

Figuerola

Vol. 4

1 She wants a test feed this morning. I can't believe
2 it. Does she really want to know what I'm thinking?
3 She's not ready yet. She's not listening to me.
4 I'm trying to tell her how I feel about this. Is
5 she ready? I don't know. I can't tell. (At 9:12).

6 Q Good morning, Ms. Figueroa?

7 A Good morning.

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14 MR. ARELLANO: If you know.

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22 MR. ARELLANO: If you know.

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MR. ARELLANO: Objection, calls for

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speculation.

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Q Subject to the objection.

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MR. ARELLANO: Competence.

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A I don't think so.

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Q Subject to the -- pardon me?

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A I don't think so.

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Q You don't think so, okay. When we were here the

15

last time, we were talking about the events of the

16

UMOS banquet on the evening of October 16th, 1999.

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And I'd like to just briefly pick up with that. At

18

the conclusion --

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MR. ARELLANO: I'm going to object

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as to the date. Subject to that objection,

21

she may answer.

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Q Was the UMOs banquet on October 16th, 1999?

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A I don't -- I'm not sure.

24

Q Well, I'm picking up with respect to the UMOs

25

banquet then.

1 A Yes.

2 Q And you were present at the banquet that evening?

3 A Yes.

4 MR. ARELLANO: Counsel, isn't that
5 something we already covered?

6 MR. SCHRIMPF: Subject to the
7 objection.

8 MR. ARELLANO: No, my question is
9 are we going to --

10 MR. SCHRIMPF: I'm trying to
11 reconnect her to what we were the last time,
12 counsel.

13 MR. ARELLANO: Let's see where we
14 go.

15 Q And I believe you indicated that the Mayor left the
16 banquet with a police driver; is that correct?

17 A Yes.

18 Q All right. How did you leave the banquet?

19 A With my car.

20 Q Were you with anyone?

21 A No.

22 Q Were you planning on contacting anyone that night?

23 A Yes.

24 Q Who?

25 A Kimberly Pratt.

1 Q And did you contact her that night?

2 A No.

3 Q And why not?

4 A Because I was going to go pick her up and the Mayor

5 said not to.

6 Q The Mayor said not to?

7 A Yes.

8 Q Did he say this as he was leaving the banquet?

9 A No.

10 Q When did he say this?

11 A When I went to his house.

12 Q You went to the Mayor's house?

13 A Yes.

14 Q Before you called Kimberly Pratt?

15 A Yes.

16 Q So the plan was that you were going to call

17 Ms. Pratt from the Mayor's house?

18 A Yes.

19 Q And you and Ms. Pratt had discussed that prior to

20 the time of the banquet?

21 A Yes.

22 Q And did you discuss that in the office?

23 A Yes.

24 Q When did you discuss that?

25 A I don't remember. A week, maybe a couple of days or

1 a week but I'm guessing.

2 Q And when you got to the Mayor's house, which
3 entrance did you use?

4 A The front.

5 Q Did you ring the doorbell?

6 A Yes.

7 Q Did the Mayor answer?

8 A Yes.

9 Q Did anyone else answer?

10 A No.

11 Q Did you call the Mayor's house before you arrived
12 there?

13 A No.

14 Q You didn't call at all?

15 A I don't recall.

16 MR. ARELLANO: Objection, asked and
17 answered. There's no need for you to continue
18 repeating every answer she gives.

19 Q Subject to the objection.

20 MR. ARELLANO: No, I'm telling you,
21 otherwise I'm going to put a stop to this.

22 Q After you left the banquet where did you go?

23 A To the Mayor's house.

24 Q Directly?

25 A Yes.

1 Q What time did you leave the banquet?
2 A I don't recall.
3 Q Was the banquet still in progress when you left?
4 A Probably.
5 Q Had the meal been finished?
6 A I don't recall.
7 Q Had the Mayor concluded his remarks at the time that
8 you left?
9 A Probably.
10 Q And just so that we're clear, the Mayor was speaking
11 after the meal was concluded?
12 A I'm not sure. I don't remember if it was -- if he,
13 if he spoke, if he was going to stay, if he was
14 expected to stay or if he was -- if it was a
15 walk-through as sometimes events are scheduled.
16 Q Do you recollect if any photographers took pictures
17 of you and the Mayor that evening?
18 A No.
19 Q You don't recollect that or they didn't?
20 MR. ARELLANO: Objection, asked and
21 answered.
22 MR. SCHRIMPF: Well, I'm
23 clarifying.
24 MR. ARELLANO: Okay.
25 Q You don't recollect that or it didn't happen?

1 A I don't recollect if it happened.

2 Q How long a period of time elapsed between the time

3 that you left the banquet and you got to the Mayor's

4 house?

5 A I don't remember at this time exactly. I know that

6 I waited outside but I don't remember how long.

7 Q I want to make sure I understand. Did you wait

8 outside because no one was answering the door or did

9 you wait outside before you went to the door to try

10 to gain access to the house?

11 A I waited outside before going to the door.

12 Q How long?

13 A Maybe 20 minutes.

14 Q And what was the purpose of the wait?

15 A Staff usually wait for the Mayor outside and I

16 wasn't sure -- I didn't see the police car. I

17 wasn't sure if Kimberly was in the police car or

18 what -- whether the Mayor was there or not.

19 Q Were you expecting Ms. Pratt to be driven to the

20 Mayor's house in the car?

21 A I thought she -- I thought we had scheduled that she

22 was going to meet us at the banquet but I don't

23 remember.

24 Q And I just want to make sure that you did not see

25 Ms. Pratt at the banquet before you left; is that

1 correct?

2 A Correct.

3 Q So you don't remember exactly what time you left the

4 banquet?

5 A No.

6 Q But you do know that you waited outside the Mayor's

7 house about 20 minutes?

8 A Yes.

9 Q Before you rang the doorbell?

10 A Yes.

11 Q Did you have your cell phone with you that night?

12 A I don't -- I don't know. I don't remember.

13 Q Did you have a cell phone at that point in time?

14 A I -- we would have by that time staff had cell

15 phones.

16 Q When you finally decided to go into the Mayor's

17 house, how did you notify anybody who would have

18 been in the house that you were there? Did you rap,

19 did you ring the doorbell?

20 A I don't remember.

21 Q Are you sure that you used the front entrance?

22 A Yes.

23 Q Where was your car parked?

24 A In the front.

25 Q Directly in front?

1 A Yes.

2 Q Did anyone answer the door?

3 A The Mayor.

4 MR. ARELLANO: Objection, asked and
5 answered.

6 Q How was the Mayor and I tired?

7 A I don't remember.

8 Q When you enter the Mayor's front door, what's the
9 first thing that you see within the house? Is there
10 a foyer, is there a hallway? Tell me how this is
11 laid out.

12 MR. ARELLANO: When she answered
13 the Mayor's house, is that your question?

14 MR. SCHRIMPF: When she came to the
15 Mayor's house, yes, when she entered the
16 Mayor's house.

17 MR. ARELLANO: Hold on a second.
18 Could you read that question back.

19 (Question read)

20 A There's a hallway, a foyer.

21 Q I'm sorry?

22 A I don't know what a foyer is.

23 Q Oh, a fire is like an entrance area.

24 A Then that's what it is.

25 Q Is there another door that you have to pass through

1 in order to get into the main part of the house?

2 A I don't remember at this time.

3 Q After you pass through the front door tell me what

4 the layout of the home is in terms of any rooms that

5 come off the house or I'm sorry, off the front

6 hallway.

7 A There's a dining room when you walk in. There's a

8 living room in the front and there's a kitchen in

9 the back. Oh, and I guess it's two dining rooms.

10 Q Can you see any of these rooms as you enter the

11 front door?

12 A All of them.

13 Q Tell me where they are in relation to the front

14 door. For example, as you entered the front door,

15 what was to your right, what was to your left, what

16 was directly in front of you?

17 A To the left is the living room, to the front is the

18 front right is the, before the dining room, it's a

19 room and to the back is the kitchen.

20 Q Where is the dining room again? I didn't quite

21 follow that.

22 A There's two rooms. One, it's in front -- in the

23 back next to the kitchen.

24 Q If you enter the front door and walk straight ahead

25 without turning right or left, where will you go?

1 A To the dining room. The room before the dining
2 room.
3 Q Is there a stairwell anywhere close to the front?
4 A The room before the dining room.
5 Q Do you have to walk past the stairwell in order to
6 get to the dining room?
7 A It's in the room before the dining room.
8 Q What room is the stairwell off of?
9 A The room before the dining room.
10 Q And is that the living room?
11 A No. The room before the dining room.
12 Q Immediately after you entered the Mayor's house that
13 evening where in the house did you go?
14 A I stood waiting for him in the room before the
15 dining room.
16 Q Where did the Mayor go, if you know?
17 A He was like looking for something, like keys or
18 something, and I asked him where was Kimberly and he
19 kept looking for keys. And I told him I would pick
20 up, I'll go pick Kimberly up. But he was in the
21 room before the dining room.
22 Q And you said that you would go to pick up Kimberly?
23 A Yes.
24 MR. ARELLANO: Objection, asked and
25 answered.

1 MR. SCHRIMPF: I just wanted to
2 make sure.
3 Q Subject to the objection.
4 A Did I answer?
5 Q What time was it when you said I will go and get
6 Kimberly?
7 A I don't recall the time. It was when I walked in.
8 Q That's the first thing you said, I will go and get
9 Kimberly?
10 A Yes.
11 Q Had the Mayor said anything to you at that point?
12 A I don't recall. I just know -- I was waiting.
13 Q Did you then leave to go get Kimberly?
14 A No.
15 Q What happened?
16 A He was, seemed like he was stalling or looking for
17 something.
18 Q What did he say to you?
19 A I told him I would go -- I was going to go get
20 Kimberly.
21 Q What did he say to you?
22 A He said just hold on a second and that just -- it
23 seemed like a long time.
24 Q How much time?
25 A I don't -- I don't remember.

1 Q Well, I take it you did not go to get Kimberly?
2 MR. ARELLANO: Objection, asked and
3 answered.
4 A No.
5 Q Did you leave?
6 A No.
7 Q You stayed?
8 A Yes.
9 Q Did you and the Mayor talk?
10 A No. He, he stated that he wanted to talk to me
11 anyway.
12 Q Okay. Did you talk in the hallway or did you go
13 into a room to talk?
14 A I, I told him that I wanted to call Kimberly so I
15 was looking for her number.
16 Q Where was her number?
17 A In my purse.
18 Q So you were going through your purse?
19 A Yes.
20 Q Did you find the number?
21 A I think so, yes.
22 Q And then do you ask to use a telephone or did you
23 have your cell phone?
24 A I don't remember.
25 Q Did you call Kimberly?

1 A No. He didn't give me a chance.

2 Q Was this still in the hallway or were you in one of
3 the rooms?

4 A In the room before the dining room.

5 Q How far from the front door is the room before the
6 dining room?

7 A That's the first room.

8 Q So it's immediately after the front door?

9 A Yes.

10 Q What did you and the Mayor talk about?

11 A .

12 MR. ARELLANO: If you did.

13 A I don't remember.

14 Q What did the Mayor do?

15 A He told me that he wanted to talk -- he wanted to
16 talk to me anyway.

17 Q What did he say?

18 A He, there was a lot of problems and he knew that I
19 was not doing well. So he told me that he wanted to
20 talk to me anyway.

21 Q What did he talk about?

22 MR. ARELLANO: Well, let her
23 finish.

24 MR. SCHRIMPF: I thought she was
25 done, counsel.

1 A He said I know that you're not doing well these
2 days.
3 Q What made him think that you weren't doing well?
4 A It was very clear that I wasn't well.
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24 Q That was before the night of the banquet?
25 A Yes.

1 Q How long before the night of the banquet?

2 A I don't remember.

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20 MR. ARELLANO: Objection, asked and
21 answered. She already told you three times
22 she doesn't remember.

23 MR. SCHRIMPF: I'm trying to --

24 MR. ARELLANO: No, you're trying to
25 bother her. That's all you're doing.

1 MR. SCHRIMPF: No, counsel, I'm not
2 trying to bother her.

3 MR. ARELLANO: Well, if she tells
4 you three times she doesn't remember and you
5 continue, all you're trying to do is just
6 Badger her.

7 MR. SCHRIMPF: I will state for the
8 record that I believe I'm entitled to try to
9 pursue a line of questioning to see if I can
10 get her to remember.

11 MR. ARELLANO: Nobody's entitled to
12 Badger a witness when the witness has told you
13 three times she doesn't remember.

14 Q Just so that we're clear on this, you don't even
15 remember if it was in the month of October?

16 A No, I don't.

17 Q

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23 MR. ARELLANO: Objection, that's
24 what she said.

25 Q I want to confirm that.

1 A Yes, yes.

2 Q So the Mayor said that he observed you weren't doing

3 well. What else did he say?

4 A He apologized for that.

5 Q For the fact that you weren't doing well or

6 something else?

7 A Yes. Because of all the problems that I had.

8 Q And then what did he say, if anything?

9 A I don't remember.

10 Q Did you tell him that you were supposed to meet

11 Kimberly there?

12 A He knew it.

13 Q He knew that?

14 A Yes.

15 Q Did he tell you he knew that?

16 A Yes.

17 Q When did he tell you he knew that?

18 A I know that he knew it before. Kimberly had talked

19 to him.

20 Q Kimberly had talked to him?

21 A Yes.

22 Q And the arrangement was that -- when did Kimberly

23 talk to him?

24 A It would have been before the event.

25 Q Did you then leave?

1 A No.

2 Q Why didn't you leave?

3 A Because the Mayor held me.

4 Q How did he hold you?

5 A My arms and --

6 Q Were both of his arms holding both of your arms?

7 A Yes.

8 Q Then what happened?

9 A I thought I told you this already.

10 Q I reread the transcripts and you did not.

11 MR. ARELLANO: Well, you're not
12 going to argue with her. I believe all these
13 incidents, detailed incidents have been
14 covered and we object to this repetitious
15 questioning. She will last as she can subject
16 to my objection.

17 MR. ARELLANO: He held you by the
18 arms. Explain.

19 Q Then what happened?

20 A He pushed me on the steps.

21 Q Then what happened?

22 A He forced himself on me.

23 Q Did he have intercourse with you?

24 A Yes.

25 Q How did he obtain entrance to your private parts?

1 A .

2 MR. ARELLANO: Subject to our
3 objection, here counsel is now continuing on
4 repetitious questioning. And the reason why
5 the previous deposition was useless as you
6 folks put it is because of your constant
7 repetitious questions.

8 Q Subject to the objection.

9 MR. ARELLANO: He pushed you to the
10 stairs. What happened next.

11 A .

12 MR. ARELLANO: Hold on a second.
13 Would you please read her last answer. (Last
14 three questions and answers read).

15 A He pulled my dress up and my hose down and he pinned
16 me and he grabbed me and he pushed himself on me.
17 And I think I said this to you last time. And I
18 don't know why you defend this man.

19 MR. ARELLANO: That's all right.

20 Q Please answer my question.

21 A I did.

22 Q Argue?

23 MR. ARELLANO: Hold on. Don't
24 argue with him. ((In Spanish)).

25 Q Were both arms holding you at the time he pinned you

1 against the steps?

2 MR. ARELLANO: Hold on, you've
3 already covered this area. You know why
4 you're doing this? You're frustrated. We
5 went over all these sexual details last time.

6 MR. SCHRIMPF: No, we did not. Not
7 on the event of the U M O S banquet. We did
8 on the events of early December.

9 MR. ARELLANO: Subject to my
10 objection. (In Spanish).

11 Q ?

12 MR. ARELLANO: So what's your
13 question?

14 Q Both arms were holding you at the time he pinned you
15 against the steps?

16 MR. ARELLANO: Objection, asked and
17 answered. That's exactly what she said.

18 Q Okay. Both arms were holding you?

19 A Yes.

20 Q And he pulled down your underwear as he was pushing
21 up your dress?

22 A We struggled.

23 MR. ARELLANO: Objection, asked and
24 answered and I'm going to instruct the witness
25 not to answer what she already answered to

1 you, counsel.

2 MR. SCHRIMPF: I just want to make
3 sure I understand it.

4 MR. ARELLANO: Well, you understand
5 it. If you want to understand it, ask the
6 court reporter to read it back to you.

7 MR. SCHRIMPF: Fine. We will do
8 that. Please read it back. (Last question
9 and answer read).

10 Q Well, but I don't believe my question has been
11 answered.

12 MR. ARELLANO: I believe your
13 question has been answered and I don't believe
14 you should be arguing with my witness, my
15 client.

16 MR. SCHRIMPF: I want to make sure
17 I understand this subject to counsel's
18 objection.

19 Q Both arms were holding you as he pulled up your
20 dress and pulled down your underwear; is that
21 correct?

22 MR. ARELLANO: Objection, asked and
23 answered and she will not repeat the same
24 painful episode. And you're doing it just to
25 upset her.

1 Q Am I correct in my understanding?

2 MR. ARELLANO: Hold on a second.

3 Would you please read her previous answer.

4 MR. ARELLANO: And if we go before
5 that.

6 (Last several questions and
7 answers read)

8 MR. ARELLANO: Let the record
9 reflect that she has answered that question
10 three times and you want her to continue
11 repeating the sexual episode out of nothing
12 but harassment.

13 MR. SCHRIMPF: Please certify this
14 question. We will take it up with the
15 administrative law judge when he calls.

16 (Reporter's note:

17 Q How long did this episode last?

18 MR. OLSON: Excuse me, can we just
19 take a 30-second break so I can get the
20 context of where we are?

21 MR. SCHRIMPF: I guess I don't have
22 an objection to that so long as I get my 30
23 seconds at the end. (.

24 (Discussion off the record)

25 (last question read).

1 MR. OLSON: I guess was there an
2 objection to that?
3 MR. OLSON: Okay. Then go ahead.
4 Do you know which episode he's talking about?
5 THE WITNESS: Yes.
6 MR. OLSON: And as far as the
7 episode, are you talking about the act of
8 sexual intercourse itself?
9 MR. SCHRIMPF: Yes, yes.
10 A Oh, the, between the struggle and him forcing
11 himself I was about half hour. (It was).
12 Q Did you injure the Mayor?
13 A I kicked him. I don't know.
14 Q Well, did you scratch him?
15 A I'm sure I did.
16 Q On his face?
17 A Yes.
18 Q Was it visible?
19 A His face was red, yes.
20 Q His face was -- I'm sorry?
21 MR. OLSON: She said his face was
22 red.
23 Q Oh, face was red. Was blood being drawn?
24 A I don't remember that.
25 Q Were you injured?

1 A Yes.

2 Q What parts of you were injured?

3 A He raped me.

4 Q Okay. Was there any other portion of your body that

5 was raped? Strike that. Was there any other

6 portion of your body that was injured?

7 A .

8 MR. OLSON: If you can't remember,

9 tell him that.

10 MR. SCHRIMPF: Just for the record

11 I will object to suggesting an answer to the

12 witness.

13 MR. OLSON: I'm trying to help it

14 along.

15 A I know I, I was sore from the struggle. My arms

16 were red.

17 Q Was your back side against the risers of the steps?

18 A No. On the steps.

19 Q Well, that's what I mean. Those are the risers, the

20 steps.

21 A Oh.

22 Q Your back side was against the risers?

23 A When I, at the beginning of the struggle, yes.

24 Q Did you have any bruises?

25 A Yes.

1 Q Where?

2 A In my arms.

3 Q Anywhere else?

4 A I don't remember.

5 Q Did you have any cuts?

6 A I don't remember.

7 Q Did you seek medical attention after this incident?

8 A No.

9 Q What time did you leave the Mayor's house?

10 A I ran out of there after that happened.

11 Q Where was the Mayor when you ran out?

12 A He was on the couch apologizing.

13 Q How did you get from the steps to the couch?

14 A He forced me. We struggled. He pushed me.

15 Q At the point that the intercourse occurred, were you

16 against the steps or were you somewhere else?

17 A I was in the -- I ended up in the living room. And

18 he forced me on the couch.

19 Q So the intercourse did not take place against the

20 steps? The intercourse took place on the couch?

21 A The rape.

22 Q Fine, the rape. It took place on the couch and not

23 the steps?

24 A It was -- yes. The steps, he pinned me to the steps

25 and I fought him and he pushed me and he kept trying

1 to just say that he wanted just to hold me and I
2 kept telling him to stop and we struggled and we
3 ended up in the living room somehow, which is right
4 next to the steps.

5 Q Did you make noise during this struggle?

6 A Yes.

7 Q Did you scream?

8 A Yes.

9 Q Did he make noise during the struggle?

10 A He -- yes. He kept saying just a minute please. I
11 just -- I know that he was trying to pin me down and
12 I was pleading with him.

13 Q Loudly?

14 A Yes.

15 Q How many times did the Mayor enter you that night,
16 once or more than once?

17 A What does he mean?

18 MR. OLSON: He means, I think what
19 you mean is how many times did he put his
20 penis into your vagina.

21 A He pounded on me. I -- he was very angry and he
22 pounded.

23 Q When you say pounded, what do you mean?

24 A He pounded like this (indicating) and then he
25 stopped.

1 Q What portion of your body did he pound against?
2 A He had my head down. He had pounded inside of me.
3 Q Did he pound you or hit you with his hands?
4 MR. OLSON: Are you understanding
5 what he's asking?
6 A He pounded with, he pounded as he raped me.
7 Q Are you saying he pounded with his penis?
8 A Yes.
9 Q Did he pound against you with any other part of his
10 body?
11 A He had me pinned.
12 Q Both arms were holding your arms?
13 A It changed. At one time he had my head down.
14 Q How was he holding your head down?
15 A With his hand, with one of his hands.
16 Q Do you remember which hand?
17 A No, I don't.
18 Q Was he doing anything with his other hand on you?
19 A He was holding me down.
20 Q Was he holding you down against the steps or was he
21 holding you down against the sofa?
22 A Both. First the steps, the wall, then the sofa.
23 Q Did you have your hose on but simply down when this
24 event occurred?
25 A No, I did not. He pulled them down.

1 Q Did he take them completely off?

2 A I'm sorry?

3 Q As I'm understanding this, your hose was down so he

4 could enter you?

5 A Yes.

6 Q Were they completely off or were they down around

7 your legs?

8 A I don't -- I know that I, I was pinned down in the

9 couch. Half the couch, half the floor, and I was

10 trying to pull him off of me. I -- I don't -- I

11 don't remember just -- it was very fast and I don't

12 remember.

13 Q Were you struggling the entire half hour that this

14 episode took place?

15 A Yes.

16 Q And you were making noise during the entire half

17 hour that this episode took place?

18 A It was not a half hour of him pounding on me.

19 Q Do you mean by that intercourse?

20 A Rape.

21 Q Well, just so that we're clear, you mean by that the

22 fact that his penis was inside your vagina?

23 A We struggled.

24 Q My question is how long did you struggle?

25 A I told you for half hour.

1 Q Okay. And my question now is were you making noise
2 and screaming that entire half hour?
3 A Yes.
4 Q When did you leave the Mayor's house that night?
5 A I ran out of there after that.
6 Q Immediately after that?
7 A Yes.
8 Q How did you get dressed again?
9 A I, I didn't -- all he -- I didn't have my clothes
10 off.
11 Q Did you put your own panties back on?
12 A I pulled myself up and I left.
13 Q How did you get from the steps to the couch?
14 A I told you we struggled.
15 Q Did you walk?
16 A No. He pushed me. We were -- I was saying no to
17 him. He was pushing and he was pushing himself on
18 me.
19 Q Is the floor carpeted or is the floor a hardwood or
20 bare floor?
21 A It's -- I don't remember. I think it's -- I'm
22 guessing-0-
23 MR. OLSON: If you don't remember,
24 don't guess.
25 THE WITNESS: Okay.

1 Q What color is the sofa?

2 A I don't know, maybe brown. I'm not -- I don't

3 remember.

4 Q Was it the same sofa that you observed when you were

5 having sex at the Mayor's house the very first time

6 in 1995?

7 A I don't remember that. And --

8 MR. OLSON: That's good enough.

9 Q What time did you leave the Mayor's house?

10 A I don't remember that. I told you I don't remember

11 that.

12 Q Your car you said was parked outside?

13 A Yes.

14 Q Did you drive your own car home?

15 A Yes.

16 Q Did you go home after this episode?

17 A Yes.

18 Q And just so that I'm understanding, how far is your

19 home from the Mayor's house, your home on

20 Pine Street from the Mayor's house?

21 A I don't know. My home's in Bayview.

22 Q Is it more than a mile?

23 A I don't know. It's -- I don't know.

24 Q What did you do when you got home?

25 A I took a hot bath. I stayed in my bathroom. I

1 cried. I didn't know what to do.

2 Q Do you remember what time you got to bed that night?

3 A I don't remember. I know that I had been crying.

4 Q Had you been crying before the banquet?

5 A No.

6 Q Did you call a doctor?

7 A No.

8 Q The next day was Sunday?

9 A I don't remember.

10 Q Did you call Kimberly after this event?

11 A I don't remember. I talked to Kimberly. I just

12 don't remember how long it was the next time I saw

13 Kimberly.

14 Q Did you tell Kimberly about this event?

15 A Yes.

16 Q Do you know where the Mayor's child was this

17 evening?

18 A I don't know. I thought --

19 MR. OLSON: That's good enough. If

20 you don't know, you don't know.

21 A I didn't know.

22 Q Did you and the Mayor talk about your child at any

23 time that -- strike that. Did you and the Mayor

24 talk about his child at any time that evening?

25 A He, not about his child. He talked about he had to

1 take care of some child care issues.

2 Q Beyond that he did not discuss anything about the

3 child care issues?

4 A No.

5 Q Did you discuss anything about the child care issues

6 that evening?

7 A No.

8 Q Did you take any gifts to the Mayor that evening?

9 A No.

10 Q Did you return any gifts the Mayor had given you

11 that evening?

12 A Not that evening.

13 Q That had occurred earlier in October?

14 A Either earlier in October or late in September.

15 Q On the date of December 17th, 2000, just so that

16 you're clear I'm now moving from the time of the

17 UMOS banquet to mid December --

18 A Yes.

19 Q -- I'm sorry, I said 2000. I meant '99.

20 MR. OLSON: You were very precise

21 except for the year.

22 THE WITNESS: I didn't realize

23 that.

24 Q What time of day did the Mayor come to your house on

25 December 17th, 1999?

1 A All I remember it was during the day. It wasn't
2 night.
3 Q Pardon me?
4 A It wasn't night. It was during the day.
5 MR. OLSON: She said it wasn't
6 night. It was during the day.
7 Q And you don't remember if it was before or after
8 lunch?
9 A I had been home because I had got into an accident.
10 I don't remember exactly when he came, he was there.
11 Q Your children I take it were not there because they
12 would have been in school?
13 A Yes.
14 Q After you were released from the emergency room, did
15 you have a cervical collar on?
16 A I don't remember.
17 Q Did you spend the night in the hospital or did you
18 just spend whatever time it took in the emergency
19 room for the doctors to see you on the 15th of
20 December?
21 A I didn't spend the night, just the time that they
22 took x-rays and saw me.
23 Q When you, in paragraph 23 of your third amended
24 complaint, you state on several occasions you would
25 break down in the workplace.

1 A Yes.

2 Q You recall making that allegation?

3 A Yes.

4 Q What were the times or events that you broke down in
5 the workplace?

6 A I can give you some of them.

7 Q What were the times that you remember?

8 A I was trying to talk to Bill Christofferson. I was
9 trying to talk to Mike Soika. I talked to Mike
10 Miller. I would cry in the office. I would, on the
11 way into the office, on the way out of the office,
12 at the campaign.

13 Q Are we talking about 1999 now or are you including a
14 broader period of time?

15 A Oh, what did you ask? What was the year you asked
16 me?

17 Q Well, I was asking you, you said on several
18 occasions you would break down in the workplace. Do
19 you remember when those were?

20 A In 1999.

21 Q And do I understand you correctly that Mr. Soika saw
22 this?

23 A Yes.

24 Q And Mr. Miller saw this?

25 A Yes.

1 Q And Mr. Miller was a coworker in the sense that he
2 was also a staff assistant to the Mayor?
3 A Yes.
4 Q And Mr. Miller is African-American?
5 A Yes and Bill Christofferson.
6 Q Now just so that we're clear, in 1999
7 Mr. Christofferson wasn't working in the Mayor's
8 office; is that correct?
9 A Correct.
10 Q But are you saying to me that you would break down
11 when you were working with Mr. Christofferson at the
12 campaign?
13 A Yes.
14 Q How many times do you recall breaking down in front
15 of Mr. Christofferson?
16 A I know the last day of my employment at the campaign
17 office when I went I was crying when I was talking
18 to him.
19 Q Any other time that you can recall when you cried in
20 his presence?
21 A I don't remember at this time.
22 Q Is it a fact that Mr. Christofferson asked you what
23 the problem was?
24 A Yes.
25 Q Is it a fact that Mr. Christofferson asked you if he

1 could help you?

2 A Yes.

3 Q What did you tell him?

4 A I told him to ask the Mayor.

5 Q But am I to understand from that answer that you did

6 not tell him why you were crying?

7 A I was afraid to tell. I was afraid to tell.

8 Q Are you saying that you were afraid to tell

9 Mr. Christofferson that you and the Mayor were

10 having sex?

11 A I was afraid to tell Bill Christofferson who's the

12 Mayor campaign person who has always strategized for

13 the Mayor to tell him what the Mayor was doing to

14 me, yes.

15 Q Did you believe that Mr. Christofferson would be in

16 a position to give you assistance in this?

17 A He was in a position to if he would-or if he

18 wouldn't it's a different question. I don't think

19 he would.

20 Q Why did you believe he wouldn't help?

21 A This is the Mayor's chief campaign person. I --

22 Q Are you saying because he was so loyal to the Mayor

23 that he wouldn't help you?

24 A Of course.

25 Q With respect to Mr. Soika, how many times did you

1 break down and cry in his presence?

2 A Several times.

3 Q And this was in 1999?

4 A Yes.

5 Q And this was after he became chief of staff?

6 A Yes.

7 Q And do you recollect that he became chief of staff

8 in mid October of 1999?

9 A Yes.

10 Q Do you remember the first day that you saw him

11 functioning as chief of staff?

12 A Not exactly. I know, I remember him being the

13 chief -- you know, him --

14 Q How many times did you cry in the presence of

15 Mr. Soika after he became chief of staff?

16 A I tried not to -- I don't remember. I know that I

17 was trying to keep it together so I don't

18 remember -- I can't give you a number.

19 Q Was it more than once?

20 A Yes.

21 Q Do you recollect being at the -- strike that. Do

22 you remember if the Mayor's office usually had a

23 Christmas party in December of '99? Strike that.

24 Do you remember if the Mayor's office would usually

25 have a Christmas party?

1 A Yes.

2 Q Do you remember being at the Christmas party in
3 December of 1999?

4 A No.

5 Q Were you at that party?

6 A I don't remember.

7 Q Mr. Soika and you had known each other for a number
8 of years at the point in time that he became the
9 chief of staff, is that not correct?

10 A Yes.

11 Q You regarded Mr. Soika as a friend?

12 A Yes. I thought he was a spiritual good person.

13 Q And do you remember making a recommendation to the
14 Mayor that Mr. Soika become the next chief of staff?

15 A No. I don't have that kind of --

16 Q After Mr. Soika became the chief of staff you had a
17 lunch with Mr. Rowen?

18 A Yes.

19 Q And Mr. Rowen had been the immediate preceding chief
20 of staff?

21 A Rowen, yes.

22 Q R O W E N?

23 A Yes.

24 Q And you didn't tell Mr. Rowen about the problems you
25 were having?

1 A Mr. -- Jim Rowen was the chief of staff that the
2 Mayor blamed regarding the reclassification -- not
3 giving me the reclassification.

4 Q When did the Mayor blame Mr. Rowen for not giving
5 you the reclassification?

6 A In, throughout 1999.

7 Q With respect to the reclassification, are you
8 talking about the position that went to Ms. --
9 strike that -- the position that went to Ms. Wood or
10 are you talking about the position that went to
11 Ms. Geraghty?

12 A I'm talking about the reclassification that the
13 Mayor promised me in March of 1999.

14 Q And where were you when the Mayor promised you that
15 reclassification?

16 A I was supposed to have a meeting with him and Bill
17 Christofferson at the TNT.

18 Q What's the TNT?

19 A Some coffee shop in Bayview but he came to my house
20 without Bill Christofferson.

21 Q Do you remember when this was?

22 A Sometime in March of 1999.

23 Q Was it a weekend or a weekday?

24 A It was a weekday.

25 Q And exactly what did the Mayor say to you about the

1 reclassification?

2 A He promised that he was going to stop the sexual
3 advances and he promised the reclassification. He
4 said that Mike Dawson, she had been given a
5 reclassification at one point when another staff
6 person was given a different position and that he
7 would promise he would stop and that he would
8 reclassify my position to give me more areas of
9 responsibility and a different level.

10 Q And is that why you then returned to the office?

11 A Yes.

12 Q Because you had been out of the office prior to the
13 time that the Mayor came to your house and made this
14 promise; is that correct?

15 A Yes.

16 Q How soon after this meeting with the Mayor did you
17 return to the office?

18 A I don't recall, probably a day or two.

19 Q How do you know that the Mayor blamed Mr. Rowen for
20 your not getting a reclassification?

21 A Because the Mayor told me.

22 Q When did the Mayor tell you that?

23 A Throughout 1999.

24 Q Do you have any written notes of any particular
25 meetings when the Mayor told you that?

1 A No.

2 Q Did you keep any notes of when the Mayor told you
3 that?

4 A There's emails but not -- they're to Rowen. No.

5 MR. SCHRIMPF: Off the record for a
6 second. Discussion off the record)

7 Q ?

8 (Exhibit No. 7 marked for
9 identification) MR. SCHRIMPF: I wish you wouldn't
10 show the exhibit to the witness, counsel. MR.
11 OLSON: Oh.

12 MR. OLSON: If you want to
13 challenge her memory relating to a certain
14 subject, I guess you have a right to do that.

15 MR. SCHRIMPF: Thank you.

16 Q (Schrimpf said I was showing it to you as a
17 courtesy)?

18 Q Did anyone else discuss with you a reclassification
19 after the Mayor promised you the reclassification in
20 March of 1999?

21 A Jim Rowen.

22 Q Anyone else?

23 A Bill Christofferson, Mike Soika.

24 Q What do you recollect Mr. Rowen saying about it?

25 A That, well, there were several conversations. One

1 was that, that one of the things he regretted while
2 he was the chief of staff was that he didn't give me
3 the reclassification that I deserved.
4 Q Did that come up in the lunch that you two had after
5 he was no longer the chief of staff?
6 A Yes. And --
7 Q My question is directed to the time immediately
8 following the time of March of 1999 when the Mayor
9 promised you the reclassification. Who next talked
10 to you about it, if anyone?
11 A Bill Christofferson and Jim Rowen.
12 Q Anyone else?
13 A I don't remember. I don't think so.
14 Q Now, Mr. Christofferson in March of 1999 was no
15 longer working in the Mayor's office; is that
16 correct?
17 A He was the campaign manager.
18 Q Yes, I understand that. But he was not working in
19 the Mayor's office; is that correct?
20 A He wasn't employed at the City.
21 Q What did Mr. Christofferson tell you or speak to you
22 about the reclassification?
23 A He was one of the persons that called me when I
24 resigned in April or March.
25 Q Of '99?

1 A Yes.

2 Q What did he tell you?

3 A He scheduled a meeting with the Mayor and himself

4 and me to talk about a reclassification.

5 Q When was that meeting scheduled?

6 A Either April or March of 1999.

7 Q Did the meeting actually occur or was it merely

8 scheduled and not occur?

9 A The meeting was scheduled for the TNT and it never

10 went to the TNT. The Mayor came to my house without

11 Bill Christofferson.

12 Q How did you know that the meeting was going to be at

13 the TNT?

14 A Bill Christofferson told me.

15 Q He called you?

16 A Yes.

17 Q What was the date that the meeting was supposed to

18 occur?

19 A I don't recall at this time.

20 Q You have nothing, no records, no notes that would

21 indicate when the meeting was supposed to be held?

22 A It's in the calendar.

23 Q Which calendar?

24 A I'm sure it's in the Mayor's calendar. I'm sure

25 it's in Bill Christofferson's calendar and in my

1 calendar.

2 Q You have a calendar?

3 A You should have it.

4 Q And the purpose of the meeting was to discuss the
5 reclassification?

6 MR. OLSON: I don't think that's
7 what she testified about. She testified that
8 the purpose of the meeting was to, for, to
9 work out a way for her to come back to work.

10 Q Well, what was the way that you were going to come
11 back to work?

12 A .

13 MR. OLSON: I think you previously
14 testified to it but do it once more.

15 A That the Mayor would stop forcing himself on me and
16 that I would be able to work in different areas that
17 would be broader without -- and at a higher level.

18 Q Did you and the Mayor ever talk about the meeting at
19 the TNT or was this only a conversation between you
20 and Mr. Christofferson?

21 A I --

22 MR. OLSON: I'm going to object
23 because the question is multiple and I think
24 that might be what's causing her confusion.

25 Q Did you and Mr. Christofferson talk about the

1 meeting at the TNT?

2 A Yes, because he he's the one that picked the place.

3 Q Is he the one that told you, is Mr. Christofferson

4 the one that told you where the meeting was going to

5 be?

6 A Where the meeting that was scheduled.

7 Q That's right.

8 A Yes.

9 Q Did anyone else tell you where the meeting was going

10 to be or was it only Mr. Christofferson?

11 A I don't remember. I think -- I don't remember.

12 Q And then the meeting didn't come off and the Mayor

13 simply came to your house?

14 A I, I -- yes. I didn't go to the TNT.

15 Q When did you and Mr. Rowen discuss the

16 reclassification?

17 A When I got back.

18 Q Did you come back before the end of March or was it

19 already April?

20 A I don't remember. I had written a letter of

21 resignation in April or March to Jim Rowen.

22 Q And was the letter of resignation actually delivered

23 or not?

24 A Yes.

25 Q It was delivered?

1 A Jim Rowen.

2 Q Did you deliver it to him personally or did you
3 leave it where you expected he would find it?

4 A I gave it to the front desk. I asked her to stamp
5 it to give to Jim Rowen.

6 Q Do you have that letter today?

7 A It was in an email. I don't think I do.

8 Q Were you present when Mr. Rowen testified that he
9 received a written document from you resigning and
10 that he handed it back to you?

11 A He didn't hand it back to me. I don't remember
12 that.

13 Q So you deny that he handed it back to you?

14 A I don't remember that.

15 Q And you don't have the letter today?

16 A Every -- I've submitted everything I have.

17 Q Showing you what I've marked as Exhibit No. 7, this
18 is apparently an email that you forwarded to
19 Mr. Rowen; is that correct?

20 A Yes.

21 Q And the date of that email is April 23rd, 1999?

22 A That's what it says there.

23 Q Do you have any reason to doubt that that is the
24 date that was actually sent by you?

25 A No.

1 Q And you in fact are the writer of that document?
2 A That's my name on it, yes.
3 Q Prior to this time had you and Mr. Rowen exchanged
4 any emails about the reclassification?
5 A Probably.
6 Q Do you have copies of those emails?
7 A I would have submitted all the emails that I have.
8 Q So -- well strike that. Okay. Did you reply to
9 that email?
10 A I sent that.
11 Q I'm sorry, did Mr. Rowen reply to that email?
12 A I don't -- I think he did but I don't have them in
13 front of me so I don't know that.
14 (Exhibit No. 8 marked for
15 identification)
16 MR. OLSON: Do you want me to just
17 look at it myself?
18 MR. SCHRIMPF: Yes, yes.
19 A Yes.
20 Q Was Mr. Rowen cooperative in the effort to get you a
21 reclassification?
22 A No, I never got my reclassification.
23 Q Well, do you know if he worked on any issues to try
24 to get you the reclassification?
25 A He, I understood he was working on getting my

1 reclassification.

2 Q All right. Did he tell you that there would have to
3 be a change in some of your responsibilities in
4 order to justify a reclassification?

5 A Yes.

6 Q Did you and he thereafter discuss what such changes
7 of responsibilities would entail?

8 A He emailed me some areas that he thought I would be
9 interested in.

10 Q Do you know Mr. Al Weber?

11 A Yes.

12 Q How long had you known Mr. Al Weber -- strike that.
13 Did you know Mr. Al Weber at the point in time that
14 you and Mr. Rowen began discussing a reclass?

15 A I didn't -- I think I met him when he came to do the
16 study.

17 Q And do you know where Mr. Weber worked?

18 A In DER.

19 Q Do you know what he did in DER?

20 A I'm not real sure what his title is.

21 Q No, I'm asking you what he did as opposed to his
22 title.

23 A I don't know.

24 Q Did he indicate to you that when you met him that he
25 was working on the issue regarding the reclass?

1 A Yes.

2 Q And do you recollect receiving what I've caused to
3 be marked as Exhibit No. 8?

4 A Do I answer it?

5 MR. OLSON: I don't know what the
6 question is pending. I think he showed you
7 that.

8 Q Do you recollect receiving what I've caused to be
9 marked as Exhibit No. 8?

10 A Yes.

11 Q And this is apparently a reply to you from Mr. Rowen
12 also on April 23rd of 1999; is that correct?

13 A If that's the date on there.

14 Q Well, satisfy yourself, please, Ms. Figueroa.

15 A It says the date on there the 23rd, yes.

16 Q Right. And Mr. Rowen is suggesting that you set up
17 a meeting for early next week to discuss the changes
18 in responsibility; is that correct?

19 A Yes.

20 Q And he says that he will follow through with a
21 reclassification proposal that you could agree on.
22 Is that correct?

23 A Yes.

24 Q He references a Laura, L A U R A. Do you know who
25 he's referring to?

1 A No.

2 Q He also references a Marvin.

3 A Marvin Pratt.

4 Q And Marvin Pratt at that point in time was an
5 alderman; is that correct?

6 A I think he was in the personnel -- no. Yes, he was
7 an alderman.

8 Q And Marvin Pratt was in fact chairman of the finance
9 and personnel committee, was he not?

10 A Yes. I think he was.

11 Q And did you know if the finance and
12 personnel committee would play any role in a
13 reclassification request?

14 A I think it probably would have to go through him.

15 Q In fact, they'd have to approve it, would they not?

16 A Yes.

17 Q And so the reference to Marvin is a way to involve
18 the chairman of the finance and personnel committee
19 to get the reclassification through; isn't that
20 correct?

21 A Correct.

22 Q ?

23 (Exhibit No. 9 marked for
24 identification)

25 Q Did you and Mr. Rowen in fact meet the following

1 week as is suggested in the Exhibit No. 8?

2 A I think we did. I don't remember.

3 Q Did you keep notes of that meeting?

4 A I don't remember.

5 Q Do you recollect what you discussed?

6 A Probably a list of areas, responsibilities.

7 Q Now, do you recollect during the late spring and

8 summer of 1999 a problem with respect to a pension

9 settlement?

10 A I remember there was a big issue on the pension.

11 Q What do you remember about the big issue on the

12 pension?

13 A I remember that it was with the police pension and

14 it was a big issue in the office.

15 Q Do you recollect if there was a very large amount of

16 money that the City of Milwaukee was going to have

17 to pay with respect to the settlement?

18 A Yes.

19 Q Do you recollect whether or not the Mayor's office

20 was considering proposals to lay people off in the

21 event that money would have to be paid?

22 A I don't recollect that, no.

23 Q Do you recollect whether Mr. Rowen told you that

24 there was going to be problems with respect to the

25 possibility of people getting laid off?

1 A I don't recollect that.

2 Q Do you recollect if Mr. Rowen told you that it was

3 possible that there would be people in the Mayor's

4 office that would be laid off?

5 A I don't recollect that.

6 Q Showing you what's been marked as Exhibit No. --

7 MR. SCHRIMPF: Oh, I'm sorry,

8 counsel. I'm very sorry.

9 MR. OLSON: Have you read it over?

10 THE WITNESS: Yes?

11 MR. OLSON: You remember it? Okay.

12 So you're prepared to answer questions on it.

13 Q You have seen Exhibit 9 before this?

14 A Yes. It was in my emails.

15 Q And that is an email in fact that you sent to

16 Mr. Rowen?

17 A Yes.

18 Q On or about May 11th of 1999?

19 A That's the date it says on the sheet.

20 Q Could I see it please? Thank you. Now, your first

21 line is I'd like to talk to you about the list of

22 assignments you gave me. So Mr. Rowen had given you

23 a list of assignments?

24 A Yes.

25 Q Do you remember what they were?

1 A I think I mention them in that email.

2 Q Well, you say that he, you gave him a list.

3 MR. OLSON: Can she look at it
4 again? I guess so that we have the context of
5 the question.

6 A No, he gave me equal rights commission, affirmative
7 action. Those were the new areas that he was
8 trying to give me.

9 Q Any other areas he was trying to give you?

10 A EEO, 6th street viaduct and the Fire & Police
11 Commission.

12 Q What was the role that you would have with EEO and
13 the equal rights commission?

14 A I wasn't clear.

15 Q What role were you going to have with affirmative
16 action?

17 A I thought it was a joke. I wasn't clear.

18 Q ?

19 MR. OLSON: He has it before him so
20 you can keep it if you want.

21 THE WITNESS: Oh.

22 Q Now, you state the only thing you added that we
23 spoke about was Fire & Police Commission and the 6th
24 street viaduct. Is that correct?

25 A Correct.

1 Q Now, why did you believe that the 6th street viaduct
2 was an issue that was pretty much done with?
3 A They had already made the decisions on closing down
4 the 6th street viaduct. There were meetings in the
5 Latino community, business community and I had tried
6 to get Department of City Development and Department
7 of Public Works to meet with people in the Latino
8 community and they weren't very responsive to
9 different businesses.
10 Q Well, was it a fact that the 6th street viaduct
11 after it was completed was going to change the
12 nature of the valley?
13 A Yes.
14 Q And it was going to change the vehicular traffic
15 flow in the valley; is that correct?
16 A I don't know that. I don't --
17 Q Did you bother to find out?
18 MR. OLSON: Well, I object.
19 A That's not my area of responsibility.
20 Q Did you know if the 6th street viaduct after it was
21 completed was going to change the nature of economic
22 development in the valley?
23 A Of course it would.
24 Q And you knew that at that time, did you not?
25 A Yes.

1 Q And am I to conclude therefore that the 6th street
2 viaduct would enter you into economic development
3 issues for the City of Milwaukee?

4 A Not what they were looking at giving me the
5 responsibility.

6 Q What responsibilities were they planning on giving
7 you?

8 A Community, just community, being able to sit at a
9 meeting to say that I represent that office.

10 Q And that was the only issue you were going to deal
11 with in terms of the 6th street viaduct?

12 A That's what I understood it to be.

13 Q So you didn't see the 6th street viaduct issue at
14 all as relating to economic development within the
15 valley?

16 MR. OLSON: She didn't say that. I
17 object.

18 MR. SCHRIMPF: That's why I'm
19 trying to figure it out.

20 Q Is that correct or not correct?

21 A The 6th street viaduct is very important to the
22 Latino community to the near south side, to the
23 businesses in that area. I know that very clearly.

24 Q Sure.

25 A A person without any power in that office regarding

1 having any sort of liaison and input in policy
2 decisions, if you don't have those strong
3 relationships with the different departments, your
4 issues that are important to you aren't going to get
5 dealt with.

6 Q Did it occur to you that if you'd be working on
7 those issues in connection with the 6th street
8 viaduct, that you would gain power by working on
9 those issues?

10 A No.

11 Q You didn't see that as gaining power at all?

12 A No.

13 Q I see. Now, you state in this email after the first
14 paragraph "the items that we spoke about were as
15 follows. Intergovernmental, state legislation,
16 county board, cabinet, Council, DER, appointments
17 and Fire & Police Commission." Is that correct?

18 A What was your question?

19 Q You state that those were the issues you talked
20 about when you were with Mr. Rowen?

21 A Yes.

22 Q Were you planning on getting involved in all those
23 issues or some of those issues?

24 A Those were the issues that I expressed an interest
25 in.

1 Q Was it your intention that you would assume
2 responsibility for all of those issues or only some
3 of those issues?
4 A Not for all of those issues.
5 Q And you go on to say, "I chose these issues because
6 these are issues I can do something with. I can see
7 a clear role for myself and things that can be
8 accomplished that will help the Mayor."
9 A Correct.
10 Q In terms of order of importance to you, which ones
11 did you want to have?
12 A These were the areas that made -- if you were a
13 liaison to these areas, you had more of input.
14 MR. OLSON: I think his question
15 was which ones were more important for you to
16 work on.
17 MR. SCHRIMPF: That's right.
18 A I don't recall.
19 MR. OLSON: Okay.
20 Q So any of them would have been satisfactory to you?
21 A Yes.
22 Q So you were desirous of working with the
23 Fire & Police Commission?
24 A That is just one of the areas that I was interested
25 in, yes.

1 Q And the Fire & Police Commission you saw as
2 increasing your access within the office; is that
3 correct?
4 A Within -- it was an area that was important to me,
5 fire and police.
6 Q Was it important? Strike that. I'm sorry.
7 A Fire & Police Commission is an area that was
8 important to me.
9 Q It was important to you. Did you see it as
10 important to the office?
11 A Yes.
12 Q Now, you go on to say in the next to last paragraph
13 in Exhibit 9, "this whole list of new assignments
14 are not and have not been in anyone else's list.
15 Why would you give them to me appear what would you
16 want me to do with them?" Is that correct?
17 A Correct.
18 Q But the fact of the matter is is that you were
19 seeking a reclassification of your own position?
20 A I was promised a reclassification.
21 Q Sure. And you had to have an increase in
22 assignments and responsibilities in order to justify
23 the reclassification; isn't that correct?
24 A Yes.
25 Q And so there had to be new assignments created in

1 order to justify the reclassification; is that
2 correct?

3 A Assignments of importance, yes.

4 Q Sure. And so you didn't like the idea of new
5 assignments coming?

6 A I didn't have a problem with any assignments that
7 were meaningful to me and my community.

8 Q What assignments other than these that are listed in
9 Exhibit No. 9 did Mr. Rowen suggest your taking on?

10 A EEO, equal rights commission, affirmative action
11 issues that weren't important to the office.

12 Q You didn't think they were important to the office?

13 A It was clear that it wasn't important to the office.

14 Q I see. But in any event, you did not want to take
15 those on?

16 A No, I did not.

17 Q ?

18 (Exhibit No. 10 marked for
19 identification)

20 Q Exhibit No. 9 was sent by you at 10:55 A.M. on
21 May 11th; is that correct?

22 A Oh. That's what it says there.

23 Q All right. And do you recall that as being the
24 approximate time?

25 A I don't recall that.

1 Q Did Mr. Rowen respond to that email?
2 A I don't recall. You would have it if he did.
3 Q Showing you what's been marked as --
4 MR. SCHRIMPF: I'm sorry, counsel.
5 You can share it with her.
6 When you're done reading it, let me
7 know.
8 MR. OLSON: Okay. Why don't you
9 keep it in front of you.
10 Q All right. This email is apparently dated May 11th,
11 1999 at 11:22 A.M. ?
12 A That's what it says on there.
13 Q Between 10:55 A.M. on May 11th, 1999 and your email
14 and this email at 11:22 A.M. on May 11th, 1999, did
15 you and Mr. Rowen have any other conversations about
16 your reclass?
17 A I don't recall.
18 Q Are there any other emails that transpired between
19 you and Mr. Rowen regarding this issue between 10:55
20 A.M. and 11:22 A.M. on May 11th, 1999?
21 A You would have them if there was.
22 Q Mr. Rowen, am I not correct, in paragraph 3 explains
23 that EEO, affirmative action and EOC have previously
24 been unassigned. Is that correct?
25 A That's what he says.

1 Q He also says hire Ed was.
2 Higher Ed was previously unassigned?
3 A That's what he says.
4 Q And he says both involve considerable outreach and
5 inter-governmental work; is that correct?
6 A That's what he says.
7 Q And inter-governmental work was one of the areas
8 that you had requested involvement in in your
9 Exhibit --- I was wondering where that was, counsel.
10 -- in Exhibit No. 9; is that correct?
11 A Correct.
12 Q He says that higher Ed inevitably involves
13 development such as UW-M, Marquette and S M O E; is
14 that correct?
15 A That's what he says on there, yes.
16 Q Do you have any reason for believing that's not
17 true?
18 A Yes.
19 Q Why don't you believe that's true?
20 A I'm sorry, what was your question?
21 Q Do you have any reason for believing that higher
22 education inevitably involves development?
23 A I don't know that.
24 A Mr. Schrimpf.
25 Q Did you know that then?

1 A No.

2 Q At least he was representing that fact to you; is
3 that correct?

4 A That's what he says on there.

5 Q He references UW-M. What did you understand UW-M to
6 mean?

7 A The University of Wisconsin-Milwaukee.

8 Q It's a large campus on the east side of town; is
9 that correct?

10 A Correct.

11 Q Marquette, what did you understand that to mean?

12 A The university of Marquette.

13 Q Which is in downtown Milwaukee at roughly 12th
14 through 20th streets along Wisconsin Avenue; is that
15 correct?

16 A Correct.

17 Q Do you have any idea of what the valuation of those
18 properties are put together?

19 A Mr. Schrimpf, how am I supposed to know that?

20 Q I'm asking a question. I'm asking if you do.

21 A No, I don't.

22 Q He references M S O E. Do you know what he was
23 referencing when he said M S O E?

24 A Milwaukee school of engineering.

25 Q And where is Milwaukee school of engineering

1 . located, please?

2 A Downtown somewhere.

3 Q He references that they have programs and building

4 issues; is that correct?

5 A Where is that?

6 Q Please read the last line of paragraph 3.

7 A Programs, yes, it says that on there.

8 Q Do you have any reason for believing that that was

9 not true?

10 A No.

11 Q In paragraph 5 he references the importance of the

12 Mayor to the 6th street viaduct project. Is that

13 not correct?

14 A It states it on there.

15 Q And he specifically references that the Mayor is

16 concerned that the state and the county will live up

17 to their responsibilities in that construction

18 project. Does he not?

19 A That's what he states on there.

20 Q And would that therefore involve work with other

21 governments?

22 A I'm not sure if it would or if it wouldn't.

23 Q Did you ask Mr. Rowen specifically if it would or

24 would not?

25 A I don't recall.

1 Q Did you respond to that email on May 11th, 1999?
2 A If I did, you would have it. I don't recall.
3 Q Exhibit 11 please.
4 MR. OLSON: What is Exhibit 11.
5 (Exhibit No. 11 marked for
6 identification).
7 MR. SCHRIMPF: You can share this
8 with counsel. I mean with the witness.
9 Q This is an email from yourself to Kimberly Pratt; is
10 that correct?
11 A That's what it looks like.
12 Q But it starts out with the words hi, Jim. Is that
13 correct?
14 A That's what it says.
15 Q Were you in fact sending this to -- well, strike
16 that. The phrase Jim refers to Mr. Rowen?
17 A Yes.
18 Q How did Ms. Pratt wind up with a copy of it?
19 A I may have been in her office.
20 Q Do you know if you sent her a copy of it?
21 A Or I probably sent her a copy.
22 Q But in any event, the email was really addressed to
23 Mr. Rowen with a copy to Ms. Pratt; is that correct?
24 A Probably.
25 Q And it was sent by you?

1 A Yes.

2 Q And it was sent on May 11th, 1999 at 1:57 P.M.; is
3 that correct?

4 A That's what it states on there.

5 Q Did you and Ms. Pratt have luncheon May 11th, 1999?

6 A I don't know that. You -- I wouldn't know.

7 Q Did you and Ms. Pratt ever discuss your assignments
8 and roles at lunch?

9 A Yes.

10 Q And was Ms. Pratt regarded by you as a friend?

11 A Yes.

12 Q And she is still regarded by you as a friend?

13 A Yes.

14 Q You review the things that you indicated you were
15 interested in in terms of areas of responsibility
16 for a reclass; is that right?

17 A Yes.

18 Q And basically that list mirrors information that you
19 had previously provided to Mr. Rowen in Exhibit 9;
20 is that correct?

21 A Correct.

22 Q Pardon me?

23 A Correct.

24 Q And then you add "ironically you added EEO, equal
25 rights commission, affirmative action issues, is

1 Q Showing you what's been marked as Exhibit 12, this
2 is an email that you sent? I'm sorry, strike that.
3 This is an email Ms. Pratt sent?
4 A I'm not sure.
5 Q Did you receive a copy of it?
6 A Well, it has my name on there, so I --
7 Q Well, do you recollect receiving a copy of it?
8 A I don't remember this one.
9 Q You don't remember this document at all?
10 A No.
11 Q Why would Ms. Pratt be sending an email to Jim as
12 this apparently indicates?
13 A I don't recall.
14 Q Did you ask Ms. Pratt to have her send an email to
15 Jim regarding the assignments you would be working
16 on?
17 A I don't recall. I don't recall.
18 Q It starts out "I can see that the 6th street
19 viaduct, EEO/AA/EOC and higher education assignments
20 would touch upon the areas that I mentioned
21 (inter-governmental, state, county, cabinet,
22 Council, DER, appointments and F and P)." Is that
23 you talking?
24 A It looks like it is, yes.
25 Q Do you recollect writing this?

1 A No, I don't.

2 Q The writer goes on to say "but I thought we were
3 talking about expanding the extent of my authority,
4 not just expanding the number of things I work on."
5 Do you see that?

6 A Yes.

7 Q That's in reference to yourself, is it not?

8 A Yes.

9 Q Because this was an issue regarding your
10 reclassification and the assignments you would have
11 in aid of that reclassification; is that correct?

12 A That's correct.

13 Q The final sentence says that you wanted to end up
14 having the final say on those issues; is that
15 correct?

16 A Can you ask me that question again?

17 MR. OLSON: Why don't you read this
18 final sentence here. He was trying to
19 paraphrase a rather long sentence.

20 Q The email goes on to say "I currently work on many
21 issues where I'm allowed to have a role, but in all
22 those areas I find myself limited because there are
23 others who end up having the "final say" in those
24 issues." Is that what that final sentence says?

25 A Yes.

1 Q And that's in reference to yourself, is it not?

2 A If I wrote this, yes.

3 Q And the purpose in saying those things is that you

4 wanted to have power over some issues exclusively

5 within the office; isn't that correct?

6 A Yes.

7 Q And you saw the reclassification as a way to

8 accomplish that end; is that correct?

9 A Yes.

10 Q The second paragraph starts out, "I have been trying

11 to be clear about asking to be given one or two

12 certain areas, areas which are currently assigned to

13 others, in which I would be the point person who has

14 the final say when one is needed." Do you remember

15 that?

16 A I don't recall it but it's on here.

17 Q Did you say that?

18 A I don't recall.

19 Q Is it in reference to yourself?

20 A I don't recall.

21 Q Did you want final say over one or two areas?

22 A I wanted more areas of responsibility.

23 Q Did you want one or two areas with final say

24 authority?

25 A You never have final say in the Mayor's office as a

1 staff person. I would not request that.

2 Q So this is not you speaking?

3 A I don't remember.

4 Q Well, that's not exactly my question. Is this you

5 speaking or not?

6 A I just told you that I don't remember if I wrote

7 this or not.

8 Q What was an area in which you believed you would

9 have more authority if you had a reclass?

10 A Department of City Development, liaison to the

11 Council.

12 Q And Department of City Development, what job would

13 that be?

14 A The liaison to the Department of City Development.

15 Q What about Council?

16 A The counsel would be liaison to the aldermen.

17 Q Now, in fact, Ms. Dawson prior to the time that she

18 left was the liaison to the Council; is that

19 correct?

20 A That's correct.

21 Q And her position was classed as a grade 11; is that

22 correct?

23 A I'm not aware of what her position was classed at.

24 Q And then Ms. Dawson left, Ms. Wood succeeded to that

25 position; is that correct?

1 A That's correct.

2 Q And you were unhappy about that; isn't that correct?

3 A I was unhappy about the fact that I didn't get the

4 opportunity to apply for the position.

5 Q Yes. And Ms. Wood got the position?

6 A That wasn't the issue. The issue was that I was

7 told that the Mayor stopped me from applying for

8 that position.

9 Q Who told you that?

10 A Jim Rowen.

11 Q And Mr. Rowen, did he interview you for the

12 position?

13 A The Mayor told him that he did not want him to

14 interview me.

15 Q And so there was no interview?

16 A No.

17 Q Is that why you resigned in March of 1999?

18 A That's part of my reason, yes.

19 Q What was the other part?

20 A That I realized that I had said to -- I was very

21 clear in December of 1998 that I wanted the sex to

22 stop and I wanted to be able to work in areas that

23 were meaningful and that I was part of the staff.

24 Q So in March of 1999 when the Mayor came to your

25 house, is it a fact that two things were promised

1 you?

2 A Yes.

3 Q One that the sex would stop?

4 A Yes.

5 Q And two, that you would get a reclassification?

6 A Yes.

7 Q Along the lines of what you understood Ms. Dawson's
8 position was?

9 A Yes.

10 Q And for that reason you returned to the office?

11 A Yes.

12 Q Were there any other reasons you returned to the
13 office?

14 A Those were the reasons I returned. And I needed the
15 job.

16 Q The final paragraph starts out "this means that
17 although I would rather be given the responsibility
18 of a pay level 10 staff person, I am willing to
19 settle for the salary of a pay level 10 staff
20 person. Now did that sentence refer to Ms. Pratt or
21 you?

22 A I haven't -- I don't recall that.

23 Q You don't recall that at all?

24 A No.

25 Q You never said that you would be willing to settle

1 MR. SCHRIMPF: What's the exhibit
2 number on there, counsel?
3 MR. OLSON: Hold it.
4 (Discussion off the record)
5 MR. SCHRIMPF: Just for the record,
6 I will object to counsel conferring with the
7 witness while we're still on the record.
8 MR. OLSON: This is --
9 MR. SCHRIMPF: It's the earlier
10 exhibit.
11 MR. OLSON: Yes. I'm confused. Go
12 ahead.
13 Q Did you respond to exhibit number -- what's the
14 exhibit number on there, counsel?
15 A 10.
16 Q Did you respond to Exhibit No. 10?
17 A If I did, you would have it.
18 MR. SCHRIMPF: I'm informed that we
19 have now less than one minute till our tape
20 expires so let's recess to get that done.
21 (Recess)
22 Q And then, ma'am, showing you what's been marked as
23 Exhibit No. 13 -- well, I'm showing it to your
24 attorneys.
25 MR. OLSON: You're not showing it

1 to her yet?

2 MR. SCHRIMPF: Yes. You can share

3 it with her.

4 MR. OLSON: Okay. You want to save

5 your time?

6 MR. SCHRIMPF: Right.

7 MR. OLSON: Okay.

8 Q This is an email from you to Mr. Rowen dated

9 May 12th, 1999 at 8:35 A.M.; is that correct?

10 A That's what it states there, yes.

11 Q And what time did you normally start the office

12 routine of the day when you worked in the Mayor's

13 office?

14 A It depended.

15 Q Was it usually between 8 and 9 A.M.?

16 A Yes.

17 Q And was this the first email that you sent out on

18 May 12th, 1999 or were there others?

19 A I don't know that.

20 Q Is Exhibit No. 13 in response to Exhibit No. 10

21 which I now show you and your attorney?

22 A It looks like it -- I'm sorry. Yes, it looks like

23 it is.

24 Q I'd also like you to compare Exhibit No. 13 to

25 Exhibit No. 12.

1 MR. OLSON: Do you have a specific
2 part of it?
3 MR. SCHRIMPF: No, just in total.
4 MR. OLSON: Okay. Then you're
5 going to have to read them both.
6 MR. SCHRIMPF: And we can go off
7 the record.
8 MR. OLSON: No, she doesn't have to
9 go off the record?
10 MR. SCHRIMPF: Oh, she can do it
11 that quickly?
12 MR. OLSON: Okay. She can read it
13 much faster than I am. She's ready for the
14 next question.
15 Q Now, you indicate to Mr. Rowen "obviously you and I
16 are having a communication problem."
17 MR. OLSON: This is on Exhibit 13;
18 right?
19 MR. SCHRIMPF: Correct.
20 Q "In our conversation I specifically spoke about
21 having real areas of responsibility,
22 (inter-governmental, state, county, cabinet,
23 Council, DER, appointments.) A will though I do like
24 the other two areas you mentioned, Fire & Police
25 Commission and higher education, I also would like

1 to be considered for areas I mentioned above. The
2 Mayor constantly states that this office does not
3 have a Latino desk or a black desk. Why do you keep
4 putting me there? ? Again, I was -- again I have to
5 ask why would you give me EEO issues, equal rights
6 commission and affirmative action? Was that
7 supposed to be a joke? All caps? ? ? . I have just
8 reviewed the employee relations "visual
9 organizational inventory" and I am also requesting
10 the same level of financial compensation that others
11 who have spent less time than me in this office have
12 been given. I am requesting to be considered for
13 the reclassification of a level 11." You said that
14 to him?

15 A I, it looks like I did, yes.

16 Q First of all, when you said that you had reviewed
17 the visual organizational inventory and you're
18 requesting the same level of financial compensation
19 that others who have spent less time than me in this
20 office have been given, you were in fact referring
21 to Brenda Wood; is that correct?

22 A Not specifically just Brenda Wood.

23 Q Well, were there others that you were referring to?

24 A Yes. Throughout the years others.

25 Q Who?

1 A Steve Jacquardt, Mike Dawson.
2 Q I'm sorry?
3 A Mike Dawson. Brenda Wood, Jason Helgerson, just
4 others.
5 Q Was Jason Helgerson in the office in May of 1999?
6 A I don't remember.
7 Q Do you know how long Ms. Dawson had been in the
8 office at the point in time that you were hired to
9 the office in 1992?
10 A No, I don't remember.
11 Q But she was there when you came, was she not?
12 A Yes.
13 Q The responsibilities of inter-governmental state,
14 county, cabinet, Council, DER appointments were in
15 fact matters that previously had been handled by
16 Ms. Dawson; is that correct?
17 A I, I know that she was the liaison to the Council.
18 Q Do you know if she also did the cabinet
19 appointments?
20 A I think she did.
21 Q Do you know if she was also responsible for
22 inter-governmental issues between the state and the
23 county?
24 A No. That was --
25 Q Who was that?

1 A Steve Jacquardt.
2 Q I see. Who was responsible for DER appointments?
3 A DER? I'm not sure.
4 Q So I'm getting a little confused. I'm wondering if
5 you can help me out. Did you want the duties that
6 Ms. Wood and Ms. Dawson before had been performing?
7 A I wanted -- these are the areas of importance in
8 that office. I wanted to have the opportunity to
9 have something that I could actually be responsible
10 for.
11 Q And in your view that would then qualify you for
12 reclassification to either pay grade 10 or pay grade
13 11?
14 A Yes.
15 Q Were you willing to look at any other
16 reclassification to a pay grade?
17 A Yes.
18 Q For example a nine or an eight?
19 A Yes.
20 Q Did you ever speak to Mr. Weber about that?
21 A I think I did have a conversation with him.
22 Q Do you know when that conversation was?
23 A Probably when he was doing the study of my position.
24 Q When do you recall him doing the study of your
25 position?

1 A I don't recall. In 1999.

2 Q You're certain it was in 1999?

3 A It would have been after March of 1999.

4 Q And do you recall if you and Mr. Weber actually sat
5 down and had a face-to-face meeting?

6 A Yes.

7 Q And do you recall if you and -- strike that. Do you
8 recall if Mr. Weber kept notes of that meeting?

9 A Yes.

10 Q And did Mr. Weber tell you anything with respect to
11 his view of the reclassification?

12 A No. He did the study. You can't do a
13 reclassification if the chief of staff doesn't or
14 the Mayor doesn't give you areas of responsibility
15 that you get reclassified for.

16 Q Did you ever discuss the reclassification issue with
17 alderman Marvin Pratt?

18 A I think we had a conversation, yes.

19 Q Was that in your office or his office?

20 A I don't remember.

21 Q Do you remember when the conversation was?

22 A It would have been probably, if there was a
23 conversation, it would have been after the study
24 that Mr. Weber or -- yeah, the study that Mr. Weber
25 did.

1 standing committee of the Milwaukee Common Council?

2 A Yes.

3 Q Who is president of the Common Council at this time?

4 A Alderman Pratt.

5 Q Alderman Pratt?

6 A I --

7 Q When you were speaking to alderman Pratt, who was

8 president of the Common Council?

9 A Oh, Alderman Kalwitz.

10 Q Was Alderman Kalwitz a friend?

11 A No.

12 Q Was he an enemy?

13 A No, I didn't know him.

14 Q You didn't know him at all?

15 A No. I mean I knew him through City Hall but --

16 Q Do you know if there was an order of precedence of

17 the standing committees of the Milwaukee Common

18 Council?

19 A What do you mean?

20 Q Which are most important and which are most senior.

21 (Reporter's note:

22 A Can you ask me the question again? I'm sorry.

23 Q Do you know if there is an order of precedence of

24 the standing committees of the Milwaukee Common

25 Council?

1 A No, I don't.

2 Q Do you know if the chairman of the finance and
3 personnel committee is a powerful member of the
4 Milwaukee Common Council?

5 A I'm sure he is.

6 Q Did alderman Pratt tell you that there was going to
7 be a problem in ascending four positions from a
8 grade seven to a grade 11?

9 A Ascend? Explain to me ascending.

10 Q Going from a pay grade seven to a pay grade 11. Did
11 he tell you there was going to be a problem with
12 that?

13 A I don't recall.

14 Q Did Mr. Rowen tell you there would be a problem with
15 that?

16 A Jim -- I don't remember.

17 Q Did alderman Pratt tell you if he had ever voted for
18 an increase in pay grades of more than two steps?

19 A Did he tell me if --

20 Q If he had ever voted for an increase of more than
21 two pay steps.

22 A I don't think he did.

23 Q You don't think he told you that or you don't think
24 he voted for that?

25 A Both. I don't think he told me that. I don't think

1 he voted. I don't know.

2 MR. SCHRIMPF: Off the record for a

3 minute.

4 (Discussion off the record)

5 Q On January 4th, 2000 what time did you come to the

6 office?

7 A It would have been between 8 and 8:30.

8 Q Had you been to the office the preceding week?

9 A No.

10 Q Were you on vacation?

11 A Yes.

12 Q Were you taking care of your children that week

13 because they were also off of school?

14 A Yes.

15 Q When you arrived to the office on January 4th, 2000,

16 what was the last day that you recall being in the

17 office?

18 A I don't remember. It would have been in

19 December sometime.

20 Q You're certain that you were off on December 15th

21 after the accident and December 16th and

22 December 17th, 1999; is that correct?

23 A Yes.

24 Q And just for the record, do you recollect what day

25 of the week December 15th, 1999 was?

1 A No.

2 Q As I understand it, the Mayor came the to your home
3 on December 17th, 1999 and groped you?

4 A Groped?

5 Q Touched you.

6 A Yes.

7 Q On your private parts?

8 A Yes.

9 Q After December 17th, 1999 when is the next time you
10 saw Mayor Norquist?

11 A January 4th.

12 Q Where was he and where were you? When you saw him
13 on January 4th?

14 A I was leaving the office, it would have been in the
15 reception area.

16 Q Were you with anyone or were you leaving the office
17 alone?

18 A I think I was with Michael Miller.

19 Q Anyone else?

20 A There was a, you know, when I was -- no. I don't
21 think so.

22 Q Did you and Mr. Miller go to lunch?

23 A No.

24 Q Did you and Mr. Miller talk?

25 A Yes.

1 Q What did you talk about?

2 A I was crying. I don't remember exactly what we

3 talked about, but I was upset.

4 Q Did Mr. Miller make reference to your being upset?

5 A Yes.

6 Q What did he say to you?

7 A I don't remember.

8 Q What exit did you use to leave City Hall? I take it

9 you were on your way out of City Hall.

10 A Yes.

11 Q What exit did you use to leave City Hall?

12 A It would have been between the Windham, that exit

13 because that's where we park.

14 Q So would that be what is sometimes referred to as

15 the Water Street exit?

16 A Yes.

17 Q It's the exit that's kind of halfway between the

18 south and north ends of the building and faces the

19 Wyndham Hotel?

20 A Yes.

21 Q And you were going to your car?

22 A Yes.

23 Q Which was parked in the parking center of the

24 Windham?

25 A Yes.

1 Q What level was your car parked on?

2 A I don't know that.

3 Q Did Mr. Miller accompany you across the street?

4 A I don't -- he probably did.

5 Q Did he ask you why you were crying?

6 A He probably did.

7 Q But you don't remember it?

8 A He understood there was problem, that I had

9 problems.

10 Q What did he understand of your problems?

11 A I asked him not to leave the office when the Mayor

12 was around.

13 Q Did you tell him why you didn't want the Mayor to --

14 strike that. Did you tell him why you didn't want

15 him to leave the office when the Mayor was around?

16 A I don't -- I don't remember.

17 Q Did he ask you why?

18 A I don't remember.

19 Q Later that day you went to the campaign

20 headquarters; is that correct?

21 A Yes.

22 Q What time did you get to the campaign headquarters?

23 A I don't remember. It was -- I usually had to work

24 from 12 to nine at the campaign and from 8:30 to 12

25 at the office. They were having a meeting.

1 Q When you went to the campaign headquarters, did you
2 see Mr. Christofferson?
3 A Yes.
4 Q Were you still crying?
5 A I had stopped.
6 Q Did you participate in a meeting of the staff
7 regarding the campaign?
8 A Yes.
9 Q How long did that meeting last?
10 A Maybe an hour.
11 Q Was it over the noon hour?
12 A Yes. It could have been. I don't recall exactly.
13 Q Did you cry after the meeting?
14 A Yes.
15 Q Did anyone ask you why you were crying?
16 A Yes.
17 Q Who?
18 A Mr. Christofferson.
19 Q Anyone else?
20 A No.
21 Q Was the campaign office on the second floor of the
22 building or a higher floor or was it on the first
23 floor?
24 A Second floor.
25 Q How did you reach the campaign headquarters? Was

1 there a stairwell or was there an elevator?

2 A There was steps.

3 Q Did you use the steps to get up and down?

4 A Yes.

5 Q Did Mr. Christofferson follow you down the steps?

6 A Yes.

7 Q Did he ask you why you were crying?

8 A Yes.

9 Q Did you tell him?

10 A I tried to.

11 Q Why were you crying?

12 A Because I knew that the Mayor wasn't going to stop.

13 Q Why did you know -- strike that. What did you mean

14 by the Mayor wasn't going to stop?

15 A He wasn't going to stop pressuring me to have sex

16 with him.

17 Q Why did you believe that?

18 A Because in my office there was an apple.

19 Q Where was the apple?

20 A On my desk.

21 Q When did you first see the apple?

22 A The morning sometime.

23 Q Was it there when you got there?

24 A Yes.

25 Q Where on your desk was the apple?

1 A On top of my desk.

2 Q Well, was it in a corner, on one side, the other

3 side, the middle, where?

4 A It was probably in the middle of my desk. I have an

5 L shaped desk so it would have been in the area

6 where I have my computer to the side and it would

7 have been in front of me.

8 Q Did you see who put the apple there?

9 A No.

10 Q Was there a note with the apple?

11 A No.

12 Q When you saw the apple, what did you do with it, if

13 anything?

14 A Nothing.

15 Q Well, did you just leave it there?

16 A Yes.

17 Q Was it interfering with your work?

18 A I was too emotional to think about it.

19 Q What was the significance of the apple?

20 A The Mayor had on different occasions gone to

21 Mike Dawson's office, taken an apple from her

22 basket, rubbed himself and put it on my desk.

23 Q Did you see the Mayor do this?

24 A Yes.

25 Q So this was something the Mayor did in the office?

1 A Yes.

2 Q When did the Mayor do this?

3 A Different times throughout the time that I worked

4 there.

5 Q When was the last time the Mayor had done this?

6 A I don't -- I don't remember.

7 Q Did you watch the Mayor rub himself with the apple?

8 A He was in my office. I saw him do it.

9 Q Would you please tell me exactly what he did with

10 the apple when he had it.

11 A He, the first time he put an apple on my desk. Then

12 the second time I remember he rubbed himself in his

13 crotch with the apple.

14 Q Was he clothed or unclothed?

15 A He was clothed. It was during work hours and he

16 left the apple on my desk. And Ruth Wyttenbach came

17 to my office. He left the office and she came to my

18 office and said the Mayor wanted to talk to me.

19 Q Do you remember what day this was?

20 A No.

21 Q Do you remember what year this was?

22 A No. I don't.

23 Q When the Mayor rubbed his crotch with the apple, did

24 he unzip his trousers?

25 A No.

1 Q So he did this external to his trousers?

2 A Yes.

3 Q I see. How many times did the Mayor do this?

4 A .

5 MR. OLSON: Are you saying how many
6 different apples or how many different times
7 did he rub himself with the one apple the
8 first time?

9 Q How many different episodes did this occur?

10 A Three or four. Times.

11 Q Each time did Ms. Wyttenbach come and tell you that
12 the Mayor wanted to see you in his office?

13 A No.

14 Q On the occasion that Ms. Wyttenbach said the Mayor
15 wanted to see you in his office, did you go?

16 A No.

17 Q What did you do?

18 A I was upset and irritated and she -- and I asked her
19 what does he want. And she was upset with me
20 because I questioned why, what he wanted.

21 Q I want to make sure I understand this. On the I
22 believe you said three or four occasions that the
23 Mayor would come into your office and rub himself --

24 A No, that's not what I said.

25 Q Okay, then correct me. Were there three or four

1 times that the Mayor came into your office and
2 rubbed himself with the apple?
3 A No.
4 Q It happened on this one occasion that you described
5 to me when Ms. Wyttenbach came in afterwards?
6 A That was one occasion, yes.
7 Q All right. How many total occasions were there?
8 A Three or four times that --
9 Q Over the whole time of your employment?
10 A Yes.
11 Q When was the first time this occurred?
12 A When he rubbed himself in his crotch area.
13 Q Do you have a date?
14 A No.
15 Q A year?
16 A No.
17 Q When was the second time it happened?
18 A I don't remember the date or year. I just remember
19 what happened.
20 Q Was it when Ms. Dawson was employed in the office?
21 A Yes.
22 Q Because the Mayor would always obtain the apples
23 from Ms. Dawson's basket?
24 A Yes.
25 Q I see. On the 0 occasion -- strike that. Did you

1 ever rub yourself with an apple?

2 A No.

3 Q Never?

4 A Never.

5 Q So the Mayor -- did the Mayor ever request you to

6 rub yourself with an apple?

7 A He -- yes, he did.

8 Q When was this?

9 A Some -- I don't know exactly when.

10 Q How many times did he ask you to rub yourself with

11 an apple?

12 A One time.

13 Q And you don't remember when that was?

14 A No.

15 Q And am I correctly understanding your testimony that

16 you never actually did so?

17 A No. Yes, you're correct.

18 Q What specifically did the Mayor ask you to do with

19 the apple?

20 A He, the first time he walked into my office with the

21 apple, left it. Then he walked into my office,

22 rubbed himself. Ruth came the second time. He left

23 an apple in my office and motioned to me what he

24 wanted and pointed at me and he rubbed himself. And

25 then I remember that towards the last year that I

1

2 Q

3

4 A

5 Q

6

7 A

8 Q

9 A

10

11 Q Now, showing you what's been marked as
12 Exhibit No. 14, Ms. Figueroa, these are Bates
13 stamped pages 205, 206 and 207 which you turned over
14 in preparation for your deposition. First of all,
15 with respect to the top page of Exhibit No. 14 Bates
16 stamp page 205, who, if you know, is the writer of
17 this letter?

18 A I don't know.

19 Q When is the first time you saw this letter?

20 A I saw it one time at Victor's office.

21 Q You saw it at Victor's office?

22 A Yes.

23 Q And you never saw it before that time?

24 A No.

25 Q Did you have any conversations with anyone that told

1 you they were going to write this letter?

2 A No.

3 Q You have no idea of who wrote this letter?

4 A No.

5 Q What is Bates stamp page 206?

6 A 206?

7 MR. OLSON: That's this page.

8 A It's a copy of the Milwaukee book.

9 Q And is this a book that was in celebration of the

10 150th anniversary of the City of Milwaukee?

11 A Yes.

12 Q And was this a book that the Mayor gave as gifts to

13 various people in his administration?

14 A Yes.

15 Q And you were a recipient of such a book?

16 A Yes.

17 Q At the time that you received the book, was the book

18 shrink sealed in plastic or was it opened?

19 A It was opened.

20 Q It was not shrink, shrunk in plastic?

21 A No. I had -- no.

22 Q What is Bates stamp page 207 please?

23 A It's a note from the Mayor.

24 Q And it is apparently dated December 20th, 1996?

25 A Yes.

1 Q And it thanks you for your strength, courage and I
2 dealism?
3 A Yes.
4 Q And it thanks you -- strike that. Indicates
5 appreciation for the opportunity to work with you?
6 A Yes.
7 Q And it also says it has been a lot of fun?
8 A Yes.
9 Q And then it is signed apparently John Norquist; is
10 that correct?
11 A Yes.
12 Q There's a post script that appears on Bates stamp
13 page 207; is that correct?
14 A Yes.
15 Q And what does that say?
16 A Thanks for the apples.
17 Q Was the phrase "thanks for the apples" added before
18 or after you received this page?
19 A He wrote it.
20 Q Did you see him write it?
21 A No.
22 Q Did he automatic 0 graph it in your presence?
23 A No.
24 Q It was auto graphed at the time that he gave it to
25 you?

1 A It was on my desk, yes.

2 Q It was simply on your desk? He didn't personally

3 hand it to you?

4 A I don't recall that.

5 Q When did he give it to you?

6 A It would have been that year.

7 Q What is the reference to apples?

8 A I just -- I think I explained that.

9 Q This is the Mayor thanking you for the apples?

10 A That's what he says on there.

11 Q I thought that you never gave him any apples that

12 you had rubbed yourself with?

13 A I didn't tell you that I did give him any apples.

14 Q The reference is to the apples that he rubbed on

15 himself?

16 A I don't know what the reference is. He has lied

17 throughout this whole depositions. He lied then

18 too.

19 Q So you never gave him any apples?

20 A No.

21 Q So the P. S. As it appeared on there is a

22 nonsequitor; is that correct?

23 A .

24 MR. ARELLANO: Whatever.

25 MR. OLSON: Whatever. That means

1 it's a lie. That's the lawyer's Latin for
2 lie.
3 Q It means it doesn't make any sense.
4 MR. OLSON: I guess you're right.
5 MR. SCHRIMPF: Thanks, counsel.
6 Q It means it doesn't make any sense; is that correct?
7 A Correct.
8 Q At the time that the Mayor gave you the book, was
9 that inscription in there?
10 A Yes.
11 Q How many apples had been given -- strike that. How
12 many times had the Mayor rubbed himself with apples
13 at the point in time that he gave you this book with
14 that inscription?
15 A It would have been one time.
16 Q But he said thanks for the apples?
17 A Yes. That's what he says in there.
18 Q At the time that you were in the office on
19 January 4th and the apple was on your desk, how many
20 people came in to speak to you about various issues
21 while you were in your office?
22 A I don't remember.
23 Q Did some people come in?
24 A Mike Soika I remember.
25 Q Anyone else?

1 A I think Tricia Geraghty but I'm not real sure if
2 that was the day she came in.
3 Q Anyone else?
4 A Not that I remember.
5 Q Did any of them make comment about the apple?
6 A No. They made comment about me.
7 Q What was the comment they made about you? Let's
8 start with Mr. Soika.
9 A He asked me how am I doing or something to that
10 effect.
11 Q What did you say?
12 A I was -- when he asked me, I was already holding
13 back my tears, so I couldn't answer him.
14 Q So you left the question unanswered?
15 A I, I don't remember. I could have said that I
16 wasn't doing good but that was obvious.
17 Q I'm sorry?
18 A That was obvious.
19 Q What did Ms. Geraghty say?
20 A She asked me if I was all right.
21 Q What did you say?
22 A Or if I wanted to talk or something like that.
23 Q What did you do or say?
24 A I either thanked her or I didn't take her up on it.
25 Q Did you respond at all?

1 A To Tricia?

2 Q Yes.

3 A I would have -- I seem to recall just acknowledging
4 that she asked kindly how I was doing. And if I
5 wanted to talk.

6 Q Is that because it was apparent that you had been
7 crying or that you were crying?

8 A Yes.

9 Q And you declined an opportunity to talk?

10 A Yes.

11 Q It's my understanding that Ms. Dawson had the habit
12 of having a basket of fruit which included apples in
13 her office on a regular basis; is that correct?

14 A Yes.

15 Q And she left at about the time that Ms. Wood assumed
16 her duties; is that right?

17 A Yes.

18 Q Did anyone else pick up the habit of having a basket
19 of fruit in the office after Ms. Dawson left?

20 A No, not that I remember.

21 Q When you left the office, what, if anything, did you
22 do with the apple?

23 A Nothing.

24 Q You left it there?

25 A I think I did. I didn't -- I left the office in a

1 hurry or without really thinking about it.

2 Q And then you reported to the campaign headquarters

3 for the afternoon work; is that right?

4 A Yes.

5 Q And you left the campaign headquarters early?

6 A Yes.

7 Q Where did you go?

8 A Home.

9 Q Did you stay there for the rest of the day?

10 A Yes.

11 Q Did you make a decision to quit that day?

12 A No. I made a decision to get help that day.

13 Q What did you do to obtain this help?

14 A I started by putting a phone call to Florence Dukes.

15 Q Was that on the 4th or was that on the 5th?

16 A It was on the 4th. We actually talked on the 5th.

17 Q Did you reach her voice mail on the 4th or did a

18 secretary pick up the phone?

19 A I think a secretary picked up the phone.

20 Q And left a message?

21 A I didn't leave a message.

22 Q Would there be any way for Florence Dukes to know

23 that you had called her that day on the 4th?

24 A No, not unless the secretary recognized my voice.

25 Q Do you have any reason for believing the secretary

1 recognized your voice?

2 A No.

3 Q On the afternoon of the 4th did you meet anyone else

4 to discuss your problems?

5 A No.

6 Q During the week of January 4th, 2000 did you at any

7 time meet with Lieutenant Velasco?

8 A I don't think so.

9 Q Did you meet Lieutenant Velasco during January of

10 2000?

11 A I don't remember that. I think I would have met

12 with her in December of '99.

13 Q Do you recall where you met with her?

14 A Else a's.

15 Q Pardon me?

16 A Else a's.

17 Q Else a's?

18 A Yes.

19 Q Is that a restaurant with a paragraph in downtown

20 Milwaukee?

21 A Yes.

22 Q About a block or two from City Hall?

23 A Yes.

24 Q What time of day did you meet with her?

25 A It would have been after work hours.

1 Q When in December '99 did you meet with her?
2 A I don't -- I don't remember.
3 Q Did you have a drink with her?
4 A Yes.
5 Q Do you remember what the drink was?
6 A Probably would have been a glass of wine.
7 Q Was Ms. Velasco living with anyone at the point in
8 time that you were meeting with her?
9 A I wouldn't know that.
10 Q You state that you don't know if she was living with
11 someone?
12 A I wouldn't know who she was living with.
13 Q You deny that you knew who she was living with?
14 A No. I just don't know if she -- I don't know.
15 Q Did you know if she had a relationship with judge
16 gram link?
17 A Yes.
18 Q And did you know it when you were meeting with her
19 in December of 1999?
20 A Yes, I knew that.
21 Q Did you speak with Ms. Velasco about the situation
22 you were experiencing with the Mayor?
23 A Yes.
24 Q What did you say to her?
25 A She knew that I was having problems at work.

1 Q What exactly did you tell her?

2 A She, I think she saw me several occasions crying and
3 she asked me if I was all right and I told her that
4 the Mayor was having sex with me.

5 Q When did you tell her that?

6 A I don't remember. It would have been in probably
7 December but I'm guessing if I tell you that.

8 Q Just so that we're clear, December of 1999?

9 A Yes.

10 Q Was it at this arrangement to have a cocktail at
11 else a's?

12 A Not -- I think I may have told her before that time
13 at else a's.

14 Q Pardon me?

15 A Before that time at else a's.

16 Q Where would you have told her that before else a's?

17 A Either in the office or around City Hall.

18 Q Did you regard yourself as a friend of
19 Lieutenant Velasco?

20 A Not a close friend but I, I think I -- no, not a
21 close friend but someone that I liked and knew.

22 Q How often did you and Ms. Velasco go out either
23 socially for lunch or for a cocktail after work?

24 A Not that often. She would, if I would have some
25 fund raiser that I would put together for, or some

1 function, she would attend.

2 Q Now, as I understand your testimony, you did not
3 work December 15th, 16th or 17th, 1999 because of
4 the auto accident?

5 A Yes.

6 Q Did you work the week preceding Christmas of 1999?

7 A I think I did. I would have, yes.

8 Q The meeting that you had with Ms. Velasco with
9 lieutenant very loss could *** Velasco at else a's,
10 did that occur during the week preceding Christmas
11 of 1999 or the week that you were off on vacation?

12 A I don't think it was -- it wouldn't have been during
13 when I had my accident, and it wouldn't have been
14 when I was on vacation because I wouldn't have
15 been --

16 Q So now as I understand it there were two people that
17 you told about the sex that was going on between you
18 and the Mayor? There was Ms. Pratt that you told
19 and you told Lieutenant Velasco?

20 A Yes.

21 Q And that was before January 4th of 2000?

22 A Yes.

23 Q Anyone else that you told about the sex between you
24 and the Mayor?

25 A No.

1 MR. OLSON: You mean before
2 January of 2000?
3 MR. SCHRIMPF: Before January of
4 2000.
5 A No.
6 Q Was the sex between you and the Mayor interfering
7 with any of your personal relationships?
8 A It interfered with my whole life.
9 Q Was it the cause of a breakup of any other
10 relationship you had with any other person?
11 A No.
12 Q Did you ever tell anyone that it was affecting your
13 relationship with other people?
14 A With my work, with -- it was clear to the Mayor that
15 it was affecting.
16 Q Did the Mayor encourage you to see other people
17 while the sex was going on between you?
18 A He didn't have, he didn't -- he didn't -- that
19 wasn't -- he didn't tell me that.
20 Q Were you seeing any other people between 1995 and
21 2000?
22 A Yes.
23 Q Were you having sex with any other individual
24 between 1995 and the year 2000?
25 A Yes, I did.

1 Q How many people?

2 A One person.

3 Q And who was that person?

4 A I'm not going to tell you that.

5 MR. OLSON: We object to that. Put

6 our position before you.

7 Q Did you ever tell Dr. -- strike that. Do you

8 remember being interviewed by Dr. Rob instance?

9 A Yes.

10 Q And in fact you were interviewed by Dr. Robens at

11 the law firm of Lawton & Cates, isn't that correct?

12 A Yes.

13 Q Did you ever tell Dr. Robens that the sex between

14 you and the Mayor was interfering with a

15 relationship that you had with another person?

16 A I told him that the sex was interfering with my

17 whole life.

18 Q Did you specifically tell him that it was

19 interfering with your relationship with another

20 person with whom you were having sex?

21 A I don't think I did.

22 Q And my question is who was that other person?

23 MR. OLSON: And that we have

24 objected to.

25 Q Subject to the objection please answer the question.

1 MR. OLSON: I'm asking her not, I'm
2 instructing her not to answer.
3 MR. SCHRIMPF: I will ask that that
4 question be certified. (Reporter's note:
5 Q On each of the occasions that the Mayor brought an
6 apple and rubbed himself with it, did he ever in any
7 way open his trousers?
8 A No.
9 Q He simply rubbed them on his crotch without opening
10 his trousers?
11 A Yes.
12 Q So the apple was rubbed on the exterior of his
13 pants?
14 A Yes.
15 Q In the area of his crotch?
16 A Yes.
17 Q And this happened three or four times during the
18 period of time that you and he were employed in the
19 office?
20 A He only rubbed himself one time.
21 Q What about the other three or four times? Did he
22 just bring you an apple?
23 A Yes.
24 Q And what did he do with the apple?
25 A Just leave it on my desk.

1 Q Each time did you see him do this?
2 A There was times that I didn't.
3 Q So sometimes you saw him do it and sometimes you
4 didn't see him do it?
5 A Sometimes there was an apple on my desk and I didn't
6 see him bring it.
7 Q When were all the times that he wanted you to place
8 an apple between your legs and take it to him?
9 A I told you he did it -- he motioned one time for me
10 to bring the apple to him after he left it.
11 Q And did he rub himself with it or demotion that you
12 should rub yourself with it?
13 A He motioned that I should.
14 Q And you did not do that?
15 A No, I did not.
16 Q On each occasion that he left an apple on your desk,
17 what did you do with the apple?
18 A I threw it out. I gave -- I remember one time I put
19 it back in Mike Dawson's office. I remember one
20 time one of the staff persons ate it.
21 Q Hang on just for a second. Oh, who was the staff
22 person?
23 A Roland Perry. Or I don't remember, I think it was
24 Roland Perry.
25 Q Did you invite him to eat the apple or did he simply

1 pick the apple up off your desk?

2 A He would have picked the apple off my desk.

3 Q Did you tell him the source of the apple?

4 A No.

5 Q Did you offer the apple to him?

6 A No. And I'm really not sure if it was Roland. I

7 just know I -- that somebody ate it.

8 Q Now, you've indicated to me that all of the sex that

9 you had with the Mayor was forced and in fact you

10 referred to it as rape on each occasion; is that

11 correct?

12 A No, I didn't say that to you.

13 Q All right. Was there ever a time when the sex with

14 the Mayor was not forced?

15 A There was a time that I realized I had to and I

16 didn't fight like I did --

17 Q And when was that?

18 A Probably in 19 -- probably in 1997.

19 Q So after 1997 did you ever fight with the Mayor when

20 he was demanding sex?

21 A Yes.

22 Q On each time that he was demanding sex you fought

23 with him?

24 A I told you in 1997 I realized that I had to and so I

25 didn't fight like I have in the past.

1 Q Was that the trip to Chicago?
2 A Yes.
3 Q All other times you fought with him?
4 A Yes.
5 Q And was that forced sex interfering with the sex
6 that you were having with the person you refused to
7 identify?
8 A Yes.
9 Q In what way did it interfere with the sex that you
10 were having with that person?
11 A I thought that the Mayor was, each time I thought it
12 wouldn't happen again. He promised it wouldn't
13 happen again.
14 Q Did you tell this person that you were having sex
15 with the Mayor?
16 A No.
17 Q Were you able to have normal sexual function with
18 that individual?
19 A Yes.
20 Q Did you ever cry in the presence of that individual?
21 A No.
22 Q How frequently were you having sex with that
23 individual?
24 A .
25 MR. ARELLANO: Hold on a second.

1 (Discussion off the record)

2 MR. OLSON: I object to the

3 question but go ahead and answer it subject to

4 the objection. We'll see how -- I'm going to

5 cut her off soon but --

6 MR. SCHRIMPF: That you know,

7 counsel.

8 A I was just starting to -- my kids were older and so

9 I felt that -- I'm sorry, what was the question?

10 MR. OLSON: He wanted to know --

11 MR. SCHRIMPF: Let's have the court

12 reporter read it.

13 MR. OLSON: Okay, we can have the

14 court reporter. I'll look back on your time.

15 (Question read)

16 A I probably had two or three times.

17 Q When?

18 A I don't remember.

19 Q Was it in 1999?

20 A I don't remember right now. I don't.

21 Q Did you and that person break up?

22 A Yes.

23 Q When?

24 A I don't remember right now.

25 Q What was the reason for the breakup?

1 A I was -- I had two children. I had a job that was
2 taking a lot and I needed -- I just felt that I
3 didn't want to continue it.
4 Q Was the breakup at all related to this case?
5 A No.
6 Q Was the breakup at all related to having sex with
7 the Mayor?
8 A No.
9 Q Is any part of your claims for damages in this case
10 the fact that you are no longer seeing that person?
11 A No.
12 Q Was there ever a time when you decided that you
13 wanted to leave the job that you had with the
14 Mayor's office after March of 1999?
15 A Yes.
16 Q When?
17 A When I had a conversation with the chief, when I had
18 a conversation with with Michael Morgan I realized I
19 had to come back. And then get a job.
20 Q When did you have the conversation with Michael
21 Morgan?
22 A It was a lunch with Michael Morgan and I attended.
23 Q The Milwaukee Magazine article refers to one
24 luncheon with Mr. Morgan and a Mr. Tangen, T A N G E
25 N. Do you remember that?

1 A Yes.

2 Q When was that luncheon?

3 A I don't remember when it was.

4 Q When did the sexual relationship between you and the
5 other person begin?

6 A I don't remember.

7 Q Was it before or after March of 1999?

8 A It was probably before but I don't -- it was before.

9 Q Was it before or after the attack of 1994?

10 A It was after.

11 Q Other than -- strike that. Was the other person
12 married?

13 A No.

14 Q Single?

15 A Yes.

16 Q Divorced?

17 A No.

18 Q When the Mayor brought apples to you and motioned to
19 you, do you know where he got them from?

20 A No.

21 Q The afternoon of January 5th, 2000, did you call
22 Ms. Dukes or did Ms. Dukes return your call?

23 A I called her I didn't leave a message the first
24 time.

25 Q Do you recollect what time you called her?

1 A No.

2 Q What did you say?

3 A I said that I wanted to have a conversation with her
4 that would be confidential. And we were supposed to
5 have coffee.

6 Q And then what happened?

7 A And then I found out that Mike Soika announced at a
8 staff meeting that I filed a claim against the
9 Mayor.

10 Q Now, you weren't present at that staff meeting, were
11 you?

12 A No, I wasn't.

13 Q How did you find out about that staff meeting?

14 A Two people called me and told me.

15 Q Who?

16 A Mike Miller and Kimberly Pratt.

17 Q Starting with Mr. Miller, when did he call you?

18 A I don't remember. It would have probably been the
19 day that they had the staff meeting.

20 Q What did he say?

21 A I don't exactly remember. I just know that
22 Mike Soika announced to the staff that I filed a
23 claim.

24 Q The fact is you hadn't filed a claim at that point,
25 had you?

1 A No.

2 Q What exactly did you say to Ms. Dukes regarding

3 filing a claim?

4 A That I wanted to talk to her confidentially.

5 Q And that was it?

6 A About filing a claim.

7 Q Now, Ms. Dukes recalls that she sent you a form

8 along with instructions to file a claim?

9 A Yes.

10 Q When did you receive that?

11 A I don't -- I don't remember when I received it.

12 Soon after my conversation with her.

13 Q Was it the next day, the day after that?

14 A It would have been, I know that I first heard from

15 Kimberly and Michael that they announced it at the

16 staff meeting.

17 Q Now, staff meetings in the Mayor's office were

18 usually held on Friday; is that correct?

19 A Not necessarily.

20 Q Anything else that you can remember about the

21 conversation you had with Mr. Miller?

22 A No.

23 Q Let's go to the conversation with Ms. Pratt. When

24 did she call you?

25 A It probably would have been the same day.

1 Q What did she say?

2 A She probably would have talked about what happened

3 at the staff meeting and what Mike announced to the

4 staff that I filed against the City and the Mayor.

5 Q But you hadn't filed against the City or the Mayor,

6 had you?

7 A I was in the process. No.

8 Q When you got the forms from Ms. Dukes -- by the way,

9 were they addressed to you at your home?

10 A Yes.

11 Q And is that where you got them?

12 A Yes.

13 Q Delivered by the mail?

14 A Yes.

15 Q When you got them, what did you do with them?

16 A I read them over and over. That's all I remember.

17 Q Did you start to fill anything out?

18 A No.

19 Q Never filled anything out?

20 A I don't remember if I started addressing with my

21 name and address.

22 Q Did you start writing a draft of any letters or

23 complaints?

24 A No.

25 Q Mr. Christofferson recollects that on the afternoon

1 of January 4th, 2000 you told him that you had some
2 decisions to make.

3 A Yes.

4 Q Do you recall telling him that?

5 A Yes.

6 Q What did you mean by that?

7 A I needed to decide whether I needed to get some
8 help. I needed to tell someone. I needed to file a
9 complaint.

10 Q And later that afternoon you called Ms. Dukes but
11 were unsuccessful in reaching her?

12 A Yes.

13 Q Do you recollect what time you left the campaign
14 headquarters on January the 4th?

15 A I didn't -- no. I just know I didn't stay there
16 very long.

17 Q Did you appear for work on January the 5th?

18 A No.

19 Q Did you appear for work on January the 6th?

20 A No.

21 Q Did you seek any doctors on January 4th?

22 A No.

23 Q Did you call for any doctors on January 5th?

24 A No.

25 Q Did you call for any doctors on January 6th?

1 A No.

2 Q January 4th, 2000 was a Tuesday, am I not correct?

3 A I don't know that.

4 Q And January 7th, 2000 was a Friday?

5 A I don't know that.

6 Q Did you leave your home at all between January 4th
7 and January 7th, 2000?

8 A I don't -- I don't know that. I don't know if I did
9 or if I didn't.

10 Q Did you take your children to school?

11 A My kids would have walked to school.

12 Q It was possible for them to walk? You didn't have
13 to drive them?

14 A Yes. That's right. It was winter. If it was cold,
15 I probably -- when I was home, I probably would have
16 drove them.

17 Q So you'd have to leave the home in the morning to
18 take the children to school and at least leave
19 sometime in the afternoon to pick them up, am I
20 correct?

21 A Yes.

22 Q Other than that, did you leave the house?

23 A I don't -- I don't remember.

24 Q Now, at that point -- that's imprecise. By the week
25 of January 4th, 2000 Kimberly Pratt knew about you

1 and sex and the Mayor?

2 A Yes.

3 Q And Linda Velasco knew about you and sex and the

4 Mayor?

5 A Yes.

6 Q Did you contact them seeking help?

7 A I was beginning to.

8 Q Did you?

9 A Start telling them. I was beginning to get

10 comfortable enough to tell.

11 Q It was my understanding you had already told them.

12 A Yeah.

13 Q Did you tell anyone else?

14 A No.

15 Q And you were not under the care of any physicians

16 during the week of January 4th of 2000, am I

17 correct?

18 A I don't think I was, no.

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4 Q Were you aware of the fact that a sister of yours
5 called the office on January 19th?

6 A I found out about it, yes.

7 Q Were you aware that your sister was going to call
8 the office prior to the time that she called?

9 A No.

10 Q When is the first time that you were aware that your
11 sister called the office?

12

13

14 me.

15 Q Was the as he is tear Marian?

16 A Yes.

17 Q (Sister)?

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19 Q How did they gain entrance to your house?

20 A I don't know.

21 Q Which sister was it?

22 A Marian.

23 Q Any other sisters?

24 A No.

25 Q Any other brothers?

1 A I think my brother Alvin.

2 Q So it was Marian and Alvin that came to your house?

3 A I don't remember.

4 Q Do you recall calling the office on January 14th,

5 2000?

6 A I think I did.

7 Q Do you remember who you spoke to?

8 A The only call I would have made was to Deanna

9 Delaney.

10 Q She's the receptionist?

11 A Yes.

12 Q And what did you tell Deanna?

13 A I told her to tell Mike Soika that I was not doing

14 well and I was going to get some help and I was

15 going to have a doctor's excuse.

16 Q Why did you call the office?

17 A Because I was ill and I wasn't coming in.

18 Q Did you call the office when you were out on

19 December 15th, 1999 because of the car accident?

20 A Yes. I think I did.

21 Q Who did you call?

22 A Probably it would have been Deanna.

23 Q Do you remember what you told her?

24 A No.

25 Q And it's your recollection that you were off of work

1 December 16th and 17th?

2 A I think, yes. That's correct.

3 Q And you were claiming sick leave for that time?

4 A I'm not sure. I was -- I don't know what -- I don't

5 know.

6 Q Now, Mr. Soika recalls that after you called the

7 office on January 14th, 2000 he sent you a letter.

8 A Yes.

9 Q Did you receive that letter?

10 A Yes.

11 Q When did you receive that letter?

12 A I don't know when. I don't know exactly when.

13 Q Was it received through the mail at your house?

14 A Yes.

15 Q Do you recollect what the letter said?

16 A How many days I was absent.

17 Q Anything else?

18 A How much time I had on vacation. I think it's the

19 same letter. It was telling me how much time I had

20 of sick time and vacation time.

21 Q So what did you do with the letter?

22 A I eventually gave it to my attorney.

23 Q When?

24 A Whenever I saw my attorney.

25 Q Well, as I understand it, in January of 2000 you

1 were seeing Mr. Colon as your attorney; is that
2 correct?

3 A Uh-huh, yes.

4 Q And at some point you were seeing Mr. Fuchs?

5 A Yes.

6 Q Was that before or after February of 2000?

7 A Well, it was before what?

8 Q Before February of 2000 or after February 1st of
9 2000?

10 A I'm sorry, what was the question?

11 MR. OLSON: I think the question --
12 were you asking? I was a little confused too.
13 Are you asking when she saw Mr. Fuchs?

14 MR. SCHRIMPF: Mr. Fuchs for the
15 first time.

16 A I don't have the date in front of me. I don't -- I
17 don't remember.

18 Q Other than the fact that you saw the apple on
19 January 4th, 2000, did you have any other reason for
20 leaving the office on January 4th, 2000?

21 A I also saw, I thought I was going to be -- I had
22 taken some time off and I believed I was going to be
23 strong enough to come back and work. I was now
24 supposed to work at the campaign and at the Mayor's
25 office, but I was not -- I still had the same level

1 of responsibility for the job at the Mayor's office.
2 I was just -- my hours were just cut.
3 Q I'm sorry?
4 A The hours were cut as to how much I was going to get
5 paid for.
6 Q Well, as I understand it, you were working half-time
7 for the Mayor's office and the City and half-time
8 for the campaign; is that correct?
9 A I was getting paid for half-time at the Mayor's
10 office and half-time at the campaign. I was working
11 full-time for both positions at times.
12 Q Did you complain about that to anyone?
13 A Yes.
14 Q Who?
15 A Bill, the Mayor, Mike Soika.
16 Q When?
17 A During the time that I was working at the campaign.
18 And at the office.
19 Q Did you put any of these complaints in writing?
20 A No.
21 Q Was this interfering with your ability to function?
22 A Yes.
23 Q And so the apple appearing on the desk and the hours
24 that you were working were the reasons that you left
25 the office on January 4th?

1 A .

2 MR. OLSON: I don't think that's
3 what she --

4 MR. SCHRIMPF: I'm asking.

5 A When I left into work January 4th, I was not
6 expecting on first seeing the apple made it clear to
7 me that the Mayor was not going to stop. When I saw
8 the Mayor, it was clear to me that it wasn't going
9 to stop.

10 Q When did you see the Mayor on January 4th?

11 A As I was walking out.

12 Q So this was close to the noon hour?

13 A Yes.

14 Q And this was in the outer foyer of the Mayor's
15 office?

16 A Yes. I forgot your question.

17 MR. OLSON: You're doing fine.

18 Q You've answered it. Why did you conclude the Mayor
19 was not going to stop the sex?

20 A Because the apple was on my desk.

21 Q Any other reason?

22 A The smirk he had on his face when I saw him.

23 Q Any other reason?

24 A No.

25 (Exhibit No. 15 marked filed)

1 MR. OLSON: Can I show this to the
2 client?
3 MR. SCHRIMPF: Sure.
4 MR. OLSON: Are we on the record?
5 MR. SCHRIMPF: I hope so.
6 Q This letter was provided by your counsel to us
7 during the course of the investigation of this
8 matter, Ms. Figueroa. And is this the letter that
9 you promised to get Mr. Soika when you had the
10 conversation with Ms. Delaney on January 14th, 2000?
11 A Yes.
12 Q And the letter is dated January 21st
13 A Yes.
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1 your lawyer's office?

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5 records. One of which is Bates mark 000021. This
6 is the only copy I have with me. I can always get
7 another copy of it. Let's mark this one.

8 (Exhibit No. 16 marked for
9 identification)

10 Q Have you had a chance to see it?

11 A Yes.

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10 MR. ARELLANO: The record speaks
11 for itself.

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19 MR. SCHRIMPF: Let's go off the
20 record for a second.

21 (Discussion off the record)

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25 A The day that I took it to my lawyer.

1 Q And was that before or after February 7th, 2001?

2 A Before. It was in January.

3 Q In January of 2000?

4 A You know, I -- I'm guessing.

5 Q You're just guessing as to when you picked it up?

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18 MR. SCHRIMPF: Let's go off the

19 record for a second.

20 (Discussion off the record)

21 Q Who is David Venegas?

22 A He was a staff person at Department of City

23 Development.

24 Q Did you know Mr. Venegas?

25 A I knew, yes.

1 Q How did you know Mr. Venegas?
2 A Through his work in the community and at the City.
3 Q Did you know him prior to the time that you worked
4 for the City?
5 A No.
6 Q How did you get to know him after you worked for the
7 City?
8 A His job required him to be in the Latino community
9 and the African-American community and so did mine.
10 Q Did you ever suggest to anyone that Mr. Venegas be
11 hired by the Department of City Development?
12 A No. He was there before I was there.
13 Q Do you know how he left?
14 A Yes.
15 Q What happened?
16 A He was, I think he was arrested. They investigated.
17 Q Do you know if he was convicted of anything?
18 A I think he was.
19 Q What job did he have?
20 A The community-base venture funds. I think it was
21 project that, which was a project that gave funding
22 to different businesses.
23 Q Did you ever seek his job?
24 A Yes.
25 Q When?

1 A When he left.

2 Q When was that?

3 A Whenever he left and the position was open I talked
4 to Bill Christofferson.

5 Q Mr. Christofferson was chief of staff at the time?

6 A Yes.

7 Q Did you submit any written or formal documents for
8 the position?

9 A No.

10 Q Do you know what qualifications you needed for the
11 position?

12 A No.

13 Q What, if anything, were you told about your seeking
14 the position?

15 A Bill said it was, that if that's what I wanted to do
16 that was okay.

17 Q Did you ever get the position?

18 A No. They terminated -- they didn't, they didn't
19 hire anybody for the position. They froze the
20 position.

21 Q Do you know why the position was frozen?

22 A I believe the Mayor stopped it from being filled.

23 Q Do you know if that was related to any budget cuts?

24 A Nope.

25 Q Do you have any reason as to why the position was

1 frozen?

2 A Because I believe I was interested in the position.

3 Q You believe it was frozen because you expressed an

4 interest in the position?

5 A Yes.

6 Q Do you know of anybody who ultimately filled the

7 position other than yourself after Mr. Venegas left?

8 A I don't think they hired anybody for that position.

9 Q Am I to conclude that the position was therefore

10 never filled at all?

11 A The Mayor said they wanted to restructure that

12 program.

13 Q And do you know if the program was thereafter

14 restructured?

15 A I don't know that.

16 Q When the Mayor turned you down, what exactly did the

17 Mayor say?

18 A I asked, I talked to Bill Christofferson and I

19 talked about being interested in this position. I

20 didn't talk to the Mayor. The Mayor talked to me,

21 told me that he didn't think I should take that job.

22 I didn't say anything else that I remember.

23 Q Do you believe it was in any way unfair that you

24 didn't get that job?

25 A Yes.

1 Q What's unfair about that?

2 A I believe that the reason was because the Mayor
3 wanted me to stay in the office.

4 Q Did he tell you that?

5 A No.

6 Q Why do you believe the Mayor wanted you to stay in
7 the office?

8 A Because he made comments.

9 Q What were the comments?

10 A That I'm never going to leave him or that office.

11 Q The Mayor said to you in connection with your
12 interest in the Venegas position that you will never
13 leave the office?

14 A Leave me. He made it seem as though I was betraying
15 that office.

16 Q What did he is?

17 A And him. He will never leave me or this office.

18 Q He will never leave you?

19 A You.

20 Q You will never leave me?

21 A Yes.

22 Q Or this office?

23 A Or something like that, yes.

24 Q Where was the Mayor when this conversation occurred?

25 A It would have been probably in my office.

1 Q So it was a face-to-face meeting between you and the
2 Mayor?
3 A I don't remember it being a meeting. I just
4 remember that I expressed an interest, I think it
5 was after the election on this position.
6 Q Which election? Which election?
7 A I think it was, is there an election in '96? I
8 think it was the '96. Bill Christofferson was the
9 chief of staff. And after the election I wanted to
10 talk to Bill and I talked to Bill about that
11 position.
12 Q Do you regard yourself as a good friend of
13 Mr. Morgan's?
14 A No. I know him I like him.
15 Q I'm sorry?
16 A I like him. He's --
17 Q You and Mr. Morgan get along?
18 A I haven't seen him in a long time but yes.
19 Q Have you seen him since this case got filed?
20 A No.
21 Q Mr. Morgan at the time that Mr. Venegas was
22 convicted of the crime was the commissioner of the
23 Department of City Development, was he not?
24 A Yes, he was.
25 Q Did you talk with Mr. Morgan about the possibility

1 of assuming the Venegas position?

2 A Yes, I did.

3 Q So you talked to Mr. Christofferson and Mr. Morgan?

4 A Yes.

5 Q Anyone else, other than the Mayor?

6 A I don't remember.

7 Q Did you talk to Mr. Morgan before or after the Mayor

8 told you that the position was not going to be

9 filled?

10 A Before.

11 Q Was Mr. Morgan receptive to you assuming the

12 position?

13 A Yes, he was.

14 Q What exactly did he say?

15 A I don't remember what exactly he said. I know that

16 he -- we had a conversation about me having the

17 opportunity to work at Department of City

18 Development in that position. And he thought it was

19 a good idea.

20 Q And he was interested in having you in the position?

21 A Yes.

22 Q When did you first meet Ms. Geraghty?

23 A When she took the position at the Mayor's office.

24 Or I probably saw her in community meetings, block

25 grant meetings but I met her at the Mayor's office.

1 Q What did you understand was going to be her
2 classification pay-wise?
3 A I didn't know.
4 Q When were you aware, if at all, that she was going
5 to be classed as a pay grade nine?
6 A Probably in December or the later part of 1999.
7 Q Did you discuss that fact with Mr. Soika?
8 A Yes.
9 Q When?
10 A When he came on board.
11 Q In October of '99?
12 A If that's -- yes. If that's -- Mike Soika wanted to
13 hire Tricia Geraghty.
14 Q Did you understand that if he were to hire
15 Ms. Geraghty, there was not going to be a position
16 in pay grade nine for you?
17 A Yes, I did.
18 Q When did you understand that?
19 A When he told me that he was going to hire her.
20 Q Do you recollect Mr. Soika saying to you that if
21 this was not okay with you he wouldn't do it?
22 A Yes.
23 Q When was that conversation?
24 A During the time that he decided to give the position
25 to Tricia Geraghty.

1 Q Did he explain to you that he needed that position
2 in order to attract Ms. Geraghty to the office?
3 A No. He explained to me that he agreed with me that
4 they were not just racist but they're classists.
5 And he needed to have someone like them in that
6 position. And if he had that position -- if he had
7 someone in that position that could watch his back,
8 that he would be able to take care of the problems
9 in the office.
10 Q So Mr. Soika said to you he understood that there
11 were people in the office who were racist and
12 classist?
13 A Yes, he did.
14 Q And that was in the meeting that you were having
15 with him regarding the giving the position to
16 Ms. Geraghty?
17 A Yes.
18 Q Do you recollect a staff meeting where Mr. Soika
19 raised the issue?
20 A Raised what issue?
21 Q The issue of the hiring of Ms. Geraghty in a pay
22 grade nine.
23 A Yes.
24 Q And do you recall him asking if you were okay with
25 that?

1 A Yes.

2 Q And do you recall what answer you gave?

3 A I was okay with it.

4 Q But the fact is you weren't okay with that, were

5 you?

6 A I was okay with -- I was done with having to deal

7 with the reclassification.

8 Q Why were you done with having to deal with the

9 reclassification?

10 A Because I realized that with the reclassification

11 came pressures of having sex with the Mayor.

12 Q But I thought the Mayor had told you in March of '99

13 that the sex would stop and the reclassification

14 would be yours.

15 A But that wasn't the case. My reclassification was

16 tied into having sex with the Mayor.

17 Q Did he tell you that?

18 A He didn't say it.

19 Q You say in paragraph 30 of your third amended

20 complaint "as a consequence of the acts described in

21 paragraph 29 and the fact that the Mayor would not

22 stop his sexual demands and/or overtures, the

23 complainant experienced a profound emotional

24 reaction which forced her to leave the workplace."

25 Do you recall making that allegation?

1 A I recall dealing with that.

2 Q And paragraph 29 refers to finding an apple on your

3 desk and the fact that you realized that the City

4 was not going to reclassify you; is that correct?

5 A I think that's -- I think it's miss --

6 Q So the allegation is not a correct allegation?

7 A Not the way -- I don't think not the way it's

8 stated.

9 Q I see. How should it be stated?

10 A Well, I'm not a lawyer. I don't -- I know --

11 MR. ARELLANO: If you don't know

12 you don't know.

13 THE WITNESS: I don't.

14 MR. SCHRIMPF: Let's go off the

15 record for a second at the risk of being,

16 what, disorganized, counsel, did you say?

17 MR. OLSON: I said you were a

18 klutz.

19 (Discussion off the record)

20 (Exhibit No. 17 marked for

21 identification)

22 Q Now, ma'am, it's my understanding that there was

23 some point in time that you consulted

24 Mr. Fuchs about your problems within the

25 Mayor's office; is that correct?

1 A Correct.

2 Q And was that after you had first tucked to

3 Mr. Colon?

4 A Yes.

5 Q And do you recollect if Mr. Fuchs prepared a notice

6 of claim for you?

7 A Yes.

8 Q Did you review that notice of claim?

9 A Yes.

10 Q When did you review that notice of claim?

11 A When I submitted -- well, when I submitted it to the

12 blue building, federal building. The federal

13 building. October.

14 Q I see. Now, according to the Milwaukee Magazine

15 article there was a point in time that you and your

16 family departed for Green Lake, Wisconsin.

17 A My children and I, yes.

18 Q And it was just your children and you?

19 A I -- yes.

20 Q And it was during that period of time that you were

21 anticipating Mr. Fuchs was going to file the notice

22 of claim that he had prepared?

23 A Yes.

24 Q I'm showing you now what's been marked as

25 Exhibit No. 17 and ask if that is in fact the notice

1 of claim that Mr. Fuchs prepared for you.

2 MR. OLSON: Just glance through it

3 enough to make sure that you're satisfied that

4 that's it.

5 A It looks like it. It looks like it.

6 Q Did you review that document before you left for

7 Green Lake?

8 A Oh, probably. Yes.

9 Q Did you have the document with you when you were in

10 Green Lake?

11 A I don't -- I don't remember that.

12 Q But you had seen it before you left?

13 A Probably. Because we were supposed to file. That's

14 why I was in Green Lake.

15 Q And you were in Green Lake to avoid the publicity

16 that would follow with the filing?

17 A Yes.

18 Q Please review that document and tell me all the

19 places in it where you find reference to the

20 incident of the apple of January 4th, 2000.

21 A I don't know if I wrote --

22 MR. OLSON: Just review it.

23 A I don't see it in here.

24 Q The fact of the matter is is that there is no

25 reference to the apple incident of January 4th, 2000

1 STATE OF WISCONSIN)
) ss.
2 COUNTY OF DANE)

3 I, TAUNIA NORTHOUSE, a Registered Diplomate Reporter
4 and Notary Public in and for the State of Wisconsin, do
5 hereby certify that the foregoing deposition was taken
6 before me at the offices of ^ firm, Attorneys at Law,
7 ^ address, City of ^ city, County of ^ county, and State
8 of Wisconsin, on the ^ day day of ^ month 2002, that it
9 was taken at the request of the ^ request, upon verbal
10 interrogatories; that it was taken in shorthand by me, a
11 competent court reporter and disinterested person,
12 approved by all parties in interest and thereafter
13 converted to typewriting using computer-aided
14 transcription; that said deposition is a true record of
15 the deponent's testimony; that the appearances were as
16 shown on Page 3 of the deposition; that the deposition
17 was taken pursuant to ^ pursuant; that said
18 ^ witness name before examination was sworn by me to
19 testify the truth, the whole truth, and nothing but the
20 truth relative to said cause.

21 Dated ^ , 2002.

22

23 Registered Diplomate Reporter
24 Notary Public, State of Wisconsin

25

1 in that document, is there?

2 A I don't see nothing in it.

3 Q Thank you.

4 MR. SCHRIMPF: We'll recess.

5 MR. ARELLANO: Before we go off the
6 record, let the record reflect it is exactly
7 1:36 in my watch. The complainant has been
8 here since 9 o'clock but for five for 10
9 minutes recess counsel has been taking all of
10 this time on and off the record. Now we have
11 agreed to provide Marilyn for another
12 deposition, but we will not agree to go off
13 the record because it's just too hard on the
14 complainant. We're going to provide her for,
15 make her available for four hours but that's
16 it. Okay. That's all we have.

17 MR. SCHRIMPF: I just want it clear
18 for the record that we are not agreeing to
19 that and if we have to fight about it, we
20 will.

21 MR. ARELLANO: We can go ahead and
22 do that. (Adjourning at 1:38 P.M.)
23
24
25