Q And you are saying that he  
 11 told -- that she told you that, when?  
 12 A Sometime during that time period,  
 13 I imagine.  
 14 Q Well, how is it that you recall  
 15 that it occurred during that time period?  
 16 MR. MINTZER: Objection to form.  
 17 A Because that's when I personally  
 18 think that that's when it happened.  
 19 Q And what I'm trying to find out  
 20 is whether you personally think that  
 21 happened then because you have a specific  
 22 memory of it or whether or not you've  
 23 refreshed your memory by reading the  
 24 Complaint about it.  
 25 A I have not read the Complaint

167

1 JEFFREY NIX  
 2 since it came out.  
 3 Q And is this something you would  
 4 have shared with the interviewers back in  
 5 May of '06?  
 6 A That, I don't recall. I don't  
 7 remember if I did.  
 8 Q And what is it that she tells  
 9 you? Anything other than what you've now  
 10 told me?  
 11 A No, no. That's what she said.  
 12 Q And what did she tell you that  
 13 she says in response?  
 14 A She said -- if I recall, she said  
 15 something to the effect that "You're  
 16 ridiculous" and walked away.  
 17 Q And you have a specific  
 18 recollection of her making that response  
 19 in this January to June '05 time frame?  
 20 MR. MINTZER: Objection to form.  
 21 Asked and answered.  
 22 A I think it was during that time  
 23 frame.  
 24 Q Okay.  
 25 In response to the comparison of

168

1 JEFFREY NIX  
 2 scars?  
 3 MR. MINTZER: Objection to form.  
 4 A That's what I recall.  
 5 Q And what does she say to you  
 6 about it?  
 7 MR. MINTZER: Objection to form.  
 8 Asked and answered.  
 9 A She just told me that.  
 10 Q Does she say that it's keeping  
 11 her from doing her job?  
 12 A She just said that she told Steve  
 13 Mills about it.  
 14 Q Okay.  
 15 But -- but is she saying to you  
 16 words to the effect of, "Oh, my gosh, this  
 17 guy thinks he's in love with me, what am I  
 18 going to do"?  
 19 A No. She cannot believe what is  
 20 being said and she relays that to Steve  
 21 Mills and says, "Steve, what is going on  
 22 here. Something needs to be addressed."  
 23 Q Okay.  
 24 Did she ever tell you that she  
 25 actually believed that Isiah Thomas was in

169

1 JEFFREY NIX  
 2 love with her?  
 3 A Did she specifically ask me if,  
 4 tell me if she thought Isiah Thomas --  
 5 Q Right.  
 6 A No.  
 7 Q Did she tell you that she thought  
 8 he was doing it as a way of mocking her?  
 9 A No.  
 10 Q Did she tell you that he was  
 11 doing it as a way of trying to get on her  
 12 good side in order to kind of improve the  
 13 relationship between the two of them?  
 14 MR. MINTZER: Objection to form.  
 15 A She did not say that.  
 16 Q I mean, did she say to you in the  
 17 context of, "Can you believe the nerve of  
 18 that guy. He knows we are not getting  
 19 along and he's trying to, you know, he's  
 20 trying to kind of jostle me along by  
 21 telling me that he thinks he loves me"?  
 22 MR. MINTZER: Objection to form.  
 23 A She thought it was kind of  
 24 unusual that for a year how he treated her  
 25 so with hostility, and all of a sudden now

278

1 JEFFREY NIX  
 2 A Maybe in the locker room. I  
 3 can't specifically pinpoint it, but I've  
 4 heard that phrase before, yes.  
 5 Q Okay.  
 6 As you understand that term, do  
 7 you think it has anything to do with  
 8 actually being in love with a person?  
 9 MR. MINTZER: Objection to form.  
 10 A If I was a woman and a male said  
 11 that to me, I would feel uncomfortable.  
 12 Q That's not my question.  
 13 Why don't you read the question  
 14 back.  
 15 (Requested portion of record  
 16 read.)  
 17 A No.  
 18 Q When Anucha Browne Sanders talked  
 19 to you about it, did she give you any  
 20 indication that Isiah Thomas was making  
 21 that statement to her as a statement of  
 22 love?  
 23 MR. MINTZER: Objection to form.  
 24 A No.  
 25 Q Did she tell you what it was that

279

1 JEFFREY NIX  
 2 disturbed her about that statement?  
 3 A The fact that for two years or  
 4 for a year those type of things have been  
 5 said and she didn't appreciate it.  
 6 Q Did she ever -- did Anucha Browne  
 7 Sanders ever tell you that Isiah Thomas  
 8 had ever made any statements to her about  
 9 scheduling Sunday games?  
 10 A Yes.  
 11 Q And what, if anything, did she  
 12 say to you?  
 13 A She said that there was a meeting  
 14 that involved some executives, including  
 15 herself and Isiah, where Isiah proposed  
 16 putting the scheduled dates, the  
 17 availability of Madison Square Garden  
 18 dates for New York Knicks basketball where  
 19 we would try to schedule afternoon games  
 20 on Sunday so teams would have to be in on  
 21 Saturday evening.  
 22 And thus the teams and the  
 23 players who were in town would have the  
 24 ability to go out in the New York City  
 25 nightlife and that we would provide --

280

1 JEFFREY NIX  
 2 "we" meaning Isiah or the New York Knicks,  
 3 would provide the concierge at the team  
 4 hotels with nightclubs where players could  
 5 go and get free drinks or whatever to keep  
 6 them out late before we played them.  
 7 Q And did she tell you that that  
 8 was actually under discussion at this game  
 9 as a serious plan?  
 10 MR. MINTZER: Objection to form.  
 11 Mischaracterizes testimony.  
 12 A I don't know how it was brought  
 13 up or -- I don't know. I wasn't at that  
 14 meeting. So I don't know.  
 15 Q Did she tell you people laughed  
 16 about it?  
 17 A No, she didn't.  
 18 Q Did she tell you that people  
 19 asked her why she wasn't laughing about it  
 20 along with others?  
 21 A No.  
 22 Q I used the term "offsite" with  
 23 you a couple minutes ago and I think  
 24 you've used it during the course of the  
 25 deposition here today.

281

1 JEFFREY NIX  
 2 What does the term "offsite" mean  
 3 to you?  
 4 A Business activities away from  
 5 Madison Square Garden or our practice  
 6 facility.  
 7 Q Has Isiah Thomas ever requested  
 8 any off-site meetings with you?  
 9 A No.  
 10 Q Have you ever heard him use the  
 11 term "offsite"?  
 12 A I have not heard him use that  
 13 term, no.  
 14 Q Did Anucha Browne Sanders ever  
 15 have any conversation with you in which  
 16 she told you that Isiah Thomas had  
 17 requested an off-site meeting with her?  
 18 A Yes.  
 19 Q And did that disturb her?  
 20 A Yes.  
 21 Q And did she tell you why it  
 22 disturbed her?  
 23 A Because he had mentioned that it  
 24 would be at the Mandarin Hotel here in  
 25 Manhattan.

282

1                   **JEFFREY NIX**  
2       Q   And did she tell you why an  
3 off-site meeting at the Mandarin Hotel  
4 would disturb her?  
5       A   **Her impressions of the**  
6 **conversation, according to what she told**  
7 **me, was that she felt uncomfortable that**  
8 **this was not going to be a business-**  
9 **related activity.**  
10       Q   Did she tell you that there was  
11 anything that Isiah Thomas said which in  
12 any way, shape or form indicated that this  
13 would not be a business-related activity?  
14       MR. MINTZER: Objection to form.  
15       A   **No, I don't think sex or anything**  
16 **like that was ever mentioned.**  
17       **(Nix Exhibit 1, MSG-03931 and**  
18 **MSG-03946 through MSG-03949, was**  
19 **marked for Identification.)**  
20       Q   Why don't you take a look at that  
21 and when you are done reviewing it, tell  
22 me that you have reviewed it and I'll ask  
23 you some questions about.  
24       MR. ADES: All of it?  
25       Q   Actually, I am going only going

283

1                   **JEFFREY NIX**  
2 to be questioning you with regard to  
3 Page 1 of the document.  
4       MR. MINTZER: Lucy, I'll note for  
5 the record the first two pages are  
6 sequential e-mail and the balance of it is  
7 a different e-mail, not sequentially Bates  
8 numbered. So it seems like they're two  
9 different documents. So if you have a  
10 reason for marking them together, that's  
11 your prerogative. But I just want to note  
12 it for the record.  
13       MR. ADES: You read it and  
14 everything? You understand it, what it  
15 says? Because some of it is blurry.  
16       MS. FRANCO: I apologize.  
17       MR. ADES: No problem.  
18       Q   Do you recall receiving this  
19 e-mail from Anucha Browne Sanders in or  
20 around November 28 of 2005?  
21       A   Yes.  
22       Q   And is this an e-mail that  
23 references the conversation that you and I  
24 have already discussed with regard to Dan  
25 Gladstone telling Anucha Browne Sanders

284

1                   **JEFFREY NIX**  
2 about certain conversations with Stephon  
3 Marbury?  
4       MR. MINTZER: Objection to form.  
5       A   **Seems that way, yes. Yes.**  
6       Q   After you received this e-mail,  
7 did you and Anucha Browne Sanders have a  
8 conversation about it?  
9       A   **I think we discussed it, yes.**  
10       Q   Would you agree with me that  
11 there's nothing, at least in the first  
12 page of this document, that indicates that  
13 Isiah Thomas had anything to do with the  
14 statements made of Stephon Marbury?  
15       MR. MINTZER: Objection. The  
16 document speaks for itself.  
17       A   **I don't see anything --**  
18       MR. ADES: There is no mention of  
19 Isiah in this.  
20       A   **Yeah, so I mean ...**  
21       Q   Well, your testimony earlier was  
22 that -- that -- and tell me if I am  
23 misstating it because it's been a long  
24 day -- that somehow Isiah had something to  
25 do with Stephon Marbury's reaction or

285

1                   **JEFFREY NIX**  
2 statements with regard to Anucha Browne  
3 Sanders.  
4       MR. MINTZER: Objection to form.  
5       Q   Am I incorrect in that belief?  
6       A   **My opinion, which you don't want**  
7 **...**  
8       Q   I don't.  
9       MR. ADES: What was the question  
10 again so we could understand.  
11       MS. FRANCO: My question was  
12 whether or not he had indicated to me in  
13 earlier conversation that somehow Isiah  
14 Thomas was connected to Stephon Marbury's  
15 statements about Anucha Browne Sanders.  
16       MR. MINTZER: Objection to form.  
17       MR. ADES: You mean did Anucha  
18 tell him that Isiah was involved --  
19       MS. FRANCO: Yeah.  
20       I think that was the nature of  
21 your conversation with Anucha. But you  
22 will tell me if I'm incorrect in that  
23 regard.  
24       MR. ADES: Do you understand what  
25 Lucy is asking?

# Exhibit 13

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANUCHA BROWNE SANDERS,

Plaintiff,

-against- 06 CV 0589 (GEL)

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

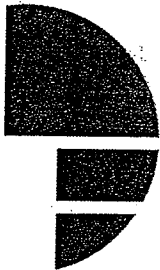
Defendants.  
-----X

VIDEOTAPED DEPOSITION OF ROBERT LEVY, ESQ.

New York, New York

Wednesday, February 28, 2007

REPORTED BY:  
BARBARA R. ZELTMAN  
Job No: 11986



**David Feldman**  
Worldwide

From File to Trial.

805 Third Avenue, 8<sup>th</sup> Floor  
New York, NY 10022  
(800) 642-1099

600 Anton Boulevard, 11<sup>th</sup> Floor  
Costa Mesa, CA 92626  
(866) DFW-1380

18

1 ROBERT LEVY, ESQ.  
 2 A If the right deal's presented,  
 3 I think nobody on the team is untouchable  
 4 in my mind, let's put it that way.  
 5 Q Not even Jamal Crawford?  
 6 A I'm a Jamal Crawford fan, but  
 7 if we could have gotten Ray Allen and we  
 8 needed to sacrifice Jamal Crawford, I  
 9 would have endorsed that move.  
 10 Q How did you learn about this  
 11 lawsuit?  
 12 A I learned about this lawsuit  
 13 walking through Penn Station after  
 14 getting off the train commuting to work,  
 15 and I believe I saw the front -- back  
 16 page of either the Daily News or the  
 17 New York Post.  
 18 Q And you bought the paper?  
 19 A I think I picked it up off the  
 20 garbage, trash. They lie on top in the  
 21 metal -- I didn't go fishing in.  
 22 Q An honored and venerable  
 23 New York tradition.  
 24 A Absolutely.  
 25 Q Did there come a time when you

20

1 ROBERT LEVY, ESQ.  
 2 A I did not.  
 3 Q Did you call the Garden?  
 4 A I did not.  
 5 Q Did you seek to use some other  
 6 means that would result in the Garden  
 7 becoming aware of the relevant  
 8 information that you had?  
 9 A I did not.  
 10 Q When you called the Vladeck  
 11 firm, who did you talk to?  
 12 A I believe I spoke with  
 13 Mr. Mintzer. I believe his name was  
 14 listed in one of the articles in one of  
 15 the papers.  
 16 Q And how long was that  
 17 conversation?  
 18 A Best of my recollection,  
 19 somewhere between 20 and 30 minutes, but  
 20 it may not have been that long, and it  
 21 may have been a few minutes longer. I am  
 22 not quite certain.  
 23 Q What did you tell him?  
 24 A I told him that I had attended  
 25 the Knicks open practice in -- I believe

19

1 ROBERT LEVY, ESQ.  
 2 called the Vladeck firm regarding the  
 3 case?  
 4 A I did.  
 5 Q How long after seeing the  
 6 newspaper article did you call them?  
 7 A To the best of my recollection,  
 8 it would have been within a week to ten  
 9 days. But I am not certain.  
 10 Q Why did you call them?  
 11 A I called them because I thought  
 12 that I had witnessed, for lack of a  
 13 better word, an incident that might be  
 14 relevant to the lawsuit. And as a  
 15 plaintiff's employment lawyer, I am  
 16 frequently calling on people who I think  
 17 have relevant information to my cases and  
 18 asking them to take their time and get  
 19 involved. And I felt like I had made the  
 20 pitch so often to people that the system  
 21 really only works if people are willing  
 22 to come forward and give of their time,  
 23 that I needed to be true to that idea.  
 24 Q Did you call any of the lawyers  
 25 representing the defendants?

21

1 ROBERT LEVY, ESQ.  
 2 it was late October of 2005, and that I  
 3 had witnessed a communication between  
 4 Mr. Thomas and Ms. Browne Sanders. And I  
 5 said something to the effect, "I'm going  
 6 to tell you this story, and you decide if  
 7 it's of interest to you." And I  
 8 proceeded to tell him what I observed.  
 9 Q And what did you tell him?  
 10 A I told him that I was at the  
 11 open practice with my son. I was sitting  
 12 about three or four rows from the front  
 13 row at center court, what I think -- near  
 14 what I think people call Gate 1, right  
 15 where Mr. Thomas was traditionally seen  
 16 perched when he was acting solely as  
 17 general manager as opposed to coach.  
 18 And I saw him have a  
 19 conversation with -- is it Sanders  
 20 Browne --  
 21 Q Browne Sanders.  
 22 A Browne Sanders.  
 23 -- with Ms. Browne Sanders and  
 24 another gentleman, who I came to believe  
 25 was Michael Ray Richardson.

22

1 ROBERT LEVY, ESQ.  
 2 And specifically, I told him  
 3 that I had heard Mr. Thomas say to Michael  
 4 Ray Richardson, assuming it was him, that  
 5 Ms. Browne Sanders was doing a terrific  
 6 job for the organization and words to that  
 7 effect and also say that it was sometimes  
 8 distracting to work with someone so  
 9 attractive, she was very easy on the eyes.  
 10 And at some point made a comment like "but  
 11 I can't get any love from her" or "I can't  
 12 get no love from her." I don't  
 13 specifically remember the words used.  
 14 I also told him that during the  
 15 portion of the conversation that I  
 16 witnessed, Mr. Thomas had his -- I think  
 17 it was his left arm around Ms. Browne  
 18 Sanders' shoulders and that she seemed  
 19 uncomfortable with that.  
 20 And then I told him that I had  
 21 an exchange with my friend, Mr. Schindel,  
 22 who was there with his family, after that.  
 23 And I may have described the subsequent  
 24 conversation I had with Mr. Schindel on  
 25 the day that the story broke in the

24

1 ROBERT LEVY, ESQ.  
 2 the Vladeck firm, and I can't say that we  
 3 were -- I knew of her more than I knew  
 4 her. But we certainly have had  
 5 conversations in law school and probably  
 6 one or two since then, and I have seen  
 7 her at events.  
 8 Other than that, I don't think I  
 9 know anybody in the firm. I think I may  
 10 have spoke with Ms. Vladeck on the phone a  
 11 couple of times.  
 12 Q Have you been on any  
 13 professional committees, Bar Association  
 14 committees, with anybody in the firm or  
 15 any sort of --  
 16 A Yes, I am a member of the  
 17 National Employment Lawyers Association  
 18 of New York.  
 19 Q And that's a plaintiff's  
 20 lawyers organization?  
 21 A Plaintiff's employment lawyers  
 22 organization, that's correct. And I'm  
 23 quite certain that there are members of  
 24 Vladeck who are members of that  
 25 organization.

23

1 ROBERT LEVY, ESQ.  
 2 papers.  
 3 Q And did you have any --  
 4 Well, what did Mr. Mintzer say  
 5 to you?  
 6 A To the best of my recollection,  
 7 he said, "Thank you very much and I may  
 8 be back in touch."  
 9 Q And was he back in touch?  
 10 A At some point, he called me. I  
 11 think the next time I spoke to him he  
 12 called me and told me that he was listing  
 13 me in the Plaintiff's Rule 26 disclosure  
 14 statement. And I said, "Thanks very much  
 15 and so be it."  
 16 Q And how long was that  
 17 conversation?  
 18 A That conversation, to the best  
 19 of my recollection, was a couple of  
 20 minutes.  
 21 Q Did you know anyone in the  
 22 Vladeck firm prior to the time you called  
 23 them?  
 24 A I went to law school with  
 25 \Ann\Anne\* Clark, who I believe is at

25

1 ROBERT LEVY, ESQ.  
 2 Ms. Clark is very prominent in  
 3 that organization, and I believe  
 4 Ms. Vladeck may have presented at one of  
 5 the CLE conferences that I attended  
 6 through NELA in New York, although I am  
 7 not positive about that.  
 8 Q Have you been on any panels  
 9 with anybody at the Vladeck firm?  
 10 A I don't think so.  
 11 Q Following the conversation that  
 12 you had with Mr. Mintzer in which he told  
 13 you that you were being listed on his  
 14 Rule 26(a) disclosure, did you have any  
 15 further conversations with anybody at the  
 16 Vladeck firm?  
 17 A Mr. Mintzer called me -- I am  
 18 going to guess a couple of months  
 19 later -- and told me that my name had  
 20 come up in the case, and he asked me if  
 21 anybody representing the defendants had  
 22 contacted me.  
 23 And I told him that I had not  
 24 heard from any of the lawyers, but that a  
 25 private investigator who identified



50

1 ROBERT LEVY, ESQ.  
 2 Q And do you recall Ms. Browne  
 3 Sanders saying anything?  
 4 A I believe she put out her hand  
 5 to greet Mr. Richardson. I don't recall  
 6 her saying anything. I recall her  
 7 looking uncomfortable.  
 8 Q Was there anyone else standing  
 9 with them?  
 10 A At the point in time that I  
 11 observed the interaction that I've  
 12 described, I don't recall anybody else  
 13 there, no, not participating in the  
 14 conversation anyway. There were  
 15 certainly people in the area.  
 16 Q Do you recall anyone standing  
 17 in the area paying attention to the  
 18 conversation?  
 19 MR. MINTZER: Objection to  
 20 form.  
 21 A I don't.  
 22 Q Had Mr. Thomas been talking  
 23 with anyone else before Mr. Richardson  
 24 walked up, as you recall?  
 25 MR. MINTZER: Objection to

52

1 ROBERT LEVY, ESQ.  
 2 form.  
 3 A By way of introducing her to  
 4 Mr. Richardson, he reached over and put  
 5 his hand on her shoulder, I think that's  
 6 right, yeah.  
 7 Q And did he keep his arm on her  
 8 shoulder after the introduction was done  
 9 or not?  
 10 A For the entirety of the  
 11 conversation that I observed and  
 12 described, he left his hand on her  
 13 shoulder.  
 14 Q And did he thereafter take his  
 15 hand off her shoulder?  
 16 A I think he did because I think  
 17 that after that little conversation was  
 18 over, the participants in the  
 19 conversation moved away from each other.  
 20 Q Did Mr. Richardson then leave  
 21 the Garden?  
 22 MR. MINTZER: Objection to  
 23 form.  
 24 Q Leave the tunnel?  
 25 A I don't recall.

51

1 ROBERT LEVY, ESQ.  
 2 form.  
 3 A The moment before?  
 4 Q Yes, the moment before.  
 5 A I don't recall because I recall  
 6 turning my attention to Mr. Thomas based  
 7 on Mr. Richardson walking over. So I  
 8 wasn't -- prior to him coming over, I  
 9 wasn't observing what was going on in the  
 10 tunnel.  
 11 Q Now, you said that Mr. Thomas  
 12 had his arm on Ms. Browne Sanders'  
 13 shoulder; is that correct?  
 14 A Yeah, it was sort of -- I  
 15 believe he was standing to her right, and  
 16 he had his arm across her back with his  
 17 hand resting on her left shoulder.  
 18 Q Okay.  
 19 And did that occur during the  
 20 course of the introduction?  
 21 A I believe it did.  
 22 Q So by way of introducing  
 23 Mr. Richardson, he put his arm on her  
 24 shoulder; is that correct?  
 25 MR. MINTZER: Objection to

53

1 ROBERT LEVY, ESQ.  
 2 Q You don't recall.  
 3 Did you see him in the area  
 4 after that?  
 5 A I'm fairly certain that  
 6 everybody moved away because I recall  
 7 almost immediately having a conversation  
 8 with Mr. Schindel about what I had just  
 9 witnessed. And I don't think I would  
 10 have spoken to him about that while the  
 11 participants in the interaction were  
 12 three feet away from me.  
 13 Q You have a specific  
 14 recollection of them walking away, or are  
 15 you deducing that from -- from what you  
 16 have -- from your conversation?  
 17 MR. MINTZER: Objection to  
 18 form.  
 19 Q Or are you simply deducing  
 20 that?  
 21 MR. MINTZER: Objection to  
 22 form. Asked and answered.  
 23 You can answer again.  
 24 A It's a good question. I --  
 25 honestly, I have the recollection, but I