

ORIGINAL

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

-----X
ANUCHA BROWNE SANDERS,

Plaintiff,

-against-

06 CV 0589 (GEL)

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

Defendants.
-----X

VIDEOTAPED DEPOSITION OF ANUCHA BROWNE SANDERS

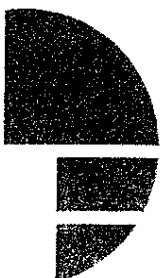
New York, New York

Tuesday, November 28, 2006

REPORTED BY:

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1 ANUCHA BROWNE SANDERS

2 MS. VLADECK: Ron, do you have
3 a better copy?

4 MR. GREEN: Except for the
5 fact I used a Magic Marker on mine,
6 maybe it's clearer for her.

7 MS. VLADECK: Not for me.

8 Is this clearer for you?

9 Q Can you read mine a little
10 better?

11 A No.

12 Q Can I see this one? Thanks.

13 Well, I'm calling your
14 attention to this document which has a
15 Bates stamp of 00371 entitled Madison
16 Square Garden Employee Code of Conduct.

17 Is that your signature on it?

18 A Yes.

19 Q Above your signature, you will
20 notice one line that says, "The use of
21 obscene, vulgar or abusive language or
22 excessive force is not allowed no matter
23 what the provocation may be, including
24 fighting with employees, guests,
25 supervisors, managers or other

1 ANUCHA BROWNE SANDERS

2 This is not a joint return
3 that's filed in your own name; is it not?

4 A Yes.

5 Q Did you file this in 2004 as
6 head of household?

7 A Yes, I did.

8 Q Did you know at the time that
9 only unmarried persons can file a head of
10 household designation on a federal return?

11 MS. VLADECK: Objection to
12 form.

13 A I had no idea.

14 Q Would you look at Schedule C
15 of your return.

16 Your Schedule C of your 2004,
17 head of household return states under
18 profit or loss for business that Anucha
19 Browne Sanders was the proprietor of
20 direct marketing business.

21 Were you that Anucha Browne
22 Sanders and is that your direct marketing
23 business?

24 MS. VLADECK: Objection to
25 form.

1 ANUCHA BROWNE SANDERS

2 A This is incorrect information.

3 Q Did you sign this tax return?

4 A Yes, I did.

5 Q And does it not say that you
6 were the proprietor of a direct marketing
7 business in 2004?

8 MS. VLADECK: Objection to
9 form. Asked and answered.

10 A Yes, and it's incorrect.

11 Q Does it not attribute to your
12 direct marketing business expenses that
13 include \$6,669 for auto and truck
14 expenses, \$450 for legal and professional
15 services, \$1,584 for meals and
16 entertainment among other expenses of the
17 business you were a proprietor of
18 according to this return in 2004?

19 MS. VLADECK: Objection to
20 form.

21 A It does state that and it's
22 incorrect.

23 Q If in fact you were the
24 proprietor of a direct marketing business
25 in 2004 while you were senior vice

1 ANUCHA BROWNE SANDERS
2 president of Madison Square Garden,
3 wouldn't that represent the violation of
4 the policies prohibiting conflict of
5 interest of which you are familiar?

6 MS. VLADECK: Objection to
7 form.

8 You may answer.

9 A It would, and this is
10 incorrect information.

11 Q And did your returns for 2003
12 and 2002 similarly show that you were the
13 proprietor of this direct marketing
14 business?

15 MS. VLADECK: Objection to
16 form.

17 Q Did they?

18 A From my understanding, they
19 did, and it was incorrect information.

20 Q And this incorrect information
21 that showed for the years 2002, 2003 and
22 2004 that you were engaged in what would
23 have been a conflict of interest by
24 operating a business as a sole proprietor
25 in direct marketing was corrected when?

1 ANUCHA BROWNE SANDERS

2 A The returns were amended when
3 I realized they were incorrect. And that
4 was in the last, I would say, the last
5 three weeks.

6 Q After the US District Court
7 required you surrender these tax returns
8 to the defendants, you realized they had
9 been mistaken all those years and you
10 corrected them?

11 MS. VLADECK: Objection to
12 form.

13 A When I looked at them, yes.

14 Q Had you looked at them before
15 you signed them in the years 2002, 2003
16 and 2004?

17 A No, I did not.

18 Q But you did sign them?

19 A I did sign them.

20 These returns --

21 MS. VLADECK: There's no
22 question.

23 Q When you say that information
24 was incorrect all those years, is it your
25 testimony that you were not in fact

1 ANUCHA BROWNE SANDERS
2 engaged in the business you told the IRS
3 you were engaged in in the years 2002,
4 2003 and 2004?

5 MS. VLADECK: Objection to
6 form.

7 A Sorry. Ask it again.

8 MR. GREEN: Can we have it
9 read back, please.

10 (Requested portion of record
11 read.)

12 THE WITNESS: Can you read
13 that again?

14 (Requested portion of record
15 read.)

16 MS. VLADECK: And you have my
17 objection?

18 A I was not engaged in those
19 businesses those years.

20 (Browne Sanders Exhibit C,
21 MSG-369 through 370, was marked for
22 Identification.)

23 Q Ms. Browne Sanders, I show you
24 a copy of what we have marked as
25 Exhibit BS-C. It's entitled

1 ANUCHA BROWNE SANDERS
2 Confidentiality Code of Business Conduct
3 and Proprietary Property Agreement.

4 I ask if that is your
5 signature above your name on the second
6 page.

7 A Yes.

8 Q This was signed, was it not,
9 on the 21st of November the year 2000?

10 A Yes.

11 Q Take a look at the first page
12 with me.

13 Under Code of Business
14 Conduct, it states, "During my employment
15 I may not engage in activities or have
16 personal or financial interests that may
17 impair or appear to impair my independent
18 judgment that would otherwise conflict
19 with my responsibilities to Madison Square
20 Garden LP. Such activities and interests
21 include, but are not limited to" -- and
22 you go to Subparagraph G -- "serving as an
23 officer, director, agent, employee,
24 consultant or promoter of or in any other
25 capacity for any for-profit organization."

1 ANUCHA BROWNE SANDERS

2 Did you understand what that
3 meant when you signed it in the year 2000?

4 MS. VLADECK: Objection to
5 form.

6 A I understood that.

7 (Browne Sanders Exhibit D,
8 MSG-364 through 367, was marked for
9 Identification.)

10 Q Before we go on to the next
11 exhibit and leave Exhibit BS-C, I call
12 your attention to Paragraph 7 on the
13 second page of the agreement where it
14 states, "I understand that any breach of
15 the agreement may result in my immediate
16 termination."

17 Did you understand at the time
18 you read and signed this document that a
19 violation of its terms could result in
20 your termination?

21 A Yes.

22 Q I would like to show you now a
23 copy of what we've marked for
24 Identification as Exhibit BS-D.

25 Ms. Browne Sanders, I ask if

1 ANUCHA BROWNE SANDERS

2 date version of Madison Square Garden's
3 policies prohibiting employment
4 discrimination and harassment at work?

5 MS. VLADECK: Objection to
6 form.

7 A I referred to I guess ethics
8 training and then sexual harassment
9 training online for the most recallable
10 training that I attended.

11 Q Did you look for any hard copy
12 among the company's policies?

13 MS. VLADECK: Objection to
14 form.

15 A I don't recall searching -- I
16 didn't research Marquee to look for the
17 company's policies.

18 Q Did you have occasion to read
19 the employee handbook of Madison Square
20 Garden to become familiar with its current
21 employment-related policies?

22 MS. VLADECK: Objection to
23 form.

24 A I think I read parts of it
25 when I was hired.

1 ANUCHA BROWNE SANDERS
2 includes protection against sexual
3 harassment), sexual orientation, age,
4 national origin, veteran's status, service
5 in Vietnam era, or disability."

6 Did you understand what I have
7 just read to have been Madison Square
8 Garden's anti-harassment policy during the
9 time of your employment with them?

10 MS. VLADECK: Objection to
11 form.

12 A Yes.

13 (Browne Sanders Exhibit O,
14 MSG-636, was marked for
15 Identification.)

16 Q Ms. Browne Sanders, I show you
17 a copy of what we've marked for
18 Identification as Exhibit BS-O. It's
19 entitled Student Training Summary and I
20 ask you if you can identify this for us,
21 please.

22 A Sorry. You are asking me to
23 identify it?

24 Q Yes. Do you know what this
25 is?

1 ANUCHA BROWNE SANDERS

2 A It looks like a summary of the
3 different training that I have attended.

4 Q And to the best of your
5 recollection, is it an accurate summary of
6 the training you attended while at Madison
7 Square Garden in the areas indicated?

8 A It looks accurate.

9 Q So in 2004, you attended
10 training in the Code of Business Conduct
11 and Ethics and Getting Results; is that
12 your recollection?

13 A Yes.

14 Q And in 2001, training in
15 Values and AIDS in the Workplace.

16 Is that consistent with your
17 recollection?

18 A Yes.

19 Q How would you take this
20 training? Was it online at your desk?

21 A Well, the most recent one I
22 took was online at my desk. And that was
23 I think that was the sexual harassment
24 training back in August or September.

25 But these were for the most

1 ANUCHA BROWNE SANDERS

2 level.

3 Q Did [REDACTED] leave?

4 A Yes.

5 Q What position did she hold
6 when you left?

7 A She was [REDACTED]
8 [REDACTED]

9 Q When did she leave?

10 A In 2003.

11 Q Do you know why she left?

12 A [REDACTED] was fired.

13 Q Why?

14 A For ethics violations.

15 Q What did she do?

16 A [REDACTED] was in charge of

17 [REDACTED] Some of those

18 [REDACTED] involved working with

19 sponsors. This particular sponsor was

20 [REDACTED] and the program was the [REDACTED]

21 [REDACTED] which was a

22 [REDACTED] And I went to

23 [REDACTED] for one of the presentations

24 to the high school kids, and their first

25 vice president of cooperate philanthropy

1 ANUCHA BROWNE SANDERS

2 and took me aside and said, "I want to
3 talk to you about [REDACTED]."

4 He proceeded to tell me that
5 he mentioned to [REDACTED] that they had money
6 set aside to hire somebody in a consulting
7 role to help them with the [REDACTED]

8 [REDACTED] He said
9 that [REDACTED] then said that she wanted to do
10 that. And he asked her, "Well, you are
11 doing that -- you're working for the
12 company, how can you work for the company
13 and also do this program for me on a
14 consulting basis?"

15 And she said, "I've done it on
16 other programs." That was relayed to me.
17 I came back and I relayed that to Steve
18 and he asked me to -- I don't remember who
19 at the time I spoke to in HR, who he
20 directed me to. And she was fired.

21 Q Did Mr. Mills offer any
22 resistance to her being terminated?

23 MS. VLADECK: Objection to
24 form.

25 A [REDACTED] had numerous performance

1 ANUCHA BROWNE SANDERS

2 A I feel like I'm using the same
3 words. I think he interpreted -- I
4 interpreted what he said -- and he may
5 have even said it -- little sweeter to
6 your employers, to your direct employees.

7 Q Kinder or gentler?

8 A Maybe gentler.

9 Q Who was the general manager of
10 the team when you first joined Mr. Mills'
11 staff? Was it Scott Layden?

12 A Yes, that was Scott Layden.

13 Q Was the coach Don Chaney?

14 A No.

15 Q Who was the coach then?

16 A Jeff Van Dundy.

17 Q When you first came to work
18 with Mr. Layden and Mr. Van Dundy, what
19 was the nature of your job duties with
20 respect to the team? What were you
21 supposed to do, as you understood, with
22 respect to the Knicks basketball players?

23 MS. VLADECK: Objection to
24 form. Asked and answered.

25 A My responsibility as chief

1 ANUCHA BROWNE SANDERS

2 marketing officer was to market the brand,
3 to work with -- through the community
4 relations person work on player programs,
5 adhere to the requirements of the league
6 on community relations initiatives.

7 I was responsible for new
8 media and communications on the Web. My
9 responsibilities included game
10 presentation, which is everything that
11 goes on on the court outside of the play
12 of the team.

13 I was responsible for event
14 management, some of the events that took
15 place throughout the season. And I
16 oversaw partnerships and sponsorships, so
17 I had a director that reported to me on
18 that.

19 I oversaw alumni relations, so
20 the interaction and our ability to bring
21 the Knicks legends and alumni into the
22 fold was my responsibility, as well as fan
23 development. Fan development is focused
24 on the next generation fan.

25 Q You just testified your

1 ANUCHA BROWNE SANDERS

2 responsibilities were outside the play of
3 team; is that your testimony?

4 A Yes.

5 Q So you were not supposed to be
6 involved in how well the team played the
7 game?

8 A I wasn't involved in those
9 aspects of the job which was making the
10 team play better. That was really the
11 coach's and basketball operations staff
12 responsibilities.

13 Q So you had no responsibility
14 with respect to evaluating, for example,
15 the quality of the ball playing that was
16 being done?

17 A No. I didn't have any
18 responsibility for that.

19 Q Or who should be traded?

20 A No.

21 Q Or who should be acquired?

22 A I didn't have any
23 responsibility on it.

24 Q Or who was in shape or who was
25 not in shape?

1 ANUCHA BROWNE SANDERS

2 bizarre at all.

3 Q Is it your testimony that
4 you -- you didn't think the reassignment
5 of Mr. Nix was involuntary?

6 MS. VLADECK: Asked and
7 answered.

8 A I think it was a decision made
9 by Isiah. I think if Jeff could have
10 stayed on as assistant general manager for
11 his entire time, it would have been great,
12 but...

13 Q But he was removed from that
14 job and made a scout, wasn't he?

15 A In September of 2005, yes.

16 Q When were you first promoted
17 from your position at vice president at
18 the Garden?

19 A Spring of 2002.

20 Q Who promoted you?

21 A Steve Mills.

22 Q Did he have the power to
23 promote you without the approval of
24 others, do you know?

25 A Probably not.

1 ANUCHA BROWNE SANDERS

2 Identification.)

3 Q Ms. Browne Sanders, I show you
4 a copy of what we've just marked as
5 Exhibit BS-V for Identification.

6 This purports to be a news
7 release concerning your promotion in 2002.

8 Do you recall seeing this
9 release on or about the 13th of May, 2002?

10 A Can I read it, skim through
11 it?

12 Q Sure.

13 A I've finished.

14 Q Do you recall seeing this
15 press release or news release on or about
16 13th of May, 2002?

17 A Yes.

18 Q Did you see a draft or mockup
19 of this release before it went out?

20 A I don't remember if I saw one.

21 Q Were you pleased with the
22 release when you first saw it?

23 A When it came out, I was
24 pleased with it, yes.

25 Q Do you think the release