

Exhibit 17

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

-----x

ANUCHA BROWNE-SANDERS,

Plaintiff,

-against-

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

Defendants.

-----x

1501 Broadway
New York, New York
January 29, 2007
10:12 a.m.

DEPOSITION of MADISON SQUARE
GARDEN by ROCHELLE NOEL, one of the
Defendants in the above-entitled
action, held at the above time and
place, taken before Barbara P.
Goldsmith, a Shorthand Reporter and
Notary Public of the State of New York,
pursuant to the Federal Rules of Civil
Procedure, and stipulations between
Counsel.

62

1 **R. NOEL**

2 **Mr. Thomas were having difficulty, he**

3 **did not raise any issues of her**

4 **performance.**

5 Q. Did he tell you that

6 Ms. Browne-Sanders had ever told him

7 she wanted to leave Madison Square

8 Garden?

9 **A. At some point he did, but I**

10 **don't recall if that was in the first**

11 **interview or the second.**

12 Q. Can you take a look at your

13 notes and see if it refreshes your

14 recollection whether he mentioned that

15 in the first interview?

16 **A. I'm sorry. What was your**

17 **question again?**

18 Q. During the first interview,

19 did Mr. Mills tell you that

20 Ms. Browne-Sanders had at any point.

21 Said she wanted to leave Madison Square

22 Garden?

23 **A. I don't believe so.**

24 Q. Is there anything in your

25 notes that indicates that in the first

63

1 **R. NOEL**

2 interview Mr. Mills mentioned that

3 Ms. Browne-Sanders had ever told him

4 that she wanted to leave Madison Square

5 Garden?

6 **MR. GREEN:** Objection to

7 form. You may answer.

8 **A. There does not appear to be**

9 **anything in my notes about anything**

10 **about Ms. Browne-Sanders wanting to**

11 **leave.**

12 Q. How long did you speak with

13 Mr. Mills during the first interview?

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

15 Q. Was it more than an hour?

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

17 Q. Is there anything that you

18 remember from the interview that is not

19 contained in your notes?

20 **MR. GREEN:** Objection to

21 form. You may answer as best you

22 can.

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

24 **MS. CACACE:** Mark a --

25 Q. Before we go to the next

64

1 **R. NOEL**

2 document, did you ask Mr. Mills during

3 the first interview if there was

4 anything else he wanted to tell you

5 about Ms. Browne-Sanders?

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

7 Q. Did you cut him off at any

8 point during the interview or did you

9 let him finish telling you what it was

10 he was saying while you were asking him

11 questions?

12 **MR. GREEN:** Objection to

13 form. You may answer.

14 **A. I don't specifically recall,**

15 **but I don't believe that I cut him off**

16 **at any point.**

17 **MS. CACACE:** Mark this one as

18 Noel Exhibit 2.

19 (12/23/05 Thomas notes were

20 hereby marked as Noel Exhibit 2 for

21 identification, as of this date.)

22 **MS. CACACE:** For the record,

23 this is a document Bates stamped

24 MSG 4068 through 4077.

25 Q. After you finish reviewing

65

1 **R. NOEL**

2 it, could you let me know?

3 **A. Sure. Okay.**

4 Q. Are these your notes from

5 your interview with Mr. Thomas on

6 December 23rd?

7 **A. They appear to be, yes.**

8 Q. And who else was present at

9 that interview?

10 **A. Mr. Moran.**

11 Q. Where did the interview take

12 place?

13 **A. I believe it was at**

14 **Mr. Thomas' office.**

15 Q. I believe you testified

16 earlier that for this interview you

17 made notes of questions that you wanted

18 to ask Mr. Thomas; is that correct?

19 **A. Correct.**

20 Q. Are the first four pages of

21 this document the notes that you made

22 prior to the interview?

23 **A. They appear to be, yes.**

24 Q. So the first question you

25 wanted to ask Mr. Thomas was regarding

66

1 R. NOEL
 2 Frank Murphy?
 3 A. Correct.
 4 Q. And what did you ask
 5 Mr. Thomas?
 6 A. My notes reflect that I asked
 7 him if Ms. Browne-Sanders had
 8 complained to him regarding Frank
 9 Murphy and the words in quotes are
 10 phrases that were attributed by
 11 Ms. Browne-Sanders to Mr. Murphy, "Who
 12 are you? Who do you think you are,
 13 bitch." I'm sorry.
 14 Q. Is there anything else?
 15 A. No.
 16 Q. What was Mr. Thomas'
 17 response?
 18 A. Mr. Thomas said that he
 19 didn't recall the word, bitch, that
 20 Mr. Murphy and Ms. Browne-Sanders were
 21 at odds, like oil and vinegar, and that
 22 each had complained about the other.
 23 It looks like Mr. Thomas
 24 provided more information about how
 25 Ms. Browne-Sanders and Mr. Murphy came

67

1 R. NOEL
 2 to be working together. He indicated
 3 that he, Mr. Thomas, arrived at MSG
 4 presumably in December of 2003, that
 5 "Ms. Browne-Sanders' department and
 6 basketball were all mixed at that time,
 7 that he and Ms. Browne-Sanders started
 8 butting heads because he wanted
 9 complete control of the players and
 10 that Ms. Browne-Sanders thought that
 11 that was personally directed towards
 12 her, but it was not personal. He tried
 13 to explain the middle of a losing
 14 streak. Instead of sending players
 15 working 40 minutes per night, send
 16 other players. Asked her and Frank to
 17 make a schedule in advance. Told Frank
 18 whatever AS needs, we deliver or some
 19 other way."
 20 Q. What did you understand
 21 Mr. Thomas to mean by "some other way"?
 22 A. That if they couldn't provide
 23 exactly -- couldn't give her exactly
 24 what she was asking for, they'd some
 25 other way to make it work.

68

1 R. NOEL
 2 Q. Did you ask Mr. Thomas the
 3 question you have under No. 2 on page
 4 4068?
 5 A. Yes. I don't recall, as I
 6 sit here, exactly how I worded it, but
 7 the question says, if yes, pertaining
 8 to Ms. Browne-Sanders' allegation that
 9 she complained to him regarding Frank
 10 Murphy. I think what I was saying is,
 11 "Did you say who the fuck are you?
 12 What do you do around here? Bitch, ho,
 13 mother fucker."
 14 Q. What was Mr. Thomas'
 15 response?
 16 A. He denied it, but he said
 17 that he didn't -- he wasn't claiming
 18 that he doesn't swear, but that he
 19 never treated anyone in that manner and
 20 didn't treat her in that manner on that
 21 occasion.
 22 Q. Did you ask Mr. Thomas what
 23 type of swear words he does use in the
 24 office?
 25 A. I did not.

69

1 R. NOEL
 2 Q. Why not?
 3 A. I was asking specifically
 4 about those -- the allegations that she
 5 had raised and those were the questions
 6 that I put to him.
 7 Q. Did you ask if he ever cursed
 8 at Ms. Browne-Sanders?
 9 A. I don't recall if I did.
 10 Q. Did you ask him if he ever
 11 cursed in her presence?
 12 A. I don't recall.
 13 Q. Did you think it would have
 14 been important if he had cursed in her
 15 presence?
 16 MR. GREEN: Objection to
 17 form. You may answer as best you
 18 can.
 19 A. It would depend on the
 20 content.
 21 Q. Did you think it would have
 22 been important if he had cursed at her
 23 at any time?
 24 MR. GREEN: Same objection as
 25 to form. You may answer again.

18 (Pages 66 to 69)

90

1 R. NOEL
 2 [REDACTED] was embarrassing?
 3 MR. GREEN: Objection to
 4 form. You may answer.
 5 A. I don't think he said that
 6 [REDACTED] was embarrassing, but that
 7 Ms. Browne-Sanders was saying that
 8 [REDACTED] was embarrassing.
 9 Q. So that last paragraph, could
 10 you tell me the discussion that's
 11 referenced in that last paragraph?
 12 A. I think that I had asked him
 13 if he had any idea where
 14 Ms. Browne-Sanders' allegations might
 15 have come from. And then he was
 16 speaking to me about his -- her
 17 relationship with [REDACTED] and that's
 18 where he said, [REDACTED] embarrassing and a
 19 goof. Can't get anything done with
 20 him. Then he talked to him."
 21 So Ms. Browne-Sanders had
 22 complaints to Mr. Thomas. Mr. Thomas
 23 said he would talk to him. "Direct to
 24 him," but I think that's supposed to be
 25 directed "him to Jamie Matthews and C.

91

1 R. NOEL
 2 Bernard. Give them what they need and
 3 behave in a gentlemanly way."
 4 Q. So during this conversation,
 5 Mr. Thomas was telling you that he told
 6 Ms. Browne-Sanders to work with
 7 Mr. Matthews and Ms. Bernard --
 8 Mr. Bernard?
 9 A. He said that he would talk to
 10 [REDACTED] I don't know. I can't --
 11 I'm not sure what that means, "direct
 12 to him." I don't know if he was saying
 13 that he told Ms. Browne-Sanders that he
 14 would speak to [REDACTED] and he told
 15 [REDACTED] to tell Jamie and C.
 16 Bernard, that they should be given what
 17 they need and he should behave in a
 18 gentlemanly way. I don't recall as I
 19 sit here.
 20 Q. Were there any complaints
 21 that Mr. Bernard or Mr. Matthews or
 22 [REDACTED] were not behaving in a
 23 gentlemanly way?
 24 MR. GREEN: Objection to
 25 form. You may answer.

92

1 R. NOEL
 2 A. Ms. Browne-Sanders had made
 3 that allegation.
 4 Q. About which of those
 5 individuals?
 6 A. About [REDACTED].
 7 Q. Had she made any allegations
 8 about Mr. Matthews or Mr. Bernard?
 9 A. I don't recall. I'm not sure
 10 what this meant.
 11 Q. Did Mr. Thomas tell you that
 12 other people complained about
 13 [REDACTED]?
 14 A. I know somebody did, but I
 15 can't remember who. But it's reflected
 16 in my notes somewhere.
 17 Q. If you look at the top of
 18 4077, can you read that and see if that
 19 refreshes your recollection about
 20 whether there were other complaints
 21 about [REDACTED]?
 22 A. It states there "were
 23 complaints regarding [REDACTED] being hostile
 24 or being angry and IT spoke with him."
 25 But he said he never received such

93

1 R. NOEL
 2 complaints from Ms. Browne-Sanders,
 3 that [REDACTED] was inappropriate in
 4 his mannerism, that his voice would be
 5 raised, would get loud but not
 6 disrespectful from Mr. Thomas'
 7 perspective.
 8 Q. So did Mr. Thomas say that
 9 [REDACTED] would raise his voice, but
 10 Mr. Thomas did not find that to be
 11 disrespectful?
 12 MR. GREEN: Objection to
 13 form, but you may answer.
 14 A. He said that he would raise
 15 his voice and he would get loud, but
 16 not disrespectful from his perspective.
 17 Q. From Mr. Thomas' perspective?
 18 A. Correct.
 19 Q. Is there anything else that
 20 Mr. Thomas told you in this first
 21 interview that's not reflected in your
 22 notes?
 23 MR. GREEN: Objection to
 24 form. You may answer.
 25 A. Not that I recall.

24 (Pages 90 to 93)

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94

1 **R. NOEL**

2 Q. Did you ask Mr. Thomas -- did

3 Mr. Thomas have any questions to you?

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

5 Q. On the last page 4077, I

6 think right under where you just read.

7 **A. Uh-huh.**

8 Q. Could you read the next part?

9 **A. "Believes AS wanted to be**

10 **making decisions in B-ball ops.**

11 **Changed when IT got here."**

12 Q. What did Mr. Thomas say about

13 that?

14 **A. That he believed that**

15 **Ms. Browne-Sanders wanted to be making**

16 **decisions regarding basketball**

17 **operations and that he was in charge of**

18 **basketball operations when he arrived.**

19 Q. Did he say what type of

20 decisions she wanted to be making with

21 respect to basketball operations?

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

23 Q. What is your understanding of

24 what basketball operations covers?

25 **A. I'm not sure.**

95

1 **R. NOEL**

2 Q. Did you ask him what he was

3 talking about?

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

5 Q. Did you have an understanding

6 of what Ms. Browne-Sanders' job

7 responsibilities were when you

8 interviewed Mr. Thomas for the first

9 time?

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

11 Q. When you first started your

12 interview with Mr. Thomas, did you tell

13 him what you were investigating?

14 **A. I don't remember exactly what**

15 **I told him. I believe that I told him**

16 **that we were investigating allegations**

17 **that had been raised by**

18 **Ms. Browne-Sanders. I don't know if I**

19 **was specific about the allegations that**

20 **had been raised.**

21 Q. What was his response when

22 you told him that you were

23 investigating allegations by

24 Ms. Browne-Sanders?

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

96

1 **R. NOEL**

2 Q. Do you recall if he was

3 surprised?

4 MR. GREEN: Objection to

5 form. You may answer.

6 **A. I don't recall if he was**

7 **surprised when I initially spoke to**

8 **him. I remember at some point he did**

9 **seem to express surprise as my**

10 **questions to him indicated what the**

11 **specific allegations were if I had not**

12 **previously.**

13 Q. And at what point was he

14 surprised?

15 **A. I don't recall specifically.**

16 MS. CACACE: Would you mark

17 this as 3, please.

18 (12/23/05 Winkler notes were

19 hereby marked as Noel Exhibit 3 for

20 identification, as of this date.)

21 Q. Please let me know when you

22 have finished looking at this.

23 MS. CACACE: And for the

24 record, this is a one page document

25 Bates stamped MSG 4078.

97

1 R. NOEL

2 **A. Okay.**

3 Q. Are these your notes of an

4 interview with Mr. Winkler on

5 December 23rd of '05?

6 **A. They appear to be, yes.**

7 Q. Who else was present for the

8 interview?

9 **A. Mr. Moran.**

10 Q. Where did the interview take

11 place?

12 **A. I believe in Mr. Moran's**

13 **office, but I'm not positive.**

14 Q. Why did you want to meet with

15 Mr. Winkler?

16 **A. I believe somehow we learned**

17 **that he might have had information**

18 **about Ms. Browne-Sanders' allegation**

19 **regarding Petra Pope.**

20 Q. Did you ask Mr. Winkler about

21 that?

22 **A. I did.**

23 Q. And what did he say?

24 **A. He said that Petra had**

25 **inferred to him that it was Mr. Thomas**

25 (Pages 94 to 97)

230

1 R. NOEL
 2 **A. I don't recall.**
 3 Q. Did you ask him what "setting
 4 this up" meant?
 5 **A. I don't recall.**
 6 Q. In the second interview, did
 7 Mr. Mills tell you that he was aware of
 8 the comment that Mr. Marbury was
 9 alleged to have made, saying that
 10 Ms. Browne-Sanders was a bitch?
 11 MR. GREEN: Objection to
 12 form. You may answer.
 13 **A. I don't recall.**
 14 Q. Well, on the first page of
 15 this exhibit, you refer to Marbury's
 16 comments?
 17 **A. Right.**
 18 Q. Did you have any discussion
 19 with Mr. Mills about the comments that
 20 Mr. Marbury was alleged to have made
 21 about Ms. Browne-Sanders?
 22 **A. I don't recall.**
 23 Q. Do you recall if you had any
 24 conversation with Mr. Mills in the
 25 first interview about the comments that

231

1 R. NOEL
 2 Mr. Marbury said calling
 3 Ms. Browne-Sanders a bitch?
 4 MR. GREEN: Objection to
 5 form. You may answer.
 6 **A. I don't recall.**
 7 Q. If you can take a look at
 8 Noel Exhibit 1, and take a look
 9 specifically at page 4111. If you look
 10 at the second paragraph on that page,
 11 the second sentence says, "Never heard
 12 comment by Marbury that AS was a
 13 bitch."
 14 **A. Yes.**
 15 Q. Does that refresh your
 16 recollection as to whether Mr. Mills
 17 told you in the first interview that he
 18 hadn't heard a comment by Mr. Marbury
 19 that Ms. Browne-Sanders was a bitch?
 20 **A. I didn't even recall that**
 21 **that was your question. I'm sorry.**
 22 Q. Sure. My question is, do you
 23 remember whether in the first interview
 24 you had with Mr. Mills, did he tell you
 25 that he had not heard that Ms. --

232

1 R. NOEL
 2 Mr. Marbury called Ms. Browne-Sanders a
 3 bitch?
 4 **A. That my notes seem to**
 5 **indicate that he did say that he never**
 6 **heard a comment by Mr. Marbury that**
 7 **Ms. Browne-Sanders was a bitch.**
 8 **(1/11/06 Isiah Thomas notes**
 9 **were hereby marked as Noel Exhibit**
 10 **13 for identification, as of this**
 11 **date.)**
 12 Q. N 13 is a document marked MSG
 13 41042 through 41047.
 14 **A. Okay.**
 15 Q. Are these notes the second
 16 interview you had with Mr. Thomas?
 17 **A. They appear to be, yes.**
 18 Q. And when did that interview
 19 take place?
 20 **A. I believe it was**
 21 **January 11th.**
 22 Q. Where did it take place?
 23 **A. I believe Mr. Thomas' office.**
 24 Q. And who was present?
 25 **A. Mr. Moran, Mr. Thomas and**

233

1 R. NOEL
 2 **myself.**
 3 Q. Why did you have a second
 4 interview with Mr. Thomas?
 5 **A. For the same reasons we met**
 6 **with others on the second day, that we**
 7 **had an opportunity to speak with**
 8 **Ms. Browne-Sanders directly and also**
 9 **because of things that we learned from**
 10 **other interviews.**
 11 Q. If you look at the second
 12 page of this document, in the second
 13 paragraph, I think the third sentence
 14 in says, "Understand sponsorship
 15 events, but in the future make sure
 16 these schedule mistakes don't take
 17 place." What did that refer to?
 18 **A. Mr. Thomas was responding to**
 19 **a question that I asked him regarding**
 20 **an allegation by Ms. Browne-Sanders**
 21 **that Mr. Thomas had pulled her up by**
 22 **her arm into a locker room and cursed**
 23 **at her. He was stating that he**
 24 **remembered the loss on the night that**
 25 **she alleges this happened. It was in**

59 (Pages 230 to 233)

| | |
|---|--|
| <p style="text-align: right;">234</p> <p>1 R. NOEL</p> <p>2 the middle of the playoff push and that</p> <p>3 he was being heavy handed with the</p> <p>4 players. He went into the locker room,</p> <p>5 told them that losing like that was</p> <p>6 unacceptable. He said he told them</p> <p>7 that he understands sponsorship events,</p> <p>8 but in the future make sure these</p> <p>9 scheduling mistakes don't take place,</p> <p>10 so.</p> <p>11 I believe that the game</p> <p>12 happened after some kind of community</p> <p>13 relations event and they lost and</p> <p>14 Mr. Thomas was upset about the loss.</p> <p>15 Q. And he connected it in some</p> <p>16 way to the community relations event?</p> <p>17 A. To my recollection.</p> <p>18 Q. Is that he did?</p> <p>19 A. Yes.</p> <p>20 Q. If you could look two</p> <p>21 paragraphs down from that it says,</p> <p>22 "Doesn't believe they have players blow</p> <p>23 off appearances since he's been here.</p> <p>24 Couldn't have players," I'm not sure.</p> <p>25 Could you read that sentence, the next</p> | <p style="text-align: right;">236</p> <p>1 R. NOEL</p> <p>2 next year he wanted Ms. Browne-Sanders</p> <p>3 to have sensitivity for the players and</p> <p>4 their energy?</p> <p>5 A. I believe so, yes.</p> <p>6 Q. If you could look at the next</p> <p>7 page, at the very last paragraph, where</p> <p>8 it says, "No request for off site</p> <p>9 meetings. No calculation behind not</p> <p>10 meeting with her. Just got lucky."</p> <p>11 A. Yes.</p> <p>12 Q. What was that in reference</p> <p>13 to?</p> <p>14 A. I don't recall. I mean, I</p> <p>15 know that there was an allegation that</p> <p>16 he had been requesting that</p> <p>17 Ms. Browne-Sanders go to off site</p> <p>18 meetings. I'm not sure, I don't recall</p> <p>19 as I sit here what he meant by "no</p> <p>20 calculation behind not meeting with</p> <p>21 her, just got lucky."</p> <p>22 Q. Did you ask him what he</p> <p>23 meant?</p> <p>24 A. I don't recall.</p> <p>25 Q. Did he sound hostile when he</p> |
| <p style="text-align: right;">235</p> <p>1 R. NOEL</p> <p>2 sentence?</p> <p>3 A. "Couldn't have players</p> <p>4 playing most show up at all events</p> <p>5 draining energy. Recommends not using</p> <p>6 key," and I don't think I -- I think I</p> <p>7 left off the word, players.</p> <p>8 Q. Mr. Thomas was recommending</p> <p>9 that they not use key players for the</p> <p>10 community relations event?</p> <p>11 A. I think he was saying that</p> <p>12 they should not have key players at all</p> <p>13 events, not that they shouldn't use</p> <p>14 them for any events.</p> <p>15 Q. Could you read the next</p> <p>16 paragraph?</p> <p>17 A. "Denies interaction with AS</p> <p>18 completely. Thinks AS, SM and IT met.</p> <p>19 Said to both will make sure play" -- I</p> <p>20 think it's supposed to be players --</p> <p>21 "where to be and to do what supposed to</p> <p>22 and handle in respectful way. Next</p> <p>23 year sensitivity for players and their</p> <p>24 energy."</p> <p>25 Q. Mr. Thomas was saying that</p> | <p style="text-align: right;">237</p> <p>1 R. NOEL</p> <p>2 said that?</p> <p>3 MR. GREEN: Objection to</p> <p>4 form. You may answer.</p> <p>5 A. I don't recall.</p> <p>6 Q. Did he sound like he was</p> <p>7 happy he didn't have to meet with</p> <p>8 Ms. Browne-Sanders?</p> <p>9 MR. GREEN: Same objection as</p> <p>10 to form. You may answer.</p> <p>11 A. I don't recall.</p> <p>12 Q. Was he laughing when he said</p> <p>13 that?</p> <p>14 A. I don't believe so.</p> <p>15 Q. Can you look at the next</p> <p>16 page. The second to last paragraph</p> <p>17 says, [REDACTED] not here because a lot of</p> <p>18 this shit stuff because we all have</p> <p>19 bosses," I think, is that what it says?</p> <p>20 A. Yes.</p> <p>21 Q. What did that refer to?</p> <p>22 A. That [REDACTED] was not here</p> <p>23 because of the things that come before</p> <p>24 it in the notes.</p> <p>25 Q. And what was that discussion</p> |

60 (Pages 234 to 237)

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①

Isaiah Thomas
12/23/05

3/23/06

① AS complain to you re Frank Murphy -
"Who are you" "Who do you think
you are" "Bitch"

Doesn't recall bitch. FM & AS @ odds like
oil & vinegar. Both complained about the other.



② If yes - "Who the fuck are you"
"What do you do around here"
"Bitch" "Ho" "Mother fucker"

③ 3/23/06

Mtg w/ Steve to clarify your respective
roles. Recollection of same

Steve stepping
out during mtg

Anuena describe her responsibilities?
"Can't go on like this?"

During mtg @ any point curse @ her?

②

II

Tell players in late '03-'04 that they didn't have to participate in community relations?

How did you feel about her? Did that change? Believe different philosophies re your responsibilities?

Exxon Ad campaign - refuse to make players available - needed to use cut outs

Tell her repeatedly "We're not doing your part" "I (ol) We aren't doing either"

③

II

6/05 agree to participate in a recording
for a phone line - subseq undruid

Ad sales mtg did you say "You're
wasting my fucking time"

Ever tell Petra ~~Pope~~ Anucha to tell Petra
to go into lockerroom and flirt with
the refs?

Ever tell anyone else to ignore Anucha?
Ever say "Don't have to take direction
from that bitch" "Don't have to listen
to her?"

Oh 12/14/05 did you hug Anucha from
behind and say you can't get
any love?

④
IT

12/30/04 he and Anucha playing
a game of horse said "I'm
"I love you, you're beautiful." etc
like the movie Love and Basketball"

3/14/05 say to Anucha "I'm ~~very~~
~~attracted to you and I am in love~~
with you I notice you have a scar
over your eye. I have a scar over
my eye. I know you think I'm
inappropriate but I love you.

⑤

~~Amn M~~

IT

① Arrived in 12/03. Amucha's dept, b-ball all missed @ that time. AS & IT butted heads @ that time b/c IT wanted complete control of players. AS thought was personally directed towards ~~her~~. Not personal.

Tried to explain in middle of losing streak. Instead of sending players working 40 mins/night send other players. Asked her & Frank to make a sched. in advance

Told Frank whatever AS needs we deliver. Or some other way.

② Denies - does not claim he doesn't swear but never treated anyone in that manner and not her on that occasion

③ By his arrival AS Jeff Nicks & Scott Jayden ran b-ball ops. At that time told SM need players focus more on b-ball than on Emty kel. Did say would coop. Have been coop

Doesn't recall it being a hostile mtg. No voices raised. No recollection of a break in the mtg but sure no profanity

(b)
IT

⑦
IT

⑤ Admits told them to focus on b-ball but didn't tell them not to honor commitments. Next season requested the written schedules. Frank & AS preparing the schedules.

Playoffs push that yr. Krick Bowl sched but fighting for playoff seat right b4 the game. Lost the game. At end of season came up w/ sched ideas

Little conversation or interaction w/ AS most were btw Frank and AS. By IT's choice. No time to adhere to weekly reg sched. Frank here pt easier for him to communicate

No relationship - never

Ad campaign - ads already done when first viewed them. Only ques asked re campaign was should one of the players be Allen Houston. No one told him of complaints

Doing your shit - Denies. Only comm was need to work for ^{Krick's obj} the ^{city} as a whole. Carry yourself prof during empty rd. Hired someone to ensure players.

(8)
IT

Recording 6/05 - agreed initially then subseq told SM not a good idea b/c not his job to sell tix. Made fun of.

Ad Salesmtz - Your wasting my fucking time. Recalls attending an ad sales mtg. Can't recall being in one & swearing. If said probably in context of players all over the place & no energy. Don't use the players to do your job - they should be the last resort. Players shouldn't have to be all over

Petra Pope - Denies. Knows Petrawell office close by would have

12/14/05 - Admits standing in tunnel. Hand grab by her shoulders gave a hug how you doing. Al pulled away gave him a nasty look. Asked if she was all right. She didn't say anything in response. IT was comfortable. First sign of anger or disdain.

Had hugged her in the past
ushers could attest to this

⑨
IT

love of basketball → Never happened.
At Christmas party - did play horse
but 7 other people playing

scam - Denies.

Doesn't hate her.
Never complained re doing.
Doesn't believe he'd make it
difficult
Everything she needed he gave w/
exception of phone line

Off-site mtgs - no interactions Frank
met not him. Wasn't able to
attend off site mtgs as she had

- Doesn't know where allegations
come from.

Said [redacted] embarrassing and a goof. Can't
get anything done w/ him. Said he'd
talk to him. Dit to him, Jamie M
& C. Bernard give them what they
need and behave in gentlemanly
m.

(10)

II

Were complaints re [redacted] being hostile or being angry and IT spoke w/ him

Never rec'd such complaints from Anucha -
slapping his messenger.

Voice would be raised - would get loud - not disrespectful from IT's perspective.

Believes AS wanted to be making decisions in b-ball opp. Charged when IT got here.

Set tone that b-ball is focus - that's what this is - if players winning game
b-ball business first.

1

Isiah Thomas

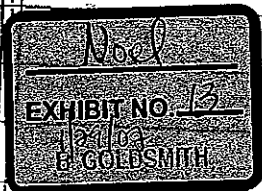
1/11/06

Recall Aundra giving you a cheat sheet w/ some facts about the business sometime in mid-January?

- If rec'd it took it as helpful info sure he would have appreciated.

Were on the bottom - not offended @ all

If yes recall having a problem with her giving it to you?



(2)

March 10, 2004 - alleges after losing a game and telling players no more community you saw her outside the locker room and pulled her by her arm into another room - "Not doing any more of your fucking events" "I don't give a fuck shit what the fuck you say" Says she told you you needed to speak to Steve and your response was "You fucking bitch. You're not going to mess up what I'm trying to do here."

Remembers the loss - in middle of playoffs just being heavy-handed w/ players. Went into locker room losing like this unacceptable. Understood sponsorship events but in the future make sure these sched mistakes don't take place. Any other sched events - try to cut them down.

After met w/ PM. Told him speak to AS who next yr get dates in advance & go over it. Keeping Davis most w/ players in March & April.

Doesn't believe they've had players blow off appearances since he's been here. Couldn't have players playing most show up @ all events draining energy. Recommended not using Key

Denies interaction w/ AS completely. Thinks AS, SM & IT met. Said to both will make sure play where to be & to do what supposed to & handle in respectful way - Next yr sensitivity for players & their

Doesn't believe was an occa when asked for players not made avail

Not happy times when he arrived. Too loose & fancy free. No accountability. B-ball ops w/ps to ball/conty rel all intertwined. Felt needed to be changed. Guys needed energy & focus. Everything players committed to the did

Never felt she felt anything was interfering

March 22, 2004 - Alleges that while discussing some of her duties with you you said "If you do these things, what the fuck am I supposed to do?" - If you do these things then what am I here for. Wasn't clear what she really did. Thought she was acting as his boss & he was reporting to her.

Went out of their way to accommodate

Asked what she did & her resp. Said getting people into bldg, security, ushers, profits, making sure players get to & from where they're supposed to be, refs, on air talent on art production, everything that goes around the game she does. Her last comment - Was responsible for PDL for M&G

Never complained to him that players would go to where w/ money

he knicks. If you do all of this what's my job? You make trades. We need to meet w/ Steve cause I need clarification of what I'm here for. Called his wife & said that she got a problem there. Explain to her what's going on. Called SN said need to meet

SN never came to him w/ concerns re player

October 30, 2005 - State at an open practice, "You stay close to me and you will make a lot of money."

SN would say u & AS need to work together

↳ Doesn't recall saying that or anything like it.

IT would say we're always on the edge w/ the PM

No requests for off site mtgs. No calculator behind not mtg w/ her - just got lucky.

PM meets w/ the PM

PM was to problem to meet w/ him

PM was to problem to meet w/ him

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EPSTEIN BECKER&GR:

PAGE 08/18

(4) IT

Met w/ AS maybe 4/5 times met w/ AS. Sent him memos, notes & everything else. Says he told her PM would meet with her.

Didn't really see or interact w/ AS. She dealt w/ Steve.

Many people communicated to IT that they had problems w/ [redacted] - one of the reasons he's no longer here. Very set in his ways, very opinionated and loud. Most around here found way to forgive him & overlook. Got to a point where couldn't keep doing that. Never saw [redacted] as liability. Loved [redacted] Hurt him when [redacted] had to go.

Believed was a personality conflict b/w AS & [redacted] but work that needed to be done was getting done. Just b/c 2 didn't like each other. Words for [redacted] "You know how [redacted] is." Never saw [redacted] be abusive or hostile to anyone in his presence.

Could be dismissive, short if didn't agree w/ you. Could make you feel like you're not getting there. Doesn't think he's heard [redacted] swear. Never heard him refer to anyone as bitch or whores. Called some dumb.

[redacted] not here b/c a lot of this shit - stuff b/c we all have bosses.

Spoke to Eric Brunfeld. Asked re [redacted] [redacted]. Good recommendation. [redacted] was turned when IT arrived. Didn't have to go outside for

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⑥

to him. Made a judgment call & told her she had to adjust to it.

Made the adjustment b/c was a big deal for Mar to be coming back. He was filling seats - necessary to bend a little till we found out who was who. Before could start chopping. No other player from here @ that

Steve told Steph his cousin was being fired. Steph never mentioned to IT upset re this.

Stood his ground but gave her everything she wanted. PM may have said no to some things w/o telling him. Always reasons for nos & tried to find way to do it.

REDACTED

TO: RUSTY McCORMACK

FROM: ROCHELLE NOEL *for*
JOHN MORAN *JM*

DATE: JANUARY 13, 2006

RE: SUMMARY OF HARASSMENT INVESTIGATION



I. Introduction

On or about December 21, 2005, Anucha Browne Sanders ("Browne Sanders") raised issues concerning violations of the Company's Harassment Prevention Policy. Specifically Browne Sanders alleged that she had been harassed by various Garden employees and that, as a result of the harassment, she has become unable to perform her job functions. These concerns were raised through Browne Sanders' counsel (Kevin Mintzer and Judith Vladeck of Vladeck, Waldman, Elias & Engelhard) to counsel for the Company.

II. Witnesses/Documents

Consistent with Company policy and with the law the Company, by John Moran, VP Employee Relations and Rochelle Noel, Senior Counsel Employment Law (Cablevision) undertook an investigation. In investigating the allegations raised the investigators spoke to a number of individuals, including some individuals identified by Browne Sanders. The following individuals were spoken to:

- a. Gary Winkler - 12/23
- b. Pete Olsen - 12/23, 1/9
- c. Steve Mills - 12/23, 1/9
- d. Isiah Thomas - 12/23, 1/11
- e. Dan Gladstone 12/31, 1/9
- f. Faye Brown - 1/3
- g. Lynn Carfora - 1/3
- h. Karin Buchholz - 1/5
- i. Frank Murphy - 1/5
- j. Anucha Browne Sanders - 1/7
- k. Dr. Lisa Callahan - 1/9

Although the investigation commenced on December 23, 2005, due to Browne Sanders' initial unwillingness to make herself available to be interviewed, it was necessary to speak to some witnesses a second time after Browne Sanders eventually made herself available.

Additionally, the following documents were reviewed in connection with the investigation:

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- a. Browne Sanders' electronic mail sent or received via the Company's computer server. Recovered messages received cover a span of dates from October 2004 through the present and messages sent range from July 2004 through present.
- b. Frank Murphy's electronic mail sent or received via the Company's computer server. Recovered messages received and sent cover dates from September 2005 through October 2005.
- c. Steve Mill's electronic mail sent or received via the Company's computer server. Recovered messages include archived sent and received messages from November 2001 through August 2004. For the period September 2004 through November 2004, only sent messages were recovered and reviewed. Current sent and received messages were recovered and reviewed in the investigation from April 2005 to present.
- d. Isiah Thomas's electronic mail sent or received via the Company's computer server. Recovered messages reviewed include received messages for the current month and sent messages for the period June 2004 through present.
- e. An e-mail chain including an e-mail dated November 28, 2005 from Dan Gladstone to Browne Sanders with the subject "Staffing Issues - Marbury"
- f. Typed notes prepared by Pete Olsen of a conversation held with Browne Sanders on May 11, 2005.

It is not possible to state that all e-mails sent and received during the dates specified were capable of recovery.

III. Allegations

A summary of the allegations raised by Browne Sanders are set forth below¹. A more fulsome investigation was prohibited by Browne Sanders' counsel's insistence that the investigation be concluded quickly.

a. Inappropriate Language or Conduct

| DATE | BROWNE SANDERS ALLEGATION | WITNESS STATEMENTS |
|-----------|--|--|
| Jan. 2004 | <ul style="list-style-type: none"> • Browne Sanders alleges she refused to credential Stephon Marbury's ("Marbury") cousins in reliance upon direction by Isiah Thomas ("Thomas") that only immediate family be credentialed. • Alleges Marbury says, "fuck this." • Cousins eventually get credential at a later date. | Thomas agrees there were limitations on credentialing and that exception was made in light of Marbury's circumstances. |
| ? 2004 | Browne Sanders alleges she was told by Dan Gladstone that he'd heard from Team Ops staff that Thomas told Team Ops staff "we don't need to take direction from that bitch." | Thomas denies. Gladstone states Jamie Matthews and Chris Bernard heard non-specific rumors from Team Ops staff. |

¹ Browne Sanders also recounted allegations of conduct involving other employees that the Company previously investigated and resolved.

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| DATE | BROWNE SANDERS ALLEGATION | WITNESS STATEMENTS |
|---------------|--|---|
| | | Gladstone does not confirm use of profanity. |
| Mar. 10, 2004 | Browne Sanders alleges Thomas pulled her by the arm into a room by the player's locker room and told her: <ul style="list-style-type: none"> "We are not doing any more of your fucking events." "You fucking bitch, we are doing no more events." "You won't mess up what I am trying to do here." | Thomas denies. No other witnesses were identified. |
| Mar. 22, 2004 | Browne Sanders alleges she was discussing some of her duties with Thomas and that he said, "If you do these things, what the fuck am I supposed to do?" | Thomas acknowledges making the statement but denies use of profanity. |
| Mar. 23, 2004 | Browne Sanders alleges Frank Murphy enters her office and calls her a fucking bitch and tells her that she would have to go through him to get to Isaiah. | Frank Murphy acknowledges that he raised his voice, but says he did not curse. Faye Browne says she heard Murphy use the word, "bitch." |
| Mar. 23, 2004 | Browne Sanders alleges that she calls Thomas to tell him of Murphy's conduct and Thomas started yelling at her, "I don't know what the fuck you do"; "who the fuck are you"; "what the fuck am I here for"; "bitch"; "whore." | Thomas states he received a complaint re Murphy but denies he used profanity or raised his voice and denies complaint that Murphy used profanity. |
| Mar. 24, 2004 | Browne Sanders states that a meeting was held in Steve Mills' office to clarify job responsibilities. She alleges that during a break in the meeting when Mills was absent Thomas immediately began to curse at her saying "Just remember I am the fucking President." | Thomas denies the statement and denies using profanity at any time during the meeting or break. No other witnesses identified. |
| Oct. 14, 2004 | Browne Sanders alleges Thomas told Petra Pope to go into referee's locker room and make sure they are happy, that Pope interpreted this to mean "go in and flirt with them," and that Pope told her this type of request had happened before and that she didn't want to do it anymore. | Thomas denies, however Mills states that he received the complaint from Browne Sanders and told Thomas it was not a good idea. Winkler states that Pope also complained to him. No further complaint from |

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| DATE | BROWNE SANDERS ALLEGATION | WITNESS STATEMENTS |
|---------------|--|---|
| Dec. 30, 2004 | <ul style="list-style-type: none"> Browne Sanders alleges that Thomas stopped her at Gate 1, hugged her tightly, and said, "I figured out why we have tension - I'm in love with you." Browne Sanders alleges that on "every" occasion on which she and Thomas interacted thereafter he told her he loved her. | Pope. Thomas denies the specific incident and denies having ever told Browne Sanders that he loves her. No other witnesses identified. |
| ? 2005 | <ul style="list-style-type: none"> Browne Sanders alleges that on another occasion in his office, Thomas told her she was beautiful and asked her for an offsite meeting. Browne Sanders alleges at another time Thomas hugged her for a protracted time and told her how in love he was with her. | Thomas denies. No other witnesses identified. |
| Mar. 14, 2005 | Browne Sanders alleges Thomas commented on her scar and said he also had one from a fight. He allegedly said he notices everything about her and told her she was beautiful. | Thomas denies. No other witnesses identified. |
| Oct. 30, 2005 | Browne Sanders alleges Thomas told her at an open practice, "You stay close to me and you will make a lot of money." | Thomas denies. No other witnesses identified. |
| Nov. 28, 2005 | Browne Sanders alleges she becomes aware for the first time of comments allegedly made by Marbury about her to Dan Gladstone on June 16, 2005. Marbury is alleged to have said "Fuck that bitch"; "I ain't doing shit for that bitch"; "We'll see what happens to her this year." | Gladstone states that this is so and his e-mail also bears this out. |
| Dec. 15, 2005 | Browne Sanders alleges Thomas came up from behind her and hugged her from behind, leaned over to kiss her and said, "What, I can't get any love." | Thomas acknowledges the hug and attempt to kiss but denies the comment. Mills states that he told Thomas not to do it again. |

b. Complaints

| DATE | BROWNE SANDERS ALLEGATION | WITNESS STATEMENTS |
|---------------|---|--|
| Mar. 11, 2004 | Browne Sanders alleges that she told Mills in their 3pm weekly meeting about Thomas pulling her into a room and cursing at her. | Mills denies having been told this. |
| Mar. 23, 2004 | Browne Sanders alleges that she called Thomas to complain of Murphy's allegedly referring to her as a bitch. | Thomas states that he received a complaint about Murphy but denies that he was told that |

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| DATE | BROWNE SANDERS ALLEGATION | WITNESS STATEMENTS |
|---------------|--|--|
| Mar. 23, 2004 | <ul style="list-style-type: none"> • Browne Sanders alleges she called Mills and told him what Thomas said and asked Mills to hold a meeting with her and Thomas, in part, to discuss and clarify job duties. • Browne Sanders also alleges she sent an email to Thomas, Murphy and Mills stating that Murphy should not curse at or threaten her and that Mills told her not to send such e-mails, which she interpreted as a direction not to put her allegations in writing. | <p>Murphy called Browne Sanders a bitch.</p> <p>Mills acknowledges receiving a request for a meeting but denies he was informed of Thomas' use of inappropriate language and denies directing Browne Sanders not to send e-mails. E-mail records show Browne Sanders' e-mail to Murphy did not reference Murphy's use of profanity, but referred to an "unprofessional outburst" and that Murphy, rather than Browne Sanders forwarded the e-mail to Mills and Thomas.</p> |
| Mar. 24, 2004 | <ul style="list-style-type: none"> • Browne Sanders alleges she told Mills and Thomas that in 17 years of employment, she had never been spoken to like Murphy and Thomas spoke to her and that she would not tolerate it now. "You can't call me a bitch or whore." • Browne Sanders alleges that immediately after the meeting with Mills and Thomas she told Mills that Thomas had cursed at her during the break in the meeting when Mills was absent. She alleges Mills didn't say anything - "he just took it in." | <p>Mills and Thomas deny Browne Sanders complained of Murphy's or Thomas' use of profanity. Mills, Thomas, and Browne Sanders state meeting occurred and roles were discussed. Mills states he believes both understood their roles. Mills states he concurred with Browne Sanders' description of her duties and states he told her she was too aggressive towards Thomas in the meeting. Mills denies that Browne Sanders told him Thomas cursed at her during his absence from the meeting.</p> |
| Oct. 18, 2004 | Browne Sanders alleges that she told Mills that she'd | Mills acknowledges that |

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| DATE | BROWNE SANDERS ALLEGATION | WITNESS STATEMENTS |
|---------------|---|---|
| | received a complaint from Petra Pope that Thomas asked Pope to go into the referee's locker room and make sure they are happy. | Browne Sanders informed him of this and that he spoke with Thomas about it and directed him not to do it again. Thomas states that he did not ask Pope to go into the referee's locker room. |
| Fall 2004 | Browne Sanders alleges Mills told her, "Your relationship with Stephon is bad because of Isaiah" and that Thomas wanted her fired. | Mills states that Browne Sanders made these comments to him and that he told her he disagreed and that she works for him and not Thomas. |
| 22004 | <ul style="list-style-type: none"> • Browne Sanders alleges she is told by [REDACTED] that Thomas "spewed curses" at her for failing to inform him of a player injury. • She also alleges [REDACTED] told her that in response to the comment "You look really nice in that suit" [REDACTED] told Thomas they're both married and should keep it just business. • She also alleges that she told [REDACTED] almost all of her allegations. | <p>[REDACTED] states that Thomas was upset over a miscommunication regarding a player injury but that she was not offended by the conversation and that, while Thomas used profanity, she did not feel she was being cursed at during the conversation. She denies the second alleged exchange between herself and Thomas and thus does not recall having told Browne Sanders of it.</p> <p>[REDACTED] states she doesn't recall Browne Sanders complaining regarding Thomas but does recall complaints about Murphy.</p> |
| Dec. 10, 2004 | <ul style="list-style-type: none"> • Browne Sanders alleges that she told Mills that Thomas made sexually inappropriate comments to her and that Mills should get Thomas into sexual harassment training. • She alleges she told Mills on more than one occasion that Thomas needed sexual harassment | <p>Mills denies having ever been told by Browne Sanders that Thomas needed sexual harassment training. Olsen also denies hearing</p> |

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| DATE | BROWNE SANDERS ALLEGATION | WITNESS STATEMENTS |
|------------------|---|---|
| | <p>training.</p> <ul style="list-style-type: none"> Browne Sanders also alleges that she told Pete Olsen of the December 30, 2004 incident. | of this specific incident. |
| May 11, 2005 | <ul style="list-style-type: none"> Browne Sanders alleges she had lunch with Olsen and told him "almost" everything and that Olsen told her he was not surprised and that there had been other complaints about Thomas. She alleges she was told by Olsen that Mills asked him to come up with a program for Thomas because he was hostile to women and because of how he treated them. | Olsen admits the two had lunch and that Browne Sanders spoke generally to him about difficulties with Thomas, that he would tell her he loved her and that he wanted to go to off site meetings, but denies statement he is alleged to have made. |
| May 2005 | Browne Sanders alleges that during an ad sales meeting Thomas said "Don't waste my fucking time." | Thomas denies the use of profanity. Buechholz states Thomas told the ad sales group "I'll help you present, but don't fucking waste my time for bullshit." |
| Sep. 21-22, 2005 | Browne Sanders alleges she complained to Mills regarding an off site meeting with her department and Team Ops where she believed she'd been undermined by Team Ops and that their undermining her was preventing her from doing her job. | Mills acknowledges Browne Sanders complained re: lack of participation by Team Ops. Mills and Murphy state that although Thomas was unable to attend the offsite because of an Office of Chairman meeting and 2 publicity interviews, Murphy and Brendan Suhr from Teams Ops participated by attending and giving a presentation and Debbie Stumolo attended dinner. Mills states Thomas said Team Ops would participate more the following year. |
| Nov. 29, 2005 | Browne Sanders alleges that after she became aware of specific comments allegedly made by Marbury she went to see Mills and told him, "I can't do this anymore. Steve you know what's going on." | Mills states that there were 2 conversations. In the first, Browne Sanders complaining re: Vernon. |

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| DATE | BROWNE SANDERS ALLEGATION | WITNESS STATEMENTS |
|---------------|--|--|
| | <ul style="list-style-type: none"> Mills' response was allegedly, "What do you want me to do about this? Isiah is going to say you are having an affair with Jeff Nix." Browne Sanders alleges she asked, "Do I need to get an attorney?" and that Mills said, "No, no." Browne Sanders stated that she interpreted Mills' comment as a threat. | <p>Manuel and Hassan Gonsalves said "I can't take it anymore" and "All I want is for you to help me find another job while I'm here." In the second meeting, Browne Sanders asked Mills what were next steps. Mills said HR would investigate. Browne Sanders asked if she needed a lawyer and Mills said no. Mills denies comment re: Jeff Nix.</p> |
| Dec. 15, 2005 | Browne Sanders sends an e-mail to Mills in which she complains of hug and an attempted kiss by Thomas and alleges he made the comment "I can't get any love." | A copy of the e-mail has been recovered. |

c. Miscellaneous - "Threats" and "Undermining"

Browne Sanders' remaining allegations can be divided into (1) complaints that she was made to feel threatened, either physically or otherwise, by conduct of Thomas and others; and (2) that through the aforementioned conduct she was "undermined," which affects her ability to perform her job.

As to the former, Browne Sanders alleges that she felt threatened by Thomas on March 10, 2004 when she alleges he pulled her by her arm into a room near the locker rooms and cursed at her. She alleges she felt threatened by Marbury when she learned on November 28, 2005 of the specific comments he allegedly made to Dan Gladstone concerning her on June 16, 2005. She also alleges that she felt that she was being threatened by Mills on November 29, 2005 when she alleges she complained to Mills and was told by him in response that Thomas would say she was having an affair with Jeff Nix. She further alleges that she fears for her safety and that of her family because of Thomas and Marbury. In her interview Browne Sanders stated that her fear and concerns for her safety and that of her family arise from:

- Thomas allegedly pulling her arm and cursing at her in March 2004
- Marbury's comments regarding her in June 2005
- Thomas and Marbury have a lot of money.
- Marbury's cousin was killed in an alley.

As to the complaint that she felt she was undermined, which affected her ability to perform her job, Browne Sanders alleges that Thomas (sometimes directly and sometimes

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through Murphy) regularly impeded her ability to get access to the players and regularly prohibited them from making themselves available for community relations events. She alleges that Thomas and Murphy communicated to the Team Ops staff, as well as the players, that the sole focus for the team should be basketball and that community relations and, therefore Brown Sanders, were unimportant and could be ignored. She also attributes what she calls a bad relationship with Marbury to Thomas because, in January 2004, she says she denied Marbury credentials on the strength of a direction by Thomas to limit the distribution of credentials to the team's family members. She alleges that Marbury's attitude towards her changed after that incident and that his attitude was worsened by Thomas' treatment of her (she alleges he regularly either cursed at her or ignored her) and continued refusal to make the players and himself available to her and her department. Brown Sanders alleges that she understood that the poor attitude towards her and community relations spread to Team Ops and that she became aware of it, in part, when Gladstone told her of rumors overheard at the practice facility that Thomas gave direction to Team Ops to ignore her. She also alleges that her own direct reports began to circumvent her and go directly to Murphy and Thomas to get things done. She further states that it was necessary for the ad agency responsible for team advertising to come up with an ad campaign in which cut-outs of the players were used because of Thomas' refusal to make the players available.

IV. Findings

Although several witnesses state that Brown Sanders told them of many of her allegations over time, few of the incidents were actually personally witnessed by those interviewed.

a. Inappropriate Language or Conduct

Although several witnesses, (Karen Buchholz, Faye Browne, Dan Gladstone, Gary Winkler and Pcte Olsen) state that Brown Sanders told them some of the allegations later conveyed by her and her counsel, very few were actually witnessed by the witnesses.

- Faye Brown confirms Murphy's use of the word bitch on or about March 23, 2004, but acknowledges that she didn't hear the entire conversation or the context in which the word was used.
- Gladstone acknowledges hearing non-specific rumors of tension between Brown Sanders and Thomas from Jamie Matthews and Chris Bernard and witnessing Thomas walking away from Brown Sanders in a way Gladstone thought was disrespectful, but denies hearing Thomas speak to her in an inappropriate manner.
- Olsen states that Brown Sanders told him that Thomas said he loved her and asked her to off site meetings but never personally witnessed either.

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- With respect to the allegation concerning Petra Pope, however, Winkler states that Pope made the same complaint directly to him but never identified Thomas as the one who made the request. Also, Mills admits that Browne Sanders brought it to his attention and that he spoke to Thomas about it though Thomas denies it.
- Buchholz states Thomas told the ad sales group "I'll help you present, but don't fucking waste my time for bullshit."
- Thomas acknowledges that he hugged and attempted to kiss Browne Sanders on December 14, 2005.

The remainder of these allegations are not supported except to the extent that Buchholz, Faye Brown, Gladstone, Winkler and Olsen state that Browne Sanders did complain to them of many of these allegations over time.

b. Complaints

Browne Sanders' allegations that she complained at various points to Thomas and, frequently, to Mills, about the use of profanity towards her and later about inappropriate comments of a sexual nature and inappropriate touching are also largely unsupported. Again, although the witnesses identified in the previous paragraph state that Browne Sanders told them she had complained, there are few occasions on which any of them or anyone else personally witnessed the complaint.

- Buchholz states she saw Browne Sanders' email to Murphy.
- Faye Brown states that on 2 occasions she personally saw e-mails tending to corroborate Browne Sanders' allegations. The first she recalls being sent by Browne Sanders to Mills in the beginning of 2005 telling Mills that she wanted Thomas to stop hugging her and touching her. The second, she states, was in December of 2005 also concerning an unwelcome hug by Thomas. Mills only admits having received the later e-mail and states that he addressed the issue with Thomas shortly thereafter. The earlier e-mail was not recovered.
- Additionally, as stated above, Mills acknowledges having received the complaint regarding Petra Pope. He also states that as soon as he received the complaint he acted on it by speaking to Thomas.

Again, except to the extent that Buchholz, Browne, Gladstone and Olsen state that Browne Sanders told them of same over time, the remainder of the allegations are not confirmed. Further, [REDACTED] denies that Browne Sanders told her of her alleged problems with Thomas.

Browne Sanders complained at various points in her interview that "this is intolerable," "I can't put up with it anymore," "this is not an environment to make me successful," and that she felt she was "being tortured." Mills stated that Browne Sanders

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told him "I can't do this anymore," "I can't work here anymore," and "just find me a job while I'm here." He also stated that she was in tears at the time she made these statements to him.

c. Miscellaneous

The allegations that Browne Sanders felt threatened by certain incidents is not capable of confirmation. However, Gladstone does state that Marbury's comments were made directly to him. The remainder of these allegations are unsupported. Other than as set forth above, we were not made aware of any direct or specific threats. However, to address safety concerns the Company has provided security at games to walk Browne Sanders to her car. Additionally, the Company has offered to provide security services at no cost, to Browne Sanders and her family. We understand that Browne Sanders has rejected the offer of Kroll's services as of the date of this report. She has also stated that she does not trust the Company's internal security.

As to the allegations concerning the fact that she was undermined and is unable to perform her job duties:

- Mills acknowledges that he became aware that Thomas told the players that they had to focus on basketball and that they could not participate in community relations. He states that he spoke with Thomas shortly thereafter and told Thomas that he would have to communicate to the team that they needed to participate.
- Gladstone states that he did hear rumors from people at the practice facility that it was okay to ignore Browne Sanders' directions.
- Thomas acknowledges giving the direction to limit the distribution of credentials to team family members and admits that Browne Sanders made him aware of her denial of credentials to Marbury's cousins.

The remainder of the allegations are unsupported. Further Buchholz states that the cut-out campaign ad was not necessitated by the unavailability of the players; players were available and she was able to perform her job; and players this season are each making 12 appearances.

V. Violations of Company Policy

As alleged, a number of Browne Sanders' allegations could clearly constitute a violation of the Company Harassment Prevention Policy as well as the Company's Values. As set forth above, however, Browne Sanders' allegations are largely unsupported by witnesses. Of the allegations that have been supported by witnesses or otherwise admitted, it would appear that Mills took appropriate action with respect to the complaint concerning Petra Pope in addressing the concern with Thomas. It also appears that there were no further complaints of this nature.

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With respect to the complaints of unwelcome hugs, Mills took appropriate action by addressing the concern he states he received in December 2005 with Thomas. Browne Sanders does not allege that there was any inappropriate conduct by Thomas subsequent to that date.