

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
06 CIV. 0589

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ANUCHA BROWNE-SANDERS,

Plaintiff,

- against -

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

Defendants.
-----x

November 7, 2006
10:20 a.m.

VIDEOTAPE DEPOSITION of RUSTY
McCORMACK, 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.

1. McCORMACK

2 discussions with anyone about her hiring?

3 A. No.

4 Q. Did you ever have occasion to
5 work with Ms. Browne-Sanders?

6 A. I really didn't. I did not
7 attend staff meetings for the teams and
8 didn't -- I really didn't.

9 Q. Did you have any --

10 A. I had one later instance if you
11 would like to hear about it.

12 Q. Well, I -- what I am asking you
13 is did you have any occasion to -- to work
14 with her while --

15 A. Yes.

16 Q. -- you two were employed?

17 Tell me what occasions you had
18 to work with her.

19 A. She wanted to start up a thing
20 called Knicks fan guest representatives,
21 and so it was an organization that would
22 meet and greet fans as they would attend
23 an event or in this case a Knicks game
24 obviously. So the -- these -- these were
25 employees who were then given a what we

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2 happened was they just appeared at a game.
3 So our facilities people didn't know about
4 it. They were untrained. This was in
5 November 2005. They were untrained. The
6 facilities people didn't know about it.
7 The unions were saying who is this,
8 and -- but there was a total breakdown in
9 communications there. It did cause
10 further friction between our facilities
11 people and Anucha, so it was just a -- it
12 wasn't really until about three weeks
13 later that we did begin to provide some
14 training.

15 Q. When you say provide training,
16 who were the people that you were
17 providing training to?

18 A. The Knick -- the Knicks fan
19 guest representatives.

20 Q. These are people who were hired
21 on a per diem basis?

22 A. No. They -- they are employees
23 who work during the day, but they get paid
24 extra. So they are exempt employees, but
25 they work the events on a per-event basis.

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2 Q. The -- you said you had a
3 conversation with Ms. Browne-Sanders about
4 starting this program. You -- is
5 that -- is that correct?

6 A. No, we had a meeting.

7 Q. Right.

8 A. You know, she had a first
9 meeting with Fran Hurley --

10 Q. Right.

11 A. -- and Fran said -- asked me if
12 I would attend the next meeting, which I
13 did.

14 Q. Did Ms. Hurley say why she
15 wanted you to attend the next meeting?

16 A. Well, she said I think you
17 should be aware of it, and she said I
18 think there could be conflicts with the
19 union people and with the facilities
20 people.

21 Q. When -- and then you took part
22 in a meeting with Ms. Hurley and
23 Ms. Browne-Sanders?

24 A. And -- and Faye Brown was there.
25 Another astounding thing that I found was

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2 that Anucha put her secretary in charge of
3 this effort, which I -- seemed peculiar to
4 me.

5 Q. Faye Brown was
6 Ms. Browne-Sanders' assistant?

7 A. Administrative assistant.

8 Q. Why was it astounding to you
9 that Ms. Brown was in charge of the
10 effort?

11 A. She -- she was not a manager.
12 She is not a -- I mean she is an
13 administrative assistant, and I just
14 didn't think that she was qualified
15 to -- to do this, and -- and particularly
16 then to manage it during an event. It was
17 an important function. I mean we -- the
18 way we try to treat our fans, and there is
19 a whole program called fans first that
20 Fran Hurley runs, and then that -- that
21 relationship we try to make it as -- as
22 successful as we can.

23 Q. Okay. Did you think that this
24 initiative that Ms. Browne-Sanders was
25 starting was a good idea or not?

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2 A. Well, I thought it was a -- I
3 thought it was an okay idea as long as it
4 was coordinated properly.

5 Q. Okay.

6 A. And as long as the functions
7 were there and as long as the training was
8 there.

9 Q. Okay. And so your understanding
10 is that the -- these -- these employees
11 appeared at a game prior to receiving any
12 training from MSG on what they would do?

13 A. Correct.

14 Q. And who told you that?

15 A. Fran Hurley.

16 Q. Did Ms. Hurley say what was the
17 basis of her information?

18 A. That -- it was feedback. She
19 didn't say. She just said, you know, she
20 did not train them for a month.

21 Q. Ms. Hurley said that
22 Ms. Browne-Sanders had not trained them
23 for a month?

24 A. Ms. Browne-Sanders involved Fran
25 Hurley because Fran is training and

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development.

Q. Oka.

A. So it was -- it was her job then to come up with a -- with a training program for those people.

Q. Okay. So Ms. Hurley hadn't been involved in any training as of the time that these individuals started working -- appearing at games?

A. That's correct.

Q. Do you know whether Ms. Browne-Sanders gave these individuals any training outside of Ms. Hurley's domain?

A. I don't know that.

Q. Did you have any follow-up conversation with Ms. Browne-Sanders after hearing from Ms. Hurley that the individuals appeared at a game without receiving any training?

A. No.

Q. Why not?

A. I didn't -- I didn't really have a reason at that point.

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2 Q. Well, didn't -- you thought it
3 was a mistake for the -- for the people to
4 have appeared without being trained?

5 A. Yes.

6 Q. And is there any reason why you
7 didn't want to call that mistake to
8 Ms. Browne-Sanders' attention?

9 A. It was already called to her
10 attention by Fran Hurley.

11 Q. And how do you know that?

12 A. She told me that.

13 Q. Did you discuss this issue with
14 anyone --

15 A. She also said that Anucha said
16 something about well, mark Piazza well
17 tell Tim Hassett and his people, and -- so
18 when she -- she -- I am pretty sure she
19 said she discussed -- she called Mike
20 Piazza. He said I don't know anything
21 about it.

22 Q. Ms. Hurley said she called Mr.
23 Piazza?

24 A. (Witness nods).

25 MR. GREEN: You have to answer.

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2 A. All right.

3 Q. Prior to December of 2005, did
4 anyone suggest to you or state to you in
5 in way that Ms. Browne-Sanders was going
6 to be dismissed?

7 A. No.

8 Q. Prior to December of 2005, were
9 you aware from any source that
10 Ms. Browne-Sanders' position was in
11 jeopardy at Madison Square Garden?

12 A. Well, I -- I was aware of the
13 fact that she had obviously the
14 budget -- the budget problem. There was
15 also another problem that arose that
16 was -- affected Tim Hassett and again the
17 facilities people at The Garden when there
18 was going to be an open practice
19 and -- and unbeknownst to the facilities
20 people Anucha decided to advertise that.
21 And so by advertising you create much
22 larger crowds, and so the crowd that did
23 show up was -- was far beyond what was
24 expected. Therefore, Tim Hassett and his
25 people said they had inadequate security,

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2 which really can affect the safety and
3 could be serious to the people that do
4 show up. So again there was this lack of
5 letting us know that, and then there
6 was -- there's also by the way -- I don't
7 know -- I don't know why if the process is
8 that Anucha didn't bubble this -- these
9 problems to HR. That didn't happen.

10 Q. By these problems, you are
11 referring to her -- her complaints of
12 sexual harassment?

13 A. Right.

14 Q. Okay. Could you --

15 A. Because we are talking about --
16 MR. MINTZER: Could you -- could
17 you read my prior question back, please.
18 Not this one, the one before.

19 (The record was read as follows:

20 "Question: Prior to December of
21 2005, were you aware from any source that
22 Ms. Browne-Sanders' position was in
23 jeopardy at Madison Square Garden?"

24 Q. Can I ask for you to answer that
25 question, please.