

STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION
MILWAUKEE COUNTY

=====

MARILYN FIGUEROA,
Complainant,

-vs-

CITY OF MILWAUKEE,
Respondent.

=====

ERD CASE NO.
CR200003454

Volume I
Videotape Deposition of:
WILLIAM L. CHRISTOFFERSON

Milwaukee, Wisconsin
March 11, 2002

Reporter: Peggy S. Christensen, RPR, CRR

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1	VIDEOTAPE DEPOSITION of WILLIAM L. CHRISTOFFERSON,
2	called as a witness, taken at the instance of the
3	Complainant, under the provisions of Chapter 804 of
4	the Wisconsin Statutes, pursuant to notice and
5	subpoena duces tecum, before Peggy S. Christensen, a
6	Registered Professional Reporter and Notary Public
7	in and for the State of Wisconsin, at the offices of
8	Palmer & Finerty, S.C., Attorneys at Law, 20800
9	Swenson Drive, Suite 425, City of Waukesha, County
10	of Milwaukee, and State of Wisconsin, on the 11th
11	day of March 2002, commencing at 9:00 in the
12	forenoon.
13	
14	<u>A P P E A R A N C E S</u>
15	VICTOR M. ARELLANO, Attorney,
16	for LAWTON & CATES, S.C., Attorneys at Law,
17	10 East Doty Street, Madison, Wisconsin,
18	appearing on behalf of the Complainant.
19	BRUCE D. SCHRIMPF and LEONARD A. TOKUS,
20	Assistant City Attorneys, for CITY OF MILWAUKEE,
21	OFFICE OF CITY ATTORNEY,
22	200 East Wells Street, Suite 800,
23	Milwaukee, Wisconsin, appearing on
24	behalf of the Respondent.
25	JOHN D. FINERTY, JR., Attorney,
	for PALMER & FINERTY, S.C., Attorneys at Law,
	20800 Swenson Drive, Suite 425, Waukesha,
	Wisconsin, appearing on behalf of the
	witness.
	<u>Also present:</u> Marilyn Figueroa, Cheri Garcia and
	Emily Aurit (videographer)
	6

1	(Exhibit Nos. 1 through 5
2	marked for identification)
3	
4	<u>WILLIAM L. CHRISTOFFERSON,</u>
5	called as a witness, being first duly sworn,
6	testified on oath as follows:
7	
8	<u>EXAMINATION</u>
9	By Mr. Arellano:
10	Q Sir, would you state your full name and current
11	address for the record.
12	A William L. Christofferson, 2937 South Superior
13	Street, Milwaukee.
14	Q Is that your residence --
15	A Yes.
16	Q -- address?
17	A Yes.
18	Q Okay. How long have you resided at this address,
19	sir?
20	A Five and a half years.
21	Q And before that where did you reside?
22	A In Madison.
23	Q How long did you reside in Madison?
24	A About approximately 23 years.
25	Q Have you ever given sworn testimony before,
	7

1	
2	A
3	Q
4	A
5	Q
6	
7	A
8	
9	Q
10	
11	A
12	Q
13	A
14	Q
15	A
16	Q
17	
18	A
19	Q
20	A
21	Q
22	
23	A
24	Q
25	A

1 Q	1 matters where you have in any way participated?
2	2 A No.
3 A	3 Q Either by responding to interrogatories, giving
4	4 testimony?
5 Q Okay. What is the name of your current wife?	5 A No.
6 A Karen Borgh.	6 Q Okay. All right. What's your education,
7 Q And I suspect she resides in Milwaukee?	7 Mr. Christofferson?
8 A Yes.	8 A High school graduate, two and a half years of
9 Q Same household?	9 college.
10 A Same address, yes.	10 Q Okay. Anything else?
11 Q Okay. What are the names of your children?	11 A No.
12 A I have a son Colby, C-o-l-b-y, and a daughter Molly,	12 Q All right. Where did you go to college?
13 M-o-l-l-y.	13 A University of Wisconsin-Eau Claire.
14 Q How old is Colby?	14 Q Is that where I have seen you before? All right.
15 A 30.	15 When did you go to Eau Claire university?
16 Q What about, Molly, did you say?	16 A 1960 to --
17 A Yeah. 27.	17 Q No, that wasn't me.
18 Q Okay. Have any of your children ever been employed	18 A -- to '60, beginning of '63 I guess, something like
19 by the City of Milwaukee?	19 that.
20 A Yes.	20 Q All right. Before coming here to give testimony,
21 Q Which one?	21 did you review any deposition videos?
22 A My daughter.	22 A No.
23 Q When was she -- Is she currently employed by the	23 Q Read any literature regarding how to give deposition
24 City of Milwaukee?	24 testimony?
25 A Currently, yes.	25 A No, no.
9	11
1 Q Okay. When did she begin to work for the City of	1 Q All right. Have you ever been convicted of any
2 Milwaukee?	2 crime, Mr. Christofferson?
3 A Sometime in the year 2000.	3 A No.
4 Q Where did she start working when she began to work	4 Q Charged with any crime of any kind?
5 for the City of Milwaukee?	5 A No.
6 A In the Mayor's office.	6 Q All right. Ever filed for bankruptcy?
7 Q Mayor's office?	7 A No.
8 A Yes.	8 Q Okay. Have you ever sued anybody?
9 Q Were you employed by the City of Milwaukee when she	9 A No.
10 was hired?	10 Q Okay. Anybody sued you?
11 A No.	11 A No.
12 Q Okay. Did you make any recommendations on her	12 Q Okay. Have you ever been named in any type of
13 behalf?	13 lawsuit of any kind?
14 A No, no.	14 A Yes, yes.
15 Q Did she apply for any specific position that you	15 Q Tell me, when was that?
16 know of when she was hired?	16 A It was during the time I was the Chief of Staff in
17 A Yes.	17 the Mayor's office. It was a lawsuit by a gentleman
18 Q What position was that?	18 named Ron Pleva who sued the City and the Mayor and
19 A Well, the position she was hired for is she was an	19 named me and a number of other people as defendants
20 assistant to, assistant to Ruth Wyttenbach. It was	20 or respondents.
21 a part-time job, helping with scheduling primarily.	21 Q What was the nature of this gentleman's complaints
22 Q And she began in the year 2000. Do you recall the	22 or claims against you and the City?
23 month, day?	23 A He had been replaced on the Zoning Board of Appeals
24 A No.	24 and had sued for damages. I don't recall precisely
25 Q Don't recall the time. Okay. Any other legal	25 what the claims were that he made, but somehow that
10	12

1 he was entitled to that position, although it was an
2 appointed position.
3 Q Was this a civil rights claim?
4 A It was -- as I recall it was a variety. It was -- I
5 think age was one of the grounds but there was a
6 long list. I think everything but the kitchen sink
7 was charged.
8 Q Okay. Did you have any input in the removal of this
9 individual from the Board of Appeals?
10 A Yes.
11 Q What was your input?
12 A Well, I was the one who told him he wasn't being
13 reappointed and then worked to get the Common
14 Council to affirm a replacement for him.
15 Q What were the bases for your recommendation that he
16 not be reappointed?
17 A There were a variety, the main being that he was an
18 obstacle to improvements or positive changes that we
19 wanted to make in the system.
20 Q Did you supervise this individual before you
21 recommended that he be removed?
22 A No.
23 Q Okay. Did anyone bring to your attention certain
24 shortcomings on the part of this particular person?
25 A Yes.

13

1 Q Okay. Who would that be?
2 A Well, there were any number of people. I would be
3 hard-pressed to say specifically.
4 Q You can name one.
5 A Can I name one. By name, I'd be hard-pressed to do
6 that.
7 Q Well, how about nickname, how about a nickname?
8 A Well, there was a general dissatisfaction with his
9 performance and there had been for years.
10 Q I know you told me that, but I'm asking you whether
11 or not you can name anyone that brought to your
12 attention any of the shortcomings that you believe
13 this person was displaying in the workplace.
14 A Well, the Mayor for one.
15 Q Okay. Anyone else?
16 A Michael Dawson who worked in the Mayor's office.
17 Q Okay. Anyone else?
18 A I don't recall specifically.
19 Q Did the Mayor recommend that he be removed?
20 A Yes.
21 Q Okay. What reasons did he give you?
22 A Well, some of those that I've given you but also
23 that --
24 Q I just want to know specifically what the Mayor said
25 with respect to the removal of this person.

14

1 MR. SCHRIMPF: For the record, I'm
2 going to object because I do not believe the
3 question correctly reflects the record or the
4 facts --
5 Q Go ahead, sir.
6 MR. SCHRIMPF: -- as testified to
7 by the witness.
8 MR. ARELLANO: Sorry, Counsel.
9 Q Go ahead.
10 A The Mayor didn't ask me to remove him. He merely
11 said that his term was running out and he wasn't
12 going to reappoint him and it was my job to inform
13 him of that.
14 Q Did you tell the Mayor you were going to remove him?
15 A I wasn't going to remove him, I was going to tell
16 him he wasn't going to be reappointed.
17 Q Did you explain that to the Mayor?
18 A Certainly the Mayor knew that, yes.
19 Q He concurred with you?
20 A Yes.
21 Q All right. And what year are we talking about when
22 this episode occurred?
23 A Well, we're talking about either 1996 or 7.
24 Q Okay. Any other incident where you may have been
25 named as a party to a lawsuit or complaint of any

15

1 nature?
2 A I'm not certain whether I was named, but in the
3 interest of disclosing everything, there was a
4 complaint filed by an employee of the Mayor's office
5 during the time I was the Chief of Staff --
6 Q Who was that?
7 A -- against the City, and I don't know whether I
8 specifically was named or not. It was a
9 receptionist named Rita Anderson.
10 Q What was the nature of her complaint?
11 A Her complaint was that she had been discharged I
12 believe without due process, or perhaps that she had
13 been discriminated against and fired because of an
14 arrest. I'm not sure what the grounds were
15 precisely.
16 Q And this Ms. Anderson was employed by the Mayor's
17 office?
18 A Yes.
19 Q And did she report to you?
20 A Yes, somewhat indirectly, but, yes.
21 Q Did you have any input in her removal if she was
22 removed?
23 A Yes.
24 Q What was your input?
25 A My input was I wrote her the letter telling her her

16

1 appointment had been terminated.
 2 Q What were the bases for terminating her employment?
 3 A The basis was that she quit coming to work for an
 4 extended period.
 5 Q How long was she outside work?
 6 A I don't know precisely. I would say several weeks.
 7 Q Did she ever call the office and notify the office
 8 of why she was not coming to work to your knowledge?
 9 A No. The office would periodically call her.
 10 Q And did you ever find out why she was not coming to
 11 work?
 12 A No. I mean she --
 13 Q Did she ever respond in any way?
 14 A Well, she said she wasn't coming to work because of
 15 a stress-related problem. She invited me to call
 16 her doctor, which I did, and the doctor told me that
 17 she had been cleared to come back to work the
 18 previous week.
 19 Q Okay. Did you then issue a letter of termination?
 20 A Yes.
 21 Q After you spoke to her doctor?
 22 A Yes.
 23 Q Okay. So she invited you to speak to her doctor.
 24 You called the doctor. You concluded that she was
 25 not authorized to remain on the job -- I mean to

17

1 remain outside the workplace?
 2 A Yes.
 3 Q Okay. Did you consult with the Mayor before
 4 terminating her?
 5 A I don't believe so.
 6 Q No, okay. Did the Mayor -- To your knowledge did
 7 the Mayor know that you were going to terminate this
 8 person?
 9 A I don't know. I may have told him. I can't say
 10 that for certain.
 11 Q Did you ever demand that this person submit a
 12 medical absence from her doctor?
 13 A No.
 14 Q At that time what exactly did you ask her to do
 15 other than asking her to return once you learned
 16 that she was in her view out because of stress?
 17 A I didn't ask her to do anything.
 18 Q You didn't request a medical absence authorization?
 19 A No.
 20 Q Okay. You just simply called the doctor?
 21 A Yes. She invited me to call the doctor and I did.
 22 She provided the name and said, you know, if you'd
 23 like to, talk to my doctor, so I did as she
 24 suggested.
 25 Q Which doctor was this?

18

1 A I have no idea.
 2 Q Did you write any notes with respect to your
 3 discussion with her doctor?
 4 A I don't know.
 5 Q I believe you testified that you issued a letter of
 6 termination?
 7 A Yes.
 8 Q Okay. Did you disclose to her that you had spoken
 9 to her doctor?
 10 A No.
 11 Q No. What did you do, just simply terminate her?
 12 A I simply wrote a letter that said, your exempt
 13 position in the Mayor's office is hereby terminated
 14 effective immediately, something to that effect.
 15 Q Okay. Before you terminated this person,
 16 apparently you testified that you did not consult
 17 with Mayor Norquist before terminating her?
 18 A That's correct.
 19 Q Did you consult with anyone else?
 20 A I believe I spoke to someone in the Department of
 21 Employment Relations.
 22 Q Who did you talk to?
 23 A I'm not positive. I believe I probably spoke to
 24 Jeff Hansen.
 25 Q Okay.

19

1 A But I --
 2 Q I don't want you to guess.
 3 A Okay. Well, then, I don't know is the answer then.
 4 Q This is not the reelection campaign. I want you to
 5 tell me what you know as opposed to what you assume
 6 you did so we can understand each other. Okay?
 7 A Okay. That's fine with me.
 8 Q All right. What was the purpose for calling
 9 Mr. Hansen at the employment relations office?
 10 A To confirm what the proper procedure was.
 11 Q Okay. And what did he tell you?
 12 A Well, if in fact it was Mr. Hansen I talked to, I
 13 said, I'm going to write this letter. Do I need to
 14 give any reasons. I was told no.
 15 Q Okay.
 16 A So I, you know, I wrote the letter I intended to
 17 write.
 18 Q Previously you testified under oath that you called
 19 the employment relations for the purposes of
 20 understanding what would be the proper procedure;
 21 true?
 22 A Yes.
 23 Q With respect to this individual, Rita Anderson.
 24 A Yes.
 25 Q Did anyone tell you what was the proper procedure in

20

1 that type of situation such as the one that involved
 2 Ms. Rita Anderson? Did anyone explain to you what
 3 was the proper procedure?
 4 A Only to the extent of confirming that the letter I
 5 intended to write was the correct way to notify her.
 6 Q Okay. What if any -- what background did you
 7 provide to the employment relations office with
 8 respect to the status of Ms. Anderson? I want to
 9 know exactly what you provided to them.
 10 A I don't know.
 11 Q Did the employment -- Did the Office of Employment
 12 Relations give you any other additional instruction
 13 or advice as to how to deal with Ms. Anderson?
 14 A No.
 15 Q Okay. Did anyone explain to you what Ms. Anderson's
 16 entitlements were under the City policy of benefits?
 17 A No.
 18 Q All right. Any other incident and/or situation
 19 where you may have been involved in a lawsuit and/or
 20 complaint of any nature other than the ones that you
 21 just described here for us?
 22 A I don't believe so.
 23 Q Okay. During your years -- As I understand you were
 24 the Chief of Staff for the City of Milwaukee
 25 during '96 through 1998?

21

1 MR. SCHRIMPF: Objection, does not
 2 properly reflect the record.
 3 Q Go ahead, sir.
 4 A I was Chief of Staff from approximately mid-June of
 5 1996 to mid-June of 1998.
 6 Q So I was pretty close; right?
 7 A Within a year.
 8 Q '96 through '98, that was pretty close.
 9 A '96 through '98 would be three years but I was only
 10 there two years.
 11 Q All right. So you were there mid-June '96 through
 12 mid, what did you say?
 13 A Mid-June '98.
 14 Q Okay. And during those two years I suspect you were
 15 the direct supervisor of all the mayoral assistants?
 16 A Yes.
 17 Q All right. During those two years did you ever
 18 recommend the dismissal of anyone that was under
 19 your direct supervision?
 20 A Yes.
 21 Q Who?
 22 A Well, Rita Anderson for one.
 23 Q Okay. We've covered that one.
 24 A Steve Taylor. I believe those were the only ones.
 25 Q And these individuals were recommended by you to be

22

1 terminated from her employment with the City of
 2 Milwaukee?
 3 A No, they were terminated by me.
 4 Q Okay. Thank you for the clarification. It makes it
 5 a little easier.
 6 During those two years do you recall
 7 recommending the transfer of any individual that was
 8 under your supervision, including the administrative
 9 staff within the Mayor's office?
 10 A I don't recall. That's the answer.
 11 Q All right. During those two years do you recall
 12 ever suspending anyone that was under your direct
 13 and/or indirect supervision?
 14 A No.
 15 Q All right. During those two years do you recall
 16 recommending or taking direct action to affect the
 17 benefits, entitlements, employment of any of your
 18 subordinates?
 19 MR. FINERTY: Objection, vague as
 20 to "direct action to affect" but you can answer
 21 the question.
 22 A I'm not sure I understand the question.
 23 Q Well, do you recall --
 24 MR. ARELLANO: And I will
 25 entertain --

23

1 A Could I hear it again?
 2 MR. ARELLANO: -- up to some point
 3 the objections of counsel even though the City is
 4 represented by counsel and for a very limited
 5 purpose, unless I'm invading some type of
 6 privacy, some privilege, I will, but this person
 7 is not a party and is not obviously representing
 8 the City of Milwaukee.
 9 Okay. Let me ask you to it read my question
 10 back if you will, my previous question. And no
 11 offense to counsel.
 12 (Question read)
 13 Q In other words, do you recall, sir, making any
 14 recommendations to suspend, reduce the pay, place
 15 somebody in suspension without pay, with pay, any
 16 type of action that you may have taken in a direct
 17 or indirect manner against any individual that
 18 worked under your supervision?
 19 A No, no. That's a different question. No.
 20 Q No, all right. You understood the first question?
 21 A Well, the first question was broader than that as I
 22 understood it.
 23 Q Well, are you able to answer the first question?
 24 A Well, the reason I hesitated was because it was so
 25 broad. Of course I did something to make some

24

1 recommendation or do something about salaries and
 2 benefits for people who were under my supervision,
 3 including determining what they would be paid when
 4 they were hired.
 5 Q Okay, okay. Was that limited only to new hires or
 6 did you include those who were already working for
 7 the Mayor's office? I'm talking about your
 8 recommendations.
 9 A I believe just new hires.
 10 Q Okay. During those two years do you recall how many
 11 people you hired during your tenure, those two
 12 years, to work within your office?
 13 A Not specifically but I would say several.
 14 Q How many did you hire as assistants to the Mayor?
 15 A Again, I'd say several. At least three, perhaps
 16 more.
 17 Q Do you know who those three would have been?
 18 A One would have been Jeff Martinka. One was Brenda
 19 Wood. Steve Taylor. I'm not positive that there
 20 isn't someone else. Those are the ones that I
 21 recall.
 22 Q All right. During those two years that you played
 23 the role as Chief of Staff for Mayor Norquist, do
 24 you recall any one time when you recommended that
 25 any of the employees within the Mayor's office not

25

1 receive an increase of pay, promotions, things of
 2 that nature?
 3 A No.
 4 Q All right. Very good. We'll get to this in a
 5 minute. You mentioned that you completed high
 6 school and two years and a half of college at the
 7 University of Wisconsin-Eau Claire?
 8 A Correct.
 9 Q Those two years and a half, how many credits did you
 10 achieve, if any?
 11 A I don't know precisely. Probably 80, but that's an
 12 estimate.
 13 Q What was your main area of interest at that time?
 14 A Journalism.
 15 Q Okay. And after you left the University of
 16 Eau Claire, did you attend any other academic
 17 institution?
 18 A No.
 19 Q All right. Any technical college?
 20 A No.
 21 Q All right. Very good. And right now,
 22 Mr. Christofferson, what is your occupation?
 23 A I'm a self-employed consultant.
 24 Q Describe for me exactly what is it that you do. I
 25 got a fairly clear idea, but you tell me.

26

1 A Well, I'm a political consultant. There are two
 2 kinds of consulting I do. One is what we call
 3 general consulting which is to be sort of the chief
 4 planner and strategist for a campaign. In those
 5 cases I typically would write a campaign plan in the
 6 budget and consult with staff that actually run the
 7 campaign.
 8 The other kind of consulting I do is media
 9 consulting where I produce the radio and television,
 10 sometimes print for campaigns. In some cases I do
 11 both.
 12 Q Okay. And where is your business located?
 13 A I work out of the house.
 14 Q You work out of your home, okay. Do you have a
 15 staff that works for you?
 16 A No.
 17 Q You are just the Lone Ranger?
 18 A Yes.
 19 Q So to speak, of course, with all due respect. When
 20 you say that you work as the chief planner and the
 21 strategy person, I suspect you -- when you get hired
 22 you're the one who pretty much controls the
 23 direction of the campaign?
 24 A Usually.
 25 Q And I suspect that's what you mean when you say

27

1 chief planner and strategist?
 2 A Yes.
 3 Q All right. Okay. And then you also do media
 4 consultant?
 5 A Correct.
 6 Q All right. Just give me a summary of what exactly
 7 is it that you do as a media consultant?
 8 A Well, I write, direct, produce radio and television
 9 commercials and buy the time to get them on the air.
 10 Q Who do you usually do your media work with as far as
 11 producing the videos, the commercials, so on and so
 12 forth? Where is the real work undertaken, if there
 13 is such a work place?
 14 A I do the real work.
 15 Q Okay, I know you do.
 16 A But in terms of a production house, I use a variety
 17 of places, some in Madison, some in Milwaukee.
 18 Q Okay. Give me some names.
 19 A Madison production houses are Pro Video and
 20 Visuality. In Milwaukee recently I've used somebody
 21 named Mainly Editing.
 22 Q Okay. You create the idea and work in conjunction
 23 with some of these folks to develop the idea for
 24 marketing purposes, is that what you're telling me?
 25 A Well, to a degree, yes.

28

1 Q What am I missing? I want to understand exactly
2 what is it that you do as a media consultant.
3 A Well, I do the creative part, including writing the
4 scripts, directing the production when we're on
5 location doing it, do the editing in the production
6 studio and then buy the time and get it on the air.
7 The production houses that I'm talking about,
8 although they sometimes are helpful with ideas,
9 largely are the mechanical end.
10 Q All right. And as a chief planner, as I understand
11 you pretty much coordinate the entire political
12 campaign of a given individual who is interested in
13 running for a political position?
14 A Usually. It varies depending on the size of the
15 campaign and the candidate and who else is involved.
16 Q Okay. Have you ever done work as a chief planner
17 and strategist in conjunction or coordination with
18 other consultants as well?
19 A Yes.
20 Q All right. Name some of those individuals that you
21 have worked with.
22 A Well, I'm not entirely sure what you're asking.
23 Q Well, I'm just trying to understand if for the most
24 part you're usually the brain of the political
25 campaign or you work in conjunction with other

29

1 similar consultants as well.
2 A Uh-huh.
3 Q Similar meaning others who are also in the business,
4 your competitors.
5 A Okay. In some campaigns I work as the general
6 consultant; we hire someone else to do the media.
7 Q Okay.
8 A For example.
9 Q Okay.
10 A We typically have a pollster. I don't do the
11 polling. That's another consultant.
12 Q Okay.
13 A Typically my job if I'm the general consultant is to
14 coordinate all of those people.
15 Q Okay. When you say typically, I suspect you're
16 telling me about your practice; true? It typically
17 is you coordinate all what is required in order to
18 have a successful campaign?
19 A That's the role of the general consultant, right.
20 Q Right. But you would be basically the chief planner
21 and the strategist?
22 A Yes.
23 Q Is that correct? Do you recall any one period when
24 you worked as a planner and a strategist where you
25 were not the chief planner?

30

1 A Well --
2 Q If that has never happened, just let me know.
3 A I've worked in campaigns for -- since 1985 in a
4 variety of roles. I have not always been in charge.
5 Sometimes there have been other general consultants;
6 I've been the campaign manager. I mean I've played
7 a variety of different roles. It really varies from
8 one to another.
9 Q And I understand that, but using your own
10 terminology, you mentioned that you are a chief
11 planner and a strategist and what I'm asking you is
12 to tell me whether or not there have been situations
13 where you get hired as a consultant where you are
14 not necessarily the chief planner and the
15 strategist. And if that has never happened --
16 A Certainly that's happened.
17 Q Okay.
18 A I guess not -- yes, that's happened.
19 Q Tell me when was the last time when you were hired
20 as a consultant wherein somebody else was the chief
21 planner and the strategist.
22 A Well, I guess the most recent example would be the
23 campaign for State Superintendent of Public
24 Instruction.
25 Q Who were you working with or for or on behalf?

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1 A Elizabeth Burmaster.
2 Q Okay. And what role if any did you play in there?
3 A Well, I was a consultant and advisor and kind of a
4 senior consultant on the media but I was not in
5 charge of that campaign.
6 Q Who was in charge of that campaign?
7 A Well --
8 Q I mean technically. Your laughter puts me to think.
9 A Well, sometimes, particularly in political
10 campaigns, the structure is not quite all that
11 clear, you know. There were a number of people
12 involved in it. If I had to pick someone who I
13 would say was in charge, I would say Teresa Vilmain
14 probably who functioned more or less as the general
15 consultant. There was also a day-to-day campaign
16 manager.
17 Q Okay.
18 A And I was not involved on any kind of major decision
19 basis.
20 Q When did you begin to work as a political campaign
21 consultant, Mr. Christofferson?
22 A I began to work as a consultant in 1989.
23 Q 1989?
24 A Yes.
25 Q How did you happen to get involved in this field?

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1 A Well, I had been a campaign manager I guess in three
2 campaigns between 1986 and 1988 and after that went
3 into the consulting business.

4 Q Who were you the campaign manager for?

5 A In 1986 for Ed Garvey for the U.S. Senate.

6 Q 1987?

7 A Well, nothing in '87. 1988 John Norquist for mayor
8 and 1988 I was the deputy campaign manager but kind
9 of co-managed Herb Kohn's campaign for the U.S.
10 Senate.

11 Q And before that what did you do, before 1986?

12 A Well, how far back do you want to go?

13 Q Well, let's start before '86.

14 A Well, I spent 15 years in newspapers, as a newspaper
15 reporter and editor until 1977. Then for -- well, I
16 was involved in the newspaper strike in Madison in
17 1977 and was really unemployed for a couple of
18 years.

19 Then I spent about four or five years as the
20 executive director of The Progressive Foundation, a
21 nonprofit in Madison. Then I worked for about,
22 starting in 1984 for about a year and a half in the
23 Attorney General's office for Bronson LaFollette as
24 the director of research and information.

25 Q All right. The strike that you mentioned, which

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1 newspaper?

2 A Well, the strike was against both papers, but I
3 worked for the Wisconsin State Journal.

4 Q Were you ever fired or terminated from any
5 employment?

6 A I was permanently replaced during that strike. I
7 was the union president for the State Journal, and I
8 was not reinstated when the strike ended.

9 Q All right. Did you bring any claims against the
10 newspaper?

11 A Essentially we settled. I mean part of the
12 settlement was that we didn't, we weren't
13 reinstated.

14 Q When you say we settled, who is we?

15 A Well, there were five unions on strike, and I was
16 the head of one of those. We all -- we were on
17 strike jointly.

18 Q All right. Have you ever been terminated from any
19 job that you ever had in your working life?

20 A No.

21 Q All right. You worked on Mr. Norquist's campaign in
22 19, did you say 19 --

23 A '88.

24 Q 1988. Was that the first time Mr. Norquist was
25 running for the mayorship position?

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1 A Yes.

2 Q And have you been associated with Mr. Norquist since
3 that time?

4 A In -- yes, associated in one sense or another. In
5 fact, I should backup just to clarify.

6 Q Okay.

7 A As I was giving you my work history, I did also work
8 during 1987 for about eight or nine months in the
9 state capitol for Mayor Norquist when he was then a
10 state Senator, and I left that job to run his
11 campaign.

12 Q What was the nature of your employment with Norquist
13 when he was in the state capitol?

14 A I was a staff assistant with responsibility for
15 press relations, among other things.

16 Q Okay. Let me understand, just so I leave this issue
17 alone, what a chief planner and consultant is
18 supposed to do. I suspect you would do anything to
19 make sure that the campaign is successful?

20 A No.

21 Q No. Tell me what you do.

22 A Well, I'm not someone who will do anything.

23 Q Are you sure?

24 A Yes.

25 Q All right. We are on the record, so we'll hold you

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1 to that.

2 A That's why I said it.

3 Q It's part of your job to identify weaknesses of any
4 opponent?

5 A Certainly.

6 Q All right. It's part of your job to develop media
7 that is effective and convincing?

8 A Yes.

9 Q All right. It's part of your job to make sure you
10 address potential trouble for your candidate or the
11 candidate that has hired you?

12 A Yes.

13 Q And deal with that trouble, whatever trouble it may
14 be?

15 A Yes.

16 Q Okay. And is it also part of your job to develop a
17 strategy to deal with the press as well regarding
18 potential problems if any exist with your candidate?

19 A Yes.

20 Q All right. Right now how many people are you
21 working for as a consultant?

22 A At the moment just two.

23 Q Who are they?

24 A I'm working for the Jim Doyle campaign for Governor.

25 Q Okay.

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1 A And Kevin Shibilski for Lieutenant Governor.
 2 Q Are you still working on behalf of Mr. Norquist?
 3 A No.
 4 Q And I just want to make sure that you understand my
 5 approach, Mr. Christofferson, because you and I
 6 don't know each other. I know a little bit about
 7 you but not a lot. I want to give you every
 8 opportunity to clarify anything you want to clarify
 9 before your deposition is over because I take sworn
 10 testimony very seriously. Okay?
 11 A Okay.
 12 Q All right. I want to ask you one more time,
 13 are you doing any political work on behalf of
 14 Mayor Norquist?
 15 A That's a different question.
 16 Q Okay.
 17 A I am not employed by the Mayor or his campaign. My
 18 relationship is such that I have talked to him about
 19 political issues for the past 15 years. Sometimes
 20 I'm on the payroll, sometimes I'm not. My role now,
 21 I guess I would be an unpaid advisor. Maybe I'm a
 22 kitchen cabinet member, if you would, but I'm not
 23 working for him or his campaign, no.
 24 Q Today as you sit here providing testimony under oath
 25 how would you consider your role in Mr. Norquist's

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1 political career? How would you describe it?
 2 A Today?
 3 Q Yes. Given the explanation that you just provided
 4 to me, kitchen advisor, et cetera.
 5 A At the moment I don't play much of a role at all in
 6 his political life.
 7 Q To your knowledge is Mayor Norquist currently doing
 8 any campaigning for reelection to your knowledge?
 9 A No.
 10 Q Any fundraisers being planned?
 11 A Yes.
 12 Q Have you had -- What if any role have you played in
 13 any of those fundraisers?
 14 A Very little. I have -- I mean I attend sometimes.
 15 I think I wrote -- I have written some letters to
 16 invite people to a Mayor's Club event, for example,
 17 but my involvement with him recently is not very
 18 much.
 19 Q When was the last time that you attended any type
 20 of fundraiser, political, social event involving
 21 Mayor Norquist?
 22 A I'd say the last event I attended was when the
 23 Governor was here at a Mayor's Club breakfast for
 24 him. I don't remember precisely when that was.
 25 Q What month was this?

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1 A I can't tell you that. It seems to me it was last
 2 spring or early summer, not too long after McCallum
 3 had become the Governor.
 4 Q To your knowledge are there any fundraisers
 5 or political events for the reelection of
 6 Mayor Norquist coming up that you know of?
 7 A Not necessarily for the reelection. That decision
 8 hasn't been made yet. There are fundraisers. There
 9 is an ongoing kind of fundraising program that
 10 continues.
 11 Q And to your knowledge are there some planned coming
 12 up?
 13 A Yes.
 14 Q Tell me, when is the next one?
 15 A Tomorrow night.
 16 Q Where is that one going to be?
 17 A It's what we internally call the restaurant event.
 18 It's an event that has gone on for a number of years
 19 where it's kind of like a Taste of Milwaukee. A
 20 number of restaurants have samples of their food,
 21 and we move around to a different kind of
 22 interesting location every year.
 23 Q And what if any role have you played with respect to
 24 these fundraisers?
 25 A None really.

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1 Q Written any letters, called any people?
 2 A No.
 3 Q When was the last time that you received any type of
 4 compensation for political work that you've done on
 5 behalf of Mayor Norquist?
 6 A I would have to check to answer that with any
 7 certainty. I would say it's probably been a year.
 8 Q A year?
 9 A I think, but, you know, there is a possibility that
 10 there has been something in between but not that I
 11 recall.
 12 Q There is a possibility you might have received some
 13 compensation this year but you don't know?
 14 A Not this year. Not in -- certainly not in 2002.
 15 Within the last year I don't think so, but I just
 16 don't remember precisely when the last check would
 17 have been.
 18 Q How long have you been active working on behalf of
 19 Mayor Norquist?
 20 A Well, since 1987.
 21 Q So you've been with his political organization since
 22 1987 to the present?
 23 A Yes.
 24 Q What role have you played during those years?
 25 A Well, a variety of roles. I worked for him as a

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1 staff aide in the capitol.
 2 Q Okay.
 3 A I was his campaign manager the first time he ran. I
 4 have been an unpaid advisor at times. I have been
 5 the general consultant for his reelection campaign.
 6 I have been his media consultant in other campaigns.
 7 I was his Chief of Staff in City Hall for two years.
 8 The relationship changes, you know. I have
 9 always had some connection with him, but it's been a
 10 variety of things.
 11 Q All right. But throughout all these years since you
 12 worked with him at the capitol to the present, you
 13 have been in a continuous working relationship with
 14 his office; is that correct?
 15 A Largely. There have been periods where I have had
 16 little or no contact for months at a time or perhaps
 17 six months at a time in between campaigns or, you
 18 know.
 19 Q Okay. But otherwise every time that he has run for
 20 reelection or election you have been involved?
 21 A Yes.
 22 Q And have you been the chief planner and strategist
 23 for Mr. Norquist for the most part?
 24 A Yes.
 25 Q All right. Is it fair and accurate to say -- Given

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1 what you call your relationship with Mr. Norquist,
 2 is it fair and accurate to say that you have been
 3 the chief planner and strategist throughout all
 4 these years since you worked with him at the
 5 capitol?
 6 A Well, I wouldn't say that I have been exclusively
 7 the person who has done all of the strategy and
 8 planning. I guess if you used the word chief, I
 9 would say yes, but --
 10 Q Okay.
 11 A I don't mean to represent that I'm the only one who
 12 has any role.
 13 Q I understand. But you have been the chief planner
 14 and strategist even though others have also
 15 worked --
 16 A I think that's true.
 17 Q Is that fair to say?
 18 A Yes.
 19 Q All right. Is it -- Just based on the chronology
 20 that you have given me, Mr. Christofferson, is it
 21 fair and accurate to say that Mr. Norquist has been
 22 the politician with whom you have had the longest
 23 working relationship, steady working relationship?
 24 A Yes.
 25 Q All right. Who handles your bookkeeping or

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1 accounts?
 2 A I do.
 3 Q You handle those personally?
 4 A (Nodding).
 5 Q Okay.
 6 A Well, I don't do my taxes, but I do the --
 7 Q Okay. But you would be the person to tell me
 8 whether or not this year you have received any
 9 compensation from the Norquist campaign --
 10 A Yes.
 11 Q -- or office; is that correct?
 12 A Yes.
 13 Q All right. Last year did you receive any
 14 compensation from the Norquist campaign or his
 15 office?
 16 A Last year being?
 17 Q 2002 -- 1, I mean.
 18 A 2001, yes.
 19 Q What about 2000?
 20 A Certainly.
 21 Q Okay. 1999?
 22 A I think so.
 23 Q All right. Obviously in 1998 you received
 24 compensation from the City?
 25 A Correct.

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1 Q In 1997 you received compensation from the City?
 2 A Yes.
 3 Q And so you also received compensation in 1996?
 4 A Yes.
 5 Q Okay. During those two years when you were working
 6 for the City of Milwaukee as Chief of Staff to Mayor
 7 Norquist, did you receive any compensation from
 8 Mayor Norquist's political campaign?
 9 A No.
 10 Q All right. Did you do any political work on behalf
 11 of Mayor Norquist during '96 through '98 when you
 12 were the Chief of Staff?
 13 A Depending on what you're asking, yes.
 14 Q All right. And did you receive compensation for the
 15 political work that you undertook during those two
 16 years?
 17 A No.
 18 Q All right. When you work in a given political
 19 campaign as chief strategist and planner or in any
 20 other capacity, what kinds of arrangements do you
 21 make as far as compensation is concerned for your
 22 time?
 23 A That varies considerably with the campaign.
 24 Q Well, let's talk about Mr. Norquist.
 25 A Well, it has --

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1 Q How do you bill for your time?
 2 A It has varied with him as well. I mean in the first
 3 campaign I ran for him, I was the campaign manager.
 4 I was on staff. I received a paycheck.
 5 Q Let's go backwards.
 6 A Okay.
 7 Q For last year what type of compensation arrangement
 8 did you have?
 9 MR. SCHRIMPF: Objection. Could we
 10 have it by year? When you say last year, that's
 11 somewhat vague.
 12 MR. ARELLANO: All right. Okay.
 13 That's a good point, Mr. Schrimpf.
 14 MR. SCHRIMPF: I'm glad you believe
 15 so.
 16 Q For the year 2000 -- We got this ongoing
 17 relationship. Don't pay any mind. They hate me, I
 18 love them. It's a love/hate type of arrangement.
 19 For the year 2001 what type of compensation
 20 arrangement did you have with Mr. Norquist?
 21 A In 2001 I believe I just billed the campaign for a
 22 couple of months early in the year. We didn't
 23 really have a contract or an arrangement as such.
 24 Q How did you bill your time, hourly?
 25 A No, no, no. I bill on a flat basis. Sometimes

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1 that's agreed in advance; sometimes it's after the
 2 fact depending on how much work I do.
 3 Q It's kind of open with him?
 4 A It's kind of open, and it's pretty much a trust
 5 relationship.
 6 Q So in the year 2001 you had a flat fee with
 7 Mayor Norquist?
 8 A I'm not sure that's true. I believe in 2001 I only
 9 billed him for a few months when I was doing a
 10 significant amount of work.
 11 Q Okay.
 12 A And I'm not certain it was the same amount every
 13 month. It was based on how much work I had done,
 14 and it was an estimate that I made. It wasn't an
 15 hourly log or anything.
 16 Q But you did not have a written contract with him?
 17 A No.
 18 Q You would just bill for a flat fee?
 19 A Right.
 20 Q Is that correct? At what point did you bill for
 21 your flat fee, early, before you started the work or
 22 after you completed the work?
 23 A After. Usually on a monthly basis at the end of the
 24 month.
 25 Q Okay. How do you bill? I mean do you keep track of

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1 your time? I'm just trying to understand how a
 2 person gives you a flat fee. What do you do?
 3 A It's nothing like being a lawyer where you can
 4 account for every six minutes.
 5 Q All right. But that's one way of keeping track of
 6 time.
 7 A Yeah. I don't do that. I've never had that kind of
 8 relationship with a client.
 9 Q I just want to know what you do. How do you keep
 10 track of your time?
 11 A In my head. It's a good faith estimate of how much
 12 time I spent and what the value of that is.
 13 Q All right. So last year you would bill monthly.
 14 How would you bill? How would you respond for the
 15 work you did? I just want to understand your
 16 procedure, your practice, for last year.
 17 A How would I --
 18 Q Yeah, I mean what did you do, bill on a monthly
 19 basis, this is how much time I invested in this
 20 project, you owe me so much? How did you do that?
 21 A I'd give them a one-line statement that would say
 22 January consulting fee, X amount, and they'd pay me.
 23 Q All right. How much did you generate for the year
 24 2001 from Mr. Norquist, regardless of whether it
 25 came from the political campaign, from contributors

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1 on his behalf, from his pocket. How much did you
 2 generate in the year 2001?
 3 A I don't know that without checking.
 4 Q Okay. Any --
 5 A Not --
 6 Q Just a rough estimate.
 7 A I would be surprised, but again I want to say I
 8 don't know for certain. I would be surprised if it
 9 were more than \$10,000.
 10 Q All right. So is it your sworn testimony that in
 11 the year 2001 the only amount that you got from the
 12 Norquist campaign or related to would be about
 13 \$10,000?
 14 A I don't believe that's precisely what I said. I
 15 think I said that as far as I could recollect that I
 16 would be surprised if it were more than \$10,000
 17 during the last year.
 18 My recollection is that I was only paid for a
 19 few months early in the year. I could be wrong. If
 20 I went home and checked my records, I might find out
 21 there was a month somewhere, and I'd be glad to do
 22 that if that's so --
 23 Q That's where we're going to get.
 24 A Okay.
 25 Q I'll let Counsel know. What type of projects did

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1 you work on on behalf of Mr. Norquist in the year
2 2001 for which you received compensation?
3 A Well, I did a variety of things for him I guess.
4 Sometimes that is giving advice, sometimes it's
5 helping other candidates who may be running for
6 office.
7 Q You billed Mr. Norquist when you worked for other
8 candidates that are running for office?
9 A No, I probably didn't say that correctly.
10 Q I just -- well --
11 A Sometimes -- one of the things I have done for him
12 through the years is --
13 Q Let's talk about 2001, Mr. Christofferson.
14 A Okay.
15 Q I just want to know, how did you generate 10,000 or
16 so. What kind of projects did you work on for
17 Mr. Norquist or on behalf of Mr. Norquist in the
18 year 2001?
19 A Frankly, a significant amount of that probably was
20 in dealing with media strategy to try to help him
21 position himself and to answer questions.
22 Q Regarding which issue, the Figueroa issue?
23 A Partly.
24 Q Okay.
25 A Partly with getting on with his agenda for the City,

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1 to figure out how to turn the corner and work on
2 things that were important to him that he wanted to
3 work on.
4 Q All right. Anything else?
5 A You know, minor amounts of fundraising related
6 things. I may have written a letter for him or, you
7 know --
8 Q Do you ever keep track of the time you invest in
9 these activities?
10 A No.
11 Q Ever?
12 A No.
13 Q All right. Have you told me everything that you did
14 on behalf of Mr. Norquist in the year 2001?
15 A I believe so.
16 Q All right. What about the year 2000, did you
17 receive any compensation from Mr. Norquist?
18 A Certainly.
19 Q Okay. What type of compensation did you receive in
20 the year 2000?
21 A Well, in the year 2000 we had a reelection campaign
22 going on and I was the media consultant so I was
23 paid in that capacity.
24 Q Okay. When was Mayor Norquist reelected?
25 A In April.

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1 Q April. Did you receive compensation for the
2 reelection campaign all the way up to April of 2000?
3 A Yes.
4 Q Did you receive any additional compensation after
5 April 2000 from Mayor Norquist?
6 A I believe I billed him for the month of December. I
7 don't think there was anything in between.
8 Q You did not bill him for any work done between April
9 and December, and I just want to make sure the
10 record has a clear chronology of your sworn
11 testimony. Is it your testimony that you did not
12 bill Mr. Norquist for any work or task that you may
13 have undertaken on his behalf from April through
14 December of 2000?
15 A That's my recollection.
16 Q All right. From April through December 2000 did you
17 do anything on behalf of Mr. Norquist, regardless of
18 whether or not you received compensation?
19 A Certainly.
20 Q All right. What did you do from April through
21 December of the year 2000?
22 A Well, again, probably a variety of things.
23 Q Such as advising him?
24 A Well, such as advising him on -- typically after an
25 election I will help with sort of the transition to

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1 a new administration. Normally when that happens
2 there is a certain amount of change and shuffling in
3 the government. I usually help him with that. I've
4 never been paid for that.
5 Q Okay.
6 A He calls me for advice on other things sometimes.
7 We talk about, you know, a variety of things.
8 Q Did you work in any shape, form, manner with
9 Mayor Norquist in the year 2000 with respect to the
10 Marilyn Figueroa issue?
11 A Yes.
12 Q All right. In the year 2001 I believe you testified
13 that you provided advice on how to deal with the
14 Figueroa issue as well?
15 A Yes.
16 Q Is that correct? And in 1999 did you do anything on
17 behalf of Mayor Norquist with respect to Marilyn
18 Figueroa?
19 A With respect to Marilyn Figueroa what?
20 Q Or anything related to Marilyn Figueroa and John
21 Norquist. We're talking about 1999.
22 A I guess I'm not sure what you're asking me.
23 Q Let me ask the reporter to read the question. I
24 want you to pay attention so you can answer my
25 question.

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1 A I'm paying attention.
 2 Q All right.
 3 (Requested portion read)
 4 A I hired Marilyn Figueroa to work in the Mayor's
 5 campaign.
 6 Q All right. Other than hiring Marilyn Figueroa to
 7 work in the Mayor's campaign, did you undertake any
 8 type of work on behalf of Mayor Norquist to deal
 9 with anything related to rumors, innuendo,
 10 allegations by Marilyn Figueroa against
 11 Mr. Norquist?
 12 A No.
 13 Q All right. What about 1998?
 14 A No.
 15 Q Same question for '97.
 16 A No.
 17 Q '96?
 18 A No.
 19 Q '95?
 20 A No.
 21 Q All right. When was the very first time that
 22 you became involved in providing advice to
 23 Mayor Norquist with respect to anything related to
 24 rumors, allegations raised by Ms. Marilyn Figueroa,
 25 whether these rumors or innuendo were raised by her

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1 directly or and/or indirectly? When was the first
 2 time?
 3 A It would have been in January of 2000.
 4 Q Okay. Which day?
 5 A I don't know that precisely. It was early in the
 6 month.
 7 Q Okay. Now -- So as I understand, you have been
 8 advising Mr. Norquist since 19 -- since the year
 9 2000, 2001 and to the present with respect to the
 10 issues related to Marilyn Figueroa and John
 11 Norquist?
 12 A No.
 13 Q Well, I believe you testified before that you became
 14 involved yourself in January of 2000.
 15 A Correct.
 16 Q You also testified that you also provided advice
 17 with respect to 2001.
 18 A That's correct.
 19 Q Okay. What about the year 2002, have you done any
 20 type of advising, media work, consulting of any kind
 21 with respect to the Marilyn Figueroa versus John
 22 Norquist issues?
 23 A No.
 24 Q None at all during this year?
 25 A I don't believe so.

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1 Q When was the last time that you discussed with
 2 Mr. Norquist anything related to the claims that
 3 Marilyn Figueroa has made against John Norquist, the
 4 last time?
 5 A In any substantive way or just in passing?
 6 Q Let's talk about substantive discussions first.
 7 A I'd say certainly not since last summer and maybe
 8 before that.
 9 Q Is it your sworn testimony that you have not spoken
 10 to Mr. Norquist about Marilyn Figueroa since last
 11 summer of the year 2001 to the present?
 12 A Except for incidental conversations, but not in any
 13 substantive way, that's correct.
 14 Q All right. What kinds of coincident (sic)
 15 discussions have you had with Mr. Norquist?
 16 MR. SCHRIMPF: I'm sorry, I didn't
 17 understand that question.
 18 MR. ARELLANO: Yeah, let me
 19 rephrase my question.
 20 Q When you did exchange anything with Mr. Norquist
 21 regarding Marilyn Figueroa and the claims she has
 22 against you, what if anything was exchanged between
 23 you and him?
 24 MR. SCHRIMPF: Objection, it does
 25 not accurately reflect the record.

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1 Q Go ahead, sir.
 2 A Could I hear the question once more? I'm sorry. I
 3 got distracted.
 4 (Question read)
 5 A That's quite a question. I have talked to him about
 6 the subject, you know, a number of times over a long
 7 period of time about, you know, what to do, how to
 8 respond publicly primarily. My role has been
 9 primarily to talk about, you know, what is the
 10 public response to this.
 11 Q When was the last time that you had any such
 12 discussions with Mayor Norquist?
 13 A Well, I don't know precisely. I do know that, and I
 14 answered the earlier question, because I was aware
 15 that from the time I went on vacation last August
 16 until very recently I hadn't spoken to him at all
 17 for probably, you know, six months or five months.
 18 Q My question -- Mr. Christofferson, my question is
 19 when was the last time that you addressed the issues
 20 that you just described on the record?
 21 A I don't know.
 22 Q Do you remember the year?
 23 A Well, I'm certain it was last year.
 24 Q Okay. Do you remember the month when you had the
 25 last discussion regarding how to address issues

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1 related to Marilyn Figueroa?
 2 A No.
 3 Q All right. Now let's talk about your participation
 4 in the year 2000. Did you participate in a strategy
 5 on how to deal with the media as far as the
 6 allegations raised by Ms. Figueroa were concerned?
 7 A Yes.
 8 Q Did you participate in a strategy on how to organize
 9 responses by Mr. Norquist to allegations made by
 10 Marilyn Figueroa?
 11 A How to organize responses?
 12 Q Prepare responses.
 13 A Yes.
 14 Q All right. Did you participate in working with
 15 Mr. Norquist on how to address questions regarding
 16 Marilyn Figueroa's claims?
 17 A Yes.
 18 Q Do you recall whether or not you also prepared media
 19 releases on behalf of Mr. Norquist?
 20 A Prepared statements for him.
 21 Q Is that correct?
 22 A Yes.
 23 Q All right. Do you -- strike that. Did you hire any
 24 consultants to help Mayor Norquist to prepare to
 25 answer the allegations made by Marilyn Figueroa?

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1 A No.
 2 Q Did you serve as the consultant that would prepare
 3 Mayor Norquist in order to answer questions related
 4 to Marilyn Figueroa's claims?
 5 A Yes.
 6 Q All right. Did you consult with any other outside
 7 source on how to help Mayor Norquist to address the
 8 allegations raised by Marilyn Figueroa?
 9 A Certainly. When are we talking about in time?
 10 Q At any point.
 11 A At any time, yes.
 12 Q Is that correct?
 13 A Yes.
 14 Q Who did you consult with?
 15 A Well, I know I consulted with Jeff Gillis. Who else
 16 might I have talked to.
 17 MR. SCHRIMPF: I'm sorry, I didn't
 18 hear that.
 19 THE WITNESS: I was just talking to
 20 myself. Sorry, I was speculating about who else
 21 I might have talked to.
 22 MR. SCHRIMPF: I would object to
 23 any speculation.
 24 A He is probably -- he is the only person I recall.
 25 Q Did you consult with any independent professionals

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1 such as psychologists, sociologists, marketing
 2 people on the issue of sexual harassment?
 3 A No.
 4 Q As you were assisting the Mayor as you put it to
 5 deal with the allegations raised by Marilyn
 6 Figueroa, did you consult with any type of treatise,
 7 books, literature, information?
 8 A No.
 9 Q Did you consult with any attorney other than your
 10 own attorney on how to deal with sexual harassment
 11 allegations?
 12 A Did I consult?
 13 Q That was my question.
 14 A I talked to Attorney Anne Shindell at times.
 15 Q Okay.
 16 A But not on my own behalf.
 17 Q On behalf of Mayor Norquist?
 18 A Yes.
 19 Q All right. Did anyone give you any type of legal
 20 information on sexual harassment law?
 21 A No.
 22 Q Did you read any type of information on sexual
 23 harassment law in preparation -- in helping
 24 Mayor Norquist on how to address the allegations of
 25 Marilyn Figueroa?

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1 A No.
 2 Q Did you hold any meetings for the purpose of
 3 preparing Mayor Norquist on how to address the
 4 sexual harassment and discrimination allegations
 5 raised by Marilyn Figueroa?
 6 A Yes.
 7 Q How many meetings approximately did you hold with
 8 Mayor Norquist for that purpose?
 9 A I don't know precisely. I would say in the range of
 10 six to eight perhaps.
 11 Q And for what period of time?
 12 A Well, since January of 2000 until now.
 13 Q In the month of January of 2000 how many
 14 meetings were held for the purpose of preparing
 15 Mayor Norquist on how to address the allegations
 16 raised by Marilyn Figueroa?
 17 A Again, I don't know precisely. I would -- probably
 18 two.
 19 Q Okay. And in the month of February?
 20 A I don't know.
 21 Q Did you have any, one, ten?
 22 A I don't know.
 23 Q Why is it that you don't know?
 24 A I don't know. If I had my calendar in front of me,
 25 I might be able to tell you that. I have no

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1 recollection of when meetings were held two years
2 ago. I am answering this to the best of my ability.
3 Q Okay.
4 A If I knew, I would tell you.
5 Q Would your calendar reflect the times when a meeting
6 was held for the purpose of preparing Mayor Norquist
7 on how to address Marilyn Figueroa's allegations
8 against him?
9 A Yes and no.
10 Q Tell me the no aspect. Why not?
11 A Well, my calendar doesn't have detail about purposes
12 for meetings. It tells me what day and what time I
13 saw someone. And if it's something that got
14 scheduled at the last minute, perhaps with the
15 Mayor, it may not even be in there.
16 Q In helping Mayor Norquist as you put it to prepare
17 to answer Marilyn Figueroa's claims, did you review
18 Marilyn Figueroa's complaints?
19 A Yes, eventually.
20 Q All right. Did you read every complaint that she
21 filed against Mayor Norquist?
22 A I don't know.
23 Q Okay. Did you digest the allegations that Marilyn
24 Figueroa was filing against the Mayor for purposes
25 of assisting the Mayor to prepare?

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1 A In a general way I was familiar with them.
2 MR. FINERTY: I'm going to
3 interject an objection. The questions are vague
4 as to time. Are we still talking about January
5 and February of 2000?
6 MR. ARELLANO: We'll get there.
7 MR. FINERTY: All right.
8 MR. ARELLANO: Thank you, Counsel.
9 MR. SCHRIMPF: For the record, I
10 will join that objection.
11 MR. ARELLANO: All right. Now we
12 got a gang of lawyers against me.
13 MR. SCHRIMPF: It's the only way we
14 can deal with you, Victor.
15 MR. ARELLANO: Yeah. Don't even
16 try it, Mr. Tokus.
17 Q When was the very first time that you reviewed any
18 complaints or documents where Marilyn Figueroa was
19 identifying her claims against John Norquist,
20 Mr. Christofferson?
21 A I don't know.
22 Q Well, let's talk about January of 2000. Did you
23 review any of her complaints?
24 A I don't believe there were any complaints.
25 Q Well, when was the first time that you became aware

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1 that there was a complaint?
2 A The first one I became aware of I think was probably
3 in December.
4 Q All right. And --
5 MR. SCHRIMPF: For the record, what
6 year, Counsel?
7 Q What year?
8 A 2000.
9 Q All right. So the very first time that you reviewed
10 any complaint would have been in the year 2000?
11 A I believe so. I'm not aware there was any complaint
12 filed until then.
13 Q All right. All right. Did you prepare written
14 strategic responses on behalf of Mayor Norquist
15 after you learned that a potential lawsuit or
16 complaints for Marilyn Figueroa were about to come
17 out?
18 A Yes.
19 Q All right. Did you prepare any suggested responses
20 for his wife as well, Susan Mudd?
21 A Yes.
22 Q Did you prepare any type of suggested responses to
23 the claims raised by Marilyn Figueroa for Anne
24 Shindell as well?
25 A Yes.

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1 Q All right. Did you prepare suggested responses on
2 behalf of all other mayoral assistants with respect
3 to how to address any questions from the press or
4 anyone regarding the complaints Marilyn Figueroa was
5 making against the Mayor?
6 A I don't recall that.
7 Q All right. Other than you do you know if anyone
8 else was also preparing suggested answers or
9 strategies on behalf of Mayor Norquist?
10 A I'm not aware of anyone else preparing written
11 statements.
12 Q Okay. Are you aware of anyone else that was
13 assisting you on how to develop a strategy on behalf
14 of Mayor Norquist in order to address the
15 allegations raised by Marilyn Figueroa?
16 A It would depend on when you're asking me about.
17 Q At any point after this relationship or exchanges
18 between Marilyn Figueroa and Norquist came to light
19 or to your attention.
20 MR. SCHRIMPF: Objection, vague.
21 Q From January --
22 MR. ARELLANO: Let me clarify then.
23 Maybe I can address your concern.
24 Q From January of 2000 to the present.
25 A From January of 2000 until the present has anyone

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1 else participated in --
 2 Q The strategies.
 3 A Well, certainly.
 4 Q Who?
 5 A Jeff Gillis whom we've discussed earlier, Mike
 6 Soika, Anne Shindell. There is another attorney,
 7 and I'm blank.
 8 Q Mr. Lester Pines?
 9 A No. Well, I guess, but I only know that from
 10 hearsay.
 11 Q All right.
 12 A I have never talked to him.
 13 Q Okay. Who else?
 14 A David Loeffler.
 15 Q David?
 16 A Loeffler.
 17 Q As in Loeffler?
 18 A L-o-e-f-f-l-e-r, I believe.
 19 Q All right. Was a Mr. Fleming involved?
 20 A No.
 21 Q Anyone else?
 22 A Susan Mudd at times.
 23 Q All right. Anyone else?
 24 A I don't think so.
 25 Q All right. What about Mr. Pruitt, P-r-u-i-t-t,

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1 Chuck?
 2 A Yes.
 3 Q What about --
 4 A No, not yes -- I'm not saying, yes, he was involved.
 5 I don't believe he was. I'm not recalling his
 6 involvement in any of this --
 7 Q Meetings?
 8 A Right.
 9 Q All right. Did you ever consult with Mr. Bruce
 10 Murphy as part of your strategy on how to deal with
 11 the media?
 12 A Bruce Murphy?
 13 Q Yes.
 14 A No.
 15 Q What about a journalist by the last name of Murphy
 16 that has a website on --
 17 A I know who Bruce Murphy is. I have -- would never
 18 have spoken to him about this.
 19 Q Mr. Jim Rowen, was he ever involved in any of the
 20 strategy meetings?
 21 A No.
 22 Q No. All right. What about Ruth Wytenbach?
 23 A No.
 24 Q What about Mike Miller, was he ever involved --
 25 A No.

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1 Q -- in any of these meetings?
 2 A No.
 3 Q All right. I believe you identified approximately
 4 two meetings. Based on what you're telling me,
 5 Mr. Christofferson, and don't accuse me of being
 6 naive or innocent, I'm not going to use the word
 7 stupid, is it fairly clear and accurate to say that
 8 you were the one coordinating the entire defense
 9 strategy for the purposes of helping Mayor Norquist
 10 on how to deal with Marilyn Figueroa's complaints?
 11 A No.
 12 Q Who would have been in charge if there was anyone?
 13 A Anne Shindell would have been in charge. This was a
 14 legal question.
 15 Q Was she in charge of the media?
 16 A She was in charge of speaking to the media, yes.
 17 Q Okay. But you were in charge of developing the
 18 strategy; true?
 19 A Of developing the statements for the media.
 20 Q Okay.
 21 A And the appropriate response, yes.
 22 Q Okay.
 23 A Not the strategy, big picture strategy.
 24 Q But you were responsible for developing the strategy
 25 on how to deal with Marilyn Figueroa's allegations;

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1 is that correct?
 2 A In the public media, yes.
 3 Q Okay. All right. At what point did Ms. Susan Mudd
 4 become involved in some of the strategy meetings
 5 that you have so eloquently disclosed here for us?
 6 A At what point?
 7 Q January, February, March?
 8 A I believe she was at one of the early meetings in
 9 January.
 10 Q Okay. All right.
 11 A But she's not a consistent participant. I mean she
 12 participated occasionally.
 13 Q Was -- Let's talk about the first two meetings in
 14 January. Do you know when was the first meeting
 15 held?
 16 A Not precisely, no.
 17 Q Early January, late January?
 18 A I'd say early January.
 19 Q Okay. Where did the meeting take place?
 20 A At Shindell's office.
 21 Q Who was present?
 22 A I believe the Mayor, Mike Soika, me, possibly Susan
 23 Mudd. I don't know which meetings she attended and
 24 which ones she didn't for certain. I don't know if
 25 she was at the first one or not.

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1 Q All right. And again, you don't remember the
2 approximate date?
3 A No. I would say it's during the first half of
4 January, but I don't know specifically.
5 Q All right. Let's talk about the second meeting.
6 Where did the second meeting occur?
7 A Well, sometime in the next week or two. It's
8 probably in the last half of January. Again, I
9 don't know specifically.
10 Q Where did the meeting occur?
11 A Where?
12 Q Yeah.
13 A At her office again.
14 Q At Shindell's office?
15 A Yes.
16 Q And who was present at that second meeting, sir?
17 A I'd say the same group.
18 Q The Mayor?
19 A The Mayor, myself.
20 Q Mr. Soika?
21 A Mike Soika.
22 Q Mr. Christofferson. Susan?
23 A I think -- I think she was probably at one of those
24 two, probably not both, but I don't know which one.
25 Q All right. And when was the very next meeting --

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1 A I don't know.
2 Q -- that you recall, sir?
3 A I don't know.
4 Q Were there any meetings in February?
5 A I don't know.
6 Q What about March?
7 A I don't know.
8 Q Which meeting did Mr. Gillis attend?
9 A He did not attend any until after the election, I
10 know that, so after April sometime.
11 Q All right. Any meetings after April? Let's talk
12 about April. Any meetings for the purposes of
13 dealing with Marilyn Figueroa's issues related to
14 sexual harassment or discrimination?
15 A I'm sure there was at least one in April.
16 Q Okay. Where was that meeting held?
17 A Again, at the Shindell Law Firm.
18 Q Okay. Who was present at that time?
19 A Well, again, Shindell, Soika, Norquist, me, maybe
20 Gillis, but I'm not certain of that.
21 Q How did Mr. Gillis happen to get involved at this
22 stage in the game?
23 A He got involved partly because -- well, he got
24 involved at my invitation and because, partly
25 because I was leaving the country for three weeks in

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1 May and wanted someone to be responsible while I was
2 gone.
3 Q What's the background on Mr. Gillis?
4 A Well, he and I have worked together on a number of
5 campaigns over the last 15 years.
6 Q Just give it to me quick. Is he a campaign
7 consultant, a political consultant?
8 A No, no, he's not. He's a former employee of the
9 Mayor's office, both for Henry Maier and for John
10 Norquist. He lives in Shawano, Wisconsin. He's a
11 friend and advisor and kind of long-time supporter
12 of the Mayor and someone whose skills I value in
13 dealing with the media.
14 Q What do you expect Mr. Gillis, what role do you
15 expect him to play while you were out at the
16 country?
17 A I expected him to be available if this whole issue
18 became public in some way during the time I was
19 gone, that he would essentially play the role I
20 would have played in terms of coordinating a
21 response and making sure that things were organized
22 and helping people think through the best way to do
23 it.
24 Q So at this meeting it would have been the Mayor,
25 Mr. Soika, yourself, Mr. Gillis. Was Susan Mudd in

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1 this particular meeting?
2 A I don't know.
3 Q Was she also participating in the strategy on how to
4 deal with allegations?
5 A Well, to a degree. I mean if she was in the
6 meetings, we talked about it, she was participating
7 I suppose.
8 Q Well, I don't want you to assume. I want you to
9 tell me whether or not she offered any approach or
10 strategy on how to deal with some of these
11 allegations.
12 A At times, yes.
13 Q Okay. What kind of suggestions did she give, if
14 any?
15 A I don't recall that specifically.
16 Q Is she an attorney as well?
17 A Yes.
18 Q All right. Where does she work, do you know?
19 A At the time she was working for Citizens for a
20 Better Environment. I don't believe she's there
21 anymore.
22 Q That's quite inappropriate, huh? Any other meetings
23 in the month of April?
24 A I don't know. There may have been two. There may
25 have been one. I don't know that with any

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1 certainty.
 2 Q Any meetings in May?
 3 A No.
 4 Q None?
 5 A Well, not that I attended.
 6 Q Okay. What about June?
 7 A I don't know.
 8 Q July?
 9 A I don't know.
 10 Q Any other meetings for the rest of the year?
 11 A I don't know. I've told you that I think there were
 12 probably six or eight in total, and I can't tell you
 13 what month they took place in.
 14 Q When these meetings occurred, who would coordinate
 15 the meetings?
 16 A In what sense?
 17 Q Who would gather the people?
 18 A Well, I don't know, I guess either Anne Shindell or
 19 Mike Soika. I mean there were only three of us to
 20 gather so --
 21 Q Today you're represented by a very competent
 22 counsel, Mr. Finerty.
 23 A I'm glad to hear that.
 24 Q I suspect Mr. Finerty was never at any of those
 25 meetings?

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1 A No.
 2 Q Is that correct? Did Mr. Finerty represent you in
 3 the year 2001?
 4 A No.
 5 Q Okay. So he's representing you primarily, you don't
 6 have to tell me, but this is the first time that
 7 you've consulted with Mr. Finerty, this year?
 8 A Yes.
 9 Q All right. Did you have a lawyer in the year 2000
 10 participating in any of these meetings?
 11 A No.
 12 Q All right. What about 2001?
 13 A No.
 14 Q All right. And obviously Ms. Shindell was not your
 15 attorney?
 16 A No.
 17 Q And Ms. Mudd was not your attorney?
 18 A No.
 19 Q All right. During the year 2000 when these meetings
 20 were held, did you include as part of your strategy
 21 to talk to other people about what they knew about
 22 Marilyn Figueroa?
 23 A No.
 24 Q Do you know if any member of these meetings that
 25 attended these meetings was talking to others about

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1 Marilyn Figueroa?
 2 A Not that I know of.
 3 Q Generating information about Marilyn Figueroa?
 4 A No.
 5 Q All right. We'll talk about that. During these
 6 meetings did anyone propose -- before December 2000
 7 when Mayor Norquist became public with his version
 8 of the events, did anyone propose to investigate
 9 from Marilyn what her claims were against the Mayor
 10 at any of these meetings?
 11 A No.
 12 Q All right. The meetings were primarily designed to
 13 protect the Mayor, true, with respect to the
 14 allegations raised by Marilyn Figueroa?
 15 A I would say that the meetings were primarily
 16 designed to have a response prepared if this became
 17 public.
 18 Q Well, do you deny, sir, that the meetings were at
 19 least in part designed to protect the Mayor from any
 20 allegations raised by Marilyn Figueroa? Do you deny
 21 that, that that was one of the objectives of the
 22 meetings?
 23 A No. It depends on how you're going to define that,
 24 but, no, I'll say that was part of the --
 25 Q All right. The meetings were also designed to

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1 find a strategy that would be effective to protect
 2 Mayor Norquist with respect to the allegations
 3 raised by Marilyn Figueroa; correct?
 4 A Yes.
 5 Q Okay. You got to say yes or no because although I
 6 understand your nodding of the head, I understand,
 7 but we need to put it in writing.
 8 A Yeah, well, I --
 9 Q Did the meetings also include a plan on how to
 10 develop a convincing story on behalf of the Mayor?
 11 A No.
 12 Q Did you develop any type of suggested response that
 13 would portray Marilyn Figueroa as the predator, sort
 14 of speaking, in these sexual exchanges that occurred
 15 between the two of them?
 16 I want you to listen to the question and
 17 answer my question.
 18 (Question read)
 19 A I wouldn't use the word predator. I would say as a
 20 willing participant, yes.
 21 Q All right. That was one of your objectives as part
 22 of developing a strategy to protect the Mayor?
 23 A No. One of my objectives was to tell the truth.
 24 Q All right. We'll talk about that.
 25 A All right.

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1 Q All right. Nevertheless, you did develop a strategy
2 to portray Marilyn as a, a you put it, willing
3 participant; correct?
4 A Not to portray her but to state the facts as I knew
5 them.
6 Q Did you at any point develop a strategy through your
7 writings portraying Marilyn as the aggressive in
8 these sexual encounters?
9 A I don't know that precisely. I'm not sure what
10 documents we're talking about.
11 Q I'm just talking about any, any of your writings
12 where you portrayed Marilyn as the aggressive
13 within these sexual encounters that she had with
14 Mayor Norquist.
15 A That's possible. You could interpret some of it
16 that way.
17 Q All right, all right.
18 MR. ARELLANO: Off the record.
19 MS. AURIT: Going off the record.
20 (Discussion held off record)
21 (Exhibit Nos. 6 through 15
22 marked for identification)
23 MS. AURIT: We are back on the
24 record.
25 MR. ARELLANO: Could you bring me

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1 back to life, last question, last answer?
2 (Requested portion read)
3 Q Mr. Christofferson, I am not involved in politics
4 and I have difficulties being involved in politics
5 but I do remember debates among politicians,
6 presidents and governors and what have you. Is part
7 of your job to help people also to prepare for
8 debates?
9 A Yes.
10 Q Rehearse them on how to address debates?
11 A Right.
12 Q And you also testified that right after January of
13 2000 you also prepared Mr. Norquist on how to
14 address the allegations raised by Marilyn Figueroa,
15 is that correct, or at least to prepare him?
16 A Prepared in the sense of I worked on a statement.
17 Q Okay. Did you also -- did you also work on helping
18 Mayor Norquist how to make his presentation with
19 respect to his side of the story as far as Marilyn
20 Figueroa's complaints were concerned?
21 A No.
22 Q Do you know if anyone did?
23 A No.
24 Q Did you ever get to hear Mr. Norquist's full version
25 of his interaction with Marilyn Figueroa at some

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1 point?
2 A No.
3 Q All right. Did you ever question him in detail on
4 how these sexual interactions developed?
5 A No.
6 Q Did he ever share that information with you?
7 A Not in any detail, no.
8 Q Okay. Do you recall any one time when he disclosed
9 to the group or to you his view of the relationship?
10 A Yes.
11 Q Okay. How many times?
12 A How many times? Well, I remember one specific
13 time --
14 Q Okay.
15 A -- with me, and there was probably at least one
16 other occasion in one of these group meetings.
17 Q All right. The very first time -- First of all let
18 me ask you this since we're getting into that. When
19 was the very first time that you had any knowledge
20 or learned about anything related to a relationship
21 between Norquist and Marilyn Figueroa?
22 A Sometime early in January of 2000.
23 Q And what day?
24 A I'm not certain precisely the day.
25 Q What week?

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1 A Well, the first or second week. I don't know.
2 Q What did you learn?
3 A Well, I learned that he had had an affair with
4 Marilyn and that it had ended sometime previously.
5 Q As I understand there were -- according to your
6 sworn testimony, there were two occasions when
7 Mr. Norquist disclosed his alleged relationship with
8 Ms. Figueroa, is that correct, one when he told you
9 during the first or second week of January and -- is
10 that correct?
11 A Correct.
12 Q All right. She's waiting for your answer.
13 A Correct.
14 Q All right. And then the second time, as I
15 understand based on your prior sworn testimony, was
16 when he addressed the group that was meeting for the
17 purposes of helping him to present a defense?
18 A Correct.
19 Q Is that correct? The second time occurred when,
20 when he spoke about his relationship?
21 A I am not certain. At some point during one of these
22 meetings, but I --
23 Q Well, there were meetings from January through
24 December of 2000; isn't that true?
25 A That's true.

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1 Q All right. At what point did Mr. Norquist discuss
2 the aspects of the alleged relationship with Marilyn
3 Figueroa during that period of time?
4 A I don't know precisely. And he didn't discuss them
5 in any detail at either one of these meetings.
6 Q Well, I understand that, but was it early in the
7 year, late in the year, mid-year?
8 A I don't know. I'm not certain.
9 Q Do you have any records that could help you to
10 refresh your recollection or assist you in any way
11 to tell us with precision when this could have
12 happened? And I'm talking about when Mayor Norquist
13 disclosed his relationship with the group.
14 A No, and disclosed is not I don't believe what you
15 asked me to begin with.
16 Q Well --
17 A He disclosed it to me when I had --
18 Q I understand that.
19 A -- when I had no previous awareness of it.
20 Q And then he disclosed it --
21 A He didn't disclose it to the group. He may have
22 characterized it for the group. I believe that's
23 what you asked me before.
24 Q And so when was that?
25 A I still don't know.

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1 Q You don't know?
2 A No.
3 Q Was it when the snow was on the ground or the
4 flowers were blooming?
5 A I think it's safe to say it was before December 1st.
6 Q Okay. So it could have been --
7 MR. SCHRIMPF: I'm sorry, of what
8 year?
9 THE WITNESS: 2000.
10 MR. SCHRIMPF: Okay.
11 Q So it could have been January through December,
12 before he became public?
13 A Sometime during that time.
14 Q All right. Did you prepare a press release for
15 Mayor Norquist on December 1st?
16 A Yes.
17 Q Okay.
18 A Well, a statement.
19 Q A statement. The statement that he read --
20 A Yes.
21 Q -- to the press?
22 A Yes.
23 Q Did you prepare any statement -- Was that the
24 statement of apology?
25 A Well, you could characterize it that way. It was

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1 the statement where he acknowledged that he had had
2 an affair, he apologized for it, he said it wouldn't
3 happen again, that he had talked to Susan about it,
4 et cetera.
5 Q This is -- The statement that he read to the press
6 is what you prepared?
7 A Yes.
8 Q You prepared the entire statement?
9 A Yes.
10 Q Is that correct? Where did you prepare that?
11 A Where did I prepare that?
12 Q Yes.
13 A At my home on my computer.
14 Q At your computer. Do you still have the hard drive
15 for 2000?
16 A I still have that document, yes.
17 Q All right. I'm talking about do you keep the hard
18 drive for your --
19 A No, I have -- I have a computer that I purchased I
20 think in November of 2000 but the document you're
21 talking about is on that hard drive, yes.
22 Q All right. You did it at home?
23 A Yes.
24 Q Did anybody assist you in putting together that
25 statement?

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1 A No.
2 Q Okay. All right. Let's go back to the second time
3 when Mr. Norquist disclosed or addressed his
4 relationship with Marilyn Figueroa within the group
5 that was gathering during that year 2000. Do you
6 recall if it was just the month before he went
7 public?
8 A No, I would say it was -- well, no, I don't know
9 when I think about it.
10 Q All right. But the only one that you do recall
11 where -- the only time when you recall Mr. Norquist
12 disclosing his alleged relationship with Marilyn
13 Figueroa would have been the one in early January;
14 correct?
15 A Yes.
16 Q And do you recall when in January Mr. Norquist
17 disclosed to you his relationship with Ms. Figueroa?
18 A I believe it was within the first or second week of
19 January. I have looked at my calendar to try to
20 refresh my memory. The most likely date that I see
21 on there, although I can't swear to it, there is a
22 meeting with him on January 6th which may have been
23 the day but I cannot say with certainty that was it.
24 Q All right. This is Exhibit No. 10,
25 Mr. Christofferson. I believe this is a copy of

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1 your 2000 weekly calendar; is that correct?
 2 A That's correct.
 3 Q And this is a record that was produced by your
 4 attorney. I suspect that calendar belongs to you?
 5 A Yes.
 6 Q Is that correct?
 7 A Yes.
 8 Q And I believe it has your name on top of that page;
 9 is that correct?
 10 A That's right.
 11 Q And it only contains January and February of 2000?
 12 A Right.
 13 Q Is that correct?
 14 A Yes.
 15 Q All right. Did you keep any other type of calendar
 16 other than what we have here before us marked as
 17 Exhibit No. 4 (sic)?
 18 A No.
 19 Q All right. Did you keep a calendar in your
 20 computer?
 21 A No.
 22 Q Do you keep one of those new computer calendars?
 23 A No.
 24 Q All right. So the only calendar that you ever used
 25 during the year 2000 would be the one that is in

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1 front of you which has been marked Exhibit 4 (sic)?
 2 A That's correct.
 3 Q All right. Now let's take a look at that calendar
 4 for the first week and tell me if there is anything
 5 in that calendar that would assist you to refresh
 6 your recollection about when your discussion with
 7 Mayor Norquist may have occurred.
 8 A Well, as I had told you, there is an entry on
 9 January 6th at eleven o'clock that simply says JON
 10 which is our shorthand for John Q. Norquist.
 11 Q Okay. Did you meet with Mr. Norquist at any other
 12 time during that first week of January?
 13 A Yes. I met with him it appears on January 5th.
 14 Q What time?
 15 A 1:30 p.m.
 16 Q And the January 6th shows that you had some type of
 17 meeting or contact with Mr. Norquist at 11:00 a.m.;
 18 correct?
 19 A Correct.
 20 Q Okay. Did you meet with Mayor Norquist at any other
 21 time during that first week of January 2000?
 22 A Well, my calendar doesn't reflect that. But as I
 23 told you earlier, I believe if something were
 24 scheduled last minute, short notice, it may not
 25 appear on here, which is partly why I'm hesitant to

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1 just say yes or no.
 2 Q All right. Well, let's take a look at January 5th
 3 and January 6th. Do you recall which of those two
 4 days Mr. Norquist disclosed for the first time
 5 anything related to his interaction with Marilyn
 6 Figueroa?
 7 A Well, if in fact it was one of those two days, it
 8 would have been the 6th and not the 5th I'm certain
 9 from looking at this.
 10 Q Why would you say that?
 11 A Well, January 5th is more specifically, it says 1:30
 12 briefing followed by 2:20 interview with the Labor
 13 Council at Serb Hall and then an interview with
 14 somebody from Milwaukee Magazine so I'm certain that
 15 that meeting was to prepare him for those two events
 16 that were coming. The one on the 6th doesn't have a
 17 subject on it, which is not unusual, but --
 18 Q Was it your practice to prepare Mayor Norquist
 19 before he met with any group or representative
 20 outside the City of Milwaukee, I mean outside City
 21 Hall? Excuse me.
 22 A Well, in important campaign situations, this was an
 23 interview for an endorsement by the Labor Council,
 24 typically I would talk to him about what he was
 25 going to do there. I believe I went with him, and

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1 the other was an interview with Milwaukee Magazine
 2 and I also accompanied him to that and prepared him
 3 for it.
 4 Q During this -- Was there an interview with the
 5 Milwaukee Magazine?
 6 A Yes.
 7 Q Who was the interviewer?
 8 A Mary Nohl.
 9 Q Mary Nohl. And during this particular interview did
 10 the Marilyn Figueroa matter come to light?
 11 A Yes.
 12 Q In what manner?
 13 A At the end of the interview I believe Mary Nohl
 14 asked a question about the Mayor's relationship with
 15 Marilyn Figueroa. I don't remember precisely how
 16 she asked it.
 17 Q And before that question came up did you have any
 18 knowledge of any rumors and/or innuendoes regarding
 19 Marilyn Figueroa and Mayor Norquist?
 20 A Well, I guess there must have been, but I can't say
 21 with any certainty. I don't believe Mary Nohl was
 22 the first person in Milwaukee to hear the rumor
 23 but --
 24 Q Before that question was posed by Ms. Mary Nohl on
 25 that meeting of January 5th, as I understand that's

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1 when it took place; correct?
 2 A Correct.
 3 MR. ARELLANO: Okay. We got to go
 4 off the record because we got to change the tape,
 5 at least she's got to change the tape.
 6 MS. AURIT: Going off the record.
 7 (Discussion held off record)
 8 MS. AURIT: This is tape two of the
 9 deposition of William Christofferson.
 10 MR. ARELLANO: Can you repeat my
 11 previous question if I ever got to finish it?
 12 (Last two questions and
 13 answers read)
 14 Q Before that question was posed to Mayor Norquist by
 15 Mary Nohl regarding the rumors of Marilyn Figueroa
 16 and him, did you ever question the Mayor on this
 17 particular issue regarding Marilyn Figueroa?
 18 A No.
 19 Q All right. What was Mayor Norquist's response to
 20 that question as posed by Mary Nohl regarding his
 21 relationship with Marilyn Figueroa?
 22 A I don't remember her precise question so I don't
 23 remember his precise answer, but essentially the
 24 answer that he gave was that there had not been any
 25 charge filed, there had not been any kind of

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1 complaint filed anywhere, that there was really
 2 nothing to talk about.
 3 Q Before you went -- Was there anything else exchanged
 4 between Mary Nohl and John Norquist after she asked
 5 that first question regarding Marilyn Figueroa?
 6 A I don't recall. There is, as you may know, some
 7 dispute about what she asked and what the answer
 8 was.
 9 Q Yeah, and that's not my question. My question is do
 10 you recall anything else being exchanged on that
 11 specific issue, the Figueroa versus Norquist
 12 relationship?
 13 A No.
 14 Q Anything else?
 15 A (Nodding).
 16 Q Before you went to that interview with Mary Nohl,
 17 did you suspect that she was going to be asking
 18 questions about these rumors regarding Norquist
 19 versus Figueroa?
 20 A No, I don't believe so.
 21 Q You testified that before January 5th, before that
 22 interview there were rumors or innuendo regarding
 23 Norquist and Figueroa?

MR. FINERTY: Objection,
 mischaracterizing his testimony.

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1 MR. SCHRIMPF: And I will join in
 2 that objection.
 3 Q Is that correct?
 4 A I don't believe that's what I said.
 5 Q Well, what did you say? You stated that before
 6 January 5th some rumors had developed although you
 7 couldn't remember specifically when or what.
 8 A Well, the first specific thing I remember appeared
 9 in the Shepherd Express and it talked about a
 10 discrimination complaint might be filed by Marilyn
 11 and it had nothing to do with sexual harassment. I
 12 do remember that. I don't recall the date, but
 13 that's the first time I remember anything.
 14 Q Was that before January 5th?
 15 A I don't know. That's the first public thing that I
 16 can recall about it.
 17 Q I understand. But before January 5th do you recall
 18 hearing any rumors of any kind, no matter how
 19 remote, about allegations regarding Marilyn Figueroa
 20 having a relationship with John Norquist?
 21 A Not that I can recall, no.
 22 Q All right. So now do you recall prior to
 23 January 5th other reporters or members of the public
 24 questioning you or any member of the Norquist
 25 campaign organization about allegations involving

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1 Marilyn Figueroa and John Norquist before
 2 January 5th?
 3 A No, I don't.
 4 Q By virtue of your answer, is it fair and accurate to
 5 say that on January 5th when Ms. Mary Nohl
 6 questioned Norquist on Marilyn Figueroa's
 7 allegations or anything related to the relationship,
 8 is it fair and accurate to say that that was the
 9 first time that you had heard someone questioning
 10 Mr. Norquist specifically on that issue?
 11 A I know there were no allegations at the time.
 12 Marilyn Figueroa had made no allegations which was
 13 what the Mayor's response was as I recall.
 14 Q My question to you is was that the first time that
 15 you ever heard anyone raising this issue, and I'm
 16 talking about the relationship between Norquist and
 17 Figueroa regardless of whether or not allegations
 18 were out there.
 19 A I don't know.
 20 Q But one thing is clear, that that was the first time
 21 at least that you can tell me today when someone
 22 questioned Mayor Norquist about his relationship
 23 with Marilyn Figueroa; correct?
 24 A I believe -- It's the first time anyone asked him
 25 about it in my presence.

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1 Q Okay. Was that the last question that Mary Nohl
2 asked of Mayor Norquist during that interview?
3 A I think so.
4 Q Was that question posed at the end of the interview?
5 A I believe so. That's what I remember.
6 Q When that question was posed, to your knowledge was
7 Mayor Norquist upset about it?
8 A Yes.
9 Q What did he say?
10 A I don't remember. To her? I don't remember
11 precisely. I tried to characterize what I believe
12 he said which was that there was nothing to talk
13 about, there was no complaint, there was no
14 allegation.
15 Q What led you to believe that he was upset as a
16 result of that question posed by Ms. Nohl regarding
17 the Figueroa matter?
18 A Well, I think he appeared to be angry about it and
19 we walked out together. He said something, you
20 know, he had felt like he had been set up by her,
21 you know, she had scheduled an interview to talk
22 about some other things.
23 Q Okay. When you went to that interview, where did
24 that interview take place?
25 A It took place in a coffee shop or restaurant

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1 downtown.
2 Q Okay. Who else was present besides Mayor Norquist
3 and you?
4 A No one.
5 Q Just the three of you?
6 A Yes.
7 Q All right. Did you take any notes of that meeting?
8 A No.
9 Q Is it customary for you not to take notes during
10 interviews with Mayor Norquist?
11 A No, I don't take notes.
12 Q Did you ever make any notes or recordings after that
13 meeting was concluded?
14 A No.
15 Q Was that meeting videotaped in any manner?
16 A No.
17 Q All right. Do you know if she was taping the
18 meeting?
19 A She has since said she was. I'm not sure if I knew
20 that at the time.
21 Q Was taping the meeting part of the agreement when
22 you met with her or before you met with her?
23 A Well, we don't negotiate that kind of thing. If a
24 reporter has a tape recorder, they have a tape
25 recorder.

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1 Q Okay. So if she claims that she has a tape, you
2 have no basis to challenge that because you don't
3 know if she did?
4 A I believe she has a tape.
5 Q Okay.
6 A Or had a tape.
7 Q All right. Did you ever hear the tape?
8 A No. I've requested an opportunity to hear the tape,
9 and she and her editor have denied me the
10 opportunity.
11 Q All right. When did you make that request?
12 A At the time her article ran on the Marilyn story,
13 whenever that was.
14 Q Late in 2000, 2001?
15 A I don't know precisely when -- you probably know
16 better than I do when that was.
17 Q All right. After -- Did you travel together to that
18 interview with Mary Nohl?
19 A I think so.
20 Q Okay. And I suspect you left together?
21 A Walked out together I think, yeah.
22 Q Okay. Were you traveling in the same car?
23 A Probably.
24 Q Okay. When Mary Nohl asked that question, did you
25 ask Mayor Norquist anything related to that matter

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1 after you left the interview?
2 A No.
3 Q Were you concerned about some of those rumors or
4 questions being posed by the press?
5 A Certainly.
6 Q Did you ever question the Mayor on whether or not
7 these rumors were accurate?
8 A Eventually.
9 Q But on that particular day did you follow any
10 questions?
11 A No. And again, I'm not certain, I want to make it
12 clear, I'm not certain what rumors were out there or
13 precisely what kind of questions she asked him.
14 There is a dispute about what the question was as
15 well as what the answer was.
16 Q But just based on your testimony, you were clear
17 that she was asking about an alleged relationship
18 between Norquist and Figueroa, true, as you sit here
19 giving testimony under oath, sir?
20 A She was asking about, something about Figueroa and
21 the Mayor.
22 Q So up to that point you learned that there were some
23 rumors about them two, Figueroa and Norquist; true?
24 A Again, I don't -- I don't know what that question
25 was. What I was aware of at the time is that --

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1 Q I'm talking about what happened after you left
2 Mrs. Nohl. Did you discuss with Mr. Norquist
3 anything related to that question that Mary Nohl had
4 asked regarding Marilyn Figueroa?
5 A No, except to complain that she had asked it.
6 Q Did there come a time when you questioned the Mayor
7 on this matter?
8 A Yes.
9 Q When did you do that?
10 A Well, at this meeting that may have been on
11 January 6th or somewhere around that date I would
12 say. It was that -- I think it was that week. It
13 was probably that day. I just can't say it with 100
14 percent certainty.
15 Q Where did the discussion take place?
16 A In his office.
17 Q Who was present?
18 A The Mayor and me.
19 Q And it was pursuant to that meeting that you had
20 scheduled at 11:00 a.m.?
21 A It was subsequent to that meeting.
22 Q As you sit here under oath, Mr. Christofferson, who
23 raised the issue with respect to the relationship
24 between Norquist and Figueroa?
25 A I did.

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1 Q What did you say?
2 A Well, if I could backup a little bit maybe. There
3 was discussion that day I believe, and that's why I
4 think it was that day, that Marilyn Figueroa might
5 be filing a complaint of some sort, which up until
6 then had been characterized as a discrimination
7 complaint for not being promoted in the Mayor's
8 office, and I asked him whether there was any remote
9 possibility that she could somehow claim sexual
10 harassment in addition to discrimination.
11 Q What did he say?
12 A He said that he had had an affair with Marilyn, that
13 it had ended, that he didn't believe there was any
14 basis for any harassment claim, and that was -- that
15 was about the extent of it, I believe.
16 Q That was what Mr. Norquist responded to your
17 inquiry; is that correct?
18 A That's correct.
19 Q All right. When did you learn that Marilyn was
20 planning to file a discrimination complaint?
21 A Well, I didn't know whether she was planning to.
22 There was a rumor. I believe this is the period
23 where she had picked up the necessary forms or
24 paperwork to file a complaint which is what prompted
25 me to ask the question.

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1 Q How did you learn that Ms. Figueroa had picked up
2 the discrimination forms?
3 A I'm not certain.
4 Q Who provided you with that information?
5 A Well, I'm not certain.
6 Q You don't know?
7 A I don't know. I could speculate, but I don't know.
8 Q Well, why don't you tell me your very best shot as
9 to how you learned that Marilyn was planning to
10 initiate some type of discrimination complaint.
11 MR. SCHRIMPF: Subject to the
12 City's objection as to speculation.
13 Q Go ahead.
14 A Most likely I learned that during this eleven
15 o'clock meeting and either during the meeting or
16 before the meeting or -- I was in the Mayor's
17 office, and I suspect that someone, most likely Mike
18 Soika, would have told me, but I don't specifically
19 recall that.
20 Q Well, how did that information was related to you
21 other than what you just said, that somebody told
22 you that she was intending to file a complaint or
23 that she had picked up --
24 A Right.
25 Q -- a discrimination form?

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1 A Yes.
2 Q Is that correct? Is that what you learned?
3 A Yes.
4 Q And that is what prompted you to question
5 Mayor Norquist?
6 A Yes.
7 Q Prior to learning that Marilyn was going to be
8 filing a discrimination complaint, is it fair and
9 accurate to say that you never questioned him before
10 about his relationship with Mayor Norquist (sic), at
11 least that's what I believe your position to be?
12 A That's correct.
13 Q Is that correct?
14 MR. SCHRIMPF: Objection, because
15 it mischaracterizes the record. It does not
16 reflect the state of the record.
17 A Could I hear the question again?
18 Q Just to clarify -- Yeah, you are welcome to hear the
19 question.
20 (Question read)
21 Q And I meant with Marilyn Figueroa.
22 A That I never asked the Mayor about his relationship
23 with her before that?
24 Q Right.
25 A That's correct.

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1 Q What prompted you was the fact that you learned that
2 she was intending to file some type of
3 discrimination complaint?
4 A That's correct.
5 Q Is that correct? Before you questioned
6 Mayor Norquist on this particular issue, his
7 relationship with Marilyn Figueroa, did you have any
8 type of suspicion of any kind that there was
9 something going on between Marilyn Figueroa and John
10 Norquist?
11 A Absolutely not.
12 Q All right. Have you told me everything that
13 Mayor Norquist told you regarding his relationship
14 with Marilyn Figueroa on that day, January 6th?
15 A No.
16 Q What else did he tell you?
17 A Well, later in the day he --
18 Q So there was a second meeting. I just want to put
19 my chronology --
20 A No, no, if I can finish. Later in the day he
21 telephoned me at home and said that he just wanted
22 to make certain that he told me everything.
23 Q All right.
24 A And what he wanted to tell me was that this affair
25 had gone on over a period of five years and that
101

1 there had been maybe eight or ten sexual encounters
2 and he wanted me to know that it was a long-term.
3 Q What else did he tell you on that second contact?
4 A That was the extent of it.
5 Q Okay. Did there come a time later on, after
6 January 6th when these two discussions regarding
7 Marilyn Figueroa took place, did there come a time
8 when later on he disclosed to you in detail how the
9 relationship developed?
10 A In some more detail, yes.
11 Q When was that?
12 A Oh, I don't know. Sometime over the next several
13 months, I suppose.
14 Q Where did he disclose the details of the
15 relationship?
16 A Where?
17 Q Yes.
18 A Well, I believe -- well, I'm not certain. Let me
19 think about it. I don't know.
20 Q What details did he disclose to you?
21 A Well, over the course of talking about the complaint
22 and a response, which was clearly some time much
23 later, you know, he -- when I think about it, it was
24 probably not during the next several months because
25 there was nothing to respond to for a long time. At
102

1 some point he said that the affair had begun when
2 Marilyn had invited him to her home.
3 Q Let me just make sure we understand the chronology
4 here. The details of the relationship that he
5 disclosed to you, he made that disclosure after the
6 complaint was filed? Because you say several
7 months.
8 A Well, I'm not certain. I believe there were
9 probably -- there was probably more than one
10 occasion. There was never a time that he sat down
11 and said, let me tell you every detail.
12 Q All right. Well, let's see if we can pin it down to
13 a time period. Did he disclose any details of the
14 relationship before the complaint, any complaint was
15 actually registered?
16 A Yes, yes.
17 Q All right.
18 A Including I would say what I just told you.
19 Q Did he disclose any details of the relationship
20 after the complaint was registered?
21 A Well, yes.
22 Q All right. And as I understand based on your sworn
23 testimony, Mr. Christofferson, the very first time
24 he disclosed anything regarding his relationship
25 with Marilyn Figueroa would have been during your
103

1 meeting of January 6th at 11:00 a.m. in his office;
2 correct?
3 A That's what I believe.
4 Q As a result of your inquiry after you learned that
5 she was at least intending to file a discrimination
6 complaint?
7 A Right.
8 Q And at that time as I understand he didn't describe
9 any details of the relationship?
10 A No.
11 Q All right. And then later on during the same day,
12 as I understand based on your sworn testimony, he
13 telephoned you; correct?
14 A Correct.
15 Q And he then again disclosed to you -- he told you
16 that he wanted to tell you everything that happened;
17 true?
18 A He said that he wanted me to understand the whole --
19 Q I'm just writing what you were testifying under oath
20 here.
21 A Okay. He didn't say he wanted to tell me everything
22 that happened.
23 Q Okay.
24 A He said he wanted me to understand that it was a
25 long-term affair.
104

1 Q All right. And at that time what exactly did he
2 disclose to you?
3 A What I've told you, that it went on for five years
4 and that there were, that there were maybe eight to
5 ten encounters.
6 Q Did he tell you anything else besides that?
7 A No, no.
8 Q All right. So then several months later is when he
9 began to talk about the details of the relationship?
10 A Well, over time I would -- I don't think -- you're
11 looking for a specific day that we sat down and he
12 told me all of this stuff, and there isn't a day
13 like that.
14 Q Mr. Christofferson, I'm not trying to pin you down
15 to anything. I want to understand what you recall.
16 And so you have given me two discussions with
17 Mayor Norquist on January 6th.
18 A Right.
19 Q One in his office and one via telephone.
20 A Right.
21 Q When was the next time that he disclosed any details
22 of any kind related to the relationship he had with
23 Marilyn Figueroa? I mean weeks, months, years?
24 A I don't know that for certain. I believe it was
25 probably in the context of one of these meetings in

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1 the lawyer's office.
2 Q And I --
3 A But I don't know, I can't put a date on it.
4 Q Was it before the complaint was filed or after?
5 A Before.
6 Q Was it close to the time when the complaint was
7 filed or much earlier?
8 A I would say much earlier. I would say some of this
9 must have been discussed between say January and May
10 but not necessarily all in one meeting or one day or
11 one session.
12 Q And these discussions where Mr. Norquist disclosed
13 the aspects of the relationship, where did the next
14 incident occur where he disclosed this relationship?
15 A Well, I believe in one of those meetings in Anne
16 Shindell's office.
17 Q Did Mr. Norquist ever disclose any additional
18 information to you directly, personally when no one
19 else was involved or was most of his disclosure in a
20 meeting-type setting?
21 A I think there may have been at least one occasion
22 where either in person or on the telephone he might
23 have talked just to me.
24 Q Okay. Well, we're talking now about a third contact
25 and the third being another telephone call after

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1 January 6th, is that correct, where he disclosed to
2 you personally additional information regarding the
3 relationship with Marilyn Figueroa?
4 A I said -- I think I said there might have been. I'm
5 trying to reconstruct it and I --
6 Q Okay.
7 A I said I didn't know if it was on the telephone or
8 in person. I said I didn't know when it was. And
9 that's still what I say.
10 Q Okay. Well, if it was in person, do you recall
11 where this discussion may have occurred?
12 A No.
13 Q All right. If it was by phone, do you recall when
14 that may have occurred?
15 A No.
16 Q Do you recall the specifics of what he may have
17 related to you in person, not in a group setting? I
18 don't want you to assume. I just want you to tell
19 me if you remember.
20 A Yes.
21 Q Okay. Was it several weeks after January 6th,
22 several months?
23 A I don't know that specifically.
24 Q Okay. Well, do you recall whether or not he told
25 you things personally after he had disclosed certain

107

1 things in a group setting type thing?
2 A No, I don't remember.
3 Q Inversely, do you remember if he discussed with you
4 a third time the details of the relationship before
5 he actually disclosed them to the group?
6 A No. I don't remember the sequence of these things.
7 Q Do you recall whether or not the third contact that
8 he had with you directly, personally, was before the
9 complaint was filed or after the complaint was
10 filed?
11 A I don't know. We're talking about an extended
12 period of time where a lot of things happened.
13 Q You have identified a total of three occasions where
14 you had a direct one-to-one discussion with
15 Mr. Norquist about Marilyn Figueroa and the claim
16 she was making. The first one -- the first two
17 involved one in person on January 6th at his office
18 and the other one via telephone, and you just
19 disclosed another one that you just can't recall as
20 to time, location, place and so on and so forth.
21 Was there any other time when he talked to you
22 directly, person-to-person, on the details of the
23 allegations or the relationship?
24 A I don't recall.
25 Q All right. How many times did Mr. Norquist disclose

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1 the details of the relationship in the group setting
 2 type thing?
 3 A Well, I don't know a number. I mean he would
 4 discuss things sometimes in relationship to, you
 5 know, allegations or --
 6 Q Okay. Well, do you recall specifically what
 7 Mayor Norquist disclosed to you on that third
 8 contact he made directly with you?
 9 A Yes.
 10 Q What did he disclose?
 11 A He disclosed that Marilyn wanted him to leave his
 12 wife for her.
 13 Q Anything else?
 14 A That was pretty much the gist of it. It was in the
 15 context of, you know, whether this was harassment or
 16 a different kind of relationship and he said, well,
 17 let me tell you the best way I can explain it is
 18 that she thought I was going to leave Susan and
 19 tried to get me to.
 20 Q This is what he said?
 21 A Yes.
 22 Q And this discussion resulted because you were trying
 23 to determine whether or not this was a sexual
 24 harassment or --
 25 A I wasn't trying to determine it. I never had any
 109

1 question about it. He was --
 2 MR. ARELLANO: Read me his last
 3 previous answer.
 4 (Question read)
 5 Q You were trying to determine whether or not this
 6 relationship was consensual or --
 7 A No.
 8 Q -- bordering on sexual harassment?
 9 A No, I was not trying to determine that.
 10 Q All right. But that was one concern in the back of
 11 your mind?
 12 A No.
 13 Q No, all right.
 14 A He had told me on the first day that this was an
 15 affair.
 16 Q All right.
 17 A I had no reason to doubt that.
 18 Q All right. What else did he tell you on that third
 19 discussion?
 20 A That's the main thing I recall.
 21 Q All right.
 22 A I guess that --
 23 Q What else do you recall?
 24 A Well, I'm trying to recall.
 25 Q Okay. Sorry.
 110

1 A I mean I believe this is when he told me that at
 2 times she would call him, drive to his house, pick
 3 him up, take him to her house. It was all, again,
 4 to illustrate the kind of relationship it was.
 5 Q I just want you to tell me what he said.
 6 A That's pretty much all I recall.
 7 Q All right. When he stated to you that Marilyn
 8 wanted him to leave his wife, did he tell you when
 9 that occurred?
 10 A No.
 11 Q All right. Did you inquire further?
 12 A No.
 13 Q Okay. Did he ever tell you who ended the
 14 relationship? I believe you testified --
 15 A Yes. At some point.
 16 Q What did he say?
 17 A He said -- well, I'm trying to recall. He said -- I
 18 believe he said that he had ended it. My
 19 recollection is that there were a couple of sort of
 20 false endings, it ended a couple of times and didn't
 21 really end and in the end it either -- that he did,
 22 in other words.
 23 Q All right, all right.
 24 A That's what I recall.
 25 Q Did you ever make any notes of your discussions with
 111

1 Mr. Norquist when he was disclosing to you his
 2 version of the events with Marilyn Figueroa?
 3 A No.
 4 Q All right. Do you know if anyone during these
 5 meetings, anyone made any notes of any discussions
 6 that took place regarding Marilyn Figueroa --
 7 A I don't believe so.
 8 Q -- or John Norquist?
 9 A I don't think so.
 10 Q All right. Then you testified that Mayor Norquist
 11 then made additional disclosures of the details of
 12 the relationship when the group met; is that
 13 correct?
 14 A Correct.
 15 Q All right. Tell me what other things Mr. Norquist
 16 disclosed during these group meetings.
 17 A Well, I believe in -- the meeting that I recall is
 18 after a complaint had been filed and that he offered
 19 some information to be used in responding, including
 20 that Marilyn had given him a gift and things along
 21 those lines. Very specific responses to the
 22 complaint.
 23 Q I want you to tell me everything he said.
 24 A Well, I can't tell you everything he said.
 25 Q Okay. Then tell me what you recall.
 112

1 A Well, that's what I'm trying to do.
 2 Q All right.
 3 A I'm trying to think of what else. I believe that
 4 was the time when he talked about Marilyn telling
 5 him she had had a fence built so they'd have
 6 privacy, be able to go out in the yard together.
 7 Q Okay.
 8 A And I really, I don't recall much more. I mean most
 9 of what was discussed that day ended up in a legal
 10 document that was filed as a response to a
 11 complaint.
 12 Q All right.
 13 A So it's on the record somewhere, but I don't
 14 remember the details.
 15 Q Have you told me everything that Mayor Norquist
 16 disclosed at that time?
 17 A Everything I remember.
 18 Q Okay.
 19 A The rest of it would be in that document probably.
 20 Q Now, by virtue of the previous information you
 21 have given me regarding your discussions with
 22 Mayor Norquist about Marilyn Figueroa, is it fair
 23 and accurate to say that it was not until after the
 24 complaint was filed that he brought up the gift and
 25 the fence issues for the first time?

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1 A I believe so.
 2 Q All right. Did there come a time when he disclosed
 3 anything else other than what you have disclosed
 4 here so far?
 5 A Not that I recall.
 6 Q All right. Do you recall any one time when
 7 Mr. Norquist disclosed the details of the sexual
 8 acts?
 9 A No.
 10 Q To this date have you ever heard Mayor Norquist
 11 disclose the details of the sexual acts?
 12 A No.
 13 Q Did Mayor Norquist ever disclose to you that he got
 14 Marilyn Figueroa to allow him to engage in anal sex?
 15 A No.
 16 Q Did he ever say that to you?
 17 A No.
 18 Q Did you ever question him on the details of the
 19 relationship?
 20 A No.
 21 Q Did Mayor Norquist -- How would you characterize
 22 Mayor Norquist's description of the relationship?
 23 A How would I characterize it?
 24 Q Based on what he told you.
 25 A Based on what he told me, I would say he described

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1 what I would call a romantic affair.
 2 Q All right.
 3 A An office romance.
 4 Q All right. Did he ever discuss any dating with
 5 Marilyn Figueroa outside her home or his home?
 6 A No.
 7 Q Did he ever show any documents, records, personal
 8 things to you or any member of the group that was
 9 working on strategies and plans to address Marilyn
 10 Figueroa's allegations?
 11 A Did he show any documents?
 12 Q Records, cards, personal things?
 13 A No, no.
 14 Q Receipts?
 15 A No.
 16 Q Personalized items?
 17 A No.
 18 Q All right. Did you ever ask for any of that
 19 evidence?
 20 A I wasn't investigating him.
 21 Q All right. You just wanted to help him to deal with
 22 this situation?
 23 A I just wanted him to -- I wanted to help him tell
 24 his side of the story and tell the truth.
 25 Q All right. During this entire period of time, from

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1 January 6th, I believe, when you learned about this
 2 relationship, were you ever interested in learning
 3 Marilyn Figueroa's side of the story?
 4 A No.
 5 Q Did you ever suggest to the group that somebody try
 6 to get Marilyn's side of the story before she filed
 7 a complaint?
 8 A No.
 9 Q All right. Have you told me everything that
 10 Mayor Norquist discussed with you and/or members of
 11 the group that were getting together for the
 12 purposes of helping him to tell his side of the
 13 story?
 14 A I've told you everything I remember.
 15 Q All right. Do you have any records, calendars,
 16 notes, messages, computerized items that could help
 17 us to understand what other things you discussed
 18 with Mayor Norquist?
 19 A No.
 20 Q With respect to this group meeting, what was the
 21 role that Mr. Soika was to play in assisting
 22 Mayor Norquist to tell his side of the story?
 23 A Well, his role was to help the Mayor function in his
 24 job as Mayor and continue to be the chief executive
 25 and move forward on his agenda.

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1 Q Anything else?
 2 A No.
 3 Q Was there ever a suggestion that Mr. Soika
 4 investigate people that may have something to say
 5 about Marilyn Figueroa?
 6 A No.
 7 Q Was anyone assigned to find some dirty laundry on
 8 Marilyn Figueroa?
 9 A No.
 10 Q To your knowledge has anyone ever contacted Marilyn
 11 Figueroa's ex-husband since she filed a complaint
 12 against the City?
 13 A Not to my knowledge.
 14 Q To your knowledge did you or any member of the group
 15 ever consult with the City Attorney's office right
 16 after January 4th but prior to December 1st of 2000?
 17 A Did anyone --
 18 Q Consult with the City Attorney's office on how to
 19 deal with this potential problem regarding Marilyn
 20 Figueroa before she actually filed her complaints.
 21 A I don't --
 22 Q As you sit here.
 23 A I don't know.
 24 Q Did any member of the City Attorney's office ever
 25 participate in any of the meetings?

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1 A No.
 2 Q Do you recall Mr. Langley being involved in any
 3 meeting before Ms. Marilyn Figueroa filed her
 4 complaints?
 5 A No.
 6 Q Do you know if anyone kept the City Attorney's
 7 office involved?
 8 A I don't know.
 9 Q Do you know if you or any member of the group ever
 10 requested a legal opinion from the City Attorney's
 11 office on how to deal with Marilyn Figueroa's
 12 potential complaints against the Mayor and/or the
 13 City?
 14 A Not that I know of.
 15 Q All right. Did anyone suggest that Mr. Soika
 16 consult with employment relations on how to deal
 17 with Marilyn's absence?
 18 A I don't know.
 19 Q All right. Did you ever suggest that,
 20 Mr. Christofferson?
 21 A Did I ever suggest that?
 22 Q Correct.
 23 A No.
 24 Q All right. When was the last time that you had any
 25 contact with Marilyn Figueroa?

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1 A I believe it was on January 4th, 2000.
 2 Q Where did this contact occur?
 3 A At the campaign headquarters.
 4 Q Where was that located?
 5 A On South Second Street.
 6 Q And what time did you have any contact with Marilyn
 7 Figueroa on that day?
 8 A We had a campaign staff meeting at noon which she
 9 attended.
 10 Q Who was present at this staff meeting?
 11 A Myself and the campaign staff.
 12 Q Who was?
 13 A Who was Michelle McGrorty, Dave Fiebrantz, Wendy
 14 Kukek, Molly Christofferson, maybe Megan McGrorty,
 15 Marilyn Figueroa, and I believe Michael Miller from
 16 the Mayor's office might have been there that day as
 17 well.
 18 Q And what time was this meeting?
 19 A Noon.
 20 Q Noon. And who was conducting the meeting?
 21 A I was.
 22 Q You were. What was your title at that time?
 23 A I was, I don't know, again, general consultant,
 24 media consultant, campaign director. Michelle
 25 McGrorty ran the campaign day-to-day. I oversaw the

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1 operation.
 2 Q And what time did Marilyn arrive?
 3 A Around noon I guess when the meeting started.
 4 Q Did she arrive before the meeting started or after?
 5 A I don't know.
 6 Q Okay. How long was she there?
 7 A For the duration of the meeting which was, I don't
 8 know, probably between an hour and an hour and a
 9 half.
 10 Q So she was there as a part of the group?
 11 A Yes.
 12 Q Okay. And where was she sitting at that time, if
 13 she was there sitting?
 14 A I don't know. Typically we were all around a table
 15 like this.
 16 Q At what point did you have any direct contact with
 17 Marilyn Figueroa?
 18 A Well, I don't recall precisely. She participated in
 19 the meeting. A number of the things we covered had
 20 to do with things she was going to be responsible
 21 for.
 22 Q What was she responsible for at that time?
 23 A Well, she was going to be the field director and
 24 responsible for what we call voter contact, phone
 25 banks to identify Norquist supporters, mailings to

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1 persuade people, a Get Out the Vote campaign,
2 literature drops, all of those kinds of things.
3 Q When was she designated field director?
4 A Well, I had talked to her about it in the fall,
5 probably in September or October, asked her if she
6 would be interested. She started on a part-time
7 basis either in November or December. I don't
8 remember which for sure.
9 Q But my question, to be more precise for the record,
10 when was she actually designated the field director?
11 When was she officially named field director?
12 A Whenever she started work, whether that was November
13 or December. When she came to the campaign, that
14 was her title, that was her job.
15 Q What year?
16 A 1999.
17 Q And were you the one who assigned her field
18 director?
19 A Yes.
20 Q Okay. Did you give her this assignment in writing?
21 A I think I did a job description at one point,
22 although I haven't been able to locate it.
23 Q Was this a paid position?
24 A Yes.
25 Q What was the salary for this position?

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1 A Well, it was a salary that was equivalent to what
2 she was being paid at City Hall only on a part-time
3 basis, and the way it began, and again I don't
4 recall whether it was November or December, --
5 Q How many payments had she received?
6 A That's what I don't recall. I'm not sure which
7 month she started but she was on essentially 25
8 percent time for the campaign and 75 percent time
9 working for the City and in January that was to
10 become a 50/50 proposition.
11 Q All right. Was there a contract with the City as
12 far as this arrangement is concerned?
13 A No.
14 Q How was she paid? Was she paid monthly?
15 A Monthly, I believe.
16 Q Monthly. And what was her rate of pay?
17 A It was equivalent to whatever her salary was at the
18 City at the time.
19 Q Do you know what the salary was?
20 A I believe she was in the mid-50,000. I don't know
21 precisely.
22 Q Had she ever worked for the political campaign for
23 pay before this assignment was given to her?
24 A I'm not certain.
25 Q All right. Obviously she had worked for the

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1 political campaign before?
2 A Yes.
3 Q Okay. How would you characterize her as far as a
4 worker for the political campaign? Was she a good
5 worker; was she a bad worker?
6 A Well, she was good enough as a community organizer
7 type of person with enough connections in the
8 community to be valuable to the campaign and in 1996
9 she had organized a voter registration, voter canvas
10 for us on the south side.
11 I had also worked with her on a couple of
12 assembly campaigns, school board campaign, other
13 things, and so I, you know, I was aware of her
14 organizing ability and I asked her whether she
15 wanted to be involved in the Mayor's reelection
16 campaign.
17 Q So just so I understand, you perceived her to be
18 good enough as a community organizer?
19 A That's precisely what this job calls for, yes.
20 Q All right. Did you see any other strengths on
21 Marilyn Figueroa?
22 A Well, Marilyn had the, had a connection with and a
23 kind of loyal following of people that she could
24 bring with her which was another advantage.
25 Q Did she ever play any major role in the planning

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1 and/or strategizing of the overall political
2 campaign for Mayor Norquist other than community
3 organizing?
4 A Well, yes and no. I mean she had --
5 Q Tell me what -- tell me --
6 A What I was trying to accomplish during this
7 campaign, had she seen it through, was --
8 Q Sir, hold on. Let's go back.
9 A Okay.
10 Q You said yes and no to my previous question.
11 MR. ARELLANO: I want you to read
12 my previous question, his answer, and I would
13 like you to answer that question.
14 (Question read)
15 Q Okay. Tell me in what aspect she actually
16 participated in the overall strategy for
17 Mr. Norquist's political campaign.
18 MR. SCHRIMPF: Let me just
19 interpose an objection here. I believe the
20 witness was trying to answer your question and
21 you cut him off.
22 MR. ARELLANO: I know. My problem
23 is a lot of these folks want to give me a lot of
24 political speeches. I just want to get to the
25 facts.

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1 A Okay. More no than yes.
 2 Q All right. With respect to the yes, what do you
 3 think what her role was?
 4 A I believe there were times over the years that she
 5 was at strategy meetings, you know, higher level or
 6 smaller group, not consistently, she was not someone
 7 who was always at the table, but there were times
 8 that she had a role.
 9 Q But for the most part she was viewed just as a
 10 community organizer; true?
 11 A For the most part she was not considered a campaign
 12 employee, she was a City Hall, she was a City
 13 employee.
 14 Q That wasn't my question, Mr. Christofferson.
 15 A Well, I'm explaining why she would not have been at
 16 the table.
 17 Q But she did not play any major role in the overall
 18 strategy of the political campaign on behalf of
 19 Mayor Norquist; correct?
 20 A Correct.
 21 Q She was pretty much targeting or at least she was
 22 pretty much assigned to the minority communities;
 23 true?
 24 A False.
 25 Q Okay. Tell me what communities she was assigned to

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1 do outreach for in organizing.
 2 A I asked her to be the field director to run the
 3 entire city-wide campaign, in every district in
 4 every part of the city, to do the things I've just
 5 described to you, to run the phone banks, the
 6 literature drops, the mail, the Get Out the Vote
 7 program, not just in the south side or the inner
 8 city or anywhere but for the entire city.
 9 Q Okay. And this is something you believe you
 10 provided to her in writing?
 11 A I believe so. If not, she clearly understood that
 12 was the job and so did everyone else on the
 13 campaign.
 14 Q All right. And this was the first time that she was
 15 going to be doing something outside the minority
 16 community?
 17 A No.
 18 Q When was the last time she did the tasks that you
 19 just mentioned here today?
 20 A Well, she had run a couple of assembly campaigns
 21 that I had worked with her on.
 22 Q Which ones?
 23 A Well, one in -- I think the first time I ever worked
 24 with Marilyn was in 1994 for Victor Larrius who ran
 25 for the assembly. We worked together to elect Pedro

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1 Colon. We worked together on a school board
 2 campaign for Joe Dannecker. She helped us somewhat
 3 on some other races. She had -- I'm trying to
 4 recall whether she worked -- I believe she helped in
 5 Tony Solinsky's campaign for the assembly. I could
 6 be wrong about that but I think she had some
 7 involvement.
 8 Q Okay. On January 4th how long did this meeting
 9 last?
 10 A Between an hour, an hour and a half.
 11 Q And during that hour and a half did Marilyn
 12 contribute, participate in any manner?
 13 A Uh-huh.
 14 Q What did she say?
 15 A I don't know what she said. I can tell you that
 16 most of the agenda had to do with we were just
 17 beginning that week the field organization that she
 18 was going to be responsible for and most of the
 19 items had to do with her role so I'm certain she
 20 participated.
 21 Q All right. Did you have any contact with her after
 22 the meeting?
 23 A Yes.
 24 Q Okay. What happened?
 25 A As the meeting broke up, I approached her, I don't

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1 remember precisely, sort of as we were walking out I
 2 believe it was, that I told her that Barbara Candy,
 3 who was the fundraiser for the campaign, had been
 4 trying to call her several times in the last several
 5 days about an event and that she needed to talk to
 6 Marilyn and Marilyn hadn't called her back.
 7 Q And what happened?
 8 A What happened. Marilyn got kind of visibly upset,
 9 kind of became emotional, began crying. I asked her
 10 what was the matter, what's the problem. She said,
 11 I don't want to talk to you about it. I said, well,
 12 tell me what it is. I can't help you if you won't
 13 tell me what it is. She said -- she said, I can't
 14 talk about it. I just, I have some decisions to
 15 make.
 16 I walked -- This meeting was on the second
 17 floor. I walked down the stairs with her talking to
 18 her the whole way trying to kind of console her and
 19 get her to talk to me about whatever it was that had
 20 her upset and she refused to tell me. I said,
 21 repeatedly, if you don't tell me, I can't help you,
 22 and she went out and I guess got in the car and
 23 left. We both left the meeting at that -- I mean
 24 the meeting was over.
 25 Q Was that the last time you had any contact with

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1 Marilyn Figueroa?
 2 A Yes.
 3 Q Okay. Did you suspect anything as to what was
 4 affecting her at that time?
 5 A No.
 6 Q Did you report this incident to the Mayor?
 7 A I doubt it.
 8 Q Did you have any contact with the Mayor from the
 9 time you spoke to Marilyn Figueroa on January 4th to
 10 January 5th?
 11 A I'm sorry, did I --
 12 Q Have any contact with the Mayor during that time?
 13 A Well, I saw him again on -- I saw him on the 5th.
 14 We talked about that.
 15 Q Right.
 16 A Did I talk to him in between, I don't think so.
 17 Q Before the meeting with Mary Nohl, between the time
 18 Marilyn talked to you on January 4th and the meeting
 19 with Mary Nohl, did you disclose your encounter with
 20 Marilyn Figueroa to Mayor Norquist?
 21 A I don't know.
 22 Q You testified that Marilyn was visibly upset, became
 23 emotional and began to cry --
 24 A Uh-huh.
 25 Q -- during her discussion with you on January 4th?

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1 A That's correct.
 2 Q Is that correct? Did you disclose -- strike that.
 3 Prior to that January 4th encounter with
 4 Marilyn Figueroa after the meeting, did you ever see
 5 Marilyn Figueroa crying or similarly emotional
 6 before?
 7 A Prior to that?
 8 Q Yes.
 9 A Oh, yes.
 10 Q When?
 11 A Well, during the time I was the Chief of Staff,
 12 there was more than one occasion when Marilyn would
 13 be kind of emotional, would be in or near tears
 14 about something. Usually, it's frequently, a lot of
 15 times it was maybe anger, but nonetheless, she would
 16 be visibly upset, it appears that her eyes would be
 17 crying.
 18 Q How many incidents do you recall seeing Marilyn
 19 Figueroa acting in similar fashion?
 20 A In the two years I was in the Mayor's office, three
 21 or four maybe.
 22 Q Okay. And between -- I believe you testified that
 23 you left the office sometime in June, mid-June of
 24 1998?
 25 A Correct.

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1 Q Is that correct?
 2 A Correct.
 3 Q From mid-June 1998 through January 4th of the year
 4 2000, did you ever see Marilyn acting emotional or
 5 crying?
 6 A When I --
 7 Q Other than January 4th.
 8 A Between the time I left the office?
 9 Q Right.
 10 A Well, no, but I didn't see her very much.
 11 Q All right. And the three or four times which we're
 12 going to discuss later, those were three or four
 13 times during the two-year period that you worked as
 14 Chief of Staff for Mayor --
 15 A Correct.
 16 Q -- Norquist? Do you recall which year you saw
 17 Marilyn acting emotional, '96, '97, '98?
 18 A No.
 19 Q All right, okay. So going back to January 4th, is
 20 it your sworn testimony that you did not disclose to
 21 anyone your encounter with Marilyn Figueroa? And
 22 I'm talking about your January 4th encounter with
 23 Marilyn Figueroa.
 24 A No, I wouldn't say that. You asked me whether I
 25 told the Mayor, I believe.

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1 Q Well, did you ever tell the Mayor?
 2 A I don't believe so.
 3 Q All right. All right. You went and -- you
 4 testified that Mike Soika may have called you to let
 5 you know that Marilyn was intending to file a
 6 discrimination complaint; correct?
 7 MR. SCHRIMPF: Objection, not the
 8 state of the record.
 9 Q Is that correct, sir?
 10 A I said that he may have told me.
 11 Q Right. And up to that point you did not know what
 12 kind of complaint she was intending to file?
 13 A Correct.
 14 Q Before you talked to Mayor Norquist, did Marilyn
 15 ever tell you that she was intending to file a
 16 discrimination complaint against Mayor Norquist or
 17 the City of Milwaukee?
 18 A No.
 19 Q Did she ever talk about filing complaints against
 20 anyone, including you?
 21 A No.
 22 Q All right. Before you spoke to Mayor Norquist on
 23 January 6th, did anyone ever mention to you that
 24 Marilyn was intending to file a complaint other than
 25 that day when Soika may have given you that

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1 information, any other individual other than Soika?
2 A Well, I'm trying to recall. It seems to me that
3 that idea had been expressed before. I don't know,
4 you know, I don't think that was the first time I
5 ever heard that Marilyn might file a complaint. I
6 believe it may have been sometime before that
7 when --
8 Q What did you hear?
9 A Well, I'm not certain of this.
10 Q And I don't want you to assume. I want to know --
11 A Right, I don't want to assume.
12 Q -- what you heard. Okay. What leads you to say
13 that there was a mention that Marilyn was intending
14 to file a complaint of discrimination before that?
15 A Well, I'm trying to recall. It just -- There had
16 been a period before that, I don't know, October or
17 November when Marilyn had quit coming to work at
18 City Hall where there was, there was talk then I
19 believe that she might file a complaint. She ended
20 up coming back to work but it had been -- I believe
21 that's when the first rumors may have appeared that
22 she was going to file a discrimination complaint.
23 Q October, November of 1999?
24 A Yes.
25 Q All right. Where did you hear these rumors from?
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1 A I don't know.
2 Q When you heard these rumors back in October or
3 November of 1999, did you ever discuss with Marilyn
4 Figueroa whether or not she was in fact intending to
5 file a discrimination complaint?
6 A No.
7 Q All right. Did you ever assign or direct anyone to
8 discuss with Marilyn this particular issue, whether
9 or not she was filing a complaint of discrimination?
10 A No.
11 Q All right. Did you ever report to the Mayor those
12 rumors, that Marilyn was planning to file a
13 discrimination complaint or at least that there was
14 a rumor that she was intending to?
15 A No.
16 Q All right. Did that at all concern you when she
17 began to -- when you heard these rumors --
18 A No.
19 Q -- for the first time? All right. Now I want you
20 to tell me, Mr. Christofferson, what prompted you to
21 question Mayor Norquist on January 6th about whether
22 or not sexual harassment could be one of the claims
23 that Marilyn Figueroa could file?
24 A Well, I believe at the time that there had been a
25 substantial amount of news coverage about the
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1 question of sexual harassment involving the
2 President of the United States and it seemed to me
3 that if there was any possibility that that was
4 going to be an issue, then I wanted to know and the
5 only way to find out was to ask him. And the way I
6 asked the question was, is there any way, by any
7 stretch of the imagination that she could somehow
8 interpret something as sexual harassment because I
9 thought the chance was so remote but I wanted to
10 know.
11 Q Once you realized -- strike that. Once Mr. Norquist
12 disclosed to you -- strike that.
13 When you asked Mr. Norquist that question, did
14 he confirm to you that that was a possibility?
15 A He confirmed to me that he had had an affair with
16 Marilyn Figueroa.
17 Q And when he confirmed that, did it cross your mind
18 that sexual harassment could be one of the claims
19 that she was going to file?
20 A Did it cross my mind, yes.
21 Q All right. Did you discuss that with Mr. Norquist,
22 do you think she's going to file a sexual harassment
23 complaint?
24 A No. That was the question I had asked him.
25 Q Okay. Well, did you share with him your fears that
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1 sexual harassment could be one of the possibilities?
2 A I don't think so.
3 Q Okay. When you -- When Mayor Norquist disclosed to
4 you his relationship with Figueroa, did he disclose
5 to you who else was aware of this affair --
6 A No.
7 Q -- as he put it?
8 A No.
9 Q Did you ask?
10 A No.
11 Q Did he -- Do you know if Ms. Susan Mudd was aware up
12 to that point of this relationship?
13 A She was not.
14 Q What leads you to believe that that was the case?
15 A Because after our conversation he said, I guess I'm
16 going to have to go home this afternoon and tell
17 Susan.
18 Q So is it fair and accurate to say, at least based on
19 your perception, that your inquiry and your
20 disclosure that Marilyn Figueroa was intending to
21 file a complaint is what prompted him to go and
22 disclose to his wife?
23 MR. SCHRIMPF: Objection, not the
24 state of the record.
25 Q Go ahead, sir.
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1 A All I know is that after our conversation he said, I
2 guess I'm going to have to go home and tell Susan
3 this afternoon.
4 Q Did you suggest that he do that?
5 A No.
6 Q Did you provide him with any advice as to how he
7 should handle that with his wife?
8 A No.
9 Q Were you ever present when he disclosed this
10 information to his wife?
11 A No.
12 Q Did he report back to you about his exchange or his
13 discussion with his wife regarding this
14 relationship?
15 A No.
16 Q All right. Now, you testified that you prepared a
17 statement for Mayor Norquist, the one that he read
18 on December 1st of the year 2000; correct?
19 A Correct.
20 Q I want you to list for me what specific information
21 you had available before you prepared that statement
22 for Mayor Norquist regarding the relationship.
23 A Well, the only information I had available was what
24 he had told me.
25 Q All right. Before you prepared that statement, I

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1 want you to tell me what investigation, if any, the
2 office of the Mayor or for that matter the City of
3 Milwaukee had conducted on whether or not this was a
4 consensual relationship.
5 A I don't know.
6 Q Before you issued that statement or prepared that
7 statement for Mr. Norquist, what if any information
8 did you have -- other than the complaint, what
9 specific information did you have from Marilyn
10 Figueroa?
11 MR. SCHRIMPF: Objection. That is
12 asked and answered.
13 A None.
14 Q All right. What if any investigation did you
15 conduct before preparing any of the strategy
16 statements that you prepared in this case?
17 MR. SCHRIMPF: Objected as asked --
18 I'm sorry. Objected to as asked and answered.
19 Q Go ahead, sir.
20 A None.
21 Q All right.
22 MR. ARELLANO: Let's go off the
23 record. I think this is a good time for another
24 break.
25 MS. AURIT: Going off the record.

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1 (Discussion held off record)
2 MS. AURIT: We are back on the
3 record.
4 Q All right. Mr. Christofferson, we discussed this
5 morning some of the issues that were discussed
6 during your discussions with Mr. Norquist regarding
7 the Marilyn Figueroa dispute, and you identified at
8 least three contacts with Mr. Norquist where he
9 disclosed certain information to you and then you
10 also stated that there were, I don't know, six to
11 eight meetings, I believe that's what you disclosed?
12 A Correct.
13 Q Or was it more than that?
14 A It was six to eight.
15 Q Okay.
16 A To the best of my recollection it was six or eight.
17 I don't have a precise number but in that range.
18 Q Just so we don't skip anything, what I would like
19 you to do to the best of your recollection is to
20 tell me what was discussed in each meeting that was
21 held after January 4th, 2000. I know you mentioned
22 two meetings in January, and I think you already
23 disclosed the number of individuals that were in
24 those two meetings.
25 Have you -- Why don't you tell me, what was

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1 the nature of the first meeting where you were
2 present?
3 A I really don't recall specifics. The first meeting
4 I believe was to, for me at least to meet Anne
5 Shindell for the first time.
6 Q Let's put it in proper context. You talked to the
7 Mayor. The Mayor -- You asked him about whether or
8 not sexual harassment could be one of the potential
9 complaints coming from Marilyn Figueroa, and at that
10 point he disclosed to you what you stated earlier
11 today. What happened after that as far as dealing
12 with the Marilyn Figueroa potential problem?
13 A What happened after. Well, at some point within the
14 next week or so, I guess, there was a meeting at
15 Anne Shindell's office with the people I've
16 described.
17 Q Let me take you back to your meeting with
18 Mayor Norquist which I believe you testified
19 occurred on January the 6th; correct?
20 A I believe it was the 6th.
21 Q Right. After he -- For how long did you discuss
22 with him his relationship with Marilyn Figueroa on
23 that morning, which I believe occurred about eleven
24 o'clock in the morning?
25 A Right. When I spoke to him, it was probably more

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1 like noon or something.
 2 Q Okay.
 3 A But not long.
 4 Q Okay.
 5 A Ten minutes or less.
 6 Q All right. And as I understand no one else was
 7 present?
 8 A That's correct.
 9 Q Is that correct? What if any advice did you give
 10 Mr. Norquist at that time, immediately after he
 11 disclosed his relationship with Marilyn Figueroa?
 12 A None.
 13 Q All right. What if anything -- Did you discuss that
 14 event with anyone else?
 15 A No.
 16 MR. FINERTY: Can I clarify, are we
 17 talking about the event of the meeting or the
 18 event of the disclosure?
 19 Q Both.
 20 A Well, other people knew I had met with the Mayor.
 21 Q Which people knew that?
 22 A Well, whoever might have been in the previous
 23 meeting, and I don't know who that was. There was
 24 an eleven o'clock meeting that was scheduled on my
 25 calendar.

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1 Q Okay.
 2 A And I believe it was after that meeting ended that I
 3 went back into his office and shut the door and
 4 talked to him one-on-one.
 5 Q Okay.
 6 A So anybody who was there knew I went back in and
 7 talked to him.
 8 Q But to your knowledge did they know what you were
 9 talking about?
 10 A No.
 11 Q Before you addressed the Mayor with respect to this
 12 relationship with Marilyn Figueroa, did you disclose
 13 to anyone that you were going to confront the Mayor
 14 or at least ask him questions regarding Marilyn
 15 Figueroa?
 16 A No.
 17 Q All right. Did anyone ever talk to you -- Before
 18 you met the Mayor that day, did anyone share any
 19 information about Marilyn Figueroa and the Mayor
 20 before talking to the Mayor?
 21 A No.
 22 Q Okay. After you finished talking to the Mayor on
 23 that January 6th noontime about his relationship
 24 with Marilyn Figueroa, during that particular day to
 25 your knowledge did anyone else know about that

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1 relationship?
 2 A Later that day, yes, I believe so.
 3 Q Okay. What did you learn with respect to that
 4 relationship?
 5 A Well, I didn't learn anything more but the Mayor
 6 called me late that afternoon and I believe that
 7 Mike Soika called me and then put the Mayor on the
 8 telephone and at that point it was obvious to me,
 9 whether one of them told me or not, I don't know,
 10 but it was obvious then that he had also told Mike
 11 Soika.
 12 Q So the first time that you suspected that Mr. Soika
 13 was aware of this relationship was when this
 14 three-way phone conference occurred?
 15 A Well, I couldn't say suspected. I knew he knew
 16 about it.
 17 Q So the first time that you knew was when this
 18 three-way conference took place?
 19 A It wasn't a three-way conference. He called, talked
 20 to me, he said the Mayor wanted to talk to me some
 21 more about this and then put him on the telephone.
 22 Q Who said that, Mr. Soika?
 23 A Yes.
 24 Q Mr. Soika called you to introduce the Mayor over the
 25 telephone?

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1 A Yes, yes.
 2 Q Okay. And that was when the Mayor then disclosed
 3 additional information to you?
 4 A Yes.
 5 Q All right. The information you shared with us this
 6 morning?
 7 A Yes.
 8 Q All right. And then when was the very next time
 9 that the Figueroa issue was discussed?
 10 A I believe at that meeting at Shindell's office.
 11 Q Who proposed the meeting with Ms. Shindell?
 12 A I don't know.
 13 Q Who called you for the purposes of requesting that
 14 you participate in that meeting with Ms. Shindell?
 15 A I'm not certain. I think Mike Soika.
 16 Q Have you read the testimony of Mr. Soika,
 17 Mr. Christofferson, --
 18 A No.
 19 Q -- as you sit here under oath?
 20 A No.
 21 Q Have you read the testimony of Barb Candy?
 22 A No.
 23 Q What about Chief Arthur Jones?
 24 A No.
 25 Q Mayor Norquist?

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1 A No.
 2 Q No one mention to you what their testimony was
 3 about?
 4 A No.
 5 Q All right. I believe you. So you met with
 6 Ms. Shindell, and what was discussed at that
 7 meeting?
 8 A That first meeting I believe we discussed being
 9 prepared to respond if in fact something were filed
 10 and -- well, I believe that's largely the gist of
 11 the meeting I think.
 12 Q Was that the meeting where Ms. Susan Mudd was
 13 present?
 14 A Perhaps.
 15 Q What if any suggestions did you give to the group?
 16 A Well, I'm not sure that I was asked for suggestions.
 17 Q Well, did you give any?
 18 A Well, there was a discussion. There were, you know,
 19 people --
 20 Q Well, tell me the gist of the discussion.
 21 A Well, the gist of the discussion was that our
 22 position was going to be that until something was
 23 actually filed, whether that was a complaint or a
 24 lawsuit or some kind of formal action, that there
 25 was going to be no response from the Mayor or his

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1 campaign or his attorney, that what we would say is
 2 there is no complaint, nothing has been filed. If
 3 there is, we'll respond to it. Until then, this is
 4 just rumor.
 5 Q What else was discussed at that first meeting?
 6 A I would say that is pretty much it. I believe we
 7 talked about not widening the circle of people who
 8 knew about it.
 9 Q What did you mean by that?
 10 A Well, Anne Shindell suggested that because it was
 11 likely to become a legal matter that there was no
 12 point in any of us, since there were only I believe
 13 five of us in the room who knew the facts about
 14 this, to share that with anyone else, to widen the
 15 circle of people who knew that.
 16 Q And those five individuals would have been
 17 Mr. Soika, Attorney Anne Shindell?
 18 A Right.
 19 Q Mayor Norquist?
 20 A Me.
 21 Q Yourself?
 22 A And Susan if she were there. If she wasn't there,
 23 she clearly knew about it, so there were five people
 24 who knew about it.
 25 Q What else if anything was discussed at that meeting?

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1 A I don't remember anything else.
 2 Q How long did the meeting last?
 3 A I don't know.
 4 Q Okay. And so then we are in the second meeting.
 5 When would that have occurred?
 6 A I don't know. Probably sometime within the next
 7 month.
 8 Q And again, are we talking about the same five
 9 individuals?
 10 A I think so.
 11 Q All right. And what was discussed at the second
 12 meeting?
 13 A I'm really not certain.
 14 Q Any -- You don't recall anything that was discussed
 15 at the second meeting?
 16 A Well, I -- no. I expect that we had a report from
 17 Anne on if there had been any activity in the case.
 18 I don't -- I really don't remember, though.
 19 Q Did anyone question the Mayor on the relationship
 20 during the first or second meeting?
 21 A No.
 22 Q Did he voice any opinions at all, make any
 23 statements regarding the relationship?
 24 A Beyond what he had told me, I don't remember.
 25 Q All right.

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1 A No.
 2 Q So how long did the second meeting last?
 3 A I don't know. Typically these lasted an hour or two
 4 depending on --
 5 Q Who notified you of the meeting?
 6 A That particular meeting, I don't know.
 7 Q Do you recall whether or not part of the plan
 8 included to have Anne Shindell contact Ms. Figueroa?
 9 A I don't remember that, no.
 10 Q Are you aware that Ms. Shindell contacted
 11 Ms. Figueroa?
 12 A I'm aware of that now because I have seen that
 13 somewhere in some of the papers that have been
 14 filed, but otherwise I'm not aware of it
 15 independently, no.
 16 Q When did you become aware that Ms. Shindell made
 17 direct contact with Ms. Figueroa?
 18 A I don't know.
 19 Q Was it before she filed her complaint or after?
 20 A I don't know.
 21 Q Obviously Ms. Shindell did not become involved until
 22 after Mayor Norquist disclosed his sexual
 23 interaction with Ms. Figueroa; correct?
 24 A Correct.
 25 Q All right. So is it your testimony that it was

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1 never suggested at any of these meetings that
 2 Ms. Shindell contact Ms. Figueroa directly?
 3 A Not that I recall.
 4 Q Was there ever any suggestion to try to resolve the
 5 issue with Ms. Figueroa at that early stage, during
 6 the first or second meeting in January of 2000?
 7 A To resolve it, well, certainly there was --
 8 Q Okay. What was discussed with respect to that?
 9 A Well, at some point, and I don't know if it was the
 10 first meeting, the second meeting, somewhere along
 11 the line Anne Shindell reported that she had been
 12 contacted by an attorney for Marilyn Figueroa and
 13 that there were discussions taking place about a
 14 possible settlement.
 15 Q Okay.
 16 A I think there was also a conversation about whether
 17 Marilyn might be coming back to work, maybe at the
 18 first meeting, which would have resolved it as well.
 19 Q Who gave you the information that Marilyn could be
 20 or may be coming back to work?
 21 A I don't think anyone gave me that information. I
 22 think there was a hope in the early days when
 23 Marilyn had quit coming to work that perhaps she
 24 would return.
 25 Q Did anyone suggest to contact Marilyn directly to

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1 find out why she was not coming back to work at any
 2 of those meetings in January?
 3 A Did anyone suggest that? I don't know.
 4 Q I don't want you to assume. I just want you to tell
 5 me whether or not that was ever suggested.
 6 A I don't know.
 7 Q Do you know if anyone reported at any of these
 8 meetings, during any of those two meetings in
 9 January, having made contact, direct contact with
 10 Marilyn Figueroa?
 11 A I remember people reporting that they had attempted
 12 to contact Marilyn. I don't recall anyone saying
 13 they had actually contacted her.
 14 Q Who reported attempting to contact Marilyn Figueroa?
 15 A Well, I believe Mike Soika had called her on more
 16 than one occasion.
 17 Q What did he say about that?
 18 A He said he had called her and left her some messages
 19 as I recall. I don't believe he had talked to her.
 20 Q Okay. Did anyone suggest to Mr. Soika at any of
 21 those two meetings that he make an attempt to find
 22 out what was wrong with Ms. Figueroa?
 23 A Well, I believe that's what he was doing.
 24 Q That wasn't my question. Did anyone suggest to
 25 Mr. Soika --

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1 A No.
 2 Q All right. During these two meetings in January did
 3 anyone report, within the group did anyone mention
 4 anything about Marilyn being sick or taking sick
 5 leave?
 6 A No.
 7 Q All right. Did anyone suggest to determine whether
 8 or not Marilyn was on sick leave?
 9 A Not that I recall.
 10 Q All right. You had had a similar situation where an
 11 employee stopped coming to work while you were the
 12 Chief of Staff; is that correct?
 13 A No.
 14 Q I believe you stated that you terminated a person by
 15 the name of, last name of Anderson.
 16 A Oh, yes. I didn't consider that similar, but, all
 17 right.
 18 Q Okay. Well, she stopped coming to work.
 19 A Yes.
 20 Q True? And at some point you called her?
 21 A Yes.
 22 Q True? And then she authorized you to talk to her
 23 doctor; true?
 24 A Yes.
 25 Q And then you did?

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1 A Yes.
 2 Q And you discovered from the doctor what her status
 3 was?
 4 A Yes.
 5 Q And therefore you took action based on what the
 6 doctor told you?
 7 A Yes.
 8 Q Did you ever suggest any similar approach to be used
 9 or applied in this case?
 10 A I believe the same approach was applied except
 11 Marilyn wouldn't return the phone calls.
 12 Q Okay. Well, the first question I want you to answer
 13 me is did you ever suggest that that approach be
 14 followed?
 15 A I don't know whether I suggested it or not. I can't
 16 tell you that.
 17 Q Did anyone suggest that?
 18 A I believe that approach was followed.
 19 Q And you're talking about because you became aware
 20 that Mr. Soika tried to call her at home?
 21 A I'm talking about that the Chief of Staff calling
 22 Marilyn, the same way that when I was the Chief of
 23 Staff I called Rita Anderson, yes.
 24 Q Well, did he tell you how many times he called
 25 Marilyn?

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1 A No, not specifically. I know it was more than once.
 2 Q Okay. And what did he report to the group?
 3 A That he had been unable to reach her.
 4 Q All right.
 5 A I believe.
 6 Q Did Mr. Soika ever report to you -- By the way, do
 7 you know when Marilyn Figueroa was issued a letter
 8 of termination?
 9 A Do I know? Yes.
 10 Q When was that?
 11 A I believe it was February 7th or sometime in early
 12 February.
 13 Q Was this issue discussed at any of the meetings that
 14 were held within the group, the fact that she should
 15 be issued a letter of termination?
 16 A No.
 17 Q How did you learn that she had been issued a letter
 18 of termination?
 19 A I believe Mike Soika told me.
 20 Q When did he tell you this?
 21 A After it had happened, I believe.
 22 Q All right. And you believe that she was terminated
 23 on when, February 2nd?
 24 A 7th, I believe.
 25 Q 7th, okay. Is that something Mr. Soika told you?

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1 A No. That's something I know from reviewing
 2 documents.
 3 Q What did Mr. Soika tell you, when was she
 4 terminated?
 5 A I don't know. He told me he had sent her a letter.
 6 I'm sure he didn't say the date.
 7 Q All right. But your understanding was that she was
 8 terminated on February the 7th?
 9 A That's my understanding.
 10 Q Okay. Before February the 7th did anyone, including
 11 Mr. Soika, report to you that Marilyn had requested
 12 sick leave?
 13 A No.
 14 Q Before February 2nd did anyone report to you that
 15 Marilyn was hospitalized?
 16 A Yes.
 17 Q When did you learn of that fact?
 18 A You know, if I can rethink that, I'm not positive
 19 that was before February 7th that I learned that.
 20 Q Okay. If Marilyn -- If you had learned prior to her
 21 termination that she had been hospitalized, do you
 22 believe that the City should have inquired further
 23 as to whether or not she was entitled to medical
 24 leave?

MR. SCHRIMPF: Objection,

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1 foundation laid and speculation.
 2 Q Go ahead and answer.
 3 A Well, as I said, I don't know that I was aware of
 4 that before she was terminated so you --
 5 Q Mr. Christofferson --
 6 A Your presenting a different set of facts doesn't
 7 change my answer.
 8 Q Okay. Mr. Christofferson, just listen to my
 9 question, and I want you to address my question.
 10 Okay? Go ahead.
 11 (Question read)
 12 A I don't believe that would have been my decision or
 13 responsibility. I was not working for the City.
 14 Q Sir, that wasn't my question. I didn't ask you --
 15 A My opinion of what the City may have done is
 16 irrelevant.
 17 Q Hold on a second, and we'll take it as such. I want
 18 you to listen to that question one more time, and I
 19 want you to pay attention to the question.
 20 MR. SCHRIMPF: For the record, and
 21 I don't want to interrupt the witness after the
 22 court reporter gets done, but same objection, the
 23 objection stands, and I'll also put in the form
 24 of the question.
 25 MR. ARELLANO: Objections noted

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1 and ongoing. Now I want you to pay attention to
 2 my question, Mr. Christofferson, and answer my
 3 question.
 4 (Question read)
 5 A No.
 6 Q And why is that, sir?
 7 A Because I believe it would have been her obligation
 8 to notify the City that she needed medical leave.
 9 Q And again, following that answer, assuming that the
 10 City was notified before February 2nd, do you
 11 believe that the City should have inquired further?
 12 MR. SCHRIMPF: Same objection.
 13 MR. ARELLANO: Listen to my
 14 question.
 15 (Question read)
 16 A That if the City was notified what?
 17 Q That she was ill or hospitalized, do you believe
 18 that the City based on that notice should have
 19 inquired further before terminating her?
 20 A If there had been a notice from her that she had
 21 been hospitalized and required sick leave, yes, I
 22 believe the City should have done that.
 23 Q And to your knowledge do you know if the City was
 24 ever notified in any manner by Marilyn Figueroa or
 25 anyone speaking on her behalf --

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1 A No.
 2 Q -- that she was requesting medical leave and that
 3 she was hospitalized?
 4 A No.
 5 Q All right. Do you know, Mr. Christofferson, whether
 6 or not at some point Marilyn Figueroa produced a
 7 medical absence authorization from her doctor?
 8 MR. SCHRIMPF: Objection as not
 9 accurately or properly reflecting the record.
 10 Subject to the objection, the witness may answer.
 11 Q Go ahead, sir.
 12 A I have seen a document.
 13 Q So when did you become aware that she had produced a
 14 medical absence authorization?
 15 MR. SCHRIMPF: Same objection.
 16 A Well, I'm not aware that she produced it or when she
 17 produced it. I have merely seen a piece of paper in
 18 the pile of filings here. I don't know when I would
 19 have heard that.
 20 Q You have seen a medical authorization that was
 21 issued on behalf of Marilyn Figueroa, is that what
 22 you're telling me?
 23 A I have seen it, yes. I have seen a letter that's
 24 dated sometime later in January, not addressed to
 25 anyone, that says Marilyn is on leave or something

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1 to that effect.
 2 Q When was the first time that you saw that letter,
 3 sir?
 4 A I would say whenever it was that you filed that with
 5 one of your complaints.
 6 Q Is it your sworn testimony that was the very first
 7 time that you ever seen that letter, sir?
 8 A Yes, it is.
 9 Q Did anyone ever, including Ms. Shindell or
 10 Mr. Soika, disclose the fact that Marilyn Figueroa
 11 had submitted a medical release to John Norquist's
 12 representative? Did anyone ever discuss that fact
 13 at any of these meetings?
 14 A Not that I recall.
 15 Q All right.
 16 MR. ARELLANO: Let me mark this
 17 document as is.
 18 (Exhibit No. 16 marked
 19 for identification)
 20 MR. ARELLANO: Counsel.
 21 MR. FINERTY: This is the issue?
 22 MR. ARELLANO: Right.
 23 MR. SCHRIMPF: Thank you. You've
 24 marked it as Exhibit 16 for this?
 25 MR. ARELLANO: (Nodding). Is he

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1 talking about me over there?
 2 MR. SCHRIMPF: No. He's just
 3 discussing the exhibit, as a matter of fact.
 4 Q Let me show you, sir, what has been marked as
 5 Exhibit 16, and let me represent to you that
 6 Exhibit 16 was produced by your legal counsel
 7 pursuant to our Subpoena Duces Tecum which was
 8 issued to you pursuant to these legal proceedings.
 9 Is that a document that -- Do you recognize that
 10 document?
 11 A This document?
 12 Q Correct.
 13 A Yes, I've seen it before.
 14 Q Did you have a copy of this document in your
 15 possession? And I don't mean to trick you,
 16 Mr. Christofferson.
 17 A Yes.
 18 Q These are records that your counsel has given to us.
 19 A Yes.
 20 Q I suspect these are the records that you produced
 21 pursuant to our Notice of Deposition; is that
 22 correct?
 23 A That's correct.
 24 Q All right. And when did you obtain this record,
 25 sir, the first time?

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1 A Well, I don't know this for certain. I probably
 2 received them around the time of this filing.
 3 Q All right. Let me take a look at this. Before
 4 Marilyn Figueroa was terminated, February 2nd or
 5 7th, did you ever inquire from Mr. Soika whether or
 6 not Marilyn Figueroa had called or notified his
 7 office about his status, his condition?
 8 A No.
 9 MR. SCHRIMPF: Objection,
 10 inaccurate reflection of the record and the
 11 facts.
 12 Q And is it your sworn testimony that Mr. Soika never
 13 notified the group, including you, anything about
 14 Marilyn Figueroa requesting sick leave?
 15 A Correct.
 16 Q All right. Let me show you a record which is
 17 attached to Exhibit 16 of your deposition, and let
 18 me show you a letter written on behalf of Marilyn
 19 Figueroa; is that correct?
 20 A Yes.
 21 Q And it was written by Dr. Loiben?
 22 A Correct.
 23 Q And it was dated January 21st, 2000?
 24 A Correct.
 25 Q All right. Have you ever seen this document before,

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1 sir?
 2 A Well, yes.
 3 Q When was the first time that you saw that document?
 4 A I believe, as I've just told you, it was probably in
 5 February of 2001 when this was filed.
 6 Q Okay. Do you recall whether or not the contents of
 7 this letter were ever mentioned by anyone in the
 8 group that you have identified at any point before
 9 Marilyn was terminated?
 10 MR. SCHRIMPF: Objection, vague,
 11 which letter?
 12 Q I'm talking about the letter from Dr. Loiben on
 13 behalf of Marilyn Figueroa dated January 21st, 2000.
 14 All right?
 15 A All right.
 16 Q Do you recall whether or not anyone discussed this
 17 letter in your presence in any manner after Marilyn
 18 Figueroa was terminated from the City?
 19 A I don't remember anyone discussing it, no.
 20 Q All right. This document which is in front of you
 21 places Marilyn Figueroa on full-time medical leave
 22 starting January 4th, 2000 until a date yet to be
 23 determined. Did I read that correctly?
 24 A Yes.
 25 Q Obviously those are the dates that would have

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1 applied to Marilyn Figueroa after January 4th of
 2 2000; correct? In other words, that was the time
 3 when Marilyn Figueroa was not coming to work; is
 4 that true?
 5 A Yes.
 6 Q All right. Did Mr. Soika ever tell you that he
 7 became aware of this letter shortly after Marilyn
 8 Figueroa was terminated?
 9 A Not that I recall.
 10 Q What about Mayor Norquist, did he ever mention to
 11 you that a letter had been sent to his attorney?
 12 A No.
 13 Q What about Ms. Shindell, did she ever disclose this
 14 letter to the group at any point?
 15 A She may have mentioned this at some later time.
 16 Q How much later?
 17 A I don't know. You've been asking me about before
 18 February 7th.
 19 Q Was that before -- was that during one of those six
 20 to 12 meetings?
 21 A Six to eight I believe.
 22 Q Six to eight meetings?
 23 A Yes.
 24 Q Is that correct? All right. When you became aware
 25 that Marilyn Figueroa was issued a medical leave

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1 authorization by Dr. Loiben, did you suggest that
 2 Marilyn Figueroa be given medical leave?
 3 A No.
 4 Q Did anyone within the group suggest that?
 5 A Not that I recall.
 6 Q Did you check with -- To your knowledge did anyone,
 7 including you, notify the employment relations
 8 office about this letter during the period of time
 9 in which you folks were meeting?
 10 A Not to my knowledge.
 11 Q All right. The eight to ten meetings -- I keep
 12 using different numbers. You're talking about six?
 13 A Six to eight I said.
 14 Q Six to eight. When was the last meeting? These six
 15 to eight meetings, when was the last meeting? Was
 16 it in 2000, 2001? Was it before Mayor Norquist went
 17 public with his version of the relationship?
 18 A Oh, I would say after that probably. There probably
 19 was a meeting or more in 2001.
 20 Q How many meetings occurred before December 1st,
 21 2000?
 22 A That I attended?
 23 Q Out of the six and eight that you mentioned.
 24 A Maybe four or five. I'm not -- I don't know
 25 specifically.

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1 Q And how many occurred after December 1st of 2000?
 2 A Maybe two or three. I don't know precisely.
 3 Q Do you recall Anne Shindell mentioning this letter
 4 before or after December 2000?
 5 A I believe before, but I --
 6 Q What did she say with respect to this letter?
 7 A Oh, I believe at some point she said, and, you know,
 8 there is a letter that, I believe that Marilyn's
 9 attorney gave to me, me being Anne Shindell, that
 10 was, you know, backdated, never sent to the City,
 11 not even addressed to the City, you know, and I
 12 don't know when it was received. I don't remember
 13 her saying that.
 14 Q So she mentioned the letter from her doctor given to
 15 her by Marilyn's attorney; true?
 16 A Yes.
 17 Q Did she also inform the group that the doctor had
 18 placed her on medical leave?
 19 A Well, I think she told people about this letter.
 20 Q So is the answer yes?
 21 A Well, the doctor didn't place her on medical leave.
 22 I mean the City would place her on medical leave.
 23 Q Okay. But did she disclose to the group that her
 24 doctor was at least, given his limited power, was
 25 placing her on a full-time medical leave?

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1 A I don't remember how she described it.
2 Q But did you understand that to be the case when she
3 disclosed this information?
4 A I understood there to be a letter that had not been
5 sent to the City in any kind of timely fashion and
6 that's all I knew basically.
7 Q Mr. Christofferson, I understand that's your
8 position but what I understand is, did you
9 understand -- by virtue of the information that
10 Ms. Shindell disclosed regarding this letter, did
11 you understand that the letter was in essence
12 placing Marilyn Figueroa on medical leave?
13 MR. SCHRIMPF: Objected to based on
14 foundation, as well as badgering the witness.
15 MR. ARELLANO: I certainly wouldn't
16 badger this guy. He looks a lot bigger than I
17 am. And with you two in here, I wouldn't even
18 get close to that.
19 Let me ask you to read my question back, and
20 I want you to pay attention to that.
21 (Question read)
22 A Well, as I think we just said, he wasn't placing her
23 on medical leave. He was -- I guess he said she was
24 but I -- this was presented as something that,
25 frankly that was almost irrelevant, that it wasn't
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1 done properly, it wasn't sent to the City, it was
2 just sort of something that was mentioned in
3 passing. It was not discussed as any serious
4 document at all.
5 Q So when you learned that her doctor had issued a
6 letter, you didn't give that letter any
7 significance; is that correct?
8 A It wasn't my place to give it significance or not.
9 Q That wasn't my question. You as a member of that
10 group --
11 A That was my answer.
12 Q Well, you know, the point is, and I really, the
13 reason why counsel claims that I'm badgering you is
14 because I keep trying to get you to answer my
15 questions, sir, and you keep dodging them.
16 A You keep trying to get me to say things that I know
17 are not true.
18 Q I just want you to tell me --
19 MR. SCHRIMPF: Counsel, I'm going
20 to object to that remark because that is
21 badgering the witness and the fact of the matter
22 is the witness is answering the question, you
23 just don't like the answer.
24 MR. ARELLANO: You know I'm not
25 badgering the witness.
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1 MR. SCHRIMPF: Yes, you're
2 badgering the witness.
3 MR. ARELLANO: If I did, I'm sure
4 Counsel would let me know that.
5 MR. SCHRIMPF: I am.
6 MR. ARELLANO: Well, you got more
7 vested interest in here.
8 MR. SCHRIMPF: And so do you.
9 MR. ARELLANO: Yeah, the interest I
10 have is understanding what his position is.
11 MR. SCHRIMPF: Your interest is
12 your fee.
13 MR. ARELLANO: Well, I move to
14 strike that, and I hope that you would join me on
15 that because I --
16 MR. SCHRIMPF: No, I will not.
17 MR. ARELLANO: I think you're
18 getting personal, Counsel, and I don't appreciate
19 that.
20 MR. FINERTY: Maybe we can get on.
21 The question was the characterization of the
22 letter, and let's go back to that question. I
23 don't really care to hear two lawyers fight over
24 this right now.
25 MR. ARELLANO: I apologize,
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1 Counsel.
2 Q At some point you became aware that Marilyn's doctor
3 had issued a medical absence authorization; correct?
4 A Correct.
5 Q All right. And once you learned of that fact, did
6 you give any significance to that information?
7 A No.
8 Q All right. Why not?
9 A Because it was presented, as I've described, as
10 something that was not done properly, it wasn't done
11 in a timely fashion and didn't go to the City and
12 frankly it wasn't my place to make a judgment about
13 it. This was an issue between a City employee and
14 City government. I wasn't employed by the City.
15 You know, I had no role in deciding whether this was
16 relevant or not really.
17 Q When that information came to light, who was present
18 at that meeting, the same five individuals?
19 A The usual suspects.
20 Q Okay. Was Susan Mudd one of them?
21 A I don't know.
22 Q All right. Did anyone suggest to get an opinion
23 from the Department of Employment Relations to see
24 if a letter such as this would apply retroactively?
25 A No.
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1 Q All right. Did anyone suggest that the letter
2 should be ignored?
3 A I don't believe there was any discussion about
4 taking any action or not acting on it. It was more
5 a point of information.
6 Q Did you make any suggestions to inquire what should
7 be done once this information regarding Dr. Loiben's
8 letter was disclosed to these five individuals that
9 were present, including you?
10 A Did I --
11 MR. ARELLANO: Read me that
12 question back, please.
13 (Question read)
14 A No.
15 Q It was your position that the letter was not
16 submitted properly; is that correct?
17 A It's not my position. It's what had been presented
18 to us by the attorney.
19 Q Okay. Which attorney?
20 A Anne Shindell.
21 Q All right. Did Ms. Shindell explain to the group,
22 including you, what was the proper steps according
23 to City policy?
24 A I don't believe so.
25 Q Do you know what the proper steps are with respect
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1 to sick leave authorizations?
2 MR. SCHRIMPF: Objected to as
3 vague.
4 A I do know that one proper step would be to notify my
5 employer if I were going to be on sick leave.
6 Q Okay. In which manner?
7 A Either in person, on the telephone, in writing. I
8 don't know. But at least some contact with your
9 supervisor.
10 Q And that would be meeting the proper procedures in
11 your view?
12 A I believe it would be meeting more than this letter
13 did.
14 Q All right. Very good. All right.
15 (Exhibit No. 17 marked
16 for identification)
17 Q Let me show you what has been marked as Exhibit
18 No. 17 of your deposition which was also marked as
19 Exhibit 16 of Mr. Soika's deposition. Let me allow
20 you to read that document, and then I'll have a
21 couple of questions for you. Have you reviewed this
22 Exhibit No. 17?
23 A Yes.
24 Q Have you ever seen this document before, sir?
25 A No.
170

1 Q This document indicates --
2 MR. ARELLANO: You don't mind if I
3 approach the witness?
4 THE WITNESS: No.
5 MR. FINERTY: Go right ahead.
6 Q This document indicates that Marilyn Figueroa made a
7 phone call on or about January 14th at 10:51; is
8 that correct?
9 A That's correct.
10 Q And in that particular phone call Ms. Pat Stawicki
11 is notified that Marilyn Figueroa had called to say
12 that she was ill and would provide a doctor's excuse
13 next week. Did Mr. Soika ever notify you that
14 Marilyn had called?
15 A I don't remember that, no.
16 Q All right.
17 MS. AURIT: Going off the record.
18 (Discussion held off record)
19 MS. AURIT: This is tape three of
20 the deposition of William Christofferson.
21 MR. ARELLANO: Thank you.
22 Q You testified earlier, Mr. Christofferson, that it
23 was decided during one of these meetings that the
24 Department of Employment Relations should be
25 contacted in order to determine how to deal with
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1 Marilyn Figueroa's situation. Did I hear that
2 correctly?
3 A No.
4 Q Do you know -- To your knowledge did anyone contact
5 the Department of Employment Relations?
6 A I'm -- Not to my knowledge. I'm not aware of
7 whether anyone did or not.
8 Q During any of these meetings in January of 2000
9 through December 2000 did anyone, including
10 Mr. Soika, report anything on how the employment
11 relations felt Marilyn should be dealt with?
12 A Not that I recall.
13 (Exhibit No. 18 marked
14 for identification)
15 MR. SCHRIMPF: What's the exhibit
16 number?
17 MR. FINERTY: 18.
18 MR. ARELLANO: It's Exhibit 18.
19 MR. SCHRIMPF: Thank you.
20 Q Let me show you what has been marked as Exhibit 18
21 of your deposition, Mr. Christofferson. Let me give
22 you a second to review it. Let me know when you're
23 done. I've got a couple of questions. Are you
24 done?
25 A Yes.
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1 Q I'm sorry. Did you understand --
 2 A Yes.
 3 Q -- this document?
 4 A Yes.
 5 Q I'll approach you just for a second because I don't
 6 have an extra copy. It's a memo from Michael Soika
 7 to Pat Stawicki. Do you know Pat Stawicki?
 8 A Yes, I do.
 9 Q Did she work for the Mayor's office?
 10 A Yes.
 11 Q Is she responsible for payroll? --
 12 A Correct.
 13 Q -- and administrative matters?
 14 A That's right.
 15 Q Did you ever supervise Ms. Stawicki?
 16 A Yes.
 17 Q All right. And in this particular memo Mr. Soika
 18 notifies Pat on January 21st that according to
 19 Mr. Jeff Hansen Marilyn should be placed on unpaid
 20 family and medical leave. Did I read that
 21 correctly?
 22 A Yes.
 23 Q What did you understand by that?
 24 MR. SCHRIMPF: Well, objected to as
 25 foundation laid. Subject to the objection, the

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1 witness may answer.
 2 Q Go ahead. What did you understand by that memo?
 3 A By this memo?
 4 Q Yes.
 5 A I understood that Mike Soika had spoken to Jeff
 6 Hansen who had given him some advice about how to
 7 handle this.
 8 Q Did you also understand that Mr. Hansen advised
 9 Soika to place Marilyn on family leave unpaid?
 10 A Yes.
 11 Q All right. Did Mr. Soika ever disclose this
 12 information to anyone within the group, including
 13 you?
 14 A I don't -- I don't know that. I don't recall him
 15 ever disclosing it to me.
 16 Q Did you know that Mr. Hansen had advised Mr. Soika
 17 to place Marilyn Figueroa on unpaid family medical
 18 leave?
 19 A No.
 20 Q All right. Let me see the rest of these exhibits.
 21 By the way, Mr. Christofferson, you testified
 22 that you just got a new computer I believe you
 23 stated that for the year 2000; is that correct?
 24 A Yes.
 25 Q What did you do with your old computer?

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1 A My daughter has it.
 2 Q What did you do with the hard drive in that
 3 computer?
 4 A I believe she has it.
 5 Q Is that the computer where you did most of your work
 6 regarding Figueroa after January 2000?
 7 A Yes, for -- until I believe I got this new one in
 8 approximately November maybe.
 9 MR. SCHRIMPF: I'm sorry, of what
 10 year?
 11 THE WITNESS: Of 2000.
 12 MR. SCHRIMPF: Okay.
 13 MR. ARELLANO: All right. Let's
 14 start identifying some of these goodies.
 15 (Exhibit No. 19 marked
 16 for identification)
 17 Q I am giving you -- oops. Let me mark this.
 18 (Exhibit No. 20 marked
 19 for identification)
 20 Q Let me show you what has been marked as Exhibit 19,
 21 and tell me whether or not you recognize this
 22 document that's marked.
 23 A Yes.
 24 Q Did you prepare that document?
 25 A Yes.

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1 Q And when did you prepare that document?
 2 A When did I prepare it?
 3 Q Yes.
 4 A In the spring of 2000.
 5 Q Spring meaning what month?
 6 A Well, I don't know. March or April probably.
 7 Q Who directed you to prepare such document?
 8 A No one.
 9 Q Was that part of your responsibility at that time as
 10 you were dealing with the Figueroa/Norquist issue,
 11 to deal with media and respond to allegations and
 12 things of that nature?
 13 A Yes. I'm sorry, I'm just trying to place the time
 14 frame here on this. It talks about something
 15 happening when the Mayor is on vacation so it would
 16 be possible to figure out when that was but clearly
 17 it was sometime after the election.
 18 Q All right. Was that before Marilyn Figueroa had
 19 filed her complaint?
 20 A Yes.
 21 Q All right. And you wrote here in Exhibit 19, if a
 22 claim is filed, I think the Mayor's office tells the
 23 media that the Mayor -- that the Mayor is on
 24 vacation and not reachable and refers them to Anne.
 25 Did I read that correctly?

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1 A Correct.
2 Q When you drafted this document, was the Mayor on
3 vacation?
4 A He was going to be on vacation, yes.
5 Q So the title of this document was geared toward a
6 time when he was on vacation?
7 A Yes.
8 Q When did he leave on vacation?
9 A I don't know.
10 Q And is there a reason why you didn't date these
11 records?
12 A Why I didn't date them? I typically don't. I
13 mean --
14 Q Is there a reason why you don't date what you do?
15 A No reason I don't but there is no reason to date
16 them.
17 Q Okay. All right. Then we have -- Did I take
18 another one? Right here.
19 MR. SCHRIMPF: Counsel, I haven't
20 examined that document.
21 MR. ARELLANO: Are you sure?
22 Q Exhibit 20, can you review that document and tell me
23 whether or not you prepared such document?
24 A Yes, I did.
25 Q All right. Let me take a look at that. Do you know

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1 when you prepared Exhibit 20?
2 A At the same time as the previous one.
3 Q Was that in the spring before the election or after
4 the election?
5 A After the election I believe.
6 Q In this record, 20th, you write in the last I would
7 say two-sentence paragraph, "We do not respond to
8 rumors or to wild charges." Did I read that
9 correctly?
10 A Yes.
11 Q Was the claim that a relationship existed between
12 Marilyn Figueroa and Norquist a rumor or a fact when
13 you wrote this document, sir?
14 A When I wrote that document, as far as anyone else
15 was concerned, it was a rumor.
16 Q Did you prepare this document after January 4th of
17 2000?
18 A Yes.
19 Q Did you know at that point that Norquist had
20 admitted to have had a relationship with Marilyn
21 Figueroa?
22 A Yes.
23 Q So was that a fact in your mind when you wrote this?
24 A Yes.
25 Q So it was not a rumor; it was a fact?

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1 A No, it was a rumor.
2 Q Well, if you had knowledge --
3 A There were wild rumors at the time, all kinds of
4 rumors about a relationship between the Mayor and
5 Marilyn.
6 Q Well, one -- what was the main rumor?
7 A The rumors were everything from they had had an
8 affair to Marilyn was pregnant to he was leaving his
9 wife. You name it, it was -- there were all sorts
10 of rumors.
11 Q All right. With respect to an affair, when you
12 prepared this document, that was not a rumor, was
13 it?
14 A As far as the public was concerned, it was a rumor.
15 Q I'm talking about you, as far as you were concerned.
16 A No, as far as I was concerned it was not a rumor.
17 Q So what you wrote in here is not factually correct;
18 true? When you wrote this document, that was not a
19 rumor, it was a fact, that he had had a relationship
20 with Marilyn Figueroa?
21 A You don't know what we were responding to when you
22 read that document.
23 Q Well, were you responding to the allegations or
24 rumors?
25 A This is the contingency plan depending on what kind

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1 of wild story was given to the news media which is
2 what it says on the top there.
3 Q All right. Are you -- Let me just take one more
4 shot at it.
5 MR. FINERTY: Just for the record,
6 I think your original question that kicked off
7 this line of questioning referred to a claim and
8 the memo refers to a claim so in its proper
9 context it seems to be as such.
10 Q When you prepared this document, Exhibit No. 20, you
11 had already knew that there had been an affair at
12 least as admitted by John Norquist; correct?
13 A Yes.
14 Q And you prepared this as a way to give this a
15 political spin that would not face the question
16 directly with an answer; true? That was a political
17 spin you created?
18 A No, no.
19 MR. SCHRIMPF: Objected to as lack
20 of foundation.
21 A No. It was the position I laid out for you a little
22 earlier, that until such time as something official
23 was filed, whether a claim or a lawsuit or
24 something, that we did not respond to any wild
25 rumors or charges or rumors or innuendo or anything

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1 else; that if there was something to respond to, we
2 would respond to it.

3 Q Did anyone ever question you, sir, after Norquist
4 disclosed this affair, did anyone question you on
5 whether or not there was an affair between Figueroa
6 and Norquist?

7 MR. SCHRIMPF: Objected to as vague
8 and indefinite.

9 Q Before she filed her complaint.

10 MR. SCHRIMPF: Still vague and
11 indefinite.

12 Q Go ahead.

13 A Did anyone ever ask me whether there was an affair?

14 Q Right, right.

15 A I would say yes.

16 Q How many times were you asked that question?

17 A I don't know, a number.

18 Q How many times did you take the position that you
19 would not respond to rumors?

20 A Well, whenever I was asked.

21 Q So you never told them what you knew?

22 A Who?

23 Q To whomever was asking you whether or not there was
24 an affair.

25 A No.

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1 Q You were not honest with them?

2 MR. SCHRIMPF: Objected to.

3 A Not -- I did not lie to anybody. I said I was not
4 going to respond unless there was something to
5 respond to.

6 Q All right.

7 MR. ARELLANO: Let me ask you to
8 mark this other document.

9 (Exhibit Nos. 21 and 22 marked
10 for identification)

11 Q I'm showing you Exhibit No. 21. I'm showing you
12 Exhibits 21 and 22.

13 MR. SCHRIMPF: Counsel, I haven't
14 seen 22.

15 Q I'll give you 21.

16 MR. SCHRIMPF: I'm going to ask
17 that the witness not respond until I've had a
18 chance to examine 22.

19 MR. ARELLANO: That's fine.

20 Q I'll show you Exhibit Nos. 21 and 22 of your
21 deposition. Let me ask you to review those records,
22 and when you're ready, let me know.

23 A All right.

24 Q Did you prepare those records?

25 A Yes.

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1 Q Who requested that you prepare these records, sir?

2 A I'm not certain anyone requested me to prepare them.

3 Q What prompted you to prepare those records?

4 A The fact that there had been media reports about
5 Anne Shindell, about -- involving a number of
6 things, including drunk driving cases, there had
7 been a Milwaukee Magazine story, there had been some
8 television coverage. I don't remember what all, but
9 something that clearly the Mayor was going to be
10 asked about since she was his personal attorney.

11 Q There was an article, I don't know if you remember
12 this, there was an article indicating that
13 Ms. Shindell had had a difficult time with a rather
14 abusive relationship in the past. Do you recall
15 that?

16 A Vaguely, yes.

17 Q Did you ever discuss with Ms. Shindell -- During
18 these meetings did she ever disclose to anyone in
19 the group anything related to that abusive
20 relationship that lasted I think four or five
21 years --

22 A No.

23 Q -- in her life? Do you believe that Ms. Shindell
24 was involved in an abusive relationship for four or
25 five years?

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1 A If she says so, I believe it, yes.

2 MR. ARELLANO: Let me ask you to
3 mark these two.

4 (Exhibit Nos. 23, 24 and 25 marked
5 for identification)

6 Q Let me show you Exhibits 23 and 24,
7 Mr. Christofferson.

8 A Okay.

9 Q When did you prepare those two exhibits?

10 A I think approximately April of 2000.

11 Q And the contents of those two exhibits, where did
12 you get all of that information?

13 A From the Mayor.

14 Q Were those -- Were the contents of those two
15 exhibits ever made public to your knowledge?

16 A In a different version eventually in December.

17 Q What version are you referring to?

18 A Well, I mean at a news conference but it was -- this
19 is -- this is an early draft of the statement that
20 the Mayor eventually made publicly.

21 Q And this is the draft you prepared as early as
22 April?

23 A That's correct.

24 Q Is that correct? And do you have the final -- did
25 you submit to counsel the final draft?

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1 A Yes.
 2 Q Okay.
 3 MR. ARELLANO: I'm going to
 4 approach your client.
 5 Q You have version A, which is Exhibit 23, and version
 6 B; is that correct?
 7 A Correct.
 8 Q What prompted you to have two different versions?
 9 A Well, as you'll see from some of the other things I
 10 have given you here, that's not unusual. Sometimes
 11 if I don't have a strong feeling one way or the
 12 other, I'll write something two different ways and
 13 leave it up to the person who actually has to make
 14 the statement to choose one.
 15 Q In Exhibit 23, version A, your second paragraph
 16 reads as follows: "I had a personal relationship
 17 with a former staff person who has chosen to make it
 18 public." Did I read that correctly?
 19 A That's correct.
 20 Q And then on version B, I believe the only difference
 21 is that the second paragraph, which I read in
 22 version A, version B shows, states as follows: "I
 23 had a personal relationship with a former staff
 24 person who has threatened to make it public." Did I
 25 read that correctly?

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1 A Correct.
 2 Q Which of those two paragraphs was included for
 3 public disclosure?
 4 A In the final version some months later neither one
 5 of those. In fact, Marilyn Figueroa was named in
 6 the final statement.
 7 Q All right.
 8 A This you notice didn't name anyone.
 9 Q Did you provide these samples to members of the
 10 group that were getting together to discuss
 11 Mayor Norquist's situation with Marilyn Figueroa?
 12 A I may have.
 13 Q Well, did you give it to Mayor Norquist for his
 14 review?
 15 A Well, I'm certain the Mayor saw it, yes.
 16 Q Did you give it to Anne Shindell for her review?
 17 A Probably. I don't know that for certain.
 18 Q Did you give it to Michael Soika for his review?
 19 A Perhaps.
 20 Q You state here, "I had a personal relationship with
 21 a former staff person who has threatened to make it
 22 public." Did Mayor Norquist give you that
 23 information?
 24 A No.
 25 Q On what basis did you make that statement in version

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1 B, sir?
 2 A What I did, if I can answer a little bit more
 3 broadly.
 4 Q Go ahead. I want to understand it.
 5 A I did two versions of the statement. There was
 6 discussion about whether the Mayor was going to make
 7 this public. One version would be whether something
 8 had already happened publicly to trigger this, a
 9 complaint had been filed or something else had
 10 happened. The other version he would be making it
 11 public without anything having happened. So in one
 12 case it says she's chosen to make it public; the
 13 other one says she's threatened to make it public.
 14 Q All right. The one where you used the language
 15 threatened to make it public, the one that you
 16 shared with Mayor Norquist, you prepared this in
 17 April of the year 2000. What specific threats were
 18 you aware of that Marilyn Figueroa had issued to
 19 make this complaint public before you prepared this
 20 version A, Exhibit 24?
 21 A Well, I was aware of threats that if there wasn't a
 22 financial settlement, there was going to be a claim
 23 or a lawsuit.
 24 Q Who made that threat?
 25 A Well, I believe her attorneys who represented her.

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1 Q Which attorneys?
 2 A Well, at this point I'm not sure who her attorney
 3 was. Pedro Colon, eventually John Fuchs. I don't
 4 know quite what the sequence was with --
 5 Q What kind of threat did Mr. Pedro Colon make on
 6 behalf of Marilyn Figueroa?
 7 A Well, I don't have firsthand knowledge.
 8 Q What I want to understand, sir, before you published
 9 this to a third person, in this case the Mayor, what
 10 specific evidence did you have that Marilyn Figueroa
 11 was threatening to make --
 12 MR. FINERTY: Objection as to the
 13 form of the question, use of the word published.
 14 MR. SCHRIMPF: And I will join that
 15 objection and also object to foundation laid.
 16 Q Go ahead, sir. What specific evidence did you have
 17 to support the claim that you made that Marilyn
 18 Figueroa was threatening to make the complaint
 19 public?
 20 A I had been told by Anne Shindell that it had been
 21 made clear by Marilyn's attorney that the only way
 22 to make this go away was to pay money or there was
 23 going to be a big public filing and disclosure of
 24 all the details. That sounded like a threat to me.
 25 Q When did she make that known to you?

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1 A I don't -- Sometime before I wrote this.
 2 Q Obviously, but prior to April?
 3 A Yes.
 4 Q What exactly was the claim that Mr. Colon was
 5 making? What did he do?
 6 A Again, I never spoke to him so I only know
 7 indirectly.
 8 Q Well, what did Ms. Shindell tell you Mr. Colon was
 9 demanding?
 10 A Well, he was demanding a financial settlement. I
 11 believe the number was getting larger during the
 12 negotiations. I mean maybe attorneys don't see this
 13 as a threat but to the average person like me the
 14 possibility that someone is going to file a public
 15 claim and say that I have sexually harassed her or
 16 had an affair with her or done other things of that
 17 nature sounds like a threat.
 18 Q Okay. Do you know if Anne Shindell contacted
 19 Ms. Figueroa before she even hired a lawyer?
 20 A I don't know.
 21 Q Do you know if Mr. Soika was trying to resolve the
 22 problem by contacting Ms. Figueroa first?
 23 MR. SCHRIMPF: Objected to based on
 24 foundation.
 25 A Yes. I believe he was trying to get her to come

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1 back to work.
 2 Q Okay. So before Marilyn Figueroa hired any lawyer,
 3 Mr. Soika was trying to resolve the problem with
 4 her, is that your understanding?
 5 A I don't know when she hired a lawyer.
 6 Q Well, do you know when actually Mr. Soika tried to
 7 get ahold of Marilyn Figueroa?
 8 A Well, I believe in the days immediately following
 9 her leaving the office and not coming back in early
 10 January.
 11 Q Did Mr. Soika inform you and/or the group how many
 12 times he tried to get ahold of Marilyn Figueroa?
 13 A No.
 14 Q Okay. Did he ever tell you whether or not he was
 15 successful in getting ahold of Marilyn Figueroa?
 16 A I think I said earlier that as far as I know he
 17 never actually spoke to her.
 18 Q All right, okay. Let me have those two exhibits.
 19 Let me show you Exhibit No. 25 of your deposition,
 20 sir.
 21 A Okay.
 22 Q Are you familiar with that record?
 23 A Yes, I am.
 24 Q Did you prepare that record?
 25 A Yes, I did.

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1 Q Okay. When did you prepare that record, Exhibit 25?
 2 A I think about the same time I prepared those, about
 3 April probably.
 4 Q About April?
 5 A Right.
 6 Q Is that correct?
 7 A I think so.
 8 Q Of the year 2000?
 9 A Yes.
 10 Q All right. Do you recall whether or not you
 11 circulated this document to members of the group?
 12 A I don't believe so.
 13 Q Was this document ever released?
 14 A No.
 15 Q Did you share this document with Mayor Norquist?
 16 A I'm not certain but I don't believe so, no.
 17 Q If you prepared this document, is there a reason why
 18 you didn't share it with anyone?
 19 A Because -- well, it was a document prepared for me.
 20 Q What information did you have before you prepared
 21 this document which assisted you in the preparation
 22 of this document?
 23 A Just what I knew from meetings and conversations
 24 that we've already discussed.
 25 Q Okay. Including your discussions with Mr. Norquist?

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1 A Yes.
 2 Q All right. Let me see if I read this with you. In
 3 this document in the second paragraph you read, you
 4 wrote, excuse me, "The Mayor refused to be coerced
 5 into reentering a relationship that could destroy
 6 his family." Did the Mayor tell you that
 7 information?
 8 A Yes, I believe so.
 9 Q All right. "He also refused to be extorted for
 10 money because of a threat of litigation based on
 11 allegations that are simply untrue." Did you get
 12 that information from the Mayor as well?
 13 A I'm -- Some of it. Some of it I believe I reached
 14 my own conclusion.
 15 Q Okay. With respect to extortion for money, who was
 16 attempting to extort money from Mayor Norquist?
 17 A I guess I would say Marilyn Figueroa and her
 18 attorney, attorneys, plural maybe.
 19 Q How did they try to extort money?
 20 A I believe by threatening to file a lawsuit that had
 21 no basis and fact which would probably embarrass the
 22 Mayor and wasn't based on anything substantive.
 23 Q Okay. Did anyone -- Do you know of anyone that says
 24 if you don't put so much money in my bank account or
 25 if you don't give me so much money, I'm going to do

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1 something to you or -- how do you find the word
2 extortion applicable under the circumstances based
3 on what you knew?
4 A That it is --
5 MR. FINERTY: Objection to the
6 compound nature of the question, foundation and
7 the incomplete hypothetical. Go ahead and
8 answer.
9 A I believe what you just described is exactly what
10 was happening.
11 Q All right. By the way, were you involved in the
12 decision to refer Mr. Pedro Colon to the District
13 Attorney because of the alleged extortion attempts
14 he made?
15 A Not in a decision, no.
16 Q Were you aware that he was going to be referred to
17 the District Attorney?
18 A Yes.
19 Q When did you learn of that fact?
20 A At a meeting in Anne Shindell's office. I don't
21 know --
22 Q Before he was actually referred?
23 A Yes.
24 Q Okay. Did you approve with that referral?
25 A I wasn't asked to approve or disapprove it.

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1 Q Go ahead, sir.
2 A Well, as I said, the way it was presented, it --
3 Q My question, Mr. Christofferson, is did you agree
4 with the idea, regardless of whether they asked you
5 to agree or not. Did you agree with the idea?
6 A In my head?
7 Q Yes.
8 A The way it was presented, it sounded like the
9 appropriate thing to do, yes.
10 Q Do you know if Mr. Colon was convicted of extortion
11 because of his attempt to settle the case on behalf
12 of Marilyn Figueroa with the Mayor?
13 A No, I know he was not.
14 Q Have you read any of the testimony of District
15 Attorney Feiss --
16 A No.
17 Q -- regarding the lawsuit that Mr. Colon filed
18 against Anne Shindell?
19 A No.
20 Q By the way, you were working with the Mayor in
21 addressing the Figueroa claim after Mr. Fuchs became
22 her lawyer; right?
23 A Yes.
24 Q Did Mr. Fuchs to your knowledge make a demand for
25 monetary settlement on behalf of Marilyn Figueroa?

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1 Q Well, did you agree?
2 A I wasn't asked to agree or disagree. It was
3 presented by Anne Shindell.
4 Q I didn't ask you whether they asked you.
5 MR. FINERTY: You have to let him
6 finish the question. He's responding as
7 forthrightly as possible, and I think he has the
8 opportunity to respond.
9 A I'm trying to tell you more than you asked but it
10 was presented by her as something that was opened
11 and shut, a clear violation, he had clearly gone
12 over the line and that she had an obligation as an
13 attorney to report that.
14 Q Well --
15 A That's how it was presented to me.
16 Q Up to that point, at least before you filed, before
17 you drafted this document, you believed that
18 Mr. Colon had engaged in extortion; correct?
19 A Based on what she said at that meeting.
20 Q Right. And when she suggested to refer Mr. Colon to
21 the District Attorney's office, did you concur in
22 your mind that that was the right thing to do?
23 A In my mind?
24 MR. SCHRIMPF: I'm going to object
25 to that question based on foundation.

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1 A Yes.
2 Q Do you know how much he demanded?
3 A I believe it was in the millions. I don't know the
4 number.
5 Q Did you feel that Mr. Fuchs was also engaging in
6 extortion attempts against the Mayor when he made
7 that demand?
8 A I guess I had not thought about it really.
9 Q Did anyone within the group, including you, feel
10 that Mr. Fuchs was also engaging in extortion when
11 he made a demand for settlement on behalf of
12 Figueroa?
13 A I don't know.
14 Q Okay.
15 A I mean I believe there were other circumstances in
16 the Colon demand that were not present later.
17 Q What other circumstances?
18 A Well, I believe one of the things that Anne Shindell
19 talked about in addition to the monetary demands was
20 what she took to be a threat. Marilyn had been
21 hospitalized. Her relative, maybe her sister had
22 called the Mayor's office to make sure that the
23 Mayor's office knew she had been hospitalized for
24 like taking an overdose I believe. Mr. Colon
25 subsequently, as I understand it from Anne Shindell,

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1 referred to that in talking to her and said, you
 2 know, this has happened. If we don't get this
 3 settled and you don't pay up, I don't know what's
 4 going to happen next. She took that to be a threat.
 5 Q All right.
 6 A All of those things were presented to us. I didn't
 7 hear anything like that happen with John Fuchs.
 8 Q But the underlying concern which you took as an
 9 attempt to extort money from Norquist was the threat
 10 to go to the press, is that correct, if he didn't
 11 settle?
 12 A The combination.
 13 Q All right. Did Mr. Fuchs ever threaten to go to the
 14 press while he was negotiating a settlement on
 15 behalf of Marilyn Figueroa?
 16 A I don't know that for certain. It wasn't to go to
 17 the press, it was to, well, go to the press or file
 18 something which would have the same effect.
 19 Q Did Mr. Fuchs, to your knowledge, did he ever engage
 20 in the same type of demand?
 21 A Yes.
 22 Q Okay. Do you know if anyone suggested that
 23 Mr. Fuchs be sent or referred to the District
 24 Attorney as well?
 25 A Not that I'm aware of.

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1 Q All right. Now let's go back to this other. Then
 2 in the -- you have here "Discrimination / or --
 3 offered promotions at least twice -- didn't want to
 4 leave the office?"
 5 MR. SCHRIMPF: I'm going to object
 6 because you haven't identified what here is.
 7 Q Exhibit 25.
 8 MR. SCHRIMPF: Thank you, Counsel.
 9 Q I believe the third paragraph. Is that correct?
 10 It's basically one sentence. Is that correct?
 11 A Yes.
 12 Q Did I read that correctly?
 13 A Yes.
 14 Q Did Marilyn ever tell you specifically that she did
 15 not want to leave the Mayor's office?
 16 A No.
 17 Q All right. You concluded that she didn't want to
 18 leave the office?
 19 A Yes.
 20 Q All right. Let's go to the next paragraph. Fourth
 21 paragraph of Exhibit 25, "Sexual harassment -- Mayor
 22 ended the relationship." Is that information that
 23 the Mayor gave you?
 24 A Yes.
 25 Q All right. You believe him?

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1 A Yes.
 2 Q All right. You believe him today?
 3 A Yes.
 4 Q All right. Next, "She wanted him to leave his
 5 wife." Is that information that the Mayor gave you?
 6 A Yes.
 7 Q Did you ever inquire as to whether or not -- from
 8 Ms. Figueroa whether or not that was actually
 9 correct?
 10 A No. I could ask her now.
 11 Q I'm sure you would love to. And then you write down
 12 in a rather rhetorical question, or by way of
 13 interrogation, "Does that sound like harass, sexual
 14 harassment to you? He's the one being harassed."
 15 Did I read that correctly?
 16 A Not the inflexion. The words were right.
 17 Q All right. Just my Latin passion here. What
 18 evidence did you have, specific evidence did you
 19 have before you prepared this document that Marilyn
 20 Figueroa was sexually harassing the Mayor?
 21 A Just what he had told me.
 22 Q Is it your sworn testimony that he accused Marilyn
 23 of sexual harassment?
 24 A No.
 25 Q That's what you concluded from what he told you?

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1 A Yes.
 2 Q All right. Did he give you any specific examples
 3 that led you to conclude that Marilyn Figueroa was
 4 the sexual harasser in this relationship, specific
 5 examples that you haven't yet covered?
 6 A The only one I specifically remember was he
 7 described a public event that they were at together
 8 after the relationship supposedly had ended where
 9 Marilyn spent the night standing next to him and
 10 rubbing against him and eventually suggested they do
 11 something afterwards, I believe.
 12 Q Did the Mayor tell you that that, he considered that
 13 sexual harassment?
 14 A No, but it didn't sound to me like he was sexually
 15 harassing her which is the point I was making in
 16 this statement.
 17 Q Before you wrote this document, Exhibit 25, did you
 18 consult with any sexual harassment manual, attorney
 19 so that you could understand what sexual harassment
 20 means, Mr. Christofferson?
 21 A No.
 22 Q Do you know today what are the elements of a sexual
 23 harassment claim?
 24 A Not, not in a legal sense, no. I'm not an attorney
 25 as you know.

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1 Q "Anyone who has worked with Marilyn would have
2 trouble thinking of her as a victim." This is
3 Exhibit 25. Did I read that correctly?
4 A Yes, you did.
5 Q During all of the years that you have known Marilyn
6 Figueroa, did anyone ever accuse Marilyn Figueroa of
7 harassing anyone specifically?
8 A Of harassing anyone, no.
9 Q Or offending anyone?
10 A Oh, certainly.
11 Q Tell me.
12 A She offended -- well, --
13 Q How many people complained about Marilyn Figueroa
14 offending anyone in all of the years that you have
15 known her? The name of the person, the location.
16 A Well, you may recall that I have known her for some
17 time. I only worked in City Hall for two years, and
18 during that time there were certainly instances
19 where people complained about her.
20 Q Tell me the names of the people that complained.
21 A Well, I don't know how many I can --
22 Q Give me the ones that you recall.
23 A Well, I can remember specifically Alderman Fred
24 Gordon.
25 Q Anyone else?

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1 A That's the only one that I can specifically recall
2 the incident and so -- it's not unusual in that
3 office for people to complain about the staff
4 people.
5 Q What I want you to do is tell me specifics. I don't
6 want you to spin anything here. I want you to tell
7 me --
8 A I'm not spinning anything.
9 Q Fred Gordon is one of them; true?
10 A Yes.
11 Q Anyone else?
12 A Can you remind me of what it is we're listing here,
13 people who complained about what?
14 Q You are telling me that people have complained about
15 Marilyn.
16 A About her --
17 Q Conduct, performance. Let's start with conduct.
18 MR. FINERTY: To begin, I want to
19 interject that the original question was had she
20 ever offended anyone.
21 MR. ARELLANO: There we go. Thank
22 you, Counsel. That's even a better question.
23 Q You identified Fred Gordon. Anyone else that
24 complained about Marilyn being offensive to him or
25 her or is that the only one you remember?

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1 A That's the only one I can name.
2 Q All right. What did Mr. Gordon complain about?
3 A He came in to see me one day after a block grant
4 policy committee meeting just angry about Marilyn's
5 conduct at the meeting, asked me to take her off the
6 committee.
7 Q What year was that?
8 A '96, 7 or 8. I don't know.
9 Q What was your position at that time?
10 A Chief of Staff.
11 Q Okay. What exactly did he claim Marilyn had done or
12 not done?
13 A I don't recall specifically what he was that worked
14 up about. I just, I do remember that conversation,
15 however.
16 Q Well, what is it that he claimed she did?
17 A Well, I don't remember specifically.
18 Q All right. Did you discuss this matter with Marilyn
19 Figueroa?
20 A No, I defended Marilyn.
21 Q So to this date Marilyn has no idea that somebody
22 was complaining to you about her?
23 A I'm sure she doesn't.
24 Q All right. Well, how did you defend her if you
25 don't remember what the issue was?

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1 A The issue was that I should get her off that
2 committee.
3 Q Okay.
4 A How did I defend her? I ignored him.
5 Q Okay. Why did he want her off the committee? And
6 if you don't know, I'll leave you alone.
7 A Because they had just had a contentious meeting
8 where she had been I think -- you know, he was
9 unhappy with how she had performed.
10 Q Any other examples that you can give me which would
11 support your contention that anyone that knew
12 Marilyn would have trouble thinking of her as a
13 victim?
14 A Well, what I was trying to say when I said that is
15 that people who know her and have worked with her
16 see her as a strong person, as a strong woman, not
17 as a victim, that she's somebody who more than holds
18 her own, in City Hall or in the community or
19 anywhere else, not that people complained about her
20 but that no one would think of her as somebody who
21 was weak or who would be victimized. That was the
22 point here.
23 Q Well, do you know anyone that has known Marilyn
24 Figueroa under similar circumstances?
25 A Similar to?

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1 MR. FINERTY: Objection, vague as
2 to --
3 Q Similar circumstances where she was according to her
4 version subjected to sexual acts that were not
5 welcome to her. Do you know anyone that has
6 discussed Marilyn Figueroa in those terms?
7 A I don't know that that has happened.
8 Q I know you don't know but what I'm asking you
9 is do you know anyone that knew what Marilyn was
10 going through during this period of time with
11 Mayor Norquist?
12 A No, I don't.
13 Q All right. Let's go to the next. You write here
14 "But in the end he and Susan decided that a
15 settlement payment would be seen as an admission of
16 guilt." Did I read that correctly?
17 A Yes.
18 Q Did you discuss with Ms. Susan Mudd any type of
19 settlement in this matter?
20 A Did I discuss with --
21 Q With her?
22 A With who?
23 Q With Ms. Susan Mudd, what you wrote in here?
24 A Yes, yes.
25 Q When did you talk to her about this?
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1 A Well, in one of those meetings with the attorney and
2 the question of settlement certainly was discussed.
3 Q Which meeting was this?
4 A I don't know.
5 Q All right. Let me have that exhibit. Again, just
6 so I have all of these exhibits clear here, did you
7 circulate this record to anyone?
8 A Until today, no one but me has ever seen that.
9 Q All right.
10 A And I suppose I should not volunteer. Would you
11 like me to identify that? Do you know what we're
12 talking about?
13 MR. FINERTY: Just answer his
14 question and we'll move right along.
15 THE WITNESS: All right.
16 Q At some point Marilyn Figueroa filed a complaint
17 with the Equal Rights Division. Do you recall that?
18 A Yes.
19 Q And do you recall whether or not you assisted the
20 office of the City Attorney to provide answers to
21 the investigator?
22 A I don't recall. I may have but I don't know.
23 Q Did they consult with you at all during this period
24 of time?
25 A Not that I remember, but I don't know for certain.
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1 MR. ARELLANO: Let me ask you to
2 mark this document.
3 (Exhibit No. 26 marked
4 for identification)
5 Q Let me go back to Exhibit 25, Mr. Christofferson.
6 You have testified that the Mayor gave you this
7 information, that the Mayor refused to be coerced
8 into reentering a relationship that could destroy
9 his family. Did he explain to you how Marilyn
10 attempted to coerce him into reentering the
11 relationship?
12 A If you had asked me that at the time, I probably
13 could have told you but I can't today.
14 Q Well, what specific reasons did he give you for
15 ending the relationship as he told you?
16 A You know, I don't recall the reasons.
17 Q Let me show you Exhibit 26.
18 (Exhibit No. 27 marked
19 for identification)
20 Q All right.
21 A Okay.
22 Q The document that is before you which I believe has
23 been marked as Exhibit --
24 A 26.
25 Q -- 26 was produced by you via your attorney. Did
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1 you in any way help to prepare the answers
2 illustrated in these documents, sir?
3 A No.
4 Q When did you receive a copy of that document?
5 A Well, it looks like at the time it was filed.
6 Q Do you recall whether or not the City Attorney's
7 office ever contacted you in order to put together
8 these answers?
9 A I recall they did not contact me.
10 Q Did you ever disclose to the City Attorney's office
11 the fact that Anne Shindell -- Before December 1st,
12 2000 did you disclose to the City Attorney's office
13 that Anne Shindell had informed you and others that
14 she had received a letter from Marilyn Figueroa's
15 doctor?
16 A No.
17 Q All right. Okay. Let's see where we are here.
18 Exhibit No. 27, sir. Did you prepare that record?
19 A Yes.
20 Q And that is a document that you prepared for
21 Ms. Susan Mudd?
22 A Correct.
23 Q Is that correct?
24 A That's correct.
25 Q And did you consult with Ms. Mudd before preparing
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1 this document?
 2 A I don't believe I consulted with her, no.
 3 Q The information that you have in this Exhibit 27,
 4 where did you get this information from?
 5 A Well, from conversations with her and the Mayor.
 6 Q She told you that she had been aware of the
 7 relationship for some time?
 8 A I knew that.
 9 Q When did you learn that she had been aware of this
 10 relationship?
 11 A On January 4th, the day that he, or January 6th, the
 12 day he told me he was going home to tell her.
 13 Q Did she tell you --
 14 A This was written some time later.
 15 Q Did Ms. Mudd tell you that she was aware of this
 16 relationship before January 4th?
 17 A No.
 18 Q Do you know when she became aware of this
 19 relationship?
 20 A To my knowledge she became aware of it the day that
 21 I became aware of it and the Mayor went home and
 22 subsequently told her.
 23 Q When did you prepare this Exhibit 27?
 24 A I am not certain. It was in connection with one of
 25 these others, but whether that was the April

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1 statements, whether it was later, I don't know.
 2 Q Do you know if this document was released to Susan
 3 Mudd?
 4 A I think so.
 5 Q Was this document also released to others within the
 6 group?
 7 A I'm not -- I'm not sure.
 8 Q How did you convey this message to Ms. Susan Mudd,
 9 send it via mail or give it to John Norquist or how
 10 did that happen?
 11 A I don't know.
 12 Q All right. Do you recall any one time when
 13 Ms. Shindell gave or made a statement to the press,
 14 to the public on her own without you providing her
 15 with a statement?
 16 A Yes.
 17 Q Do you know how many times she did that?
 18 A Oh, quite a number.
 19 Q Did she consult with you before making press
 20 statements?
 21 A Sometimes.
 22 Q Did that cause a problem with you when she would
 23 talk to the press without consulting with you?
 24 A No.
 25 Q It was okay with you?

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1 A It was -- yes, it was okay with me.
 2 (Exhibit Nos. 28, 29 and 30
 3 marked for identification)
 4 MR. ARELLANO: I'm going with
 5 Exhibit 28, Counsel.
 6 MR. SCHRIMPF: Counsel, I would
 7 just object because we are still reviewing
 8 Exhibit 29.
 9 (Exhibit Nos. 31 through 34 marked
 10 for identification)
 11 MR. ARELLANO: All right. Where
 12 are we?
 13 MR. SCHRIMPF: Just a minute,
 14 Counsel. We're still reviewing Exhibit 32.
 15 (Exhibit No. 35 marked for
 16 identification)
 17 MR. ARELLANO: Can I have whatever
 18 you're done with, please?
 19 MR. SCHRIMPF: Thank you.
 20 MR. ARELLANO: Very good.
 21 Q Let's go back to Exhibit 28. Did you prepare that
 22 record, sir?
 23 A Yes.
 24 Q And there are a total of two drafts of the same
 25 content; is that correct?

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1 A Correct.
 2 Q And those two were prepared by you; is that true?
 3 A Right.
 4 Q Do you know when you prepared those two records?
 5 A Probably the day before, November 29th or 30th of
 6 2000.
 7 Q All right. Let me have that. And again, all the
 8 information that is contained in Exhibit 28 would
 9 have been information that you received from
 10 Mayor Norquist?
 11 A I believe so.
 12 Q All right. Now let me ask you to review Exhibit 29,
 13 I believe.
 14 A Uh-huh.
 15 Q You prepared this record?
 16 A Yes.
 17 Q Okay. Let me direct your attention to the fourth
 18 paragraph. By the way, did you circulate this
 19 record to anyone, sir?
 20 A No.
 21 Q You wrote in this document, "When she didn't get the
 22 promotion she wanted in the Mayor's office, she quit
 23 coming to work." Is that something the Mayor told
 24 you?
 25 A No.

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1 Q What specific evidence do you have to make that
2 claim, sir, that Marilyn Figueroa stopped coming to
3 work because she didn't get a promotion?
4 A I'm aware of that. This statement may have
5 compressed two incidents but --
6 Q I'm talking about specific evidence which led you to
7 conclude that Marilyn was not returning to work
8 because she did not get a promotion. What evidence
9 do you have?
10 A None.
11 Q Okay. Now, you wrote in the fifth paragraph, "This
12 is not about harassment or discrimination. It's
13 about money and revenge." What evidence do you have
14 to claim that Marilyn is engaged in some type of
15 revenge?
16 A None. That's my personal conclusion.
17 Q And on what do you base that conclusion, sir?
18 A I base that on what I have heard about the case
19 primarily from the Mayor.
20 Q Well, did the Mayor tell you that in his view
21 Marilyn was being revengeful?
22 A I don't believe so. I don't know if he ever used
23 that word.
24 Q Well, what words did he use which led you to
25 conclude she was being revengeful as you've put it

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1 in this Exhibit 29? Tell me specifically.
2 A I don't know what specific words he used.
3 Q And again, all the accusations that you have made
4 against Marilyn is from information you received
5 from the Mayor?
6 MR. FINERTY: Objection to the
7 characterization that he's made any accusations
8 against anyone.
9 Q Is that correct?
10 A It's correct that I have not made any accusations
11 and no one except people here today have seen this
12 either.
13 Q Well, my question is --
14 MR. FINERTY: Let the record
15 reflect he's referring to the exhibit in front of
16 him, No. 29.
17 Q "The Mayor refused to be coerced into reentering a
18 relationship that would be destructive to his
19 family." That is information you got from the
20 Mayor; is that correct?
21 A That's correct.
22 Q All right. Exhibit 30, did you prepare that record,
23 sir?
24 A Yes.
25 Q In the third paragraph you wrote, "This is one

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1 reason Ms. Figueroa and her attorney chose to file
2 with the state Equal Rights Division instead of
3 pursuing a lawsuit." When did you write this
4 record?
5 A Right after the claim was filed with the Equal
6 Rights Division, whenever that was.
7 Q All right. Do you know if she filed any other
8 claims other than the ERD?
9 A Well, the federal EEOC which had dismissed it
10 previously which I mentioned in this statement.
11 Q So she had also filed with the federal court, I mean
12 with the federal EEOC; is that correct?
13 A That's correct. That had been dismissed at the time
14 I wrote this however.
15 Q Is that correct?
16 A Yes.
17 Q So when did you actually write this document?
18 A When the ERD complaint was filed.
19 Q All right. Exhibit 31, did you prepare that record,
20 sir?
21 A Yes, I did.
22 Q All right. And did you circulate that record?
23 A Did I circulate it? I believe I gave it to the
24 Mayor or someone in his office.
25 Q This document, Exhibit 31, what was the objective of

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1 this record?
2 A The objective of this record was to give the Mayor
3 something to say besides no comment when he was
4 asked about this case.
5 Q So basically to avoid talking about the rumors and
6 allegations?
7 A No. This -- I believe this was later than that.
8 Q It was after the filing of the complaint?
9 A I believe so.
10 Q All right. Exhibit 32, did you prepare this record?
11 A Yes. Well, I -- Let me read the whole thing. Yes.
12 Q Is that right?
13 A Yes.
14 Q This Exhibit 32 is titled "Statement of Anne
15 Shindell, March 13th, 2001"; correct?
16 A Yes.
17 Q Did you give this document to Ms. Shindell?
18 A Yes, I believe so.
19 Q Do you know when you prepared this document?
20 A Well, the way these things work, probably on
21 March 12th or the 13th. The last minute, I presume.
22 Q Do you know if this document was released to the
23 press or to the public?
24 A I don't know.
25 Q In this record, the first paragraph you claim that a

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1 sexual relationship between Norquist and Figueroa
2 began in November 1994 and was initiated by
3 Ms. Figueroa. Did I read that correctly?
4 A Yes.
5 Q Where did you get that information from?
6 A From the Mayor.
7 Q Did he tell you when in '94 the relationship
8 started?
9 A Well, it says November '94.
10 Q Did he tell you when, what day?
11 A No.
12 Q Week?
13 A November.
14 Q And he says that "who invited Mr. Norquist to her
15 home and drove him there in her car"?
16 A Correct.
17 Q Did he tell you anything about that particular
18 incident?
19 A Not, not in any detail. He told me that she drove
20 him to her home, that they ended up having a sexual
21 encounter and I believe then she drove him home.
22 Q Did he tell you where the encounter occurred?
23 A No.
24 Q And then you said, "Mr. Norquist said at the outset
25 that the relationship would not lead to anything

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1 permanent and Ms. Figueroa said that that was fine."
2 Where did you get that information from?
3 A From the Mayor.
4 Q All right. And "that the relationship was not
5 serious but just 'fun.'" Did I read that correctly?
6 A (Nodding).
7 Q Where did you get that information from?
8 A Same source.
9 Q Did he tell you anything beyond what you wrote in
10 this document?
11 A I don't believe so.
12 Q He told you that on that day there was sexual
13 contact?
14 A Yes.
15 Q Is there a reason why you didn't include that in
16 your first paragraph of Exhibit 32 back in the year
17 2001 when you prepared this document?
18 A This was not an attempt to give a detailed blow-by-
19 blow of the relationship. It was to summarize. It
20 says, "The sexual relationship began in November
21 1994 when she invited him to her home and drove him
22 there in her car." I think the reasonable
23 conclusion is that they had sex.
24 Q Well, did Mr. Norquist ever detail for you each
25 encounter?

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1 A No.
2 Q I believe you testified that he told you that there
3 were 10 to 12 encounters?
4 A I believe eight to 10.
5 Q Did he tell you who started those encounters?
6 A Yes. He said in November 1994 Marilyn Figueroa
7 invited him to her house, drove him there in her car
8 and they ended up --
9 Q What about '95, were there any encounters according
10 to the Mayor?
11 A I don't know.
12 Q What about '96?
13 A I don't know. I know what's in this statement which
14 is the first one and the last one.
15 Q I understand that. What about '97?
16 A I don't know.
17 Q Did he disclose any encounters?
18 A No.
19 Q '98?
20 A No.
21 Q 1999?
22 A Yes.
23 Q How many?
24 A One that I'm aware of.
25 Q When did that occur?

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1 A October or November of 1999.
2 Q In October how many encounters did he tell you had
3 taken place?
4 A I cannot tell from this what the specific dates were
5 of any of these.
6 Q Well, how many encounters do you recall he mentioned
7 had taken place in October of 1999?
8 A One which is listed here.
9 Q Did he disclose any other encounters in 1999?
10 A Well, according to this --
11 Q Well, I'm talking about according to what you know.
12 A Well, this is what I know.
13 Q Okay.
14 A This is why I wrote it down.
15 Q Okay. How many encounters did he disclose for 1999?
16 A It's difficult to tell. It appears something --
17 probably one in October and one in November, but I
18 can't even say that with certainty. There are not
19 specific dates attached to these.
20 Q So far you think he disclosed to you two in 1999?
21 A I believe so.
22 Q What about 1998?
23 A I don't know.
24 Q What about 1994, was there only one or more than
25 one?

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1 A I don't know. Whether you ask me backwards or
2 forwards, I still don't know.
3 Q All right. The eight or 10 encounters that you have
4 disclosed here today, did he tell you who initiated
5 those encounters?
6 A Not specifically, no.
7 Q Did he tell you where all of these encounters
8 occurred?
9 A No. Some.
10 Q Which ones did he disclose to you?
11 A Well, at least a couple that took place at her home.
12 Q Okay. Do you recall what year these two took place
13 at her home?
14 A Well, 1999, one that's contained in this document.
15 Q What about the other one?
16 A I don't know. Well, the other one in 1994.
17 Q So the only two that you can recall would have been
18 the one in '94 and the one in 1999?
19 A The only ones that have a specific date attached,
20 yes.
21 Q Okay. I just want to understand this. Did he tell
22 you who initiated these eight to 10 sexual meetings?
23 A Well, as -- yes. He said she initiated the first
24 one.
25 Q Okay. What about the other eight?

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1 acts were undertaken by him and Marilyn?
2 A I believe he said there was one that took place in a
3 car.
4 Q What kind of sex act occurred in the car?
5 A Oral sex I believe.
6 Q Where did that occur?
7 A I don't know.
8 Q Any other place that he may have disclosed to you?
9 A No.
10 Q Did he ever tell you that sexual acts were taking
11 place in the office?
12 A No.
13 Q Did you ask him about that?
14 A No.
15 Q If sexual acts would have taken place in the office,
16 do you think that would have been the proper thing
17 to do?
18 MR. FINERTY: Objection.
19 MR. SCHRIMPF: I'll join that
20 objection.
21 Q Go ahead, sir.
22 A Do I think it would have been the proper thing to
23 do?
24 Q Right.
25 A No.

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1 A I did not go through it point-by-point with him.
2 Q Okay.
3 A It sounded to me like it was -- my impression was
4 that it was mutual.
5 Q What led you to believe that?
6 A Well, his description of how sometimes she would
7 call him at his home, come and pick him up in her
8 car, take him to her house, bring him home
9 afterwards. That sounded to me like a mutual
10 arrangement.
11 Q Did he tell you when she picked him up --
12 A No.
13 Q -- at his home?
14 A Well, perhaps, but if he did, I don't remember.
15 Q Did you write any notes about --
16 A No.
17 Q -- when he was telling you these things?
18 A No.
19 Q Before you prepared this record did you write any
20 notes of your discussions with Mayor Norquist
21 regarding the sexual encounters?
22 A I don't believe so. I may have taken enough notes
23 to prepare this. I don't know.
24 Q Other than encounters occurring at her home or his
25 home, did he disclose any other place where sexual

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1 Q All right. Let me have that exhibit so we can keep
2 them all right here. Exhibit 33, I believe.
3 A Yes.
4 Q Let me just go back to Exhibit No. 32. You wrote
5 this as the statement of Anne Shindell; correct?
6 A Correct.
7 Q That was basically your statement; right? This was,
8 this was a statement that you prepared under her
9 name; true?
10 A Well, it was a statement that I prepared for -- that
11 I prepared under her guidance and the Mayor's I
12 would say. She happened to be the person who issued
13 it and made it. It's her statement. I helped
14 prepare it.
15 Q Did she dictate this statement to you?
16 A No.
17 Q Did she tell you what to say?
18 A We discussed it. I believe the content of this
19 statement is similar to a filing that was made on
20 the Mayor's behalf.
21 Q When did you discuss this statement, Exhibit 32,
22 with Ms. Shindell?
23 A Well, at some time before she made it.
24 Q Where did you discuss it?
25 A Where?

224

1 Q Yes.
2 A I don't know. It may have been in her office, it
3 may have been on the telephone.
4 Q Who was present when you discussed these facts?
5 A Well, if it was on the telephone, no one, but I
6 don't know.
7 Q Was the Mayor present when you discussed this with
8 Ms. Shindell?
9 A No.
10 Q Did the Mayor review this record before it was
11 issued?
12 A I don't believe so, but if I may go beyond that, I
13 believe this is based on a legal document that had
14 already been filed.
15 Q Okay. Who filed the legal document?
16 A I believe it was filed by Anne Shindell as part
17 of -- as a supplement to a filing from the City
18 Attorney's office as I recall.
19 Q So you prepared the document so that it could be
20 filed pursuant to Marilyn Figueroa's complaint?
21 A No, no.
22 Q That's what I thought you said. Why don't you
23 clarify it for me.
24 A No, no, I said this was based on a legal document
25 that had already been filed.
225

1 MR. SCHRIMPF: And for the record
2 this is Exhibit 32?
3 Q Exhibit 32. This content -- The contents of
4 Exhibit 32 come from another document that was
5 already filed?
6 A I believe so.
7 Q And who prepared this other document that you're
8 referring to?
9 A Anne Shindell.
10 Q So are you telling me that all of the information
11 that you have in Exhibit 32, you took it from a
12 document that Ms. Shindell filed pursuant to Marilyn
13 Figueroa's legal claim?
14 A I'm saying this is based on that. I don't know
15 specifically that every fact in there is from the
16 document, but it --
17 Q All right. Where are the rest of the exhibits?
18 There we go, right there. Exhibit 35, when did you
19 receive that document, Mr. Christofferson?
20 A It appears on the 14th of March. There doesn't seem
21 to be a year on here. I guess 2001.
22 Q How did you end up getting this document?
23 A It was faxed to me by the Shindell Law Office it
24 appears.
25 Q Did you request that document?
226

1 A Could I have a minute? I'm not even sure what this
2 document is.
3 Q All right. Take a second. I want to make sure you
4 understand what you're telling us here or at least
5 you know.
6 MR. SCHRIMPF: Can we take a short
7 break too, Counsel?
8 MR. ARELLANO: Sure.
9 MS. AURIT: Going off the record.
10 (Recess)
11 (Exhibit No. 36 marked
12 for identification)
13 MS. AURIT: We are back on the
14 record.
15 Q Let me show you, Mr. Christofferson, I want to
16 skip a couple exhibits out of order, showing you
17 Exhibit 36.
18 A I already have two. Are you aware of that?
19 Q I'm sorry. I stand corrected. I apologize. Let's
20 organize this thing. The statement of Anne
21 Shindell. The statement of Anne Shindell, did you
22 prepare this record, sir?
23 MR. SCHRIMPF: What exhibit number,
24 Counsel?
25 MR. ARELLANO: I think it's --
227

1 THE WITNESS: 33.
2 MR. ARELLANO: -- 33.
3 Q Did you prepare this record, sir?
4 A Yes.
5 Q And this document, where did you get the information
6 which prompted you to prepare this document,
7 statement of Anne Shindell?
8 A From her.
9 Q In this second paragraph she states that "My sons
10 and I experienced some traumatic, devastating
11 personal and professional losses and betrayals in
12 the late 1990s." Did I read that correctly?
13 A Yes.
14 Q Is that information she provided to you?
15 A Yes.
16 Q What types of betrayals did she disclose to you?
17 A Well, she disclosed that her husband and someone who
18 was handling the finances for their law firm had had
19 an affair and that the woman handling the finances
20 also had embezzled a substantial amount of money.
21 Q Did she disclose any type of abusive spousal
22 relationship?
23 A No.
24 Q Did she ever tell you that she had been the subject
25 of any type of spousal psychological abuse?
228

1 A No.
 2 Q Was this document ever released to the press, or
 3 statement?
 4 A I believe so.
 5 Q All right. Did Ms. Shindell ask you to prepare this
 6 statement for her?
 7 A Yes.
 8 Q All right. Did you have anything to do with
 9 removing Ms. Shindell as the personal attorney for
 10 John Norquist?
 11 A No.
 12 Q All right. Now, before we took a short break you
 13 were identifying Exhibit 35; is that correct?
 14 A Correct.
 15 Q And can -- and I believe you requested a little time
 16 to review the record?
 17 A Right. I just wanted to be sure what the document
 18 was.
 19 Q And now can you tell us what that document purports
 20 to represent?
 21 A Well, it says it's a Notice of Claim on Behalf of
 22 Marilyn Figueroa from John Fuchs.
 23 Q All right. And I believe you testified that you
 24 received that document sometime in --
 25 A It appears on the 14th of March.

229

1 Q Okay.
 2 A 2001.
 3 Q And I believe you received that from Ms. Shindell;
 4 is that correct?
 5 A Correct.
 6 Q Is that a record that you requested?
 7 A That I requested? I don't believe so.
 8 Q Why would Ms. Shindell send you that document,
 9 Exhibit 35?
 10 A So that I would be aware of what was happening in
 11 the case I expect.
 12 Q Okay. Did you discuss any aspects of this
 13 Exhibit 35 with Mayor Norquist?
 14 A I don't believe so.
 15 Q Did you review the document once you received it?
 16 A Well, I presume I did. If I did, it must have been
 17 cursory because I don't remember ever seeing the
 18 \$5 million figure before.
 19 Q But did you review it enough to know what
 20 Ms. Figueroa was claiming?
 21 A Yes.
 22 Q All right. And did you discover by reviewing that
 23 document, Exhibit 35, that she was claiming that
 24 Mr. Norquist had used his position to obtain sexual
 25 favors?

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1 A Yes.
 2 Q All right. Once you learned that Ms. Figueroa -- in
 3 essence you learned at some point after you received
 4 Exhibit 35 early in the year 2000, you discovered
 5 that she had a disputed version as far as the
 6 relationship was concerned; true?
 7 MR. SCHRIMPF: I'm going to object
 8 because I don't understand the question, but if
 9 the witness does, that's fine.
 10 Q Go ahead.
 11 A That I understood there was more than -- that she
 12 had a different version of the story than the
 13 Mayor's?
 14 Q Correct.
 15 A I had always understood that.
 16 Q What do you mean you always? You mean since
 17 January 6th?
 18 A I hadn't known the details but if we were talking
 19 about sexual harassment, clearly she had a
 20 different --
 21 Q Version.
 22 A -- opinion than he did.
 23 Q All right. And up to that point when you received
 24 this document right here, did you ever sit down with
 25 Mayor Norquist to go over each allegation that

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1 Marilyn Figueroa was making?
 2 A No.
 3 Q All right. At some point, as I understand, you
 4 suggested, did you not, that the Mayor disclose his
 5 relationship to the public?
 6 A Yes.
 7 Q And I believe that was on December 1st of the year
 8 2000; correct?
 9 A No, no, wrong. It was discussed long before that.
 10 The first time I suggested that was probably in
 11 April, maybe sooner.
 12 Q Before the election or after the election?
 13 A Probably right after.
 14 Q Do you know why the Mayor delayed his disclosure
 15 until December 1st of the year 2000?
 16 A Well, I believe there was hopes that there might be
 17 some kind of other way to resolve it, that there
 18 might be a settlement or something might happen,
 19 that this wouldn't become a public confrontation.
 20 Q What prompted the disclosure on December 1st of the
 21 year 2000 on the part of the Mayor regarding his
 22 version of a consensual relationship?
 23 A He and his wife decided that rather than give in to
 24 demands and pay a monetary settlement that he was
 25 prepared to make this public and get rid of any

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1 threat that might be hanging over him and handle it
2 that way.
3 Q Were you present when the two of them had this
4 discussion?
5 A No.
6 Q Did you have any input with respect to --
7 A No.
8 Q -- that?
9 A I discussed this with them much earlier, but, no.
10 Q Let me have that. Let me show you now what has been
11 marked as Exhibit 36.
12 A Yes.
13 MR. SCHRIMPF: Could the witness
14 identify that?
15 Q Exhibit 36 I believe is the statement of Anne
16 Shindell, March 13, 2001; is that correct?
17 A Correct.
18 Q Did you prepare this document, sir?
19 A I believe so. It seems to me to be identical to the
20 one we looked at a little while ago.
21 Q All right. Very good. Let me see that.
22 A Except that the print is bigger.
23 Q All right. Now let me show you what has been marked
24 as Exhibit 34 which I believe is another statement
25 that you prepared on your behalf?
233

1 A Correct.
2 Q Is that correct?
3 A Correct.
4 Q When did you prepare this record?
5 A Well, probably December 5th of 2000.
6 Q When was the first time that you mentioned anything
7 related to having offered Marilyn Figueroa a
8 position while you were the Chief of Staff?
9 A When was the first time I mentioned that?
10 Q Right.
11 A Probably in this instance.
12 Q Okay. As I understand pursuant to this exhibit,
13 Exhibit 34, it is your position that while you were
14 the Chief of Staff you offered Marilyn the block
15 grant department directorship?
16 A Correct.
17 Q Is that correct?
18 A Yes.
19 Q And it is your position in this record that you
20 offered that on at least two occasions?
21 A Correct.
22 Q One in '96 and one in 1999; correct?
23 A '96 and '98.
24 Q '98, thank you. Other than your own statements, do
25 you have any records, letters, memos that would
234

1 support your contention that you offered Marilyn
2 Figueroa the block grant position on two occasions?
3 A Only her response in the magazine article where she
4 acknowledged that.
5 Q She acknowledged in the Madison -- in the Milwaukee
6 Magazine that you did offer her that position?
7 A I believe so.
8 Q Okay. Let's take a look at that one. Where are we,
9 Madison Magazine.
10 (Exhibit Nos. 37 and 38 marked
11 for identification)
12 MR. FINERTY: For the record, it's
13 Milwaukee Magazine.
14 Q Let me show you what has been marked as Exhibit 37
15 which I believe is a copy of the Milwaukee Magazine
16 you submitted to your attorney pursuant to our
17 Subpoena Duces Tecum. Can you look at that document
18 and tell me where Marilyn Figueroa acknowledges that
19 you offered her any position?
20 A Well, yes. Would you like me to read this?
21 Q Why don't you read the passage where your name and
22 the position is mentioned.
23 A Okay. "Or how the Mayor's chief campaign strategist
24 and then Chief of Staff Bill Christofferson had
25 twice offered her a job running the community
235

1 development block grant office. She knew it was a
2 hot seat job where people were always being pushed
3 out, a job that required technical skills she did
4 not have and she was not going to commit
5 professional suicide by taking it."
6 Q And when -- This particular position that you
7 offered Marilyn, what were the requirements for that
8 position, sir?
9 A The requirements were that I believe Marilyn had
10 absolutely the best background and resume for that
11 job. She had -- she had served on the block grant
12 policy committee as the Mayor's representative for a
13 number of years, she knew the process, she knew
14 everyone on staff in the block grant office, she had
15 a good relationship with the community groups who
16 were funded through the office. Frankly, there is
17 nobody who probably was more knowledgeable about
18 that than Marilyn.
19 Q Do you have a job description for that position?
20 A No.
21 Q Do you know what the job description for that
22 position was at the time?
23 A No.
24 Q Do you know today what is the job description for
25 that position?
236

1 A No, but I know that I was authorized to offer it to
2 her, and when she didn't take it, I offered it to
3 somebody else.
4 Q Who authorized you to offer it to Marilyn?
5 A I had that authority as the Chief of Staff.
6 Q And when did you actually talk to her about that
7 position?
8 A Well, at the time that we were going to make a
9 change on two occasions.
10 Q Who did you offer the position to eventually?
11 A Eventually the first time Steve Holt became the
12 block grant director.
13 Q Where did Mr. Holt come from?
14 A Within City government. I've forgotten whether he
15 was in the budget office maybe or --
16 Q Did you know Mr. Holt before?
17 A Not really.
18 Q Did you interview him for the position?
19 A Yes.
20 Q Did he submit a resume for the position?
21 A I don't know.
22 Q Who else interviewed him besides you?
23 A I am not sure.
24 Q Was this position advertised?
25 A No.

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1 Q How did you make contact with Mr. Holt?
2 A I'm sorry, how --
3 Q How did you make contact with him?
4 A He was recommended to me I believe by David Reimer
5 who was the head of the Department of Administration
6 at the time.
7 Q Had you spoken to Mr. Holt before offering the
8 position to Marilyn?
9 A No.
10 Q Do you have any records that would reflect when you
11 actually spoke to Marilyn Figueroa --
12 A No.
13 Q -- about that position?
14 A No.
15 Q Do you know when Mr. Holt was hired for the
16 position?
17 A When he was hired?
18 Q Right.
19 A Well, I'd know if I referred to this statement.
20 Q Go ahead.
21 A Well, I guess I don't know precisely. I would say
22 November of 1996.
23 Q Where did you talk to Marilyn about that position?
24 A In the Mayor's office, her office or my office. I
25 don't know.

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1 Q Which one was it?
2 A One or the other.
3 Q Which one do you recall it was?
4 A Well, I don't recall.
5 Q What did she tell you?
6 A She told me she wasn't interested.
7 Q What reasons did she give you?
8 A She really didn't say. She said that wasn't
9 something she wanted to do.
10 Q Did she tell you at any time during that discussion,
11 did she tell you that she preferred to be next to
12 the Mayor?
13 A No.
14 Q That's something you assumed?
15 A No. I assumed that she had two opportunities to
16 move out of that office and turned them both down,
17 and I drew my own conclusion, that's true.
18 Q That -- You reached your own conclusion that she
19 wanted to be close to the Mayor?
20 A That she didn't want to leave the Mayor's office,
21 yes.
22 Q Did you ask her if that was, in fact, correct?
23 A No, I concluded that after the fact when this other
24 stuff became public frankly.
25 Q Right. You concluded that as part of your strategy

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1 to respond to her allegations?
2 A No, not as part of my strategy. The light came on
3 after this became public. I concluded, no wonder
4 she didn't want to leave the office, she only wanted
5 to work here.
6 Q What did you mean by that, Mr. Christofferson?
7 A That she wanted to be able to continue to have
8 access and the relationship with the Mayor.
9 Q Well, did you ever ask her those questions?
10 A No.
11 Q Did the Mayor tell you that that was the case?
12 A No.
13 Q Did you ever ask the Mayor why, why is it that she
14 didn't take those positions, the block grant
15 position?
16 A Why would I ask the Mayor that?
17 Q I'm asking whether or not before you --
18 A No.
19 Q -- reached your conclusions.
20 A No.
21 Q And in your letters you basically reached that
22 conclusion without conducting any investigation,
23 correct, that the reason why she turned down that
24 position was because she wanted to be close to the
25 Mayor?

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1 A This statement we're talking about doesn't reach 2 that conclusion at all. 3 Q But at least in other statements that's what you are 4 alluding; isn't that correct? 5 MR. FINERTY: Objection. Go ahead. 6 A That was my conclusion. 7 Q All right. 8 A Yeah. 9 Q Then you also claim that she was offered another 10 position with the City development department; 11 correct? 12 A Not precisely that she was offered, that she had 13 expressed an interest in it, that she probably could 14 have had the job, that I encouraged her but she 15 decided not to pursue it. 16 Q Okay. Let's talk about that one. When did she 17 express an interest in the City development area? 18 A During the time I was Chief of Staff. I don't know 19 specifically when. 20 Q Was that before you offered her the block grant 21 position? 22 A It was probably in between the two offers. 23 Q All right. And which specific position was she 24 looking for? 25 A I don't remember that. 241	1 except for the Mayor's office where she had access 2 to the Mayor. 3 Q Okay. Did she ever show interest in the Mike Dawson 4 position? 5 A Not while I was there. 6 Q Did you ever learn that she was interested in 7 becoming a liaison to the council? 8 A Yes. 9 Q When did that happen? 10 A After the position had already been filled and I had 11 left the Mayor's office. Someone else had been 12 hired as I understand it before Marilyn expressed 13 any interest. 14 Q Who was hired for that position? 15 A Well, as I recall, and I am not sure -- 16 Q I just want to know who was hired for that position. 17 A Brenda Wood, I believe. 18 Q All right. Who hired Ms. Brenda Wood for that 19 position? 20 A Jim Rowen. 21 Q All right. When did Marilyn express interest in 22 that position? 23 A After Brenda had been hired. 24 Q Okay. How do you know that? 25 A From talking to Jim Rowen. 243
1 Q And whatever happened to that position? 2 A Someone else was hired. 3 Q What happened to that position today? 4 A I don't know. 5 Q And did you offer her that position for the City 6 development? 7 A I was not in a position to offer that. 8 Q Do you know if anyone offered her that position? 9 A I believe before it got to that point she said she 10 didn't want to be considered. 11 Q Who told you that? 12 A Michael Morgan, I believe. 13 Q When did you speak with Mr. Morgan about that? 14 A At some point when this was taking place. 15 Q And here you believe that she turned down that 16 position as well because she wanted to be close to 17 the Mayor? Was that another conclusion that you 18 reached? 19 A Well, it's a reasonable conclusion. 20 Q Is that another conclusion you reached? 21 A I had a little different conclusion that -- yes. 22 Q All right. 23 A I think that contributes to the theory, yes, I do. 24 Q All right. Which theory, sir? 25 A The theory that she did not want to work anywhere 242	1 Q All right. He told you that? 2 A Yes. 3 Q All right. Let's go back to the City development 4 position. As I understand Marilyn came and told you 5 she was interested in that position? 6 A Correct. 7 Q Is that correct? And now your sworn testimony is 8 that Mr. Morgan told you that she had turned down 9 that position? 10 A No, no, no. That's not what I said. 11 Q I want to understand what you said. 12 A I said that she had told me she was thinking about 13 applying for this job at DCD, that I encouraged her 14 to do it, that from what I understood from people I 15 talked to later, she could have had the job, it was 16 pretty clear had she wanted it, she decided not to 17 pursue it. I don't believe she was ever offered the 18 job but she could have been had she wanted it. 19 Q Besides Mr. Morgan, who else -- what other people 20 you talked to about this particular issue? 21 A I don't recall. 22 Q Okay. Did you ever talk to Marilyn about what ever 23 happened to that position? 24 A I don't think so. 25 Q You just simply concluded that this was another 244

1 incident where she turned down an opportunity to
 2 leave the Mayor's office; is that correct?
 3 A She may have told me that she decided not to --
 4 Q Listen to my question.
 5 (Question read)
 6 A I'm not sure whether I concluded that or she told me
 7 that she had decided not to pursue it.
 8 Q All right. Do you know if that position was
 9 eventually eliminated?
 10 A No.
 11 Q To this date do you know if that position is still
 12 in existence?
 13 A I don't even know what the position was.
 14 Q Well, if you claimed that Marilyn told you that she
 15 was not interested in that position, what did she
 16 tell you?
 17 A I don't claim that. I said she may have told me
 18 that.
 19 Q Do you know when she may have told you that?
 20 A She may have told me that when she decided she
 21 wasn't interested.
 22 Q What did she say?
 23 A I don't know if she said anything.
 24 Q All right. You're assuming that she may have told
 25 you?

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1 A I'm assuming that she may have told me or I asked
 2 her or at some point I learned that she wasn't --
 3 Q All right?
 4 A -- pursuing it.
 5 Q All right. All right. We're going to just identify
 6 one more exhibit and then we'll proceed with the
 7 rest of your deposition on Wednesday. This record.
 8 Let me show you Exhibit 38 of your deposition.
 9 A I'm still hanging on to this, by the way.
 10 Q Which one? Yeah, that's fine.
 11 A Okay.
 12 Q Have you seen this document before,
 13 Mr. Christofferson?
 14 A Yes.
 15 Q Okay. When did you receive this record?
 16 A Well, it would appear on the 4th of December of
 17 2000.
 18 Q Did you review this record once you received it?
 19 A I'm certain I -- yes.
 20 Q Did you ever sit down with Mayor Norquist to go over
 21 each and every allegation?
 22 A No.
 23 Q Did Mayor Norquist ever discuss with you any sexual
 24 exchanges involving an apple --
 25 A No.

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1 Q -- with Marilyn Figueroa?
 2 A No.
 3 Q Did you read anything about allegations involving an
 4 apple in this complaint that is before you?
 5 A Yes.
 6 Q Did you ever discuss that issue with Mayor Norquist?
 7 A No.
 8 Q Do you believe an apple was involved during their
 9 sexual encounters?
 10 A I don't know.
 11 Q You never asked that question of Mayor Norquist?
 12 A No.
 13 Q All right. Did you believe Marilyn's allegation
 14 that Mayor Norquist would use an apple as a sexual
 15 toy or a game? Do you believe that allegation?
 16 A I didn't make a judgment about it.
 17 Q I said do you believe that?
 18 A Do I believe --
 19 Q Do you believe the allegation Marilyn is making in
 20 this complaint, that an apple was used between
 21 Mayor Norquist and Marilyn Figueroa?
 22 A I don't know whether to believe it or not.
 23 Q Do you believe she is being truthful with respect to
 24 that apple allegation?
 25 A I don't know.

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1 Q Okay.
 2 A I know that there are other things in here that are
 3 not true so it's difficult to judge.
 4 Q What about the apple allegation, is that true? Do
 5 you think that is true?
 6 A I don't know.
 7 Q Okay. Which allegations are not true in that
 8 complaint?
 9 A There are any number of things. You know, they are
 10 denying minority staff participation in decision
 11 making discussions, segregating staff meetings by
 12 ethnicity, maintaining a two-tiered system on the
 13 basis of color, contemplating implementation of
 14 policies targeting minority neighborhoods.
 15 I'm just getting started. Just a minute.
 16 Threats to affect the block grants for Latino and
 17 African-American groups, that she was -- that he
 18 threatened to withhold and reduce block grant
 19 dollars, that decisions about her promotion came
 20 from above, that she worked for a Latino leader that
 21 the Mayor didn't support. Those are some of the
 22 things in here that are not true or accurate.
 23 Q All right. With respect to the sexual claims that
 24 she has against the Mayor, do you have any reason to
 25 believe that they are not true?

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1 A Based on the amount of other misinformation or
 2 untrue statements in there, I have no reason to
 3 think they are true.
 4 Q Okay. Were you present at every encounter that
 5 Marilyn Figueroa and Mayor Norquist had?
 6 A Of course not.
 7 Q Were you present when Marilyn Figueroa dealt with
 8 block grants with the Mayor?
 9 A Sometimes.
 10 Q Were you present when the Mayor asked Marilyn --
 11 MS. AURIT: Excuse me. We're out
 12 of tape. I'm sorry.
 13 MR. ARELLANO: All right. We'll
 14 stop and we'll continue next time.
 15 THE WITNESS: All right.
 16 MR. ARELLANO: All right.
 17 MS. AURIT: Adjourning at 4:46.
 18 MR. ARELLANO: Okay.
 19 (Discussion held off record)
 20 Q You have produced Exhibits 7, 8 and 9; is that
 21 correct, Mr. Christofferson?
 22 A Yes.
 23 Q And are these tapes of press conferences involving
 24 the mayor?
 25 A They're tapes of television news coverage of the
 249

1 case, I believe.
 2 Q Okay. Very good. And you also have produced all
 3 your calendars up to February of the year 2000; is
 4 that correct?
 5 A Correct.
 6 Q Now, I would request, to save you an additional
 7 trip, that you make copies for the rest of the year
 8 2000 for the next meeting. That way we can save you
 9 lots of headaches.
 10 MR. ARELLANO: And one final
 11 thing which has nothing to do with you,
 12 Mr. Christofferson. Where are we with all of the
 13 materials that we've been waiting for quite some
 14 time, Counsel, including Mr. Soika's notes, the
 15 discrimination complaints that I requested some
 16 time ago?
 17 MR. FINERTY: Before we move on
 18 to that issue, I'd like to put --
 19 MR. ARELLANO: He's released.
 20 MR. FINERTY: From the
 21 subpoena.
 22 MR. ARELLANO: All right.
 23 MR. FINERTY: The tapes are
 24 Mr. Christofferson's originals. We're producing
 25 them for you to view but if he could have the
 250

1 originals back.
 2 MR. ARELLANO: I'd be happy to.
 3 MR. FINERTY: And we've produced
 4 documents to you. The City has also asked for
 5 copies but they're your documents we've produced
 6 pursuant to your subpoena so I would need your
 7 approval if they want copies.
 8 MR. ARELLANO: I don't have any
 9 objection once they are on the record. I will
 10 provide them with those that I have marked as
 11 exhibits.
 12 MR. FINERTY: Very good.
 13 MR. ARELLANO: All right. I
 14 believe today was the deadline to get a response
 15 from you, sir.
 16 MR. SCHRIMPF: I am very sorry, I
 17 have not had the opportunity because of our
 18 schedule to get the approval on the matter of the
 19 notes from Mr. Soika. You should -- So far as
 20 the personnel records are concerned, it's my
 21 understanding that they were sent --
 22 MS. GARCIA: We have personnel
 23 records. We don't have discrimination
 24 complaints.
 25 MR. ARELLANO: What about the other
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1 records we have requested such as the
 2 discrimination complaints?
 3 MR. SCHRIMPF: It was my
 4 understanding that Cheri and Ms. Teipner were
 5 working that issue.
 6 MR. ARELLANO: When can I expect
 7 you to give me a final word on the personal notes
 8 of Mr. Soika?
 9 MR. SCHRIMPF: I will -- I have to
 10 get the approval of the City Attorney, and I have
 11 not had a chance to meet with him on that
 12 particular issue.
 13 MR. ARELLANO: I understand that.
 14 That's what you told me but when can I expect
 15 some final finality?
 16 MR. SCHRIMPF: I will try to get
 17 that all done on Wednesday, by Wednesday.
 18 MR. ARELLANO: All right.
 19 MR. SCHRIMPF: I'm very sorry for
 20 the delay.
 21 MR. ARELLANO: Absolutely, no
 22 problem. Wednesday we can discuss that issue.
 23
 24 (adjourning at 4:50 p.m.)
 25 252

1 STATE OF WISCONSIN)
2 COUNTY OF DANE) ss.
3 I, PEGGY S. CHRISTENSEN, a Registered Professional
4 Reporter and Notary Public in and for the State of
5 Wisconsin, do hereby certify that the foregoing
6 videotape deposition was taken before me at the offices
7 of Palmer & Finerty, S.C., Attorneys at Law, 20800
8 Swenson Drive, Suite 425, City of Waukesha, County of
9 Milwaukee, and State of Wisconsin, on the 11th day of
10 March 2002, that it was taken at the request of the
11 Complainant, upon verbal interrogatories; that it was
12 taken in shorthand by me, a competent court reporter and
13 disinterested person, approved by all parties in
14 interest and thereafter converted to typewriting using
15 computer-aided transcription; that said deposition is a
16 true record of the deponent's testimony; that the
17 appearances were as shown on Page 3 of the deposition;
18 that the deposition was taken pursuant to Subpoena Duces
19 Tecum; that said WILLIAM L. CHRISTOFFERSON before
20 examination was sworn by me to testify the truth, the
21 whole truth, and nothing but the truth relative to said
22 cause.

23 Dated: March 22, 2002.

24
25 Registered Professional Reporter
Notary Public, State of Wisconsin
253