

EXHIBIT 4

Excerpts from Deposition of
Col. Janette Moore-Harbert

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MAJOR MARGARET WITT,)	
)	
)	
Plaintiff,)	
)	
v.)	No. C06-5195 RBL
)	
UNITED STATES DEPARTMENT OF THE)	
AIR FORCE, et al,)	
)	
Defendants.)	

DEPOSITION UPON ORAL EXAMINATION OF
COLONEL JANETTE MOORE-HARBERT

TAKEN AT
Carney Badley Spellman
701 Fifth Avenue, Suite 3600
Seattle, WA 98104

FEBRUARY 25, 2010

THURSDAY, 9:00 A.M.

Reported by:

MARIE WHITE, CSR # WH-IT-EM-*29906

1 Q. I don't care whether they --

2 A. Again, when I look at from the standpoint of an
3 association, no, I do not remember anybody that I have
4 had as a connection with. It is again it is possible
5 that they were, I just -- it is not something that I'm
6 asking or recognizing.

7 Q. So first of all, no one ever came to you who was in the
8 military and said I am gay or lesbian; right?

9 A. That's correct.

10 Q. At any point in your career has anyone in the Air Force
11 or any other branch of the service come to you and say
12 that they suspect that a person is gay or lesbian?

13 A. I don't remember that happening.

14 Q. Really?

15 A. I don't remember that happening.

16 Q. You don't remember?

17 A. Someone coming to me to say that I believe that this
18 person is gay.

19 Q. In your thirty-two years do you remember having any
20 responsibilities that caused you to learn that somebody
21 was gay or lesbian other than Major Witt?

22 A. To learn that?

23 Q. Yes.

24 A. I don't remember of that happening.

25 Q. And using suspect the way I said it, that is that it

1 crosses your mind to think this person probably is of
2 this sexual orientation. In thirty-two years other
3 than Major Witt have you ever suspected any other
4 person in the Armed Forces to be gay or lesbian?

5 MR. PHIPPS: Objection, characterization and
6 form.

7 A. I don't know.

8 Q. You don't remember ever suspecting any such person?

9 MR. PHIPPS: Objection, vague.

10 A. My focus is I focus on the fact that I try to keep
11 myself professional. I am not interested in finding
12 out.

13 Q. I am not asking if you're interested.

14 A. And from the standpoint of I don't lead myself down
15 that line of trying to say I am going to suspect one
16 way or the other.

17 Q. So are you saying that you actively prevent yourself
18 from considering the possibility whenever you meet
19 anyone, you just don't want to consider it?

20 A. I don't think that is an important avenue unless it
21 brought to me specifically against that criteria that
22 we discussed with the military.

23 Q. Okay.

24 A. That there is a concern.

25 Q. How about outside the military?

1 A. I can't say that for certainty.

2 Q. Okay. Is it considered unprofessional for an officer
3 to cry?

4 A. No, it is not considered unprofessional for an officer
5 to cry.

6 Q. Is it embarrassing to an officer in the military to cry
7 in front of other military members?

8 MR. PHIPPS: Objection, foundation.

9 A. I think it would depend on the officer.

10 Q. How about you?

11 A. I find it difficult and embarrassing to cry in front of
12 people.

13 Q. Would you agree that just given our social and natural
14 history of gender stereotypes and stuff that it is
15 particularly difficult for a woman officer in the
16 military to be seen crying by others because it affects
17 her -- potentially affects her career?

18 Do you know what I'm asking?

19 A. I know what you are asking. I think you are looking at
20 whether there is a different standard that says okay is
21 it all right for a female to cry.

22 Q. Mm-hmm.

23 A. I believe that in our world, in the medical world, you
24 are going to see a lot more of emotions. I believe
25 that because we are nurturers. I think that again it

1 baseball. Do you remember that?

2 A. I do remember that.

3 Q. Do you think there is a similar ethic that there is no
4 crying in the military by officers?

5 A. I think because there is an aspect of trying to be
6 strong.

7 Q. Mm-hmm.

8 A. And I think that across the board especially if you are
9 in somewhat of a leadership-type position that you want
10 to be able to demonstrate that you are strong. And
11 that you can continue, that you won't emotionally break
12 down in an issue.

13 Q. Mm-hmm.

14 A. And I think that is what leads towards the aspect about
15 seeing someone that is of a senior position crying that
16 that is difficult.

17 Q. Mm-hmm.

18 A. I don't know if it is necessarily one that is in a
19 negative context. I just believe that that's kind of
20 a --

21 Q. It's personal.

22 A. It's one of those issues that because you want to
23 perceive yourself as being strong.

24 Q. And being seen crying is the opposite of that?

25 A. It could be.