

# Figueras

Vol. 5

1 By Mr. Schrimpf: (At 8:28).

2 Q ?

3 MR. ARELLANO: Before we begin let

4 me put something on the record. This

5 deposition was scheduled to begin at 8 o'clock

6 in the morning. The complainant appeared here

7 with her attorneys about two or three minutes

8 before 8 o'clock. It's now 28 minutes after

9 8 o'clock. We're ready to proceed.

10 MR. SCHRIMPF: And I apologize, but

11 I was late getting in this morning because of

12 unforeseen difficulties handling exhibits and

13 files and that sort of thing.

14 By Mr. Schrimpf:

15 Q Good morning, Ms. Figueroa.

16 A Good morning.

17 Q Since our last deposition have you had an

18 opportunity to review any documents in preparation

19 for this proceeding?

20 A No.

21 Q Same question with respect to the proceeding of

22 Friday, April 12th, 2002.

23 A No.

24 Q /?

25 A .

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(Exhibit No. 18 marked for  
identification)

MR. SCHRIMPF: You may share that  
with the witness.

MR. ARELLANO: Wait until he asks  
you the question. Read it carefully.

Q Ms. Figueroa, between the time of Exhibit No. 13,  
the May 12th, 1999 email from yourself to Mr. Rowen  
and the email which is Exhibit No. 18 which is dated  
June 15th, 1999, was there any other communication  
between you and Mr. Rowen regarding a  
reclassification?

MR. ARELLANO: Other than the ones

1                   that have already marked in these proceedings?

2                   MR. SCHRIMPF: That's correct,

3                   that's correct.

4       A    I had a meeting.

5       Q    With Mr. Rowen?

6       A    Yes.

7       Q    When was that, if you recall?

8       A    I -- it was around this time because -- it was  
9            around this time.

10      Q    Between the dates of May the 12th and June the 15th,  
11            1999?

12      A    I --

13                   MR. ARELLANO: If you remember.

14      A    I don't remember. In my calendar. You can look at  
15            my calendar. You have it. (In Spanish).

16                   MR. ARELLANO: Mr. Tokus, I would  
17            appreciate if you abstain from all these  
18            sounds. You already know how you behavior  
19            noise this witness. And I don't want any  
20            further distractions with the sounds and  
21            laughter and noises. So I would appreciate if  
22            you respect my client and abstain from making  
23            sounds every time she answers and you do not  
24            like the answer.

25                   MR. TOKUS: I have no interest in

1                   this person's comments.

2                   MR. SCHRIMPF: For the record, I

3                   have not observed that Mr. Tokus is doing

4                   anything that at all noise the witness but let

5                   us try to drive on.

6       Q   In this email which is Exhibit No. 18 dated

7           June 15th, 1999 at 12:30 P.M. You're inquiring of

8           Mr. Rowen where things are at with your

9           reclassification; is that correct?

10      A   Correct.

11      Q   What, if anything, did he tell you?

12      A   It would have been the email that he responded to

13           me.

14      Q   And were you discussing specific job duties or

15           assignments?

16      A   Yes.

17      Q   And do you recall at this time what those job duties

18           and assignments were going to be?

19      A   They're on the email.

20      Q   What was on the emails? Now, the emails that have

21           been previously received, Ms. Figueroa, which are

22           Exhibits 7, 8, 9, 10, 11 and 12 all predate, all

23           predate Exhibit Nos. 13 and 18 either by time or

24           date or both; is that correct?

25                   MR. ARELLANO: So what you're

1                   handing a package of exhibits. Which  
2                   exhibit --  
3                   MR. SCHRIMPF: And I've identify  
4                   them for the record, counsel.  
5                   MR. ARELLANO: So again what is  
6                   your question?  
7                   MR. SCHRIMPF: I'll have the court  
8                   reporter read it back.  
9                   (Question read)  
10          A    Yes.  
11          Q    Are there any other emails that you can recollect  
12               occurring between you and Mr. Rowen or anyone else  
13               involving your reclassification that should be there  
14               that are not there?  
15               MR. ARELLANO: Well, I object to  
16               the form. And if you are asking about all  
17               other exhibits that we have used during these  
18               proceedings, you and I know that they are not.  
19               MR. SCHRIMPF: No, counsel. The  
20               question relates to reclassification. Not  
21               necessarily all emails.  
22               MR. ARELLANO: Same objection.  
23          Q    Subject to the objection.  
24          A    I don't remember. If there is, you have them.  
25          Q    All right.

1 (Exhibit No. 19 marked for  
2 identification)  
3 Q I'm showing you what's been marked as  
4 Exhibit No. 19, please, Ms. Figueroa, ask if you've  
5 seen that document before, if you recall the email.  
6 MR. ARELLANO: Just read it  
7 carefully.  
8 A I, it has my name on it, so --  
9 Q Would you recall sending that email to Mr. Weber?  
10 A I remember him sending him an email. When I read  
11 it, I don't remember exactly that I put this, but  
12 I'm sure I did.  
13 Q Okay. Could I see it please? Thank you. Now, I  
14 note that you list nine items that you're going to  
15 be doing in your position.  
16 MR. ARELLANO: Let me see, counsel.  
17 Q Is that correct?  
18 A I'm sorry, can you ask me the question again?  
19 Q There are nine items that you are going to be doing;  
20 is that correct?  
21 A There are nine items listed here, yes.  
22 Q Were you doing any of those items in the summer of  
23 1999?  
24 A Summer of 1999. I always had the block grants.  
25 Q All right. So you were doing that one.

1       A    I always had policy development.  I always did the  
2            outreach constituents, and that's all I remember.  
3                               (Exhibit No. 20 marked for  
4            identification)  
5       Q    Do you recollect if in August of 1999 Mr. Weber  
6            produced a proposed reclassification for your  
7            position?  
8       A    I don't recollect exactly what month.  He did  
9            propose a change in my?  
10      Q    Right.  
11      A    Yes.  But I don't remember what time or what time  
12            frame.  
13      Q    Do you recollect it being in the summer of 1999?  
14      A    I don't recollect when.  But he --  
15                           MR. ARELLANO:  Well, hold on.  Just  
16                           wait until he asks the question.  
17                           MR. SCHRIMPF:  Counsel.  
18                           MR. ARELLANO:  Okay, thank you.  
19      Q    Ms. Figueroa, I'm showing you Exhibit No. 20.  
20                           MR. ARELLANO:  Read it carefully.  
21                           This document is dated August 16.  
22      A    Yes.  
23      Q    What was the purpose of Exhibit No. 20?  
24                           MR. ARELLANO:  Other than what is  
25                           explained in the document?



1 MR. SCHRIMPF: Yes.

2 Q Why were you sending Exhibit 20 to Mr. Weber?

3 A He probably sent me an email. It's probably a  
4 response or I got the study that he did from my  
5 position.

6 (Exhibit No. 21 marked for  
7 identification)

8 Q Ms. Figueroa, I'm showing you what's been marked as  
9 Exhibit No. 21 which I believe was also an exhibit  
10 in Mayor Norquist's deposition. And I'm asking if  
11 you've ever seen that document before.

12 A Looks like the document that he put together.

13 Q So was this the document that was the subject of  
14 your emails to Mr. Weber of August the 5th and I  
15 believe August the 19th?

16 A It probably was.

17 Q I'm sorry, that should be August the 16th to  
18 Mr. Weber.

19 A It probably was.

20 Q As of August of 1999, you had done outreach for the  
21 Mayor's office; is that correct?

22 A Yes.

23 Q You had done constituent service for the Mayor's  
24 office?

25 A Yes.

1 Q And obviously you had done block grant work for the  
2 Mayor's office?  
3 A Yes.  
4 Q Had you provided any service to the Mayor's office  
5 regarding boards and commissions?  
6 A I don't think so.  
7 Q Had you functioned as a liaison with cabinet  
8 departments?  
9 A Cabinet, no.  
10 Q Had you done any work for the board of Fire & Police  
11 Commissioners?  
12 A Yes. I was the liaison when I first started.  
13 Q Did there come a time when that ended or did you  
14 continue with those duties throughout your  
15 employment with the Mayor's office?  
16 A No. It ended, or another staff person took it on.  
17 Q Do you remember when that was?  
18 A I don't remember. I just -- when Michael Miller  
19 started I think he took on crime and they added, I  
20 think they added the Fire & Police Commission.  
21 Q To Mr. Miller's assignment?  
22 A I think so.  
23 Q Did you do any work with respect to the 6th street  
24 viaduct project at all?  
25 A I had meetings in the community.

1 Q Was that more outreach as opposed to development?  
2 A It was responding to people that wanted to have  
3 someone from the Mayor's office at the meeting.  
4 Q So that would be representing the Mayor's office at  
5 outreach meetings?  
6 A Yes.  
7 Q Had you done any work with respect to Summerfest?  
8 A No.  
9 Q Or the major universities, UW-M, MATC, Marquette?  
10 A No.  
11 Q ?  
12 (Exhibit No. 22 marked for  
13 identification)  
14 Q Ms. Figueroa, I'm showing you what's been marked as  
15 Exhibit No. 22 and this is apparently an email from  
16 you to Mr. Rowen dated September 7th, 1999 at 1:38  
17 P.M. Entitled my reclassification. Is that correct?  
18 A Correct.  
19 Q Did Mr. Rowen respond to you?  
20 A I don't think he did.  
21 Q Was there any meetings that you had with Mr. Rowen  
22 regarding this issue as opposed to email traffic  
23 going back and forth?  
24 A I don't recall any meetings during that time.  
25 Q Do you recollect when you met with alderman Pratt

1           regarding -- well, strike that. Do you remember  
2           when you met with alderman Pratt regarding your  
3           reclassification? Being?

4       A   Between the a meeting. When we talked about it it  
5           was in passing and it would have been during the  
6           time that I was waiting to get the reclassification.

7       Q   Do you remember the month or the approximate time of  
8           this apparently chance meeting?

9       A   No. It would have been after Jim Rowen said that  
10          they would have probably had a problem with Marvin  
11          Pratt. It might be in one of your emails that you  
12          have there.

13      Q   What was -- what did Mr. Rowen express as the  
14          problem?

15      A   He made -- first Flo Dukes said that, I had called  
16          Flo Dukes to find out what was going on with my  
17          reclassification. They said that they've been  
18          waiting for our office. And I think that's when I  
19          sent him that email, the last one you showed me.

20      Q   Him you mean Mr. Rowen?

21      A   Mr. Rowen.

22      Q   Okay. So I take it the call to Florence Dukes  
23          occurred before the time of this email to Mr. Rowen?

24      A   It would probably been before that time, yes.

25      Q   Do you know how much before this time?

1 A Not -- I don't think much time.

2 Q Why are you inquiring about Jason's position?

3 A Because that, Jason wasn't there and his position

4 was open and I wanted to try and apply for that

5 position, which was open.

6 Q What was Mr. -- are you referring to Mr. Jason

7 Helgersen?

8 A Yes.

9 Q What was Mr. Helgersen's position in the summer of

10 1999?

11 A All, we were all staff assistants to the Mayor.

12 Q So am I correct therefore that in the organizational

13 scheme of things you and Mr. Helgersen were equals?

14 He was a staff assistant and you were a staff

15 assistant?

16 A Yes. But different responsibilities.

17 Q Do you remember what Mr. Helgersen's

18 responsibilities were?

19 A He had Department of City Development I think,

20 higher education, education and I don't remember

21 what else.

22 Q Am I correct then that you were thinking of possibly

23 assuming some of Mr. Helgersen's responsibilities?

24 A Yes.

25 Q Do you know what impact, if any, on your

1 reclassification, assuming any of Mr. Helgersen's  
2 responsibilities would have had?  
3 A .  
4 MR. ARELLANO: If you know.  
5 A No, I don't.  
6 Q When you sent Exhibit No. 22 which is the email to  
7 Mr. Rowen on September 7th, 1999 at 1:38 P.M., did  
8 you believe that assuming some or all of Mr. Her  
9 gear son's responsibilities would improve your  
10 chances --  
11 A Yes. Yes.  
12 Q -- you've got to wait for me to finish the question.  
13 Would improve your chances, would improve your  
14 chances of getting a reclassification?  
15 A Yes.  
16 MR. SCHRIMPF: Could I have 22 back  
17 please?  
18 (Exhibit No. 23 marked for  
19 identification)  
20 Q Showing you please, Ms. Figueroa, what's been marked  
21 Exhibit No. 23, ask if you recollect receiving this  
22 memo.  
23 A Yes.  
24 Q And this is from somebody by the name of Jim. Is  
25 that Jim Rowen?

1 A Yes, it is.

2 Q And it's dated October 8th, 1999?

3 A Yes.

4 Q Mr. Rowen apologizes for a delay in moving forward  
5 on the changes in your assignments; is that correct?

6 A Yes.

7 Q But he explains that he's been swamped with the  
8 pension and the budget; is that correct?

9 A Yes.

10 Q And is the month of September and October a busy  
11 time with respect to budget?

12 A Yes.

13 Q And was there an issue in September and October of  
14 1999 regarding a pension settlement?

15 A Probably.

16 Q He indicates that he formally wants to transfer  
17 assignments from Brenda to you in item No. 1. Do  
18 you see that?

19 A Yes.

20 Q Who is Brenda, if you know?

21 A Brenda Wood.

22 Q And Brenda Wood was classified as an 11 at this  
23 time; is that correct?

24 A Correct.

25 Q And he says let's finish this by the 15th of

1           October.   Do you see that?

2       A   Yes.

3       Q   Then he says please go over with, or get with Brenda

4           and go over the mechanics and begin to organize

5           matching recommendation for the Mayor with

6           vacancies.   Do you see that?

7       A   Yes.

8       Q   What is he referring to there?

9       A   The boards and commissions.

10      Q   And you understood that at the time?

11      A   Yes.

12      Q   And then item No. 2, he says that the Mayor has sent

13           a memo to call witnesses notifying him that Steve,

14           Julie and you will be his representatives on the

15           Summerfest advisory committee?

16      A   It's only one meeting.

17      Q   Pardon me?

18      A   Yes.   And it was only one meeting.

19      Q   Who is the Steve?

20      A   Steve Jacquart.

21      Q   And who's Julie?

22      A   Julie Penman.

23      Q   And Julie Penman at this time was the commissioner

24           of the Department of City Development; is that

25           correct?



1 A Correct.

2 Q And that's a cabinet level position?

3 A Yes.

4 Q Then he says item No. 3, I want you to begin a  
5 procedure to help you function as coordinator of  
6 outreach from this office by meeting with the staff  
7 assistants to see where coordinating work can  
8 strengthen message from the Mayor and the efficiency  
9 of the office. Do you see that?

10 A Yes.

11 Q He says in item No. 4, please call Joe at the  
12 Fire & Police Commission and tell him you will be  
13 our office liaison. Do you see that?

14 A Yes.

15 Q He references a meeting with Steve at two today or  
16 later.

17 A Yes.

18 Q Did that meeting ever occur?

19 A No, I don't think it did.

20 Q Do you know why that meeting didn't occur?

21 A No, I don't.

22 Q By Joe at the Fire & Police Commission, who did you  
23 understand Joe to be?

24 A Joe Czarnecki.

25 Q Did you ever contact Joe at the Fire & Police

1 Commission to tell him you will be the liaison?

2 A I don't think I did.

3 Q Did you ever function as the liaison with the

4 Fire & Police Commission?

5 A Before but not at this time.

6 Q When you explained to me before?

7 A Yes.

8 Q Before who was hired, Mr. Miller?

9 A Yes.

10 Q Did you ever -- you said that you met one time with

11 the Summerfest advisory committee?

12 A Yes.

13 Q Do you recall when that was?

14 A No. But it's in the calendar.

15 Q Do you recollect how long the meeting was?

16 A About an hour.

17 Q Do you recollect what the subject of the meeting

18 was?

19 A I think it was the lease, Summerfest lease.

20 Q And what was the position of the Mayor's office with

21 respect to the Summerfest lease?

22 A I don't recall.

23 Q And do you recollect what the position of the Common

24 Council was with respect to the Summerfest lease?

25 A I don't recall.

1 Q And do you recollect what the position of Summerfest  
2 was with respect to the Summerfest lease?  
3 A No. I just know that they were all different.  
4 Q They were different?  
5 A And I dealt with the Mexican Fiesta and Afro world  
6 fest, and so --  
7 Q And those are ethnic festivals held at the  
8 Summerfest grounds?  
9 A Yes.  
10 Q But the Summerfest lease involves the peace of \*\*\*  
11 piece of real estate that the Summerfest grounds are  
12 actually located on; is that correct?  
13 A Correct.  
14 Q It doesn't really involve the leases between  
15 Summerfest and the ethnic festivals, does it?  
16 A It had something to do with them giving them --  
17 raising their rent.  
18 Q Correct. If there would be an increase in the rent  
19 that Summerfest would have to pay, then they would  
20 have to pass that along to the ethnic festivals; is  
21 that right?  
22 A Yes.  
23 Q And it was a considerable controversy that was going  
24 on, was it not?  
25 A Yes. And it was a public meeting. They have those.

1 (Exhibit No. 24 marked for  
2 identification)  
3 Q Showing you what's been marked as Exhibit No. 24,  
4 please, Ms. Figueroa.  
5 A Yes.  
6 Q And what was the purpose of this particular email?  
7 A By this time Jim Rowen was fired, Mike Soika was on.  
8 Mike Soika had a different idea how he wanted to do  
9 stuff.  
10 MR. ARELLANO: The question was  
11 what was the purpose.  
12 A I'm trying to explain.  
13 MR. ARELLANO: Okay. Go ahead.  
14 A And instead of having people have a specific area,  
15 he changed it into teams.  
16 Q And did he announce this shortly after he took over?  
17 A Yes.  
18 Q Now, this email is dated November the 3rd of 1999;  
19 is that correct?  
20 A Yes.  
21 Q As I understand it, Mr. Soika became the new chief  
22 of staff effective the morning of October 18th,  
23 1999; is that correct?  
24 A If -- I don't know exactly the date.  
25 Q Do you recall it being mid October?

1 A Yes.

2 Q I'm directing your attention to October 15th of 1999  
3 which was a Friday. Do you recollect Mr. Soika  
4 being introduced to the Mayor's staff at the Friday  
5 morning staff meeting?

6 MR. ARELLANO: I suspect you're  
7 talking about October 15th, 1999?

8 MR. SCHRIMPF: Yes. I said that.

9 A I know he was introduced. I don't remember exactly  
10 what date that was.

11 Q But was it at the regular staff meeting?

12 A Or we would have probably had a special meeting for  
13 that.

14 Q You don't recollect that it being just part of the  
15 regular Friday morning staff meeting?

16 A It could have been.

17 Q And do you recall Mr. Soika being introduced as the  
18 new chief of staff?

19 A I don't know if Jim Rowen said it to us in his  
20 meeting or if Mike Soika was introduced. I know  
21 that Jim Rowen told us that he was not going to be  
22 there anymore at the staff meeting.

23 Q Was the announcement that Mr. Rowen was leaving as  
24 chief of staff and Mr. Soika was coming in as chief  
25 of staff a surprise to you personally?

1       A    Yes, it was.

2       Q    You had no idea this was coming?

3       A    No.

4                               (Exhibit No. 25 marked for

5       identification)

6       Q    Showing you, ma'am, what's been marked as

7       Exhibit No. 25 which is an email apparently from

8       yourself to yourself dated December 22nd, 1999, ask

9       if you recognize that document.

10      A    Yes. I think I made a copy to put it in -- this

11      would have been for Jim Rowen.

12      Q    Well, but Jim Rowen was no longer chief of staff on

13      December 22nd, 1999. Did you send it to Mr. Rowen?

14      A    I know this is Jim Rowen. This was for Jim Rowen.

15      Q    It wasn't for Mr. Soika?

16      A    I don't think so.

17      Q    And what was the purpose of sending this email?

18                               MR. ARELLANO: Other than what the

19      document contains?

20                               MR. SCHRIMPF: Yes.

21      A    To remind him that this was Jim Rowen's. There

22      should be one in your copies of this to Jim Rowen.

23                               MR. ARELLANO: The question. Did

24      you understand the question.

25      A    Yes.

1 (Exhibit No. 26 marked for  
2 identification)  
3 Q Showing you what's been marked as Exhibit No. 26,  
4 Ms. Figueroa, this is another email also on  
5 December 22nd, 1999, one minute later. Simply says  
6 changes in staff responsibilities. Do you see that?  
7 A Yes.  
8 Q And it's a forward?  
9 A Yes.  
10 Q And this indicates it was sent from yourself to  
11 yourself but who else was it sent to?  
12 A I don't know.  
13 Q Were you sending it to Mr. Rowen?  
14 A I was probably saving it on my file.  
15 Q Well, but my question is was it sent to Mr. Rowen?  
16 A Can I see that?  
17 Q Sure.  
18 MR. ARELLANO: Yes.  
19 A I don't remember. You should have another one.  
20 (Exhibit No. 27 marked for  
21 identification)  
22 Q Showing you what's been marked as Exhibit 27, ask if  
23 you recollect seeing this document.  
24 A This is probably part of another document.  
25 Q You have no further idea of what this document is

1           beyond the fact that it's a forward of an email  
2           regarding reclassification at 2:49 P.M. On  
3           December 22nd, '99?  
4       A    It looks like it's an incomplete part of another  
5           document that you have.  
6                               (Exhibit No. 28 marked for  
7           identification)  
8       Q    ?  
9                               MR. SCHRIMPF: You should show it  
10           to your attorney.  
11       Q    And Exhibit No. 28 is yet another one of these  
12           emails that indicates it's a forward of a  
13           reclassification from yourself to yourself?  
14       A    Yes.  
15       Q    Do you know who it would have actually been sent to?  
16       A    Looks like it's a part of some other emails. It  
17           looks like it's incomplete. It would have been Jim  
18           Rowen.  
19                               MR. SCHRIMPF: For the purposes of  
20           just lining up the exhibits, let's get off the  
21           record for a second.  
22                               (Discussion off the record)  
23       Q  
24  
25



1 A Yes.

2 Q Where is that fire station located?

3 A By my, it was by my house on 26th and Scott.

4 Q And what exactly did you do when you came to the

5 fire station?

6 A I pounded on the door.

7 Q Did you scream or yell?

8 A Yes.

9 Q And did you try to open the door?

10 A It was locked. I don't remember if I tried to open

11 it. I know that I tried to pound and it was a real

12 heavy door.

13 Q I'm sorry, you weren't --

14 A It was a real heavy door.

15 Q Oh, it wasn't the overhead door?

16 A No. It was the side door.

17 Q And where in relation -- do you know where the

18 overhead door is to the fire station?

19 A You mean like the garage kind of --

20 Q Yes.

21 A Yeah, it was on the, you know, the garage door, or

22 overhead door is here and it's in the corner of 26th

23 and Scott.

24 Q And no one responded to your pounding?

25 A No. It was a heavy door.

1 Q How long did you pound on the door?  
2 A Not a long time.  
3 Q And you didn't make any verbal noises or audible  
4 noises?  
5 A Yes.  
6 Q Did you scream?  
7 A I said help, yes.  
8 Q Help?  
9 A Yes.  
10 Q Anything else?  
11 A I don't recall.  
12 Q And no one answered?  
13 A No. And I ran home.  
14 Q Now, pursuant to the ruling of the administrative  
15 law judge, would you please tell me who the  
16 individual is that you reference you were having  
17 another sexual relationship with during the time  
18 that you were involved with the Mayor.  
19 MR. ARELLANO: Just give the  
20 initials of the individual. Go ahead.  
21 MR. SCHRIMPF: Well, counsel --  
22 MR. ARELLANO: Counsel, I'm not  
23 going to argue with you. That's all we're  
24 going to give you. Go ahead.  
25 MR. SCHRIMPF: I don't believe,

1 Mr. Arellano, that is in conformance. With  
2 the ruling of the A L J.

3 MR. ARELLANO: We'll let the judge  
4 deal with that issue, particularly in light of  
5 the recklessness on the part of the City with  
6 records that continue to be released to the  
7 press. That's all you're going to get until  
8 this individual has given.  
9 Is given advanced notice. And we can discuss  
10 that with the Court before the end of your  
11 deposition. So why don't you go ahead and  
12 give the initials only. Go ahead.

13 A .

14 MR. ARELLANO: Hold on, you're  
15 interfering. That's all she's going to give  
16 you, counsel. There's no need for you to  
17 continue arguing.

18 MR. SCHRIMPF: I'm going to suggest  
19 that we go off the record and you give me the  
20 name.

21 MR. ARELLANO: No, I don't want to  
22 go off the record.

23 A B. B.

24 Q I'm sorry, what were those initials?

25 (Answer read)

1 Q Like bravo bravo, boy boy?

2 A Yes.

3 Q And what was the cause of the breakup of this  
4 relationship?

5 MR. ARELLANO: Objection, asked and  
6 answered. Counsel, are you running out of  
7 questions?

8 MR. SCHRIMPF: No, I'm not running  
9 out of questions.

10 MR. ARELLANO: We have covered this  
11 issue, the attack of '95. It sounds to me  
12 that you're running out of questions.

13 MR. SCHRIMPF: No, you're just  
14 burning up my time, counsel.

15 MR. ARELLANO: No, I'm not.

16 Q What was the cause of the breakup of this  
17 relationship?

18 MR. ARELLANO: Asked and answered.  
19 She may answer again if she's able to.

20 A Just it didn't work out.

21 Q It had nothing to do with the Mayor?

22 A No.

23 Q And I want to make sure that since the last time we  
24 met on this issue you have not been able to  
25 recollect when the relationship began?

1 MR. SCHRIMPF: Last time, counsel,  
2 she said she couldn't remember. I'm asking if  
3 since then she's had a memory.

4 MR. ARELLANO: The objection is  
5 asked and answered. If she has now  
6 remembered, she can tell you.

7 A No.

8 Q And when it ended?

9 A No.

10 MR. ARELLANO: Same objection.

11 Q I'm sorry, I didn't get the answer.

12 A No.

13 Q Did you have a relationship with that person's son?

14 A That person's son?

15 Q Yes.

16 A No.

17 Q No?

18 A No.

19 Q Did you ever tell anyone you had a relationship with  
20 that person's son?

21 A What person?

22 MR. ARELLANO: Hold on. Just  
23 answer the question.

24 A I don't know what he means.

25 MR. ARELLANO: Then say I don't

1 understand what you mean.

2 Q The person who is B. B. --

3 A No.

4 Q -- did you have a relationship with that person's  
5 son?

6 MR. ARELLANO: Answer -- the  
7 question has been asked and answered.

8 Q And your answer is no?

9 A No.

10 Q Were there conflicts in that relationship?

11 A No.

12 Q Who in your family, if anyone, did you tell of the  
13 relationship between you and May or Norquist?

14 A No one.

15 Q Did you have any reason to believe that any member  
16 of your family knew of the relationship?

17 A They knew of his harassment to my home.

18 MR. ARELLANO: Just answer  
19 counsel's question.

20 Q But you never told any member of your family of the  
21 sex that was going on between you and the Mayor?

22 MR. ARELLANO: Objection, asked and  
23 answered. You may answer again.

24 A No.

25 Q Were you ever offered a position as director of

1           Hope House?

2       A    I was told about the position at Hope House.

3       Q    Who told you about the position of Hope House?

4       A    Sherrie Kay.

5       Q    Could you spell that, please?

6       A    S-H-E-R-R-Y K-A-Y.

7       Q    And who is Sherrie Kay?

8       A    She was the outgoing director.

9       Q    And when did she discuss with you the directorship

10           of Hope House?

11      A    It was before she left there. She was still there

12           working there.

13      Q    But from a calendar can you give me a date or a

14           year?

15      A    No, I can't.

16      Q    Was it before or after, let us say the UMOS banquet

17           in 1999 just so that we're clear?

18      A    It was probably during their open house because they

19           expanded and that's on the calendar.

20      Q    It was during the open house of Hope House?

21                           MR. ARELLANO: Just answer the

22           question.

23      A    Yes.

24      Q    Do you know when that was?

25      A    No.

1 Q Was it just Ms. Kay who offered you the position or  
2 did, were there other people involved in the offer?  
3 A No. She was telling me to, about the position.  
4 Q And did you understand that to mean that that was a  
5 position that might be available for you?  
6 A That I could apply for, yes.  
7 Q Do you know how much that position paid?  
8 A I think it was around the same --  
9 MR. ARELLANO: No. The question is  
10 how much did the position pay?  
11 A 55, 60.  
12 Q Was there a reason why you did not apply for the  
13 position?  
14 A Yes.  
15 Q And what was that reason?  
16 A The Mayor had asked me about their funding.  
17 Q When was that?  
18 A When they offered me, when they talked to me about  
19 applying for -- when Sherrie talked to me about  
20 applying for the position.  
21 Q Did you mention this to the Mayor?  
22 A No. I was staffing the Mayor and their open house.  
23 Q Oh, I see. So the Mayor overheard the communication  
24 of the --  
25 A She told him.



1 Q I see. And what did the Mayor tell you again?  
2 MR. ARELLANO: Objection. Asked  
3 and answered. You want that to be repeated?  
4 Q I didn't hear it.  
5 MR. ARELLANO: The Mayor asked  
6 about their funding.  
7 Q Why was that -- of what significance was that?  
8 MR. ARELLANO: If you know.  
9 A He first asked about their funding and then he asked  
10 if they knew that I didn't have a degree and that to  
11 me meant that I couldn't take the job.  
12 Q When the Mayor asked -- strike that. Did the Mayor  
13 ask Ms. Kay if she knew that you didn't have a  
14 degree?  
15 A No. He asked me if she knew.  
16 Q I see. And that's all he said on that subject?  
17 A On that subject, no.  
18 Q What else did he say?  
19 A Then he said does her board know. And then another  
20 time he asked about their funding.  
21 Q Who did he ask about the funding?  
22 A He asked me on a different occasion what do we give  
23 funding, block grant funding, do we give Hope House  
24 block grant funding and how much.  
25 Q And did you tell him?

1 A I didn't know offhand. I didn't.

2 Q Did you find out?

3 A No.

4 Q When you say you didn't know offhand, did you not  
5 know offhand if you gave them funding or did you not  
6 know offhand the amount of the funding?

7 A I knew we gave them funding because they're part of  
8 a group, coalition of agencies that we fund that  
9 were shelters.

10 Q Did you ever get back to the Mayor with the amount  
11 of the funding?

12 A No.

13 Q And I take it you never followed through with an  
14 application for the position?

15 A No.

16 Q And what were all your reasons for not following  
17 through with an application?

18 A I didn't feel I qualified. I realized that if I did  
19 take that position, the Mayor had power to hurt the  
20 agency and I decided that that wasn't the position  
21 that I was going to apply for.

22 Q At the time that Ms. Kay spoke to -- when she raised  
23 this issue of the open position, was she raising it  
24 to you or was she raising it to the Mayor or was she  
25 raising it to both of you at the same time?

1 MR. ARELLANO: Objection, asked and  
2 answered. She may be able to answer. If she  
3 understands the question.  
4 A She said it in front of both of us.  
5 Q All right. At the time that she raised the issue of  
6 the open position at Hope House, were you at that  
7 time being subjected to the advances of the Mayor?  
8 A Yes.  
9 Q How many -- and these were all unwanted?  
10 A Yes.  
11 Q How many advances of the Mayor had you been  
12 subjected to at the point in time that Ms. Kay  
13 raised the issue of the open position?  
14 A I don't -- I can't tell you exactly. I just -- I  
15 can't tell you exactly.  
16 Q Had the trip, the 1997 trip to Chicago occurred or  
17 not occurred at the time that Ms. Kay spoke to you  
18 about this position?  
19 MR. ARELLANO: Which trip?  
20 MR. SCHRIMPF: I said the 1997 trip  
21 to Chicago, September of '97.  
22 A I don't -- I don't think it did.  
23 Q You don't think it had occurred at that point?  
24 A No.  
25 Q So as I understand it, you didn't apply for the

1 position because you were concerned about the Mayor  
2 possibly harming the funding for Hope House?

3 MR. ARELLANO: Objection, asked and  
4 answered. Here we go back again to the same  
5 old repetitious questions.

6 A Yes.

7 Q Why would you care if the Mayor would try to affect  
8 the funding for Hope House?

9 A Because that would be an organization that would  
10 have been retaliated against because of me and that  
11 would have been a position that would have probably  
12 been funded through block grant dollars, and I  
13 wouldn't have the job much longer if that happened.

14 Q But if the Mayor would try to affect the funding of  
15 Hope House because you were no longer having sex  
16 with him and you had become the director of  
17 Hope House, could you not have made a public issue  
18 out of that?

19 MR. ARELLANO: Objection. It calls  
20 for speculation and it's, it borders on the  
21 argumentative with the witness. You are not  
22 required to speculate if you don't need to,  
23 you don't want to.

24 Q Please answer my question.

25 A For a long time I was afraid of him. I'm not afraid

1           today. I'm not afraid of you neither. But I'm not  
2           afraid of him no more.

3                       MR. ARELLANO: Hey, would you  
4           just -- let's take a second.

5                       THE WITNESS: No. I want to stay  
6           here.

7                       MR. SCHRIMPF: Let's go off the  
8           record.

9                               (Recess)

10  
11                       by Mr. Schrimpf: (Continuing).

12       Q   If the Mayor would try to affect the funding of  
13           Hope House and you were director, you'd no longer be  
14           working for the Mayor; is that correct?

15       A   Ask me the question again.

16       Q   If the Mayor tried to affect the funding of  
17           Hope House, you would no longer be working for the  
18           Mayor; is that correct?

19                       MR. ARELLANO: Objection, asks for  
20           speculation.

21       A   If the Mayor -- if the Mayor --

22                       MR. ARELLANO: Object to the form  
23           of the question.

24       Q   If the Mayor tried to affect the funding of  
25           Hope House --

1 A Yes.

2 Q -- you would no longer be working for him; is that  
3 correct?

4 MR. ARELLANO: Objection, calls for  
5 speculation. If you understand the question.  
6 Otherwise you're not going to answer.

7 A If he tried to cut their funding, I would no longer  
8 be working for them.

9 Q Right. Because you'd be the director.

10 A No, he'd cut the funding. I would no longer have a  
11 job.

12 Q At Hope House if he did that?

13 A Yes.

14 Q And couldn't you then go to the papers and explain  
15 why the Mayor cut the funding?

16 MR. ARELLANO: Objection. Counsel,  
17 now you're asking for a story that is not even  
18 based on facts. Let's move on with this case.

19 Q You did not take the job at Hope House because you  
20 were afraid the Mayor was going to cut the funding?

21 MR. ARELLANO: Objection, asked and  
22 answered twice.

23 Q Is that right?

24 A I was afraid he was going to retaliate, yes.

25 Q By cutting the funding?

1 A Yes.

2 Q And if you would be the director of Hope House that  
3 would effectively knock you out of a job; is that  
4 correct?

5 A Correct.

6 MR. ARELLANO: Objection, asked and  
7 answered.

8 Q And that was your fear?

9 A It was part of my fear, yes.

10 Q What other parts of your fear were there?

11 A His retaliation in other ways that he had power  
12 over.

13 Q But you could then tell publicly why the Mayor was  
14 affecting the funding, couldn't you?

15 MR. ARELLANO: Objection, asked and  
16 answered. Counsel, you're just running out of  
17 questions. You're being frustrated. You're  
18 repeating the same question and she's giving  
19 you the same answer. She let's move on.

20 Q I'd like an answer to my question.

21 MR. ARELLANO: She already. Do you  
22 want the record to read it back?

23 Q Please answer the question.

24 MR. ARELLANO: I'll get the  
25 question. (Question and answer read before

1 the recess?

2 Q I don't think she has answered the question. Please

3 answer the question.

4 MR. ARELLANO: So what's your

5 question?

6 (Question read)

7 the same one before the recess).

8 A I could have made a public issue out of all of it.

9 I was afraid to.

10 Q But ultimately you did make a public issue out of it

11 by bringing this case, did you not?

12 A I tried to resolve it. I couldn't.

13 Q (In Spanish)?

14 Q By the way, I would just like for the record to read

15 the ruling of Judge Lawent from April 15th, 2002

16 where he says "as regards the deposition question

17 discussed during the April 12, 2002 telephone

18 conference in which question the respondent

19 requested the complainant name a particular

20 individual, the respondent's request is granted and

21 the complainant is required to provide the

22 respondent with the name of the individual. The

23 complainant may opt to provide the respondent the

24 name of the individual in writing (as opposed to

25 orally) at the continuation of the complainant's



1 deposition (which is scheduled for April 16th, 2002)  
2 and request that the individual identified be  
3 referred to only by an initial or initials in the  
4 transcript of the deposition and/or in the reports  
5 (S) of any of the respondent's expert witnesses; if  
6 the complainant requests that the individual be  
7 identified by initials (S) only in the transcript of  
8 the deposition and/or in the reports (S) of any of  
9 the respondent's expert witnesses, the respondent  
10 shall abide by that request. Accordingly, counsel,  
11 I'm hereby request that you provide me in writing  
12 the full name of the individual.

13 MR. ARELLANO: And we will. We  
14 have complied with the judge's request. The  
15 initials have been placed in the record. Upon  
16 certain stipulations at the end of this  
17 hearing we will provide you with the name in  
18 writing, particularly in light of the  
19 recklessness on the part of the City with  
20 handling of records that continue to be leaked  
21 to the press. And in light of the fact that  
22 this individual has some rights and he's  
23 entitled to have some notice, and I continue  
24 to object to Mr. Tokus's constant noise making  
25 behavior. If he continues to do that, he

1 knows he's doing it just to annoy us, we're  
2 going to ask him to leave the office. We  
3 don't need his constant noise making problems  
4 here. So I believe we have complied with the  
5 court order and we will comply with the court  
6 order.

7 MR. TOKUS: Counsel, I think  
8 there's a problem with your hearing because  
9 I'm making no noise. And this concludes this  
10 nonsense of yours and your client.

11 MR. ARELLANO: Well, the only  
12 nonsense is on your side, counsel, and you  
13 should behavior professional live because if  
14 you don't hear your noises we certainly hear  
15 them quite loud. And your constant staring  
16 annoying my compliant has got to stop because  
17 you do I tell all the time.

18 MR. TOKUS: I'm staring at your  
19 client?

20 MR. ARELLANO: You are constantly  
21 doing that and you know it because you're  
22 desperate.

23 MR. SCHRIMPF: First of all,  
24 counsel, there's absolutely no evidence beyond  
25 your naked allegation that the City of

1 Milwaukee has leaked anything to the press  
2 and/or the papers.

3 MR. ARELLANO: Certainly the  
4 transcripts of the compliant's.  
5 Client's testimony.

6 MR. SCHRIMPF: What evidence do you  
7 have that the City leaks it? Because if you  
8 have such evidence of the City certainly wants  
9 it.

10 MR. ARELLANO: I'll tell you,  
11 counsel, Mr. Tokus's notes specifically refer  
12 to a person within the City who apparently has  
13 been in contact with the press. And the  
14 second issue is how in the world is the office  
15 of the attorney not being careful with records  
16 that apparently have fallen into the hands of  
17 the press? Certainly, certainly it's not from  
18 Madison, Wisconsin.

19 MR. SCHRIMPF: And it's certainly  
20 not from the office of the city attorney.

21 MR. ARELLANO: My concerns has been  
22 quite clearly supported by what has been  
23 disclosed to the press.

24 MR. SCHRIMPF: Let the record again  
25 reflect that aim requesting the name of the

1 individual to be provided in writing. And I  
2 note that the order of Judge Lawent does not  
3 provide any stipulations or any exceptions to  
4 that requirement.

5 MR. ARELLANO: No, we will  
6 provide -- he simply provides that we give you  
7 that number off the record. And that's what  
8 we plan to do. (Check that).

9 Q Do you recall any meetings with Brenda Wood  
10 regarding the team approach?

11 A Just with Brenda Wood?

12 Q Yes.

13 A No.

14 Q Do you recall you, Brenda Wood and Mr. Soika  
15 discussing the team approach?

16 A We had meetings with everybody to discuss the team  
17 approach.

18 Q Were these staff meetings?

19 A Yes.

20 Q What was meant by the team approach, if you know?

21 A That everybody would have something, a little bit of  
22 all the different responsibilities.

23 Q Was the team approach something that you had  
24 discussed with Mr. Soika as a desirable way of  
25 handling staff assignments?

1 A No. That was his idea to, and he brought it to the  
2 staff.  
3 Q And it was not an idea that was at all attributable  
4 to yourself?  
5 A I've always said we should work as a team, but I  
6 didn't -- that was his idea.  
7 Q Do you have --  
8 (Exhibit No. 29 marked for  
9 identification)  
10 Q Showing you what's been marked as Exhibit No. 29,  
11 please, Ms. Figueroa, ask if you have ever seen this  
12 document before.  
13 A I don't recall it but it looks like there's a bunch  
14 of documents like this. When Mike Soika was  
15 starting to go through the changes.  
16 Q And so you don't have a specific recollection of  
17 this document, but am I to understand that you did  
18 see documents like this after Mr. Soika became chief  
19 of staff?  
20 A Yes.  
21 Q And this is apparently a schedule of a staff meeting  
22 for the date of October 29th, 1999?  
23 A It looks like it.  
24 Q And he's talking about staff team categories?  
25 A Yes.

1 Q Do you know what day of the week October 29th, 1999  
2 was?  
3 A No.  
4 (Exhibit Nos. 30 and 31 marked for  
5 identification).  
6 Q Ms. Figueroa, I'm showing you Exhibits 30 and 31  
7 together and I'm asking if you recollect seeing  
8 documents like this?  
9 A Yes, I do.  
10 Q Do you remember if you were assigned to any of those  
11 teams?  
12 A Yes.  
13 Q Do you know which teams you were assigned to?  
14 A Neighborhoods.  
15 Q Any others?  
16 A I think constituents.  
17 Q Do you know if you were a team leader of any of  
18 those teams?  
19 A I don't think so.  
20 Q Do you know if you and Ms. Wood worked together as  
21 co-team leaders on any of those teams?  
22 A I remember that we were supposed to be co-team  
23 leaders.  
24 Q Do you remember on which one?  
25 A I don't remember but there is a form that shows our

1 names as staff people that Mike Soika put together.  
2 You should have it.  
3 Q Do you remember when you saw that document for the  
4 first time?  
5 A We went through a bunch of them but the last one I  
6 saw was probably January 4th.  
7 Q And was this laying on your desk next to the apple?  
8 A Yes.  
9 Q And did you have any qualms or difficulties about  
10 the assignment?  
11 A Yes.  
12 Q What were those?  
13 A If you look at the neighborhood group, it didn't --  
14 it was clear that they weren't going to -- that was  
15 already something that I did. And so they put me  
16 back in the same category.  
17 Q And you don't know if you were going to be the head  
18 of any particular team?  
19 A I don't remember. Probably that one.  
20 Q I want to make sure that I understand that in the  
21 beginning of October of 1999 when the Mayor came to  
22 your house, you informed him that you were not going  
23 to put up with any more of the sex; is that correct?  
24 A That's correct.  
25 Q So in effect you were breaking off this situation?

1 A That's one of the times, yes.

2 Q And did you tell the Mayor that you were now strong?

3 A I don't recall.

4 Q ?

5 (Exhibit No. 32 marked for

6 identification)

7 Q Showing you what's been marked as Exhibit No. 32,

8 please, Ms. Figueroa, this is a document from your

9 personnel file for pay period 21 ending

10 October 16th, 1999. I'm sorry, from the payroll

11 files, indicating that you took sick leave on

12 October 7th and October 8th, 1999. Do you see that?

13 A I see that.

14 Q It also indicates that you took no sick leave the

15 following week. Do you see that?

16 A Yes, I see that.

17 Q Do you recollect why you took sick leave on

18 October 7th and October 8th, 1999?

19 A No, I don't.

20 Q Had the breakup or the instruction that you gave the

21 Mayor not to have any more sex with you been given

22 to him by the time of October the 4th, 1999?

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

24 Q Do you recall if it was on October 9th or

25 October 10th?



1 A I don't remember.

2 Q And then as I recall, there was the rather horrific  
3 episode at the Mayor's home the evening of  
4 October 16th, 1999. Do you recollect that?

5 A Yes.

6 Q Slim Exhibit 33 please.

7 (Exhibit No. 33 marked for  
8 identification)

9 Q Showing you what's been marked as Exhibit 33,  
10 please, Ms. Figueroa, this is from the payroll  
11 records for the pay period ending pay period 22  
12 ending October 30th, 1999. And this indicates that  
13 no sick leave and no vacation was taken by you  
14 through the end of October of 1999. Is that  
15 correct?

16 A Yes. But these aren't exactly what happens.

17 Q Well, did you take sick leave and it wasn't  
18 recorded?

19 A I -- this is what -- we have to no matter what we do  
20 ~~is eight hours every day unless they actually take~~  
21 like they did me, they made me work at the campaign  
22 office. No matter if I worked the eight hours a  
23 day, you can't put the eight hours because they made  
24 me put the four hours. You work comp time or  
25 campaign stuff, you still write --

1 Q When did you start working half-time at the  
2 campaign, Ms. Figueroa?  
3 A Towards the end of '99. I don't --  
4 Q So you don't know if by the end of October of 1999  
5 you had started your half-time position at the  
6 campaign and half-time at the Mayor's office; is  
7 that correct?  
8 A Formally, yes. There's a difference.  
9 Q Is the information which is portrayed in  
10 Exhibit No. 32 before you the payroll records for  
11 the pay period ending October 30th, 1999 correct or  
12 incorrect -- I'm sorry, 33?  
13 A Yes.  
14 Q I'm sorry, Exhibit 33, correct or incorrect to your  
15 knowledge?  
16 MR. ARELLANO: Objection, is asked  
17 and answered. She said these records are not  
18 always what they reflect.  
19 Q What's incorrect about it?  
20 MR. ARELLANO: Objection, same  
21 answer.  
22 Q I want to know precisely what's incorrect.  
23 A I don't know if this is incorrect or not. This is  
24 not a good way to know what you actually worked  
25 because you, it didn't matter what you worked. You

1 had -- you can't put anything more than what's there  
2 and because our positions we did a lot of  
3 neighborhood community meetings at night and you  
4 also had to be there during the day and then we had  
5 the weekend duties and then we had the campaign  
6 stuff. So they just put eight hours for -- you  
7 can't put -- in fact, if you look at this, look, it  
8 was a five --

9 MR. ARELLANO: He wants to know if  
10 this is accurate.

11 A I don't know that. I don't -- I can't --

12 Q (Exhibit No. 34 marked for identification)

13 Q Showing you please, ma'am, what's been marked as  
14 Exhibit No. 34, this is a document that was used in  
15 the Dukes deposition and that apparently is a roster  
16 list for and the I harassment training that was held  
17 on Marquette the 5th of 1999. It indicates that  
18 you, Marilyn Figueroa, about halfway down in the  
19 column on the left as you face it --

20 A Yes.

21 Q Left a message on 3/8. This indicates you did not  
22 appear for the training. Is that correct?

23 A It looks like they left a message. I don't remember  
24 getting the messages.

25 Q Do you recollect being invited to receive the

1 training?

2 A I remember getting something in the office about the  
3 anti-harassment training.

4 Q And is it correct that you did not appear for this  
5 training on Marquette the 5th of 1999?

6 A It's correct.

7 Q And why did you not appear for the training on  
8 Marquette the 5th of 1999?

9 A I probably had a bunch of meetings. You can look at  
10 the calendar.

11 Q Did you think it might be appropriate to cancel any  
12 of those meetings?

13 A I don't know.

14 Q Am I correct that as of Marquette the 5th of 1999  
15 you were, you had been subjected to harassment by  
16 Mayor Norquist?

17 A Yes.

18 Q And you felt as though you had been subjected to  
19 harassment by Mayor Norquist?

20 A Yes.

21 Q But you didn't think to cancel any meetings to  
22 attend the anti-harassment training?

23 A How could I do -- no. I don't know. Look at my  
24 calendar. Slim just for the record I'm going to  
25 object to communication between counsel and the

1 witness in Spanish while she's under examination. I  
2 quite frankly think it's highly inappropriate.

3 MR. ARELLANO: Well, you're not  
4 going to dictate to me when I can and can't  
5 talk to my client and I have a right to  
6 instruct my client anytime when I feel it's  
7 necessary. Counsel, I'm not going to argue  
8 with you. Your objection is noted.

9 MR. SCHRIMPF: In such a way as I  
10 know what you're telling here. Her.

11 MR. ARELLANO: You're not allowed  
12 to know what I discuss with my client. Where  
13 did you get that rule from? I have a right to  
14 provide instructions whenever is necessary.  
15 Your objection is noted.

16 MR. SCHRIMPF: You have the right  
17 to provide instructions when I can hear them  
18 and understand them, counsel.

19 MR. ARELLANO: Well, no, you have  
20 absolutely no right to know what I discuss  
21 with my client. You can show me any provision  
22 in the code that would give you that  
23 privilege.

24 MR. SCHRIMPF: Not when she's on  
25 the witness stand and I'm examining her.

1 MR. ARELLANO: We got over that.  
2 (Exhibit No. 35 marked for  
3 identification)  
4 Q Showing you what's been marked as Exhibit No. 35,  
5 please, Ms. Figueroa, this is an  
6 anti-harassment roster list from the date of  
7 May 3rd of 1999 used in the deposition of  
8 Ms. Dukes. And individuals who are appearing  
9 for the training were supposed to initial next to  
10 their name when they appeared. The name of  
11 Marilyn Figueroa appears in the upper one-third of  
12 the listing. And there are no initials next to the  
13 name of Marilyn Figueroa. Do you see that?  
14 A I see that.  
15 Q Am I to conclude from this that there was  
16 anti-harassment training held on May 3rd of 1999  
17 that you did not appear for?  
18 A Yes.  
19 Q Did you know about the training?  
20 A I only remember one.  
21 Q Pardon me?  
22 A I only remember one.  
23 Q You only remember the first one, not this one?  
24 A One of them. I don't know -- I remember having a  
25 sheet in my office.

1 Q But am I correct that you did not appear for any  
2 training on May 3rd of 1999?

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

5 A No, I didn't.

6 Q Was there a reason why you did not appear for the  
7 training?

8 A I -- you should look at my calendar. I don't know.  
9 I don't have my calendar.

10 MR. ARELLANO: Just answer the  
11 question. You don't need to go beyond that.

12 A No.

13 (Exhibit No. 36 marked for  
14 identification).

15 Q Showing you, ma'am, what's been marked as  
16 Exhibit No. 36 this is apparently a roster for  
17 anti-harassment training held on September 2 1st,  
18 1999; is that correct?

19 A Yes.

20 Q This was also an exhibit in Ms. Dukes deposition and  
21 I note that the name of Marilyn Figueroa appears  
22 again in the upper one-third of the list of names.  
23 Is that correct?

24 A I see my name, yes.

25 Q And there are no initials next to your name?

1 A No.

2 Q And does that indicate that you did not appear for  
3 training on September 21st, 1999?

4 A That would say that because I didn't put my initials  
5 on it. I think so.

6 Q Did you know about the training for that date?

7 A I don't recall that.

8 Q Now, Ms. Figueroa, during the course of the ERD  
9 investigation in this matter -- strike that. Since  
10 the time of our last deposition, have you been able  
11 to recollect the date when you got the letter from  
12 Dr. Loiben dated January 21st, 2000 with respect to  
13 the need for your time off of work?

14 A I answered that last time.

15 Q No, you indicated the last time that you didn't know  
16 when you got it. And what I'm wondering is since  
17 the last time have you been able to recollect the  
18 date of when you got it?

19 A I didn't say I didn't know when I --

20 Q Exhibit No. 15.

21 A All I said to you was that I don't know if I called  
22 him on this day the 21st or the day before the 21st,  
23 but the day that I got this is the day that I took  
24 it to my attorney.

25 Q And your attorney at the time was John Fuchs;



1 correct?

2 A Yes.

3 (Exhibit No. 37 marked for  
4 identification)

5 Q

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19 Q

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22 A A second copy.

23 Q A second copy?

24 A Yes.

25 Q Why did you need a second copy?

1 A Because I, when I went to my attorney, I think by  
2 that time I was fired and I wanted to make sure that  
3 I had a copy of the letter.

4 Q On February the 7th the record shows Mr. Soika  
5 mailed out to you the instrument of what he called  
6 your resignation or voluntary quit; do you recollect  
7 that testimony from him?

8 A Yes.

9 Q Did you receive that instrument on February the 8th?

10 A Probably.

11 Q Did you make any attempt to call Mr. Soika on  
12 February the 8th and say, hey, wait a minute, a big  
13 mistake is being made here?

14 A By that time I knew I couldn't do that.

15 Q Why couldn't you do that?

16 A The Mayor knew that I was in the process of filing a  
17 claim. They, all the staff people knew that I was.  
18 And I think there was stuff in the media too.

19 Q Do you remember what was in the media?

20 A No, I don't.

21 Q Now, certainly by this time -- well, strike that.  
22 Do you know of any information that the Mayor  
23 released publicly by February 8th, 2000 that in any  
24 way talk about sex between you and he?

25 A I don't know.

1 Q But I take it you did -- well, you did not make any  
2 effort to call Mr. Soika on February 8th and say a  
3 big mistake is being made?

4 A By that time Anne Shindell had called me.

5 Q Did you tell Anne Shindell that a big mistake was  
6 being made?

7 A No, I --

8 Q Did you tell Mr. Fuchs to tell Ms. Shindell that a  
9 big mistake was being made?

10 MR. ARELLANO: Objection. I  
11 instruct the client not to answer.

12 (Exhibit No. 38 marked for  
13 identification)

14 Q Have you had a chance to examine Exhibit 38?

15 A Yes.

16 Q This is an affidavit of Mr. Fuchs that your  
17 attorneys provided to the investigator in this  
18 matter?

19 A Yes.

20

21

22

23

24

25

1 A Yes, I do.

2 Q When did Mr. Fuchs intend to forward that medical  
3 leave authorization to the employer?

4 MR. ARELLANO: I'm going to object  
5 to the extent that it calls for communication  
6 between attorney and client. I instruct her  
7 not to answer as to any communications she had  
8 with her former attorney.

9

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18 Q Is there anything that is incorrect about Mr. Fuchs'  
19 statement in paragraph 5 of his affidavit of  
20 May 4th, 2001?

21 MR. ARELLANO: If you know. And I  
22 will instruct you not to discuss anything you may  
23 have discussed to your attorney.

24 A Then I can't answer that.

25 MR. ARELLANO: Okay, then don't

1                   answer to the extent that it calls for  
2                   privileged communication.

3                               (Exhibit No. 39 marked for  
4                   identification)

5       Q   Showing you what's been marked as Exhibit No. 39,  
6           please, Ms. Figueroa, this is apparently a letter  
7           from Mr. Soika dated February 2nd, 2000; is that  
8           correct?

9       A   Correct.

10      Q   And this was also apparently Exhibit No. 16 to the  
11           deposition of Soika. Please read it for a moment  
12           quietly to yourself.

13               (Witness looking at exhibit)

14      Q   Are you finished?

15      A   Yes.

16      Q   When did you receive this letter?

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

18      Q   Did you receive the letter?

19      A   Yes.

20      Q   When you received this letter, what, if anything,  
21           did you do?

22      A   I went to my attorney.

23      Q   Did you think of calling Mr. Soika?

24      A   No, I didn't trust him anymore.

25      Q   Why didn't you trust Mr. Soika?

1 A Because I felt I couldn't trust him.

2 Q Did you not trust Mr. Soika because Mr. Soika put

3 Tricia Geraghty into the position that had been

4 reclassified?

5 A No.

6 Q That had nothing to do with your lack of trust in

7 Mr. Soika?

8 A No.

9 Q So then other than contacting your attorney when you

10 received this letter of February 2nd, 2000, you did

11 nothing else?

12 A My attorney told me --

13 MR. ARELLANO: Hold on a second. I

14 move to strike. You're not --

15 A No.

16 MR. ARELLANO: To discuss anything.

17 A I did not.

18 Q And you did not personally try to call Mr. Soika or

19 anyone else in the Mayor's office to say that a

20 mistake was being made?

21 MR. ARELLANO: Objection. That has

22 been asked and answered on several occasions,

23 counsel. I'm sure you've been in the same

24 room.

25 Q Your answer, please?

1 A No.

2 (Exhibit No. 40 marked for

3 identification)

4 Q Showing you please, ma'am, what's been marked as

5 Exhibit No. 40, ask if you'll read it quietly to

6 yourself for a few minutes.

7 (Witness looking at exhibit)?

8 A Yes.

9 Q Now, as I understand it, you called the Mayor's

10 office on January 14th, 2000; is that correct?

11 A It says January 14th, yes.

12 Q And you spoke with Ms. Did he lane I; is that

13 correct?

14 A Yes.

15 Q What exactly did you tell Ms. Delaney?

16 A That -- I don't recall exactly but that I was going

17 to get a medical excuse from a doctor.

18 Q Now, you had been away from the office previously

19 when you were sick; is that correct?

20 A Correct.

21 Q For example, you had been away from the office

22 during a significant period of time in Marquette of

23 1999; is that correct?

24 A Correct.

25 Q Did you ever call the office to say that you were

1 sick?

2 MR. ARELLANO: When?

3 MR. SCHRIMPF: In Marquette of '99.

4 MR. ARELLANO: Okay.

5 A I don't -- I resigned in Marquette of '99.

6 MR. ARELLANO: The question is did  
7 you call the office to tell that you were  
8 sick? That's the question.

9 A No.

10 Q Were you sick in Marquette of '99?

11 A No.

12 Q

13

14 A

15 Q

16

17 A

18 Q

19 A

20 Q

21 A

22 Q

23 ;

24

25



1 Dr. Loiben.

2 Q Dr. Loiben's records indicate that you first saw him  
3 on January 19th, 2000. Are those records incorrect?

4 A No. I'm sure they're not.

5 Q So if it was not Dr. Loiben that you had seen, which  
6 doctor had you seen?

7 A I just said he was the only doctor I saw.

8 Q So as of January 14th, 2000 you had not seen a  
9 doctor; is that correct?

10 A No. Yes, yes, you're correct.

11 Q When did you receive the letter of January 14th,  
12 2000 from Mr. Soika?

13 A I, I -- it must have been after that.

14 Q Well, do you recall if it was January 15th,  
15 January 16th?

16 A No, I don't recall that.

17 Q Do you recall how the letter was sent?

18 A I think registered, probably registered. I don't  
19 know.

20 Q What, if anything, did you do when you received the  
21 letter of January 14th, 2000?

22 MR. ARELLANO: With respect to  
23 what?

24 MR. SCHRIMPF: She receives a  
25 letter that says --

1 MR. ARELLANO: Go ahead.

2 MR. SCHRIMPF: Please provide a  
3 medical certificate.

4 Q What, if anything, did you do?

5 A I -- this was getting pretty nasty. I just was  
6 getting sick.

7 Q What was nasty?

8 A I knew the Mayor was not going to let me just work  
9 without anything else.

10 (Answer read)

11 Q How did you come to that conclusion?

12 A I walked out -- when I walked out.

13 Q You mean when you walked out on January 4th?

14 A Out of the Mayor's office.

15 Q When you walked out of the Mayor's office on  
16 January 4th, 2000, did you intend to quit?

17 A No. I -- you can't just quit that office. You have  
18 to get a job that's not connected. So no, I -- I  
19 went back January 4th to -- for my vacation (from  
20 my) to be able to get a job that wasn't connected to  
21 the City or to the Mayor.

22 Q Well, if you're leaving the office on January 4th,  
23 2000 to get another job, aren't you quitting?

24 MR. ARELLANO: Objection, asked and  
25 answered. She says she was not quitting.

1 Q But you were intending to find another job?  
2 A Yes.  
3 Q And you made that decision on January 4th?  
4 A No. I --  
5 Q When did you make that decision?  
6 A When I spoke with Chief Jones, when I spoke with  
7 Michael Morgan, I --  
8 MR. ARELLANO: Let her finish.  
9 Q I'm sorry.  
10 A I understood that -- they made me realize that I had  
11 to first -- that I could not -- that I had to work  
12 there and then look for a job that wasn't connected  
13 but that I just couldn't quit and then look for a  
14 job. And this was probably around Marquette of  
15 1999. You know, after that they spoke to me.  
16 Q So you spoke with Chief Jones and with Mr. Morgan  
17 sometime after Marquette of 1999; is that right?  
18 A I think I did.  
19 Q Chief Jones recalls that you spoke with him in early  
20 December of 1999. Is his recollection correct?  
21 A I don't -- I don't remember.  
22 Q When did you speak with Mr. Morgan?  
23 A We had lunch with him and Einar Tangen. Einar Tangen  
24 had a restaurant. I think it was his restaurant.  
25 Q You mean the lunch with Mr. Morgan was at

1 Einar Tangen's restaurant?

2 A Yes.

3 Q Was Mr. Tangen present at this lunch?

4 A Yes.

5 Q Is this the meeting that is recorded in the  
6 Milwaukee Magazine article?

7 A I don't know if it's recorded.

8 Q I see. And this is the meeting where Mr. Morgan and  
9 Mr. Tangen tell you that, well, you can look for  
10 another job but you ought to stay with the job you  
11 have before you quit; is that right?

12 A You're saying it different. They told me that I  
13 have to go back to that office and not leave, you  
14 know, a bad situation because -- well, not leave in  
15 a bad situation.

16 Q And your previous testimony tells me that you did  
17 not tell Mr. Morgan or Mr. Tangen during the course  
18 of that lunch that you and the Mayor were having sex  
19 and that the Mayor was pursuing you sexually; is  
20 that right?

21 A No.

22 Q Is there any particular reason why you didn't tell  
23 them about that?

24 A I was afraid to.

25 Q Why?

1 A .

2 MR. ARELLANO: Counsel, you must be  
3 very frustrated. We have gone over this issue  
4 with everyone. You're revisiting the same  
5 issue. I object on the grounds that this has  
6 been already covered.

7 Q Please answer the question subject to the objection.  
8 Why?

9 A Because they stated it's not, the Mayor is very  
10 retaliatory and I wasn't -- there was no one I could  
11 tell that to that was higher than the Mayor.

12 Q When was the lunch with Mr. Tangen and Mr. Morgan?

13 A I don't know.

14 Q Was it before December of 1999?

15 A It probably -- oh, yes, it was. And it will be in  
16 the calendar.

17 Q Did you have a lunch with either the chief,  
18 Chief Jones, or Mr. Morgan or Mr. Tangen after  
19 January 4th of 2000?

20 A No.

21 MR. ARELLANO: Okay. Let's go off  
22 the record.

23 (Discussion off the record)

24 (Recess)

25 (Exhibit No. 41 marked for

1 identification)

2 Q Ma'am, showing you what's been marked as  
3 Exhibit No. 41, a letter dated January 5th,  
4 2000 with attachments, do you recollect receiving  
5 this document?

6 A Yes.

7 Q And do you recollect receiving it with the  
8 attachments which is apparently City of Milwaukee  
9 employee complaint form and an instruction sheet?

10 A Yes.

11 Q When did you receive this?

12 A Oh, wait.

13 MR. ARELLANO: Counsel, we just  
14 covered this on Friday. We covered this form,  
15 when she received it, when she talked to  
16 Ms. Dukes, how many times do you need to go  
17 over the same question?

18 MR. SCHRIMPF: Was this received on  
19 Friday?

20 MR. ARELLANO: I said we have  
21 covered the issue.

22 Q This is the complaint form that you received?

23 A Yes.

24 Q And this was received by you in the mail?

25 A Yes.

1 Q Now, as I understand it, you did not fill this  
2 complaint form out and actually file it because you  
3 got information to the effect that Mr. Soika  
4 revealed the fact that you had requested a  
5 complaint; is that right?

6 A Yes.

7 Q That information was communicated to you by  
8 Mr. Miller and Ms. Pratt; is that right?

9 A Yes.

10 Q Why did knowledge of the fact that Mr. Soika had  
11 told the staff of your obtaining this form dissuade  
12 you from filing the complaint?

13 A I had already told the Mayor that I was going to  
14 talk to someone about --

15 Q I didn't hear that.

16 A I already told the Mayor I was going to talk to  
17 someone about what he was doing.

18 Q And when did you tell the Mayor that?

19 A In October of 1999.

20 Q Was it in the early part of October or was it the  
21 night of the UMOS banquet event?

22 A It was when, when the -- when I took him all his  
23 stuff to his place.

24 Q You mean returned his gifts?

25 A Yes.

1 Q That's when you told him that you were going to get  
2 help for him and that he needed help?  
3 A That's not what I said.  
4 Q What did you say?  
5 A That I was going to tell someone.  
6 Q Did you know who you were going to tell?  
7 A No.  
8 (Exhibit No. 42 marked for  
9 identification)  
10 Q Ms. Figueroa, showing you what's been marked as  
11 Exhibit No. 42, it's a packet of documents. I ask  
12 that you review them and tell me when you are done.  
13 (Witness looking at exhibit)  
14 Q First of all, the top document is another copy of  
15 the email from you to Mr. Soika of November 3rd,  
16 1999; is that right?  
17 A That's what it says.  
18 Q Then the page immediately under it is a copy of a  
19 memo from Mr. Soika dated November 10th of 1999. Do  
20 you see that?  
21 A Yes.  
22 Q Do you recall receiving that document?  
23 A No, I don't.  
24 Q You don't recall receiving that?  
25 A No.



1 Q The document underneath that is another copy of the  
2 November 19th, 1999 staff meeting agenda; is that  
3 right?  
4 A That looks like -- yes.  
5 Q And then the document underneath that is another  
6 copy of the team categories and, well, team  
7 categories?  
8 A Yes.  
9 Q And if you look at the team categories, you'll see  
10 that there are asterisks placed next to certain  
11 names. Do you see that?  
12 A Yes.  
13 Q Do you place those asterisks there?  
14 A I don't know. I don't think so.  
15 Q Do you know how those asterisks got there?  
16 A It probably would have been Mike Soika.  
17 Q Why do you think it was Mr. Soika?  
18 A Because he was chief of staff.  
19 Q If you look on page 2 of 2, you see that  
20 neighborhoods and commissions and boards have the  
21 staff team of Marilyn Figueroa and Mike Miller for  
22 neighborhoods?  
23 A Uh-huh, yes.  
24 Q With an asterisk next to your name?  
25 A Yes.

1 Q And you see that the staff team for commissions and  
2 boards has you and Brenda Wood under the staff team  
3 and asterisks next to both of your names?

4 A Yes.

5 Q Do you have any idea what those asterisks signify?

6 A The lead person.

7 Q And I believe we have one minute until we run out so  
8 let's change tapes.

9 (Discussion off the record).

10 Q In your email to Mr. Soika of November 3rd, 1999,  
11 you say that you're interested in being the lead  
12 person on legislation and commission and boards, do  
13 you see that?

14 A Yes.

15 Q And that you were interested in being part of the  
16 teams regarding neighborhoods, government and  
17 administration, constituents and essential services,  
18 do you see that?

19 A Yes.

20 Q And if you look at page 2 of 2, your name appears  
21 under legislation; is that correct?

22 A Yes.

23 Q And if you look at commission and boards, you see  
24 that your name appears?

25 A Yes.

1 Q As part of the team leader; is that right?

2 A Correct.

3 Q And if you look at neighborhoods, you see that you

4 are the team leader of neighborhoods?

5 A Correct. That's what it says on here.

6 Q And the last pages are the documents that you saw on

7 your desk the morning of January 4th, 2000?

8 A I don't -- I don't remember. I'm not sure if they

9 are.

10 Q Anyway, the document that you saw on the morning of

11 January 4th, 2000 is one of the reasons you left the

12 office as I understand it; is that right?

13 A It was the apple that was on my desk and with this

14 as a combination. If it was this one.

15 Q By the way, Exhibit No. 42 with respect to the memo

16 of November 10th, 1999, do you have any reason for

17 doubting that you would have seen it on or about

18 November 10th of 1999?

19 A No. No, no reason. I just don't recall that one.

20 Q When the Mayor made inquiry about the abusive

21 relationship between you and your ex-husband,

22 exactly what did he say or ask?

23 A He asked what, this is when I, after I was attacked.

24 Q Yes. What did he say or ask?

25 A He asked what would your husband have done.

1 Q What did you understand him meaning by that?

2 A Well, my ex-husband's reaction would have been to  
3 the attack. (What my).

4 Q Yes.

5 A Yes.

6 Q What would your ex-husband have done?

7 A Oh --

8 MR. ARELLANO: Hold on. Is that  
9 what you're asking him?

10 MR. SCHRIMPF: Yes.

11 MR. ARELLANO: Or are you asking  
12 what she responded to the Mayor?

13 MR. SCHRIMPF: What she responded.

14 A Well, my ex-husband would have been probably crazy  
15 enough to go after the person or something.

16 Q Would your ex-husband have harmed the person?

17 A Yes.

18 Q Were you fearful of that?

19 A No. Why would I be fearful?

20 Q Because he was your ex-husband; right?

21 MR. ARELLANO: Object to the form.

22 I don't even know what that means.

23 A My ex-husband, if --

24 MR. ARELLANO: Hold on. If you  
25 understand the question, you can answer it.

1                   If you don't, tell him you don't understand  
2                   the question. But if you do, you can answer.  
3       Q   What do you believe your ex-husband would have done?  
4                   MR. ARELLANO: Objection, asked and  
5                   answered.  
6                   MR. SCHRIMPF: I didn't hear the  
7                   answer.  
8       A   He would have gone after the person.  
9                   MR. ARELLANO: That's what she  
10                  said.  
11       Q   Would he have harmed the person in your belief?  
12       A   Yes.  
13       Q   Why was that -- you were offended by the Mayor  
14                  asking you that question?  
15       A   It was, he just asked me the question. It was --  
16       Q   Did you think there was anything wrong in the Mayor  
17                  asking you that?  
18       A   Not at the time, no. Now I do.  
19                   MR. ARELLANO: You answered the  
20                  question.  
21       Q   How many times in your recollection did the Mayor  
22                  release his drivers to drive you home?  
23       A   .  
24       Q   To have you drive him home?  
25       A   Maybe three or four times.

1 Q One of those was an occasion that you told me about  
2 when there was an after-work function at a  
3 restaurant on Water Street.  
4 A Oh, yes.  
5 Q What were the other times?  
6 A It was at -- there was an event at the Milwaukee  
7 Ballet.  
8 Q Was that a fund raiser?  
9 A I think it was a fund raiser or an introduction of  
10 some person running for something.  
11 Q Do you recall that being at -- strike that. Do you  
12 recall when that fund raiser was?  
13 A It was -- I don't recall when it was, but I recall  
14 that that's the time that he wanted to see the pink  
15 house.  
16 Q And which house was pink of the houses that you  
17 lived-  
18 A The 19th and Mineral.  
19 Q Is that the house that you rented from someone?  
20 A It was rented with option to purchase.  
21 Q Rented with an option to purchase. And that was not  
22 an a home that you lived with your sister in; is  
23 that right?  
24 A No.  
25 Q Why did you believe that the Mayor should ask you

1           your permission to have you drive him home?

2       A    Because that was, he had his security people and I

3           was uncomfortable with him being in my car.

4       Q    When did you tell him that you were uncomfortable

5           with him being in your car?

6       A    The time that I went to, that we were at that fund

7           raiser in the ballet, Milwaukee Ballet when he

8           wanted to see the house on 19th and Mineral, he

9           asked me because he knew that I was annoyed by it.

10      Q    How did you communicate this annoyance?

11      A    At the event.

12      Q    What exactly did you say or do?

13      A    I was getting my stuff and I was saying good-bye to

14           I think Ruth was there, Orson Porter was there. And

15           he saw that I was leaving and he told, he told his

16           security people that he'd get a ride from me without

17           talking to me first.

18      Q    Who was the security person on duty that night?

19      A    I don't remember.

20      Q    How many fund raisers do you recall being at the

21           Milwaukee Ballet, one or more than one?

22      A    Oh, I think, oh, there was a couple of them, more

23           than one.

24      Q    Do you remember when they were?

25      A    No. One was a reception.

1 MR. ARELLANO: If you know when  
2 they were.  
3 A No.  
4 MR. ARELLANO: Just pay attention  
5 to the question.  
6 Q In relation to the election of Mr. Colon --  
7 A No.  
8 Q -- are you able to discern when one was?  
9 A At the Milwaukee Ballet?  
10 Q Yes.  
11 A No.  
12 Q Did you ever return your cell phone to City Hall  
13 after you departed employment?  
14 A No. I still have it.  
15 Q Do you recollect requests being sent to you to  
16 return it?  
17 A Yes.  
18 Q And why have you not returned it?  
19 A I don't-he.  
20 MR. ARELLANO: Probably for the  
21 same reasons you haven't returned her property  
22 which I have requested on several times.  
23 Okay, what's the question?  
24 MR. SCHRIMPF: I object to  
25 counsel's interjection.



1 A I will bring it next time if you want me to.

2 Q I'm not the person that can receive it,

3 Ms. Figueroa.

4 A Well, then I --

5 MR. ARELLANO: Don't make a comment  
6 until the question is posed.

7 Q Do you recollect the Milwaukee Police Department  
8 coming to your house on Marquette 28th, 2000?

9 A No.

10 Q In connection with a phone call claiming that a  
11 daughter of yours had died?

12 A That I made a phone call?

13 Q No. That's not my question. Do you recall the  
14 Milwaukee Police Department coming to your home on  
15 March 28th, 2000 in connection with a phone call --

16 A Yes.

17 Q Claiming that a child of yours had died?

18 A Yes.

19 Q Tell me everything you recollect about that visit?

20 A Some detectives came to my house to ask me. They  
21 wanted to see my daughter. And they said that they  
22 received phone calls from my ex-husband from Florida  
23 that he received phone calls that my daughter was  
24 dead and that he needed to get to Milwaukee as soon  
25 as possible.

1 Q Did the officers --

2 A My daughter Tanya.

3 MR. ARELLANO: Excuse me, I move to  
4 strike the name of the child as she is a  
5 minor.

6 MR. SCHRIMPF: I don't have any  
7 particular problem with that.

8 MR. ARELLANO: Thank you.

9 Q But it was in connection with your female daughter  
10 as opposed to your male son?

11 A Yes.

12 Q And you only have two children, one boy, one girl?

13 A Yes.

14 Q And did the officers identify themselves?

15 A One of them I think was Howard Sobczyk. Yes.

16 Q What were the names? That was my next question.

17 A I don't remember the other one.

18 Q And what, if anything, did you tell detective  
19 subject check?

20 A He wanted to see my daughter.

21 Q What time of day was this?

22 A It was really late in the evening.

23 Q About what time?

24 A Maybe 10:30 or 11 o'clock.

25 Q It was 10:30 or 11 o'clock is your answer?

1       A    It was in the evening.

2                       MR. ARELLANO:  Just so I  
3                       understand, are you questioning her from a  
4                       police record?

5                       MR. SCHRIMPF:  That's for me to  
6                       know, counsel.

7                       MR. ARELLANO:  Well, just so the  
8                       record is clear, we have requested any and all  
9                       police records relating in any way to  
10                      Marilyn Figueroa.  So I think I have the right  
11                      to know whether or not you have that record.

12                      MR. SCHRIMPF:  I'm not in a  
13                      position right now to review what you have  
14                      requested or what you haven't requested.

15                      MR. ARELLANO:  No, but I am asking  
16                      you to tell me whether or not you have a  
17                      police record of that incident.

18                      MR. SCHRIMPF:  And I'm declining to  
19                      tell you right now.

20       Q    And what exactly did you tell officer sob check?

21       A    That my daughter is fine.

22       Q    Did he ask to see your daughter?

23       A    Yes.

24       Q    Did you show him your daughter?

25       A    Yes.

1 Q Was it necessary for you to wake your daughter up?  
2 A Yes.  
3 Q After he saw your daughter, what, if anything, did  
4 he do?  
5 A He checked my cars.  
6 Q He checked your cars?  
7 A In the back, yes.  
8 Q How many cars do you own?  
9 A Two cars.  
10 Q What are they?  
11 A The path finder and the suburban.  
12 Q What colors are they?  
13 A White and green.  
14 Q When you say he checked them, what exactly did he  
15 do?  
16 A He went to the garage to look at them.  
17 Q Did he look inside of them?  
18 A I don't think so.  
19 Q Did anything happen as a result of --  
20 A They were supposed to investigate and they didn't.  
21 Q To your knowledge, they didn't investigate at all?  
22 A .  
23 MR. ARELLANO: Objection, asked and  
24 answered.  
25 Q Did anyone get back in touch with you as to the

1 results of the investigation?

2 A No.

3 Q From the police department I mean.

4 A No.

5 (Exhibit No. 43 marked for

6 identification)

7 Q Showing you what's been marked as Exhibit No. 43,

8 please, Ms. Figueroa, ask if you've ever seen that

9 document before.

10 MR. ARELLANO: The question is have

11 you ever seen this document.

12 A If I did, I would have given it to my lawyer. I

13 don't remember.

14 MR. ARELLANO: The question was --

15 you don't remember?

16 Q You don't remember?

17 MR. ARELLANO: That's what the

18 record says.

19 A No. If I --

20 Q Do you remember when you received this document?

21 MR. ARELLANO: Objection.

22 Mischaracterization of her prior testimony.

23 There has been no testimony that she ever

24 received this document.

25 Q During the course of Mr. Soika's deposition he

1 indicated he mailed this to you on the date of  
2 February 7th, 2000. Do you have any reason for  
3 doubting that?

4 A He has lied through his depositions.

5 Q So you believe he was lying about when he sent you  
6 this document?

7 A No. I just know that -- I was there when he was  
8 lying, so I know that, I can't tell you if he was  
9 telling the truth or not.

10 Q And you don't have a separate recollection of  
11 receiving this document?

12 A If I -- whatever document I have, I've given -- that  
13 I received I've given to my attorneys.

14 MR. SCHRIMPF: Counsel, I'm  
15 informed that we just got these yesterday so  
16 you didn't have a chance to these yet.  
17 (Exhibit No. 44 marked for identification).

18 Q Showing you what's been marked as Exhibit No. 44,  
19 this apparently is some medical records from the  
20 date of December 15th, 1999 which is when you had  
21 your vehicular collision; is that correct?

22 A Correct.

23 Q And as I understand your testimony, from the sexual  
24 encounters that you had with Mayor Norquist in early  
25 December of (encounter) 1999, you -- it was on that

1 occasion that you had the anal sex; is that correct?

2 A Correct.

3 Q And as I understand it, and I believe you were  
4 present for most, if not all of Mayor Norquist's  
5 depositions, you heard him testify that his  
6 recollection is that you had anal sex following the  
7 UMOS banquet; is that correct?

8 A I don't remember him saying.

9 Q And I believe his testimony was that you had anal  
10 sex on the night of October 16th, 1999 because there  
11 was some bleeding from your vagina; is that right?

12 A What was your question?

13 MR. ARELLANO: Why don't you read  
14 the question.

15 Q Read it back.

16 (Question read)

17 MR. ARELLANO: Hold on a second.

18 A That he said?

19 Q Yes.

20 A I don't know that.

21 Q You don't know that, okay. And in 1999 what was the  
22 typical menstrual cycle that you were on?

23 A Victor --

24 Q How many days?

25 A Five to seven.

1

2

3

4

5 A Where is that? That's what it says there.

6 Q In 1999 what was your typical cycle between  
7 menstrual periods?

8 A I don't know that.

9 Q Was it approximately 28 days?

10 A Probably.

11

12

13

14

15

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18

19

20 Q Where in your home?

21 A In my bathroom.

22 Q Why were you in your bathroom?

23 A I was trying to be alone.

24 Q Was anyone else in the house?

25 A My children were upstairs.



1 Q Did you lock the door?  
2 A Yes.  
3 Q Why did you lock the door?  
4 A I don't know. I don't know why.  
5 Q I'm sorry?  
6 A I don't know why.  
7 Q Did you make any noise during this episode?  
8 A Not that I remember.  
9 Q Was your brother in the home at the time?  
10 A No, he was not.  
11  
12  
13  
14  
15  
16  
17  
18 A .  
19 MR. ARELLANO: If you know.  
20 A I don't know that but family -- .  
21 Q As you sit here today, you have absolutely no  
22 recollection or understanding as to how your brother  
23 appeared at the house at the time of the episode?  
24 A My family comes to my house all the time.  
25 Q So is it normal for your family just to come into

1 the house?

2 A Yes.

3 Q Do they have keys or are the doors unlocked?

4 A I'm not telling you that. I don't want to say.

5 MR. ARELLANO: Just answer.

6 Q You're reffing to answer the question?

7 MR. ARELLANO: No, she does not  
8 refusing to answer the question. He she says  
9 she doesn't know what to say. That's an  
10 answer.

11 Q I don't think that -- do your brothers have keys to  
12 the house?

13 A Yes, they do.

14 Q Does your sister have or sisters have keys to the  
15 house?

16 A Some of them do, yes.

17 Q Which ones have keys?

18 A .

19 MR. ARELLANO: At that time?

20 MR. SCHRIMPF: Yes, in December of

21 2000.

22 A Irma, Nancy, Marian and my brother.

23 Q Alvin?

24 A Yes.

25 (

it

1  
2 A  
3 O ur  
4  
5 A My doors are usually left unlocked.  
6 Q When you were in the home?  
7 A And with when we're not.  
8 Q Pardon?  
9 A And when we're not. But we're not going to do that  
10 no more.  
11 MR. ARELLANO: Just leave --  
12 Q Just so that we're clear, Ms. Figueroa, I'm only  
13 talking about December of 2000 and prior to  
14 that time. Not talking about prospectively,  
15 okay?  
16 MR. ARELLANO: So what's your  
17 question, counsel?  
18 Q My question is was she in the habit of leaving your  
19 doors unlocked when you were in your home?  
20 A Yes.  
21 Q And that was, and just so that we're clear, in  
22 December of 2000 you lived in your home on  
23 Pine Street?  
24 A Yes.  
25 Q And you were in the habit of leaving your doors

1 unlocked when you were in your home on Pine Street,  
2 just so that we're clear?

3 A Yes.

4 Q

5

6

7 A

8 Q

9 A

10 MR. ARELLANO: In January of 1999?

11 MR. SCHRIMPF: I'm sorry,

12 January of -- pardon me, counsel. January of  
13 2000. Very sorry.

14 MR. ARELLANO: Move to strike the  
15 previous answer.

16 Q

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1 Q Is that incorrect?

2 A Yep.

3 -

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6

7 Q How were you discovered?

8 A I think my sister -- my sister did.

9 Q Which sister?

10 A My older sister.

11 Q Well, --

12 A Marian.

13 Q Marian?

14 A Yes.

15 Q M A R I A N?

16 A N is the last.

17 Q N, okay. How did she come into your house?

18 A I don't know.

19 Q Do you know why she came into your house?

20 A She was probably trying to get ahold of me.

21 MR. ARELLANO: Just answer.

22 A I don't know why.

23 MR. ARELLANO: Okay then. Don't

24 guess.

25 Q Please describe for me your mood and your feelings

1           during the month of October of 1999.

2       A    I, some days were bad and some days were good.

3       Q    When you had a bad day, what was a bad day like?

4       A    Like I am today.

5       Q    You would cry?

6       A    Yes.

7       Q    You would be nervous?

8       A    Yes.

9       Q    Did you have an upset stomach?

10      A    Yes.

11      Q    Did you have cramps?

12      A    Yes.

13      Q    Were these symptoms worse if you were going to be

14           with the Mayor?

15      A    Yes.

16      Q    Please describe your mood for me on the evening of

17           October 16th, 1999 during the UMOS banquet.

18      A    I was, it was a day that, a day of celebration. It

19           was a good day. It started out to be a good day. I

20           was -- they have the dance.

21      Q    I didn't hear that, I'm sorry.

22      A    They have a dance after the award celebration and I

23           was going to go to the dance. And be with my

24           friends.

25      Q    Well, but if you were with the Mayor, did your mood

1           alter?

2       A   Not while I was there, no.

3       Q   Were you nervous about being that close to the

4           Mayor?

5       A   No. Not there. This is an event in my community.

6       Q   On the evening of October 16th, 1999 did the Mayor

7           leer at you?

8       A   Leer?

9       Q   Did he stare at you in some way that made you feel

10           uncomfortable?

11       A   I don't remember that.

12       Q   Did the Mayor typically do that if you were at an

13           event with him?

14       A   If he was angry with me.

15       Q   Was the Mayor angry with you on October 16th, 1999?

16       A   I don't -- he didn't have any reason to be.

17       Q   Well, as I understand it, you broke up with the

18           Mayor earlier in the month of October.

19       A   I didn't break up. Don't you say I break up.

20                           MR. ARELLANO: Be careful. Just

21                           answer the question.

22       Q   Okay. You told the Mayor in early October of 1999

23           you didn't want anything more to do with him; is

24           that right?

25                           MR. ARELLANO: Objection,

1 mischaracterizes her prior testimony as to the  
2 ending or stopping the Mayor, as to the date.

3 Q Well, did you and the Mayor end the relationship in  
4 the beginning of October of '99?

5 MR. ARELLANO: Objection to the  
6 form of the question.

7 Q Please answer it.

8 A I didn't -- it wasn't a relationship that you end.  
9 I told the Mayor that he needed to stop.

10 Q And did the Mayor stop?

11 A No. No.

12 Q He continued to pursue you after?

13 A Yes.

14 Q The beginning of the month?

15 A Yes.

16 Q What did he do?

17 A I've already told you that.

18 Q In October of 1999 did he rub any apples in front of  
19 him?

20 MR. ARELLANO: We already covered  
21 this extensively and she told you that she  
22 couldn't remember the time. We're already  
23 going over the same depositions and the only  
24 reason why you were given an opportunity to  
25 have an additional deposition is so that you



1 cover the things that you haven't covered  
2 because of your complaint.

3 MR. SCHRIMPF: No, I was given --

4 MR. ARELLANO: Now, you are, this  
5 morning you have spent substantial time  
6 covering the same issues all over again.

7 MR. SCHRIMPF: I would just like to  
8 correct for the record that we have the  
9 additional time precisely because, counsel,  
10 your client was unable to answer questions.

11 A You speak --

12 MR. ARELLANO: Stop it. When the  
13 attorneys are discussing anything, you are not  
14 to interfere. Okay. What's your next  
15 question?

16 (Question read)

17 A I don't remember.

18 Q Did he come into your office with any erections?

19 A Probably.

20 MR. ARELLANO: We already covered  
21 this extensively, counsel.

22 Q And that disturbed you?

23 A Of course it did.

24 Q And you were fearful of the Mayor; is that correct?

25 A At times, yes.

1 Q And you were uncomfortable being in his presence; is  
2 that right?

3 A At times, yes. The.

4 (Exhibit No. 45 marked for  
5 identification).

6 MR. SCHRIMPF: I just want the  
7 record to reflect that counsel is again  
8 talking to his client.

9 MR. ARELLANO: And I will continue  
10 to consult with my witness when there is no  
11 witness on the table. You continue trying to  
12 invade with Mrs. Fuchs and Ms. Figueroa's --

13 Q Showing you what's been marked as Exhibit No. 45,  
14 please, Ms. Figueroa, do you recollect when  
15 that picture was taken?

16 A It was earlier in the banquet. (Check that).

17 Q Was it taken the night of October 16th, 1999?

18 A Yes.

19 Q Were you fearful of being with the Mayor?

20 A This was my community. I was not fearful when I was  
21 with my community.

22 Q So for that reason you were not fearful of being  
23 with the Mayor on this occasion?

24 MR. ARELLANO: Objection, counsel.

25 She has addressed this question three times.

1                   Are you running out of questions?

2                   MR. SCHRIMPF: I don't believe she

3                   has, counsel.

4           Q    You were not fearful of being with the Mayor because

5                you were in your community; is that correct?

6                   MR. ARELLANO: Don't say a word.

7                   Can you read her previous answer? (Previous

8                answer read).

9           Q    So you weren't fearful at this moment with the

10               Mayor; is that correct?

11                  MR. ARELLANO: Read that answer one

12                more time, and that is the answer. What's the

13                problem that you're having with that answer?

14           Q    Do you recall when exactly in the evening this

15                picture was taken?

16           A    Probably when we first got there.

17           Q    Do you recollect who took the picture?

18           A    The paper that, Victor Huyke that had a problem with

19                me helping another Latino newspaper out, yes.

20           Q    Do you have a copy of this picture, ma'am?

21           A    I saw that many times in different places.

22           Q    No, that's not my question. My question is do you

23                have your own copy of this picture?

24           A    No, I don't.

25           Q    You did not keep a copy of this picture?

1 A No, I did not.

2 Q You never requested a copy of this picture?

3 A No, I did not.

4 MR. ARELLANO: Counsel, thousand  
5 that you are finished on that issue, we have  
6 made several requests for all the records that  
7 you continue to show today and for some reason  
8 you have refused to provide us with all of the  
9 records that you are using today such as the  
10 police record that you just used, this  
11 photograph that is right here and I'm just  
12 wondering how many other records you have  
13 which you were required to produce before the  
14 deposition of Mayor Norquist that you didn't.  
15 And if this picture is something that you had  
16 before I finished my depositions of  
17 Mr. Norquist, I believe you're in violation of  
18 the order that you provide me everything that  
19 I requested including this photograph three  
20 days before Mr. Norquist's deposition. And  
21 now I have completed Mr. Norquist's deposition  
22 without having had the right to question him  
23 on this picture. And you're just trying this  
24 case by ambush.

25 MR. SCHRIMPF: I have no knowledge

1 of you requesting that document from  
2 Mr. Norquist.

3 MR. ARELLANO: We sent you  
4 extensive subpoenas requesting every record  
5 that would be relevant to these proceedings.  
6 And now --

7 MR. SCHRIMPF: Tell you what. You  
8 tell me in writing after this deposition what  
9 records you requested and when.

10 MR. ARELLANO: No, we're over your  
11 little strategy that I send you things in  
12 writing. We have sent you things in writing  
13 and you folks continue to not provide these  
14 documents. Now let's go to the next question.

15 In fact, you were supposed to provide documents as  
16 of yesterday. Have those documents been provided?

17 Q Have you provided any copies of these depositions to  
18 any individuals?

19 A No. Have you?

20 Q No.

21 (In Spanish)

22 MR. SCHRIMPF: Again for the record  
23 I'm objecting to this.

24 MR. ARELLANO: You can continue  
25 objecting all you want.

1 Q Have you -- do you know of any person who has  
2 released any portions of any depositions to the  
3 press?  
4 A I think you -- I think -- they asked me.  
5 MR. ARELLANO: Just answer the  
6 question.  
7 Q Please reread the question.  
8 (Question read)  
9 A No, I don't.  
10 Q Do you believe somebody from the City of Milwaukee  
11 has?  
12 A Yes, I do.  
13 Q Who?  
14 A I don't know.  
15 Q Do you have any evidence of anyone from the City of  
16 Milwaukee releasing?  
17 MR. ARELLANO: Okay, counsel,  
18 you're now arguing with the witness.  
19 MR. SCHRIMPF: No, I'm asking.  
20 MR. ARELLANO: Do you have any more  
21 substantive relevant questions to these  
22 proceedings?  
23 MR. SCHRIMPF: I'm certain I do,  
24 counsel.  
25 MR. ARELLANO: Well, let's move on

1 to the substance.

2 Q So you know of no one who has provided copies or  
3 portions of copies of depositions to the press?

4 MR. ARELLANO: Hold on a second.

5 Could you read her previous answer (question  
6 and answers read).

7 (Discussion off the record)

8 Q Now, as I understand the events of October 16th, you  
9 arrived at the Mayor's house sometime after leaving  
10 the UMOs banquet; correct?

11 A Correct.

12 Q And you had your cell phone with you?

13 A I think I -- if I would have had it.

14 Q And you were expecting to see Ms. Pratt at the  
15 house?

16 A Yes.

17 Q And this was the same house that you say the Mayor  
18 raped you the first time when you were over at his  
19 house with the block grant documents; is that  
20 correct?

21 A Correct.

22 Q Had you been at the Mayor's house anytime between  
23 that first time he raped you with the block grant  
24 documents and the night of October 16th, 1999?

25 A I had dropped information off, yes. Yes.

1 Q How many times did you do that?

2 A Throughout the years.

3 Q And when?

4 A I don't remember when, but I did.

5 Q Can you tell me, give me a ballpark on how many  
6 times between those two dates you'd been at the  
7 Mayor's house?

8 MR. ARELLANO: Objection, asked and  
9 answered.

10 MR. SCHRIMPF: I don't believe she  
11 did answer.

12 MR. ARELLANO: She says she doesn't  
13 remember. Now you're forcing her to try to  
14 answer a question she doesn't remember. Now  
15 she may answer it again if she's able to. Do  
16 you understand the question.

17 A Yes.

18 Q How many times?

19 A I can't say.

20 Q Were you fearful of being at the Mayor's house?

21 A I was that day, yes.

22 Q Which day, October 16th?

23 A Yes. That's why I stayed outside.

24 Q Why did you go he there if you were fearful?

25 A Because I didn't think nothing was going to happen.



1 Q Well, but if you had been raped there before, you  
2 certainly knew that there was a possibility of  
3 something happening, didn't you?

4 MR. ARELLANO: Objection,  
5 argumentative.

6 MR. SCHRIMPF: I don't believe it  
7 is.

8 A I thought there was going to be some people there.

9 Q And specifically you thought Kimberly Pratt was  
10 going to be there?

11 A Yes.

12 Q Now, do you know what kind of car Kimberly drives?

13 A She didn't drive a car.

14 Q So why did you think Kimberly was going to be there?

15 A Either they picked her up -- she made arrangements  
16 with the Mayor for us to meet.

17 Q And as I recall your testimony from the last time  
18 around, you said that you waited outside of his  
19 house for awhile like around 20 minutes.

20 A Yes.

21 Q Did you call Kimberly on your cell phone while you  
22 were waiting?

23 A Did I call her? No, I did not.

24 Q Was there any particular reason why you didn't call  
25 her?

1       A    I thought she probably was there.  I don't know.  
2       Q    So you didn't think to call her to confirm that she  
3            was going to be there?  
4       A    No, I didn't.  
5       Q    When you arrived at the Mayor's house, were any  
6            lights on in the home?  
7       A    Yes.  I think they were all on.  
8       Q    You didn't see anyone else come up to the house  
9            while you were waiting outside of the Mayor's house,  
10          did you?  
11       A    No.  
12       Q    So you assumed that the Mayor was going to be in his  
13          house?  
14       A    I wasn't sure if he was there already, if the  
15          police -- if they were picking up Kimberly.  I  
16          wasn't clear.  
17       Q    So you rang the doorbell and the Mayor answered?  
18       A    I don't remember ringing a doorbell.  I don't even  
19          know --  
20       Q    Or you rapped and the Mayor answered?  
21       A    I would think so.  
22       Q    Now, the last time you described an episode where  
23          the Mayor was pinning you down against the stairs  
24          and at the same time lifting up your dress and  
25          dropping your hose; is that correct?

1 A No. You --

2 Q Well, please tell me what transpired.

3 A Will you ask me again please.

4 Q Please read the question back. I think it was  
5 please tell me what transpired.

6 (Questions and answer read)

7 A He pinned --

8 MR. ARELLANO: Subject to my  
9 objection that this has been asked and  
10 answered, go ahead.

11 A He had pinned me on the steps with both his --

12 Q With both hands?

13 A Yes.

14 Q And my question is how did your dress get lifted up?

15 A He lifted my dress up.

16 Q And how did your pantyhose get dropped?

17 A He pushed them down.

18 Q Did your pantyhose completely off on this occasion  
19 or did they stay around your ankles?

20 MR. ARELLANO: Objection, asked and  
21 answered.

22 A I don't think they did. I don't remember. I don't  
23 remember -- I don't remember.

24 Q The Mayor recollects that on a couple of times he  
25 would pick you up at the intersection of 19th and

1 Mineral and take you to his house.

2 A No.

3 Q For the purposes of sex. That did not happen?

4 A No.

5 Q Never happened?

6 A I don't -- no.

7 Q The Mayor testified that he believed that both you  
8 and he wanted to keep these occurrences secret. Is  
9 that true?

10 A That's not true.

11 Q You did not want to keep it secret?

12 A I didn't think it would continue.

13 Q When --

14 A After each time.

15 Q -- did you believe it was going to end?

16 A I didn't think it was ongoing.

17 Q From your testimony up to this point, as I  
18 understand it, the only people in the office you  
19 told was Ms. Pratt and --

20 A Velasco.

21 Q Ms. Velasco, that's right. Anyone else?

22 A No.

23 Q With respect to Mr. Miller, do you recall calling  
24 him and asking him if he would be interested in  
25 coming to the Mayor's office as a staff assistant?

1 A Yes.

2 Q Do you recall when that was?

3 A Jim Rowen was chief of staff.

4 Q Well, but Jim Rowen was chief of staff as I

5 understand it for a little more than a year. Do you

6 remember when in that year it happened?

7 A It was when they had that position open.

8 Q And you don't have a separate recollection of when

9 that position was open?

10 A When Jim Rowen was chief of staff.

11 Q But you don't have any closer knowledge or

12 recollection of the date other than that whole time

13 he was chief of staff?

14 A I don't.

15 Q What exactly did you tell Mr. Miller?

16 A He was working on block grant.

17 Q Okay. Is that how you got to know him?

18 A No. I helped him. He was -- he was an organizer.

19 Q So you knew him from your organizing days before you

20 worked for the City?

21 A No. I met him when I was at the City.

22 Q And how did you happen to meet him?

23 A Through one of the organizations.

24 Q Do you remember which one?

25 A Harambe.

1 Q And is that how he became hired by the City and the  
2 block grant office?  
3 A Yes.  
4 Q And then am I correct that you called him while he  
5 was working aught the block grant.  
6 At the block grant office and suggested he  
7 come to the Mayor's office?  
8 A Probably because, yes.  
9 Q Did you talk to anyone in the Mayor's office about  
10 bringing Mr. Miller in?  
11 A Yes. Jim Rowen.  
12 Q Anyone else?  
13 A And the Mayor.  
14 Q Were they both receptive?  
15 A Jim Rowen wasn't.  
16 Q What about the Mayor?  
17 A Well, he wasn't either.  
18 Q Well, then how did he get hired?  
19 A He was the best candidate.  
20 Q Do you know if there were other peoples interviewed  
21 or considered?  
22 A I'm sure there was.  
23 Q Do you know who they were?  
24 A One was Larry Moore.  
25 Q Anyone else?

1 A No. I don't remember.

2 Q Where did Larry Moore work?

3 A I don't know if he was working there but I think he

4 was an organizer with mid town neighborhood

5 association.

6 Q All right. Now, Mr. Miller is African-American as I

7 understand it?

8 A Yes.

9 Q What race is Mr. Moore, if you know?

10 A African-American.

11 Q And you believed during the time that Mr. Rowen was

12 there and even before the time that Mr. Rowen was

13 there that the Mayor's office was racist with

14 respect to assignments; is that correct?

15 A Yes.

16 Q Why were you encouraging at least Mr. Miller and

17 possibly Mr. Moore to come to an environment that

18 would be racist?

19 A It was a good opportunity for them.

20 Q Why did you think it was a good opportunity for

21 them?

22 A It was high pay and it was -- and I know that they

23 were both interested in the position.

24 Q If one would travel from 19th and Mineral to the

25 Mayor's house, do you know which route would be

1           used?

2       A    Either Mineral or -- Mineral or national.

3       Q    Would you travel on Scott street?

4       A    It's Scott, Mineral, national.  No.

5       Q    You would not travel on Scott street?

6       A    Scott?  No, because you would -- are you talking  
7           about the house on 912 South 19th Street?

8       Q    Yes.

9       A    You have to go first -- you would pass Mineral to go  
10           to Scott.

11      Q    When you were at the Mayor's house, did you ever  
12           watch TV together?

13      A    No.

14      Q    When the Mayor was at your house on 19th and, or  
15           912 --

16      A    South 19th.

17      Q    South 19th, did you ever watch TV together?

18      A    No.

19      Q    Did you ever kiss or hug?

20      A    I told you that 19th Street was the place that he  
21           kissed and hugged me.  And told me --

22      Q    Where was your sister's house located again?

23      A    The house was my father's, my sisters, we 26th --

24      Q    And that's the one on 9th?

25      A    1230 South 26th Street.



1 Q Does that house have a nook in it?  
2 A What's a nook?  
3 Q Like a bay window.  
4 A No.  
5 Q No bay window?  
6 A No.  
7 Q It has no settee or area where you can sit in a nook  
8 that looks out?  
9 A No.  
10 Q Mr. Hayes is sitting in a nook. That's what a nook  
11 likes like.  
12 A No.  
13 Q The sister's house does not have such a structure in  
14 it?  
15 A No.  
16 Q With or without windows?  
17 A No.  
18 Q Do you recall the seasons of the year when the Mayor  
19 and you had sex on Fardale?  
20 A Fardale?  
21 Q That's the apartment as I understand it.  
22 A It was probably summer or -- there wasn't a cold  
23 time.  
24 Q Did the Mayor ever bring a box of papers with him  
25 when he visited you on Fardale?

1 A He probably did.

2 Q Did you ever have a nosy neighbor at any of your  
3 residences?

4 A A nosy neighbor?

5 Q Pardon me?

6 MR. ARELLANO: If you understand  
7 the question, just answer the question.

8 Q Did you ever have a nosy neighbor at any of your  
9 residences?

10 A Nosy neighbor? I don't --

11 MR. ARELLANO: If you know.

12 A No. Or all of them --

13 MR. ARELLANO: Just if you are able  
14 to answer, answer.

15 A No, I don't.

16 Q Did the Mayor ever discuss with you leaving his  
17 wife?

18 A No.

19 Q Did the Mayor ever tell you that having sex with you  
20 might not lead anywhere?

21 A No.

22 Q As I understand your testimony, there were two  
23 occasions when you and the Mayor had sex within the  
24 office; is that correct?

25 A Yes.

1 Q And these were both weekends?

2 A I don't remember.

3 Q Do you recollect having to make child-care --

4 A Yeah, they would be weekends.

5 Q They would be weekends?

6 A Because it was weekend duty.

7 Q And on weekends I'm assuming you have your children

8 to watch over since they are not in school?

9 A Yes.

10 Q On those occasions when you went to the Mayor's

11 office on weekends, how did you handle child-care

12 arrangements, if at all?

13 A If it was a weekend duty, there was a list of events

14 that I had to staff the Mayor, so you schedule time,

15 you know, that there's a time that you have to work,

16 so I scheduled -- I would have scheduled child-care.

17 Q Did you have any voice in when you received weekend

18 duties?

19 A No. No.

20 Q Who would assign it if it would be assigned?

21 A The chief of staff or the Mayor would request the

22 chief of staff to have a certain staff person at an

23 event.

24 Q Do you know if you could exchange with other staff

25 members if weekend duty would be inconvenient for

1           you for one reason or another?

2       A    Yes.

3       Q    And how would that get accomplished?

4       A    You'd have to go through rules,.

5                   Ruth, through the person, through Pat and  
6                   sometimes through security because they have your  
7                   name on, as the staff person that's on, sort of on  
8                   call. You would get called if it was like a fire,  
9                   an alarm fire and yes.

10      Q    Were there times when there were people outside of  
11            the office who indicated an interest in staffing the  
12            Mayor?

13      A    They started doing that towards the end, yes.

14      Q    And how would that get handled, if you know?

15      A    The same way. Through the chief of staff, through  
16            Ruth. And then at the staff meetings they would  
17            tell us and it's on the calendar and you know that  
18            it's on the calendar because your name is on there.

19      Q    The Mayor recollects an episode of oral sex with you  
20            on Greenfield avenue. Do you remember that  
21            testimony of his?

22      A    No, I don't.

23      Q    You don't?

24      A    No.

25      Q    Did an episode of oral sex ever occur between you

1 and the Mayor on Greenfield avenue?

2 A No.

3 Q Are you in any current relationship with a male?

4 A No.

5 MR. ARELLANO: Objection,

6 relevance.

7 Q Subject to the objection.

8 MR. ARELLANO: She already

9 answered.

10 Q I'm sorry, I didn't catch the answer.

11 A No.

12 Q So you have no relationship right now with any other  
13 person?

14 MR. ARELLANO: Hold on a second.

15 You read the answer.

16 (Answer read)

17 Q I'm sorry, what was my -- I lost my place on where  
18 we were with Greenfield avenue and oral sex. Did  
19 she answer that one?

20 MR. ARELLANO: You were in

21 Greenfield having oral sex, that's what you  
22 just said.

23 Q Were you ever on Greenfield avenue with the Mayor in  
24 which there was oral sex?

25 MR. ARELLANO: Hold on a second.

1                   Would you please read her previous answer.  
2                   This is getting abusive (question and answer  
3                   read about oral sex on Greenfield).  
4       Q   Was there ever a episode in which you told the Mayor  
5           you had torn your pantyhose so that he would have  
6           easier access to your private parts?  
7       A   No.  
8       Q   When the Mayor asked you for sex, I take it you were  
9           always offended by those requests?  
10      A   Yes.  
11      Q   Did you ever suggest, however, that your episodes  
12           could take place at your sister's house?  
13      A   No.  
14      Q   I take it they never took place at your sister's  
15           house?  
16      A   No.  
17      Q   So the Mayor's recollections on that are faulty or  
18           false?  
19      A   False. And he never asked me.  
20      Q   You've answered the question. Please describe your  
21           sister's house.  
22      A   You're talking about the house on 26th and Scott?  
23                   MR. ARELLANO: Hold on. Ask him  
24                   what houses's talking about.  
25      Q   Well, I believe it's 1230 South 26th.

1       A    Yes.  It's beige and it has a big fence that I put  
2                   in there when I lived there, like the same one  
3                   that I have now.

4                               MR. ARELLANO:  Just describe your  
5                   sister's house.

6       Q    What's the interior like?

7       A    It has living room, dining room, kitchen and two  
8                   bedrooms downstairs and has a backyard with a big  
9                   fence.

10      Q    Is there a living room downstairs?

11      A    A living room?  Yes.

12      Q    Is there a dining room downstairs?

13      A    Yes.

14      Q    On the occasions that you and the Mayor had sex on  
15                   Fardale, what room of the apartment were you in?

16      A    My bedroom.

17      Q    Did you both climb under the covers or were you on  
18                   top of the bed?

19      A    I don't really remember.

20      Q    When you and the Mayor had sex on Pine avenue, were  
21                   you ever seated upon his lap?

22      A    Nope.

23      Q    On Pine avenue were the episodes of sex always in  
24                   the bedroom?

25      A    .

1 MR. ARELLANO: Counsel, we've  
2 covered each episode to your satisfaction.  
3 You're going back as though you seem to be  
4 infatuated with the sexual acts. We are  
5 duplicating. This additional deposition was  
6 so that you could ask questions that you  
7 haven't covered.

8 Q Did the Mayor ever give you a ring?

9 A A what?

10 Q A ring.

11 A No.

12 Q At the house on Pine is there a couch against the  
13 south wall of the living room?

14 A South wall? I don't know. The south wall?

15 Q Pardon me?

16 MR. ARELLANO: If you understand it  
17 you can answer. Otherwise --

18 A I don't understand your question.

19 Q At the house on Pine Street, did you have a couch in  
20 1999 along the south wall of the living room?

21 A South -- I don't think so.

22 MR. SCHRIMPF: Let's go off the  
23 record for a second.

24 MR. ARELLANO: Hold on a second.

25 Maybe this is a good time for us to take 10



1 minutes so you can organizational your  
2 paperwork.

3 MR. SCHRIMPF: That's fine.

4 (Recess)

5 Q Ms. Figueroa, I'd like to make sure that I have for  
6 my understanding all of the sexual episodes and as  
7 closely as we can pin it down the dates of them or  
8 when they occurred, make sure that I'm not missing  
9 any, okay?

10 MR. ARELLANO: Pay attention.

11 Q As I understand it, the first occurred at the  
12 Mayor's house when you were reviewing block grant  
13 documents and that was sometime in the fall of 1995;  
14 is that right?

15 A It was, I think it was '94 because --

16 MR. ARELLANO: Go ahead.

17 A Because I got attacked in 1994.

18 Q ?

19 MR. ARELLANO: Counsel, just a  
20 point of clarification, what are we referring  
21 to sexual acts? I object on the vagueness.

22 MR. SCHRIMPF: Intercourse. Of any  
23 kind.

24 Q And so the first occurred in the fall of 1994 when  
25 you were reviewing the block grant documents with

1 the Mayor and that was at the Mayor's house?

2 A 199 -- '94.

3 MR. ARELLANO: He's asking about

4 intercourse.

5 A Yes.

6 MR. ARELLANO: Was it in '94.

7 A Yes.

8 Q Is that right?

9 A Yes.

10 Q Then the next time was in October of 1995 when the

11 Mayor returned from the all-night negotiating

12 session over the Brewers Stadium?

13 A Yes.

14 Q And then the third time was at 1230 South 26th

15 Street and that was in November of 1995?

16 A Yes.

17 Q All right. And 1230 South 26th so that we're clear

18 is your sister's home?

19 A I lived --

20 Q But you were living there at the time, okay.

21 A No, I was there --

22 MR. ARELLANO: Hold on. Listen to

23 the question.

24 Q What were you going to say?

25 A I lived --

1 Q In 1996 there was the request by the Mayor for you  
2 to go to Chicago which you did not go to and  
3 that was in July of 1996?

4 A I think so, yes.

5 Q Were there any other episodes in 1996 that you can  
6 recollect when you and the Mayor were having one  
7 intercourse?

8 A After the stadium meeting.

9 Q And that was in '96?

10 A I think so.

11 Q When in '96?

12 A Probably -- it was after the stadium, after the  
13 staff and the Mayor were there all night.

14 Q Right.

15 A I don't remember exactly when that was. It was  
16 probably October or November.

17 Q Well, I've already covered that one. My records so  
18 that \*\*\* show that that was October 5th or  
19 October 6th, 1995.

20 A '96.

21 Q It was in '96?

22 A It was in the pink -- at 19th and Mineral after the  
23 stadium.

24 Q It was after the stadium and you were at 19th and  
25 Mineral?

1 A Yes.

2 Q ?

3 Q And just for my information, that's sometimes  
4 referred to as 912 --

5 A 912 South 19th.

6 Q South 19th, okay. Were there any other sexual --  
7 strike that. Were there any other episodes of  
8 sexual intercourse between you and the Mayor in  
9 1995?

10 A No.

11 Q Were there any other episodes of sexual intercourse  
12 between you and the Mayor in 1996?

13 A 1996? No.

14 Q Going to 1997, is that when you lived in the  
15 apartment at Fardale?

16 A Yes.

17 Q So there would be the two in the summertime that you  
18 recollected when the Mayor came over?

19 A To my apartment it was one time.

20 Q One time in your apartment?

21 A Yes.

22 Q Not twice?

23 A No.

24 Q And there was the trip to Chicago in September of  
25 '97 when you went to the Palmer House?

1 A Yes.

2 Q Were there any other acts of sexual intercourse  
3 between you and the Mayor in 1997?

4 A No.

5 Q Were there any episodes of sexual intercourse  
6 between you and the Mayor in 1998?

7 MR. ARELLANO: I'm going to just  
8 interject with an objection because these  
9 questions have already been asked and  
10 answered. Subject to that objection, and I  
11 will have a continuing objection with respect  
12 to the dates and times.

13 MR. SCHRIMPF: That's fine. I just  
14 want to make sure I have the witness's  
15 recollection on every one of them.

16 A I'm not --

17 MR. ARELLANO: Hold on. What's the  
18 question?

19 Q Were there any other -- strike that. Were there  
20 episodes of sexual intercourse between you and  
21 the Mayor in 1998?

22 A 1998, yes.

23 Q When?

24 A In the office. See, I don't remember the years.

25 Q Then say you don't remember the years. Don't guess.

1 A Right now. You should have asked me that at the  
2 beginning.  
3 Q But you remember that there were episodes of sexual  
4 intercourse in the office and that was twice?  
5 A One time.  
6 Q One time. And the Mayor called you?  
7 A Yes.  
8 Q And was he working on his book?  
9 A No. We were -- I had weekend duty.  
10 Q Oh, you had weekend duty. Other than the one time  
11 in 1998 when you and the Mayor had intercourse in  
12 the office, were there any other times in 1998 when  
13 you can recollect you and the Mayor having sexual  
14 intercourse?  
15 MR. ARELLANO: Subject to my  
16 objections.  
17 MR. SCHRIMPF: Fine.  
18 A I don't recollect at this point.  
19 Q In 1999 the episodes of sexual intercourse that I'm  
20 aware of are in June or July?  
21 A '99.  
22 Q '99. June or July?  
23 A Yes.  
24 Q And October, the beginning of October?  
25 A Yes.

1 Q The night of October 16th?

2 A Yes.

3 Q The night of November 29th or December 2nd?

4 A Yes.

5 Q But late November, early December?

6 A Yes.

7 Q Were there any other episodes of sexual intercourse

8 in 1999 that we haven't covered?

9 MR. ARELLANO: Objection, asked and

10 answered.

11 A No.

12 Q In March of 1999, as I understand it, when the Mayor

13 came to your house, there was no sexual intercourse?

14 A No.

15 Q But he groped you?

16 A Yes.

17 Q As I understand it, the purpose of the meeting

18 originally was for you and the Mayor to discuss,

19 No. 1, the need to stop the sex and, No. 2, the fact

20 that you were upset about the promotion of Ms. Wood

21 to Ms. Dawson's job; is that right?

22 A That's not correct.

23 Q Make sure I understand it correctly. Tell me what

24 the fact is.

25 A Bill Christofferson, the Mayor and I were supposed

1 to have a meeting --

2 MR. ARELLANO: Hold on a second,  
3 Marilyn. The question is the reason for the  
4 Mayor coming to your house.

5 A Yes, but he said the Mayor. It was supposed to be  
6 Bill Christofferson with the Mayor.

7 MR. ARELLANO: Okay. Listen to the  
8 question.

9 Q As I understand it, what you understood was going to  
10 happen was that Mr. Christofferson, the Mayor and  
11 you were going to meet at T N T to resolve these  
12 issues?

13 A Yes.

14 Q Were you going to raise the fact that you and the  
15 Mayor were having sex in the presence of  
16 Mr. Christofferson?

17 A I -- I can't say that.

18 Q Well, if Mr. Christofferson -- had this meeting come  
19 off, was it your intention to say to the Mayor in  
20 the presence of Mr. Christofferson we've got to stop  
21 the sex?

22 MR. ARELLANO: Objection. Asked  
23 and answered. Could you read her last answer?

24 Q Well, let's read the last answer. (Previous  
25 question and answer read)?



1 MR. ARELLANO: Answered.

2 Q Well, what were you going to do?

3 A Many times I wanted to. Bill is the person that I

4 should have told but I thought I should have told.

5 But Bill was the worst person to tell.

6 Q Well, in March of 1999 were you preparing to reveal

7 to Mr. Christofferson the fact that the Mayor was

8 having sex with you?

9 MR. ARELLANO: Objection, asked and

10 answered three times.

11 A I don't remember that I would have the courage to

12 say that in front of Bill.

13 Q So I take it then that you were not going to raise

14 that if Mr. Christofferson was at the meeting?

15 MR. ARELLANO: That's --

16 A Not -- I don't know that if I would. It would I

17 know that I was going to say to the Mayor.

18 MR. ARELLANO: Don't speculate.

19 Q In any event, the Mayor came to your home?

20 A Yes.

21 Q Without Mr. Christofferson?

22 A Yes. And the police outside.

23 Q And the police outside. And who was the driver on

24 this occasion?

25 A I don't know. But I asked him to come --

1 MR. ARELLANO: Wait until the  
2 question is on the record.  
3 Q Do you recollect the day of the week that the Mayor  
4 came to your house?  
5 A No. It's on the calendar.  
6 Q You don't know if it would be a Saturday or some  
7 other day?  
8 A No. It wasn't a weekend. I know that.  
9 Q You're sure it was not a weekend?  
10 A Yes.  
11 Q Where were your children?  
12 A Probably in school.  
13 Q How do you know Leticia Gonzalez?  
14 A She's married to Ernesto Chacon who was someone that  
15 I know.  
16 Q Since this deposition has begun are you able to  
17 recall any dates that the Mayor entered your office  
18 with an erection?  
19 A No.  
20 Q The Milwaukee Magazine article on page 72 makes  
21 reference to your attending an evening function with  
22 the Mayor in his official capacity and hoping to  
23 sneak away without him seeing you, but he saw you.  
24 When you gave the interview to Milwaukee Magazine,  
25 what function did you have in mind?

1 A That was the Milwaukee Ballet.

2 Q That was the Milwaukee Ballet?

3 A Yes. Actually there's several times that I sneak

4 out.

5 Q Well, this refers to a specific incident just after

6 you had obtained a parking lot for MICAH, M I C A H.

7 Do you want to look at the article?

8 A No. I just, I know there were several times that I

9 snuck out of events or the office.

10 Q When were these events?

11 A I can't tell you today.

12 Q You can't recall any dates?

13 A I told you -- no, I told you that one was the

14 Milwaukee Ballet event.

15 Q Right, right.

16 A Mayor's fund raisers, in the office when the Mayor

17 would tell me to stay, or if he would tell me to be

18 at some late meeting in the office.

19 Q The Milwaukee Magazine article makes reference to

20 the fact that you obtained approximately \$350 for a

21 down payment on your Pine Street house from your

22 children's piggy banks?

23 A Yes.

24 Q Do you remember giving that interview?

25 A I remember that happening.

1 MR. ARELLANO: Is that what you  
2 said?  
3 Q Did your children typically keep \$350 in their piggy  
4 banks?  
5 A They had their -- this was money that they had from  
6 their first communion.  
7 Q I see. And they kept it in a piggy bank at home?  
8 A Yes, it was -- yes.  
9 Q Now, the Milwaukee Magazine article at page 78 makes  
10 reference to the fact that the Mayor continually  
11 pressed you to put an apple between your legs and  
12 then bring it to him.  
13 A I told you that.  
14 Q On the other hand, your testimony here the other day  
15 revealed that that happened once. Which is correct?  
16 MR. ARELLANO: Both are correct.  
17 And I object to --  
18 MR. SCHRIMPF: Well, I object to  
19 counsel answering.  
20 MR. ARELLANO: No, hold on a  
21 second. You are mischaracterizing both her  
22 testimony and the magazine. Subject to that,  
23 she can answer.  
24 Q Please answer the question.  
25 A I told you last time that he rubbed himself once but

1           he came with an apple to my office several times.

2           Q   And when he obtained these apples, he got them from

3           the basket in Ms. Dawson's office?

4                       MR. ARELLANO:  If you know.

5           A   I don't know that.

6           Q   When is the last time the Mayor appeared in front of

7           you rubbing an apple against himself?

8           A   I told you it was the first time that he ever did

9           that.  I don't remember exactly when.

10                      MR. ARELLANO:  We talked about

11           these apples, counsel, ad nauseam.  And this

12           is not the purpose of this additional

13           opportunity for you to cover what you haven't

14           covered.

15                      MR. SCHRIMPF:  Read my last

16           question and her answer.  (Question and answer

17           read)

18           Q   The complaint, the third amended complaint at

19           paragraph 19-F specifically alleges that the Mayor

20           requested that you place an apple between your legs

21           and immediately bring it to him.  Do you remember

22           making that allegation?

23           A   Yes.

24           Q   When did that occur?

25           A   When he did it the first time.

1 Q When was the first time?

2 A I don't remember.

3 MR. ARELLANO: Objection, asked and

4 answered. It's getting to the point where

5 you're just badgering the witness.

6 Q Was it before you had sex on the first occasion?

7 MR. ARELLANO: Objection, same

8 objection.

9 A I told you I don't remember.

10 Q Was it before you had sex the first time?

11 A No.

12 Q When was it?

13 A I don't remember I told you.

14 MR. SCHRIMPF: Off the record for a

15 minute.

16 (Discussion off the record)

17 Q With respect to the apples and the Mayor rubbing

18 himself with the apples, are you able to determine

19 how many of those incidents occurred before 1998?

20 MR. ARELLANO: Same objection.

21 A No, I'm not able to.

22 Q Are you able to determine how many of those

23 incidents occurred after 1998?

24 A No.

25 Q Are you able to determine how many of those

1 incidents occurred in 1999?

2 A No.

3 Q Did you ever see the Mayor enter the office when he  
4 arrived in the morning?

5 A Sometimes, yes.

6 Q Do you remember when you saw him enter the office?

7 A No.

8 Q Did the Mayor ever enter the office and carry any  
9 fruit with him?

10 A I've seen him, yes.

11 Q When?

12 A During my time working there.

13 Q When was the last time you saw him carry fruit into  
14 the office?

15 A I can't say.

16 Q What was the fruit?

17 A Apples, bananas.

18 Q Ever an orange?

19 A I don't remember. I don't think so.

20 MR. SCHRIMPF: I think, counsel,  
21 I'm close. Let's go off the record for a  
22 second.

23 (Discussion off the record)

24 Q Did you ever work for a person by the name of  
25 Mr. Gerald Jones in the year 2000?

1 A Yes.

2 Q For how long did you work with him?

3 A Maybe seven, eight months.

4 Q And how much were you paid for that work?

5 A It depended.

6 Q Was there a set rate or was it a rate per hour or a

7 rate per day or a rate per week?

8 A How was it? It depended on their contract.

9 Q Do you have a copy of that contract?

10 A I should have. On their contract with Potawatomi

11 and some of the other stuff, Potawatomi bingo.

12 Q Do you remember how much totally you were paid by

13 Mr. Gerald Jones?

14 A Not totally, no.

15 Q Was it more or less than \$5,000?

16 A It was probably less.

17 Q Do you remember for what period of time you were

18 working for him?

19 A I don't remember.

20 Q Do you remember when you were working for him during

21 the year 2000?

22 A It was in the summer.

23 Q Just over the summer months or time periods bridging

24 the summer months?

25 A Around the summer.



1 Q Who is Mr. Carl Gee if you know?  
2 A He's the executive director of OIC.  
3 Q Did you work for OIC during the year 2000?  
4 A Yes.  
5 Q When?  
6 A I think it was 2000.  
7 Q When?  
8 A I don't remember.  
9 Q Do you remember how much you earned?  
10 A I have the W-2 that are in my taxes.  
11 Q For the year 2000?  
12 A I think it's for the year -- yes.  
13 Q So that information would be in the tax returns you  
14 provided?  
15 A Yes.  
16 MR. SCHRIMPF: Off the record for a  
17 second.  
18 (Discussion off the record)  
19 Q After your employment with the City of Milwaukee  
20 ended --  
21 A Yes.  
22 Q -- did you have conversations with Mr. Michael  
23 Miller?  
24 A I probably did.  
25 Q And was he still employed as a staff assistant to

1 the Mayor in the Mayor's office?

2 A Yes.

3 Q Did you have conversations with him regarding

4 obtaining the Mayor's calendars?

5 A Yes, I did.

6 Q When were those conversations?

7 A Probably during the time that I talked to him.

8 Q Well, my question is when?

9 A Either before or after I left. No, no, after I

10 left.

11 Q When -- how long after you left did you talk to him?

12 A In the, you know, the year 2000.

13 Q Was it before or after you filed your complaint with

14 EEOC?

15 A It could have been during. I was trying to figure

16 out dates.

17 Q Please relate to me exactly what you told him.

18 A I asked him if, because Michael kept the calendars,

19 the Mayor's calendars.

20 Q I thought Ms. Wytttenbach kept the calendars?

21 A Yeah. But he kept copies of of the calendars.

22 Q He kept the copies of the calendars?

23 A Everybody had copies of the calendars.

24 Q I see. And are we referring here to the printed

25 calendars as opposed to the handwritten calendars?

1       A    Yes.

2       Q    And as I understood the testimony of Mr. Soika, what

3            the arrangement was is that copies of the calendars

4            for the week that were printed were distributed to

5            the staff so everybody had an idea of what the Mayor

6            was doing and when?

7       A    Yes.

8       Q    But the requests that you made of Mr. Miller wasn't

9            for the current calendars of the Mayor, were they?

10      A    They were calendars that I threw away, yes.

11      Q    Well, you wanted the calendars from the period of

12            time that you were working in the Mayor's office,

13            isn't that correct?

14      A    Yes, that's correct.

15      Q    And what, if anything, did Mr. Miller tell you?

16      A    He said he didn't have them anymore.

17      Q    Did you say anything to Mr. Miller respecting the

18            fact that your attorney was insisting that you get

19            the calendars?

20      A    No, I did not.

21      Q    You deny that you said that to Mr. Miller?

22                           MR. ARELLANO:  Objection.

23                           Answered.

24      A    Yes.  I don't remember saying that.

25      Q    When was it that Mr. Miller told you he did not have

1                   the calendars?

2       A   Whenever I asked him for them. In the year 2000.

3       Q   Did you request anyone in the Mayor's office to

4           obtain the book that the Mayor had given you with

5           the inscription about the apples?

6       A   No. That was -- no.

7       Q   The last, or one of the earlier times that we were

8           here you stated that you did not know who provided

9           the book to your attorney. Do you remember that?

10      A   Yes, I remember that.

11      Q   Has anything occurred since then so that you now

12           know who provided the book to your attorney?

13      A   No, no.

14      Q   And you continue to persist that you don't know --

15      A   No.

16      Q   -- who provided the book to the attorney?

17      A   Nope, I don't know.

18      Q   Do you recollect that there were six unidentified

19           witnesses that provided information to the

20           investigator in this matter?

21                   MR. ARELLANO: If you know.

22      A   Six? No, I don't know that.

23      Q   You don't know that?

24      A   I know that some -- okay.

25                   MR. ARELLANO: Just answer.

1 Q And you don't know who the identity of those persons  
2 are, do you?  
3 A I know some of them, yes.  
4 Q Who are they?  
5 A Well, you can look at the -- Kimberly Pratt, Maria  
6 cam Ron, Kimberly Pratt, Jessica Frederick  
7 son, Abel or tease I think.  
8 MR. ARELLANO: Don't guess if you  
9 don't know.  
10 MR. ARELLANO: Question?  
11 Q Is that it? Have you finished your answer?  
12 A Yes. That's it.  
13 Q The witnesses were identified by number. Do you  
14 know which number Ms. Pratt was?  
15 MR. ARELLANO: Counsel, we covered  
16 this so extensively. Now you're going the  
17 full cycle. We already went over the numbers.  
18 She answered those questions.  
19 MR. SCHRIMPF: I don't remember  
20 that either.  
21 A I don't --  
22 MR. ARELLANO: Ma'am -- THE  
23 WITNESS: I'm sorry.  
24 MR. ARELLANO: You can't -- not  
25 talk until there's a question on the table.

1                   Is.

2           Q   Do you know if Marge Beil was one of the witnesses?

3                               MR. ARELLANO:  If you know.

4           A   I'm not sure.

5           Q   Do you know which number was Maria cam Ron?

6           A   I don't know the numbers.

7           Q   Do you know if Betty Brinker was a witness?

8           A   She probably was.

9           Q   Do you know which number she was?

10          A   No, I don't.

11          Q   And just so that we're clear, you don't know which

12               number Ms. Pratt was?

13          A   No, I don't.

14          Q   Do you know who was No. 5?

15          A   No, I don't.

16          Q   Do you know if Mr. Ernesto Chacon was one of of the

17               witnesses?

18                               MR. ARELLANO:  If you know.

19          A   No, I don't.

20          Q   Do you know if Leticia Gonzalez was one of of the

21               witnesses?

22                               MR. ARELLANO:  If you know.

23          A   No, I don't.

24                               MR. ARELLANO:  I have a couple of

25               questions for clarification if you're done.

1 MR. SCHRIMPF: That's all I can  
2 think of right now.

3 Examination by Mr. Arellano.

4 Q Ms. Figueroa, you have given five depositions in  
5 these proceedings; correct?

6 A Five?

7 Q Four or five, correct? And you were asked questions  
8 about the number of sexual intercourse incidents  
9 that occurred between you and the Mayor. And I  
10 recall in the past you describing that in 1994 he  
11 attempted to kiss you but did not disclose any  
12 sexual intercourse. Today you testified that the  
13 first sexual intercourse occurred in 1994. My  
14 question to you is did the first sexual intercourse  
15 occur in '94 or in '95?

16 A I think it was 1994.

17 Q You also testified that I believe in the past that  
18 there were two sexual encounters in the office, City  
19 Hall and today you testified that there was only  
20 one. Do you recall how many there were?

21 A I only recall one.

22 MR. ARELLANO: Okay. That's all I  
23 have.

24 Re-examination by Mr. Schrimpf:

25 Q When in 1994 did the first sexual intercourse occur?

1 A I just know that it was in his house.

2 Q Was that during the CD B G review?

3 A Yes.

4 MR. SCHRIMPF: For the record, I am  
5 renewing the request for the name of the  
6 individual in writing. Are we on the record?

7 MR. ARELLANO: No. Oh, you want  
8 that to be on the record?

9 MR. SCHRIMPF: I'd prefer it to be.

10 MR. ARELLANO: I believe that the  
11 witness has identified the initials of an  
12 individual. I am now complying with the full  
13 order but I will not allow anything beyond  
14 that to be put on the record.

15 MR. SCHRIMPF: I think that  
16 complies with the judge's order.

17 MR. ARELLANO: All right. Ado not  
18 want you to read on the record. We're done  
19 pretty much.

20 MR. SCHRIMPF: Do you have the  
21 address of this individual, counsel?

22 MR. ARELLANO: No, I don't.

23 MR. SCHRIMPF: Does Ms. Figueroa?

24 MR. ARELLANO: No. Let's go off  
25 the record now. (Adjourning at 12:57 P.M.)



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

MR. SCHRIMPF: Counsel, did  
Ms. Figueroa write that or you wrote that?  
MR. ARELLANO: I wrote it down.

1 MR. SCHRIMPF: Did Ms. Figueroa  
write that or you wrote it down?

2 MR. ARELLANO: Well, I hold it  
down. I just handed it to you.

3 MR. SCHRIMPF: And Ms. Figueroa  
told you?

4 MR. ARELLANO: I'm not going to  
testify, counsel. (Adjourning at 12:58 P.M.)

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1 STATE OF WISCONSIN )  
2 ) ss.  
3 COUNTY OF DANE )

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5 and Notary Public in and for the State of Wisconsin, do  
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22 Dated ^ , 2002.

23

24

Registered Diplomate Reporter  
Notary Public, State of Wisconsin

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