

Exhibit 13

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

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ANUCHA BROWNE-SANDERS,
Plaintiff,

- against -

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

-----x

December 11, 2006
10:00 a.m.

VIDEOTAPE DEPOSITION of JAMES
DOLAN, 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.

18

1 **DOLAN**

2 **Q.** Was Mr. Pollichino promoted to

3 the position of CFO after you were

4 chairman of the Garden?

5 **A.** I believe he was.

6 **Q.** And do you know what position he

7 had been before that?

8 **A.** I believe he was comptroller and

9 had a senior vice president's title I

10 believe.

11 **Q.** Did you have a role in his

12 promotion from senior vice president,

13 comptroller to CFO?

14 **A.** I believe I did.

15 **Q.** And what role did you have?

16 **A.** I'm sure I approved his -- his

17 moving up to that position.

18 **Q.** Who, if you know, recommended

19 his promotion?

20 **A.** Well, I don't believe that his

21 promotion came through as a recommendation

22 as more -- it was much more of a

23 restructuring of the company, and it was

24 decided -- I decided that he could handle

25 the new position that was involved in the

19

1 **DOLAN**

2 restructuring.

3 **Q.** And can you describe what the

4 restructuring was?

5 **A.** Yes. We essentially took the

6 areas of operation of Madison Square

7 Garden that were directly related to

8 revenue generation and had them form their

9 own operational units with their own

10 separate profit and loss reports,

11 responsibilities. They in turn

12 would -- we then took the rest of the

13 operations facilities, accounting, et

14 cetera, and called them support areas.

15 They were nonprofit, nonrevenue related

16 areas, accounted for each of them

17 separately, had each operation -- each P

18 and L operating unit contract with -- with

19 the different staff support functions and

20 created income statements that reflected

21 what we believe were the true nature in

22 terms of the profitability of each one of

23 those operations.

24 **Q.** When did this restructuring

25 occur?

20

1 **DOLAN**

2 **A.** I am not exact -- around 2001.

3 **Q.** Did you have any interviews with

4 Isiah Thomas before he joined the Knicks?

5 **A.** I did.

6 MR. GREEN: Objection to form.

7 THE WITNESS: Excuse me.

8 **Q.** How many did you have?

9 MR. GREEN: You can answer.

10 THE WITNESS: I can answer?

11 MR. GREEN: You can answer,

12 yes.

13 **A.** At least one.

14 **Q.** Did you interview him alone or

15 with someone else present?

16 **A.** Both.

17 **Q.** Okay. What -- you interviewed

18 with him once alone and once with somebody

19 else present or --

20 **A.** No. The same --

21 **Q.** Same --

22 **A.** The same time period.

23 **Q.** And who is the other person or

24 who were the other people who interviewed

25 him?

21

1 **DOLAN**

2 **A.** Steve Mills.

3 **Q.** Do you recall what you said and

4 what Mr. Thomas said and what Mr. Mills

5 said generally?

6 **A.** Generally.

7 **Q.** Why don't you tell us what they

8 said and what you said.

9 MR. GREEN: Objection to form.

10 You may answer.

11 **A.** We discussed the -- how Mr.

12 Thomas viewed the team, how he -- he would

13 work inside of our operation, spent

14 significant amount of time discussing how

15 the operation worked, talked about the

16 values of the company, discussed his

17 personal situation in terms of -- of his

18 moving.

19 **Q.** Were there any discussions about

20 the staff at The Garden or what his role

21 would be with respect to the staff?

22 **A.** I believe that we discussed what

23 his duties and responsibilities would be.

24 **Q.** And what were his duties and

25 responsibilities as stated during the

6 (Pages 18 to 21)

22

1 **DOLAN**

2 interview?

3 A. Okay. I cannot give you

4 specifically off -- off of the position

5 description, but the -- within the general

6 context, they were the -- the operation of

7 the basketball team including the hiring,

8 firing of all of its personnel. When I

9 say the operation of the basketball team,

10 I specifically mean the team itself. I do

11 not mean the marketing. I do not mean the

12 -- The Garden on a game day, et cetera,

13 but more the coaches, the assistant

14 coaches, the -- the support personnel

15 around that, the players, the relationship

16 with the league.

17 Q. Anything else you recall?

18 A. No, that is about it.

19 Q. You said that you talked about

20 the values of the company. What did you

21 discuss concerning the values of the

22 company?

23 A. Well, we talked about our

24 relationship, how that would work and how

25 his relationship would work with Steve.

23

1 **DOLAN**

2 Q. What was said about your

3 relationship with Mr. Thomas?

4 A. That we would be honest with

5 each other.

6 Q. Have you been?

7 MR. GREEN: Objection to form.

8 You may answer.

9 A. I believe so.

10 Q. And what did you discuss about

11 his relationship with Mr. Mills?

12 A. Roughly the same thing, that we

13 were all -- we all remained honest with

14 each other, and we wouldn't have any

15 communication problems. I am sure we

16 discussed the press market and how tough

17 that would be, and that falls into

18 the -- roughly the same category.

19 Q. Did you tell Mr. Thomas how his

20 performance would be judged?

21 A. I am sure I discussed it with

22 him.

23 Q. And what -- how --

24 A. What I was looking for.

25 Q. What were you looking for?

24

1 **DOLAN**

2 A. Progress.

3 Q. Define progress in this context.

4 A. Well --

5 MR. GREEN: I object to that

6 question, but you may answer as best you

7 can.

8 A. I have been asked that question

9 now for quite a while. So -- and I think,

10 you know, progress is a fairly

11 self-evident term. The -- although some

12 people like to suggest that

13 it's -- progress is evidenced in the -- in

14 the wins and losses of the team and how

15 those are counted, in my opinion

16 progress is measured by a judgment

17 subjective as it might be about the

18 improvement of the team and the operation,

19 improvement in their performance on the

20 court, but also improvement in how the

21 operation works from scouting

22 through -- through the movement of the

23 team to the -- to the training center,

24 to -- with the trainers, the physician

25 staff, all of the things that are

25

1 **DOLAN**

2 necessary for the -- for the maintenance

3 of the team.

4 Q. Have you formed an opinion as to

5 Mr. Thomas' performance?

6 MR. GREEN: Objection to form.

7 You may answer.

8 A. I have. I believe he is doing

9 quite a good job.

10 Q. Have you had conversations with

11 Mr. Mills concerning whether or not Mr.

12 Mills thinks he is doing a good job?

13 A. Mr. Mills and I confer regularly

14 about the operation, which includes how

15 well Mr. Thomas is doing in his job.

16 Q. And has Mr. Mills expressed to

17 you an opinion of how Mr. Thomas is doing

18 in his job?

19 MR. GREEN: Objection to form.

20 You may answer.

21 A. We have not had a specific

22 conversation regarding Isaiah in some time

23 although I believe that Mr. Mills feels

24 that Mr. Thomas is doing a good job.

25 Q. Did he say why?

42

1 **DOLAN**

2 to vendors that --

3 MS. VLADECK: Strike that.

4 Q. What are the roles with respect

5 to vendors and relationships of vendors to

6 employees at The Garden?

7 MR. GREEN: Objection to form.

8 You may answer if you understand the

9 question.

10 A. I do understand the question. I

11 can't quote directly from the -- the

12 employee manual on this, but my -- my

13 understanding of it is that, and you would

14 expect this -- in any corporate

15 environment, that any relation of that

16 kind would be disclosed prior to the

17 awarding of a contract.

18 Q. Are there any approvals

19 necessary other than just disclosure

20 of -- prior to awarding a contract?

21 A. I think you would need to get

22 approval.

23 Q. And do you know whether there is

24 a written approval for Dale Thomas being a

25 vendor at The Garden?

43

1 **DOLAN**

2 A. I have no idea if there is a

3 written approval, but I did approve it.

4 Q. And was that also before Mr.

5 Thomas came to The Garden or was it at

6 some later point?

7 A. I think it was at some later

8 point.

9 Q. Are there any other vendors that

10 have relationships with employees at The

11 Garden that you know of?

12 MR. GREEN: Objection to form.

13 You may answer if you know.

14 A. Not that I know of.

15 Q. And is there anything in writing

16 with respect to approval of Dale Thomas as

17 a vendor?

18 MR. GREEN: Objection. Asked

19 and answered.

20 A. I wouldn't know.

21 Q. Who would?

22 A. I would think that either Mr.

23 Mills or Mr. McCormack would know,

24 possibly Mr. Hassett.

25 Q. What is Mr. Hassett's role with

44

1 **DOLAN**

2 respect to vendors?

3 A. Mr. Hassett runs the facilities

4 division of -- of Madison Square Garden.

5 Underneath that there is many

6 responsibilities that -- going all the way

7 from securities to ushers, but it also

8 includes the food service division, which

9 is the -- the operating of the

10 restaurants, the vending areas, the people

11 who go down into the crowd and actually

12 vend food goods to the -- and the

13 operation of the kitchen, et cetera, all

14 are -- report to a gentleman who then

15 reports to Tim.

16 Q. And who is that gentleman?

17 A. I believe that is Chuck

18 Trachley.

19 Q. Now, are there areas at The

20 Garden that you have more of a day-to-day

21 or regular involvement with than others?

22 A. I think there are.

23 Q. And what are those areas?

24 MR. GREEN: Objection to form.

25 You may answer.

45

1 **DOLAN**

2 A. I wouldn't know that I would

3 call them day to day, but I -- on a

4 regular basis there is barely anything I

5 do day to day. The -- but on a regular

6 basis I review how The Garden is doing in

7 its press relations. Of course I observe

8 the performance of the teams. Most of

9 though my involvement centers around a

10 weekly meeting versus a day-to-day

11 operation.

12 Q. And with whom do you have weekly

13 meetings, if anyone?

14 A. I have two regularly scheduled

15 weekly meetings.

16 Q. Who are attendees?

17 A. One is called the office of the

18 chairman meeting, which is Mr. Ratner, Mr.

19 Mills, Mr. Thomas, Mr. Sather, Mr.

20 Pollichino, and myself.

21 Q. Who is Mr. Sather?

22 A. Mr. Sather is the president and

23 general manager of the New York Rangers.

24 Q. And what is the other weekly

25 meeting you have?

12 (Pages 42 to 45)

46

1 **DOLAN**

2 **A. The other weekly meeting is a**

3 **staff meeting for my direct reports. It**

4 **involves the eight members that you have**

5 **listed earlier. Sometimes their**

6 **assistants, depending on whether there is**

7 **a topic that we need to get to in depth.**

8 **Q. How much time do you normally**

9 **spend in the New York office and how much**

10 **time do you normally spend in Long Island?**

11 **A. It varies. Anywhere from a day**

12 **to two days in the New York office to as**

13 **much as a whole week, the entire week.**

14 **There has been weeks when I have only gone**

15 **and used the New York office. There has**

16 **been weeks when I have only used the**

17 **Bethpage office.**

18 **Q. So it depends upon the**

19 **circumstances or what is going on?**

20 **A. It does.**

21 **Q. Now, during the office of the**

22 **chair meetings, was there a discussion of**

23 **Anucha Browne-Sanders?**

24 **A. Yes, I believe there was.**

25 **Q. When was the first such**

47

1 **DOLAN**

2 **discussion that you recall?**

3 **MR. GREEN: Let me just**

4 **admonish the witness to the extent that**

5 **this would reveal conversations at which**

6 **counsel was present or held at the**

7 **direction of counsel he may not answer;**

8 **otherwise, he may and should answer fully.**

9 **THE WITNESS: Thank you.**

10 **Q. Got that?**

11 **THE WITNESS: I was hoping you**

12 **were going to admonish me about**

13 **remembering things, but --**

14 **(Laughter.)**

15 **A. I'm a little concerned of how**

16 **you want me to answer the question.**

17 **I -- you know, I will not be able to give**

18 **you specific dates of specific**

19 **conversations. I can give you relative**

20 **time frames.**

21 **Q. Okay. Why don't we start with**

22 **that.**

23 **A. I believe that -- this is in**

24 **specifically -- specifically to the office**

25 **the chairman meetings. One conversation**

48

1 **DOLAN**

2 **that I specifically remember was when Mr.**

3 **Mills reported to us that Ms. -- Ms.**

4 **Browne was leaving the company.**

5 **Q. What did he say and what did**

6 **anyone else there say?**

7 **A. Mr. Mills reported that he had**

8 **had a meeting with -- with Ms. Browne and**

9 **that Ms. Browne had informed him that she**

10 **did not wish to continue on in her**

11 **position, and I believe that Mr. Ratner**

12 **was -- I don't know if I could use the**

13 **right word. I don't know if I could say**

14 **he was pleased, but Mr. Ratner thought**

15 **that that was a good development for the**

16 **company.**

17 **Q. Anybody else say anything else?**

18 **A. Mr. Mills reported that he was**

19 **going to work on an arrangement where Ms.**

20 **Browne could -- could leave the company.**

21 **The -- on some sort of graduated basis,**

22 **continue to perform her duties, look for**

23 **another position. I believe Ms. -- that**

24 **Steve reported that Ms. Browne asked**

25 **her -- asked him to help in locating**

49

1 **DOLAN**

2 **another position not in the company.**

3 **Q. In this conversation, did Mr.**

4 **Mills report that Ms. Browne-Sanders was**

5 **concerned about her safety?**

6 **A. I don't recall that.**

7 **Q. Was there any discussion at this**

8 **meeting about The Garden providing**

9 **security for Ms. Browne-Sanders?**

10 **A. I don't recall that either.**

11 **Q. Did Mr. Mills say why**

12 **Ms. Browne-Sanders said she was leaving**

13 **the company?**

14 **MR. GREEN: Objection to form,**

15 **but you may answer.**

16 **A. My recollection of it is -- is**

17 **that it was due to Ms. Sanders not feeling**

18 **that she could do the job. Why that was I**

19 **could -- you know, I would only speculate.**

20 **She had had a very difficult time in the**

21 **position, so I don't think that that made**

22 **it a big surprise to us.**

23 **Q. What do you mean by she had a**

24 **very difficult time in the position?**

25 **A. Well, starting from July of that**

50

1 **DOLAN**

2 year when the company decided to

3 recalendarize the budget process for the

4 sports teams, Ms. Sanders had what I would

5 characterize as great difficulty with that

6 entire process, and I believe the process

7 revealed significant weaknesses in her

8 skill levels that were necessary in order

9 for her to do the job.

10 Q. Now, understanding that you

11 can't give an exact date, can you give the

12 time frame when Mr. Mills reported to you

13 and others at a meeting that

14 Ms. Browne-Sanders was leaving the

15 company?

16 A. It was towards the end of the

17 year, November, December.

18 Q. Now, prior to July had you heard

19 anything positive or negative about

20 Ms. Browne-Sanders' performance from

21 anybody?

22 MR. GREEN: Objection to form.

23 You may answer.

24 A. I don't recall one way or

25 another other than that she was promoted.

51

1 **DOLAN**

2 Q. And do you recall when she was

3 promoted?

4 A. I am not sure.

5 Q. Did you have to approve that

6 promotion?

7 A. No, I don't believe I did.

8 Q. Do you know who promoted her?

9 A. Steve Mills.

10 Q. Had Mr. Mills at any point

11 talked to you about either his wanting to

12 or having promoted Ms. Browne-Sanders?

13 A. I am sure he informed me of it,

14 yes.

15 Q. And did he tell you that he

16 thought she had been doing a good job?

17 A. I think he did.

18 Q. Did anyone else at any time

19 prior to your learning that

20 Ms. Browne-Sanders was leaving tell you

21 that they believed Ms. Browne-Sanders had

22 done a good job?

23 A. Not in the position that she was

24 in prior to her leaving.

25 Q. At -- at any time has anyone

52

1 **DOLAN**

2 else said that Ms. Browne-Sanders was

3 doing a good job?

4 MR. GREEN: Objection to form.

5 In connection with any prior position --

6 MS. VLADECK: Other than Mr.

7 Mills.

8 MR. GREEN: Did the question

9 include any prior position?

10 MS. VLADECK: Correct.

11 A. No, I don't -- I don't recall

12 anyone speaking to me about it. It would

13 only come from Mr. Mills.

14 Q. Now, is it your testimony that

15 Ms. Browne-Sanders' job changed in July of

16 '05?

17 A. No, it changed prior to that.

18 Q. And when did it change?

19 A. When she took on the full

20 responsibilities of marketing the Knicks.

21 Q. When was that?

22 A. I'm going to be a little fuzzy

23 on that one. It might be -- but we had

24 had personnel changes the -- in -- in the

25 operation, and she was given additional

53

1 **DOLAN**

2 responsibilities for the Knicks.

3 Q. Do you recall approximately when

4 that was?

5 A. Obviously prior to July. I

6 think significantly prior, meaning

7 somewhere longer than six months prior.

8 Q. So would it have been in 2004?

9 A. It could have been, but it could

10 have been earlier. It could have been

11 early 2005.

12 Q. Now, prior to the November,

13 December time frame when you say that Mr.

14 Mills told you and others that

15 Ms. Browne-Sanders was leaving The Garden,

16 had you heard anyone be critical of

17 Ms. Browne-Sanders?

18 MR. GREEN: Objection to form.

19 You may answer it.

20 A. Yes.

21 Q. Who did you hear who had a

22 criticism of Ms. Browne-Sanders?

23 A. Well, I had criticism of

24 Ms. Browne-Sanders, and Mr. Ratner had

25 criticism of Ms. Browne-Sanders.

66

1 **DOLAN**

2 **wanted to give Ms. Sanders an opportunity**

3 **to be successful on the job. He did**

4 **agree -- I don't recall that I had to**

5 **argue with him about it. He did agree**

6 **that he would go and work with our staff**

7 **in putting together a training plan that**

8 **would be designed to fill the gaps**

9 **in -- in Ms. Saunders' skill set that she**

10 **needed in order to do the job.**

11 **Q. And can you describe what those**

12 **gaps were?**

13 **A. Essentially what I said before.**

14 **The -- budgeting, the -- the broader**

15 **managerial level of marketing particularly**

16 **having to do with branding. The --**

17 **Q. And --**

18 **A. I believe there was some**

19 **discussion at least of -- of general**

20 **personnel management kind of skills, but I**

21 **don't know that that -- in my mind at**

22 **least, that wasn't the primary reason for**

23 **sending her for training.**

24 **Q. And who --**

25 **MS. VLADECK: Just one more.**

67

1 **DOLAN**

2 **Q. You said that you asked Mr.**

3 **Mills to work with somebody. Who did you**

4 **ask him to work with?**

5 **A. With Mr. Olsen.**

6 **THE VIDEOGRAPHER: We are now**

7 **going off the record at approximately**

8 **11:24 a.m. End of tape one.**

9 **MS. VLADECK: Why don't we take**

10 **ten minutes.**

11 **(Recess taken.)**

12 **THE VIDEOGRAPHER: We are now**

13 **going on the record at 11:40 a.m.**

14 **Q. Just to go back for a moment to**

15 **the meeting at which Mr. Mills told you**

16 **and others that Ms. Browne-Sanders was**

17 **leaving The Garden, who else was at that**

18 **meeting?**

19 **A. I remember Mr. Ratner was at the**

20 **meeting. I don't remember who else. I**

21 **would only be conjecturing to say. It was**

22 **a board -- it was a chairman's meeting, so**

23 **the only normal people that would have**

24 **been there would have been the ones I gave**

25 **you before who attend the meeting, but**

68

1 **DOLAN**

2 **that -- there -- the -- there are many**

3 **times when -- when both Mr. Thomas and Mr.**

4 **Sather are not there because they are**

5 **attending to the duties of the team.**

6 **So --**

7 **Q. Do you have any recollection of**

8 **Mr. Thomas being there?**

9 **A. I don't actually.**

10 **Q. And what, if anything, did you**

11 **say?**

12 **A. Well, I do remember agreeing**

13 **that the -- the -- that we could**

14 **accomodate Ms. Sanders in her request to**

15 **stay on the -- while she worked for**

16 **another position.**

17 **Q. Was there any discussion of**

18 **providing her with severance?**

19 **A. I don't -- I don't recall.**

20 **Q. Is severance normally provided**

21 **to individuals who quit from The Garden?**

22 **MR. GREEN: Objection to form.**

23 **You may answer.**

24 **THE WITNESS: Does that mean I**

25 **can answer or not?**

69

1 **DOLAN**

2 **MR. GREEN: You can answer.**

3 **You can answer it, yes.**

4 **A. Okay. Not normally that -- that**

5 **isn't, you know, something that you would**

6 **expect that the -- I mean it depends upon**

7 **the situation. In this situation, I don't**

8 **think it would be normal to provide**

9 **severance because what we were doing is**

10 **saying that you could stay on while you**

11 **found another position. If someone moves**

12 **from The Garden to another company, you**

13 **wouldn't -- you know, I don't think there**

14 **has ever been a case or at least none that**

15 **I am aware of where we would provide**

16 **severance to someone who is moving to**

17 **another company. Now -- and the -- so I**

18 **mean the plan was that they were going to**

19 **find another -- she was going to find**

20 **another job at another company, and that**

21 **she had asked Steve to help her find**

22 **another position some place else, and I**

23 **think Steve had agreed that he would.**

24 **Q. Just so it is clear then, as you**

25 **recall sitting here today, there was no**

70

1 **DOLAN**

2 discussion of providing her with a

3 separation package?

4 A. Not that I recall.

5 Q. Or severance?

6 A. Right. I could have just said

7 that to you, huh?

8 Q. And are notes or minutes

9 normally taken at these chair meetings?

10 A. No.

11 Q. Approximately how long was there

12 a discussion at that meeting of

13 Ms. Browne-Sanders?

14 A. I -- I couldn't say. I

15 wouldn't, you know -- I didn't time it

16 or --

17 Q. And do you recall approximately

18 how many times Mr. Ratner suggested to you

19 that Ms. Browne-Sanders should be fired?

20 A. I think --

21 MR. GREEN: Objection. Asked

22 and answered. You may answer it again.

23 A. I can't give you a specific. I

24 know he was of that -- of that opinion and

25 I believe strongly of that opinion from

71

1 **DOLAN**

2 the July period on.

3 Q. Did Mr. Ratner tell you that he

4 didn't personally like Ms. Browne-Sanders

5 or her style?

6 MR. GREEN: Objection to form.

7 You may answer it.

8 A. I don't recall that he

9 specifically said he didn't like her.

10 Q. Did he ever describe her to you

11 as arrogant?

12 THE WITNESS: Counsel --

13 MR. GREEN: You may answer the

14 question fully except to the extent that

15 those conversations might have been held

16 in the presence of counsel; otherwise, you

17 may answer the question.

18 A. Okay. I'm -- I don't

19 think -- it is not my job to help you

20 here. The --

21 (Laughter.)

22 A. But in the interest of -- the

23 interest of getting through this

24 the -- Mr. Ratner I believe did not think

25 that Ms. Sanders had a strong and cordial

72

1 **DOLAN**

2 management style. I believe he expressed

3 to me, and I can't tell you specifically

4 when he expressed it to me, but I know

5 that I was aware that he did not like her

6 management style.

7 Q. Is being tough as a manager a

8 strength or a weakness at The Garden?

9 MR. GREEN: Objection to form.

10 You may answer, if you can.

11 A. I think it completely depends on

12 the situation.

13 Q. Did you find Ms. Browne-Sanders

14 to be arrogant?

15 A. No, I found her to be aggressive

16 but not arrogant.

17 Q. And is being aggressive a

18 positive or negative trait at The Garden?

19 MR. GREEN: Objection to form,

20 but you may answer.

21 A. I think it is a positive trait.

22 Q. What other positive traits did

23 you believe that Ms. Browne-Sanders had?

24 A. I was not her direct boss, so,

25 you know, my opinions of her were formed

73

1 **DOLAN**

2 from the -- the budget meeting, and really

3 my opinion of her changed pretty

4 dramatically from when you talk about pre

5 that July period to post that July period.

6 Q. Other than Mr. Mills and Mr.

7 Ratner, did you get input from anyone else

8 on their view of Ms. Browne-Sanders?

9 MR. GREEN: Objection to form.

10 You may answer.

11 A. In what period?

12 Q. Any period.

13 A. Can you ask the question again?

14 MS. VLADECK: Can you read it

15 back.

16 (Record read.)

17 A. I am sure Mr. McCormack gave me

18 his view.

19 Q. What was Mr. McCormack's view?

20 A. Well, Mr. McCormack,

21 the -- would have given me his view. I

22 believe he did give me his view right at

23 the time that Ms. Sanders was let go.

24 Q. And what did he say to you and

25 what did you say to him?

74

1 **DOLAN**

2 **A. Mr. McCormack said that**

3 **Ms. Sanders had willfully violated the**

4 **company's policies and had undermined his**

5 **investigation of the charges of sexual**

6 **harassment that he had -- was charged with**

7 **investigating.**

8 **Q. What did he say she had done**

9 **which was a willful violation of the**

10 **company policies?**

11 **A. That she had attempted to**

12 **influence her direct reports using her**

13 **authority.**

14 **Q. Anything else?**

15 **A. I believe he told me that**

16 **he -- that she took one of her direct**

17 **reports here.**

18 **Q. What did he say about that?**

19 **A. Well, that clearly was against**

20 **company policy.**

21 **Q. What company policy is it**

22 **against?**

23 **A. When you are -- put in a**

24 **complaint regarding sexual harassment or**

25 **actually a complaint, any complaint that**

75

1 **DOLAN**

2 **needs to be investigated at the company,**

3 **we have a human resources and employee**

4 **relations department that are charged**

5 **with -- with -- with doing that, and that**

6 **the -- as you would expect when someone**

7 **makes a complaint there is always**

8 **obviously two sides to it, and what the**

9 **company deems necessary is to have**

10 **the -- its HR, ER person the group**

11 **investigate that from basically a third**

12 **party's point of view. It requires both**

13 **parties to the -- to not discuss the**

14 **matter any further, not engage**

15 **in -- obviously in any further discussions**

16 **between themselves regarding the matter**

17 **and allow the HR department to conduct an**

18 **investigation and come to a conclusion.**

19 **Q. Is it your belief that the HR**

20 **department came to a conclusion?**

21 **MR. GREEN: Objection to form.**

22 **You may answer.**

23 **A. No, I don't believe that**

24 **they -- that they had at that point.**

25 **Q. No. Do you believe they have at**

76

1 **DOLAN**

2 **any point?**

3 **MR. GREEN: Same objection as**

4 **to form. You may answer if you know, Mr.**

5 **Dolan.**

6 **A. Yes, I have come -- that the HR**

7 **department believes that they came to a**

8 **conclusion regarding the complaint that**

9 **was made.**

10 **Q. Did the HR department ever make**

11 **a recommendation based on the conclusion**

12 **that it came to?**

13 **MR. GREEN: You mean to Mr.**

14 **Dolan himself?**

15 **MS. VLADECK: To anyone.**

16 **MR. GREEN: Objection to form.**

17 **If you know, Mr. Dolan, you may answer.**

18 **A. Not that I am aware of.**

19 **Q. Now, going back to the**

20 **conversation that you had with Mr.**

21 **McCormack, you stated that he told you**

22 **that Ms. Browne-Sanders attempted to**

23 **influence her direct reports using her**

24 **authority?**

25 **A. Yes.**

77

1 **DOLAN**

2 **Q. What did Mr. McCormack say to**

3 **you about that?**

4 **A. That Ms. Sanders had brought in**

5 **her direct reports, that she attempted to**

6 **infuse a memory into them of -- of the**

7 **particular times that the complaint was**

8 **registered about essentially attempting to**

9 **coerce her -- her direct reports into**

10 **corroborating her complaint.**

11 **Q. Did he identify any of these**

12 **direct reports that she attempted to**

13 **coerce?**

14 **A. I don't specifically remember.**

15 **Q. Now, you said that he said to**

16 **you that she brought in her direct**

17 **reports. Was it your understanding that**

18 **during the time of the investigation that**

19 **Ms. Browne-Sanders was at work?**

20 **A. Yes.**

21 **MR. GREEN: Objection to form.**

22 **Which investigation are you referring to?**

23 **MS. VLADECK: The one that he**

24 **is referring to that Mr. McCormack said**

25 **that she was attempting to coerce people.**

20 (Pages 74 to 77)

78

1 DOLAN
 2 MR. GREEN: I am not sure he
 3 identified which --
 4 THE WITNESS: No. No. I am
 5 sorry. That is right. You're correct.
 6 A. I think if you are asking me did
 7 she do this during his investigation,
 8 the -- -- my understanding of it was that
 9 she did this prior to filing the -- filing
 10 a complaint.
 11 Q. With all due respect, Mr. Dolan,
 12 you said that she willfully violated
 13 company policies and undermined his
 14 investigation of her charges.
 15 A. That's right.
 16 Q. Is that correct or incorrect?
 17 A. Yes, by bringing in people who
 18 were -- that the -- by attempting to
 19 influence the -- the process.
 20 Q. And is it your understanding
 21 that Ms. Browne-Sanders was present at
 22 work during the time that her charges were
 23 being investigated?
 24 MR. GREEN: Objection to form.
 25 A. I don't recall.

79

1 DOLAN
 2 Q. Now, you said earlier that it
 3 was clearly against company policy what
 4 she did. I ask you again what company
 5 policy are you referring to?
 6 MR. GREEN: Objection to form.
 7 It has been asked and answered. If the
 8 witness wants to add --
 9 MS. VLADECK: It has been asked.
 10 I disagree that it has been answered.
 11 A. I don't think it takes a
 12 whole -- a great deal of, you know -- you
 13 know, I mean you need to refer to a book
 14 about it, that the -- if you have a
 15 complaint about how you've been treated at
 16 the company, the -- you bring the
 17 complaint forward to the company. The --
 18 you don't proceed -- the -- to take the
 19 people that you think are going to
 20 corroborate or could corroborate your
 21 complaint and then attempt to influence
 22 them using your position of authority with
 23 them.
 24 Q. And it is your understanding
 25 that to the extent one of

80

1 DOLAN
 2 Ms. Browne-Sanders' direct reports went
 3 with her to a lawyer that that direct
 4 report went for Ms. Browne-Sanders as
 5 opposed to herself?
 6 A. Excuse me. I don't understand.
 7 MS. VLADECK: Could you read it
 8 back.
 9 (Record read.)
 10 A. You are asking about what was
 11 the other employee's motivation, and that
 12 is exactly what the point was. Is that
 13 what was the employee's motivation? Was
 14 the employee going for themselves? Was
 15 the employee going to support Anucha
 16 Browne-Sanders? Was the employee going
 17 because they were -- they -- that was
 18 their boss and their boss -- they needed
 19 to please their boss. The -- in order to
 20 stay in good standing. You probably need
 21 to answer that more than I do.
 22 Q. What company policy is violated
 23 by an individual going to a lawyer with
 24 respect to complaints about sexual
 25 harassment?

81

1 DOLAN
 2 MR. GREEN: Objection.
 3 Misstates prior testimony. Asked and
 4 answered.
 5 A. That is exactly correct. That
 6 is a misstatement. You asked me about
 7 bringing her direct report to a lawyer.
 8 Q. Why don't we go back to the
 9 conversation you had with McCormack and
 10 why don't you tell me exactly what Mr.
 11 McCormack said with respect to
 12 Ms. Browne-Sanders taking one of her
 13 direct reports with her to a lawyer.
 14 MR. GREEN: Objection to form.
 15 Asked and answered. You may answer it,
 16 Mr. Dolan.
 17 A. Just what I just said before
 18 that he told me that the -- that
 19 Ms. Browne-Sanders had taken one of the
 20 employees to a lawyer to discuss
 21 the -- her charges of being harassed.
 22 Q. And did he further say or did
 23 you infer from that that it was clearly
 24 against company policy?
 25 MR. GREEN: Objection to form.

82

1 DOLAN
 2 Two different questions.
 3 **A. Well, I said before, right, that**
 4 **you can't -- the -- you know, once**
 5 **you've -- you've informed the company**
 6 **about a complaint but even before that, I**
 7 **mean you can't -- when you have a**
 8 **complaint, you need to bring it -- you**
 9 **know, you need to complain to the people**
 10 **who are in charge. The -- you can't go**
 11 **about the engineering that the -- an**
 12 **investigation of a complaint -- of a**
 13 **complaint. The -- using your authority**
 14 **and -- you know, as the person -- as the**
 15 **people who are going to be, you know,**
 16 **testifying about it using your authority**
 17 **to influence them, the --**
 18 **Q. Are you aware that**
 19 **Ms. Browne-Sanders had complained to Mr.**
 20 **Mills about sexual harassment against her?**
 21 MR. GREEN: Objection --
 22 objection to form. Misstates the record.
 23 The witness may answer, if he knows.
 24 MS. VLADECK: No speaking
 25 objection. There is no record to mistake.

83

1 DOLAN
 2 MR. GREEN: I think your
 3 question is improperly formed.
 4 MS. VLADECK: I think you can
 5 say objection to form.
 6 MR. GREEN: Misleading.
 7 MS. VLADECK: Fine.
 8 MR. GREEN: If you know the
 9 answer, you may answer, Mr. Dolan. My
 10 objection to the question is that it is
 11 misleading.
 12 **A. Are you asking me if I am aware**
 13 **now or was I aware at some particular**
 14 **time?**
 15 **Q. Have you ever been aware as to**
 16 **whether or not Ms. Browne-Sanders went to**
 17 **Mr. Mills and complained about sexual**
 18 **harassment?**
 19 MR. GREEN: To the extent that
 20 the witness may be privy to information he
 21 obtained from discussions with counsel, he
 22 may not answer this question. If he has
 23 any independent information other than
 24 that gained from conversations with
 25 counsel, he may answer.

84

1 DOLAN
 2 **A. With that in mind, I think the**
 3 **answer is no.**
 4 **Q. Were you aware that**
 5 **Ms. Browne-Sanders had complained to Pete**
 6 **Olsen concerning sexual harassment before**
 7 **she went to a lawyer?**
 8 MR. GREEN: Same objection.
 9 **A. No.**
 10 **Q. Did you believe that**
 11 **Ms. Browne-Sanders going to a lawyer was a**
 12 **violation of any company policy?**
 13 **A. No.**
 14 **Q. Do you believe that two**
 15 **employees together going to a lawyer is a**
 16 **violation of company policy?**
 17 MR. GREEN: Objection. Asked
 18 and answered. The witness may answer if
 19 he understands the question.
 20 **A. I think it depends on the**
 21 **situation.**
 22 **Q. In what circumstances would it**
 23 **not be a violation of policy?**
 24 MR. GREEN: Objection. The
 25 witness has answered that question now

85

1 DOLAN
 2 several times. I object to the form of
 3 the question. If he wants to amend a
 4 prior answer, he may. I am instructing
 5 him not to say what he said twice before.
 6 MS. VLADECK: It is a different
 7 question. Maybe if you hear it read back.
 8 **A. I think it -- I think I can**
 9 **answer the question. I think it**
 10 **is -- the -- when the employees are going**
 11 **on their own behalf, I think that is fine.**
 12 **Q. When did Mr. McCormack tell you**
 13 **that Ms. Browne-Sanders had willfully**
 14 **violated company policies and undermined**
 15 **his investigation of her charges?**
 16 **A. I don't have the specific date.**
 17 **It was on a helicopter ride between our**
 18 **corporate offices in Bethpage and West**
 19 **30th Street here.**
 20 **Q. Can you time it as to proximity**
 21 **to when she was actually fired?**
 22 **A. Same day I think. Within 24**
 23 **hours.**
 24 **Q. Prior to that helicopter ride,**
 25 **have you had any other conversations with**

86

1 **DOLAN**

2 **Mr. McCormack concerning**

3 **Ms. Browne-Sanders?**

4 MR. GREEN: Objection to form.

5 At any time ever?

6 MS. VLADECK: Yes.

7 **A. I don't recall.**

8 **Q. Prior to that helicopter ride,**

9 **had you had conversations with Mr.**

10 **McCormack or anyone else with respect to**

11 **the investigation into her charges?**

12 MR. GREEN: To the extent that

13 that would require you to reveal

14 conversations you had in the presence of

15 counsel, Mr. Dolan, or at the direction of

16 counsel, you may not answer this question.

17 MS. VLADECK: This is a yes or

18 no. Can I have the question read back,

19 please.

20 (Record read.)

21 MR. GREEN: Because the

22 question contains the substance and

23 subject of the meeting, I instruct the

24 witness not to answer to the extent it

25 would be a meeting at which counsel was

87

1 **DOLAN**

2 present or held at counsel's direction.

3 So you may not answer this question if you

4 had any such meeting or discussion at

5 the -- in the presence of counsel or at

6 the direction of counsel.

7 **A. Okay. I got the direction. I**

8 **think that -- that the answer -- I know**

9 **that the answer is that the only**

10 **communication I had with Mr. McCormack**

11 **prior to this in regards to this -- this**

12 **matter would be to verify that he was in**

13 **fact investigating the matter.**

14 **Q. Who made the decision to have**

15 **Ms. Browne-Sanders' employment be**

16 **terminated by The Garden?**

17 **A. I did.**

18 **Q. Did you make it on your own or**

19 **was it with others, consultation or**

20 **something else?**

21 **A. Well, all decisions at The**

22 **Garden I make on my own.**

23 **Q. And what were the reasons or**

24 **what was the reason you fired**

25 **Ms. Browne-Sanders?**

88

1 **DOLAN**

2 **A. Because Ms. -- we could not keep**

3 **going with her in the position that she**

4 **was in in The Garden. Remember, that what**

5 **we had agreed to was -- is that**

6 **Ms. Browne-Sanders was going to continue**

7 **on with her duties and responsibilities**

8 **while she looked for another position.**

9 **The -- that is what she had asked us to**

10 **do. The -- and we had agreed.**

11 **Q. The -- as part of that we -- the**

12 **operation of the -- of the marketing and**

13 **of the Knicks was part and parcel of that.**

14 **We needed somebody to make sure Game Day**

15 **happened. Make sure that -- that the**

16 **slicks were reviewed, that the -- all of**

17 **the day-to-day responsibilities that were**

18 **part of Anucha's job. That the -- after**

19 **that -- that conversation it was very**

20 **clear -- clear to me that she could no**

21 **longer do that job, that we could not have**

22 **her do that job.**

23 **Q. I am sorry. When you say after**

24 **that conversation, what conversation?**

25 **A. The conversation on the**

89

1 **DOLAN**

2 **helicopter.**

3 **Q. With Mr. McCormack?**

4 **A. With Mr. McCormack. I think Mr.**

5 **Ratner was there, too.**

6 **Q. And the conversation related to**

7 **Mr. McCormack suggesting that**

8 **Ms. Browne-Sanders was undermining the**

9 **investigation?**

10 MR. GREEN: Objection to form.

11 You may answer.

12 **A. That she had had undermined the**

13 **investigation, yes.**

14 **Q. Did Mr. Ratner say anything**

15 **during this conversation?**

16 **A. I believe Mr. Ratner echoed what**

17 **he has been saying all along, that -- that**

18 **Ms. Sanders needed to be let go.**

19 **Q. What, if anything, about what**

20 **Mr. McCormack told you was a factor in**

21 **your decision to fire Ms. Browne-Sanders?**

22 **A. The -- really the single thing**

23 **was that -- is that -- whether she was**

24 **going to be able to continue to do -- to**

25 **exercise her duties and responsibilities**

90

1 **DOLAN**

2 in that job. That -- the -- you know,

3 that was, you know -- we had to have

4 somebody in the job that they -- and, you

5 know, when it became clear that -- that

6 she was not going to be able to do that,

7 there was no reason to have her continue

8 on as an employee.

9 **Q. Has Ms. Browne-Sanders been**

10 **replaced?**

11 **A. Mr. Mills is doing**

12 **Mr. -- Ms. Browne-Sanders' job I believe**

13 **as --**

14 **Q. So --**

15 **A. Yes.**

16 **Q. So you had to have somebody in**

17 **the job, but it has been 12 months, and**

18 **you haven't?**

19 **MR. GREEN:** Objection to form.

20 **Argumentative. You may answer, Mr. Dolan.**

21 **A. I -- yeah. I think that -- you**

22 **know, what had -- what ended up happening**

23 **is that Steve had to do the job. That is**

24 **not acceptable. It is still not**

25 **acceptable to be honest that they -- and I**

91

1 **DOLAN**

2 **certainly don't think that the company**

3 **should continue on employing somebody for**

4 **the position if they are not going to do**

5 **the job that -- so, you know, the fact**

6 **that Steve had to do it is unacceptable.**

7 **It is still unacceptable that we don't**

8 **have a person in the position although we**

9 **have been interviewing the -- and I**

10 **believe we are close, but it's -- you**

11 **can't -- I just don't think that**

12 **you're -- that is as -- you know, as the**

13 **CEO I could let the situation exist where**

14 **we had someone being paid to do the job,**

15 **who had agreed to do the job, who then put**

16 **themselves in a position where they could**

17 **no longer do the job and then continue**

18 **employing that person. Why would we do**

19 **that?**

20 **Q. Did you tell anyone that you had**

21 **to fire Ms. Browne-Sanders because she**

22 **made a settlement demand that you believed**

23 **was exorbitant?**

24 **MR. GREEN:** Objection to form.

25 **A. No.**

92

1 **DOLAN**

2 **MR. GREEN:** Do not reveal

3 **conversation --**

4 **A. I don't believe I did.**

5 **MR. GREEN:** -- with counsel in

6 **responding to this question; otherwise,**

7 **you may answer fully.**

8 **MR. VLADECK:** I think he did

9 **answer fully.**

10 **A. I did.**

11 **Q. Did you consult with counsel**

12 **about the decision to fire**

13 **Ms. Browne-Sanders?**

14 **MR. GREEN:** You may answer

15 **whether you consulted with counsel.**

16 **A. No. In fact, I -- I**

17 **specifically I think did not consult with**

18 **counsel.**

19 **Q. Why is that?**

20 **A. Because I felt that that -- that**

21 **the overall health of The Garden was at**

22 **jeopardy here, and that that would -- that**

23 **would override any opinion on counsel --**

24 **counsel might have otherwise that why we**

25 **should have Ms. Sanders stay in the job.**

93

1 **DOLAN**

2 **Q. Were you concerned that counsel**

3 **would tell you not to fire her?**

4 **MR. GREEN:** Objection.

5 **A. I didn't know what**

6 **counsel -- that's all speculative.**

7 **Q. Were there discussions at or**

8 **about this time that you were present at**

9 **with counsel with respect to the potential**

10 **termination of Ms. Browne-Sanders'**

11 **employment?**

12 **MR. GREEN:** Objection. The

13 **witness may not respond since the question**

14 **calls for privileged information.**

15 **Q. Were you present at meetings**

16 **with counsel during this time frame?**

17 **MR. GREEN:** Objection. The

18 **witness is instructed not to answer. The**

19 **question presupposes a privileged**

20 **communication.**

21 **Q. To whom did you communicate your**

22 **decision to fire Ms. Browne-Sanders?**

23 **A. To Mr. McCormack and Mr. Ratner.**

24 **Q. And what, if anything, did you**

25 **tell them to do?**

94

1 **DOLAN**

2 **A. That they needed to let her go.**

3 **Q. Did you tell Mr. McCormack to**

4 **write a memo to make it look like it was**

5 **his decision?**

6 MR. GREEN: Objection to form.

7 **A. No. I'm taking the**

8 **responsibility for it now.**

9 **Q. Were you aware that there were**

10 **documents suggesting that it was Mr.**

11 **McCormack's recommendation to fire Ms.**

12 **Browne-Sanders?**

13 MR. GREEN: Objection to form.

14 **A. No.**

15 **Q. Why don't I get to it. You are**

16 **making me go out of order here.**

17 **A. Sorry. If that means we get to**

18 **skip to the end, that would be okay.**

19 **Q. Unfortunately we go back.**

20 **(Dolan Exhibit 1 marked for**

21 **identification.)**

22 **(Document handed to witness.)**

23 MS. VLADECK: For the record,

24 what has been identified and marked as

25 Dolan Exhibit 1 is a memo to files from

95

1 **DOLAN**

2 Rusty McCormack dated January 19, 2006,

3 and it's Bates numbers MSG's 6363 and

4 6364.

5 (Pause.)

6 **A. Okay.**

7 **Q. Have you had a chance to review**

8 **Dolan Exhibit 1?**

9 **A. Yes.**

10 **Q. Have you ever seen that before**

11 **today?**

12 **A. No.**

13 **Q. If you look at the part under**

14 **the heading Anucha Browne-Sanders --**

15 **A. Yes.**

16 **Q. -- it says "As the record**

17 **indicates most of the Browne-Sanders'**

18 **allegations were not confirmed."**

19 **Do you see that?**

20 **A. I do see that.**

21 **Q. Do you know which, if any, of**

22 **her allegations were confirmed?**

23 MR. GREEN: Objection to form.

24 **A. No, I don't.**

25 **Q. It says later "It is clear that**

96

1 **DOLAN**

2 Browne-Sanders has a poor relationship and

3 difficulty interacting with Mills and

4 other members of MSG management."

5 **A. I see that.**

6 **Q. What, if any, understanding did**

7 **you have with respect to**

8 **Ms. Browne-Sanders' relationship with Mr.**

9 **Mills?**

10 **A. Other than that Mr. Mills was**

11 **Ms. Browne's supervisor, I think they may**

12 **have known each other in -- from the NBA,**

13 **but other than that I am not aware of any**

14 **other.**

15 **Q. Had anybody at any time**

16 **suggested to you that Ms. Browne-Sanders**

17 **and Mr. Mills had a poor relationship?**

18 MR. GREEN: Objection to form.

19 **A. I don't recall.**

20 **Q. Now, if you see with respect to**

21 **Isiah Thomas it says, "This training**

22 **should begin in the next 30 days" at the**

23 **very end of the paragraph.**

24 **A. I see that.**

25 **Q. Do you know whether or not Mr.**

97

1 **DOLAN**

2 **Thomas received training as a result of**

3 **the sexual harassment investigation?**

4 **A. I do not know.**

5 **Q. And then if you look at the next**

6 **page, it -- there is a paragraph with**

7 **respect to Mr. Mills.**

8 **A. Yes.**

9 **Q. And it says, "Mills took**

10 **appropriate action to respond to the**

11 **incidents that were called to his**

12 **attention."**

13 **Do you see that?**

14 **A. I do.**

15 **Q. Do you know what action Mr.**

16 **Mills took to incidents that were called**

17 **to his attention?**

18 **A. I think I need you to be more**

19 **specific about that.**

20 **Q. Were you aware of any action Mr.**

21 **Mills took in response to any incidents**

22 **that Ms. Browne-Sanders had called to his**

23 **attention?**

24 MR. GREEN: I admonish the

25 witness to only respond to the extent he

25 (Pages 94 to 97)

118

1 **DOLAN**

2 **Programming. I hope that is enough. I**

3 **can name them, but it is going to take a**

4 **while.**

5 **Q. Approximately how many**

6 **individuals would you say would be**

7 **included in your senior management?**

8 **A. Oh, forty, not all direct**

9 **reports but as part of the management**

10 **team.**

11 **Q. And do they have a particular**

12 **title like vice president and above or are**

13 **they varying titles or something else?**

14 **A. It would be varying titles. It**

15 **would depend on the -- you know, primarily**

16 **though I would characterize it as those**

17 **people who are involved in setting the**

18 **strategy of the company.**

19 **Q. And when you decide to use Mr.**

20 **Olsen for a project, how do you do that?**

21 **Do you hire him for a particular project;**

22 **do you ask somebody else to or something**

23 **else?**

24 **A. No, I think he has an**

25 **arrangement because I've never had a**

119

1 **DOLAN**

2 **discussion with him about the -- I guess I**

3 **don't recall having a discussion with him**

4 **about what his fees, et cetera, were.**

5 **Q. When you then decide you want to**

6 **use him for a management conference, do**

7 **you do anything differently than you would**

8 **had he been an employee?**

9 **A. I guess I am not really sure**

10 **about what you would expect would**

11 **be -- would be different. I mean**

12 **the -- he is doing a project for me.**

13 **The -- I guess the only real difference**

14 **would be from the point of view**

15 **of -- that, you know, his availability to**

16 **me, but I've always found him to be**

17 **available if not immediately within a**

18 **reasonable amount of time enough for me to**

19 **get my project done.**

20 **Q. Do you know whether he has a**

21 **particular background or expertise?**

22 **A. I believe he does. I am -- I**

23 **cannot give you the specifics of it, but I**

24 **believe he does have specific background**

25 **in these areas. He certainly is talented**

120

1 **DOLAN**

2 **in them, but I don't recall specifically**

3 **what his background is.**

4 **Q. Did you know what, if any, role**

5 **he had with respect to Ms. Browne-Sanders'**

6 **sexual harassment complaints?**

7 **MR. GREEN: Objection to form.**

8 **You may answer unless you acquired the**

9 **information from counsel or at meetings at**

10 **which counsel were present.**

11 **A. Other than what I learned from**

12 **counsel, I have had had -- I have no**

13 **knowledge that there was any discussions**

14 **or any connection.**

15 **Q. Other than through counsel, did**

16 **you ever hear that there were --**

17 **A. You know what, I need to amend**

18 **that. I am sorry. The -- she was -- he**

19 **was, and I remember recommending**

20 **his -- his involvement in her -- the**

21 **training that we wanted to see her get**

22 **from the -- resulting from the July**

23 **meetings.**

24 **Q. Did you hear from anyone other**

25 **than counsel that anyone was critical of**

121

1 **DOLAN**

2 **Mr. Olsen's handling of**

3 **Ms. Browne-Sanders' sexual harassment**

4 **complaint?**

5 **MR. GREEN: Again, other than**

6 **through counsel.**

7 **A. No. I had no -- I did not, no.**

8 **No.**

9 **Q. Now, with reference to the**

10 **training that you said you asked him to**

11 **work with Ms. Browne-Sanders on --**

12 **A. No, I asked him to work with Mr.**

13 **Mills on it.**

14 **Q. Do you know whether**

15 **Ms. Browne-Sanders ever got that training?**

16 **A. I believe she did.**

17 **Q. And do you know when she got the**

18 **training?**

19 **A. No.**

20 **Q. What interactions did you have**

21 **with Ms. Browne-Sanders between the summer**

22 **of '05 and the day you decided to fire**

23 **her?**

24 **MR. GREEN: Objection to form.**

25 **You may answer.**

122

1 DOLAN

2 A. Are you asking me post

3 the -- the budgetary process?

4 Q. Correct.

5 A. Right. I don't recall any.

6 Q. Did anyone at any point come to

7 you with complaints about Vernon Manuel?

8 A. Yes.

9 Q. Who came to you about Vernon

10 Manuel?

11 A. Steve Mills.

12 Q. And what did Mr. Mills say to

13 you?

14 A. Mr. Manuel had problems with

15 anger in the workplace, had problems being

16 respectful of his -- the individuals he

17 directly reported to, threatened

18 to -- used my name and threatened to come

19 to me to solve his issues with his -- his

20 personnel issues.

21 Q. When did Mr. Mills come to you

22 on that?

23 A. You know, I couldn't -- I

24 couldn't say. I don't -- I know when Mr.

25 Manuel -- you know, I am not even sure

123

1 DOLAN

2 what the dates that he was employed are

3 specifically. It has been a while since

4 he has been here.

5 Q. Now, Mr. Manuel was connected to

6 you in -- in what way?

7 A. The -- he was at the time dating

8 my step daughter.

9 Q. And when he was fired from The

10 Garden, was he still dating your step

11 daughter?

12 A. I think he was.

13 Q. Other than Mr. Mills, did

14 anybody else come to you with problems

15 about Vernon Manuel?

16 A. No.

17 Q. What did you say to Mr. Mills

18 when he came to you with the problems?

19 A. That he needed to treat Mr.

20 Manuel as a -- as he would any other

21 employee.

22 Q. Did Mr. Mills ever tell you that

23 Mr. Manuel had been forging his

24 supervisor's signature on parking

25 vouchers?

124

1 DOLAN

2 A. He did.

3 Q. And what did you say in response

4 to that?

5 A. That he had to be disciplined

6 for it.

7 Q. Did you say what the discipline

8 should be?

9 A. No, I let Mr. Mills decide that.

10 That discipline could have included

11 firing. Oops.

12 Q. It sounds like lunch was more

13 than a salad.

14 Did you give Mr. Manuel a car?

15 A. No, I let him use a car.

16 Q. And you let him use a car that

17 was yours or that was the companies or

18 something else?

19 A. No, it was mine.

20 Q. Do you know whether Mr. Manuel

21 would fail to show up to work or come

22 late?

23 A. Yes. I had heard that report on

24 him.

25 Q. Did anyone come to you and

125

1 DOLAN

2 specifically request permission to fire

3 him?

4 MR. GREEN: Objection. Asked

5 and answered. You may answer it again,

6 Mr. Dolan.

7 A. Yes.

8 Q. Who did?

9 A. Mr. Mills.

10 Q. Do you know whether Mr.

11 McCormack was aware of the issues

12 concerning Mr. Manuel?

13 A. No, I don't know.

14 Q. Do you know whether Mr. Ratner

15 was aware of the issues concerning Mr.

16 Manuel?

17 MR. GREEN: Objection to form.

18 A. I don't know.

19 MR. GREEN: That is okay.

20 Q. Did you ever tell anyone to take

21 Mr. Manuel on as a project?

22 MR. GREEN: Objection to form.

23 You may answer.

24 A. Mr. Mills and I discussed how

25 Mr. Manuel was doing. The -- he was my

150

1 **DOLAN**

2 the -- from one end of a conference hall

3 to another without being able to actually

4 walk them across. It was a challenge of

5 ingenuity, et cetera, but it was much more

6 a challenge of being able to predict how

7 many you could get across from point A to

8 point B, and the closer that you were to

9 getting to the actual prediction number,

10 the -- the better you did. If you went

11 way over, the -- you were -- you only

12 received 5 percent of the value of what

13 you transferred. The -- if you went way

14 under, right, the -- you were -- it was

15 subtracted. The differential was

16 subtracted.

17 Q. Were there people in teams

18 during this?

19 A. They were.

20 Q. And were there prizes for the

21 team that had the most revenues and then

22 the team that came closest revenue to

23 forecast?

24 A. I think something like that,

25 yeah.

151

1 **DOLAN**

2 Q. And did Ms. Browne-Sanders come

3 in number one in terms of revenues?

4 A. I have no idea. I don't

5 remember who won.

6 Q. Did she come in second in terms

7 of revenues to forecast?

8 A. I still don't remember who won.

9 Q. Do you remember who lost?

10 A. No. What I remember is

11 that -- is that we -- we firmly sustained

12 the concepts of budgeting in there and

13 that later on in October we were able to

14 when we actually reviewed budgets

15 reference back that experience and say,

16 you know, you over counted your chips.

17 You under counted your chips, et cetera,

18 and everybody knew what we were talking

19 about.

20 Q. Did -- you said earlier that

21 you would on occasion -- -- you had said

22 earlier at some point that you spot

23 checked performance reviews?

24 A. Yes.

25 Q. Did you ever spot check

152

1 **DOLAN**

2 Ms. Browne-Sanders' performance reviews?

3 A. I don't think so. I don't

4 recall.

5 Q. What role, if any, do you have

6 in creating organization charts at Madison

7 Square Garden?

8 A. I review them. I generally

9 approve of them if they are at a high

10 enough level.

11 Q. And is there a reason --

12 MS. VLADECK: Strike that.

13 Q. Do the organization charts at

14 The Garden only refer to those individuals

15 with whom there is a direct reporting

16 relationship?

17 MR. GREEN: Objection to form.

18 They speak for themselves. The witness

19 can answer if he can recall.

20 A. I couldn't -- I couldn't tell

21 you for sure one way or another.

22 Q. Okay.

23 MS. VLADECK: Is this 4?

24 MR. GREEN: 4.

25 (Dolan Exhibit 4 marked for

153

1 **DOLAN**

2 identification.)

3 (Document handed to witness.)

4 Q. What you have before you as

5 Dolan Exhibit 4 is a one-page document MSG

6 00333. Is this a salary adjustment form

7 or a form reflecting a salary change

8 adjustment?

9 A. I've got to be sure if I want to

10 answer yes.

11 Q. Just to make it easier, up here

12 there is a little box that says

13 adjustment.

14 MR. GREEN: She is referring to

15 that.

16 A. Yes, I know I see that, and I

17 see it down there. Yeah. I mean --

18 Q. Is --

19 A. Go ahead.

20 Q. Is this your signature where it

21 says Rusty McCormack and then

22 underneath --

23 A. Yes.

24 Q. -- is that your signature?

25 A. That is my signature.

154

1 **DOLAN**

2 **Q. And then over in the corner is**

3 **that Steve Mills' signature?**

4 **A. I believe it is.**

5 **Q. And am I correct that the salary**

6 **went from \$212,992 to 250,000?**

7 **A. I am just a little confused by**

8 **it.**

9 **Q. Okay.**

10 **A. Because --**

11 **Q. And then it was retroactive --**

12 **MR. GREEN: The witness I think**

13 **was not finished with his answer.**

14 **Q. Oh, I am sorry.**

15 **A. Oh, I see why it is there. It**

16 **is effective 1/1/5. The only thing if you**

17 **notice the 250 is in the same box as**

18 **effective date as 11/2000, but it is --**

19 **Q. And then it also budgeted**

20 **250,000 effective 1/1/05?**

21 **A. Right.**

22 **Q. Which meant that it was**

23 **retroactive to January?**

24 **A. Effective date 19 -- 605, Rusty.**

25 **It looks like it, yeah.**

155

1 **DOLAN**

2 **Q. And do you know why she received**

3 **this adjustment, why Ms. Browne-Sanders**

4 **received this adjustment in April -- in**

5 **April of 2005?**

6 **MR. GREEN: I will object.**

7 **Just to admonish the witness to testify**

8 **fully to the extent he has knowledge but**

9 **not to speculate.**

10 **A. I am sorry. What was the**

11 **question?**

12 **MS. VLADECK: Could you read it**

13 **back.**

14 **(Record read.)**

15 **A. It's not clear from this piece**

16 **of paper why -- why she received the**

17 **adjustment.**

18 **Q. And as you sit here today, do**

19 **you have any independent recollection --**

20 **A. I would --**

21 **Q. -- or understanding as to why**

22 **she received this adjustment at this time?**

23 **A. It would be conjecture on my**

24 **part.**

25 **Q. Did there come a time when you**

156

1 **DOLAN**

2 **requested that Mr. Mills and/or**

3 **Ms. Browne-Sanders keep you informed on**

4 **the interview process for Petra Pope's**

5 **replacement?**

6 **A. I don't recall.**

7 **MS. VLADECK: Okay. Is this**

8 **5?**

9 **MS. FRANCO: Yes.**

10 **(Dolan Exhibit 5 marked for**

11 **identification.)**

12 **(Document handed to witness.)**

13 **MS. VLADECK: What has been**

14 **marked as Dolan Exhibit 5 is a memo to Jim**

15 **Dolan from Anucha Browne-Sanders slash**

16 **Gary Winkler re Dan team's reorganization**

17 **dated May 5, 2005, and it is MSG 00703 and**

18 **704.**

19 **(Pause.)**

20 **Q. Do you recall receiving this**

21 **memo?**

22 **A. No.**

23 **Q. Who is Gary Winkler?**

24 **A. I'm not absolutely sure.**

25 **Q. Did you have meetings with**

157

1 **DOLAN**

2 **Ms. Browne-Sanders and Mr. Mills and/or**

3 **others concerning the direction of the**

4 **dancers?**

5 **A. I don't recall.**

6 **Q. Did you ever request that you**

7 **approve photographs of the dancers?**

8 **A. No.**

9 **Q. Did you ever request that you**

10 **approve the outfits that the dancers were**

11 **to wear?**

12 **A. I believe I objected to some of**

13 **the outfits the dancers wore.**

14 **Q. And what was your objection to**

15 **the outfits?**

16 **A. That they were too revealing.**

17 **Q. And to whom did you make that**

18 **objection?**

19 **A. To Steve Mills.**

20 **Q. When did you make that**

21 **objection?**

22 **A. I can't be -- I don't know.**

23 **After having seen the outfits I would**

24 **assume.**

25 **Q. Did you ever say that you wanted**

162

1 DOLAN
 2 promotion?
 3 A. Yes, I did. You know what, I
 4 need to make something clear that you just
 5 asked me. Thank you. You asked me did
 6 this refresh my
 7 recollection -- recollection of when she
 8 received this promotion. Actually,
 9 this -- this does not reflect when she
 10 received the promotion that I was talking
 11 about. This reflects a -- an earlier
 12 promotion.
 13 Q. What is your understanding of
 14 any promotion subsequent to March of 2002?
 15 A. Is the promotion that she
 16 received I think reflected by the document
 17 that you showed me earlier that
 18 the -- which showed the move in the salary
 19 range, right; the adjustment piece, right;
 20 where she was then the -- given the P and
 21 L responsibilities, right, the -- for the
 22 basketball operations, et cetera.
 23 Q. Let me show you another
 24 document. Maybe it will further refresh
 25 your recollection.

163

1 DOLAN
 2 A. Okay.
 3 Q. Or differently refresh your
 4 recollection.
 5 MS. VLADECK: This is 8.
 6 (Dolan Exhibit 8 marked for
 7 identification.)
 8 (Document handed to witness.)
 9 Q. What is being marked as Dolan
 10 Exhibit 8 is a Cablevision MPIP
 11 performance appraisal and --
 12 A. Yes, I think --
 13 Q. It is MSG 04596 through 04599,
 14 and it is our understanding that this was
 15 prepared in '05 for the prior year's
 16 performance.
 17 Have you ever seen this document
 18 before?
 19 A. No, I don't recall seeing it.
 20 Q. Now, would the document that is
 21 an '05 review be for the prior year's
 22 performance?
 23 A. It should be, although
 24 this -- it -- it doesn't necessarily have
 25 to be. I mean it could be for any part of

164

1 DOLAN
 2 the prior year.
 3 Q. Okay. Now, the form itself was
 4 revised in 1/1/05.
 5 A. Yes, I saw that.
 6 Q. Okay. I am going to ask you
 7 some questions. If you look at MSG 04598.
 8 A. Um hum.
 9 Q. Where it says, "Anucha embraced
 10 the role of P and L manager. During this
 11 period, she challenged her staff and all
 12 service provided to drive revenues and
 13 control expenses."
 14 Do you see that?
 15 A. I do.
 16 Q. Does that refresh your
 17 recollection that Ms. Browne-Sanders had
 18 been P and L manager before April of '05?
 19 A. Well, I think the -- the point
 20 is you showed me a document from all the
 21 way back to 2002, right, and I -- I was
 22 just -- it is not possible that she had
 23 that position of P and L manager in 2002.
 24 Q. Do you recall when she attained
 25 that position?

165

1 DOLAN
 2 A. No, but we didn't have the
 3 position in 2002. I know that.
 4 Q. When was the position created?
 5 A. When we went through the
 6 reorganization, the -- which I testified
 7 to earlier.
 8 Q. And I think you testified that
 9 that occurred in approximately 2001.
 10 A. Oh, well, it -- it is
 11 still -- we didn't -- because we had the
 12 budget meeting in 2000 -- remember in
 13 2005, the meeting in Los Vegas where we
 14 were teaching P and L managers how to deal
 15 with the new system. So I mean that
 16 the -- I mean it was an ongoing project,
 17 but that the -- you know, I am -- I am
 18 pretty sure that that job didn't exist,
 19 you know, the P and L manager the way I
 20 described it until we went through all
 21 that -- that process, the -- and I mean
 22 that process was a long process. I mean
 23 the -- I should know. I went
 24 through -- it was a couple of year
 25 process. It started off with McKenzie &

166

1 **DOLAN**

2 Company the -- when I first took the

3 office, and we went through a whole

4 iteration with them, and then we went

5 through a whole iteration ourselves. So

6 that the -- and finally it was Mr.

7 Pollichino who came up with the final

8 structure, right, that we ended up

9 settling on for the reorganization, and

10 that was -- that couldn't have been any

11 sooner than 2002, 2003.

12 The -- the -- and -- so I mean she got

13 this position, right, that you mentioned

14 in -- in the notice here, right, on March

15 11, 2002. The -- it doesn't -- it doesn't

16 seem like it fits, but, you know, I

17 mean --

18 Q. And just -- you were referring

19 to Dolan ??

20 A. Yes.

21 Q. Just focusing for a minute on

22 Dolan --

23 A. I mean.

24 Q. 8, I am sorry.

25 A. The rest of it -- never mind.

167

1 **DOLAN**

2 Q. Go ahead. I didn't mean to cut

3 you off.

4 A. Well, I just think that -- you

5 know, I'm probably not the best person to

6 ask this question. Probably the best

7 people to ask is, you know, the people

8 that she directly reported to and did this

9 with. It just doesn't seem -- it doesn't

10 fit my recollection of the time frame of

11 the reorganization and reprocessing of the

12 company.

13 Q. If you look at 04599, on the top

14 of the page it says, "Anucha delivered

15 11.5 percent ticket price increase and

16 completed the first stage of rescaling the

17 arena for Knicks games."

18 A. Yes.

19 Q. Do you know whether that was

20 correct or not?

21 A. I don't know for sure, but I

22 assume it would be.

23 Q. Assuming that this was created

24 by Mr. Mills some time in the first

25 quarter of 2005, would that be correct as

168

1 **DOLAN**

2 far as when the review period would

3 normally be?

4 MR. GREEN: Objection to form.

5 You may answer if you can.

6 A. That is conjecture. I mean, you

7 know, because already you've got -- you've

8 got the other document that suggested

9 April I think in it. Doesn't it? The --

10 Q. I can't testify. I just -- my

11 understanding of the prior testimony is

12 that the adjustments are separate and

13 apart from the review process.

14 Do you know whether there is a

15 general time period for reviews at The

16 Garden?

17 A. Generally there are -- the

18 reviews are done, you know, at the end of

19 the year, beginning of the year, but

20 the -- they don't have to be done that

21 way, and I -- you know, if -- if -- you

22 know, I would suggest that that probably

23 this document goes along with the other

24 one which is the adjustment document.

25 They look like they are very -- you know,

169

1 **DOLAN**

2 this one says revised 1/1. I mean

3 the -- the other one says that it is to be

4 effective 1/1. I -- I would -- you know,

5 it is only conjecture on my part, but I

6 would bet they were done at the same time.

7 Q. Just for the record, do you know

8 whether this entire performance appraisal

9 form was revised on 1/1 or do you believe

10 that this was the individual

11 performance --

12 A. That is a good question. You

13 know, I -- I don't know, but I -- you know

14 what, I don't know. You're right. It

15 could be the form.

16 MR. GREEN: Let me note the

17 obvious but not necessarily to Mr. Dolan.

18 Mr. Mills will be deposed tomorrow. It

19 might be better to ask --

20 MS. VLADECK: I understand, but

21 since I have Mr. Dolan here unless Mr.

22 Dolan wants to come back.

23 A. No, Mr. Dolan doesn't want to

24 come back.

25 A. The -- you know, I -- the

174

1 DOLAN
 2 further waiver.
 3 MR. GREEN: Fair enough.
 4 MS. VLADECK: But I will argue
 5 potentially that we are entitled just by
 6 the initial comment to the entire
 7 conversation.
 8 MR. GREEN: You are free to
 9 make the argument, and I will allow the
 10 witness to answer then with respect to the
 11 question who was it who told him that
 12 Anucha Browne-Sanders had demanded 6
 13 million dollars.
 14 MS. VLADECK: Okay.
 15 MR. GREEN: He may respond.
 16 **A. That was a lot discussion for**
 17 **the answer you are about to get.**
 18 **Q. And what is the answer I am**
 19 **about to get?**
 20 **A. I don't recall.**
 21 **(Laughter.)**
 22 **Q. Let -- let me ask you a question**
 23 **that is more recent.**
 24 **I asked you specifically about**
 25 **the -- the amount of money this morning,**

175

1 DOLAN
 2 **and you rejected as a reason for deciding**
 3 **to fire Ms. Browne-Sanders that a**
 4 **settlement demand or a demand was**
 5 **exorbitant.**
 6 MR. GREEN: I must -- I must
 7 correct you.
 8 MS. VLADECK: Wait.
 9 MR. GREEN: That wasn't his
 10 testimony.
 11 MS. VLADECK: Let me have Mr.
 12 Dolan leave the room.
 13 MR. GREEN: Fair enough.
 14 THE WITNESS: I am going to
 15 leave the room now. Hey, guys this is not
 16 boding well for a 4:30 departure. I just
 17 assume answer this question.
 18 MS. VLADECK: No. No, not; Ron
 19 -- not while he is here.
 20 MR. GREEN: Fine. Step out
 21 just for a moment. Just outside the door.
 22 THE WITNESS: Sure. Are you
 23 coming with me?
 24 MR. GREEN: I want to argue
 25 this point.

176

1 DOLAN
 2 THE WITNESS: You know I give
 3 you 30 seconds at which point if you don't
 4 have this resolved, I am coming in and
 5 answering the question. Don't take that
 6 as your advantage now.
 7 (Witness leaves the room.)
 8 THE VIDEOGRAPHER: We are going
 9 off the record at 3:12.
 10 MS. VLADECK: No, not off the
 11 record.
 12 MR. GREEN: On the record.
 13 THE VIDEOGRAPHER: I am sorry.
 14 We are not off the record at 3:12.
 15 MR. MINTZER: You are recording
 16 a blue screen.
 17 MS. VLADECK: You were about to
 18 say something that I said was a speaking
 19 objection.
 20 MR. GREEN: You are
 21 mischaracterizing his testimony. I don't
 22 believe he said he considered it. I
 23 believe you asked him if he told anyone
 24 about that. I don't think you asked him
 25 if he considered it. It is a fair

177

1 DOLAN
 2 question, but I don't think it has been
 3 asked.
 4 MS. VLADECK: Okay. I'm not
 5 sure that is correct, but I think it is
 6 easily remedied.
 7 MR. GREEN: He can answer
 8 fully.
 9 (Witness returns to the room.)
 10 MR. GREEN: Thirty seconds.
 11 Just made it.
 12 MR. MINTZER: Done.
 13 **Q. See, we take your deadline**
 14 **seriously.**
 15 **A. What is the scoop Betty Boops?**
 16 **Am I answering or not answering?**
 17 MR. GREEN: Well, I asked her
 18 to rephrase the question.
 19 THE WITNESS: Fabulous.
 20 MR. GREEN: She may rephrase the
 21 question or not.
 22 **Q. Let me go back a little. Did**
 23 **you hear about a 6 million dollar request**
 24 **for severance from counsel?**
 25 **A. I don't recall --**

45 (Pages 174 to 177)

178

1 **DOLAN**

2 MR. GREEN: You may answer.

3 A. -- who I heard the 6 million

4 dollar request from.

5 Q. In what context did you hear the

6 request?

7 A. That is what I don't recall.

8 Q. And did you hear the request on

9 the day you decided to fire her?

10 A. I'm not sure.

11 Q. Did you tell anyone that a

12 factor in your decision to fire

13 Ms. Browne-Sanders was that she had made a

14 request for 6 million in severance?

15 A. I think I did.

16 Q. Who did you tell?

17 A. I think at that same discussion

18 at the helicopter I pointed out that she

19 is already had -- had essentially -- I was

20 told she wasn't staying. She -- she

21 resigned and asked for the extended stay

22 period. The -- that she had tampered with

23 an investigation that -- that was begun on

24 her behalf, the -- and then had asked for

25 6 million dollars in severance.

179

1 **DOLAN**

2 Q. Now, when you said you think you

3 said it in the same conversation, was that

4 with Mr. McCormack and Mr. Ratner?

5 A. Right.

6 Q. Is there a reason you didn't

7 tell me that this morning when you were

8 asked a direct question as to whether or

9 not you told Mr. Ratner or Mr. McCormack

10 that a request for severance was a factor

11 in your decision to fire her?

12 A. No, I don't think you asked me

13 about a request for severance. You asked

14 me about a settlement. Settlement is a

15 bit different than a request for

16 severance.

17 Q. Is that the way you've been

18 parsing my questions if there was --

19 A. I don't mean to be cute with

20 you, but the --

21 Q. Well --

22 A. The -- it first came in a

23 request for severance. That then came in

24 a threat, right, that if the -- that if

25 the -- if I didn't get the money, right,

180

1 **DOLAN**

2 I'm going to go, right, the -- and file

3 this case that we are talking about right

4 now and make a big stink about it.

5 Q. Who told you that there was a

6 threat that if it wasn't paid we are going

7 to file this case and make a big stink

8 about it?

9 A. I think it was Mr. Mills. I'm

10 not sure whether it was him. Whoever was

11 relating to Anucha at that time, I think

12 it was still Mr. Mills.

13 MS. VLADECK: Do you have word

14 search? Could you search for the word

15 exorbitant.

16 (The record was read back as

17 follows:

18 "Question: Did you tell anyone

19 that you had to fire Ms. Browne-Sanders

20 because she made a settlement demand that

21 you believed was exorbitant?

22 "Mr. Green: Objection to form.

23 "Answer: No."

24 Q. You never told anyone that --

25 A. What --

181

1 **DOLAN**

2 MR. GREEN: Objection to form.

3 Q. -- about a settlement demand?

4 A. Correct. That they -- -- I

5 don't recall. I'm not -- you know, at

6 this point I am a little confused because

7 at one point she is asking for -- she is

8 asking for 6 million dollars. Later on I

9 believe she asked -- she let us know that

10 she got -- that if she doesn't get the 6

11 million dollars she is going to

12 then -- that she attempted to essentially

13 extort the 6 million dollars from the

14 company.

15 Q. Did you have a discussion on

16 this subject at lunch with your counsel?

17 MR. GREEN: I'm going to object

18 and instruct the witness not to answer to

19 conversations with counsel.

20 Q. Well, did you have any

21 discussion during the lunch break with

22 your counsel to refresh your recollection

23 concerning this 6 million dollar demand?

24 MR. GREEN: Same objection. To

25 the extent counsel posed any questions or

182

1 DOLAN

2 provided any answers to questions or any

3 discussions about this case, those would

4 be privileged communications.

5 MS. VLADECK: Could you mark

6 that for a ruling.

7 Q. So just so it is clear and make

8 me clear that this is all there is or if

9 there is something else, the three reasons

10 that you decided to fire

11 Ms. Browne-Sanders on the date you did

12 were the events from July, the budget

13 meeting?

14 A. Right.

15 Q. The date you fired her?

16 A. Right.

17 Q. You said that she was tampering

18 with the investigation or what words did

19 you use?

20 MR. GREEN: Objection to form.

21 A. Excuse me?

22 MR. GREEN: I just objected to

23 form.

24 A. Yes, because I think it is in

25 there. Now, I am really being asked to

183

1 DOLAN

2 recall what I said, the exact words.

3 Q. Then why don't --

4 A. I mean it is simple. That she

5 used her position to influence her direct

6 reports --

7 Q. And that was having --

8 A. -- to corroborate her complaint.

9 Q. And that was having a -- another

10 MSG employee go to a lawyer with her?

11 MR. GREEN: Objection.

12 A. No.

13 Q. Was there -- excuse me. Was

14 there something else?

15 A. It was reported to me that she

16 did it with more than one person.

17 Q. What else did she do?

18 A. That there were other people

19 that she had attempted to influence, to

20 corroborate her complaint.

21 Q. What did she do to attempt to

22 influence them to corroborate her

23 complaint.

24 A. I don't recall the specifics,

25 what was reported to me.

184

1 DOLAN

2 Q. This was the reason you fired

3 her; is that correct?

4 A. Sure.

5 Q. What is the best recollection

6 you have as to what you believed that she

7 did with respect to the investigation?

8 MR. GREEN: Objection. It is

9 asked and answered. The witness

10 can -- answer the question if he wants to

11 supplement what he said.

12 A. Again, used her influence with

13 direct reports to influence their answers,

14 their -- their responses to an inquiry to

15 an investigation that was being made on

16 her behalf.

17 Q. And then the third thing was

18 you're understanding that she asked for 6

19 million in severance?

20 A. She asked for 6 million dollars,

21 right?

22 MR. GREEN: Just note my

23 objection that your question presupposed

24 that there were three.

25 Q. Were there any other factors? I

185

1 DOLAN

2 am trying to get the universe of factors.

3 MR. GREEN: I thought the

4 witness had testified more fully to a

5 number of things.

6 MS. VLADECK: That is a

7 speaking objection.

8 Q. To the extent that there are

9 other factors, what are they?

10 A. And all the factors leading up

11 to from July up until that point. I mean

12 that is a quite a long list, you know.

13 Q. That was your first factor.

14 What were all the events from July until

15 the date you fired her?

16 A. The -- again, I stated earlier

17 the -- you know, the inability to do her

18 job.

19 Q. And how was that reflected

20 between July and January?

21 A. That's in -- that is

22 inability -- inability to budget,

23 inability to brand. It is --

24 Q. And --

25 A. The -- and then the -- you know,

186

1 **DOLAN**

2 my essentially taking the opinion of Mr.

3 Ratner that she had not improved, that he

4 believed that she was -- should be

5 terminated.

6 Q. Are you done with all the events

7 leading from July to January?

8 A. Yes, I think so.

9 Q. What made you believe that from

10 July to January she had an inability to

11 budget or brand?

12 A. Because of the July meeting, the

13 skills and the work product that she

14 produced was not -- low, not acceptable.

15 It showed a lack of understanding of

16 budgeting. It showed a lack of

17 understanding of branding. She was unable

18 to come up with a branding statement for

19 the New York Knicks. She had to be given

20 one. That the -- and her -- in her budget

21 she was unable to explain her budget and

22 when she -- and when she did explain her

23 budget, her explanations, the -- showed a

24 lack of understanding of how budgets

25 are -- are put together and differences

187

1 **DOLAN**

2 between things such as operating expenses

3 and capital expenses, and she actually in

4 the middle of the budgetary process

5 revealed that she had misclassified some

6 80,000 dollar or a hundred thousand

7 dollars worth of expenses from operating

8 into -- from capital into operating.

9 Q. Was this all reflected during

10 the summer budget meetings or is this

11 something that happened between July and

12 January?

13 A. This was all -- the budget

14 meetings went through July and August.

15 Q. Okay. My question is after the

16 budget meetings over the summer --

17 A. Yes.

18 Q. What did you observe with

19 respect to Ms. Browne-Sanders' inability

20 to budget and/or brand from those budget

21 meetings until January of '06?

22 A. Nothing other than that -- that

23 I did not receive a report that she had

24 gotten any better, and there was no reason

25 to think that she went through the -- the

188

1 **DOLAN**

2 training, but I did not get a positive

3 report. I didn't get any report

4 essentially on it.

5 Q. Did you ask for a report at any

6 time between the summer budget meetings

7 and the day you decided to fire her?

8 A. I don't recall. I don't -- I

9 don't recall if I did or if I didn't.

10 Q. Now, you said that you also

11 relied on the opinion of Mr. Ratner that

12 she should be terminated.

13 When did Mr. Ratner express his

14 opinion that she should be terminated?

15 A. Consistently from July through

16 her termination date.

17 Q. And you rejected his opinion

18 from July, August, September, October,

19 November and December; is that correct?

20 MR. GREEN: Objection to form.

21 Misstates prior testimony.

22 Q. Is that correct?

23 MR. GREEN: You may answer.

24 A. I think it -- rejected would be

25 strong, but essentially we didn't act upon

189

1 **DOLAN**

2 what his -- what his opinion -- we tried

3 to give Anucha a chance, but you have to

4 remember that the -- you are asking me

5 about the day she was fired. The -- we

6 went through this whole process with her.

7 Then she comes back to us, and she tells

8 us that she is not going to work here any

9 more. The -- that the -- it is unclear

10 what the reason is why she doesn't -- why

11 she can't work here any more, but I assume

12 that the -- that it had something to do

13 with her experience over the last six

14 months. The -- so now we are already

15 looking for -- we already have to rejigger

16 the -- the department, et cetera, but she

17 is -- she is going to stay as long as we

18 help her find another position, but she is

19 essentially out. She has no future at the

20 company by her own hand, and then

21 the -- comes in the report that she wants

22 \$600,000 worth -- excuse me -- 6 million

23 dollars worth of severance that the -- and

24 that -- that the -- she's been tampering

25 with an investigation into a complaint

190

1 **DOLAN**

2 that she's made, and the last part is

3 the -- is the part that is most difficult

4 to deal with because as ridiculous as the

5 6 million dollar request was that

6 the -- she could have continued on doing

7 her job if she had not tampered

8 with -- with those people, the -- but the

9 combination of all of those things

10 together -- and finally the tampering as

11 being the last straw in that really led us

12 to -- led me to the conclusion that her

13 employment at the company was over with.

14 Q. Now, you started by saying that

15 you believed she started this whole

16 process. What whole process are you

17 referring to?

18 A. I'm not sure --

19 MS. VLADECK: Could you read it

20 back.

21 (Record read.)

22 Q. What did you mean by the whole

23 process?

24 A. What I meant by the whole

25 process is -- we went through the whole

191

1 **DOLAN**

2 budgeting process with her. We discovered

3 these deficiencies that the -- that -- you

4 know, that -- in her skill set. We went

5 through and paid for the -- and offered

6 her training the -- and paid for her

7 training to up those skills. I mean that

8 was at our expense that the -- -- and, you

9 know, after we are done sending her

10 school, right -- that -- to get better at

11 this, right, the -- she walks into the

12 office and says essentially I'm quitting.

13 The -- I can't work here any more.

14 The -- the -- and you need to -- what

15 I -- what I need you to do is to keep me

16 on, and I'll do my job, which was fair,

17 and help me find another job. That

18 the -- you know, at that point, you know,

19 I have to tell you that as -- as the CEO

20 of the company having then, you know,

21 offered her the -- the ability, right, to

22 essentially come out of what was a pretty

23 bad review but which is what came up out

24 of in terms of how her performance was in

25 that budgetary process, offering her the

192

1 **DOLAN**

2 ability for help, training to get her

3 skill levels up, the company was going to

4 stick with her, that the -- the -- and she

5 took the training, and then she came back

6 and basically said I quit. The -- then

7 she asks for 6 million dollars, that

8 the -- and then we find out that

9 she -- that she is utilizing her position

10 that she is -- she is off through the

11 company attempting to garner support for a

12 complaint that the -- about sexual

13 harassment. The -- at what point

14 does -- does an employee become no longer

15 effective at a company as -- in her

16 position. She was no longer effective.

17 The -- the -- and the -- at that point,

18 you know, I decided that the company had

19 to -- had to just cut it off, and that was

20 when -- when she was fired.

21 Q. Now, you say that you heard from

22 Mr. Mills that Mrs. Anucha Browne-Sanders

23 just walked into the office and said I'm

24 quitting?

25 MR. GREEN: Objection.

193

1 **DOLAN**

2 Misstates prior testimony. You may

3 answer.

4 A. I think that is what I said,

5 but, you know -- look --

6 Q. That is a yes or no.

7 A. I'm taking -- you don't get to

8 do that with me.

9 Q. Yes, I do.

10 A. Well, I'm still going to answer

11 the way I want to answer. I'm

12 characterizing what her conversation was

13 with Mr. Mills.

14 Q. Did you hear from anyone that

15 what Ms. Browne-Sanders said as a result

16 of the sexual harassment was I can't take

17 this any more?

18 MR. GREEN: Objection to form.

19 Can I have that question read back,

20 please.

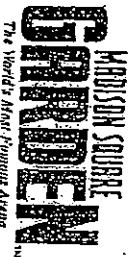
21 (Record read.)

22 A. No.

23 Q. Now, who did you talk to about

24 Ms. Browne-Sanders from January 13 to

25 January 19, whether or not they were



EMPLOYEE PROFILE

SALARY CHANGE
 PROMOTION
 ADJUSTMENT
 MERIT
 TRANSFER
 TERMINAL VOPF
 PERSONAL INFORMATION CHANGE
 LEAVE OF ABSENCE
 RETURN FROM LEAVE
 TITLE CHANGE
 OTHER

EFFECTIVE DATE: 03/31/05
 EMPLOYEE ID: 519032
 LAST NAME: Browne-Sanders
 FIRST NAME: Antucha
 MIDDLE INITIAL: [blank]
 STREET ADDRESS: [blank]
 CITY: [blank] STATE: [blank] ZIP: [blank] HOME TELEPHONE: [blank]

DEPT CODE: 212080
 DEPARTMENT NAME: MSG Business Ops NY Knicks
 EMP STATUS: A
 ACTION: DPC Department Change

FLSA STATUS	EMPLOYEE CLASS	WORK STATUS	REG TIME	COMMENTS
EXEMPT 0	E	ADMIN	0 R	
NON-EXEMPT 0		CASUAL	0	
		SEASONAL	0	
		TEMPORARY	0	
		UNION REG	0	

LOCALITY	JOB CODE	JOB TITLE	PAY GRADE	SALARY GRADE	ANNUAL SALARY	NOT
ADM	SVP17	SVP Marketing & Business Ops	BW1	27	212,992	1A

BASE SALARY	AMOUNT OF CHANGE	% INCREASE	SAL. CHG REASON	SALARY EFF DATE	LAST REVIEW DATE	NEXT REVIEW DATE
212992	0.00	0.00	Adjustment	11/05	03/01/2004	03/01/2005

SUPERVISOR: Mills, Stephen C
 DEPARTMENT(S) SUPERVISOR: [blank]
 DIVISION HEAD: [Signature]
 HUMAN RESOURCES: [Signature]
 DATE: 4/16/05
 ENTERED: [Signature]
 DATE: [blank]

APR 08 2005

H.R.M.S.

MSG 00333

CONFIDENTIAL



February 25, 2002

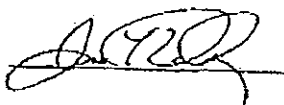
Anucha Browne-Sanders
Madison Square Garden

Dear Anucha,

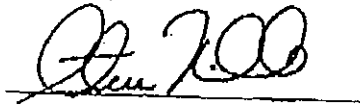
On behalf of our company, we are pleased to present you with your Management Performance Incentive Plan bonus award for 2001. As you know, it was a particularly challenging year for Cablevision, and we want to express our gratitude for your commitment and efforts toward moving the Company forward. Your hard work and dedication resulted in an individual performance rating of 1.390, division performance of 61.33% and the total company's performance of 80.39%. These ratings led to a bonus of \$30,500, representing 17.94% of your 2001 earnings.

We want to thank you for all that you have done for the company. We are proud of our accomplishments, and we look forward to working with you to reach new heights in 2002.

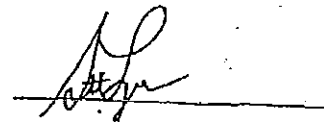
Sincerely yours,



James L. Dolan
President & CEO

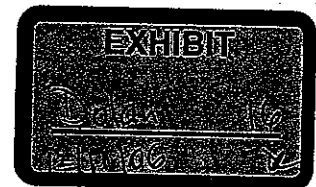


Steve Mills
President, Sports Team Operations



Scott Layden
President & General Manager
New York Knicks

JLD/SM/SL:tl



CONFIDENTIAL

MSG 30000

April 30, 2003

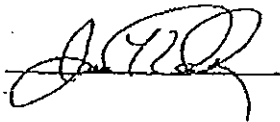
Anucha Browne-Sanders
Madison Square Garden

Dear Anucha,

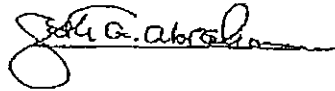
On behalf of our company, we are pleased to present you with your Management Performance Incentive Plan bonus award for 2002. As you know, the economy and market conditions continued to pose serious challenges for our Company, and we want to express again our gratitude for your commitment and efforts toward moving the Company forward. Your hard work and dedication resulted in an individual performance rating of 1.450, division performance of 100.00% and the total company's performance of 91.73%. These ratings led to a bonus of \$58,000, representing 29.44% of your 2002 earnings.

We want to thank you for all that you have done for the company. We are proud of our accomplishments, and we look forward to working with you to reach new heights in 2003.

Sincerely yours,



James L. Dolan
President & CEO



Seth Abraham
President, Madison Square Garden/
Radio City Entertainment

JLD/SA:kc

CONFIDENTIAL

MSG 30001

April 1, 2004

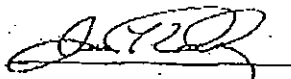
Anucha Brown-Sanders
Madison Square Garden, L. P.

Dear Anucha,

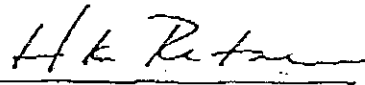
On behalf of our company, we are delighted to present you with your Management Performance Incentive Plan bonus award for 2003. As you know, our Company faced many challenges in the past year, and our success in meeting these challenges was directly linked to your performance. Your hard work and dedication resulted in a unit performance of 75.0%, which led to a bonus of \$53,000, representing 25.1% of your 2003 earnings.

We want to thank you for all that you have done for the company. We are proud of our accomplishments, and we look forward to working with you to reach new heights in 2004.

Sincerely yours,



James L. Dolan
President & CEO



Hank Ratner
Vice Chairman



Steve Mills
President, Sports Team Operations

February 18, 2005

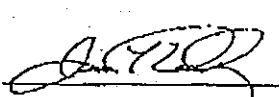
Anucha Brown-Sanders
Madison Square Garden, L.P.

Dear Anucha,

On behalf of our company, we are delighted to present you with your Management Performance Incentive Plan bonus award for 2004. As you may know, our Company had a terrific year. Almost all of our business units exceeded their plans and budgets. You responded exceptionally well in meeting all challenges and opportunities that confronted us this year, and we want both to congratulate and thank you for your splendid efforts and the results they produced. Your hard work and dedication resulted in a unit performance of 120.6%, which led to a bonus of \$76,000, representing 35.9% of your 2004 earnings.

Again, we want to thank you for all that you have done for the company. We are proud of our accomplishments, and we look forward to working with you in our continuing efforts to sustain our record of excellent performance.

Sincerely yours,



James L. Dolan
President & CEO



Hank Ratner
Vice Chairman



Steve Mills
President, Sports Teams Operations