

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

MARILYN FIGUEROA,

Complainant,

-vs-

CITY OF MILWAUKEE,

Respondent.

ERD Case No.  
CR200003454

Videotape Deposition of:

MARILYN FIGUEROA

(Volume II)

Madison, Wisconsin  
March 6, 2002

Reporter: Taunia Northouse, RDR, CRR

VOLUME II of VIDEOTAPE DEPOSITION of

MARILYN FIGUEROA, the Complainant, called as a witness, taken at the instance of the Respondent, under the provisions of Chapter 885. of the Wisconsin Statutes, pursuant to notice duces tecum, before Taunia Northouse, a Registered Diplomate Reporter and Notary Public in and for the State of Wisconsin, at the offices of Wisconsin Bar Association, 5302 Eastpark Boulevard, City of Madison, County of Dane, and State of Wisconsin, on the 6th day of March 2002, commencing at 9:13 in the forenoon.

A P P E A R A N C E S

VICTOR M. ARELLANO, JAMES A. CATES and JOHN C. CARLSON, JR., Attorneys, for LAWTON & CATES, S.C., Attorneys at Law, 10 East Doty Street, Madison, Wisconsin, appearing on behalf of the Complainant.

BRUCE D. SCHRIMPF and LEONARD A. TOKUS, Assistant City Attorneys, and THOMAS HAYES, Deputy City Attorney, for CITY OF MILWAUKEE, OFFICE OF THE CITY ATTORNEY, 200 East Wells Street, Milwaukee, Wisconsin, appearing on behalf of the Respondent.

Also present: Barbara Teipner Wargolet and Cheri Garcia

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I N D E X

WITNESS

MARILYN FIGUEROA

Examination by Mr. Schrimpf

Examination by Mr. Arellano

Page(s)

161/320

319

E X H I B I T S

No. Description

Identified

5 Telephone bills

217

6 Photocopy of photograph of bracelet

232

(Attached to the original transcript and copies provided to counsel)

(Original transcript filed with Attorney Schrimpf)

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MARILYN FIGUEROA,

called as a witness, being first duly sworn, testified on oath as follows:

EXAMINATION

By Mr. Schrimpf:

Q Good morning, Ms. Figueroa.

A Good morning.

Q Between last night and this morning have you had an opportunity to review any documents of any kind for purposes of the continuation of your deposition?

A No, I haven't.

Q Prior to the commencement of the deposition yesterday, had you reviewed any documents?

A My complaint.

Q Your complaint. Which complaint, please?

A That I filed.

Q Well, the reason why I ask which complaint is because as I recollect, there was a complaint dated October the 11th and then there was another complaint that was dated November 27th and then there was a complaint dated December 4th and then there was a second amended complaint and a third amended complaint. Did you review all those documents?

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1 A No. Just my last complaint.  
 2 Q I'm sorry?  
 3 A My last complaint.  
 4 Q The third amended complaint is the document that you  
 5 reviewed?  
 6 A Yes.  
 7 Q Did you review any other documents in preparation  
 8 for your deposition?  
 9 A No.  
 10 Q For purposes of your deposition, was any chronology  
 11 prepared by anyone?  
 12 A No. I tried to but no.  
 13 MR. ARELLANO: Marilyn, just answer  
 14 the question.  
 15 THE WITNESS: Yes.  
 16 Q I have the following addresses for you and the  
 17 following dates that I have been able to develop  
 18 from other documents. And I'm just wondering if you  
 19 could tell me if this information is accurate or not  
 20 accurate. And if it's not accurate, if you could  
 21 tell me the correct information. Okay?  
 22 A Yes.  
 23 Q I show you for purposes of the time that you were  
 24 employed by the City of Milwaukee, and specifically  
 25 the Mayor's office, I show you living at 1129-A  
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1 South 22nd Street, Milwaukee, 53204?  
 2 A Yes.  
 3 Q As of May 11th, 1992. Is that --  
 4 A I don't recall the date, but I lived there, yes.  
 5 Q Well, if, for example, records of the Mayor's office  
 6 would indicate that these are the dates, would you  
 7 have any basis for disputing the dates?  
 8 A I guess I would only have to look at dates before I  
 9 can answer that of like bills and stuff.  
 10 Q You mean for utilities and that kind of thing?  
 11 A Yes, yes.  
 12 Q And I show you as living at 1230 South 26th  
 13 Street --  
 14 A Yes.  
 15 Q -- as of March 28th, 1993.  
 16 A Again, I can't -- I know that I lived there.  
 17 Q Okay.  
 18 A I don't remember the exact dates.  
 19 Q And I show you living at 912 South 19th Street,  
 20 Milwaukee, 53204 as of October 24th, 1994?  
 21 A '94?  
 22 Q Yes, ma'am. Well, October 24th of '94, fairly late  
 23 in the year.  
 24 A I don't recall. I know it was, the lease was up.  
 25 It was the option to own and I -- I'm sorry, I don't  
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1 remember the dates.  
 2 Q Do you remember who the owner of 912 South 19th  
 3 Street was?  
 4 A SCO, South Community Organization.  
 5 Q You mentioned that, thank you. And then I show you  
 6 resided once again at 1230 South 26th Street,  
 7 Milwaukee?  
 8 A Yes.  
 9 Q 53204?  
 10 A Yes.  
 11 Q As of October 23rd, 1995?  
 12 A Again, I -- I can't give you at this point direct  
 13 yes because I'm -- I don't recall the dates.  
 14 Q Then I show you living at 3118 West Fardale,  
 15 Apartment 5 as of April 1st, 1996.  
 16 A I think that's correct.  
 17 Q Do you still have a copy of the lease from  
 18 912 South 19th Street and 3118 West Fardale?  
 19 A No. But -- no.  
 20 MR. ARELLANO: There we go.  
 21 MR. SCHRIMPF: No coaching the  
 22 witness, counsel.  
 23 Q And then I show you as residing at 3149 South Pine  
 24 and you gave me the address of 3151.  
 25 A It's a small duplex that I used the whole house  
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1 because it's a small duplex, but it's the same  
 2 address.  
 3 Q Okay, Milwaukee 53207 as of roughly October 19th,  
 4 1998.  
 5 A No, I purchased the house in June of 1998.  
 6 Q In June of 1998. Do you know -- which part of the  
 7 house do you occupy at Pine? Is it the lower half  
 8 or the upper half?  
 9 A Both.  
 10 Q Does any part of your family live in one part to the  
 11 exclusion of the other part?  
 12 A No, no.  
 13 Q And you live at that address with your children?  
 14 A Yes.  
 15 Q And no one else lives at that address?  
 16 A No.  
 17 Q Either address, 3151 or 3149?  
 18 A My children.  
 19 Q Do you -- which is which? Is 3149 the upper?  
 20 A Yes.  
 21 Q And 3151 is the lower?  
 22 A Yes.  
 23 Q I asked you yesterday if you had been arrested for  
 24 anything, and you indicated that there had been an  
 25 arrest when there was the protest that took place?  
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<p>1 A Yes.</p> <p>2 Q And I think you said that was South Division High</p> <p>3 School in the bilingual program?</p> <p>4 A Yes, yes.</p> <p>5 Q Were there any other arrests?</p> <p>6 A Yes, there was.</p> <p>7 Q And what were those other arrests please, ma'am?</p> <p>8 A One was my -- before my ex-husband --</p> <p>9 MR. ARELLANO: I'm going to object</p> <p>10 on the grounds of relevance. Subject to that</p> <p>11 objection, she can answer.</p> <p>12 Q Subject to the objection, please answer the</p> <p>13 question.</p> <p>14 A My ex-husband, before he left our checks were with</p> <p>15 both of our names on the checks. He purchased many</p> <p>16 stuff and took the money out of the bank. And I was</p> <p>17 driving and I didn't have the sticker on my car, and</p> <p>18 so they stopped me for the sticker on my car. And</p> <p>19 they had some ticket -- some -- one of the</p> <p>20 creditors, or one of the people that he wrote a</p> <p>21 check to I guess filed some sort of action against</p> <p>22 us, but because he wasn't in town, I -- I was</p> <p>23 responsible for it because of the marriage of him.</p> <p>24 Q And was that in Milwaukee County?</p> <p>25 A Yes.</p> <p style="text-align: center;">166</p>	<p>1 Q Do you remember when it was, a calendar date?</p> <p>2 A No. It was at the Bob Dylan concert.</p> <p>3 Q Any other arrests?</p> <p>4 A No.</p> <p>5 Q Were you ever for any reason removed from any</p> <p>6 taverns or restaurants --</p> <p>7 A No.</p> <p>8 Q -- by the police?</p> <p>9 MR. ARELLANO: Same objection.</p> <p>10 Q Subject to the objection, by the police?</p> <p>11 A No-</p> <p>12 Q And have you covered all of the arrests --</p> <p>13 A Yes.</p> <p>14 Q -- that have occurred to you? Were you ultimately</p> <p>15 fined in any of those arrests? Did you have to pay</p> <p>16 a fine?</p> <p>17 MR. ARELLANO: Same objection.</p> <p>18 Q Subject to the objection.</p> <p>19 A I had to pay the check that my ex-husband has</p> <p>20 written, that he wrote, yes.</p> <p>21 Q Who is Gerald Jones?</p> <p>22 A He's the owner of the different, WAOV Radio Station.</p> <p>23 He has a contract with Potawatomi Bingo. He has</p> <p>24 several newspapers.</p> <p>25 Q When you gave the interview to Milwaukee Magazine,</p> <p style="text-align: center;">168</p>
<p>1 Q Do you remember when it was?</p> <p>2 A It was during the time that I worked at</p> <p>3 16th Community Health Center.</p> <p>4 Q And do you remember what year that was?</p> <p>5 A It was before the 1990 census because I worked there</p> <p>6 afterwards.</p> <p>7 Q But it was after you came back from San Diego to</p> <p>8 Milwaukee?</p> <p>9 A Yes.</p> <p>10 Q Were there any other arrests?</p> <p>11 A When I was younger, yes.</p> <p>12 Q And what were those?</p> <p>13 A One was we had a group of kids that went to --</p> <p>14 MR. ARELLANO: Subject to my</p> <p>15 previous objection.</p> <p>16 Q Please continue.</p> <p>17 A A concert, Bob Dylan concert, and there was a</p> <p>18 question that there was marijuana in our row.</p> <p>19 Q And what theater was this in?</p> <p>20 A I don't remember.</p> <p>21 Q Was it downtown Milwaukee?</p> <p>22 A It was Milwaukee, yes.</p> <p>23 Q Were you over the age of 18 at the time of this</p> <p>24 arrest?</p> <p>25 A Yes.</p> <p style="text-align: center;">167</p>	<p>1 did you have any notes with you?</p> <p>2 A No.</p> <p>3 Q Did you have any documents with you that you used</p> <p>4 for purposes of refreshing your recollection of</p> <p>5 events during the course of the interview?</p> <p>6 A No.</p> <p>7 Q Did you study any notes prior to the interview that</p> <p>8 you did not have with you at the interview?</p> <p>9 A No.</p> <p>10 Q Were there any other documents you studied in</p> <p>11 preparation for the interview that you did not</p> <p>12 actually have with you at the interview?</p> <p>13 A No. I don't recall any.</p> <p>14 Q You don't recall any? Had there been some, would</p> <p>15 you recall it?</p> <p>16 A I would think so, yes.</p> <p>17 Q Was the reporter given any documents with respect to</p> <p>18 that interview either by you or by your attorney?</p> <p>19 A What kind of documents?</p> <p>20 Q Any documents at all, anything that was on a piece</p> <p>21 of paper in writing.</p> <p>22 A No.</p> <p>23 Q Were any pictures given by you or your attorney to</p> <p>24 the writer of the article or the interviewer?</p> <p>25 A No.</p> <p style="text-align: center;">169</p>

1 Q I'm sorry?  
 2 A No.  
 3 Q Since yesterday have you been able to think of any  
 4 more episodes of where you claim the Mayor of the  
 5 City of Milwaukee was requesting sexual favors in  
 6 exchange for favorable consideration of block grant  
 7 proposals?  
 8 A I didn't --  
 9 Q You did not think of any more?  
 10 A I didn't think of any.  
 11 Q When you left the Mayor's office, do you know who  
 12 picked up your items from your office area and your  
 13 desk?  
 14 A I understand that Mike Soika and some other people  
 15 went straight to my office and took everything out  
 16 of my office.  
 17 Q Who were those other people?  
 18 A I think probably Ruth and clerical staff.  
 19 Q Well, are you speculating or do you know that?  
 20 A I received a call from one of the staff persons that  
 21 they went through my desk.  
 22 Q And who was the staff person that you received a  
 23 call from?  
 24 A Michael Miller.  
 25 Q Michael Miller? Did you receive a staff, a call

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1 from any other staff person?  
 2 A Kimberly Pratt.  
 3 Q Any other staff person?  
 4 A No.  
 5 Q Have you ever seen any of the items that were in  
 6 your office again after your departure from  
 7 employment?  
 8 A No.  
 9 Q Do you know where any of those items are today?  
 10 A I found out through Ruth's deposition that they have  
 11 them locked up somewhere.  
 12 Q And that would be the only basis of your knowing  
 13 about anything?  
 14 A Yes.  
 15 Q Did the Mayor ever give you a book that was in  
 16 celebration of the 150th anniversary of the City of  
 17 Milwaukee?  
 18 A Yes, he gave everyone one in the office.  
 19 Q Do you know where that book is today?  
 20 MR. ARELLANO: The book that Mayor  
 21 gave to Marilyn Figueroa?  
 22 MR. SCHRIMPF: Yes; that book.  
 23 A I think we have it.  
 24 Q You have it?  
 25 A Uh-huh.

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1 Q Your attorney has it?  
 2 A Yes.  
 3 MR. ARELLANO: Well, hold on a  
 4 second. Let me take a second with my client  
 5 to clarify a couple things.  
 6 (Recess)  
 7 A The book?  
 8 Q Okay. We're back on the record. Yes, ma'am.  
 9 A I found out that when they went through all my, they  
 10 took a big bin and threw all a bunch of stuff away  
 11 of mine and kept some stuff. And one of the stuff  
 12 that they threw away was the book. And I found out  
 13 that someone sent it to my attorney.  
 14 Q Did you find that out just now during the  
 15 conference, or did you know that before?  
 16 A I knew that before.  
 17 Q And --  
 18 A And it was anonymous. Someone sent it anonymous.  
 19 Q And do you know who that anonymous person was?  
 20 A No.  
 21 Q Do you have any --  
 22 MR. ARELLANO: Sorry, counsel.  
 23 MR. OLSON: I don't think that was  
 24 a silly question. I would have asked the same  
 25 question.

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1 MR. SCHRIMPF: I appreciate that,  
 2 Mr. Olson.  
 3 MR. ARELLANO: I'm sorry, counsel.  
 4 No offense. I was going to direct her not to  
 5 answer that.  
 6 Q Do you have any reason for believing who the  
 7 anonymous person is?  
 8 A No.  
 9 Q How do you know that the book had been thrown out?  
 10 A Because they went through, from what Michael Miller  
 11 and Kimberly told me, is they went through all my  
 12 stuff and just threw everything out and that book  
 13 was in my office.  
 14 Q Were there any other items that were thrown out that  
 15 you have since retrieved?  
 16 A Not that I recall.  
 17 Q Not that you recall?  
 18 A No.  
 19 Q But you know that the book had been thrown out and  
 20 retrieved?  
 21 A Yes.  
 22 Q And then sent by someone anonymously to  
 23 Mr. Arellano?  
 24 A Yes.  
 25 Q As I understand it, Mr. Arellano was not your first

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1 attorney in this matter?  
 2 A Yes.  
 3 Q He was your third attorney?  
 4 A Yes.  
 5 Q When was Mr. Arellano retained by you?  
 6 MR. ARELLANO: Well, go ahead. If  
 7 you know.  
 8 A I don't remember.  
 9 Q If I ask you various months, will that help you?  
 10 A It was after I found out through the media that  
 11 John Fuchs said that he wasn't my attorney, after I  
 12 filed --  
 13 MR. ARELLANO: Well, hold on a  
 14 second. I'm going to object and I'm going to  
 15 direct her not to answer with respect to any  
 16 communications she may have had with any of  
 17 her previous attorneys or her current  
 18 attorney.  
 19 Q So that we're understanding, Ms. Figueroa, I don't  
 20 want you to tell me about things you told your  
 21 attorney. I want to know when you retained  
 22 Mr. Arellano, if you know.  
 23 MR. ARELLANO: That's the question.  
 24 A I don't remember.  
 25 Q You don't remember. Was it after April of 2000?

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1 A Yes.  
 2 Q Was it after May of 2000?  
 3 A I don't recall.  
 4 Q Was it after June of 2000?  
 5 A I don't recall. I know it was after I filed my  
 6 claim.  
 7 Q And if you filed, are you referring to the document  
 8 filed with EEOC on October the 11th of 2000?  
 9 A Yes.  
 10 Q And so you retained Mr. Arellano after October 11th  
 11 of 2000?  
 12 A Yes.  
 13 Q How would the anonymous person know to send it to  
 14 Mr. Arellano?  
 15 MR. ARELLANO: I want to object.  
 16 It calls for speculation.  
 17 MR. SCHRIMPF: Well, if she knows.  
 18 Maybe she knows.  
 19 A I really don't know.  
 20 Q The magazine article, and when I say magazine  
 21 article I'm referring to the interview that you gave  
 22 to Milwaukee Magazine --  
 23 A Yes.  
 24 Q -- indicates that you wrote things out for Mr. Fuchs  
 25 in order to explain to him what had happened to you.

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1 Do you remember telling the reporter that?  
 2 A Yes.  
 3 Q And where is that document today?  
 4 A I think Mr. Fuchs has it.  
 5 Q Do you know if Mr. Fuchs ever gave that document to  
 6 Mr. Arellano?  
 7 A I think so.  
 8 Q When you wrote that document out, did you have any  
 9 help writing that document out?  
 10 A No.  
 11 Q When was that document written?  
 12 MR. ARELLANO: Which document are  
 13 we talking about?  
 14 MR. SCHRIMPF: The document she  
 15 references in the article that she wrote out  
 16 for Mr. Fuchs.  
 17 MR. ARELLANO: Well, which  
 18 document?  
 19 MR. SCHRIMPF: Off the record for a  
 20 second.  
 21 (Discussion off the record)  
 22 Q At page 100 of the article written as a result of  
 23 the interview you gave, the following appears.  
 24 A Can I see it?  
 25 Q The following appears. I'm about to read what the

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1 article says.  
 2 MR. ARELLANO: And then you can see  
 3 it.  
 4 MR. SCHRIMPF: Right.  
 5 THE WITNESS: Okay.  
 6 Q Column 1, "Fuchs pressed Marilyn for details about  
 7 the sexual relationship but she cried  
 8 uncontrollably. She had never been able to discuss  
 9 them. Finally when Marilyn couldn't get the words  
 10 out, Fuchs asked her to put it in writing."  
 11 I've put a bracket. Let the record reflect  
 12 I'm showing the witness the article.  
 13 I put a bracket on the part that I read.  
 14 A Yes.  
 15 Q The document I'm referring to is the document where  
 16 you put things in writing.  
 17 A Yes.  
 18 Q Where is that today?  
 19 A I would think it was in Fuchs' office and in my  
 20 attorney's office.  
 21 Q Oh. Is that to say you don't know if Mr. Fuchs has  
 22 it or Mr. Arellano has it?  
 23 MR. ARELLANO: Objection,  
 24 mischaracterizes her prior testimony. And the  
 25 question has been asked and answered if you

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1 are attempting to repeat that.  
 2 Q When did you write this document?  
 3 MR. ARELLANO: And I'm going to  
 4 pose an objection pursuant to the  
 5 attorney-client privilege if the document was  
 6 requested by her previous counsel, Mr. Fuchs.  
 7 MR. SCHRIMPF: I'm merely asking  
 8 when it was written.  
 9 A It was many times that I went in to see --  
 10 MR. ARELLANO: Just he wants to  
 11 know when it was written.  
 12 A After -- I don't know the exact dates, but it was  
 13 after I seen Mr. Fuchs a couple times.  
 14 Q Okay.  
 15 A Several times.  
 16 Q And you don't know where the document is today?  
 17 MR. ARELLANO: Objection, asked and  
 18 answered.  
 19 Q Subject to the objection.  
 20 A No.  
 21 MR. SCHRIMPF: Could I have the  
 22 article back, please? Thank you.  
 23 Q Whether or not you were arrested, were there ever  
 24 episodes when the police removed you from your home  
 25 for any reason?

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1 A No.  
 2 Q Were there any episodes when the police removed you  
 3 from any restaurant or bar for any reason?  
 4 MR. ARELLANO: Objection, asked and  
 5 answered.  
 6 A No.  
 7 Q No, I didn't ask it right. When you were arrested  
 8 and the times you indicated to me, what were the  
 9 charges, if any, that were brought?  
 10 A One is about the check that my ex-husband wrote.  
 11 Q So that was like a bad checks charge or something?  
 12 A Yes. One was the protest of the kids.  
 13 Q So was that like a disorderly conduct charge --  
 14 A Yes.  
 15 Q -- or some such thing? All right. And what was the  
 16 other one?  
 17 A And the other one was the, in our row of people that  
 18 went to the Bob Dylan conference, someone was  
 19 smoking a marijuana.  
 20 Q Well, did the police find marijuana on you?  
 21 A No.  
 22 Q But you were arrested?  
 23 A Yes.  
 24 Q Do you know what the citation or charge was?  
 25 A I don't remember. I know they dropped it.

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1 Q It was dropped?  
 2 A Yes.  
 3 Q As to the document referenced in the article at  
 4 page 100, do you know where that document is today?  
 5 MR. ARELLANO: Objection, asked and  
 6 answered three times now.  
 7 A No, I don't.  
 8 Q Now, when we left off yesterday, as I read through  
 9 the transcript last night, I believe you were  
 10 describing the third episode of having sex with the  
 11 Mayor and that was at the apartment on Fardale after  
 12 having described two previous episodes of sex with  
 13 the Mayor and one episode where the Mayor came to  
 14 your house and you were hidden in the basement I  
 15 believe it was or in the bathroom, one of the two,  
 16 and another episode where Ms. Dawson rapped at your  
 17 door and you went out to the car. Do you recall  
 18 those?  
 19 A Yes, those weren't the sexual -- okay, yes.  
 20 Q At the time --  
 21 THE WITNESS: I'm sorry.  
 22 MR. ARELLANO: You're on candid  
 23 camera, so don't frown so much.  
 24 Q At the time that you were -- did you go from your  
 25 home to the car the day that Mike Dawson rapped at

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1 your door?  
 2 A Yes.  
 3 Q What did the Mayor talk to you about when you got to  
 4 the car?  
 5 A Stuff that didn't make sense, stuff --  
 6 Q Do you have any recollection of it at all?  
 7 A All I recollect is that there was no reason for them  
 8 to knock on my door.  
 9 Q The Mayor showed up at your house?  
 10 A He was outside.  
 11 Q But he stayed in the car?  
 12 A Yes.  
 13 Q Was the car being driven by one of his drivers?  
 14 A Yes.  
 15 Q And Mike Dawson was in the car?  
 16 A Yeah. She was staffing him that evening.  
 17 Q And what time of day was this?  
 18 A Must have been early evening because they were  
 19 apparently done for some time.  
 20 Q And whatever conversation you had with the Mayor was  
 21 in the car with at least the driver being present?  
 22 A Yes, and Mike Dawson was sitting in the back seat.  
 23 Q And you have no independent recollection of what the  
 24 substance of the conversation was?  
 25 A All I remember is walking back upstairs wondering

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1 why he stopped and had Mike Dawson knock on my door.  
 2 Q What was the fourth episode of sex that you had with  
 3 the Mayor?  
 4 MR. ARELLANO: I'm going to object  
 5 to the form of the question as vague and also  
 6 because I believe we talked about four  
 7 episodes. If she understands your question  
 8 the way you phrased it -- first listen to the  
 9 question.  
 10 Q Well, let me try it this way, Ms. Figueroa. As I  
 11 understand it, when we left off yesterday you were  
 12 talking about an episode of sex at Fardale where you  
 13 went down to the lobby and let the Mayor in?  
 14 A Yes.  
 15 Q And then you had sex in your bedroom in that  
 16 apartment?  
 17 A Yes.  
 18 Q What was the next time you had sex with the Mayor?  
 19 A I don't remember the sequence of the times, but I  
 20 know that -- I know that he had requested me to go  
 21 to his office for a second time.  
 22 Q Well now, I take it as a staff assistant to the  
 23 Mayor from time to time you would go into the  
 24 Mayor's office for all sorts of business reasons; is  
 25 that right?

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1 A Yes.  
 2 Q You're saying now he requested you to come to his  
 3 office for the second time?  
 4 A Yes.  
 5 Q Are you thinking of the second time that you and he  
 6 had sex in the office?  
 7 A Yes.  
 8 Q Do you remember when the first time was that you had  
 9 sex in the office?  
 10 A I don't know if we were dealing with Potawatomi  
 11 issues in the office. No, it wasn't. It was some  
 12 issue that we were dealing with at work about some  
 13 main concern he had.  
 14 Q Was this -- whatever you're thinking of now, was  
 15 that on a weekend or a weekday?  
 16 A It was a weekend.  
 17 Q How many times did you have sex with Mayor, with the  
 18 Mayor in the office?  
 19 MR. ARELLANO: Objection, asked and  
 20 answered.  
 21 Q Subject to the objection.  
 22 A I think it was once, and the second time he, he  
 23 tried.  
 24 Q So there was --  
 25 MR. ARELLANO: Hold on, let the

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1 witness finish.  
 2 MR. SCHRIMPF: I thought she was.  
 3 I'm sorry.  
 4 Q Please make sure you finish your answer.  
 5 A It was advances made by him but --  
 6 Q How many times --  
 7 MR. ARELLANO: Let --  
 8 Q Are you done?  
 9 A The reason I went to the office is he wanted to talk  
 10 to me about work related stuff.  
 11 Q And what was the work related stuff?  
 12 A I didn't -- after I got to the office it was clearly  
 13 not work related stuff.  
 14 Q At the time that you went to the office, what did  
 15 you believe, if anything, respecting what you were  
 16 going to talk about with the Mayor?  
 17 MR. ARELLANO: Objection, asked and  
 18 answered. She may answer again if she  
 19 understands your question.  
 20 A I was the person in that office that did all of the  
 21 outreach, all of the connecting groups, all the  
 22 organizing people together. And so I thought that  
 23 we were going to talk about how to proceed with some  
 24 issue that was important to him.  
 25 Q But as you sit here today, do you recall what that

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1 issue was?  
 2 A No. But someone in the office, there was police  
 3 officers there, so it didn't bother me because the  
 4 police were there.  
 5 Q So do you remember which officer was there on this  
 6 occasion?  
 7 A I think maybe it could have been Linda Velasco.  
 8 Q Linda Velasco?  
 9 A Yes.  
 10 Q And how did -- on the occasion that you're thinking  
 11 of now, this is an occasion when you had sex with  
 12 the Mayor in the office?  
 13 A That was the second time.  
 14 Q And you recollect Linda Velasco being there?  
 15 A Security was there both times.  
 16 Q But the time you're thinking of was the second time  
 17 and you recollect Linda Velasco being there?  
 18 A To the best of my knowledge, yes.  
 19 Q And the Mayor called you to be there?  
 20 A That whole two weeks before that he had requested  
 21 for me to be at different events so that he could  
 22 take -- so that I would take him home. He would  
 23 request -- he would phone call and phone call and  
 24 phone call. And if I didn't answer those phones,  
 25 the next day it was very obvious that he was angry.

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1 So when he -- one of the -- he was saying that he  
2 was like giving me another chance, so he told me I  
3 need you to be here this week and make sure you're  
4 here this weekend, whether it was Saturday or  
5 Sunday, I don't remember, but I know it was the  
6 weekend.  
7 Q Do you remember what time you arrived at the office?  
8 A It was in the morning and I signed my name on the  
9 sign-in sheet downstairs. You know, when you walk  
10 in after hours, they make you sign the sign-in  
11 sheet.  
12 Q And you signed in?  
13 A Yes.  
14 Q And did you go directly to your office or did you go  
15 to the Mayor's office?  
16 A I went to my office.  
17 Q What did you do when you got to your office?  
18 A I waited awhile, and then he came out of his office  
19 and he said what are you doing here, and he directed  
20 me to go to his office.  
21 Q And you went to his office?  
22 A Yes.  
23 Q And then what happened?  
24 A He closed the shutter, the door -- the windows and  
25 the doors and he wanted to have sex with me.

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1 Q He took nothing off of you?  
2 A No. He took his pants zippers down.  
3 Q His pants zipper was down? Was his penis exposed?  
4 A Yes.  
5 Q Was his penis erect or was it not erect?  
6 A Yes.  
7 Q Well --  
8 A Erect.  
9 Q It was erect? At what point did you observe his  
10 pants wet?  
11 A When -- it was towards the end of being in that  
12 office with him, which I think maybe 20 minutes  
13 passed.  
14 Q Let me see if I have a correct understanding of what  
15 you just said. So if I say something that's  
16 incorrect, you stop me. You came into the office,  
17 you were fully clothed and never in any way became  
18 undressed?  
19 A No.  
20 Q The Mayor then closed the blinds to the windows in  
21 his office? You have to answer verbally.  
22 A Yes.  
23 Q When he was doing this, where were you standing in  
24 relation to his desk?  
25 A The chairs in his desk are like this. I was

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1 Q Did you have sex?  
2 A Not the second time. The first time but not the  
3 second time.  
4 Q The time that you're thinking of when Linda Velasco  
5 was there, you're losing me, was that the first time  
6 or the second time?  
7 A I think it was the second time.  
8 Q So the second time there was an effort on the part  
9 of the Mayor to lure you into a sexual liaison but  
10 it didn't happen?  
11 A He --  
12 Q Is that right?  
13 A He wet his pants.  
14 Q He wet his pants?  
15 A Yes.  
16 Q Is that to say that he ejaculated in his pants  
17 before you accomplished the sex act?  
18 A Before he accomplished the sex act.  
19 Q At the time that he ejaculated in his pants, what  
20 was the state of your dress or undress?  
21 A I was, I was dressed.  
22 Q Totally?  
23 A Yes.  
24 Q You took nothing off?  
25 A No.

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1 standing in back of the chairs.  
2 Q And which way were you facing, towards the front of  
3 the office or towards the back of the office where  
4 the door is?  
5 A Towards the front where he was.  
6 Q Okay. You were facing the front. At the time that  
7 you entered the office, was the Mayor's pants  
8 already unzipped?  
9 A No, not that I remember.  
10 Q But you observed that they were wet?  
11 A Yes. Later on at that point, later on at that time.  
12 Q Were they wet -- did you observe them being wet when  
13 you came into the office?  
14 A No.  
15 Q So they became wet after you were in the office and  
16 while the Mayor was closing the blinds?  
17 A No, not necessarily while he was closing the blinds.  
18 The windows -- the curtains. It was after he turned  
19 around instead of sitting at his table he sat in the  
20 middle of his, of where the desks were.  
21 Q Did he sit on the guest side of the desk or the  
22 Mayor's side of the desk?  
23 A The guest side.  
24 Q The guest side of the desk. Was his back leaning  
25 against -- was he sort of sitting on the desk and

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1 sort of standing on the floor, that kind of a pose?  
 2 A Sitting on the desk and standing?  
 3 Q Well, leaning against the desk, put it that way with  
 4 his feet on the floor.  
 5 A No. He stood up to close the curtains and I started  
 6 to walk closer to the door.  
 7 Q Okay.  
 8 A To try to get out.  
 9 Q All right.  
 10 A And he joked about why we were there.  
 11 Q He joked about what?  
 12 MR. ARELLANO: Go ahead. Finish  
 13 your answer.  
 14 A I don't remember in the exact words, but he made a  
 15 comment about his loins hurt.  
 16 Q I'm sorry, his what hurt?  
 17 A His loins.  
 18 Q His loins hurt?  
 19 A Yes.  
 20 Q Did you understand what he meant by that?  
 21 A Not -- not at the time.  
 22 Q Did you subsequently find out what he meant by that?  
 23 A Yes. Because he grabbed his, put his hands in his  
 24 pocket and he touched himself.  
 25 Q I see. Was, when he turned around and he was  
 190

1 facing -- was he facing you as he was leaning  
 2 against his desk?  
 3 A Yes. No, not against his desk, against -- he got  
 4 out of his desk and went to close the window. So he  
 5 was standing in back of a chair. And then he  
 6 stepped out of the chair and he had the smirk that  
 7 he gives on his face. And then he was real  
 8 comfortable and joking and -- and he was real almost  
 9 sarcastic, I don't know what word to describe it,  
 10 but he knew that I was uncomfortable and that he  
 11 tricked me into being there.  
 12 Q Well, what I'm trying to ascertain is at the point  
 13 in time that he came around to the guest side of the  
 14 desk --  
 15 A Yes.  
 16 Q -- first question, was his pants unzipped?  
 17 A No.  
 18 Q Second question, was his pants wet?  
 19 A Yes.  
 20 Q At what point did he unzip his pants?  
 21 A At that time he didn't unzip his pants.  
 22 Q He never unzipped his pants?  
 23 A Not at that time.  
 24 Q You turned to leave?  
 25 A Yes.  
 191

1 Q And you left?  
 2 A Yes.  
 3 Q And you didn't have sex?  
 4 A No.  
 5 Q And the Mayor had his hands in his pants?  
 6 A Yes. I kept getting closer and closer to the door  
 7 to leave, and he was angry when he saw that I was  
 8 leaving. But I left.  
 9 Q Did he ask you to do anything on this occasion?  
 10 A He wanted me to have sex with him.  
 11 Q Vaginal sex?  
 12 A Yes.  
 13 Q Did he specify one way or the other?  
 14 A No. He just wanted me to be, to have sex with him.  
 15 He said I want you -- I want you. I need to have  
 16 you.  
 17 Q And you left?  
 18 A And I said to him --  
 19 MR. ARELLANO: Why don't you let  
 20 her finish.  
 21 MR. SCHRIMPF: I'm sorry, I thought  
 22 she was.  
 23 A I said to him, Mayor, you have to stop this. Please  
 24 stop this, Mayor. I thought we went over this.  
 25 Q Do you remember when this episode occurred?  
 192

1 A No, but I remember there were workers there working  
 2 on the building, on the building.  
 3 Q On the outside of the building?  
 4 A In the inside, the second floor on some of the  
 5 doors.  
 6 Q I see. And this was a weekend?  
 7 A Yes.  
 8 Q Was this, what you have just described to me, the  
 9 first time or the second time?  
 10 A The second time.  
 11 Q Was there ever a time when you and the Mayor had sex  
 12 in the office which was accomplished?  
 13 A Yes.  
 14 Q When was that?  
 15 A It was before that time.  
 16 Q Do you remember the date?  
 17 A No, I don't.  
 18 Q How did you come to the office that day?  
 19 A With my car.  
 20 Q Why were you at the office that day?  
 21 A There were, between these episodes there were many,  
 22 many times that he was trying to plan that he was  
 23 asking me to make sure that I answered the phone.  
 24 There were a time that he was angry. He made it  
 25 clear to not cross him, that he made it clear that  
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1 he, when he got -- when he was mad at people, that  
2 he had ways to be able to let them know. And he was  
3 angry with me for periods of time that I didn't --  
4 that I would sneak out of the office and that I  
5 didn't answer the phones and that I didn't say,  
6 okay, you have -- you know, he would have an event  
7 in the evening and I was supposed to show up and I  
8 wouldn't show up.

9 And so the day that the sexual thing happened  
10 in the office was because of all of the times and  
11 excuses and many, many phone calls from him, him  
12 stopping into my office to, for him to be able to  
13 plan to have intercourse.

14 Q Could we go back to the question?

15 MR. ARELLANO: Did you finish?

16 Don't let anything interrupt you when you  
17 haven't finished.

18 MR. SCHRIMPF: Well, but I also  
19 want --

20 MR. ARELLANO: You can also ask  
21 counsel to let you finish if you feel you  
22 haven't finished, okay? Have you finished?

23 THE WITNESS: I think I did.

24 Q Let's go back to the question. We'll have the court  
25 reporter reread the question.

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1 ready for high school. And the Mayor made it clear  
2 to me that if I didn't have sex with him that I  
3 could lose that.

4 Q Are you done?

5 A Yes.

6 Q So on this occasion when you went to the office, you  
7 went to the office for the express purpose of having  
8 sex with the Mayor?

9 A I was hoping it wasn't going to be that, but it  
10 turned out to be that.

11 Q How did the Mayor tell you that he was the most  
12 powerful person in the city who could do all these  
13 terrible things to you?

14 A It was a sort of regular conversation that he  
15 rephrased different times.

16 Q How did he phrase it?

17 A You should feel lucky that you're with the most  
18 powerful man. He told me that when someone crosses  
19 him, he has ways to get back to them no matter what.  
20 He was very clearly angry when I went back to work  
21 when I wouldn't take the phone calls or when I  
22 wouldn't open the door for him.

23 He mentioned that he was close friends to  
24 Chief Jones. I believed him and Chief Jones -- I  
25 believed Chief Jones knew. Until the chief did the

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1 (Question read).

2 THE WITNESS: Can I answer it?

3 MR. ARELLANO: You already did.

4 Let him ask you the question.

5 Q Do you recall when this occurred?

6 A No.

7 Q Did you have an apparent purpose of being in the  
8 office that day?

9 A The Mayor made it clear to me that if I didn't have  
10 sex with him, that he was going to do something that  
11 was going to hurt my position. I was afraid of  
12 being fired. I was afraid of my children. And I  
13 was afraid because he had mentioned that, something  
14 about Chief Jones. So I was afraid that he, the  
15 Mayor and Chief Jones were the two most powerful  
16 people in Milwaukee, and so how was I supposed to --  
17 I couldn't go anywhere after that job.

18 Q How did the Mayor tell you --

19 MR. ARELLANO: Hold on, counsel.

20 Let her finish.

21 Q Are you done?

22 A No. This was a job that was going to give me the  
23 opportunity to have a good life for my children. I  
24 was able to save money, pay the bills my ex-husband  
25 left and had the down payment and have my kids be

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1 deposition, I was afraid of what was going to happen  
2 to me. I was afraid.

3 Q Did the Mayor use those words?

4 A Yes.

5 Q He said, "I am the most powerful person in the  
6 city"?

7 A Yes.

8 Q He said that he gets even with anybody who crosses  
9 him?

10 A Yes.

11 Q Do you remember when he told you those things?

12 A When I began in 1998 to be more stronger to stop, to  
13 tell him that I was going to stop and that I was  
14 going to get help and that he should get help.

15 Q You told him those things?

16 A Yes.

17 Q Were you fired?

18 A Not at that time.

19 Q Did you have any loss of gains of income in your  
20 job?

21 A The regular, how the City all sort of does the  
22 regular small increases every year.

23 Q As you progress through the steps of your pay range?

24 A Yes.

25 Q Do you know if those can be stopped?

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1 A I don't know.  
 2 Q But they never were?  
 3 A I never looked at it.  
 4 Q You have no knowledge that they were ever prevented  
 5 to you; is that right?  
 6 A No. I'm sorry, no.  
 7 Q All right. On the occasion that you had sex in the  
 8 office when you actually had sex, you don't remember  
 9 the date?  
 10 A Just that it was a Saturday.  
 11 Q Just that it was a Saturday. And you remember that  
 12 there were people in the building doing things?  
 13 A There was like not construction workers but maybe  
 14 people working on the doors on -- they were working  
 15 on something, yes.  
 16 Q Were they working on things in the Mayor's office or  
 17 in some other offices?  
 18 A No. Around between the Council and the Mayor's  
 19 office there's I think some -- there's some doors  
 20 that they were working on.  
 21 Q But nothing was being done in the Mayor's office?  
 22 A No.  
 23 Q Or any of the office complex of the Mayor?  
 24 A Not that I know of.  
 25 Q How did you know to come to the office that day when

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1 you had sex on the weekend?  
 2 A Because I exhausted all of my excuses and because he  
 3 made it clear to me before that not to cross him.  
 4 Q Well, did the Mayor call you?  
 5 A Yes.  
 6 Q How did the Mayor call you?  
 7 A From the office.  
 8 Q That day?  
 9 A Yes.  
 10 Q Did he call you at your residence?  
 11 A Yes.  
 12 Q Did you have a cell phone at this time?  
 13 A I don't think I did.  
 14 Q So he would have called you on the regular home  
 15 telephone that you have?  
 16 A Yes.  
 17 Q How did you know it was the Mayor calling?  
 18 A It said anonymous.  
 19 Q How many times did the phone ring?  
 20 A Friday night maybe --  
 21 Q No, no. Strike that. On the occasion that you knew  
 22 it was the Mayor calling on this day that you went  
 23 to the office, how did you know it was the Mayor  
 24 calling?  
 25 A I'm trying to explain to you the sequence of how I

199

1 knew that.  
 2 MR. ARELLANO: Go ahead.  
 3 A He, when I -- first of all, when I was in the  
 4 office, he told me make sure you're home this  
 5 weekend.  
 6 Q When did he tell you that?  
 7 A The week, every chance he would get to pop into my  
 8 office he made that clear.  
 9 Q So he told you that the week preceding this?  
 10 A Yes.  
 11 Q Okay.  
 12 A So then I was supposed to talk to him after  
 13 everybody left because that was his thing to be able  
 14 to have a conversation with me. He said answer your  
 15 phone.  
 16 That Friday night the phone rang and rang and  
 17 rang and rang about six, seven, eight times.  
 18 Sometimes then on Saturday it rang a lot. I knew  
 19 that if I didn't go, Monday was going to be a very  
 20 difficult time for me. And I was going through  
 21 panic attacks to have to deal with going back to  
 22 work on Monday if I didn't answer the phone.  
 23 So I figured I had to do this and it would  
 24 stop for awhile. And so I went and I knew.  
 25 Q Are you done?

200

1 A Yes.  
 2 Q On any of the occasions that the phone rang, either  
 3 the night before or the day of this episode did you  
 4 ever answer the phone?  
 5 MR. ARELLANO: Did you listen to  
 6 the question? You need a break to get  
 7 yourself together?  
 8 THE WITNESS: No, I'm fine.  
 9 A I had to answer it after all the phone calls.  
 10 Q When the phone would ring, you said it rang a number  
 11 of times the night before and I think you said six  
 12 or seven times the day of. Did it ring a certain  
 13 number of times and then stop and then start ringing  
 14 again, or did it just ring continuously?  
 15 A Just rang continuously.  
 16 Q Continuously?  
 17 A Yes. You know, he would call and leave it rang for  
 18 a long time because I wanted to shut my answering  
 19 machine off so he couldn't have to leave a message.  
 20 And then he would call another 10 minutes and then  
 21 he would call again five minutes and then he would  
 22 call again. And he kept doing that.  
 23 Q And because your phone was -- you have caller I.D.?  
 24 A At that time, yes.  
 25 Q And because your phone was showing anonymous, you

201

1 concluded it was the Mayor calling?  
 2 A Yes.  
 3 Q What time did you get to the office that day?  
 4 A It was sometime probably mid to late morning.  
 5 Q Late morning?  
 6 A Mid to late.  
 7 Q Did you get home that day?  
 8 A Right after that, yes.  
 9 Q What time did you get home?  
 10 A I -- probably about 3 o'clock. I took a ride to the  
 11 lake and then went straight home.  
 12 Q Afterwards?  
 13 A Yes.  
 14 Q How did you and the Mayor have sex that day? What  
 15 happened?  
 16 A There was not much said. There was not no  
 17 conversations. He just had sex with me.  
 18 Q Did he undress you or did you undress yourself?  
 19 A He lift my skirt.  
 20 Q He lifted your skirt?  
 21 A Yes.  
 22 Q Did you have undergarments on?  
 23 A Yes.  
 24 Q How did they get removed?  
 25 A He pulled them down.

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1 Q Totally or just far enough?  
 2 A Just far enough.  
 3 Q How did he get undressed?  
 4 A He unbuckled his pants.  
 5 Q Himself?  
 6 A And his zipper.  
 7 Q Himself?  
 8 A Yes.  
 9 Q You did not assist in any way?  
 10 A No, no.  
 11 Q He exposed his genitals?  
 12 A Yes.  
 13 Q At the point that he exposed his genitals was he  
 14 erect or not erect?  
 15 A Yes, he was.  
 16 Q He was erect?  
 17 A Yes.  
 18 Q And you had sex?  
 19 A He penetrated me. I cried. It was painful. I told  
 20 him to please --  
 21 Q I'm sorry?  
 22 A -- stop.  
 23 Q You told him to stop?  
 24 A He did what he did and I raised my -- put my  
 25 clothes, my shirt and my skirt down, walked into the

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1 bathroom of the staff, trying to hold my composure.  
 2 I went to the lake front and then I had to come  
 3 home. And I took hot baths and that was it.  
 4 Q Did he use any birth control protection?  
 5 A No, he did not.  
 6 Q  
 7 A  
 8  
 9 Q  
 10 A  
 11 Q  
 12 A  
 13 Q  
 14 A  
 15  
 16  
 17  
 18 Q  
 19 A  
 20 Q Have we covered both episodes of sex or attempted  
 21 sex in the office?  
 22 A Yes.  
 23 Q Were there any others?  
 24 A Not the sex.  
 25 Q We now have the episodes of sex in the office and we

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1 have an episode of sex at Fardale and once at his  
 2 house, and I believe that was the first time; is  
 3 that right?  
 4 A I'm sorry, yes.  
 5 Q And we have the second one at 912 South, I believe  
 6 it was 26th Street?  
 7 A 912 is South 19th Street.  
 8 Q I'm sorry, South 19th Street. What was the next  
 9 episode of sex between you and the Mayor?  
 10 A I don't recall the -- I can't recall the  
 11 chronological order.  
 12 Q You can't recall the order, but whatever one you're  
 13 thinking of now would be helpful.  
 14 A In 1997 it was -- I realized it was over and that  
 15 nothing was -- each time I thought it was over. I  
 16 thought he was -- I thought he was going to -- he  
 17 promised it wouldn't happen again. He promised that  
 18 he would stop. So in 1998 -- well, between '97 and  
 19 '98 I felt, especially '98, that I finally could do  
 20 my work. I finally -- he wasn't going to demand to  
 21 have sex with me and that I would be able to do my  
 22 work. And I -- I think during that time  
 23 Brenda Wood -- there was -- Michal Dawson left the  
 24 position and Brenda Wood -- and it was a position  
 25 that was open and I tried --

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1 Q Was that '97 or '98 that Michal Dawson left?  
 2 A I don't remember, but it was during that time. I  
 3 tried to talk to Ruth Wyttenbach is the person that  
 4 you go to to have meetings. Staff can go in there  
 5 whenever they want, but, you know, to have a formal  
 6 meeting you should go through Ruth.  
 7 Mike Dawson was leaving and I had asked if  
 8 I -- because I worked on the policy committee,  
 9 Mike Dawson worked with the Council, I already dealt  
 10 with the eight aldermen, and I had been there many  
 11 years, and I felt I was experienced to do that job.  
 12 Q How many aldermen are there?  
 13 A 17.  
 14 Q Please continue.  
 15 A I, in 1998 I started working at Pedro Colon's  
 16 campaign. I did a fund raiser for the Mayor in the  
 17 Hispanic community. In 1998 when he was working on  
 18 Pedro Colon's campaign, Bill Christofferson, they  
 19 all encouraged me to do it, including the Mayor in  
 20 front of everybody. I put a lot of time into that  
 21 campaign.  
 22 During that campaign it was the best time for  
 23 me to be able to have excuses that I wasn't around  
 24 because I was working nights and weekends on the  
 25 campaign. The Mayor was getting angrier about me

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1 not answering the phone calls and -- but I felt  
 2 safer working on the campaign. So I worked on the  
 3 campaign. I did my fund raiser that the Mayor and  
 4 Bill Christofferson and Barb Candy wanted me to do.  
 5 It was a successful -- it was for the Latino  
 6 community and it was a successful fund raiser.  
 7 And then at that fund raiser he kept, there  
 8 was a lot of people there, but he kept crossing  
 9 other people and trying to come to me and give me  
 10 hugs and give me kisses and keep hugging and take  
 11 pictures. And I was uncomfortable with that.  
 12 Q Was Ms. Mudd there?  
 13 A Yes, she was.  
 14 Q Please continue.  
 15 A And after that campaign was over, and I think the  
 16 campaign was in December, I --  
 17 Q December of 1998?  
 18 A Yes. And the campaign and the -- and I think the  
 19 fund raiser that I had to do for the Mayor was in  
 20 December. When I was working on Pedro's campaign,  
 21 everybody was happy with it but the Mayor. But in  
 22 front of the people he seemed happy with it. But he  
 23 was angry with me because I wasn't, I wasn't at  
 24 places where he wanted me to be and I wasn't  
 25 answering the phone calls. And I was able to say I

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1 can't. I'm working on the campaign.  
 2 After the campaign -- then after when I did  
 3 the fund raiser for the Hispanic community is when  
 4 he started coming around and I started -- I felt  
 5 stronger. I felt I can now -- I was stronger to be  
 6 able to say this has to stop and it's going to stop  
 7 and I'm going to go get help and you should get  
 8 help. And I was going to talk to people to help me  
 9 because this was really difficult.  
 10 Q Did you go to any doctors --  
 11 MR. ARELLANO: Are you finished?  
 12 THE WITNESS: No.  
 13 MR. ARELLANO: Go ahead and finish.  
 14 You said it was very difficult.  
 15 A What I meant was with getting help was being able to  
 16 talk to Bill Christofferson, Jim Rowen,  
 17 Ruth Wyttenbach, Michael Morgan and the Department  
 18 of Employee Relations. I didn't understand that  
 19 they're all connected, but they were.  
 20 So after that fund raiser I felt strong and I  
 21 was also -- at this time I shared it with  
 22 Kimberly Pratt in a very painful conversation.  
 23 And --  
 24 Q When you say at this time, do you mean December of  
 25 1998?

208

1 A Uh-huh.  
 2 Q You shared this with Kimberly Pratt?  
 3 MR. ARELLANO: Did you finish your  
 4 answer?  
 5 THE WITNESS: No.  
 6 A I was --  
 7 Q Well, I kind of wish, Ms. Figueroa, you would speed  
 8 this up a bit if you could.  
 9 MR. ARELLANO: Well, hold on a  
 10 second, counsel. You can't dictate how she  
 11 should answer the question. In light of the  
 12 circumstances she's answering the question and  
 13 you've got to let her answer the question.  
 14 MR. SCHRIMPF: Well then, we might  
 15 need more time with her.  
 16 MR. ARELLANO: Well, you do  
 17 whatever you have to do, but I want her to  
 18 have the ability to explain in her own terms  
 19 the answer.  
 20 MR. SCHRIMPF: Yes.  
 21 MR. ARELLANO: Thank you. Please  
 22 continue.  
 23 (Recess)  
 24 By Mr. Schrimpf (continuing)  
 25 Q On either of the times that you were with the Mayor

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1 in the office on the weekends --  
 2 A Yes, sorry.  
 3 Q -- which one was Linda Velasco present?  
 4 MR. ARELLANO: Objection, asked and  
 5 answered.  
 6 MR. SCHRIMPF: Well, I'm unclear.  
 7 Q First time or second time?  
 8 A I'm not sure.  
 9 Q You're not sure?  
 10 A I know there was police in that back room.  
 11 Q Did you sign in at the --  
 12 A Downstairs.  
 13 Q Yes. The information booth both times?  
 14 A Yes.  
 15 Q Or only one time?  
 16 A Two times.  
 17 Q Whenever you came in after hours, did you sign in at  
 18 the information booth?  
 19 A Yes.  
 20 Q When you left, did you sign out?  
 21 A Yes.  
 22 Q If Linda Velasco was not present at any of these  
 23 events, do you know -- on the weekends with the  
 24 Mayor, do you know which officer was?  
 25 A Not really. Could have been --

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1 Q I don't want you to speculate.  
 2 MR. ARELLANO: If you know.  
 3 A Oh, okay.  
 4 Q Only if you know. And you don't know; is that  
 5 right?  
 6 A No, I don't know.  
 7 Q When you came to the office on the weekends that you  
 8 were talking about, how did you enter the Mayor's  
 9 office?  
 10 A We had keys.  
 11 Q You used the front door?  
 12 A And the card, the blue card.  
 13 Q So you used the card and a key?  
 14 A Yes.  
 15 Q Did you have sex at all with the Mayor in 1997?  
 16 A I don't recall that year. I remember that I felt  
 17 good that he, that things I thought had stopped.  
 18 Q When you -- yesterday we talked about the 1996  
 19 democratic convention.  
 20 A Yes.  
 21 Q How did you know that the Mayor wanted you to go to  
 22 Chicago?  
 23 A Because that was one of the times that he tried to  
 24 get me to go to Chicago.  
 25 Q You said that there were about 10 or 15 times he

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1 wanted you to go to Chicago?  
 2 A Yes.  
 3 Q When he would ask you to go to Chicago, would he  
 4 call you?  
 5 A He came to my office.  
 6 Q So this was in person?  
 7 A Yes. He came to my office.  
 8 Q What did he say?  
 9 MR. ARELLANO: Hold on. She's  
 10 trying to provide you with an answer. Go  
 11 ahead.  
 12 A He would get copies of his calendar. Ruth always  
 13 made copies of the calendars, the staff.  
 14 Q That was for all the staff assistants?  
 15 A Yes. And it's his calendar. But then there's  
 16 staff people that are on the calendars. He would  
 17 come in and circle different times, and then he gave  
 18 them to me. That's one way.  
 19 He would, if I had a meeting with a group of  
 20 people, he would ask Marilyn, can you stay, I need  
 21 to talk to you about some stuff in his office. And  
 22 he would tell me, did you look at the calendar? And  
 23 I had a bad habit of not looking at the calendar. I  
 24 said no. He goes, well, you need to check out those  
 25 dates.

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1 He would come straight to my office and then  
 2 ask me, did you check it out? And then he would  
 3 call.  
 4 Q On the phone?  
 5 A And call and call, yes.  
 6 Q And when he would call on the phone, was he calling  
 7 at the office phone from his office or was he  
 8 calling you at home?  
 9 A He was calling me at my house, and I'm not sure  
 10 where because all of the phone numbers he had were  
 11 blocked. They were all private, anonymous.  
 12 Q Yes, I understand that. Of the 10 or 15 times that  
 13 you reference, these were all trips to Chicago?  
 14 A Yes.  
 15 Q And where were you supposed to stay?  
 16 A The only time that it got to the real detail was the  
 17 time that I actually went because I wouldn't answer  
 18 the phone.  
 19 Q But the trip to Chicago for the democratic  
 20 convention, how did you know you were supposed to go  
 21 to Chicago to meet him?  
 22 A He had, because he gave -- he gave -- he told me  
 23 that I, that here's an opportunity for him to be at  
 24 this thing and he'd like for me to be there.  
 25 Q What hotel were you going to stay at?

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1 A I didn't know that till -- I actually thought it  
2 wasn't going to happen again and --  
3 Q Listen to my question. What hotel were you going to  
4 stay at?  
5 A He said that was the Palmer hotel.  
6 Q The Palmer hotel?  
7 A Yes.  
8 Q Was that the hotel he was staying at?  
9 A He said no.  
10 Q He said no?  
11 A Yes.  
12 Q Did you know if the Mayor was going to travel with  
13 any other persons from the office?  
14 A I thought there were several people that would be  
15 traveling to that.  
16 Q Did you know if Mr. Christofferson was one?  
17 A I would think he would be, but I didn't -- I wasn't  
18 for sure.  
19 Q Do you remember if the Mayor was a delegate to the  
20 convention?  
21 A No. I don't know that.  
22 Q I want to make sure that I understand this. You  
23 simply didn't go to Chicago in 1996; is that  
24 correct?  
25 A That's correct.

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1 Q Did you ever tell the Mayor you weren't going to go?  
2 A Yes. I had said to him at that time I thought we  
3 were going to stop this. I'm uncomfortable going  
4 there. I kept saying I can't -- I told him that I  
5 was uncomfortable, and I told him that he had  
6 promised the last time that it was not going to  
7 happen again.  
8 Q So I think the answer to my question is yes?  
9 MR. ARELLANO: Hold on. I  
10 understand you may not like the answer, but  
11 you've got to let her finish the answer.  
12 MR. SCHRIMPF: Counsel --  
13 MR. ARELLANO: No, hold on.  
14 MR. SCHRIMPF: Let's have the  
15 question reread.  
16 MR. ARELLANO: She's answering the  
17 question. Are you done answering the  
18 question?  
19 THE WITNESS: I think so.  
20 Q What about the second trip to Chicago? I have  
21 several questions. No. 1, how was the trip set up?  
22 A He set it up.  
23 Q How did he set it up?  
24 A Again, I think he was before that trip in Chicago or  
25 wherever he came into my office, and during this

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1 time he was showing how angry he was with me to not  
2 follow through on things. So he -- I had a list of  
3 excuses. I wouldn't answer the phone. I snuck out  
4 of the office. I would make sure people were there  
5 in the office. And so he knew that and he was upset  
6 with that. So he gave -- he put an envelope  
7 together, and he put it there and he put a thing of  
8 the trains. And when he put that down, he said to  
9 me, now you have no excuse. And then he saw the  
10 look on my face. I was -- I was, I was just stunned  
11 and I had -- he came back -- he left and he came  
12 back because before he left he said, "don't you  
13 cross me."  
14 Q He said those words?  
15 A "Don't you cross me."  
16 Q And you understood that to mean show up in Chicago?  
17 A Yes.  
18 Q Did you?  
19 A Yes, I did.  
20 Q What hotel did you check into?  
21 A It was the Palmer.  
22 Q Palmer House?  
23 A Yes.  
24 Q What did you use to pay for the bill?  
25 A This envelope, he had this envelope that he had the

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1 money for the room.  
2 Q Do you remember when this was?  
3 A No, I don't.  
4 (Exhibit No. 5 marked for  
5 identification)  
6 Q Ma'am --  
7 A Yes.  
8 Q -- showing you what the court reporter has marked as  
9 Exhibit No. 5 --  
10 A Yes.  
11 Q -- appears to be copies of telephone bills and some  
12 detail of telephone bills; is that correct?  
13 A Yes, it is.  
14 Q And they all appear to be dated either August of  
15 1997 or October of 1997; is that correct?  
16 A Yes.  
17 Q And there is a couple of calls to Chicago, Illinois;  
18 is that correct?  
19 A Yes.  
20 Q And this telephone number that they are billed to,  
21 this is your home telephone number at the time?  
22 A I'm sure -- yes, 228-9966.  
23 Q Could I see the exhibit for a second?  
24 A Sure.  
25 Q Thank you. There appear --

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1 MR. ARELLANO: How many pages are  
2 we talking about for exhibit, what is it  
3 Exhibit --

4 MR. SCHRIMPF: We are looking at  
5 Bates stamp Nos. 0001 through 0007.

6 Q And if you look at page --

7 MR. ARELLANO: Is that Exhibit 1,  
8 2?

9 MR. SCHRIMPF: Exhibit 5.

10 Q And if you look at page 0002, you see, or at least I  
11 see two telephone calls to area code (312)726-7500  
12 being made on September the 9th and September the  
13 12th of 1997. Ask if you see those.

14 A Yes, yes.

15 Q Do you know what telephone number that is?

16 A No. I know that during --

17 MR. ARELLANO: Do you know what  
18 phone number?

19 THE WITNESS: No.

20 Q Did you ever call the Palmer House from your home  
21 telephone?

22 A I don't know if it was the Palmer House or -- I mean  
23 from my home or my work.

24 Q But you don't know if you ever called the  
25 Palmer House from your home?

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1 A No.  
2 Q Do you know if you ever called the Palmer House from  
3 work and billed it to your home phone number?

4 A Probably.

5 Q And do those calls reflect that?

6 A It says -- I don't know if it's Palmer House. It  
7 says Chicago.

8 Q Right. And (312)726-7500?

9 A Yes.

10 Q Did you make your own reservations at the  
11 Palmer House?

12 A Yes. I had to.

13 Q How did you get to Chicago? Did you drive, take the  
14 train, take a bus?

15 A A train, train.

16 Q What date did you arrive in Chicago?

17 A I don't remember that.

18 Q What date did you leave Chicago?

19 A The day after, the night -- actually the late night  
20 after.

21 Q You and the Mayor had sex at the Palmer House in  
22 Chicago?

23 A Yes.

24 Q Did you give the Mayor any gifts?

25 A No.

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1 Q Did the Mayor give you any gifts?

2 A No.

3 Q Are you skilled at sewing?

4 A Yes, I am.

5 Q Are you capable of sewing, for example, your own  
6 clothes?

7 A I've done small stuff like scarves and table cloths.

8 Q What about a garment such as shorts?

9 A Shorts? I made shorts for my kids, yes.

10 Q You and the Mayor met in Chicago on September 8th or  
11 September 9th, 1997?

12 A I'm not sure because my kids, this was Tampa -- my  
13 children, I was probably scheduling --

14 Q I'm not asking about Tampa. I'm asking about  
15 Chicago.

16 MR. ARELLANO: Well, she's  
17 answering.

18 A But I have to call Chicago to, for my kids because  
19 they always leave from Chicago.

20 Q But they didn't live at the Palmer House, did they?

21 A No.

22 Q You took the train to Chicago?

23 A Yes.

24 Q What time did you arrive in Chicago?

25 A I don't remember.

220

1 Q Do you have copies of the Amtrak receipts or  
2 tickets?

3 A No.

4 Q What did you do with them?

5 A I don't know. They're probably in the office.

6 Q You would have kept them in the office?

7 A Yes.

8 Q You don't have them anymore?

9 A I don't know. I don't think so.

10 Q Do you remember what time you arrived in Chicago?

11 A I really don't know.

12 Q Did you and the Mayor go to places other than the  
13 Palmer House when you were in Chicago?

14 A No. He wanted to.

15 Q I think you've answered the question.

16 A Oh, I'm sorry.

17 Q Did you have dinner when you went to Chicago?

18 A No.

19 Q You and the Mayor simply had sex in the Palmer House  
20 and then you left?

21 A Yes.

22 Q How long did the Mayor stay in your room?

23 A Maybe 45 minutes to an hour.

24 Q Do you remember what time he left your room?

25 A It was late, late, it was that evening but not

221



1 really late.  
 2 Q Was it before or after midnight?  
 3 A It was before.  
 4 MR. SCHRIMPF: Let's go off the  
 5 record for a second.  
 6 (Recess).  
 7 MR. SCHRIMPF: We can go back on  
 8 the record.  
 9 Q In your third amended complaint at paragraph 15-C  
 10 you make the following allegations: "On at least  
 11 two occasions Mayor Norquist arranged a trip to  
 12 Chicago on 'work related business' where he directed  
 13 complainant to secure a separate hotel room by  
 14 providing her with cash to cover expenses. On at  
 15 least one occasion he had to return to his hotel  
 16 room because he was expecting telephone calls."  
 17 A Yes.  
 18 Q Do you see that?  
 19 A Yes.  
 20 Q With respect to the Palmer House liaison in Chicago  
 21 in 1997, does paragraph 15-C refer to that?  
 22 A Yes.  
 23 Q Did he tell you he had to go back to his hotel room  
 24 because he was expecting telephone calls?  
 25 A Yes. And he was uncomfortable.

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1 Q He said he was uncomfortable?  
 2 A With me being upset, yes.  
 3 Q You were upset?  
 4 A Yes.  
 5 Q How did you manifest being upset?  
 6 A I hated to have sex with him. He was, it was very  
 7 painful. It was something that I felt at times that  
 8 it had to happen so that he wouldn't, so that he  
 9 would stop. He promised he would stop.  
 10 Q Did he promise he would stop on this occasion?  
 11 MR. ARELLANO: Can you just let her  
 12 finish? You ask a question and then you don't  
 13 let her finish. You've got to let her finish.  
 14 He promised he would stop. Are you finished?  
 15 A And each time when he went through this process --  
 16 Q I can't hear you.  
 17 A And each time when he went through this process of  
 18 trying to come have sex, lots of time was before so  
 19 I believed it was done, you know, between. And this  
 20 was an occasion that I wanted it -- I didn't expect  
 21 to have to do this. And so I -- my demeanor was  
 22 not -- I was very depressed. I was very hurt. And  
 23 I was desperate and I was afraid.  
 24 Q Did you cry?  
 25 A Yes.

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1 Q In his presence?  
 2 A Many times, yes.  
 3 Q Did you cry in his presence to this trip in Chicago  
 4 in 1997?  
 5 A Yes.  
 6 Q Did you tell him it must stop --  
 7 A Yes. I --  
 8 Q -- on this trip to Chicago in '97?  
 9 A Yes, I did.  
 10 Q Did he leave anything in the room when he left?  
 11 A All I wanted to do was get out of the room. I don't  
 12 know if he did or if he didn't.  
 13 Q So the answer to my question is you don't know?  
 14 A I don't know.  
 15 MR. ARELLANO: The answer is what  
 16 she gave you.  
 17 Q On the first trip to Chicago that was scheduled, did  
 18 you make reservations anywhere?  
 19 A He said he made them.  
 20 Q Where did he make them? If you know.  
 21 A I don't know.  
 22 Q On the first trip to Chicago did you ever say that  
 23 you were embarrassed because of articles of clothing  
 24 that were in the back seat of the car?  
 25 A No. Did I say that to --

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1 MR. ARELLANO: Hold on. Just  
 2 listen to his question.  
 3 Q Did you ever say to the Mayor that you were  
 4 embarrassed by articles of clothing that were lying  
 5 in the back seat of your car, referencing the first  
 6 trip to Chicago?  
 7 A No.  
 8 Q You allege in paragraph 15-B that on three occasions  
 9 the Mayor stopped at your house with the purpose, or  
 10 the pretext rather, of discussing work related  
 11 business and that once at the residence he would  
 12 pressure you into sexual acts. Do you recall making  
 13 that allegation?  
 14 A Yes, I do.  
 15 Q We covered two of three. One --  
 16 MR. ARELLANO: Well, that's your  
 17 characterization. Go ahead.  
 18 Q All right. We covered 19th Street.  
 19 A 19th Street, yes.  
 20 Q And we covered Fardale?  
 21 A Yes.  
 22 Q What was the next one when he came to your residence  
 23 for the purpose of having sex?  
 24 A I remember the big, the stadium issue.  
 25 Q Where did you live when that occurred?

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1 A 912 South 19th Street.  
 2 Q Didn't we already cover that one? Or did you not  
 3 cover it?  
 4 A Can I answer it?  
 5 MR. ARELLANO: Yes. If you  
 6 understand his question.  
 7 A Yesterday when you asked me questions you asked me  
 8 about specifics so -- about different --  
 9 Q Yes, I'm trying to ask you about specifics.  
 10 MR. ARELLANO: And I believe your  
 11 question was by reading the complaint you  
 12 posed a question regarding that allegation she  
 13 makes in the complaint. Now I don't know what  
 14 your next question is.  
 15 Q What were the other episodes -- when were the other  
 16 episodes where you had sex at a residence of yours  
 17 with the Mayor?  
 18 A In 199 -- in 1231 South 19th Street --  
 19 Q 1231 South 19th Street?  
 20 A 1231 South Pine Street.  
 21 Q 1231 South Pine?  
 22 A I'm sorry, I'm sorry. 3151 South Pine Street.  
 23 Q And when was this?  
 24 A That was the time that he had apparently spent and  
 25 the staff all night discussing the stadium, I think

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1 it was the stadium issue with the politicians in  
 2 Madison.  
 3 Q Do you remember the date?  
 4 A No, I don't.  
 5 Q Only the circumstance that he was in Madison all  
 6 night on the stadium?  
 7 A Yes.  
 8 Q He came to your house?  
 9 A Yes.  
 10 Q Did you pick him up?  
 11 A No. He came to my house.  
 12 Q Did you take him back to his house?  
 13 A No.  
 14 Q Did you prepare lunch for him?  
 15 A No.  
 16 Q Was anyone with you?  
 17 A No.  
 18 Q Was this the episode when Ms. Wytenbach talked to  
 19 you about being late for work?  
 20 A Yes.  
 21 Q Directing your attention to the last time that you  
 22 and the Mayor had sex, whenever that was, first  
 23 question: When was it?  
 24 MR. ARELLANO: Object to the form.  
 25 If she's able to answer it, she should

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1 proceed.  
 2 A The last time was --  
 3 MR. ARELLANO: I'm going to object  
 4 only to the extent that the question just  
 5 simply poses sex. So if she understands the  
 6 extent of that word, she should answer.  
 7 Q Do you understand the question?  
 8 A Yes.  
 9 Q Please continue.  
 10 A You're missing -- I'm sorry, Victor.  
 11 MR. ARELLANO: Well, just answer  
 12 the question. He's asking you about the last  
 13 time if you recall.  
 14 Q Do you remember when the last time was that you and  
 15 Mayor Norquist had sexual contact?  
 16 A Yes.  
 17 Q When was it?  
 18 A It was in late January.  
 19 Q In late January?  
 20 A Yes.  
 21 Q Of what year?  
 22 A Of 1999.  
 23 Q Late January of 1999?  
 24 A It was in January of 1999.  
 25 Q That was absolutely the last time?

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1 MR. ARELLANO: Hold on. Do you  
 2 understand the question?  
 3 THE WITNESS: No. I'm just  
 4 trying --  
 5 Q Do you need a few minutes?  
 6 A What I'm trying to do is there was two incidents.  
 7 There was in January and December.  
 8 Q Of what years?  
 9 A 1999.  
 10 Q December of 1998 and January of 19 --  
 11 A No, 1999.  
 12 Q December of 1999 was the last time you had sex with  
 13 the Mayor?  
 14 A Yes, yes. That was the last time.  
 15 Q If you recall, you had an automobile accident in  
 16 December of 1999. Do you recall when that  
 17 automobile accident was?  
 18 A Yes.  
 19 Q When was it?  
 20 A Sometime in mid December.  
 21 Q About December 15th?  
 22 A Around there.  
 23 Q Was the last act of sex with the Mayor before or  
 24 after December 15th?  
 25 MR. ARELLANO: Same objection as to

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1 the last act. What are you talking about,  
2 intercourse or just sexual play? I mean  
3 that's my objection, counsel.  
4 Q When was the last time you and Mayor Norquist had  
5 sexual intercourse?  
6 A That was in November.  
7 Q In November of 1999?  
8 A Yes.  
9 Q Do you recall the date?  
10 A Not right now, no.  
11 Q Do you remember if the Mayor gave you a gift either  
12 before or after the last act of sexual intercourse?  
13 A It was after.  
14 Q Was it the same night?  
15 A No.  
16 Q When was it in relation to the last act of sex,  
17 intercourse?  
18 A Can I explain something?  
19 Q No. Answer my question.  
20 MR. ARELLANO: No, no, no. You can  
21 explain to answer the question whatever you  
22 need to explain.  
23 MR. SCHRIMPF: Well, I want a yes,  
24 no or I don't know. She can explain it --  
25 MR. ARELLANO: Hold on. There is  
230

1 no yes or no to the type of question you're  
2 asking.  
3 Q When was -- did the Mayor give you a gift -- when  
4 did the Mayor give you a gift, if he did, in  
5 relation -- time-wise in relation to the last time  
6 you two had sexual intercourse?  
7 MR. ARELLANO: Assuming that  
8 November 1999 was the last time.  
9 MR. SCHRIMPF: Right.  
10 MR. ARELLANO: When did she receive  
11 a gift after that?  
12 MR. SCHRIMPF: That's right.  
13 A It was mid December.  
14 Q Mid December he gave you a gift?  
15 A Yes.  
16 Q Was it before or after your accident?  
17 A It was after my accident.  
18 Q How soon after your accident?  
19 A Maybe one or two days. I just remember him --  
20 Q How long were you -- were you hospitalized as a  
21 result of the accident?  
22 A I had to go in to get checked, yes.  
23 Q Were you admitted to the hospital? Did you stay  
24 overnight?  
25 A No, no.  
231

1 Q You were discharged the same day?  
2 A Yes.  
3 Q Do you remember when the Mayor stopped by your house  
4 after that?  
5 A All I remember, it was soon after my accident  
6 because he tried to touch me.  
7 Q What part of your body did he try to touch?  
8 A My shoulders. He was trying to touch my shoulders.  
9 Q Did he put his hand on your shoulders?  
10 A He was trying to show that he was concerned.  
11 Q And he gave you a gift?  
12 A Yes. That's where he gave me a peace offering.  
13 Q And what was the peace offering?  
14 A It was a bracelet that he said he knew he has done  
15 wrong by me and that he --  
16 Q All I asked you was what was the peace offering?  
17 A Some kind of bracelet.  
18 (Exhibit No. 6 marked for  
19 identification)  
20 Q Showing you what's been marked as Exhibit No. 6, ask  
21 you if that's a picture of the bracelet he gave you?  
22 A Yes, it is.  
23 Q And you gave that to -- strike that. He gave that  
24 to you by your recollection December 15th of 1999?  
25 MR. ARELLANO: Objection,  
232

1 mischaracterizes her prior testimony as to the  
2 date.  
3 A It was mid December.  
4 Q Sometime mid December?  
5 A Yes.  
6 Q And the Mayor touched you on your shoulder?  
7 A Yes.  
8 Q Did he say anything to you?  
9 A He --  
10 Q I asked you if he said anything to you.  
11 A Yes. I'm going to answer that.  
12 MR. ARELLANO: Hold on. She's  
13 trying to answer, counsel.  
14 MR. SCHRIMPF: I'm trying to be  
15 precise.  
16 Q What did he say to you?  
17 A He said, I know I have done wrong by you. I know  
18 that I need to get help. I know that you're going  
19 to get help. Then he would change, and then he told  
20 me that I know that my phones can't be tapped, not  
21 tapped but recorded. And he made it clear to me  
22 about people he gets upset about or something  
23 happens, cross that he has ways to deal with them.  
24 Q What were the words he used?  
25 A He was making --  
233

1 MR. ARELLANO: Other than what she  
2 just stated on the record?  
3 MR. SCHRIMPF: Yes. I want to know  
4 the words.  
5 A He was -- see, prior to that -- I have to explain to  
6 you prior --  
7 Q No.  
8 MR. ARELLANO: Hold on a second.  
9 You've got to stop talking to my client like  
10 that. Let her answer in her own way.  
11 MR. SCHRIMPF: Counsel, I want her  
12 to answer the question.  
13 MR. ARELLANO: Yes, and she's  
14 trying to answer the question, and you  
15 continue to ask questions and interfere.  
16 Because for some reason you don't like her  
17 approach. But that's the only approach she's  
18 got and we're going to respect that approach  
19 and I ask you to do that. Hold on a second.  
20 Can you go and read the last question  
21 and part of the answer she gave?  
22 (Questions and answer read)  
23 Q What were the words?  
24 MR. ARELLANO: Did you finish your  
25 answer?

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1 anyway.  
2 Q Did the Mayor say anything to you when he saw you?  
3 A He asked how I was feeling. He -- it was just -- I  
4 didn't want him there, so I sort of shut him off. I  
5 was angry that he was there.  
6 Q What did you say to him?  
7 A I was on pain medication and so I just didn't want  
8 him there. I told him, can you please go now, my  
9 brother's here.  
10 Q And did he leave?  
11 A Not right away.  
12 Q How long did he stay?  
13 A Maybe 20 -- my brother walked in to try to get him  
14 out, and then he sort of got a little stern with my  
15 brother, and he seemed to want to ask about my  
16 demeanor, my personal -- the Mayor knew I was going  
17 through a hard time because I was already telling  
18 him and I was crying and pushing him away during  
19 this time. And so he seemed to want to get a clear  
20 understanding of what I was planning to do.  
21 Q What hospital were you at?  
22 A St. Francis. No, St. Luke's, I'm sorry.  
23 Q Do you know what time you arrived at St. Luke's that  
24 day?  
25 A And please forgive me, I have to sort of think

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1 A Now I forgot the question. I'm sorry.  
2 Q What were the words?  
3 MR. ARELLANO: Object to the  
4 question, to the form.  
5 MR. SCHRIMPF: Fine, okay.  
6 Q Please answer the question.  
7 A Can you ask me the question you asked me before?  
8 MR. SCHRIMPF: Hold on a second.  
9 Let's take a break. We have to take a break  
10 anyway because of the tape.  
11 (Recess)  
12 By Mr. Schrimpf: (Continuing)  
13 Q Did Mayor Norquist visit you when you were in the  
14 hospital on December 15th of 1999?  
15 A Yes, he did.  
16 Q And were you with anyone when the Mayor was with  
17 you?  
18 A I was with my brother.  
19 Q Which brother?  
20 A My brother Alvin and my -- can I --  
21 Q Was anyone else with you?  
22 A The nurses. They asked me if I wanted the Mayor  
23 there and I said no. And my brother went outside in  
24 the hallway and told the Mayor not to come in. And  
25 the Mayor pushed one aside from him and came in

235

1 through what happened that day.  
2 Q Well, if you want to think through, that's fine, but  
3 then I want to go off the record while you think it  
4 through.  
5 MR. ARELLANO: No, just answer the  
6 question.  
7 A It's a real short thing. I was going to meetings in  
8 the community and I was hit from behind.  
9 Q My question was what time did you arrive at the  
10 hospital that day?  
11 A It was after lunch.  
12 Q And what time did you leave the hospital that day?  
13 A Later on that evening, that afternoon, the evening.  
14 Q Were you formally discharged from the hospital?  
15 A Yes.  
16 Q Did you ever file a worker's compensation claim as a  
17 result of the accident?  
18 A No.  
19 Q Why not?  
20 A Because while I was sore, I, I worked. I was sore  
21 but I worked.  
22 Q You were headed to a meeting at the time the  
23 accident occurred?  
24 A I was coming out of a meeting.  
25 Q You were coming out of the meeting. Where was the

237

1 meeting that you were coming out of?  
 2 A It was with, if I recall and I'm not real sure, I  
 3 thought I was with Ernesto Chacon.  
 4 Q Ernesto Chacon?  
 5 A And maybe Pedro Colon.  
 6 Q And did this meeting have something to do with the  
 7 block grant operation?  
 8 A No. It was more of political meeting.  
 9 Q Did you regard yourself as being on City time at the  
 10 time of the accident?  
 11 A No. It was my lunch hour.  
 12 Q Well, were you on City business at the time of the  
 13 accident?  
 14 A No.  
 15 Q Anyway, you never filed a worker's comp claim?  
 16 A No.  
 17 Q Going back to the request by the Mayor that you  
 18 attend with him the 1996 democratic convention, do  
 19 you know if anyone made hotel reservations for you?  
 20 A No, I don't.  
 21 Q You don't know that at all?  
 22 A No.  
 23 Q Do you know if you ever told anyone in the Mayor's  
 24 office you were not going to go?  
 25 A No.

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1 Q Do you know if anyone else booked reservations for  
 2 you for your trip to Chicago for the '96 democratic  
 3 convention?  
 4 A No, I don't think so. Maybe Ruth. See, staff would  
 5 go to some of those things with the Mayor. I don't  
 6 know if Ruth did or not.  
 7 Q But if anybody would have, Ruth would have?  
 8 A Yes. Ruth is the one that does the scheduling.  
 9 Q For the '96 democratic convention was there any --  
 10 was there any arrangement made by you for travel to  
 11 Chicago?  
 12 A No. I knew I wasn't going to go.  
 13 Q When did you tell anyone you weren't going to go?  
 14 A I didn't tell any of them.  
 15 Q You didn't tell anybody on the staff?  
 16 A No.  
 17 Q You didn't tell the Mayor?  
 18 A No.  
 19 Q You just weren't going to go?  
 20 A He expected me to be there as he expected me to be  
 21 other places.  
 22 Q What did the Mayor say to you for the '96 convention  
 23 that caused you to believe he expected you to be  
 24 there?  
 25 A He told me one evening at work that he had the

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1 Q The answer is you didn't tell anyone in the office  
 2 you weren't going to go?  
 3 A The Mayor told me not to.  
 4 Q The Mayor told you not to go?  
 5 A The Mayor told me not to tell anybody.  
 6 Q Oh, the Mayor told you not to tell anyone. Did the  
 7 Mayor -- for the '96 convention did the Mayor give  
 8 you money to make a hotel reservation?  
 9 A There were many excuses, and finally all the excuses  
 10 exhausted and he one day put an envelope like this  
 11 and an Amtrak thing, and he said now you have no  
 12 excuses. I expect to see you there.  
 13 Q I thought that was for the '97 convention, or the  
 14 '97 trip. I'm asking about the '96 trip.  
 15 A The '96 trip? Nobody knew. No, that was different.  
 16 Q Did the Mayor give you money to go to Chicago and  
 17 book a hotel for the '96 convention?  
 18 A No.  
 19 Q Did you make any phone calls to Chicago for purposes  
 20 of making a reservation?  
 21 A No. I used to take my kids on a train to Chicago.  
 22 Q Well, the answer is no, you didn't book any  
 23 reservations by telephone for yourself in Chicago  
 24 for the '96 convention?  
 25 A No.

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1 plan -- that he had to go and he wanted me to go  
 2 with him.  
 3 Q When did he tell you that?  
 4 A Before that convention.  
 5 Q Did you make a note of that conversation?  
 6 A No. Because I knew I wasn't going to go.  
 7 Q Did you ever make notes of any of the conversations  
 8 you had with the Mayor where you and the Mayor were  
 9 discussing setting up a meeting so that you two  
 10 could have sex?  
 11 A He would have conversations with me, but he wouldn't  
 12 put them that way.  
 13 Q No. My question is did you make notes of any of the  
 14 conversations you had with the Mayor where the  
 15 subject was you two meeting for the purposes of  
 16 having sex?  
 17 A No. He did.  
 18 Q Did you make any tape recordings of any such  
 19 conversations with the Mayor?  
 20 A No.  
 21 Q Did you make any tape recordings of any  
 22 conversations with the Mayor over the phone?  
 23 A No.  
 24 Q Did you make tape recordings of any conversations  
 25 with any of the individuals who so far have been

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1 called as witnesses in this case?  
 2 A No.  
 3 Q Did anyone else make tape recordings of such  
 4 conversations of anyone else involved that has been  
 5 deposed so far in this case that you know of, even  
 6 if it wasn't you personally?  
 7 A No.  
 8 Q In paragraph 15-C of your third amended complaint  
 9 you state, "On at least one occasion Mayor Norquist  
 10 demanded that she obtain intimate apparel to satisfy  
 11 his fantasies."  
 12 A Yes.  
 13 Q Do you remember making that allegation?  
 14 A Yes, I do.  
 15 Q Did you obtain the intimate apparel in question?  
 16 A The Mayor brought a bag into the office.  
 17 Q What was in the bag?  
 18 A It was a negligee.  
 19 Q It was a negligee?  
 20 A Yes -- --  
 21 Q Describe the negligee, please.  
 22 A I think it was, I think it was purple, or black and  
 23 it had some panties that are like thongs. And it  
 24 was a type of negligee that seemed to be for someone  
 25 that was comfortable with wearing real sexual stuff

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1 like that.  
 2 Q Are you done?  
 3 A Yes.  
 4 Q Did you ever wear the negligee?  
 5 A No, I didn't.  
 6 Q Do you know where the negligee is today?  
 7 A He has it.  
 8 Q The Mayor has it?  
 9 A Yes.  
 10 Q Did you give it back to him?  
 11 A Yes. I -- can I finish answering?  
 12 MR. ARELLANO: Answer his question.  
 13 A Yes, he has it.  
 14 Q Paragraph 15-C suggests that the Mayor demanded that  
 15 you obtain intimate apparel.  
 16 A Yes.  
 17 Q Did you ever purchase intimate apparel on your own?  
 18 A After the Mayor would get upset because I didn't and  
 19 he would make it clear, I did purchase some, a  
 20 negligee but it wasn't a negligee, it was more like  
 21 a pajama, soft.  
 22 Q Have you ever worn it?  
 23 A No.  
 24 Q Where is it today?  
 25 A He has it.

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1 Q The Mayor has it?  
 2 A I -- I gave him -- can I explain though? I need to  
 3 explain that to you.  
 4 Q Okay.  
 5 A Towards the end of October, November, December --  
 6 Q Of what year?  
 7 A Of '99.  
 8 Q Okay.  
 9 A The Mayor was very mean, mean looking, demanding,  
 10 upset, critical. And so because I wouldn't show up  
 11 to places or I would sneak out, because I tried to  
 12 avoid him in places when the staff were together,  
 13 because I refused Ruth's telling me to go see the  
 14 Mayor, because I refused him closing the door, he  
 15 was beginning to get really angry. And so for  
 16 several occasions he would ask me to buy something  
 17 that was a negligee. When I purchased the negligee,  
 18 he saw it and he didn't like it. And I didn't feel  
 19 comfortable wearing it. And he -- I didn't wear it.  
 20 And he was upset.  
 21 Q When did you purchase it?  
 22 A September, October, November.  
 23 Q September, October, November of '99?  
 24 A Yes.  
 25 Q From where did you purchase it?

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1 A Target.  
 2 Q How did you pay for it?  
 3 A Cash.  
 4 Q Do you have the sales receipt?  
 5 A I've looked for them. I can't find it.  
 6 Q You can't find it at all?  
 7 A But I'm still looking.  
 8 Q And the Mayor has the negligee?  
 9 A He has both of them, yes.  
 10 Q The one he purchased for you and the one that you  
 11 purchased for yourself?  
 12 A Yes.  
 13 Q Were there any other items of intimate apparel that  
 14 you were referring to in paragraph 15-C that we have  
 15 not yet covered?  
 16 A Can I see 15-C?  
 17 Q Sure.  
 18 MR. SCHRIMPF: Let the record  
 19 reflect I'm showing the witness paragraph 15-C  
 20 of the third amended complaint.  
 21 Q Okay. You've seen it?  
 22 A Yes.  
 23 Q Are there any other items of intimate apparel that  
 24 you were referring to?  
 25 A He in his, in the office when he --

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1 MR. ARELLANO: Counsel, I just want  
2 to understand, which complaint are you  
3 referring to?  
4 MR. SCHRIMPF: Oh, third amended  
5 complaint.  
6 MR. ARELLANO: The third amended  
7 complaint.  
8 Q Please continue.  
9 A He had a set of women's sheer underwears that were  
10 very offensive to me.  
11 Q Give me the date that you were shown these items.  
12 A Give you the date?  
13 Q Yes. What's the date you were shown those items?  
14 A It was -- I can't give you the date. I can give you  
15 the month.  
16 Q What was the month?  
17 A I believe it was November.  
18 Q Of what year?  
19 A Of 1999.  
20 Q Where were you when he showed you these items?  
21 A In my home, the second one. The first one he  
22 brought it to the office.  
23 Q Did he show you those items on the occasion of the  
24 last act of sexual intercourse in November of 1999?  
25 A No.

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1 Q When in November of 1999 did he show you those  
2 items?  
3 A Those were his -- I don't -- I don't remember when  
4 he showed me the ones that he bought, but during the  
5 time he kept asking me did you get it, did you get  
6 it, what I was supposed to get.  
7 Q And what you were supposed to get was the negligee  
8 that you've testified to?  
9 A Yes.  
10 Q And then if you were supposed to get something, did  
11 the Mayor tell you why he was showing you these  
12 other items of apparel?  
13 A He didn't say.  
14 Q He said nothing?  
15 A He walked into the office with this  
16 Victoria's Secret bag and told me to take it.  
17 Q And that was the negligee with the thong panties --  
18 A Yes.  
19 Q -- that you've testified to earlier?  
20 A Yes.  
21 Q What were these other items that you've referenced?  
22 A That I gave back to him?  
23 Q Well, I don't know what you did with them, ma'am.  
24 A I gave back to him cards, letters, those two things.  
25 And can I tell you the reason why? Because it's

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1 important.  
2 Q Why?  
3 MR. ARELLANO: Hold on. Just  
4 answer his question.  
5 THE WITNESS: Okay.  
6 MR. SCHRIMPF: Okay.  
7 MR. ARELLANO: Did you understand  
8 the question?  
9 Q When you and Mayor Norquist --  
10 A I'm sorry.  
11 Q When you and Mayor Norquist broke off the sexual  
12 relationship that you had, where were you?  
13 A First of all, it wasn't a relationship. Secondly,  
14 there were many times that I believed that it was  
15 done because he promised, because I was stronger.  
16 So when you say broke it off, I don't understand  
17 what you mean by that.  
18 Q Let me rephrase the question. When was the last  
19 time -- strike that. Between the beginning of  
20 December of 1999 and the date of your automobile  
21 accident, did you and Mayor Norquist have any phone  
22 calls?  
23 A He called me all the time.  
24 Q Well, I'm talking about a phone call where you  
25 actually connected, where you spoke.

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1 A Probably.  
2 Q Do you remember when?  
3 A No.  
4 Q How did the affair come to an end? And I'm using  
5 the word affair and I understand that you may not  
6 agree with that, but how did this series of sex acts  
7 between you end?  
8 A Okay. I need to explain that to you.  
9 Q Okay.  
10 A In 1998 I worked on Pedro Colon's campaign. I  
11 thought Bill Christofferson and the Mayor and  
12 everybody was okay with it. I went and worked hard  
13 and it was a good time that I didn't have to -- I  
14 could easily say no, Mayor, I'm sorry. I didn't  
15 have to answer the calls.  
16 And so then after the fund raiser I felt  
17 stronger. And then I did -- after the campaign.  
18 And then I did a fund raiser for the Mayor because  
19 he was upset that I hadn't done one for him. And so  
20 at that fund raiser he was very touching too much.  
21 And I finally talked to him and I said this has to  
22 end, and I was stronger. And I said I have -- this  
23 have to end. I'm going to help -- I'm going to get  
24 help and I need to talk to someone. And so he --  
25 all of a sudden I didn't understand why, but he was

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

MARILYN FIGUEROA,

Complainant.

-vs-

CITY OF MILWAUKEE.

Respondent.

)  
)  
) ERD Case No.  
) CR200003454  
)  
)  
)  
)

Continuation of Videotape Deposition of:

MARILYN FIGUEROA

(Volume III)

Milwaukee, Wisconsin  
March 26, 2002

Reporter: Taunia Northouse, RDR, CRR

VOLUME III of VIDEOTAPE DEPOSITION of

MARILYN FIGUEROA, the Complainant, called as a witness, taken at the instance of the Respondent, under the provisions of Chapter 885 of the Wisconsin Statutes, pursuant to notice and subpoena duces tecum, before Taunia Northouse, a Registered Diplomate Reporter and Notary Public in and for the State of Wisconsin, at the offices of Murphy, Gillick, Wicht & Prachthauser, Attorneys at Law, 330 East Kilbourn Avenue, City of Milwaukee, County of Milwaukee, and State of Wisconsin, on the 26th day of January 2002, commencing at 1:52 in the afternoon.

A P P E A R A N C E S

VICTOR M. ARELLANO, JAMES A. OLSON, RICHARD L. CATES and JOHN C. CARLSON, JR., Attorneys, for LAWTON & CATES, S.C., Attorneys at Law, 10 East Doty Street, Madison, Wisconsin, appearing on behalf of the Complainant.

BRUCE D. SCHRIMPF and LEONARD A. TOKUS, Assistant City Attorneys, and THOMAS HAYES, Deputy City Attorney, for CITY OF MILWAUKEE, OFFICE OF THE CITY ATTORNEY, 200 East Wells Street, Milwaukee, Wisconsin, appearing on behalf of the Respondent.

Also present: Cheri Garcia and Barbara Teipner-Wargolet

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I N D E X

WITNESS

Page(s)

MARILYN FIGUEROA

Examination by Mr. Schrimpf

345

E X H I B I T S

No. Description

Identified

(There were no exhibits marked for identification)

(Original transcript filed with Attorney Schrimpf)

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MARILYN FIGUEROA,

called as a witness, being first duly sworn, testified on oath as follows:

EXAMINATION

By Mr. Schrimpf:

Q Good afternoon, Ms. Figueroa.

A Good afternoon.

Q When we last met, Ms. Figueroa, your attorney at the end of the deposition took you through a series of questions as to medication that you were on I believe to control panic. Do you recall that?

A That's one of my medications, yes.

Q And I believe there was a question, and you indicated affirmatively in answer to the question, as to whether or not you had taken an extra amount of that medication that morning. Do you recall that?

A Yes, I do.

Q

A

Q

A

Q

25

325



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

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1 first day or did you start with the morning of the  
2 second date?

3 A I don't remember.

4 Q Is there anything that you wish to change about  
5 anything that you told me as a result of the  
6 previous deposition?

7 A

8

9

10 Q

11

12

13

14 A

15

16 Q Well, I'll object to your characterization of --

17 MR. OLSON: Well, whatever, the  
18 record will speak for itself. You don't need  
19 an objection.

20 Q Do you recollect that the Mayor testified after you  
21 did on Wednesday, March 6th, 2002?

22 A Yes.

23 Q And what about the testimony of the Mayor was a lie  
24 in your opinion?

25 A I saw that he described his assaults on me as an

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1 Q And you have not taken an extra amount of any  
2 medication prior to coming here today?  
3 A Not today, no.  
4 Q Is there anything about any of these medications  
5 that will alter or affect your ability to remember  
6 facts and circumstances as I may ask them?  
7 A Perhaps.  
8 Q Has your doctor advised you that taking these  
9 medications will affect your memory or recall of  
10 events?  
11 A Not that I recall.  
12 Q Have you had a chance to read your deposition from  
13 the last time?  
14 A I started to. I didn't.  
15 Q You didn't?  
16 A No, I didn't.  
17 Q How far did you get? You said you started to. How  
18 far did you get into it?  
19 A One or two pages.  
20 Q And then you stopped?  
21 A Yes.  
22 Q Was that because concentration was difficult?  
23 A Because I didn't understand the sequence of it and  
24 it was frustrating to read it.  
25 Q I see. Did you start with the afternoon of the

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1 affair, and I disagree with that.

2 Q So you disagree and believe it is a lie when the  
3 Mayor is saying that it was an affair; is that  
4 correct?

5 A Yes, it is.

6 Q And how do you characterize the episodes of sexual  
7 interaction between you and the Mayor?

8 A Sexual assaults.

9 Q As sexual assaults. When any of those sexual  
10 assaults took place, did you report any of those  
11 assaults to authorities, such as the police  
12 department or the District Attorney's Office?

13 A At that -- no, I did not know who I can report to  
14 those.

15 Q Did you report any of those assaults to any internal  
16 part of the City government of the City of  
17 Milwaukee?

18 A I tried to.

19 Q Well, but did you is my question?

20 A By the time I tried to get the form they already  
21 told the Mayor that I tried to get the forms. So I  
22 stopped.

23 Q Sure. Are you referencing the conversation that you  
24 had with Ms. Dukes as she recalls it on the  
25 afternoon of January 5th, 2000?

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1 A Yes.

2 Q Did you, aside from that, make any other effort to

3 report these assaults to any part of the City

4 government of the City of Milwaukee?

5 A Yes, I tried to.

6 Q When and where did you make such attempts?

7 A I tried to talk to Bill Christofferson. I tried to

8 talk to Ruth Wyttenbach. And I tried to talk to the

9 chief of police, Arthur Jones.

10 Q Were you in --

11 A And I also tried to talk to Mike Soika.

12 Q And did you at any time tell any of those

13 individuals that in fact the Mayor was assaulting

14 you?

15 A No.

16 Q You never did?

17 A I was afraid to.

18 Q Can you tell me the dates when you attempted to tell

19 Mr. Christofferson?

20 A When I tried to get a job at Department of City

21 Development, which probably would have been in 1996.

22 Q You tried to get a job at the Department of City

23 Development?

24 A Yes. The position with David Venegas.

25 Q I'm sorry?

330

1 A The position that Davis Venegas had at the

2 Department of City Development.

3 Q Was he occupying the position at the time?

4 A No. He was no longer there.

5 Q He had left?

6 A Yes.

7 Q And what was his job?

8 A He worked with the Community Base Venture Funds

9 under Michael Morgan.

10 Q Is it a fact that you knew Mr. Morgan?

11 A Yes. I worked with him there at the City.

12 Q And how long have you known Mr. Morgan?

13 A Since I worked at the City, 1992.

14 Q 1992? Okay. How well do you know Mr. Morgan?

15 A Not real well.

16 Q Are you done?

17 A I know him from working at City Hall.

18 Q Did you ever tell Mr. Morgan you were interested in

19 the position?

20 A Yes.

21 Q And when did you do that?

22 A Before I spoke to Bill Christofferson.

23 Q At the time that you did this, was

24 Mr. Christofferson the chief of staff?

25 A Yes, he was.

331

1 Q And what, if anything, did Mr. Christofferson tell

2 you?

3 A That he would talk to the Mayor about it.

4 Q Do you know whether or not he ever did?

5 A I know he did because the Mayor told me no.

6 Q The Mayor told you no?

7 A Yes.

8 Q When was this?

9 A Soon after that.

10 Q Do you have a date?

11 A No. That was in 1996.

12 Q Did you keep notes or records of any of these

13 conversations?

14 A No. I did not.

15 Q Did you keep a diary of any of these conversations?

16 A No, I did not.

17 Q Did you mark any of this on a calendar?

18 A No, I did not.

19 Q However informally?

20 A No, I did not.

21 Q Do you think Mr. Christofferson would remember this?

22 A Yes, I think he would.

23 Q Did you attempt at that time to tell

24 Mr. Christofferson of the sexual matters that were

25 occurring between you and Mayor Norquist?

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1 A No, I did not.

2 Q Ruth Wyttenbach you listed. Do you recall that?

3 A Yes, I do.

4 Q When did you attempt to tell Ms. Wyttenbach of the

5 sexual matters between you and the Mayor?

6 A They weren't clearly conversations that were sexual.

7 I began to tell her that he called me all the time

8 and I was uncomfortable with him calling me and that

9 I was uncomfortable with him coming into my office.

10 Q And when did you have this conversation with

11 Ms. Wyttenbach?

12 A Throughout my employment at the Mayor's office.

13 Q So there were numerous conversations with

14 Ms. Wyttenbach about this?

15 A Yes.

16 Q Can you give me a date of any of those

17 conversations?

18 A No, I can't.

19 Q You kept no record of any of those conversations?

20 A No, I did not.

21 Q You have no memos to yourself regarding those

22 conversations?

23 A No, I don't.

24 Q No letters mailed to yourself regarding those

25 conversations?

333

1 A No, I don't.  
 2 Q And what, if anything, did Ruth Wytttenbach tell you?  
 3 A She explained that he's the Mayor. She would come  
 4 to my office and tell me the Mayor wanted to talk to  
 5 me, and she would be upset because I didn't want to  
 6 go to talk to the Mayor.  
 7 Q Well, did you ever tell Ms. Wytttenbach that the  
 8 Mayor was entering your office and it appeared as  
 9 though he had an erection?  
 10 A No, I did not.  
 11 Q Did you ever tell Ms. Wytttenbach that the Mayor  
 12 entered your office and talked about sexual matters?  
 13 A No, I did not.  
 14 Q Did you ever tell Ms. Wytttenbach that the Mayor  
 15 entered your office and gave you lists of dates  
 16 where he could arrange a sexual liaison with you?  
 17 A No, I did not.  
 18 Q So there's no reason for believing that  
 19 Ms. Wytttenbach would have understood that any of  
 20 this was related to sexual affairs between you and  
 21 Mayor Norquist, am I correct?  
 22 A There were no sexual affairs. There were sexual  
 23 assaults.  
 24 Q Well, all right, sexual -- let's just say sexual  
 25 episodes between you and the Mayor; is that correct?

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1 A Correct.  
 2 Q You indicated that you talked to the chief, and the  
 3 deposition of the chief was taken and you were here.  
 4 Do you recall that?  
 5 A Yes, I do.  
 6 Q And you recall the chief testifying about a luncheon  
 7 that he had with you sometime in early December of  
 8 the year 1999; do you recall that?  
 9 A Yes.  
 10 Q And is there anything about the chief's testimony  
 11 that is inaccurate that you wish to clarify?  
 12 A Yes.  
 13 Q What is inaccurate about the chief's testimony?  
 14 A I believe that at that lunch meeting a group of  
 15 detectives walked in there. He was surprised and he  
 16 didn't -- he was paying attention to them. And I  
 17 remember that I was upset and I was crying at that  
 18 time and the conversation stopped. I was getting  
 19 ready to tell the chief what was happening, and I  
 20 didn't get a chance to finish.  
 21 Q And so am I correct in understanding that therefore  
 22 the chief did not know that there were sexual  
 23 assaults that were taking place committed by  
 24 Mayor Norquist upon you?  
 25 A I believe that today.

335

1 Q You believe that he did not know?  
 2 A I believe that he didn't -- I didn't believe it  
 3 then. I believe it today.  
 4 Q What has changed between -- when you say then, you  
 5 mean early December of the year 1999?  
 6 A In the past.  
 7 Q Well, but I'm trying to establish a date.  
 8 A Before -- I believe at the deposition I believed the  
 9 chief made it clear that he did not know.  
 10 Q And you believe him?  
 11 A I believe him, yes.  
 12 Q And is it a fact that you did not tell the chief of  
 13 police that the Mayor was engaging in sexual  
 14 assaults upon you?  
 15 A Yes.  
 16 Q Michael Soika, when did you attempt to tell  
 17 Michael Soika of these assaults?  
 18 A It would have been in the last month that -- in  
 19 December sometime when --  
 20 Q Of 1999?  
 21 A Of 1999.  
 22 Q And what did you tell Mr. Soika with reference to  
 23 the sexual assaults?  
 24 A I told him that I had to tell him something that was  
 25 very confidential.

336

1 Q Okay. Then what happened?  
 2 A He cut my conversation off and I didn't get to tell  
 3 him.  
 4 Q How did he cut your conversation off?  
 5 A Someone either walked in or he just didn't seem to  
 6 want to continue the conversation.  
 7 Q Well, did you ever go back to him and say I want to  
 8 continue our conversation that we were having?  
 9 A No.  
 10 Q When in December of 1999 was this conversation with  
 11 Mr. Soika?  
 12 A It was probably before my car accident. It was  
 13 probably the second week of December.  
 14 Q Was it after your lunch meeting with Chief Jones?  
 15 A Yes.  
 16 Q And you said that Mr. Soika was interrupted by  
 17 someone else or he indicated that he wasn't  
 18 particularly interested?  
 19 A It wasn't like that. It was --  
 20 Q Tell me how it was.  
 21 A He was -- he was busy. I don't remember. I just  
 22 know that I could not -- it wasn't the place and I  
 23 could not tell him for some reason. Either he cut  
 24 me off or someone came to the office. I don't  
 25 remember.

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1 Q And you didn't try to re-establish the conversation  
2 with Mr. Soika in the first half of December of the  
3 year 1999?  
4 A I didn't try to?  
5 Q Re-establish the conversation with Mr. Soika about  
6 the sexual assaults.  
7 A No, no.  
8 Q Ever?  
9 A No.  
10 Q At any time?  
11 A No.  
12 Q Ms. Figueroa, I asked you the last time about an  
13 interview that you had with Milwaukee Magazine. Do  
14 you recall that?  
15 A Yes. I don't recall you asking me, but I recall the  
16 interview.  
17 Q You do recall that there was an interview that you  
18 had --  
19 A Yes.  
20 Q -- with Milwaukee Magazine? Okay. And I asked you  
21 if there were any documents that you used to assist  
22 you in that interview.  
23 A I don't --  
24 MR. OLSON: I think, counsel, the  
25 problem is she's trying to -- she doesn't know

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1 whether she's trying to recall what you asked  
2 her or what was at the, involved at the  
3 Milwaukee Magazine interview. And it might be  
4 easier, although I'm not trying to tell you  
5 how to conduct your -- if you asked her  
6 basically whether she used any documents at  
7 the Milwaukee interview. I think that's what  
8 you're getting at anyways.  
9 Q Going back for a moment to the sexual assaults, when  
10 did they start?  
11 A In --  
12 Q When is the first time a sexual assault took place?  
13 A A sexual assault took place in 1995.  
14 Q When?  
15 A It was during the block grant -- it was probably in  
16 the September, October, mid, mid to late -- late  
17 summer to, September, October of 1995.  
18 Q And was this the episode when you came to the  
19 Mayor's house to deliver some block grant documents?  
20 A Yes, it was.  
21 Q How long did the sexual assaults continue?  
22 A Three to four minutes.  
23 Q No, no, no. You misunderstood me, or perhaps I  
24 inartfully asked the question. In terms of when to  
25 when in the calendar during the course of your

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1 employment in the Mayor's office, how long did these  
2 sexual assaults continue?  
3 A About once, almost once a year for -- from 1995 to  
4 1999.  
5 Q Was there ever a time when you were engaged in sex  
6 with the Mayor when it was not a sexual assault?  
7 A There, in 1997 I believe I knew that I had to engage  
8 in having sexual contact with him in order to keep  
9 my job.  
10 Q And what facts do you have that caused you to come  
11 to that conclusion?  
12 A Because in 1996 when I didn't show up to Chicago, he  
13 was very angry, and he let me know that he was very  
14 angry by letting me know that he knew I was avoiding  
15 him.  
16 Q The Mayor testified the second day on March 6th of  
17 2002, and I believe you were present in the room for  
18 most, if not all of his testimony. Do you recollect  
19 that?  
20 A I recollect I was here, but I don't recollect a lot  
21 of the --  
22 Q You don't recollect anything about the Mayor's  
23 testimony?  
24 A Some stuff, yes.  
25 Q Do you recollect that the Mayor identified episodes

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1 where you and he had sex?  
2 A I recollect that he described what I have said to  
3 you as assaults as sex encounters, yes.  
4 Q And the Mayor gave something of a chronological  
5 sequence of episodes and approximate times when sex,  
6 an act of sex occurred between you and he. Do you  
7 recollect that?  
8 A I recollect some of them, yes.  
9 Q Are there any of those that you disagree with in  
10 terms of timing? I'm not asking in terms of how you  
11 characterize it but at least in terms of timing and  
12 how the Mayor described the place and the event and  
13 those sorts of details, is there anything that you  
14 disagree with in those?  
15 MR. OLSON: Okay, just so that the  
16 witness is clear and I'm clear, the witness  
17 obviously describes the episodes as assaults.  
18 The Mayor describes them as consensual.  
19 MR. SCHRIMPF: Right.  
20 MR. OLSON: What you want to do is  
21 to put aside the characterization --  
22 MR. SCHRIMPF: That's right.  
23 MR. OLSON: In other words, he's  
24 not asking you to agree that it was a  
25 consensual sex on any occasion.

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1 MR. SCHRIMPF: Right.  
2 MR. OLSON: All he wants to know is  
3 as far as the approximate time periods --  
4 MR. SCHRIMPF: That's correct.  
5 MR. OLSON: -- where he said they  
6 occurred and also the locations --  
7 MR. SCHRIMPF: That's correct.  
8 MR. OLSON: -- of where they  
9 occurred. Do you recall, and if you don't  
10 recall, that's something else, but do you  
11 recall whether you have any disagreement.  
12 A I don't -- I can't remember to not -- to agree or  
13 disagree -- I can't, Mr. Tokus. You know, you have  
14 sat here and you laugh about me and you write your  
15 notes, and you need to stop that so that I can do  
16 what I have to do. No.  
17 MR. ARELLANO: Let's go off the  
18 record.  
19 (Discussion off the record)  
20 MR. TOKUS: Just a minute,  
21 Mr. Schrimpf, I think a record should be known  
22 that my face was perfectly expressionless.  
23 And I wasn't touching my nose or anything  
24 else.  
25 MR. SCHRIMPF: The record will so  
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1 as best what she can recall the encounters and  
2 approximately when they occurred and what she  
3 can remember about them. What she's I think  
4 having difficulty doing is trying to determine  
5 whether the Mayor's testimony that he gave in  
6 Madison a few weeks ago is accurate or  
7 inaccurate. I understand that you might be  
8 trying to shortcut this to see if we can get  
9 an area of agreement or disagreement as to  
10 approximate times and locations. But  
11 unfortunately I don't think that's -- we're  
12 going to be able to do it that way.  
13 MR. SCHRIMPF: Well, I would just,  
14 and I think, counsel, you wouldn't necessarily  
15 disagree with me, that I'm trying to establish  
16 from this witness's point of view what the  
17 timing of the events were, what the -- where  
18 they occurred, who said what, who was wearing  
19 what, those sorts of questions. And I think  
20 if you read the deposition transcript from the  
21 last time around, it's pretty clear that the  
22 witness's memory was significantly impaired.  
23 And I don't want to have to go through that  
24 same exercise again today and waste valuable  
25 time. On the other hand, I am trying to pin  
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1 reflect.  
2 MR. OLSON: Well, the record will  
3 so reflect that's what Mr. Tokus says. Okay.  
4 We have it on the record.  
5 Q What dates, if any, and circumstances, excluding  
6 whether it was voluntary or not voluntary, about the  
7 Mayor's testimony do you disagree with? In other  
8 words, are there any dates or circumstances, other  
9 than whether or not it was voluntary, that you  
10 disagree with?  
11 A I cannot answer that because I cannot remember what  
12 I, what date -- what half of, more than half of what  
13 he said.  
14 Q So if I were to ask you about specific times when  
15 you and the Mayor engaged in sex, and I'm talking  
16 about sexual intercourse now, you would not have an  
17 independent recollection of whether or not you had  
18 sex on a particular date; is that right?  
19 MR. OLSON: Well, I object to that.  
20 That's not a proper characterization of her  
21 testimony.  
22 MR. SCHRIMPF: I'm trying to  
23 understand.  
24 MR. OLSON: I know. What she is  
25 trying to tell you is for -- she will tell you  
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1 down her recollection of the events, whatever  
2 it may be. And this may mean that I'm going  
3 to have to have more time with her.  
4 MR. OLSON: Well, whatever it means  
5 it means. But I think that certainly it's  
6 legitimate for you to get from the witness  
7 what her recollections are of the approximate,  
8 you know, times and locations and what was  
9 said. And, you know, during the last time  
10 that you took her deposition, at some times  
11 she had some confusion. Sometimes I think she  
12 was very accurate. And she's, you know, it's  
13 part of the nature of her condition that she  
14 has that it makes it very difficult for her to  
15 express these things. They're all very  
16 painful.  
17 MR. SCHRIMPF: Sure, sure.  
18 MR. OLSON: So I think that  
19 unfortunately, I mean it would be nice if we  
20 could enter into a stipulation as to the times  
21 and the places so we wouldn't have to go  
22 through that. But I don't think that's going  
23 to be possible. And I'm afraid you're just  
24 going to have to do it the best you can going  
25 through it encounter by encounter till you  
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1 feel that you have what is a necessary record,  
2 painful as it is for the witness and also I  
3 realize some difficulty for you.

4 Q Is there anything that you can remember about your  
5 previous testimony with me on either the afternoon  
6 of March the 5th or the morning of March the 6th of  
7 2002?

8 A I remember we talked about the first sexual assault  
9 in 1995.

10 Q And this was at the Mayor's house?

11 A The block grant.

12 Q With the block grant?

13 A With the block grant recommendations.

14 Q Do you remember anything else?

15 A I don't know if I was able to tell you about the  
16 time after that in 1996.

17 Q Well --

18 A Did I?

19 Q Well, let's try it this way. Now, as I understand  
20 it, you're a graduate of South Division High School?

21 A Yes, I am.

22 Q What year did you graduate?

23 A 1978.

24 Q And you attended the University of Milwaukee, I take  
25 it that's the University of Wisconsin at Milwaukee?

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1 A Yes.

2 Q Sometimes known as UW-M?

3 A Yes.

4 Q And what dates did you attend that institution?

5 A When I worked at United Community Center, '7 --  
6 1980, maybe 1979.

7 Q 1979 and 1980? And you did not obtain a degree from  
8 that institution; is that correct?

9 A No, I did not.

10 Q And then the last time we went through various of  
11 your employment that you had after high school?

12 A Yes.

13 Q Is there anything about that -- you recollect that  
14 testimony?

15 A I remember talking to you about the places that I  
16 worked, yes.

17 Q Is there anything about that testimony that was  
18 inaccurate and that you want to change?

19 A I don't remember exactly what I said to you, so I  
20 can't answer you.

21 Q So you don't remember that part of the testimony  
22 either?

23 A No.

24 MR. OLSON: Well, I don't think  
25 that that's what she said. She says that she

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1 remembers discussing with it to you, but now  
2 you're asking to a level of detail if there's  
3 any changes that she wants to make, and I  
4 think what she's telling you is she can't go  
5 into the level of detail as to what the  
6 questioning is, nor could I frankly.

7 Q Can you identify any parts of the testimony  
8 transcript from either March the 5th or March the  
9 6th that is accurate as best as you can remember it?

10 MR. OLSON: Well, I guess I object.  
11 We're asking her to try to recall eight hours  
12 of testimony. I think that's more than any  
13 person can possibly do.

14 Q I'd like to take you back in time to the time that  
15 you were hired in the Mayor's office.

16 A Yes.

17 Q Do you recollect that?

18 A Yes, I do.

19 Q And as I understand it, you had previously worked  
20 for SDC?

21 A Social Development Commission, yes.

22 Q And that's sometimes referred to as SDC?

23 A Yes.

24 Q And who was your boss at SDC?

25 A Mike Obinger.

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1 Q And there came a point in time when you left SDC?

2 A Yes.

3 Q And was that to secure employment in the Mayor's  
4 office?

5 A The Mayor's office called me to hire me to work at  
6 his office, yes.

7 Q Who called you?

8 A I guess the Mayor first called and the receptionist  
9 hung up and then -- because they didn't think it was  
10 the Mayor. And then I think it was John Tries,  
11 John Tries called -- John Tries is the person that I  
12 talked to, but I think David Webster called too.  
13 But it was John Tries who I spoke to, yes.

14 Q And that was immediately before you were hired?

15 A Yes.

16 Q And Mr. Tries was the one who offered you the job or  
17 Mr. Webster was the one that offered you the job?

18 A They offered -- they told me to come in and speak to  
19 the Mayor about working for the Mayor.

20 Q Do you recall when this was?

21 A It was -- it was when I worked at Social Development  
22 Commission.

23 Q Well, but do you have a month or a season of the  
24 year?

25 A May, April maybe.

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1 Q Of what year?  
 2 A Of 1992.  
 3 Q Now, you said that the Mayor first called but the  
 4 receptionist hung up on him?  
 5 A Yes.  
 6 Q How do you know that?  
 7 A Because it was office that was open, and the  
 8 ~~receptionist~~ was a senior aide, and they thought it  
 9 was a funny thing. They didn't -- they thought it  
 10 was a joke that someone from the Mayor's office --  
 11 this was on the South Side Neighborhood Center, that  
 12 the Mayor would call.  
 13 Q Do you remember who the receptionist was who hung up  
 14 on the Mayor?  
 15 A I don't remember right now, no. I know who she is.  
 16 I just forgot her -- I don't remember her name.  
 17 Q You can't remember her name as we speak, but you  
 18 know who she is?  
 19 A Yes.  
 20 Q Can you describe her?  
 21 A She was an older woman. She was chubby. She had  
 22 short curly hair. And she was there as a senior  
 23 companion, which is a program that SDC has to help  
 24 seniors have some sort of employment, part-time kind  
 25 of employment or working with people in the

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1 community.  
 2 Q Is she still employed there?  
 3 A No, I don't think so.  
 4 Q Do you know if she retired?  
 5 A She probably has. She was an older woman.  
 6 Q And how was it known to you that somebody  
 7 identifying himself as the Mayor had called and she  
 8 hung up?  
 9 A Because our -- there were not offices. They were  
 10 partitions and she, you know, it was a joke to  
 11 everybody. Marilyn, someone's -- the Mayor is  
 12 calling you. And it was a joke.  
 13 Q And she told you this as the phone call terminated?  
 14 A Yes.  
 15 Q And when you talk about these partitions, do you  
 16 recall what color these partitions are?  
 17 A No.  
 18 Q Do you recall how high they are?  
 19 A No.  
 20 Q But if you're an adult person and you stand up, you  
 21 can look over them?  
 22 A No. They were higher than --  
 23 Q They were higher than that?  
 24 A Yeah, maybe about how that picture is.  
 25 Q Okay. About seven or eight feet up?

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1 A Yes.  
 2 Q And did she talk to you immediately after she hung  
 3 up on this person?  
 4 A She yelled it, yes.  
 5 Q She yelled it?  
 6 A Uh-huh.  
 7 Q Do you recall the date of this?  
 8 A No.  
 9 Q And then you said somebody called back?  
 10 A Yes.  
 11 Q Did they call her back or did they call you back?  
 12 A No. She's the receptionist. You have to call her  
 13 to get to any of us, any of the staff people.  
 14 Q So someone identifying themselves as John Tries  
 15 called back?  
 16 A Yes.  
 17 Q Or was it Mr. Webster that called back?  
 18 A I know Mr. Webster called and I know John Tries  
 19 called and even Mike Dawson called.  
 20 Q Did these people call before or after the Mayor  
 21 tried to call?  
 22 A After.  
 23 Q After. And then how long was it after -- and I take  
 24 it you eventually talked to all three of these  
 25 people, Dawson, Tries and Webster?

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1 A Yes.  
 2 Q Did you talk to them on the same day?  
 3 A I don't think so. Mike Dawson called me when they  
 4 were going through my resume' I guess to give I  
 5 guess to the Council.  
 6 Q Did you submit a resume'?  
 7 A Yes.  
 8 Q Did you submit the resume' before or after the first  
 9 phone call from the Mayor that was cut off?  
 10 A Oh, afterwards. I didn't -- I didn't -- they called  
 11 me and recruited me. I didn't -- I didn't go ask  
 12 for the job. She asked me for, to give me the job.  
 13 Q So prior to the time that you received the first  
 14 phone call from the Mayor, which didn't get through,  
 15 you had no intention of working for the Mayor's  
 16 office?  
 17 A No.  
 18 Q And if somebody would recall that in fact you were  
 19 talking about working for the Mayor's office after  
 20 the re-election of the Mayor in 1992, that person  
 21 would be in error?  
 22 A In 1992? No. I worked for the census in 1990 that  
 23 was under the Mayor's office.  
 24 Q The census was under the Mayor's office?  
 25 A Wisconsin Census Services was the program that the

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1 Mayor's office put funding for me to do the outreach  
 2 for -- I coordinated the outreach for the whole  
 3 City's outreach for the census.  
 4 Q You're not talking about the Federal Bureau of the  
 5 Census? You're talking about a program in the  
 6 Mayor's office; is that correct?  
 7 A Yes, yes.  
 8 Q Now, in paragraph 5 of your complaint you allege  
 9 that immediately after the complainant's hiring she  
 10 noticed what she perceived to be a two-tiered system  
 11 within the office of the Mayor. The chief of staff  
 12 would create two separate and distinct groups within  
 13 the Mayor's office. One group would consist  
 14 primarily of Caucasian staff, and a second group  
 15 composed of people of color with one or two  
 16 exceptions. Do you recollect making that  
 17 allegation?  
 18 A I recollect it happening and yes.  
 19 Q Who was in what group? Can you identify names as to  
 20 who was in what group?  
 21 A When David Reimer was the chief of staff, it was  
 22 David Reimer, Mike Dawson, Steve Jacquart, the  
 23 Mayor -- see, they showed -- David Reimer put  
 24 together the actual list to show the two different  
 25 groups, and I remember seeing it at the meeting.

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1 And then there was me, Maria Rodriguez, Orson Porter  
 2 that would have to meet with Mike Dawson separately.  
 3 And -- yes.  
 4 Q Can you remember what year this was?  
 5 A When Jim Rowen was the chief of staff, when  
 6 David Webster was the chief of staff. John Tries  
 7 only worked maybe three months while I was there, so  
 8 it was David Webster, Jim Rowen and  
 9 Bill Christofferson.  
 10 Q Did you ever see a document that in fact portrayed  
 11 this structure?  
 12 A The two, yes.  
 13 Q Do you have a copy of such a document?  
 14 A No. I wish I did but no.  
 15 Q You never kept such a copy?  
 16 A In my office, in the office -- in my files that I  
 17 had in that office, yes.  
 18 Q You kept a copy there?  
 19 A Yes.  
 20 Q Was that document from time to time changed, or once  
 21 published was it always the same?  
 22 A It was changed from chief of staff to chief of  
 23 staff.  
 24 Q Was it a listing of people?  
 25 A It had lists of people with lists of areas that you

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1 were responsible for.  
 2 Q A list of people with lists of areas.  
 3 A Yes.  
 4 Q When is the last time you saw such a document?  
 5 A I saw a document in those bunch of -- when  
 6 Mike Soika was the last chief of staff, he had a  
 7 bunch of the documents. He was doing these  
 8 documents. And I remember on my desk when I left,  
 9 the day that I left, January 4th, it was more  
 10 documents that showed either neighborhood, black or  
 11 church or economic development with different  
 12 people's names on it, yes.  
 13 Q Well, did this document describe anything like an  
 14 inner circle or an outer circle?  
 15 A Not the last one that --  
 16 Q I'm talking about the last document that you saw.  
 17 Did it describe a two-tiered system? Did it show  
 18 tier one and tier two?  
 19 A Yes, it did by the areas of responsibilities that  
 20 people were given.  
 21 Q But my question is was it labeled tier one, tier  
 22 two?  
 23 A Of course not.  
 24 Q It was simply labeled by areas of responsibility; is  
 25 that correct?

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1 A Yes.  
 2 Q And is it true and accurate to say that you  
 3 interpreted the document to be a two-tiered system  
 4 from reading the areas of responsibility?  
 5 A I interpret -- not just the document. The document  
 6 was just one way to know that there was two-tier  
 7 staff in that office.  
 8 MR. SCHRIMPF: Could I have that  
 9 answer read back.  
 10 (Answer read)  
 11 Q Were there any other documents other than this  
 12 listing of areas of responsibility that reflected  
 13 the two-tiered system to which you allude?  
 14 A Not documents, no, that I remember.  
 15 Q I'm sorry --  
 16 MR. OLSON: She said not documents.  
 17 MR. SCHRIMPF: Not documents, okay.  
 18 Q And did you retain a copy of the document that you  
 19 saw -- I believe you said this was the last morning  
 20 that you worked?  
 21 A No. I left it there in the office.  
 22 Q So you didn't retain a copy of it?  
 23 A I don't -- I had files of all of that in the office.  
 24 Q But you don't have them with you?  
 25 A No.

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1 Q Did you ever send anyone in to clean your desk out  
2 and retrieve your personal effects?

3 A No. I understand they cleaned my desk out and my  
4 files and threw them away.

5 Q But you never called anyone to say go in and get  
6 these items?

7 A No.

8 Q You know Pat Stawicki?

9 A Yes, I do.

10 Q You never called her to do that?

11 A No.

12 Q And you know Ruth Wyttenbach?

13 A Yes, I do.

14 Q And you never called her to do that?

15 A No.

16 Q And you knew Mr. Soika?

17 A Yes.

18 Q And you never told him to do that?

19 A No.

20 Q So you never made a request for your personal  
21 effects?

22 A No.

23 Q Now, in all of the sexual exchanges that you had  
24 with Mayor Norquist, how would you express the fact  
25 that you didn't want to have sex with him?

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1 Q Are there times that you can remember scratching  
2 him?

3 A Yes.

4 Q What are those times?

5 A In his house in 1995.

6 Q Was that the first time, Ms. Figueroa?

7 A No. He -- in 1994 he -- I had to push him away from  
8 me because, because he was holding my hand and he  
9 kissed my mouth and was talking to me.

10 Q Was this at his house?

11 A No.

12 Q Where was this?

13 A This is a house that I was going to buy, a pink  
14 house on Mineral Street.

15 Q 19th and Mineral?

16 A Yes.

17 Q Did you and the Mayor on the occasion you're  
18 thinking of now actually have sex?

19 A No.

20 Q He kissed you on the lips?

21 A He held my hand. He complained about his work. And  
22 he tried to kiss me. He, I backed off, but he did  
23 kiss me on my lips, yes. And I pushed him back.

24 Q Did you push him back before or after he kissed you  
25 on the lips?

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1 A I would tell him I don't want to do this. You need  
2 to stop this. I'm going to tell. I'm going to talk  
3 to someone. Please stop. Those are the kinds of  
4 things that I said to him.

5 Q Did you ever try to physically restrain the Mayor?

6 A Yes, I did.

7 Q What did you do in aid of physically restraining  
8 him?

9 A I pushed him. I squashed him. I pushed him. I  
10 fought him. I, I ran from him. I yanked myself  
11 away from him.

12 Q Did you ever physically make contact with him in an  
13 effort to stay away from him?

14 A Yes, yes.

15 Q Did you punch him?

16 A I hit him, yes. And I pushed him.

17 Q You hit him, you pushed him?

18 A And I screamed and I cried and I pushed him away.  
19 And I ran away from him.

20 Q How did you -- did you ever scratch him?

21 A Yes.

22 Q How many times?

23 A I don't know.

24 Q Did you do it every time?

25 A No.

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1 A Both, both.

2 Q How was he holding you?

3 A He was holding my hand.

4 Q With one of his hands or both of his hands?

5 A One of his hands.

6 Q Which hand was he holding?

7 A I don't remember.

8 Q You don't remember. But he kissed you?

9 A Yes.

10 Q Anything else happen on that occasion other than he  
11 kissed you and you tried to push him away?

12 A I told him to stop. He apologized. He -- I got up  
13 and I stood by the door and then he left. Then he  
14 left.

15 Q Were you seated when this occurred?

16 A Yes.

17 Q Why was the Mayor there, if you know?

18 A This was after a fund raiser that he told the police  
19 officers not to -- that they didn't have to give him  
20 a ride because I lived in his neighborhood. And --

21 Q Do you remember which fund raiser this was?

22 A It was at the Milwaukee Ballet which is on 5th and  
23 National. And he told his officers and I didn't --  
24 he didn't ask me. He told his officers that he  
25 would get a ride from me.

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1 Q Did you hear him say that?  
 2 A Yes.  
 3 Q Or did someone tell you he told them that?  
 4 A No, I heard him say that.  
 5 Q You heard him say that to his driver?  
 6 A Yes.  
 7 Q Do you recall who the driver was?  
 8 A No. I don't remember.  
 9 Q And this was a fund raiser at the Milwaukee Ballet?  
 10 A It was some kind of event, fund raiser that staff  
 11 had, that we all had to go to.  
 12 Q Well, but my question is was it at the Milwaukee  
 13 Ballet?  
 14 A It was at the Milwaukee Ballet at 5th and National.  
 15 Q 5th and National?  
 16 A Yes.  
 17 Q Okay. Was this in 1995?  
 18 A No, that was in 1994.  
 19 Q In 1994. Did you happen to have a flat tire on that  
 20 occasion?  
 21 A No.  
 22 Q Did you ever have a flat tire that the Mayor fixed?  
 23 A He -- yeah. He fixed a tire. Another time that he  
 24 told the people that he'd get a ride from me without  
 25 telling me.

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1 Q Well, he told people that he was going to get a ride  
 2 from you, and was that before or after he fixed the  
 3 tire?  
 4 A It was before.  
 5 Q We're talking about the same event, in other  
 6 words --  
 7 A No.  
 8 MR. OLSON: No.  
 9 Q No? We're not talking about the same event?  
 10 A No.  
 11 Q Tell me about the flat tire. Where was your car  
 12 parked?  
 13 A In the Windham.  
 14 Q In the parking center for City Hall employees?  
 15 A Yes.  
 16 Q How did the Mayor know there was a flat tire on your  
 17 car?  
 18 A Because he wanted, he took -- he told the staff  
 19 people that he would get a ride from me, so when we  
 20 got to my car he -- there was a flat tire.  
 21 Q And what did the Mayor do?  
 22 A He tried to fix it.  
 23 Q Did he?  
 24 A He had to ask someone to -- I guess I didn't have  
 25 the thing.

363

1 Q You mean wrench?  
 2 A Yes.  
 3 Q And so he got a wrench?  
 4 A Yes.  
 5 Q Do you recall when this was?  
 6 A No.  
 7 MR. OLSON: That's fine. If you  
 8 don't know you don't know.  
 9 A I don't recall.  
 10 Q Was it after a fund raiser?  
 11 A No.  
 12 Q Was it after work?  
 13 A I was going home. I just dropped him off at home.  
 14 Q Was there a gathering of people after work at a bar  
 15 or a restaurant before this?  
 16 A It was -- the staff people were together. I don't  
 17 know why.  
 18 Q Was it a party?  
 19 A It wasn't a party. The staff people were together  
 20 for something. I forgot about that.  
 21 Q Was it sort of like going out for a drink after  
 22 work?  
 23 A They were celebrating something.  
 24 Q You don't know what it was though?  
 25 A No.

364

1 Q And so the Mayor -- how did the Mayor get the tool  
 2 he needed to fix the tire?  
 3 A He asked some man that was walking by.  
 4 Q And you heard him do that?  
 5 A Yeah. It was my car.  
 6 Q And then you drove him home?  
 7 A Yes.  
 8 Q Did you have sex on that occasion, sexual  
 9 intercourse?  
 10 A No.  
 11 Q Did the Mayor attack you in any way that night?  
 12 A No.  
 13 Q Did you attack the Mayor in any way that night?  
 14 A No.  
 15 Q There was no sex between either one of you?  
 16 A No.  
 17 Q Of any kind?  
 18 A No.  
 19 Q And you took the Mayor directly home or you took him  
 20 past your house?  
 21 A I took him home to his house on 26th.  
 22 Q At the time you lived on 19th and Mineral?  
 23 A I don't even remember.  
 24 Q Do you remember what season of the year it was?  
 25 A Well, we were at the restaurant where people were

365

1 outside, so it must have been pretty warm.  
2 Q Do you remember if it was fall or summer or spring?  
3 A No, I don't.  
4 Q Do you remember wearing a coat or a jacket?  
5 A I'm sure I didn't have a coat on. I don't remember  
6 if I had a jacket on.  
7 Q Do you remember if the Mayor had a jacket on?  
8 A I don't remember that.  
9 Q How far from the Windham was the event you were  
10 talking about?  
11 A It was across the street from City Hall, across the  
12 street from City Hall.  
13 Q The event?  
14 A Which event?  
15 Q Well, I'm trying to think if there is an outside  
16 cafe across the street from City Hall.  
17 A Maybe two blocks then.  
18 Q Was it along Water Street?  
19 A Yes. It's a restaurant that has the outside, that  
20 has in the summer and fall if people want to be out,  
21 you know, if the people want to be outside they can  
22 be outside and --  
23 Q And you were all outside?  
24 A I think so, yes.  
25 Q Were any alcoholic drinks being consumed?

366

1 A Yes. Everybody.  
2 Q Did you have some?  
3 A I don't remember. I probably did.  
4 Q Did the Mayor have -- when you have an alcoholic  
5 drink, what do you normally drink?  
6 A A wine.  
7 Q A wine?  
8 A Uh-huh.  
9 Q I see. Do you remember if the Mayor had an  
10 alcoholic drink?  
11 A I don't remember that.  
12 Q And is it correct to say that you were upset because  
13 the Mayor told other people that you would drive him  
14 home?  
15 A Yes.  
16 Q And he had not previously asked you for that; is  
17 that correct?  
18 A Yes.  
19 Q Had the Mayor asked you if you could drive him home  
20 and then he would have dismissed his driver, would  
21 you have still been upset?  
22 A Yes.  
23 Q Why?  
24 A I am uncomfortable with the Mayor. He's the Mayor.  
25 My car -- I have a small car. I don't want -- I

367

1 have to -- I had to pick up my children and -- after  
2 work the first thing I do is pick up my children  
3 and --  
4 Q And you picked up your children on this occasion?  
5 A I don't remember.  
6 Q Were the children in day-care or were they in  
7 school?  
8 A I don't remember this occasion specific to time.  
9 Q Is there anything that you could use to help you pin  
10 down the date of this event?  
11 A Only that, that it was not winter.  
12 Q In paragraph 15-A of your third amended complaint  
13 you allege, "that on at least three occasions  
14 complainant was summoned to Mayor Norquist's  
15 residence where he coerced her into sexual  
16 intercourse. Each occasion he used work related  
17 issues as an excuse to lure her into his residence."  
18 Do you remember making that allegation?  
19 A Yes.  
20 Q What were the three occasions you were thinking of  
21 when you made that allegation?  
22 A The block grant recommendations.  
23 Q All right. So that was -- am I correct that that  
24 was the first time you and the Mayor ever had sexual  
25 intercourse?

368

1 A It's the first time he raped me, yes.  
2 Q Well, all right, raped. But the first time you had  
3 sexual intercourse?  
4 A The first time he raped me.  
5 Q Okay. What was the second time?  
6 A I know there was -- I know that there was an event  
7 that a staff person and I were supposed to meet with  
8 the Mayor and, in October of 1999.  
9 Q Was that the night of the UMOS banquet?  
10 A Yes.  
11 Q Pardon me?  
12 A Yes.  
13 Q What was the third time?  
14 A I don't -- I don't remember right now.  
15 Q You have no recollection of the third time at all?  
16 MR. OLSON: I think she said she  
17 couldn't remember right now.  
18 Q In paragraph 15-B -- are you okay, ma'am?  
19 A I'm fine.  
20 Q In paragraph 15-B of your third amended complaint  
21 you state, "On at least two occasions Mayor Norquist  
22 summoned complainant into his office during the  
23 weekend and coerced her into sexual intercourse in  
24 his office." Do you recollect making those  
25 allegations?

369

1 A Yes.  
 2 Q What were the two events you were thinking of when  
 3 you made that allegation?  
 4 A It was when I had weekend duty.  
 5 Q Would staff assistants have weekend duty?  
 6 A Yes.  
 7 Q Do you remember the year?  
 8 A 19 -- probably 1999. 1999.  
 9 Q Both times in 1999, Ms. Figueroa?  
 10 A I think so.  
 11 Q I'm sorry?  
 12 MR. OLSON: She said I think so.  
 13 MR. SCHRIMPF: All right, okay.  
 14 Q Do you remember when in 1999 these two events were?  
 15 A September or October.  
 16 Q They were both --  
 17 A I don't remember clearly right now.  
 18 Q So it's not -- you're not even sure about  
 19 September or October of --  
 20 A No, I'm not right now sure.  
 21 Q In paragraph 15-C of your complaint you allege "On  
 22 at least two occasions Mayor Norquist arranged a  
 23 trip to Chicago on 'work-related business' where he  
 24 directed complainant to secure a separate hotel room  
 25 by providing her with cash to cover expenses. On at  
 370

1 least one occasion he had to return to his hotel  
 2 room because he was expecting telephone calls."  
 3 A Yes.  
 4 Q Do you recollect making that allegation?  
 5 A Yes.  
 6 Q Are the two events that you were thinking of the one  
 7 time for the democratic convention in 1996?  
 8 A I don't remember what event it was, but it was in  
 9 1996.  
 10 Q Do you recall if it was in the summer of 1996?  
 11 A I don't remember right now.  
 12 Q So you don't recall if it was the Democratic  
 13 National Convention and you don't recall if it was  
 14 in the summer of 1996?  
 15 A No, I don't.  
 16 Q Do you recall anything else about this event in  
 17 1996?  
 18 A That -- I didn't show up and that police officer  
 19 Arthur Jones at the time called my house to see  
 20 where I was.  
 21 Q And who did he speak to at your house, if you know?  
 22 A My little sister that was there.  
 23 Q Who is your little sister?  
 24 A Nancy Rodriguez.  
 25 Q Do you know what Nancy Rodriguez told chief -- well,  
 371

1 then police officer Jones?  
 2 A That I wasn't there.  
 3 Q Where were you?  
 4 A I was there.  
 5 Q She lied?  
 6 A Yes.  
 7 Q Were you present next to her when the phone call was  
 8 coming in from Officer Jones?  
 9 A No. When, when somebody was -- anonymous or private  
 10 called my house, it was usually the Mayor. And so  
 11 my family knew not to pick up the phone. And she  
 12 picked it up and by mistake. And so they know not  
 13 to tell them, not to tell the Mayor that I'm there,  
 14 especially when he calls nine to 10 times in a  
 15 night. And so we thought, she thought probably it  
 16 was him.  
 17 MR. SCHRIMPF: Read back my  
 18 question. Please answer my question.  
 19 MR. OLSON: Let's see what the  
 20 question was. I think you answered the  
 21 question and gave him a little bit more.  
 22 (Question read)  
 23 MR. OLSON: Just --  
 24 A I don't remember that.  
 25 MR. OLSON: Okay.  
 372

1 Q So you don't really remember?  
 2 MR. OLSON: Whether she was right  
 3 next to them.  
 4 Q How did you find out about this call?  
 5 A My little sister told me.  
 6 Q When did she tell you?  
 7 A That evening.  
 8 Q Did she tell you immediately after the call?  
 9 A Of course. I think she would have, yes.  
 10 Q Did you hear the telephone ring on this occasion?  
 11 A I don't remember that.  
 12 Q You don't remember that. You don't remember if you  
 13 were right next to your sister when the call came  
 14 through?  
 15 A No.  
 16 Q Did you ever tell anyone that you were stranded on  
 17 the highway between Milwaukee and Chicago?  
 18 A I think at one, one of my excuses to the Mayor was I  
 19 left probably a message that, oh, my car doesn't  
 20 work and --  
 21 Q You left a message for the Mayor that your car  
 22 didn't work?  
 23 A Yes.  
 24 Q Where did you call the Mayor on this occasion?  
 25 A I don't remember the place. But he kept calling, so  
 373

1 it was on my caller I.D.  
 2 Q Do you remember if you were calling long distance or  
 3 if you were calling locally?  
 4 A It was Chicago that I was calling.  
 5 Q You were calling Chicago?  
 6 A Yes.  
 7 Q And you told the Mayor your car wasn't working?  
 8 A Yes.  
 9 Q And that was the reason why you wouldn't be able to  
 10 meet him in Chicago?  
 11 A That's the reason I gave him, yes.  
 12 Q Did you personally speak to the Mayor or only leave  
 13 a message?  
 14 A Just leave a message.  
 15 Q And you recall --  
 16 A At the front.  
 17 Q Pardon me?  
 18 A At the front, you know.  
 19 Q At the front?  
 20 A Uh-huh.  
 21 Q You mean at the front desk?  
 22 A Yes.  
 23 Q Of the hotel?  
 24 A Yes.  
 25 Q Do you know what hotel he was staying at?

374

1 question.  
 2 (Question read)  
 3 A I know that from the way the Mayor reacted to me the  
 4 next time I saw him in the office.  
 5 Q Let's try it this way, Ms. Figueroa. Did  
 6 Chief Jones after this episode in 1996 ever  
 7 personally tell you he saw your car outside of your  
 8 house?  
 9 A No.  
 10 Q He never told you that?  
 11 A No.  
 12 Q Why do you believe the chief would have seen your  
 13 car outside of your house?  
 14 A Because I parked outside. I park outside. There's  
 15 no parking inside. And he wasn't the chief then,  
 16 but he called, and the only person that's going to  
 17 ask him to call me is the Mayor.  
 18 Q How many times did Mr. Jones call you?  
 19 A That one time and then --  
 20 Q Well, in reference to this incident, ma'am, how many  
 21 times did he call you?  
 22 A Oh, the only time he talked to my sister. See, we  
 23 don't --  
 24 Q So it was one time?  
 25 A Yes.

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1 A I don't remember.  
 2 Q Do you know if he was a delegate to the 1996  
 3 Democratic National Convention?  
 4 A I don't remember that.  
 5 Q Do you know if the Mayor traveled with any other  
 6 people to that convention to the office?  
 7 A I don't remember that.  
 8 Q It wasn't a source of conversation in the office?  
 9 A No.  
 10 Q I take it that the message that your car broke down  
 11 was a false message? Your car in fact didn't break  
 12 down; is that correct?  
 13 A That's correct. And the chief I think saw my car  
 14 outside because I didn't have parking.  
 15 Q Do you know that or are you surmising that?  
 16 A When the Mayor came back after that, he -- he was  
 17 angry with me.  
 18 Q Listen to my question.  
 19 MR. SCHRIMPF: Read it back,  
 20 please.  
 21 A And he --  
 22 MR. OLSON: I think she was giving  
 23 you her reason for thinking that he saw it.  
 24 MR. SCHRIMPF: Well, that's not  
 25 clear from the record, counsel. Read back my

375

1 Q Did you ever tell anyone that you were embarrassed  
 2 by having sexy underwear in the back seat of your  
 3 car when you were in route to Chicago?  
 4 A Never.  
 5 Q You never made such a statement?  
 6 A No.  
 7 Q So if somebody recollects such a statement being  
 8 made, they would be inaccurate?  
 9 A Yes, they would be.  
 10 Q Did you ever tell anyone that it was your brother  
 11 who observed sexy underwear in the back seat of your  
 12 car and you were embarrassed because it was your  
 13 brother who saw such things?  
 14 A No.  
 15 Q So such a person recollecting such an event would be  
 16 wrong?  
 17 A Yes.  
 18 Q If anyone would recollect hearing traffic noise in  
 19 the background of the message recording --  
 20 A Background of the message, okay.  
 21 Q -- they would be incorrect?  
 22 A I don't understand your question.  
 23 Q Well, I want you -- strike that. When you called to  
 24 leave the message that your car broke down, where  
 25 were you calling from?

377

1 A My house.  
 2 Q Were the windows open or were the windows closed?  
 3 A It was an apartment. Probably closed.  
 4 Q Do you have air conditioning in your apartment?  
 5 A At that apartment? I don't remember.  
 6 Q You don't remember if you had air conditioning in  
 7 the apartment?  
 8 A Well, I bought an air conditioner for my living  
 9 room, yes.  
 10 Q So in the summertime did you run the air  
 11 conditioner?  
 12 A Sometimes, yes.  
 13 Q And when you ran the air conditioner, were the  
 14 windows closed?  
 15 A Well, yes.  
 16 Q Was this the apartment on Fardale?  
 17 A Yes.  
 18 Q Was this apartment No. 5 on Fardale?  
 19 A Yes.  
 20 Q Was it an upstairs apartment or a first floor  
 21 apartment?  
 22 A Upstairs.  
 23 Q Upstairs apartment. Did the apartment face the  
 24 street or did it face an adjoining building?  
 25 A The street. Well, there's buildings, there's a

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1 bunch of apartments. There's buildings  
 2 side-to-side.  
 3 Q But I'm talking about your unit, your unit. When  
 4 you looked out of your front window, what did you  
 5 see?  
 6 A I saw -- there was like trees -- on one side they  
 7 have a bunch of trees and across from that is the  
 8 Pick 'N Save. On the other side of that there's a  
 9 Pick 'N Save.  
 10 Q Is what?  
 11 A Pick 'N Save grocery store.  
 12 Q And what room or rooms was your telephone in?  
 13 A In, next to my bathroom which is the big -- and it's  
 14 in the living room.  
 15 Q Next to your bathroom and it's in the living room?  
 16 A Yes.  
 17 Q Was this a wall phone or was it a table top  
 18 telephone?  
 19 A I don't remember.  
 20 Q Did you in 1996 have a cell phone, either your own  
 21 or one that was given to you from the City?  
 22 A I don't think we had cell phones then.  
 23 Q What was the second occasion to Chicago?  
 24 A In 1997.  
 25 Q And was that when the Mayor went to the Center for

379

1 New Urbanism or Congress for New Urbanism?  
 2 A I don't know what event it was that he went.  
 3 Q Is this the event where the Mayor handed you an  
 4 envelope with cash?  
 5 A That's what he handed in the office, a train station  
 6 and envelope with cash, yes.  
 7 Q You say a train station. Do you mean a train  
 8 schedule or train tickets?  
 9 A Oh, schedule.  
 10 Q A train schedule. Did the Mayor give you any  
 11 coupons or money towards a train ticket?  
 12 A I don't remember. I remember him saying I didn't  
 13 have any excuse no more.  
 14 Q He said that you had no excuse and he handed you the  
 15 envelope with money and a train schedule?  
 16 A He put that envelope down and he says, now you don't  
 17 have no excuse, yes.  
 18 Q And what did you understand him to mean by that?  
 19 A I had to go. I had to go.  
 20 Q You had to go where?  
 21 A I had to go to Chicago.  
 22 Q Did you?  
 23 A Yes, I did.  
 24 Q Pardon me?  
 25 A Yes, I did.

380

1 Q And how did you get to Chicago?  
 2 A In the train.  
 3 Q You didn't drive?  
 4 A No. In the train.  
 5 Q Did you have any luggage?  
 6 A Backpack.  
 7 Q A backpack?  
 8 A Yes.  
 9 Q Did you have a change of clothes in the backpack?  
 10 A Yes.  
 11 Q Did you have any undergarments in the backpack?  
 12 A Yes.  
 13 Q Did you have any undergarments for the Mayor in the  
 14 backpack?  
 15 A No.  
 16 Q Did you have any gifts for the Mayor?  
 17 A No.  
 18 Q Do you deny that you gave the Mayor a pair of black  
 19 shorts on that occasion?  
 20 A Yes, I do deny that.  
 21 Q Is this the occasion where the Mayor came to your  
 22 hotel room at about 8:30 or 9 o'clock at night?  
 23 A Yes.  
 24 Q And is this the occasion where the Mayor took you in  
 25 a subway to the area roughly around Division Street

381

1 in Chicago?  
 2 A No.  
 3 Q Where did he take you?  
 4 A He just stayed in the hotel.  
 5 Q He never went out at all?  
 6 A No. He went out. He left, after he finished he  
 7 left.  
 8 Q I'm sorry, I didn't hear that.  
 9 MR. OLSON: She said after he  
 10 finished he left.  
 11 MR. SCHRIMPF: Oh, okay.  
 12 Q And about what time was that?  
 13 A Maybe 10:30.  
 14 Q 10:30 at night?  
 15 A Yes.  
 16 Q Were you sleeping?  
 17 A No.  
 18 Q You weren't sleeping when he left?  
 19 A No.  
 20 Q And if I were to ask you for a pair of black shorts  
 21 that you sewed for the Mayor, there would be no such  
 22 thing?  
 23 A No.  
 24 Q There never was such a thing?  
 25 A No.

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1 and, no, what is it, an hour and 20 minutes.  
 2 I'm not very good with my watch.  
 3 Q Do you need a break?  
 4 MR. OLSON: Well, I don't know. Do  
 5 you want to take a quick break?  
 6 THE WITNESS: No.  
 7 MR. CATES: Yeah, the old guys want  
 8 a break.  
 9 (Recess)  
 10 By Mr. Schrimpf: (Continuing)  
 11 Q Ms. Figueroa, I believe the last question was read  
 12 by you?  
 13 A Yes.  
 14 Q And what were those three occasions?  
 15 A One, the last time was -- I'm going to start from  
 16 the last.  
 17 MR. OLSON: That's fine.  
 18 A After my accident on December 17, the time before  
 19 that was the first week in December.  
 20 MR. OLSON: You're talking about  
 21 1999?  
 22 THE WITNESS: 1999.  
 23 Q All three of these, ma'am?  
 24 A And March of 1999.  
 25 Q March of 1999?

384

1 Q You never sewed any pair of shorts for him?  
 2 A No, I did not.  
 3 Q You never gave him a pair of black shorts?  
 4 A No, I did not.  
 5 Q In paragraph 15-D of your complaint, you state that  
 6 on at least three occasions Mayor Norquist stopped  
 7 at complainant's home under the pretext of  
 8 discussing work related issues. Once at her  
 9 residence he would pressure her into sexual acts.  
 10 Do you remember making that allegation?  
 11 A Yes.  
 12 Q Do you remember the events that constituted that  
 13 allegation?  
 14 A I remember him telling me that he needed to talk to  
 15 me about work and coming to my house.  
 16 Q Other than the three that you have previously --  
 17 well, strike that. What were all the events that  
 18 you were alleging here? Please tell me what they  
 19 were.  
 20 A When we, when I had to do the recommendations for  
 21 the block grants.  
 22 Q Well, that was at his house, Ms. Figueroa.  
 23 A What did you ask me? I'm sorry.  
 24 MR. OLSON: Excuse me. We've been  
 25 at it now for about an hour and -- two hours

383

1 A Yes. But he, he knocked on my door other times. He  
 2 just -- I didn't open it. I didn't open the door.  
 3 Q So in paragraph 15-D you're recalling three  
 4 incidents, is that correct, Ms. Figueroa?  
 5 A Yes.  
 6 Q You said one was the last time which was after your  
 7 accident?  
 8 A Yes.  
 9 Q And you identified a date of December 17th, 1999?  
 10 A Yes.  
 11 Q And tell me what occurred on December 17th, 1999.  
 12 A I had not been at work because I had an accident in  
 13 my car. Someone hit me in my car in the back. And  
 14 he came to my house to apologize for how he has been  
 15 with me. And he gave me a box that had a bracelet  
 16 on it. And he tried to kiss me and to hug me, and  
 17 he grabbed my breasts on that date.  
 18 Q He tried to kiss you and hug you?  
 19 A And I pushed him away and he grabbed my breast.  
 20 Q And how did he rub your breasts? What exactly did  
 21 he do?  
 22 A He grabbed at my breast.  
 23 Q With both hands or one hand?  
 24 A Yes, with two hands.  
 25 Q Did he rub both breasts?

385

1 A He didn't rub. He grabbed at them.  
 2 Q Did he actually touch both breasts?  
 3 A Yes, he did.  
 4 Q When you say he grabbed, did he grab and then let go  
 5 or did he grab and hang on?  
 6 A He tried to hang on. I pushed him away from me.  
 7 Q How many times did he try to grab for your breasts  
 8 on this occasion?  
 9 A He -- I don't -- I don't -- all I remember is that I  
 10 was trying to get away from him, and I asked him to  
 11 leave my house.  
 12 Q And did he?  
 13 A Eventually, yes.  
 14 Q How long did it take him to leave your house?  
 15 MR. OLSON: From what point? I  
 16 guess --  
 17 MR. SCHRIMPF: Well, from the time  
 18 he got there until the time he left.  
 19 MR. OLSON: How long was he there  
 20 is the question?  
 21 Q How long was he there?  
 22 A Maybe half an hour.  
 23 Q He was there a half an hour?  
 24 A Maybe 20 minutes. He was there very, very short.  
 25 Q Was he grabbing for your breasts and trying to kiss

386

1 in from the living room toward the kitchen.  
 2 A There's a corner with cabinet with, that has a lid,  
 3 that has glasses -- I mean that has drawers. On the  
 4 left side.  
 5 Q Left side of a cabinet with drawers?  
 6 A That left side --  
 7 Q Left side of a cabinet with drawers?  
 8 A Huh?  
 9 Q Left side of a cabinet with drawers?  
 10 A No, the left side of the living room that has the  
 11 cabinets that are in the corner of my dining room.  
 12 Q All right. And were you against the cabinet or was  
 13 he against the cabinet?  
 14 A He was -- it was like he was chasing me. I was  
 15 running from him and ended up in that corner.  
 16 Q When the chase started, where was the Mayor?  
 17 A He was in the front of my living room, in the front  
 18 of my dining room that's my living room. It's an  
 19 open, it's an opening.  
 20 Q This is the house on Pine Street?  
 21 A Yes.  
 22 Q So you enter the front door. Did he come to the  
 23 front door?  
 24 A Yes. -- --  
 25 Q You enter the front door; is that right?

388

1 you the entire time?  
 2 A He came to apologize and he tried to -- when I got  
 3 into the accident, I -- he went into the hospital.  
 4 MR. OLSON: Keep with the 17th.  
 5 The hospital event, we can talk about that  
 6 some other time.  
 7 MR. SCHRIMPF: Thank you.  
 8 A He tried to -- he wanted to touch my shoulders and  
 9 then he -- and then he tried to -- then he grabbed  
 10 at my breasts, and he tried to push me close to him  
 11 and I pushed him away. And I screamed and I told  
 12 him to leave.  
 13 Q Were you against the wall or door, or was this in  
 14 the middle of a room?  
 15 A It was against the corner, a corner, a corner.  
 16 Q Against a corner?  
 17 A A corner like (indicating).  
 18 Q What room were you in?  
 19 A The dining room.  
 20 Q Do you remember which corner of the dining room you  
 21 were in by telling directions, southeast, northeast,  
 22 et cetera?  
 23 MR. OLSON: Why don't you tell him  
 24 what's in the corner of the room because you  
 25 might not know directions. As you're walking

387

1 A Say that again.  
 2 Q When you come into your house you enter the front  
 3 door?  
 4 A Yes.  
 5 Q And then what room are you in?  
 6 A In the living room -- there's a little hallway and  
 7 then there's the living room.  
 8 Q Which side does the living room go off of from the  
 9 hallway, left or right?  
 10 A The hallway goes right into the living room.  
 11 Q Straight into the living room?  
 12 A Yes.  
 13 Q Can you go to any other room from the hallway, or  
 14 can you only go into the living room?  
 15 A No, to the living room.  
 16 Q So let me see if I have this. The Mayor came to  
 17 your door?  
 18 A Yes.  
 19 Q Did he walk in or did he ring the doorbell or did he  
 20 knock?  
 21 A He rang the doorbell and he pushed the door in and  
 22 he came in.  
 23 Q Did he damage the door?  
 24 A No.  
 25 Q So he rang the doorbell and simply walked in?

389



1 A Yes.  
 2 Q And where were you when this happened?  
 3 A I was probably in the kitchen.  
 4 Q Are you sure or are you guessing?  
 5 A No, I'm not sure. I'm not sure. I don't remember.  
 6 Q Did you know it was the Mayor coming in?  
 7 A He -- you can see him when he's, from my living  
 8 room, you can see people from the living room. So I  
 9 was trying to lock the door and he came in.  
 10 Q You were trying to lock the door as he came through  
 11 the door?  
 12 A I was trying to hide, yes.  
 13 Q Well, were you trying to hide or were you trying to  
 14 lock the door?  
 15 A Both.  
 16 Q Does the door have glass in it?  
 17 A No. Oh, it has a little one that I have, you know,  
 18 on top. It's a --  
 19 Q Is it shaped like a diamond?  
 20 A Not a diamond. An arc, and it's a small one that  
 21 has a curtain covering it.  
 22 Q But you knew that it was the Mayor coming in?  
 23 A Yeah, I saw him.  
 24 Q Did you see him walk up the steps?  
 25 A No. I saw his, the silhouette through my window.

390

1 Q Were the drapes open or closed?  
 2 A The drapes in my living room are gathered together  
 3 and then there's sheer.  
 4 Q And so you were able to see the Mayor? You knew it  
 5 was the Mayor?  
 6 A Yes.  
 7 Q And previous to this the front door had not been  
 8 locked?  
 9 A It was locked but it wasn't closed -- my kids I  
 10 guess didn't close it tight. The door has a problem  
 11 and you can't close it tight. Sometimes you lock it  
 12 and it --  
 13 Q So you thought the door was locked but in fact it  
 14 wasn't?  
 15 A It wasn't locked.  
 16 Q How did you know it wasn't locked?  
 17 A Because he opened the door, rang the doorbell,  
 18 opened the door.  
 19 Q But when in this exchange did you try locking the  
 20 door?  
 21 A When I saw his, the body of his -- you can tell it's  
 22 the Mayor when I saw him through the window.  
 23 Q And you were in the living room when you saw this?  
 24 A When he rang the doorbell, I was downstairs, in my  
 25 downstairs, and you can see from -- you can see from

391

1 almost, from the hallway of the kitchen who's there  
 2 sometimes.  
 3 Q Was it daylight or was it dark when this occurred?  
 4 A It was daylight.  
 5 Q It was daylight.  
 6 A Uh-huh.  
 7 Q So was it in the afternoon or the morning?  
 8 A I don't remember at this time.  
 9 Q You don't remember if it was the morning or the  
 10 afternoon?  
 11 A No, I don't.  
 12 Q Okay.  
 13 A It was daylight.  
 14 Q When the Mayor came in, what did you say to the  
 15 Mayor?  
 16 A I told him I didn't want him there at my house.  
 17 Q What did he say?  
 18 A He said he just wanted to talk.  
 19 Q What did you say?  
 20 A I told him that I didn't want to talk with him  
 21 anymore and that I was going to talk to someone  
 22 about what has happened. And he needed to get --  
 23 Q And what did he say?  
 24 A He said he knows that he has done wrong by me, and  
 25 that he knew he had a problem, and he was going to,

392

1 he just wanted to talk to me. And he was  
 2 apologizing.  
 3 Q And where was he when he said these things?  
 4 A In the living room.  
 5 Q How did he get from the front door to the living  
 6 room?  
 7 A He pushed, he came in. He opened the door and I  
 8 said, I don't want you here. And he came into my --  
 9 he said, I just want to talk to you.  
 10 Q Did you push him?  
 11 A Yes.  
 12 Q Did you scratch him?  
 13 A No. I was sore. I didn't -- no, I didn't.  
 14 Q Other than pushing him, did you try to inflict any  
 15 other physical injuries on him?  
 16 A No.  
 17 Q Would there be any physical injuries on the Mayor  
 18 that would be visible from this experience?  
 19 A Probably not.  
 20 Q How long did it take him to go from the front door  
 21 to the living room?  
 22 A Not long because I was afraid. I knew when he got  
 23 into, between the living room and the dining room it  
 24 was a short time.  
 25 Q Did he grab your breasts before he got into the

393

1 living room or after?  
 2 A After.  
 3 Q When he grabbed your breasts, how many times did he  
 4 grab your breasts?  
 5 A He was trying to grab me. He was trying to hug me.  
 6 He was trying to apologize. He was trying to kiss  
 7 me. I was pushing him away. When I was pushing him  
 8 away, he grabbed me again and he was grabbing my  
 9 breasts.  
 10 Q What caused him to leave?  
 11 A I was -- I was terrified, and I was very clearly  
 12 going to, wanted to call the police.  
 13 Q Were you screaming?  
 14 A Yes.  
 15 Q Were you crying?  
 16 A Yes.  
 17 Q Were you in your estimation hysterical?  
 18 A Yes, I was.  
 19 Q What was the Mayor doing while this was going on?  
 20 A He was trying to calm -- he was trying to calm me  
 21 down, but he was trying to grab me too, and then  
 22 he -- then he finally left.  
 23 Q What did the Mayor say?  
 24 A He gave me this box, and he called it a peace  
 25 offering.

394

1 Q When did he give you the box? Was it when he was in  
 2 the living room or when he was at the front door?  
 3 A When he was in the dining room. He showed it to me  
 4 when he was in the living room. I told him that I  
 5 didn't want it, and he kept pushing. And I knew if  
 6 I didn't open it he wasn't going to leave.  
 7 Q So you opened it?  
 8 A I opened it.  
 9 Q Believing that that was going to make the Mayor  
 10 leave?  
 11 A Yes.  
 12 Q When in this exchange did you open the box?  
 13 A When I was in the dining room against the corner.  
 14 Q I thought you were in the living room against the  
 15 corner?  
 16 A The dining room against the corner.  
 17 Q The dining room.  
 18 A The dining room is where I have my cabinets.  
 19 Q So this didn't occur in the living room; this  
 20 occurred in the dining room?  
 21 A Yes.  
 22 Q How do you get from the front door to the dining  
 23 room?  
 24 A You walk through it.  
 25 Q Well, is there a direct way to get from the front

395

1 door to the dining room, or do you have to go  
 2 through the living room?  
 3 A You have to go through the living room.  
 4 Q So the Mayor went from the front door, through the  
 5 hallway, through the living room into the dining  
 6 room; is that correct?  
 7 A Front door, hallway, living room and dining room,  
 8 yes.  
 9 Q And is it one straight line that you walk through,  
 10 or do you have to turn and curve?  
 11 A You curve a little bit.  
 12 Q I'm sorry?  
 13 A You curve a little bit. No, it's kind of straight.  
 14 Q It's kind of straight? Is it possible to see all  
 15 the way from the kitchen to the front door?  
 16 A From the dining room that goes to the kitchen to the  
 17 front door you can look, yes.  
 18 Q You're motioning like you have to look off to the  
 19 side.  
 20 A Yes.  
 21 Q I see, okay. Did the Mayor get any farther in your  
 22 house than the dining room on the evening of  
 23 December 17th?  
 24 A No.  
 25 Q How long was the Mayor in your house?

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1 A About a half an hour.  
 2 Q When in the course of that half hour did the Mayor  
 3 touch your breasts?  
 4 A About half of that time.  
 5 Q About half of that time he was touching your  
 6 breasts?  
 7 A Yes.  
 8 Q And was he, at the same time he was touching your  
 9 breasts was he kissing you?  
 10 A Yeah. He was trying to kiss me, and I was trying to  
 11 push away from him.  
 12 Q Other than the Mayor kissing you and touching your  
 13 breasts, was there any sexual intercourse that  
 14 occurred on December 17th during the incident you're  
 15 describing?  
 16 A No.  
 17 Q Did you touch any of the genitals of the Mayor on  
 18 this occasion?  
 19 A No.  
 20 Q You kept the gift?  
 21 A He wouldn't take it back.  
 22 Q Well, but my question is you kept the gift?  
 23 A Yeah.  
 24 Q You still have the gift?  
 25 A I don't have it.

397

1 MR. OLSON: We have it.  
 2 MR. SCHRIMPF: Right, okay.  
 3 Q Your attorneys have the gift?  
 4 A Yes.  
 5 Q And that's the bracelet I showed you the last time?  
 6 A I guess so.  
 7 MR. OLSON: I guess so. Did you  
 8 show her a bracelet the last time that we  
 9 produced?  
 10 Q I'm showing you, ma'am, what's been marked as  
 11 Exhibit No. 6 from the first day of your deposition.  
 12 Is that a picture of the bracelet?  
 13 A Yes.  
 14 Q Then you said the other time that the Mayor stopped  
 15 at your home -- by the way, on December 17th, 1999,  
 16 what was the work related issue that he wanted to  
 17 discuss?  
 18 A He just wanted to talk to me. He wouldn't tell me.  
 19 Q He didn't tell you what he wanted to talk about?  
 20 A I was off of work for two or three days. They had  
 21 wanted me -- I was supposed to do the campaign work  
 22 during that time too.  
 23 Q So you were off about two or three days?  
 24 A Yes.  
 25 Q And if you recall, you had an accident on  
 398

1 Q And you heard your brother say that?  
 2 A Yes.  
 3 Q Did the Mayor come in anyway?  
 4 A Yes, he did.  
 5 Q Did anybody try to restrain him other than saying  
 6 she doesn't want to see you?  
 7 A My brother tried to.  
 8 Q Hold him back?  
 9 A Not hold him -- the policeman was there. My brother  
 10 tried to put his arm like she doesn't want to see  
 11 you here.  
 12 Q Which police, ma'am?  
 13 A One of his policemen.  
 14 Q You mean one of the security people for the Mayor?  
 15 A Yes. They're policemen.  
 16 Q So the Mayor's security person saw this episode?  
 17 A Yes.  
 18 Q When the Mayor stopped at your house on the night of  
 19 December 17th --  
 20 MR. OLSON: It was the day of the  
 21 17th I think she said.  
 22 MR. SCHRIMPF: I'm sorry, you're  
 23 right.  
 24 Q The day of December 17th, how did the Mayor get to  
 25 your house, do you know?  
 400

1 December 15th?  
 2 A Yes.  
 3 Q And that put you at least in the emergency room on  
 4 the evening of December 15th?  
 5 A It was in the afternoon.  
 6 Q In the afternoon? But you weren't admitted to the  
 7 hospital, were you? You didn't spend the night at  
 8 the hospital?  
 9 A No, I did not.  
 10 Q You got home that night?  
 11 A Yes.  
 12 Q Now, the last time that we met I recollect that you  
 13 were testifying about the Mayor pushing away people  
 14 in the emergency room to see you?  
 15 A Yes.  
 16 Q Who were the witnesses to this incident?  
 17 A There was a nurse. There was, I don't know, there  
 18 was a doctor or somebody in blue and my brother.  
 19 Q Which brother?  
 20 A My brother Alvin.  
 21 Q Alvin? And did Alvin physically engage the Mayor to  
 22 prevent him from coming to see you?  
 23 A My brother told him she doesn't want you here. She  
 24 already told that to the doctors or the nurses,  
 25 because I heard my brother say that.  
 399

1 A I don't know.  
 2 Q Do you know if security drove him?  
 3 A They could have, but I don't know.  
 4 Q But you do recollect that on the eve, or the  
 5 afternoon of December 15th security was driving the  
 6 Mayor?  
 7 A Yes.  
 8 Q Because you saw the security guard?  
 9 A Because my brother saw, yeah.  
 10 Q Well, Ms. Figueroa, you knew the security guards  
 11 around the Mayor, didn't you?  
 12 A Yes.  
 13 Q Was it one of those security guards?  
 14 A It was one of them, yes. It could have been -- I  
 15 don't -- I'm not going to guess to you.  
 16 MR. OLSON: No, don't guess.  
 17 A I'm not going to guess.  
 18 Q Please don't guess. But obviously there was no sex,  
 19 even touching, no sexual contact between you and the  
 20 Mayor on the afternoon of December 15th when you're  
 21 in the hospital?  
 22 A No.  
 23 Q Did he bring you anything when you were in the  
 24 hospital?  
 25 A No.  
 401

1 Q He didn't bring you a card or flowers?  
 2 A I don't -- I don't think so. I don't remember.  
 3 Q Then you said there was an episode at your house in  
 4 March of 1999 when you and the Mayor had sexual  
 5 contact.  
 6 MR. OLSON: She also said there was  
 7 one the first week of December. Did you mean  
 8 to skip by that one?  
 9 MR. SCHRIMPF: He's right. You're  
 10 right. I'm sorry. Thank you, counsel.  
 11 MR. OLSON: She doesn't want to  
 12 talk about it but --  
 13 Q The first week of December of 1999 there was sexual  
 14 contact between you and the Mayor at your home?  
 15 A Yes.  
 16 Q What was the work related issue that the Mayor was  
 17 using to come to your home?  
 18 A I don't remember.  
 19 Q Did the Mayor bring any papers with him?  
 20 A Yes, yes.  
 21 Q Do you know what the papers were?  
 22 A No, I don't remember.  
 23 Q Did you and the Mayor discuss those papers at all?  
 24 A No.  
 25 Q Do you need a few minutes, Ms. Figueroa?

402

1 A No, I'm fine.  
 2 (Off the record in Spanish)  
 3 MR. OLSON: I think it's best just  
 4 to push on through this incident. It's not  
 5 going to be any easier to come back.  
 6 Q You were in your home on this incident in the first  
 7 week of December?  
 8 A Yes.  
 9 Q What was the date, if you can recall it?  
 10 MR. OLSON: If you can't recall the  
 11 exact date, you don't have to.  
 12 A It was the first week of December.  
 13 Q I said if you can remember.  
 14 MR. OLSON: Yes. She says it was  
 15 the first week in December.  
 16 Q But you don't remember the day of the week?  
 17 A No, I don't.  
 18 Q Do you know if it was a weekend?  
 19 A No, I don't.  
 20 Q And you don't remember if it was a workday?  
 21 A I don't.  
 22 Q What time of day was it?  
 23 A It was during the day.  
 24 MR. OLSON: She said it was during  
 25 the day.

403

1 MR. SCHRIMPF: Oh, during the day.  
 2 Q So it was light outside?  
 3 A I think so.  
 4 Q Was it dark -- strike that. Had you taken your  
 5 children to school or were they at home?  
 6 A My children weren't home.  
 7 Q They weren't home?  
 8 A No.  
 9 Q Had you taken them to school that morning?  
 10 A They walk to the school close to my house.  
 11 Q And they had left already?  
 12 A Yes.  
 13 Q Had you made breakfast for them that day?  
 14 A Yes. I always make breakfast for my kids.  
 15 Q All right. And what time did the Mayor come in  
 16 relation to your children leaving for school?  
 17 A I don't remember.  
 18 Q You don't remember. How did the Mayor come into  
 19 your home?  
 20 A I don't remember right now.  
 21 Q You don't remember if it was the front door or the  
 22 back door?  
 23 A No.  
 24 Q Are there any other entrances to your home other  
 25 than the front door and the back door?

404

1 A I have a door that you can go upstairs.  
 2 Q Without going into the first floor?  
 3 A Yes.  
 4 Q Okay. Do you know which one the Mayor used?  
 5 A I don't remember right now.  
 6 Q Did the Mayor ring the doorbell?  
 7 A I don't remember right now.  
 8 Q Did he rap?  
 9 A I don't remember.  
 10 Q When you realized the Mayor was in your house, what  
 11 room were you in?  
 12 A I don't remember.  
 13 Q And just so that we're clear, Ms. Figueroa, in the  
 14 first week of December of 1999 you lived on  
 15 Pine Street; is that correct?  
 16 A Yes.  
 17 Q That's the house you purchased; correct?  
 18 A That's my home, yes.  
 19 Q How long was the Mayor in your house on this  
 20 occasion during the first week of December of 1999?  
 21 A About half hour.  
 22 Q Did the Mayor have anything to eat?  
 23 A I don't remember.  
 24 Q Did the Mayor have anything to drink?  
 25 A I don't think so.

405

1 Q How was the Mayor dressed?  
2 A I don't remember.  
3 Q Well, was he dressed to go to work or was he dressed  
4 as if he was out jogging?  
5 A I think he was dressed -- I think he was with  
6 exercise clothes.  
7 Q Exercise clothes?  
8 A I think he drove his bike.  
9 Q He rode his bike?  
10 A Yes.  
11 Q Do you know where he parked his bike?  
12 A He rang -- now I remember. He rang the doorbell  
13 with his bike.  
14 Q Was he at the front door or the back door?  
15 A And he brought his bike -- I have a gate, but he  
16 brought his bike in anyway and he, and he came in  
17 through my kitchen.  
18 Q Okay. Did he bring his bike with him?  
19 A He left the bike on the side.  
20 Q Outside?  
21 A On the side of the house.  
22 Q Outside though?  
23 A Yes.  
24 Q And then what happened?  
25 MR. OLSON: Just take a few

406

1 Q In the hallway by your kitchen. And the Mayor came  
2 in?  
3 A Say that again.  
4 Q And the Mayor came in?  
5 A Yes.  
6 Q Now, how -- was the door locked?  
7 A No.  
8 Q The door wasn't locked?  
9 A My kids don't do a good job locking those doors.  
10 Q Ms. Figueroa, I have the same problem with my kids.  
11 Okay. So they left and they didn't lock the door;  
12 is that right?  
13 A Yes.  
14 Q And the Mayor parked his bike and just came in?  
15 A Yes.  
16 Q He didn't rap?  
17 A He called my name as he was opening the door.  
18 Q How did he call you?  
19 A Marilyn.  
20 Q He called you by your first name?  
21 A Yes.  
22 Q And did he sort of yell it out?  
23 A No.  
24 Q Oh. Did he see you as soon as he came in?  
25 A He took me by surprise.

408

1 minutes, take your time and then tell him. I  
2 don't think it's going to be easier if we take  
3 a break and you come back.  
4 MR. SCHRIMPF: Probably not.  
5 A He wanted, he wanted to have sex.  
6 Q How did he say this?  
7 A His actions.  
8 Q What exactly did he do that led you to believe he  
9 wanted sex?  
10 A Because he came after -- he came after me.  
11 Q Was he running?  
12 A My house is small. He's a big man. He just has to  
13 take big steps.  
14 Q Did you run?  
15 A I backed away.  
16 Q Where did you run?  
17 MR. OLSON: She said she backed  
18 away.  
19 MR. SCHRIMPF: I'm saying where.  
20 Q Oh, you backed away?  
21 MR. OLSON: Yes.  
22 Q Where were you?  
23 A In my hallway by my kitchen.  
24 Q You were in the kitchen?  
25 A In my hallway by my kitchen.

407

1 Q Okay. How were you dressed?  
2 A I had -- I think I was getting dressed to go to  
3 work, so I probably would have had a skirt on.  
4 Q Did you have a blouse on?  
5 A I don't remember.  
6 Q Was your top covered?  
7 A Yes.  
8 Q Did you have on anything like a housecoat or a  
9 nightgown?  
10 A No. I had, I think work clothes, work clothes to go  
11 to work.  
12 Q So you were dressed for work. Did you have shoes  
13 on?  
14 A Yes.  
15 Q And when the Mayor came in and said, Marilyn, what  
16 did you do?  
17 A He saw that I, that I was angry that he walked into  
18 my house.  
19 Q I'm sorry, I didn't get that one word.  
20 A I was angry that he walked -- that I was angry that  
21 he walked into my house.  
22 Q How did you express that anger?  
23 A I don't remember.  
24 Q Well, did you say anything?  
25 A I don't remember.

409

Q After the Mayor came into your house and he saw that you were angry, what happened then?

A He wanted to try to hold me.

Q How did he hold you?

A With his arms around me.

Q Both arms?

A Yes. I think so.

Q Was his front facing your front?

A Yes.

Q Did he kiss you?

A He tried to, yes.

Q What did you do?

A I pushed away from him.

Q You pushed away from him?

A Yes.

Q What else did you do?

A I told him that I had to go.

Q What did he say?

A He wouldn't take long. He just wanted a minute.

Q Oh, he said that he just wanted a minute?

A He wanted to talk to me.

Q Oh. Did you talk?

A No. He didn't talk.

Q Did you and the Mayor have sexual intercourse on this occasion?

410

A He wanted to -- I told him like I've told him in the past that I had my period.

Q You were having your period?

A Yes.

Q And then what happened?

MR. SCHRIMPF: Counsel, we have a change of tape coming up, so I think we can do that now. It might help Ms. Figueroa.

THE WITNESS: No, I want to do this now.

MR. SCHRIMPF: Well, we have to change the tape, Ms. Figueroa.

(Recess)

By Mr. Schrimpf: (Continuing)

Q Do you remember the question, Ms. Figueroa?

A I forgot.

MR. OLSON: Why don't you just tell him what happened then.

MR. SCHRIMPF: Right.

A We struggled. He took me to the back room. He pushed me on my bed that I had in the back room. And he forced himself in my back.

Q Is this the occasion when you had anal sex with the Mayor?

A He raped me in my back.

411

1 Q Well, but was it anal sex?

2 A He, he said that I didn't have my period when he did  
3 it. He pushed me on my back. And he pushed and he  
4 cut into my back.

5 Q Did you bleed from your anus?

6 A I had my period and I bleed from -- I wiped. I took  
7 a bath and I took a bath and I thought I was just  
8 bleeding from my period, and I was bleeding from my  
9 back.

10 Q Did you see a doctor about any of this?

11 A No.

12 Q So even though your anus was bleeding, you didn't  
13 seek medical attention?

14 A There was no one I could tell.

15 Q What could you tell?

16 MR. OLSON: She said there was no  
17 one you could tell I think is what she said.

18 Q Is that what you said, Ms. Figueroa?

19 A I didn't know who I could tell.

20 Q Well, but didn't you think of calling a doctor?

21 MR. OLSON: I think at this point  
22 we ought to take a break.

23 MR. SCHRIMPF: No objection.

24 (Recess)

25 By Mr. Schrimpf: (Continuing)

412

1 Q Ms. Figueroa, when we took a recess, I had asked you  
2 if you had seen a doctor regarding the events of the  
3 first week of December of 1999 when you and the  
4 Mayor had a sexual encounter at your home. Do you  
5 recollect that?

6 A Yes.

7 Q And did you see a doctor regarding the bleeding that  
8 you were experiencing?

9 A No.

10 Q And is there a reason why you didn't see a doctor?

11 A Because I was afraid.

12 Q Why were you afraid to see your doctor?

13 A Because I would have to report the Mayor, and then  
14 the Mayor told me that I can't tell anybody.

15 Q Did he tell you you can't tell anyone on this  
16 occasion when he had sex with you in the first week  
17 of December of 1999?

18 A Yes.

19 Q And you took that literally to include your doctor  
20 even if you were injured as a result of this  
21 intercourse?

22 A I was afraid.

23 Q When this occurred, Ms. Figueroa, how old were you?

24 A 40, 40.

25 Q 40? And how old were your children?

413

1 A Well, they're 14 and 15, so --  
 2 Q Okay.  
 3 A No, they're 14 and 15 now. They were 13 and -- 12  
 4 and 13.  
 5 Q Okay.  
 6 A 13.  
 7 Q Did you ever tell anyone about the incident with the  
 8 Mayor in the first week of December of 1999 other  
 9 than when you told your lawyers about it for this  
 10 litigation?  
 11 A I told another staff person.  
 12 Q Who was that staff person?  
 13 A Kimberly Pratt.  
 14 Q And when did you tell Ms. Pratt about this episode?  
 15 A I told her about, about the UMOS, about the UMOS.  
 16 Q You told her about UMOS? But did you tell her about  
 17 the episode with anal sex at your home in the first  
 18 week of December of 1999?  
 19 A I don't remember when, but I told her, yes.  
 20 Q Do you know when you told her?  
 21 A I don't remember when I told her.  
 22 Q Did you tell her before you left work on  
 23 January 4th, 2000?  
 24 A Yes.  
 25 Q Do you remember where you were when you told her?

414

1 A No, I don't remember at this time.  
 2 Q Were you at work?  
 3 A I was probably at work, but I don't want to guess to  
 4 you.  
 5 Q What exactly did you tell Ms. Pratt?  
 6 A I don't remember.  
 7 Q Well, you must have told her that you and the Mayor  
 8 had had a sexual encounter that involved anal sex;  
 9 correct?  
 10 A I, October, November and December were very  
 11 difficult months for me. And Kimberly knew --  
 12 Kimberly was someone I trusted and I -- we had  
 13 several conversations.  
 14 Q Do you remember when those conversations were?  
 15 A I know after the October, after the UMOS thing, and  
 16 it would have been after that.  
 17 Q How many times did you and the Mayor have anal sex?  
 18 A We didn't have anal sex. He pushed, he cut into me.  
 19 Don't -- you change what it is.  
 20 Q I'm sorry. I didn't mean to do that.  
 21 A It was that one time that he pushed himself into me.  
 22 Q And just so that we're clear for the record,  
 23 Ms. Figueroa, the one time when you say he pushed  
 24 himself into you is the time that you are referring  
 25 to in the first week of December of 1999 when you

415

1 were having your period and the Mayor's penis  
 2 entered your anus; is that correct?  
 3 A Yes.  
 4 Q And that was the only such occasion of sex between  
 5 you and the Mayor; is that correct?  
 6 MR. OLSON: You mean as you've  
 7 described?  
 8 MR. SCHRIMPF: Of anal sex, yes.  
 9 Q Anal sex between you and the Mayor.  
 10 A It wasn't.  
 11 Q It was not?  
 12 A It wasn't --  
 13 MR. OLSON: He said --  
 14 A He cut himself into me.  
 15 Q How did he cut himself into you?  
 16 A He cut inside of me. He cut -- he cut inside of me.  
 17 Q Did the Mayor use a sharp instrument to cut inside  
 18 of you?  
 19 A His body cut inside.  
 20 Q And when you're talking about his body cutting  
 21 inside of you, are you talking about his penis  
 22 entering your anus?  
 23 A Yes.  
 24 Q And that happened only one time; is that correct?  
 25 A Yes.

416

1 Q And that was this occasion in the first week of  
 2 December of 1999?  
 3 A Yes.  
 4 Q Did you scream?  
 5 A Yes.  
 6 Q Did you say this hurt?  
 7 A Yes. I told him to stop.  
 8 Q Did he?  
 9 A No.  
 10 Q He kept lunging in?  
 11 A He lunged in, yes.  
 12 Q Do you know if the Mayor ejaculated on this  
 13 occasion?  
 14 A Yes.  
 15 Q Were you able to feel that?  
 16 A I had diarrhea. It came out. It came out of me.  
 17 Q Did the Mayor take a shower afterwards?  
 18 A No.  
 19 Q Did you take a shower afterwards?  
 20 A I took baths, baths.  
 21 Q How long did you bleed?  
 22 A I wasn't sure if it was my period or -- I know I was  
 23 -- it was more than a week.  
 24 Q When did you start your period in the first week of  
 25 December of 1999?

417

1 A My periods usually are the first week of the month.  
 2 Q And do you know when they start?  
 3 A Maybe the 3rd or 4th or 5th.  
 4 Q Do you take birth control tablets?  
 5 A No.  
 6 Q Did you take birth control tablets at this time?  
 7 A No.  
 8 Q At this time did you use any protection against  
 9 disease or pregnancy respecting sex?  
 10 A No.  
 11 Q Did the Mayor --  
 12 MR. OLSON: She had her tubes tied.  
 13 Okay. I guess that isn't --  
 14 Q Did you ever tell anyone, Ms. Figueroa, that it was  
 15 still possible for you to get pregnant?  
 16 A No.  
 17 Q  
 18 A  
 19  
 20 Q  
 21 A  
 22 Q  
 23 A  
 24 Q  
 25 A I

418

1 A They were never more than three to four minutes.  
 2 Q During any of those occasions did you achieve an  
 3 orgasm?  
 4 A No.  
 5 Q During any of those occasions did the Mayor  
 6 ejaculate?  
 7 A Yes.  
 8 Q Did he ever fail to ejaculate?  
 9 A No.  
 10 Q I'd like to go to March of 1999.  
 11 A Yes.  
 12 Q First of all, was it an occasion when you and the  
 13 Mayor had actual sexual intercourse?  
 14 A No.  
 15 Q Was it at your house?  
 16 A I walked out in March of -- he came to my house with  
 17 the policeman.  
 18 Q This is when he came to your house with the  
 19 policeman?  
 20 A Yes.  
 21 Q And this is the occasion when your family was  
 22 present?  
 23 A No.  
 24 Q Do you remember who was driving the car?  
 25 A No. I know that I asked him to have the policeman

420

1 Q  
 2 A  
 3  
 4 Q On the occasion that you and the Mayor had sexual  
 5 intercourse for the first time, did the Mayor  
 6 apologize to you for not using a condom?  
 7 A He apologized all the time.  
 8 Q Well, but specifically did he apologize for not  
 9 using a condom on the first occasion?  
 10 A I don't remember.  
 11 Q You don't remember. And do you remember telling the  
 12 Mayor that you had had a hysterectomy and therefore  
 13 there was nothing to worry about?  
 14 A No.  
 15 Q On each of the occasions referenced in paragraph 15  
 16 of your complaint, subparts A through D, how long  
 17 were you and the Mayor engaged in actual  
 18 intercourse?  
 19 A I don't understand what he means.  
 20 MR. OLSON: Do you mean on each act  
 21 how many minutes?  
 22 MR. SCHRIMPF: That's correct,  
 23 that's right.  
 24 MR. OLSON: Seconds, whatever?  
 25 MR. SCHRIMPF: Right.

419

1 come in.  
 2 Q And the policeman did not come in?  
 3 A He didn't -- Bill Christofferson was supposed to be  
 4 there and he wasn't. And so I asked him to bring  
 5 the policeman in and he, he didn't ask the policeman  
 6 to come in.  
 7 Q Do you remember what day of March of 1999 this was?  
 8 A No.  
 9 Q Was it a weekend or was it a weekday?  
 10 A It was a weekday.  
 11 Q Was it in the morning or the afternoon or the  
 12 evening?  
 13 A It was either morning or afternoon.  
 14 Q So it was daylight?  
 15 A Yes. And the police car, their car was out in my  
 16 front.  
 17 Q Now, when you say the police car, are you  
 18 referring -- you're not referring to a City of  
 19 Milwaukee squad car, are you?  
 20 A The Mayor's car.  
 21 Q You're talking about the Mayor's car, right?  
 22 A Yes.  
 23 Q And who was in the Mayor's car, if you know?  
 24 A I don't know.  
 25 Q Did you see anyone other than the Mayor?

421



1 A Actually I don't know. But the police drive that  
2 car.  
3 Q The Mayor came to your house?  
4 A Yes.  
5 Q Did he use the front door or the back door or the  
6 door going upstairs?  
7 A The front door. He was supposed to be there with  
8 Bill Christofferson.  
9 Q But Bill Christofferson wasn't there?  
10 A No.  
11 Q And why would Mr. Christofferson be traveling with  
12 the Mayor, if you know?  
13 A Because this is when they came to talk to me. They  
14 were supposed to come and talk to me about coming  
15 back to work and giving me a reclassification.  
16 Q So I'm a little confused. Please help me out. Was  
17 the Mayor alone except for the driver of the car?  
18 A Yes.  
19 Q Only the Mayor came to your home?  
20 A Yes.  
21 Q All right. Did the Mayor ring the doorbell or rap?  
22 A Yes.  
23 Q You answered the door?  
24 A Yes.  
25 Q Now, how long had you been staying away from work at  
422

1 the point in time that the Mayor came to your house?  
2 (Recess)  
3 By Mr. Schrimpf: (Continuing)  
4 Q My last question I believe was "how long had you  
5 been staying away from work in March of 1999 at the  
6 time that the Mayor came to your house?"  
7 A I don't remember. He --  
8 MR. OLSON: I think she was, said  
9 something she was adding.  
10 A When he came to my house, it was to promise that  
11 nothing was going to happen no more.  
12 Q That was in March of 1999?  
13 A Yes.  
14 Q Okay.  
15 A He apologized and he told me that Mike Dawson got  
16 some kind of reclass and that he promised nothing's  
17 going to happen no more than that they were going to  
18 give me a reclassification.  
19 Q Now, why were you staying away from work in March of  
20 1999?  
21 A Because in 19 -- in December of 1998 I told the  
22 Mayor that I was -- that he had to stop and I was  
23 going to talk to someone. And he promised he was  
24 going to stop. And I believed it.  
25 In January and February nothing happened. But  
423

1 I tried to apply for a job and I found out that the  
2 Mayor stopped me from applying for the job.  
3 Q What job was that?  
4 A It was Mike Dawson's old position.  
5 Q And that was in March of 1999?  
6 A Yes.  
7 Q How did you find out that the Mayor stopped you from  
8 applying for her job?  
9 A Jim Rowen told me that he was sorry that he couldn't  
10 give me the reclassification but that the decision  
11 came from above.  
12 Q When did you have that conversation with Mr. Rowen?  
13 A We had several conversations. I don't remember. I  
14 don't remember.  
15 Q Do you remember where the conversation was?  
16 A At the office. Then after they fired him he went to  
17 lunch with me and he told me that.  
18 Q We'll get back to the lunch with Mr. Rowen, but  
19 concentrating on March of 1999, you tell me if I'm  
20 wrong. It's my understanding that you were staying  
21 away from work; is that correct?  
22 A Yes.  
23 Q And how long had you stayed away from work at the  
24 point in time that the Mayor came to your house?  
25 A I resigned. I -- when I tried to apply for the  
424

1 position, they didn't let me, so I resigned. I  
2 wrote a letter. I went back to the security office  
3 and I told them that I realized what happened was  
4 the Mayor was mad, so I wrote a letter. I figured I  
5 wanted to be out of there. And I resigned. I wrote  
6 a letter of resignation, and I asked Jim Rowen what  
7 I had to do. And Bill Christofferson and Barb Candy  
8 and the Mayor and Jim Rowen called my house. I was  
9 supposed to meet with Bill Christofferson and the  
10 Mayor, but the Mayor came by himself.  
11 Q Where is the letter of resignation today?  
12 A They have it there in the office.  
13 Q In the Mayor's office?  
14 A Well, I know that it's -- it was in my files in the  
15 office, but Jim Rowen should have it. And I wrote  
16 it in the computer of the security, so they should  
17 have it in their computer too.  
18 Q So let me see if I understand this. Sometime in  
19 March of 1999, do you remember the date?  
20 A No.  
21 Q You went into the security office and used one of  
22 their computers to input a letter of resignation?  
23 A Yes.  
24 Q What did that letter say to the best of your  
25 recollection?  
425

1 A It was maybe, maybe two sentences.  
 2 Q Well, what did it say?  
 3 A It said I have decided to resign. Please -- to Jim  
 4 to please let me know what the process is for my  
 5 resignation.  
 6 Q Now, at the point in time that you wrote that letter  
 7 did you have a cell phone?  
 8 A In 1999? I think we did, yes.  
 9 Q Did you have a key card to enter the Mayor's office  
 10 electronically?  
 11 A Yes.  
 12 Q Did you have a card to use the parking system at the  
 13 Wyndham Hotel?  
 14 A Yes.  
 15 Q Did you have a City of Milwaukee employee  
 16 identification badge?  
 17 A Yes.  
 18 Q And did it have your picture on it?  
 19 A Yes.  
 20 Q And did it have a red background or a green  
 21 background?  
 22 A I think it was red.  
 23 Q And did you have any other property of the City in  
 24 March of 1999 that was issued to you as part of your  
 25 work with the Mayor's office?

426

1 A Not that I remember.  
 2 Q What did you do with those things when you typed the  
 3 letter to resign?  
 4 A I don't know. I think that's what I was asking what  
 5 the process is because they ask you for all that  
 6 stuff.  
 7 Q Now, did Mike Dawson have her job as a result of  
 8 reclassification in March of 1999?  
 9 A Mike Dawson got a reclassification before 1999 when  
 10 Steve Jacquart -- when they gave a position to  
 11 Steve Jacquart, the Mayor told me that Mike Dawson  
 12 was upset and they gave her -- and she was important  
 13 to the office and they gave her a reclassification.  
 14 Q Okay. And so your knowledge that Mike Dawson got a  
 15 reclassification was as a result of a conversation  
 16 you had with the Mayor?  
 17 A It was one of the things that he promised that he  
 18 would do.  
 19 Q No. Listen to my question again and answer my  
 20 question.  
 21 (Question read)  
 22 A Yes.  
 23 Q Did you have any other basis for believing that  
 24 Mike Dawson got her job as a result of a  
 25 reclassification?

427

1 A Not her job; a reclassification.  
 2 Q Well --  
 3 MR. OLSON: He wants to know other  
 4 than your conversation with Mayor Norquist,  
 5 did you have any other reason for knowing  
 6 about her reclassification.  
 7 A No. The Mayor told me.  
 8 Q You never talked to Ms. Dawson?  
 9 A No.  
 10 Q So you didn't know if Ms. Dawson held her job as a  
 11 result of a reclassification or a result of a  
 12 promotion?  
 13 A I remember they were upset when they gave the job to  
 14 Steve Jacquart, but I didn't know. You're right.  
 15 No, I did not know that.  
 16 Q Mike Dawson never told you that she was reclassified?  
 17 A No, no.  
 18 Q The only person who told you that Mike Dawson was  
 19 reclassified was the Mayor?  
 20 A Yes.  
 21 Q Do you know what the pay grade of Mike Dawson was  
 22 when she left the office?  
 23 A No, I don't.  
 24 Q Do you now understand that Ms. Dawson left the  
 25 office in 1999?

428

1 A Yes. I knew it, yes.  
 2 Q So any allegation that she left the office in 1998  
 3 is in error?  
 4 A Oh, I don't know exactly when she left. I know -- I  
 5 know she left. That's why I wanted to apply for her  
 6 position because I sat on the policy committee and I  
 7 dealt with eight aldermen, and I believed I was the  
 8 most qualified.  
 9 Q Paragraph 18 of your third amended complaint reads  
 10 as follows: "In her desire to free herself from  
 11 Mayor Norquist's sexual control, she resigned from  
 12 her position in 1998 by walking out from  
 13 employment."  
 14 A Yes.  
 15 Q "Mayor Norquist came to her home shortly thereafter  
 16 and coerced her into returning to work under the  
 17 promise that she would receive a reclassification of  
 18 her position. She was under severe emotional  
 19 distress and demanded that the sexual relationship  
 20 had to end. Unfortunately, little did she know what  
 21 her destiny had in store. Mayor Norquist's demands  
 22 for sex increased and his sexual harassment in the  
 23 workplace got totally out of control."  
 24 Do you recollect making those allegations?  
 25 A Yes, I do.

429

1 Q Now, it says that you resigned your position in 1998  
2 to be free of Mayor Norquist's sexual control.  
3 A '99.  
4 Q So the reference to 1998 is in error and it should  
5 be 1999?  
6 A Yes. Because it was after -- yes.  
7 Q And the reference in paragraph 18 is to the events  
8 of March of 1999 when Ms. Dawson's job became vacant  
9 and someone else filled it; is that correct?  
10 A Nobody filled it. Ms. Dawson was leaving to  
11 Department of City Development.  
12 Q And someone else filled it?  
13 A No. I didn't get an opportunity to apply because I  
14 had already told the Mayor that I was going to --  
15 that he had to stop in December of 1998.  
16 Q In December of 1998 you told the Mayor he had to  
17 stop what?  
18 A Stop -- I didn't want him to have sex with me. I  
19 didn't want him to keep coming to my office. I  
20 didn't want him to keep calling. And I was, and I  
21 was -- I ran Pedro's campaign and I was strong. It  
22 was a Latino candidate. Now I could be strong and I  
23 wasn't -- and I did.  
24 Q When in 1998 did you and Mayor Norquist have sex?  
25 Make that sexual intercourse.

430

1 campaign and I wanted to. And I worked nights on  
2 the campaign. It was a good -- it was easy for me  
3 to tell the Mayor no, I can't, I have to work on the  
4 campaign. And he was getting upset with me.  
5 Q So are you saying that the Mayor wanted to have  
6 sexual intercourse or liaison with you while you  
7 were working on Pedro Colon's campaign?

8 A Yes.  
9 Q Do you remember when the incidents were that the  
10 Mayor was asking you to have sex or sexual  
11 intercourse?  
12 A He didn't ask me to do it. He would want to get  
13 together with me. He would give me -- he would tell  
14 me I have to talk to you. We have to talk, we have  
15 to talk. And I began to -- I knew what he meant by  
16 that, so -- and in the summer when I worked on the  
17 Pedro's campaign, he -- I was working in the office  
18 at the Mayor's office and then I go to the campaign.  
19 And he was -- while Bill Christofferson and  
20 everybody was happy that I was doing a good job with  
21 Pedro's campaign, he wasn't.  
22 Q How did he reflect his displeasure with you working  
23 on Pedro's campaign?  
24 A He called and he called and he wanted -- when I  
25 would be in the office, he'd come into the office

432

1 A I don't remember right now. I know that he kept  
2 bothering me. He kept -- and I had this -- after  
3 Pedro's campaign, while he was working on Pedro's  
4 campaign he was mad and he -- after the campaign he  
5 said to me, now, do I have you back or I have you  
6 back now. And he made -- they wanted me to do a  
7 fund raiser in December, and I did the fund raiser  
8 for the Mayor in the Hispanic community and he kept  
9 bothering me at that fund raiser. And I finally  
10 told him that he needed to stop.  
11 Q With respect to the fund raiser in the Hispanic  
12 community in 1998, was that the fund raiser that  
13 occurred at 5th and National?  
14 A No.  
15 Q Where was the --  
16 A That was at Tres Hermanos at 13th and Lincoln.  
17 Q 13th and Lincoln?  
18 A And Lincoln.  
19 Q And for working on Pedro Colon's campaign did you  
20 take time away from the office, work time?  
21 A Yes, yes.  
22 Q About how much time did you take away from the  
23 office?  
24 A I don't remember, but Bill Christofferson and the  
25 Mayor and Mike Dawson wanted me to work on the

431

1 and he wanted to -- he said I need to see you  
2 tonight or I will need to see you next -- this week,  
3 you know, that kind of stuff.  
4 Q But did you and the Mayor ever get together in 1998  
5 for the purpose of sexual liaison?  
6 A '98? I don't remember. I don't remember right now.  
7 I don't remember right now.

MR. OLSON: That's all right.

9 Q I'd like to take you back to the evening of  
10 December 1st, 1999. Do you have that date fixed in  
11 your mind?  
12 A Yes.  
13 Q Was there a kick-off campaign for the re-election of  
14 the Mayor for the campaign of 2000 that night?  
15 A Probably.  
16 Q Were you present?  
17 A I probably -- all the staff have to go. I don't --  
18 I probably was there, yeah.  
19 Q Were you angry during the course of that event?  
20 A I don't remember. I don't remember.  
21 Q How were you dressed for the event?  
22 A I don't remember.  
23 Q Now, in paragraph 18, I believe this is the  
24 paragraph I mentioned before about the fact that you  
25 were trying to free yourself from the Mayor's sexual

433

1 control, and you've indicated that the first  
2 sentence erroneously uses the year 1998 and it  
3 should be 1999. Is that correct?  
4 A What was the first part you said? I'm sorry.  
5 MR. OLSON: That's what she  
6 testified to.  
7 MR. SCHRIMPF: Counsel would  
8 stipulate?  
9 MR. OLSON: Yes. Basically that it  
10 was when you left was in March of 1999 rather  
11 than in late 1998.  
12 THE WITNESS: Oh, yes.  
13 Q The second sentence of paragraph 18 says  
14 "Mayor Norquist came to her home shortly thereafter  
15 and coerced her into returning to work under the  
16 promise that she would receive a reclassification of  
17 her position." Do you remember making that  
18 allegation?  
19 A He promised he would stop, yes.  
20 Q What exactly did you ask the Mayor to do?  
21 A I wanted him to stop pursuing me. I wanted him to  
22 stop having sex with me. I wanted to do -- I wanted  
23 to work. I wanted -- I hated to be at work. I  
24 hated to be there when he would have to come into my  
25 office. I wanted him to stop.

434

1 Q From January 1st, 1999 through the end of March of  
2 1999, it's a period of three months --  
3 A Yes.  
4 Q -- how many times did the Mayor pursue you?  
5 A I can't -- I can't tell you right now.  
6 Q How many times did the Mayor have sex with you,  
7 sexual intercourse?  
8 A I don't think any in January, February. I remember  
9 feeling that finally he listened to me. In  
10 December after the fund raiser, after Pedro Colon  
11 became elected, I helped Pedro get elected. And I  
12 believe it was -- I believed he wasn't going to do  
13 nothing else.  
14 Q What was the coercion that the Mayor used to get you  
15 to come back to work?  
16 A He was angry that he realized that I was getting  
17 stronger. He told me don't you leave, you're not  
18 going to leave me. He told me I cannot tell nobody.  
19 He told me that the phones, he told me that the  
20 phones when I'm -- there was no way that those  
21 phones could be traced to him. And I never said to  
22 him that I would trace the phones. But he -- he  
23 told me that the phones, the Mayor used to call all  
24 the time my house and he would knock on my door.  
25 Q During the encounter at your house in March of 1999,

435

1 did you and the Mayor argue?  
2 A Yes.  
3 Q Did you raise your voice?  
4 A Yes.  
5 Q Did he raise his voice?  
6 A No. He was apologizing.  
7 Q Did you and he have sexual intercourse in your house  
8 in March of 1999?  
9 A No.  
10 Q Did he grab for your breasts?  
11 A He grabbed me. He tried to grab me. He tried to  
12 get me close to him, yes.  
13 Q What part of your body did he touch?  
14 A He grabbed my head. He grabbed my back. He tried  
15 to grab me close to him.  
16 Q You resisted?  
17 A Yes.  
18 Q Was he successful?  
19 A No. I asked him to bring the policeman inside my  
20 house.  
21 Q Because he was trying to touch you?  
22 A Yes. And he promised, he was promising me that he  
23 was going to stop.  
24 Q Do you believe that on this occasion you were being  
25 sexually assaulted?

436

1 A He was, he was touching me sexually. And it wasn't  
2 like the rapes that he had, no.  
3 Q Well, what part of your body was he touching?  
4 A My breasts and my back, and he rubbed my head, and  
5 he was trying to push me close to him.  
6 Q Did he try to kiss you?  
7 A Probably. I don't remember.  
8 Q But he did touch your breasts?  
9 A Yes, he did. This is March of 1999?  
10 Q Yes, ma'am.  
11 A Yes.  
12 Q Did he touch any other part of your personal body?  
13 A I don't think so. I don't remember.  
14 Q Was the Mayor out of control?  
15 A Yes, he was.  
16 Q Were you in fear of the Mayor on this occasion?  
17 A I started to be in fear of the Mayor in 1998. Yes.  
18 Q So you were in fear of the Mayor on this occasion?  
19 A Yes.  
20 Q Why didn't you go out to his car and talk to the  
21 police officer?  
22 A Because he told me -- he made it clear to me that  
23 I'm not to tell no one.  
24 Q But you wanted the sex to end, didn't you?  
25 A Yes, I did.

437

1 Q You wanted the pursuit to end, didn't you?  
 2 A Yes, I did. Yes, I did.  
 3 Q There was a police officer right outside your house;  
 4 is that correct?  
 5 A Yes, there was.  
 6 Q Now, when a police officer drives the Mayor around,  
 7 is that police officer armed, if you know?  
 8 A Yeah, I think he is, yes.  
 9 Q Does that police officer have handcuffs?  
 10 A I don't know. He probably does.  
 11 Q Does that police officer have the ability to take  
 12 anyone into custody?  
 13 A Not the Mayor.  
 14 Q The police officer can't take the Mayor into  
 15 custody?  
 16 A The Mayor told, the Mayor -- the chief of police, I  
 17 believed the chief knew and I was afraid.  
 18 Q But I thought you said a few minutes -- now in 1999  
 19 Chief Jones was the chief; correct?  
 20 A Yes.  
 21 Q And I thought you said a few minutes ago that you  
 22 believed that the chief did not know?  
 23 A I believed that when he came here, when he spoke  
 24 here. I believed -- that's when I believed that he  
 25 didn't know. I didn't know that before. The Mayor

438

1 didn't have any more excuses.

2 And the Mayor, if a weekend passed and I  
 3 didn't pick up that phone, he -- there was a time  
 4 that I was excited that I gave -- that I was, I had  
 5 something to do with three Latino organizations. I  
 6 got funding. And I didn't pick up the phone that  
 7 weekend. I didn't -- I was supposed to be  
 8 somewhere. And when I came back, the Mayor came  
 9 into my office very mad and he said, after we did a  
 10 press conference and after the funding he said "I  
 11 need you to schedule a meeting with Ruth because I  
 12 need to reconsider the funding." I knew what that  
 13 meant.  
 14 Q And for which group was this?  
 15 A This was, this was United Community Center, La Casa  
 16 and I think -- and Fiesta Americana.  
 17 Q Was funding for those organizations cut?  
 18 A No. No, they weren't.  
 19 Q Funding for those organizations is controlled  
 20 through the Common Council, is it not?  
 21 A The Mayor does the recommendations. I represent the  
 22 Mayor on the recommendation, on his recommendations.  
 23 Then the policy committee makes the decisions and  
 24 then it goes to the Council. And then the Mayor has  
 25 the opportunity to take stuff out at the end.

440

1 made me believe he knew.  
 2 Q Okay.  
 3 A I thought he knew. And that's why I was afraid.  
 4 Q Okay. In the final sentence of paragraph 18 you  
 5 state, "Mayor Norquist's demands for sex increased  
 6 and his sexual harassment in the workplace got  
 7 totally out of control." Do you remember making  
 8 that allegation?  
 9 A Yes.  
 10 Q Please give me all of the episodes that you can  
 11 remember wherein the Mayor's demands for sex  
 12 increased.  
 13 A The phone calls, the him coming into my office, he  
 14 now started closing the door. If people would be in  
 15 front of my office while he was in there, he would  
 16 turn around and ask them what they wanted. The  
 17 Mayor, I had -- they started giving me weekend, more  
 18 weekend duties than anybody else. I was supposed to  
 19 do three weekend duties in a row. That was the  
 20 Mayor making them do that. The Mayor would ask me  
 21 to pick him up and if I did, to go to an event, he  
 22 would unzip his pants. The Mayor in -- the Mayor  
 23 tried to push my head into his, into his crotch.  
 24 The Mayor was more clear angry, and the Mayor knew  
 25 and he told me that he knew I was avoiding him. I

439

1 Q By veto?  
 2 A Yes.  
 3 Q Did the Mayor exercise that veto?  
 4 A No.  
 5 Q Now, for each of the increased demands of sex did  
 6 you make notes of these things?  
 7 A No.  
 8 Q Did you keep a diary of these things?  
 9 A No.  
 10 Q What dates did these things occur?  
 11 A I can't tell you that right now. I don't know.  
 12 Q What dates did you have weekend duty?  
 13 A Different times. The Mayor's office keeps a roster  
 14 of all the weekend duties.  
 15 Q Is it a roster separate from the Mayor's calendar?  
 16 A Yes.  
 17 Q Where is that roster?  
 18 A They have those rosters.  
 19 Q Who has the roster?  
 20 A It's usually Ruth or Pat.  
 21 Q Pat Stawicki?  
 22 A Yes.  
 23 Q Ruth Wyttenbach?  
 24 A Yes.  
 25 Q And you say that they have a separate roster of

441

1 weekend duty?  
 2 A Weekend duties. It's supposed to be a staff person  
 3 has weekend duty for maybe once every two or three  
 4 months. But they started to make me have weekend  
 5 duties -- Pat said, had me scheduled for three  
 6 weekend duties in a row.  
 7 Q Do you remember when this was?  
 8 A It was in, I think it was 1999.  
 9 Q Who was chief of staff?  
 10 A Jim Rowen.  
 11 Q Did you complain to Mr. Rowen about this?  
 12 A Yes, and to Pat, yes.  
 13 Q Now, Pat Stawicki was beneath you in the  
 14 organizational structure, was she not?  
 15 A Pat was not. She's been there for years, and Pat's  
 16 the one that deals with the time sheets and the  
 17 time, and the time cards and the time, you know, the  
 18 sign-in and out sheets.  
 19 Q She's a timekeeper?  
 20 A She's a timekeeper and she -- if I write, you know,  
 21 we worked more than eight hours, she would say you  
 22 can't write more than eight hours. Or if I -- she  
 23 had to go to the chief of staff.  
 24 Q And that was for all of you; correct?  
 25 A Yeah.

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1 Q That was for all of the staff assistants to the  
 2 Mayor?  
 3 A Yes, yes.  
 4 Q Because you were considered exempt management  
 5 employees; correct?  
 6 A Yes.  
 7 Q And you worked odd hours?  
 8 A Lots of hours, yes.  
 9 Q Yes. You worked evenings and weekends?  
 10 A Yes.  
 11 Q Okay.  
 12 A Not all of us. Some of us.  
 13 Q So you have no way of reconstructing the dates when  
 14 these things were except by looking at the roster of  
 15 the weekend duty people?  
 16 A They have -- they keep a roster of the weekend duty.  
 17 Sometimes I would note if I had weekend duties.  
 18 Sometimes we would switch with staff people if we  
 19 wanted to. If we had something that we needed to do  
 20 with our families, we would be able to switch.  
 21 Q Now, the events of March of 1999, did the Mayor  
 22 achieve sexual intercourse with you or not on that  
 23 occasion?

MR. OLSON: I just want to make  
 sure, are you talking about that evening -- I

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1 don't know if it was evening.  
 2 MR. SCHRIMPF: Day.  
 3 MR. OLSON: But the time he came  
 4 over to the house.  
 5 Q Did you and the Mayor actually have intercourse?  
 6 A No, we did not.  
 7 Q He simply touched your breast and your crotch?  
 8 A He tried to.  
 9 Q But he was not successful?  
 10 A No.  
 11 Q Other than the events that you allege in paragraph  
 12 15 subparts A through D, were there any other sex  
 13 acts between you and the Mayor which constitutes the  
 14 basis of your complaint?  
 15 A Can you explain how you're meaning that question?  
 16 Q Well, by my count, Ms. Figueroa, in paragraph 15-A  
 17 you allege three episodes and paragraph 15-B you  
 18 allege two, in paragraph 15-C you allege one  
 19 attempted one and one actual one, then in paragraph  
 20 15-D you allege another three. So I come out with  
 21 about nine specific acts of sexual intercourse  
 22 alleged in those paragraphs 15-A through D. Do you  
 23 see how I got there?  
 24 A Yes.  
 25 Q Are there any other acts of sexual -- let's start

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1 with intercourse, that forms the basis of your  
 2 complaint today in the Equal Rights Division?  
 3 A Not that I can tell you right now.  
 4 Q Are there any other acts of sexual contact, be it he  
 5 touches your private body parts, he tries to kiss  
 6 you, you engage in oral sex, anything like that that  
 7 forms the basis of your complaint?  
 8 A He knocks on my door, he comes to my office, he  
 9 tries to push my head into his crotch, he --  
 10 Q But you don't have the dates of these events?  
 11 A Not right now, no.  
 12 Q Well, where are those dates, Ms. Figueroa?  
 13 A If you look at the calendars.  
 14 Q What calendars?  
 15 A The Mayor's calendars, we can probably figure it  
 16 out.  
 17 Q Have you seen the Mayor's calendars?  
 18 A Yes.  
 19 Q Have you been able to identify any acts of sexual  
 20 intercourse in addition to the ones that you have  
 21 alleged by examining those calendars?  
 22 A No.  
 23 Q Have you been able to ascertain any other acts of  
 24 sexual contact between you and the Mayor by looking  
 25 at those calendars other than what you've alleged

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1 thus far?

2 A No.

3 Q Is that to say there are some and you just can't  
4 think of them or there aren't any more?

5 A I don't think there's any more.

6 MR. OLSON: Counsel, you asked a  
7 global question and I'm not sure that the  
8 client totally understood it, but you're  
9 asking about the basis of her complaint. And  
0 there was the apple incident on January 4th.  
1 Now I don't know if you want to go into that  
2 or take that now or --

3 MR. SCHRIMPF: I'm reviewing the  
4 complaint.

5 MR. OLSON: Okay.

6 MR. SCHRIMPF: How much time do I  
7 have?

8 THE VIDEOGRAPHER: We've been going  
9 for two hours and 52 minutes.

10 Q In paragraph 19 you allege that between 1998 and  
11 1999 you were subjected to gross and offensive  
12 touching of her breasts --

13 MR. OLSON: Just a second, counsel.

14 This is kind of a long thing. We have it on  
15 the --

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1 MR. SCHRIMPF: Can I examine that  
2 just to --

3 MR. OLSON: Sure.

4 MR. SCHRIMPF: Thank you.

5 MR. OLSON: As long as I don't have  
6 to bring it over to you because I will pull a  
7 plug.

8 MR. SCHRIMPF: If you don't mind, I  
9 can get up and get around here.

10 MR. OLSON: It's on your time.

11 Q Why don't you quickly read paragraph 19 and all of  
12 its subparts.

13 (Witness reading)

14 Q Have you read it?

15 A I was reading it but -- yeah.

16 Q Now, in all of the occasions that you and the Mayor  
17 had interaction of a physical nature, whether it  
18 resulted in sex or not, did you physically repel the  
19 Mayor?

20 A Did I push him away?

21 Q Yes.

22 A Yes.

23 Q Did you do anything else?

24 A I know I hit him a couple of times. I know --

25 Q Where did you hit him?

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1 A Well, it was in his chest because he's too tall.

2 But it was --

3 Q In the stomach?

4 A Yeah. I guess it's his stomach.

5 Q Did you cause bruises?

6 A No, I don't think so.

7 Q Did you cause scratches?

8 A Yeah. And his face turned, you know, he's so white  
9 he turned red. You can see his red marks.

10 Q So that it's clear from the printed record, you seem  
11 to be motioning with your left hand on your right  
12 cheek.

13 MR. OLSON: Right hand to your  
14 right cheek I think.

15 MR. SCHRIMPF: She went like this,  
16 she went like this.

17 MR. OLSON: I'm sorry, I wasn't  
18 watching.

19 Q But you scratched him on his cheek towards his  
20 jawbone?

21 A Towards more his --

22 Q Towards his ear?

23 A Towards his neck kind of.

24 Q Did you draw blood?

25 A No.

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1 Q Was it red?

2 A Yes.

3 Q When did you do that?

4 A The first week of December.

5 Q Of 1999?

6 A Yes, October after UMOS.

7 Q October after UMOS?

8 A When he was at my house in March, when he was in the  
9 elevator.

10 Q In the elevator at City Hall?

11 A Yes.

12 Q Is that when he stood in back of you and you were  
13 able to feel his penis in your shoulder blades?

14 A Yes.

15 Q You scratched him?

16 A No. I pushed him.

17 Q Just so that we're clear, Ms. Figueroa, I'm looking  
18 for episodes when you scratched the Mayor on his  
19 face.

20 A I don't remember that.

21 Q You don't remember that? But you do remember  
22 December of 1999 doing it? I'm sorry?

23 A Yes.

24 Q And was that in the first week of December of '99 or  
25 December 17th?

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1 A The first week of December.  
 2 Q Was it bleeding?  
 3 A I don't know.  
 4 Q But it was red?  
 5 A I don't know if it was. I didn't pay attention to  
 6 it.  
 7 Q Did the Mayor scream for pain?  
 8 A No. I did.  
 9 Q Did you see the Mayor after you did this?  
 10 A I don't remember.  
 11 Q Do you remember if you were appearing for work in  
 12 December of 1999?  
 13 A I had to -- yes. I had to go to work.  
 14 Q Is that what Chief Jones told you?  
 15 A I could not, I could not just walk out without  
 16 having a job because I could not -- no one would  
 17 hire me until I had -- it couldn't be a job that was  
 18 connected to City Hall or the Mayor. And so I had  
 19 to go back.  
 20 Q Well, but you didn't tell Chief Jones during your  
 21 lunch that the Mayor was sexually assaulting you,  
 22 did you?  
 23 A No, I didn't, no.  
 24 Q Now, did you and the Mayor meet in early October of  
 25 1999 at your house?

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1 notably very sick during this time. And so I wanted  
 2 him to know that. I wasn't going to -- if he'd  
 3 leave me alone, I wasn't going to -- I wanted him to  
 4 have his stuff so that he didn't, he wouldn't be  
 5 afraid that I was going to say anything because I  
 6 wanted to, I wanted him to stop.  
 7 MR. OLSON: Marilyn, I think he  
 8 wants to know if you can give your best  
 9 recollection as to when that was. Was it  
 10 October or November of '99?  
 11 MR. SCHRIMPF: Thank you, counsel.  
 12 MR. OLSON: Do you remember or  
 13 could you relate it to an event?  
 14 MR. SCHRIMPF: Thank you, counsel.  
 15 MR. OLSON: If you can't, you  
 16 can't, but do the best you can.  
 17 A I think it was right before Jim Rowen got fired.  
 18 Q Do you know when Jim Rowen got fired?  
 19 A I think it was during -- it could have been during  
 20 the budget time. I'm not really sure, before that.  
 21 Q Was it before or after UMOS?  
 22 A I don't remember.  
 23 Q Okay.  
 24 MR. OLSON: Pardon me?  
 25 Q Now, you indicated to me that you told

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1 A No. He -- I know that October, he used to knock on  
 2 my door and I would not open the door. He would  
 3 knock on my front door.  
 4 Q But you didn't let him in?  
 5 A No. And he left his business card.  
 6 Q And he left his business card?  
 7 A Yeah.  
 8 Q Did you save those business cards?  
 9 A I don't know.  
 10 Q Do you have those business cards today?  
 11 A If I had anything, they will have them.  
 12 MR. OLSON: We don't have any.  
 13 Q So your counsel is indicating to me that they do not  
 14 have any business cards. You have to answer  
 15 verbally.  
 16 A Oh, yeah, I guess.  
 17 Q So do you know what you did with those business  
 18 cards?  
 19 A I probably threw them out.  
 20 Q In early October of 1999 did you return gifts that  
 21 the Mayor had given you?  
 22 A In November.  
 23 Q You returned the gifts in November?  
 24 A He had, he used to talk about he was afraid I think  
 25 by this time I was very -- I was physically and

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1 Kimberly Pratt about the Mayor coming to you and  
 2 bothering you. Do you remember that?  
 3 A And Ruth Wyttenbach, yes.  
 4 Q Well, concentrating on Kimberly Pratt right now --  
 5 A Okay.  
 6 Q -- when did you first tell Kimberly Pratt that the  
 7 Mayor was bothering you?  
 8 A Probably in 1998 sometime.  
 9 Q What did you tell her?  
 10 A On that first -- I started getting closer to  
 11 Kimberly, so I think I told her at first the Mayor  
 12 was bothering me. And I would go -- her office was  
 13 in the back, so I could sometimes hide in her  
 14 office.  
 15 Q When you say in the back, where was her office?  
 16 A My office, anybody that goes to the Mayor's office  
 17 has to pass my office. Kimberly's you have to go  
 18 around the reception area and go to the back. So  
 19 nobody would know if, who was back -- that's where  
 20 the security is.  
 21 Q So Kimberly's office was where the security was?  
 22 A Yeah. In the back of.  
 23 Q Okay. And what did you tell Kimberly about the  
 24 relation -- well, strike that. What did you tell  
 25 Kimberly about you and the Mayor having sex?

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1 A I told her the Mayor, after awhile that we would  
2 talk. I finally told Kimberly that the Mayor was  
3 having sex with me.

4 Q What exactly were the words that you used when you  
5 told Kimberly?

6 A I told Kimberly that the Mayor was having sex with  
7 me.

8 Q Do you remember when this was?

9 A No. I know, I know that it was in 1998 sometime,  
10 maybe summer or fall.

11 Q When in relation to the election of Pedro Colon did  
12 you tell her that you and the Mayor were having sex?

13 A I told her the Mayor was having sex with me.

14 Q Yes. But when in relationship to the election of  
15 Pedro Colon?

16 A I don't remember.

17 Q Did you keep a note of that conversation?

18 A No.

19 Q Did Ms. Pratt keep a note of that conversation?

20 A I don't know.

21 Q Did she ever tell you she kept a note of that  
22 conversation?

23 A No.

24 Q Did you ask Ms. Pratt to intervene for you regarding  
25 this sex between you and the Mayor?

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1 A No. I asked -- I wanted for her to help me figure  
2 out a way to stop it.

3 Q When did you tell her that?

4 A I don't remember.

5 Q From the last time that we met, Ms. Figueroa, I  
6 recollect that you told me that you and Ms. Pratt  
7 were planning on having a meeting with the Mayor the  
8 night of the UMOS banquet?

9 A Yes.

10 Q And if I recall correctly, the Mayor was supposed to  
11 tell Ms. Pratt where you were going to meet?

12 A We were supposed to either have coffee -- it was my  
13 weekend duty. We were supposed to either have  
14 coffee or get together afterwards before the UMOS or  
15 after. And for some reason it ended up after. We  
16 left it with Kimberly that --

17 Q Was Kimberly at the event?

18 A No, she didn't go.

19 Q So how was Kimberly supposed to get told where to  
20 meet?

21 A Well, from the event we were supposed to go from  
22 there to meet with Kimberly and, you know, in the  
23 security. But at the event he said that he needed  
24 to take care of some child care stuff.

25 Q Okay.

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1 A And so I don't know. I know that Kimberly, I  
2 thought Kimberly was going to either be there. I  
3 thought the police officer was going to be -- we  
4 were supposed to talk about office, there was  
5 problems in the office.

6 Q Right. And what were the problems you were going to  
7 talk about?

8 A About, I think Mike Soika was the chief of staff.

9 Q Was he a problem you were going to talk about?

10 A I thought Mike Soika, I wanted, I tried to talk to  
11 Mike Soika about what was going on.

12 Q Was this before the UMOS banquet?

13 A Yes. But I never did.

14 Q Were you going to tell Mr. Soika about the sex  
15 between you and the Mayor?

16 A Yes.

17 Q What else, if anything, were you going to tell  
18 Mr. Soika?

19 A Well, we talked about the problems with certain  
20 people. He told me that he -- that he was right,  
21 that they're not just racist but they're classists  
22 and that he had a problem, that he wasn't standing  
23 on firm ground and that he had a problem too. They  
24 used to make fun of him and call him brother Mike.  
25 They were making fun of Mike.

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1 Q Do you know why they called him brother Mike?

2 A Because in the staff meetings when he first started  
3 he talked religiously. He was, he makes some  
4 religious comments.

5 Q Do you recall when this was?

6 A When he, probably when he started, one of the first  
7 meetings when he started.

8 Q Do you remember when he started?

9 A No, not really. End of, I think it was -- I don't  
10 know when he started. '98. I don't know. I don't  
11 know. I don't know when he started.

12 Q So on the night of the UMOS banquet you attended it  
13 with the Mayor?

14 A I was there and the Mayor came with the police, yes.

15 Q How did the Mayor leave that night?

16 A With the police.

17 (Discussion off the record)

18 MR. SCHRIMPF: Counsel have  
19 conferred and agreed that it is probably,  
20 behooves everyone to adjourn at this time and  
21 to continue this deposition certainly on  
22 April the 12th when it is scheduled, but to  
23 schedule additional time at a time to be  
24 agreed upon between counsel in a good faith  
25 effort to agree to such things and possibly

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