

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

VALENCIA M. McCLATCHEY,)	
)	
Plaintiff,)	
)	CIVIL ACTION
-vs-)	No. 05-145J
)	
THE ASSOCIATED PRESS,)	
)	
Defendant.)	

DEPOSITION OF CHARLES SHEEHAN

MARCH 9, 2006 - 2:00 P.M.

The deposition of CHARLES SHEEHAN, taken pursuant to the Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before Jerry Satterlee, a Certified Shorthand Reporter duly qualified in the State of Illinois, at 181 West Madison Street, Suite 4500, Chicago, Illinios.

tabbles	EXHIBIT
	20

1 (THE WITNESS WAS DULY SWORN)

2 CHARLES SHEEHAN,

3 called as a witness herein, having been first
4 duly sworn, was examined and testified as
5 follows:

6 EXAMINATION

7 BY MS. SZPONDOWSKI:

8 Q. Can you please state and spell your
9 name for the record?

10 A. Charles Sheehan. C-H-A-R-L-E-S.
11 Sheehan is S-H-E-E-H-A-N.

12 Q. Mr. Sheehan, did you write an article
13 about Valencia McClatchey in approximately 2002?

14 A. I did.

15 Q. Was that article based upon an
16 interview that you did with her?

17 A. It was.

18 Q. I am going to show you what was
19 previously marked as Plaintiff's Exhibit 10. If
20 you could take a look at that and let me know if
21 that is the article that you wrote?

22 A. Yes, it is.

23 Q. Did you provide the title on this
24 article?

1 MR. BERRY: Objection.

2 BY THE WITNESS:

3 A. It may have happened. It depends.
4 Sometimes you do and sometimes you are operating
5 on two completely separate tracks.

6 BY MS. SZPONDOWSKI:

7 Q. Would you have any notes about a
8 conversation with Mr. Puskar about Ms. McClatchey?

9 A. No.

10 Q. Was it your practice to take notes in
11 that type of situation?

12 MR. BERRY: The situation of him talking to
13 the reporter -- or to the photographer?

14 MS. SZPONDOWSKI: Yes.

15 BY THE WITNESS:

16 A. No.

17 BY MS. SZPONDOWSKI:

18 Q. Did Mr. Puskar ever tell you that Val
19 McClatchey gave him a copy of her photograph, the
20 "End of Serenity" photograph?

21 A. I don't remember him saying that.

22 Q. And I think you already answered this,
23 but did she give you a copy of the photograph?

24 A. No.

1 Q. You mentioned two articles that you
2 wrote for the AP in '99 and 2000. Was that -- or
3 that you were compensated for outside of a salary.
4 Correct?

5 A. Yeah. I think it was 2000. Around
6 that time.

7 Q. Do you remember what the amount of
8 compensation was?

9 A. No.

10 Q. Can you give me an approximation?

11 A. Several hundred dollars.

12 Q. Do you recall specifically who Ms.
13 McClatchey told you she sold the "End of Serenity"
14 photograph to?

15 A. No. Other than what she had told me
16 and I included in the article.

17 Q. I believe you mentioned you hadn't
18 seen the photograph before you met her, is that
19 correct?

20 A. Correct.

21 Q. Did you see it anywhere after you met
22 her?

23 A. I did search for the image after I
24 had returned from Shanksville to the Pittsburgh

1 bureau.

2 Q. Where did you search for the image at?

3 A. Online in the internet.

4 Q. Did you find it anywhere?

5 A. I did.

6 Q. Do you remember where it was at?

7 A. I don't remember the site.

8 Q. Do you remember what type of web site
9 it was?

10 A. No. If I remember correctly, I
11 searched for articles about the crash that day
12 and then searched images.

13 Q. Was the photograph associated with an
14 article?

15 A. No.

16 Q. And you don't remember what type of
17 web site it was on?

18 A. No.

19 Q. Was it a news web site?

20 MR. BERRY: Objection.

21 BY THE WITNESS:

22 A. I searched for several keywords on
23 the Shanksville Flight 93 and then searched the
24 images tab, and the images that appeared were

1 Q. Do you know when he took this
2 photograph?

3 A. I am not sure. I think it was the
4 same day that I spoke with her.

5 MS. SZPONDOWSKI: Mark this Plaintiff's
6 Exhibit 24.

7 (The document was thereupon marked
8 for identification as Plaintiff's
9 Exhibit No. 24, as of 3/09/06.)

10 BY MS. SZPONDOWSKI:

11 Q. Can you tell me if this was the
12 photograph that Val McClatchey showed you in the
13 field?

14 A. It is the same image. I don't
15 remember there being any writing on that image
16 when I saw it.

17 Q. But this was the photograph?

18 A. That was the photograph.

19 Q. I give you what has previously been
20 marked as Plaintiff's Exhibit 4. Do you know what
21 this is?

22 A. No.

23 Q. I am going to represent to you that
24 this is from the AP's database, and it was

1 produced to us by The Associated Press and it
2 includes the McClatchey photograph.

3 If you could take a look at the
4 photograph in Plaintiffs' Exhibit 4 and compare
5 it to the photograph in Plaintiff's 24, can you
6 tell me if you see any differences?

7 And I realize the one in Photograph 4
8 isn't bright and clear, but do the best you can.

9 A. It is smaller, black and white. It
10 looks like it has been cropped.

11 Q. Where do you see that it has been
12 cropped?

13 A. In the right-hand corner there is a
14 -- Maybe I am just missing it, but it looks like
15 there is a tree missing from the right-hand
16 corner that is in the larger color photo and also
17 a house off to the right, and then to the left
18 there is a power line and some sort of pillar
19 there and it is not in the black-and-white image.

20 Q. Anything else?

21 A. Other than the bottom of the photo
22 also being cropped off, no.

23 MS. SZPONDOWSKI: I think I am about done.
24 Let's just break for about five. Is that okay?