

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

Case No.: 9:16-cv-80655-RLR

JAMES TRACY,

Plaintiff,

vs.

FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES,
a/k/a FLORIDA ATLANTIC UNIVERSITY, et al.,

Defendants.
_____ /

VIDEOTAPED DEPOSITION OF SHANE EASON

APRIL 3, 2017

12:01 P.M. TO 2:01 P.M.

301 YAMATO ROAD
SUITE 1240

ROCA RATON, FLORIDA 33431

REPORTED BY:
JESSICA COOPER, FPR, COURT REPORTER
NOTARY PUBLIC, STATE OF FLORIDA



UNIVERSAL
COURT REPORTING

877.291.3376
www.UCRinc.com

2	<p>1 APPEARANCES OF COUNSEL</p> <p>2 ON BEHALF OF THE PLAINTIFF:</p> <p>3 LOUIS LEO, ESQUIRE</p> <p>4 JOEL MEDGEBLOW, ESQUIRE</p> <p>5 MEDGEBOW LAW, P.A.</p> <p>6 4171 W HILLSBORO BLVD STE 9</p> <p>7 COCONUT CREEK, FL 33073</p> <p>8 954-478-4223</p> <p>9 JOEL@MEDGEBOWLAW.COM</p> <p>10 LOUIS@MEDGEBOWLAW.COM</p> <p>11</p> <p>12 ON BEHALF OF THE DEFENDANTS:</p> <p>13</p> <p>14 KATHERINE HEFFNER, ESQUIRE</p> <p>15 CAIR FLORIDA</p> <p>16 8076 N 56TH ST</p> <p>17 TAMPA, FL 33617</p> <p>18 813-514-1414</p> <p>19 KHEFFNER@CAIR.COM</p> <p>20 SARA HUFF, ESQUIRE</p> <p>21 GUNSTER 200 S ORANGE AVE STE 1400</p> <p>22 ORLANDO, FL 32801</p> <p>23 407-406-5246</p> <p>24 SHUFF@GUNSTER.COM</p> <p>25 ALSO PRESENT:</p> <p> ANTHONY MAROUN, INTERN</p> <p> JAMES TRACY, PLAINTIFF</p>	4
3	<p>1 INDEX OF EXAMINATION</p> <p>2 WITNESS: SHANE EASON</p> <p>3 DIRECT EXAMINATION</p> <p>4 BY: MR. LEO 6</p> <p>5 CROSS EXAMINATION</p> <p>6 BY: KATHERINE HEFFNER 88</p> <p>7 CROSS EXAMINATION</p> <p>8 BY: SARA HUFF 89</p> <p>9 RE-DIRECT EXAMINATION</p> <p>10 BY: MR. LEO 91</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	5
2	<p>1 INDEX OF EXHIBITS</p> <p>2 EXHIBIT DESCRIPTION PAGE</p> <p>3 PE-1 OUTSIDE ACTIVITY FORM 33</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	4

6

1 BY MR. LEO:
 2 **Q How are you doing today?**
 3 A I'm okay.
 4 **Q All right. Can you just state your current**
 5 **employer?**
 6 A Florida Atlantic University.
 7 **Q And how long have you worked there?**
 8 A I've been there since 2004.
 9 **Q 2004. And in what capacity?**
 10 A I was an instructor through 2014 and then my
 11 position was, I guess, converted in a sense to tenure
 12 track and in 2014 there was a surge and I had to re-
 13 apply for it, and I maintained the position where it
 14 became a new position, a tenure track position.
 15 **Q So, you're still tenure track?**
 16 A Yes, I'm still tenure track.
 17 **Q All right. And do you prefer Professor Eason?**
 18 A Shane's fine.
 19 **Q Shane's fine?**
 20 A Yeah.
 21 **Q Okay. Shane, do you -- have you ever given a**
 22 **deposition before?**
 23 A Once before.
 24 **Q And what was that for?**
 25 A It was a civil matter for auto negligence.

7

1 **Q Were you a plaintiff?**
 2 A I was the defendant.
 3 **Q Oh, okay. So, you understand the ground**
 4 **rules?**
 5 A A little bit.
 6 **Q I'm going to ask you some questions. There is**
 7 **no right or wrong answers, just truthful answers.**
 8 A Um-hum.
 9 **Q Is there any reason why you wouldn't be able**
 10 **to testify truthfully today?**
 11 A No.
 12 **Q Are you under the influence of any drugs or**
 13 **alcohol?**
 14 A No.
 15 **Q Do you take any medications?**
 16 A No.
 17 **Q Okay. So, nothing that would affect your**
 18 **ability to testify?**
 19 A Correct.
 20 **Q Has anybody made any threats in connection**
 21 **with your testimony today?**
 22 A No.
 23 **Q Has anybody made any promises to you regarding**
 24 **your testimony?**
 25 A No.

8

1 **Q Has anybody contacted you prior to today with**
 2 **respect to your testimony?**
 3 A No.
 4 **Q Did you speak to any attorneys for any of the**
 5 **parties in this case before coming in today?**
 6 A I did.
 7 **Q Which attorney?**
 8 A McKee, I spoke with him, and I spoke with you
 9 last July as well as I spoke with an independent counsel
 10 a couple of weeks ago down in Miami.
 11 **Q Okay. I don't want to ask you about --**
 12 A I have his card if you want it.
 13 **Q No, no and I don't want to ask you about**
 14 **somebody you spoke to, that would be attorney-client**
 15 **privilege, but I do want to ask you about a conversation**
 16 **you had with Mr. McKee.**
 17 A Um-hum.
 18 **Q When was that?**
 19 A Well, he called me today to see if I was on my
 20 way because I think there was the issue earlier and I
 21 guess everybody was just concerned not everybody was
 22 going to show up.
 23 **Q Right. But before that?**
 24 A Before that it was last week and it was
 25 regarding the case and procedures of deposition.

9

1 **Q Okay. And what was the discussion if you can**
 2 **just maybe give me some of that details?**
 3 A Yeah, just to go in and stay calm and try to
 4 tell the truth.
 5 **Q Okay.**
 6 A So --
 7 **Q But nobody asked you anything about what you**
 8 **would say?**
 9 A No.
 10 **Q Did anybody ask you questions about your**
 11 **testimony in any way?**
 12 A No.
 13 **Q Okay. What's your relationship to United**
 14 **Faculty of Florida?**
 15 A I'm currently the treasurer, so I oversee the
 16 expenses.
 17 **Q How long have you been treasurer?**
 18 A A while -- four years.
 19 **Q So, you began at UFF-FAU --**
 20 A It's three to four years.
 21 **Q About four years ago?**
 22 A Yeah.
 23 **Q And were you always a treasurer or were you**
 24 **something different?**
 25 A I was a secretary for a while prior to that,

<p style="text-align: right;">10</p> <p>1 and I've been a senator since probably 2009 and always a 2 union -- union member since 2004. 3 Q Why did you join the Union? 4 A Well, I think the Union has some positive 5 aspects when it comes to protecting faculty, especially 6 within a state that sometimes doesn't agree with unions. 7 I grew up as a very blue collar and my father was a 8 union guy and it just kind of carried over. There's 9 something exciting and somewhat I guess comforting when 10 it comes to having a body of people behind you that you 11 can support. 12 Q And standing up for people's rights? 13 A Exact -- yeah, and standing up for people's 14 rights when it comes to the workplace. 15 Q All right. In your capacity as treasurer, do 16 you have any involvement in the agreement process? 17 A No. 18 Q Outside of your capacity as treasurer, do you 19 have any involvement? 20 A No. 21 Q Do you ever sit in on meetings with United 22 Faculty of Florida officers? 23 A Yes, we have monthly meetings usually. I was 24 not at the last one though. 25 Q Okay. What do you guys typically discuss at</p>	<p style="text-align: right;">12</p> <p>1 A Within the meetings? 2 Q Right. Whenever grievances come up in a 3 meeting. 4 A No, no. 5 Q Excuse me for a second, I'm getting a cramp. 6 (Thereupon, a short discussion was held off 7 record.) 8 (Deposition resumed.) 9 Q (By Mr. Leo) Going back to grievances -- 10 A Yeah. 11 Q How many grievances would you say that you've 12 been involved in or know about? 13 A I've been involved in none. That's not my 14 position. What -- The ones I know about are maybe two 15 or three. 16 Q Let's talk about those. 17 A Okay. 18 Q Whichever one you want to start with, which 19 grievances are you familiar with? 20 A Well, if I can remember them. I think one 21 involves an instructor where the department he is in is 22 looking to terminate him and then possibly hired him 23 back at a lower salary. So, I think there's a grievance 24 for that. 25 Q That sounds messed up.</p>
<p style="text-align: right;">11</p> <p>1 the meetings? 2 A Usually it's -- we have an agenda that's very 3 simple. Its budgetary issues, staff coming down from 4 Tallahassee, the house bills that are maybe union 5 busting type bills, so there's announcements about that. 6 Sometimes we have members go to FEA, NEA meetings as 7 well as UFF senate meetings in Orlando or Tampa and 8 there's reports on that. There's I guess discussions 9 about getting our membership up. So, we have a 10 membership committee and they go out and try and 11 organize and -- well, they are organized. They just try 12 and get others to join that might not be a part of the 13 Union. What else? That's -- there are announcements 14 regarding grievances, but it's anonymous. 15 Q That was my next question actually. 16 A Yeah. 17 Q What do you mean by they are anonymous? 18 A There is no name, placed to the grievance. 19 There might be just -- well, we have three grievances 20 going through and they -- and usually the grievance 21 person will announce where it's at within the process. 22 Is it at arbitration, is it just starting, is it coming 23 to an end kind of thing. 24 Q Do you or does anybody at UFF-FAU discuss the 25 nature of the grievances and --</p>	<p style="text-align: right;">13</p> <p>1 A Yeah. 2 Q Do you want to continue with the other 3 grievances? 4 A Well, I know of the ones that the Plaintiff 5 was going to pursue but didn't. 6 Q The Plaintiff? 7 A Jim. 8 Q Are you referring to Professor Tracy? 9 A Yeah, yeah. 10 Q Okay. 11 A I mean the others I don't -- I can't recall. I 12 don't remember. 13 Q Are you aware of any grievances involving or 14 concerning Article 19, the outside activities policy? 15 A Do I know of any? Can you refer -- Can you 16 repeat the question? 17 Q Sure. Do you know of any grievances whether 18 they are past or ongoing, involving the outside 19 activities or conflict of interest policy at the 20 University? 21 A I do not. I don't. 22 Q Uh-huh. For example April of 2016, there was 23 a Chapter grievance filed by President Zoeller. Are you 24 familiar with that one? 25 A I don't recall that one.</p>

14

1 **Q Okay. So, there never was a meeting to**
 2 **discuss a Chapter grievance?**
 3 A If there was, I might have not -- I may not
 4 have been at that meeting.
 5 **Q Okay.**
 6 A And I don't -- And if Zoeller disclosed that,
 7 I really don't remember that.
 8 **Q Okay. Were you ever at any meetings**
 9 **concerning the outside activities policy in general?**
 10 A Yeah, yes.
 11 **Q When was the first meeting about it that you**
 12 **can remember?**
 13 A Oh, oh man. I don't want to speculate. I
 14 can't remember.
 15 **Q Okay. If you had to estimate how long ago**
 16 **that might have been, how long would you say?**
 17 A Maybe six months ago.
 18 **Q Six months.**
 19 A Maybe.
 20 **Q Do you remember back in 2015 when Professor**
 21 **Tracy still worked at the University, any discussion**
 22 **about the outside activities policy?**
 23 A In 2015, there was probably discussion about
 24 that, yeah.
 25 **Q Do you remember a senate faculty meeting in**

15

1 **September of 2015?**
 2 A A senate faculty meeting, in what -- at FAU?
 3 **Q FAU.**
 4 A The kind -- I don't know. I don't know.
 5 **Q Were you the senator -- the senate -- the**
 6 **senate faculty, right? You said you were a senator?**
 7 A Yeah, senator and treasurer.
 8 **Q Okay. So --**
 9 A I could have been there. I don't recall being
 10 there.
 11 **Q All right. Were you the senator back in**
 12 **2015?**
 13 A Yeah.
 14 **Q You were? So, you probably would have been at**
 15 **the meeting there?**
 16 A Yeah, it's possible. Yeah.
 17 **Q Do you remember Professor Lenz speaking?**
 18 A Professor who?
 19 **Q Professor Lenz.**
 20 A Tim Lenz?
 21 **Q Tim Lenz.**
 22 A I don't remember him speaking.
 23 **Q Do you remember any other professor speaking**
 24 **about the constitutionality of the policy, for example?**
 25 A I don't -- I don't remember.

16

1 **Q Okay. Going back to Professor Tracy's issue.**
 2 A Um-hum.
 3 **Q What was your involvement if any in the**
 4 **handling of Professor Tracy's discipline at United**
 5 **Faculty of Florida?**
 6 A His discipline with United Faculty of Florida
 7 or with FAU?
 8 **Q Well, the -- Yeah, the Faculty of Florida's**
 9 **handling of the discipline, if you had any involvement**
 10 **in it.**
 11 A No, I had absolutely no involvement with that.
 12 **Q There was no meetings held amongst the Chapter**
 13 **regarding Professor Tracy's discipline?**
 14 A His discipline, not that I recall.
 15 **Q For example, did President Zoeller ever call a**
 16 **meeting amongst the officers of UFF-FAU to discuss --**
 17 A Oh.
 18 **Q -- Professor Tracy's plight?**
 19 A No, not that -- not that I was involved with.
 20 **Q Would there be meetings concerning discipline**
 21 **against faculty members?**
 22 A I think that would be something the grievance
 23 chair could answer. My guess is -- I shouldn't say
 24 guess. I would -- There should be. Right, you would
 25 think that there are meetings, but I don't -- I was not

17

1 in any of these meetings or I don't know of any of them
 2 that were held.
 3 **Q Regarding grievances that you are familiar**
 4 **with.**
 5 A Yeah.
 6 **Q You said there is typically meetings and**
 7 **there's anonymous discussion of those grievances?**
 8 A I think the person who submits the grievance,
 9 remains anonymous.
 10 **Q Okay. But the discussion of the grievances**
 11 **amongst UFF-FAU --**
 12 A Right.
 13 **Q -- the Chapter, is this -- is this some kind**
 14 **of standard operating procedure when this comes up or**
 15 **how is it handled is really what I'm asking?**
 16 A I think -- I can't remember if I stated it
 17 before, but I think the grievance chair and whom is, you
 18 know, responsible for collecting this information only
 19 comes to the meetings to say, "There's 1, 2, 3
 20 grievances for example. Here is where they are within
 21 the kind of pipeline of grievance-ability." And there's
 22 never -- that I recall there's -- there has not been a
 23 time when the grievance officer that, you know, the
 24 person involved with the grievances has announced the
 25 names for the grievances. You know some people would

<p style="text-align: right;">18</p> <p>1 speculate at the meetings or whatever but it's not 2 really their business. So, it's between the grievance 3 chair from what I understand and the people that are 4 grieving.</p> <p>5 Q Okay.</p> <p>6 A That's what I understand.</p> <p>7 Q Regarding your role as a treasurer --</p> <p>8 A Yeah.</p> <p>9 Q And just to clarify, when you say you are a 10 senator, are you a UFF senator or are you an FAU faculty 11 senator too?</p> <p>12 A No, just UFF.</p> <p>13 Q Just UFF?</p> <p>14 A Yeah.</p> <p>15 Q What's a UFF senator?</p> <p>16 A A senator has just minor responsibilities. 17 They have voting kind of privileges and things like that 18 when it comes to some of the decisions that are made for 19 the United Faculty of Florida. Sometimes we go and 20 represent at senate meetings throughout the state. It's 21 not just us, other members are included if they want to 22 tag along.</p> <p>23 Q I see.</p> <p>24 A But then when it comes to officers, you have 25 kind of the lineage from the top to the bottom and even</p>	<p style="text-align: right;">20</p> <p>1 Q Okay.</p> <p>2 A In Tallahassee.</p> <p>3 Q Are these meetings are they held every year?</p> <p>4 A It's usually twice a year.</p> <p>5 Q Twice a years?</p> <p>6 A Yeah, spring and fall.</p> <p>7 Q Spring and fall?</p> <p>8 A Yeah.</p> <p>9 Q And how many of these meetings would you say 10 you've attended?</p> <p>11 A All together? I think I've been attending 12 since 2009 or '10.</p> <p>13 Q You've attended all of them?</p> <p>14 A Yeah.</p> <p>15 Q So, two a year for the past like 6-7 years?</p> <p>16 A Fourteen maybe.</p> <p>17 Q Okay. At these meetings, is there a schedule 18 of events like an agenda?</p> <p>19 A There is an agenda that's, yeah, distributed 20 for the people attending.</p> <p>21 Q Where would you find an agenda for these 22 meetings?</p> <p>23 A It's usually in paper form. Sometimes it's 24 sent electronically and it's from what I remember it's a 25 web -- like a -- you click on a link and you can</p>
<p style="text-align: right;">19</p> <p>1 -- those people take on more responsibility by 2 volunteering their time.</p> <p>3 Q Okay. So, this senate -- the UFF senate is 4 not a localized UFF-FAU senate, it's a -- is it more -- 5 does it involve other schools and other --</p> <p>6 A Correct, yeah.</p> <p>7 Q -- Chapters?</p> <p>8 A Yeah. So, twice a year there's a collection 9 of senators and members and officers. I mean they are 10 all called kind of senators in a city in Florida and it, 11 you know, it involves, you know, University of Florida 12 USF, UA -- you know, FAU, FIU, all the institutions that 13 hold unions for their faculty.</p> <p>14 Q So, these are meetings that are held off of -- 15 outside of FAU?</p> <p>16 A Right, right.</p> <p>17 Q Where do they typically meet?</p> <p>18 A Usually its Tampa or Orlando. That's -- The 19 last one was Orlando.</p> <p>20 Q And is this like a convention?</p> <p>21 A Yeah, yeah, it's like a weekend convention 22 where everybody gets together and discusses kind of the 23 same issues as what we do with the local Chapter 24 especially some of the house bills that are rolling 25 through.</p>	<p style="text-align: right;">21</p> <p>1 download the documents and then that's about it.</p> <p>2 Q Okay. During these meetings, I know you said 3 that you discuss legislative changes or proposals and 4 what not. Is there any other issues that are discussed 5 other than legislation, do they discuss grievances for 6 example?</p> <p>7 A No, I've never heard grievances being 8 discussed.</p> <p>9 Q Do they --</p> <p>10 A If -- There might be grievance meetings with 11 other grievance people but I don't attend those.</p> <p>12 Q Okay. Do -- So, these meetings are more 13 geared towards issues at the state lever?</p> <p>14 A Yeah, at the state level.</p> <p>15 Q Not so much local Chapters?</p> <p>16 A Well, part of it is trying to get the local 17 Chapters to continue to organize and get their 18 membership up and there is a lot of workshops and things 19 like that that are held regarding those issues and when, 20 you know, just a side bar. When Tallahassee comes down 21 with these house bills that want to kind of, you know, 22 affect education and faculty it's a big deal and so 23 there's a lot of kind of workshops regarding that. 24 There's workshops regarding management of money and the 25 -- which the treasurer is responsible for. There is one</p>



<p style="text-align: right;">22</p> <p>1 kind of workshop recently that was about prisons and 2 education I think. So, I mean there's a number of 3 things that can be discussed at these meetings. 4 Q With respect to your roles as a treasurer -- 5 A Yeah. 6 Q -- is there a cost associated with grievance? 7 A No. 8 Q You are not paid in salary by UFF, are you? 9 A I am not. 10 Q Does anybody at UFF receive any kind of 11 compensation for their -- would you call it 12 volunteering? 13 A It's volunteer, yeah. 14 Q So -- 15 A There's no money -- There's no monetary -- 16 right, is that the term -- monetary compensation for 17 doing the things that I do anyway. 18 Q Do you get anything in return for your time 19 and your service? 20 A I do not, some enjoyment out of it. 21 Q Going back to Professor Tracy's issues, when 22 did you first learn about Professor Tracy's discipline? 23 A Which one? 24 Q Any, either of them. 25 A Well, the first was the reprimand that was a</p>	<p style="text-align: right;">24</p> <p>1 A No. 2 Q Do you know if they held meetings to discuss 3 grievances? 4 A I don't know, no. Yeah. 5 Q How about Michael Moats? Do you know Michael 6 Moats? 7 A I -- We know of each other. We are not close 8 or anything. We say, "Hi." I don't think he would 9 remember my name. 10 Q You never discussed grievances with him? 11 A No. 12 Q Or any discipline against any faculty member 13 with Michael Moats? 14 A No. 15 Q Can you tell us about your relationship with 16 the current president, Robert Zoeller? 17 A It's professional. He's a, you know, he's a 18 faculty. He's a peer. 19 Q Would you consider him a friend? 20 A Yeah. 21 Q Confidant? 22 A Yeah, yeah. I mean he's someone I can -- he's 23 not anybody that I'm going to call every day. When I see 24 him, we'll talk a little bit. That's about it. 25 Q Does he accompany you to the senate -- UFF</p>
<p style="text-align: right;">23</p> <p>1 while ago. That was 2013, I think. 2 Q And you were aware of the discipline back in 3 2013? 4 A Yeah. 5 Q And did you have any involvement in the 6 handling of the grievance back in 2013? 7 A No. 8 Q You were -- Were you treasurer back then too? 9 A I'm sorry. I'm trying to go back in time. 10 Q Take your time. Could be -- 11 A It's possible. It could have been my first 12 year as treasurer. 13 Q Okay. Back then the president was Robe? 14 A Yeah. 15 Q And the grievance chair -- grievance/contract 16 enforcement chair was a Doug Bradfield? 17 A That's right. 18 Q Is that right? 19 A Yeah. 20 Q Back in 2013, were you involved in any 21 meetings with Robe or Bradfield -- 22 A No. 23 Q -- concerning grievances? 24 A Specifically a grievance meeting, no. 25 Q No?</p>	<p style="text-align: right;">25</p> <p>1 senate meetings? 2 A He attends. I don't go with him, no. 3 Q Okay. 4 A We go separately and we -- 5 Q So, he's doing his own thing there? 6 A Correct. 7 Q Do you guys travel together? 8 A No. 9 Q You just meet there? 10 A Right. 11 Q Do you guys stay in the same hotel? 12 A We are in the same hotel, yeah. 13 Q Right. 14 A Everybody is in the same hotel. 15 Q Like adjoining rooms or? 16 A No. 17 Q Who pays for the hotel? 18 A United Faculty of Florida pays for half the 19 hotel usually and then we might pick up the other half. 20 It depends on the situation. So, for example if you -- 21 Q So, you have to pay yourself? 22 A Not out of pocket, no. It comes out of our 23 Chapter so -- or -- 24 Q Chapter budget? 25 A Chapter budget and/or the budget up in</p>

<p style="text-align: right;">26</p> <p>1 Tallahassee. So, we submit a form of expenses, there's</p> <p>2 only so much you can spend for the day per diem and so</p> <p>3 on and so much that's allotted for travel, so much</p> <p>4 that's allotted for hotel. you submit that to</p> <p>5 Tallahassee and you get -- hopefully get reimbursed</p> <p>6 that. What costs aren't reimbursed we sometimes will</p> <p>7 reimburse some of the members or senators that attend.</p> <p>8 Q Okay. Did professor -- President Zoeller, did</p> <p>9 he ever talk to you about Professor Tracy's situation at</p> <p>10 the University?</p> <p>11 A He's dis -- He's talked about it, yeah.</p> <p>12 Q When was the first time that he spoke to you</p> <p>13 about Professor Tracy?</p> <p>14 A I don't remember. I --</p> <p>15 Q Was Professor Tracy still working there when</p> <p>16 he talked to you?</p> <p>17 A Yeah, he was still working there.</p> <p>18 Q Do you remember what he said about Professor</p> <p>19 Tracy back when Professor Tracy was still employed?</p> <p>20 A I don't remember what he would have said about</p> <p>21 him, no. I mean --</p> <p>22 Q Do you remember how the conversation was</p> <p>23 started about Professor Tracy, why he would come up?</p> <p>24 A With Zoeller?</p> <p>25 Q Yeah.</p>	<p style="text-align: right;">28</p> <p>1 A No.</p> <p>2 Q Do you agree with him?</p> <p>3 A Not all the time.</p> <p>4 Q Do you think that any of Professor Tracy's</p> <p>5 theories have merit?</p> <p>6 A That's a --</p> <p>7 Q That's a very broad question, right?</p> <p>8 A Yeah, that's a tough question.</p> <p>9 Q We can talk about specifics if you want.</p> <p>10 A I mean the way I see it conspiracy theories</p> <p>11 have a thesis and they want to prove the thesis or</p> <p>12 hypothesis and they look for evidence. Sometimes that</p> <p>13 evidence is very soft. It, you know, there isn't a</p> <p>14 whole lot of value held on that evidence. You know</p> <p>15 looking --</p> <p>16 Q You're speaking generally about conspiracy</p> <p>17 theories?</p> <p>18 A Yeah, just generally, yeah. But, you know,</p> <p>19 when it comes to some of the other things I think</p> <p>20 there's, you know, a legitimate argument to be made, you</p> <p>21 know. Like if you want to take into consideration</p> <p>22 chemtrails, there might be an argument there.</p> <p>23 Q Let's talk about Professor Tracy's writing</p> <p>24 about Sandy Hook.</p> <p>25 A Okay.</p>
<p style="text-align: right;">27</p> <p>1 A Between Zoeller and me?</p> <p>2 Q Yeah. The first time he ever talked to you</p> <p>3 about.</p> <p>4 A Oh, well, it was because of the issues with</p> <p>5 his blog and the conspiracy theories and stuff like</p> <p>6 that.</p> <p>7 Q So, Zoeller talked to you about what Professor</p> <p>8 Tracy was writing about in the internet?</p> <p>9 A He would periodically. He was, you know,</p> <p>10 yeah, periodically he would mention it.</p> <p>11 Q And did he have a problem with what Professor</p> <p>12 Tracy was blogging?</p> <p>13 A Not that I recall.</p> <p>14 Q Did he ever tell you I don't like Professor</p> <p>15 Tracy?</p> <p>16 A No, not that I remember.</p> <p>17 Q Zoeller never said to you, you know, I really</p> <p>18 don't like what this man is saying on the internet, I</p> <p>19 don't agree with him?</p> <p>20 A He said he doesn't agree with him, yeah.</p> <p>21 Q Did Zoeller tell you what he had read?</p> <p>22 A No.</p> <p>23 Q Have you read Professor Tracy's blog?</p> <p>24 A Yes.</p> <p>25 Q Do you have a problem with what he's blogging?</p>	<p style="text-align: right;">29</p> <p>1 Q Are you familiar with his writing?</p> <p>2 A Yeah.</p> <p>3 Q About Sandy Hook?</p> <p>4 A Yeah, I can recall it I think, some of it.</p> <p>5 Q What do you remember about his writing?</p> <p>6 A Well, he was questioning the whole ordeal of</p> <p>7 Sandy Hook in Newtown and whether or not the kids were</p> <p>8 actually shot and killed and if there were crisis actors</p> <p>9 involved and false flag kind of went wrong and, you</p> <p>10 know, who's really kind of behind this whole activity</p> <p>11 that happened in I guess it would have been 2012, right,</p> <p>12 December 2012. And, you know, he would speculate and he</p> <p>13 would look at photographs and videos and things like</p> <p>14 that and try and understand what was going on with that</p> <p>15 whole kind of situation in Newtown.</p> <p>16 Q Did you have a problem with what Professor</p> <p>17 Tracy was writing about that had happened in Newtown or</p> <p>18 --</p> <p>19 A No, I've never had a -- I haven't -- Can I</p> <p>20 take never back? I have not had a problem with what he</p> <p>21 has written regarding Newtown.</p> <p>22 Q Is that because you agree with free speech?</p> <p>23 A I agree with free speech.</p> <p>24 Q Professor Tracy was never compensated for his</p> <p>25 blogging that you know. Is that accurate?</p>

30

1 A Not that I'm aware of. I don't think he was.

2 **Q So, what he was writing was on his own time,**

3 **on his own personal blog?**

4 A It was his personal blog on his own time.

5 **Q Would you agree that the University targeted**

6 **Professor Tracy for his speech?**

7 MS. HEFFNER: Objection as to form. You can

8 answer.

9 A I don't know.

10 **Q (By Mr. Leo) Let's go back to 2013.**

11 A Yeah.

12 **Q There was controversy at the school.**

13 A Right.

14 **Q Do you remember the controversy?**

15 A Yeah.

16 **Q Do you remember seeing any of the news**

17 **reporting?**

18 A Yeah.

19 **Q And this was January 2013?**

20 A Yeah, yeah, yeah.

21 **Q Just some time ago.**

22 A Yeah.

23 **Q Let's talk first of all actually about your**

24 **relationship with Professor Tracy. How long have you**

25 **known Professor Tracy?**

31

1 A I met -- I met him in 2004.

2 **Q Colleagues -- You guys are colleagues?**

3 A As a colleague, yeah.

4 **Q You work in the same school?**

5 A Yeah.

6 **Q Communications?**

7 A Yeah.

8 **Q Would you consider Professor Tracy your**

9 **friend?**

10 A Yeah.

11 **Q And have you ever talked to him about the**

12 **University's use of the outside activities policy**

13 **against that?**

14 A Yeah, we've discussed that.

15 **Q Do you agree with Professor Tracy that he was**

16 **being targeted for his blogging?**

17 A Within the context of FAU?

18 **Q Right.**

19 A Targeting him? It's possible. Um --

20 **Q Before --**

21 A Yeah.

22 **Q -- Professor Tracy blogged about Sandy Hook,**

23 **the University wasn't messing with him, were they?**

24 A Were they?

25 **Q If you know.**

32

1 A Not that I recall.

2 **Q He never told you that they had sent him**

3 **threatening letters before 2013?**

4 A No.

5 **Q So, in 2013 they began sending him letters and**

6 **issuing directives. Do you recall what those directives**

7 **were?**

8 A I do not, no.

9 **Q Do you recall the outside activities form?**

10 A I know of it.

11 **Q Have you ever filled out an outside activity**

12 **form?**

13 A I have never filled one out.

14 **Q Do you have social media?**

15 A Yes.

16 **Q Facebook, Twitter?**

17 A I do, yeah.

18 **Q All of these social media accounts that you**

19 **have, have you ever disclosed your social media account**

20 **to the University?**

21 A No.

22 **Q Have you ever been instructed to submit your**

23 **Facebook page for example to the University?**

24 A No.

25 **Q Let me mark this as PE1.**

33

1 (Thereupon, Plaintiff's Exhibit 1 was entered

2 into the record.)

3 **Q (By Mr. Leo) I'm showing what's been marked as**

4 **PE1 for today. Are you familiar with this document?**

5 **Have you ever seen it before?**

6 A I've seen it but I don't look for it. You

7 know, I don't even recall the last time it was sent to

8 me to review or to fill out.

9 **Q So, you've never been given a directive by any**

10 **administrator at the University fill out this form?**

11 A I think from what I recall an e-mail may have

12 been sent out that would state, fill out this form if

13 you are -- if you have sort of any outside employment or

14 activity of FAU and I mean it's one of these e-mails

15 that I just kind of blow by and I don't recall the last

16 time I even opened up the attachment to look at this

17 form.

18 **Q Have you ever had any discussions with**

19 **President Zoeller or anybody at UFF-FAU regarding this**

20 **form?**

21 A Not that I recall.

22 **Q Has there ever been any meetings that you know**

23 **of concerning the use of this form in any way?**

24 A It's been discussed I think a -- once or twice

25 at a meeting and -- excuse me at a UFF meeting but I

34

1 don't -- I can't recall the full detail.

2 **Q When it was discussed was that before or after**

3 **Professor Tracy was fired for not submitting this form?**

4 A I think it would have been before.

5 **Q Before. Do you plan on submitting any of your**

6 **social media activity on this form at any time?**

7 A No.

8 **Q Does it concern you that Professor Tracy was**

9 **fired for not submitting his blog on this form?**

10 A Yeah, it's a concern.

11 **Q What concerns you?**

12 A Well, its, you know, it is an issue where I

13 think you leave the work at work and what you do at home

14 is your business and sometimes if you want to blog or

15 maintain a Facebook, Twitter, Instagram account, as long

16 as it's, you know, something extremely hateful and, you

17 know, there shouldn't be an issue with it and, you know,

18 I think that sometimes the form could be a little gray

19 for some people because they don't quite understand it

20 but --

21 **Q You're speaking about this form?**

22 A Yeah, but when it comes -- Yeah. So, you

23 know, I don't -- there's nothing on the form that would

24 state you would have to -- that you would have to report

25 social media though, is there? I mean --

35

1 **Q You tell me.**

2 A I don't see it.

3 **Q The form's entitled report of outside**

4 **employment.**

5 A Right.

6 **Q Or a professional activity.**

7 A Right.

8 **Q In your opinion is this form designed for**

9 **commercial activity for profit or business?**

10 A Yeah, that's how I've always looked at it. So,

11 if I was to go and get a job at Starbucks then I should

12 probably fill this out or if you want to sell something

13 from home that's, you know, like healthcare products or

14 something then I guess you should fill this out. Now,

15 if you want to sell something on eBay, right, that's,

16 you know, where the divide happens, yeah.

17 **Q Do you think that Professor Tracy's blog**

18 **should have been reported on this form?**

19 A I don't think it should have been.

20 **Q And why is that?**

21 A Well, it is -- well here is the difficulty

22 that I find in it, is that if it's a blog and it's

23 personal and its external research and scholarly

24 activities, you know, that are aside from FAU he

25 shouldn't have to report it. Plus he is not being paid

36

1 anything. On the other hand, if he was collecting some

2 sort of revenue and it is associated with his research

3 and scholarly activities at FAU then yeah, it probably

4 should have been reported.

5 **Q If Professor Tracy's blogging was personal**

6 **blogging only and not being used to make money --**

7 A Yeah.

8 **Q -- it would not fall within the scope of this**

9 **form?**

10 A No.

11 **Q You would agree with that?**

12 A I'd agree with that.

13 **Q If your supervisor -- Who is your supervisor?**

14 A David Williams.

15 **Q Williams and who --**

16 A He's the director of our --

17 **Q He's the director. He's the same one who**

18 **directed Professor Tracy to fill out these forms in**

19 **2015. Isn't that right?**

20 A I don't know.

21 **Q Okay. But you are in the same school?**

22 A Yeah.

23 **Q So, you have the same supervisors?**

24 A Yeah, he -- Yes, most likely.

25 **Q At the time you had the same supervisors?**

37

1 A Most likely he would have been, yeah.

2 **Q If he or his supervisors -- Who were his**

3 **supervisors?**

4 A Coltman -- Hannah Coltman, the College of Arts

5 and Letters and then associate and assistant deans below

6 her.

7 **Q What about anybody above Coltman? Is there**

8 **anybody?**

9 A I guess it would go to Gary Perry.

10 **Q Gary Perry.**

11 A Although --

12 **Q How about Diane Alperin.**

13 A And I'm not -- Yeah, I think that would be the

14 next in line too.

15 **Q If any of those individuals we just discussed,**

16 **directed you or told you to fill out this form for your**

17 **Facebook page, what would you do?**

18 A I wouldn't fill it out.

19 **Q And if they told you that you were going to be**

20 **fired if you don't?**

21 A Well, then I would create an argument as to

22 why I shouldn't have to fill out, right. I don't think

23 I should be bullied into what I'm going to be doing

24 outside of here -- outside of FAU and then I would

25 grieve it if they would pursue it.

38

1 **Q And would you go to Zoeller about filing a**
 2 **grievance?**
 3 A I would go to the grievance officer and that
 4 would be whomever it is now, McGetchin.
 5 **Q McGetchin?**
 6 A Yeah.
 7 **Q And if your -- And if you're told by McGetchin**
 8 **or Zoeller that it's not grieve-able, what would you do?**
 9 A I don't know. I guess I would ask why it's
 10 not grieve-able, ask for an explanation and, you know,
 11 and see what sort of procedures were taken regarding the
 12 measures of the grieve-ability of the activity and if it
 13 stops at the Chapter then I would take it to Tallahassee
 14 probably.
 15 **Q In your experience in -- based on your**
 16 **knowledge of the contract, the collective bargaining**
 17 **agreement, would use of the outside employment or**
 18 **professional activity form in a way that interfered with**
 19 **your constitutional rights, would that be grieve- able?**
 20 A Within the CBA?
 21 **Q Right, the -- your agreement with the**
 22 **University, the collective bargaining agreement.**
 23 MS. HEFFNER: Objection as to form. You can
 24 answer.
 25 A Can you repeat that?

39

1 **Q (By Mr. Leo) Well, let's just -- Let me**
 2 **clarify.**
 3 A Okay.
 4 **Q So, you would say that you wouldn't fill out**
 5 **the form if they told you to turn it in for your blog or**
 6 **your Twitter or Facebook?**
 7 A If it was a personal blog, no. If it was
 8 something associated with an activity that I was doing
 9 at FAU and was a part of my service or instruction then
 10 I would probably fill it out.
 11 **Q Right. But if it was for a personal social**
 12 **media activity that's outside --**
 13 A I would not --
 14 **Q -- the University?**
 15 A Excuse me -- I would not fill it out.
 16 **Q You wouldn't fill it out.**
 17 A No.
 18 **Q And if they tried to fire you or discipline**
 19 **you for not, you would grieve is what you testified to,**
 20 **right?**
 21 A Um-hum.
 22 **Q Now, in -- you stated that if you didn't -- if**
 23 **you couldn't -- if your Chapter wouldn't grieve for you,**
 24 **all right, because you -- Can you file the grievance**
 25 **yourself?**

40

1 A I don't know. I've never grieved. So, I
 2 don't know the actual procedure. I hope that I don't
 3 have to grieve anything ever.
 4 **Q Um-hum.**
 5 A But yeah, I guess the forms are filled out
 6 with the grievance officer and that's sent up to UFF and
 7 Michael Moats and them in Tallahassee so.
 8 **Q So, you would go to Michael Moats or --**
 9 A I guess if the --
 10 **Q -- something higher up the ladder?**
 11 A If it were to stop at FAU if there's another
 12 possibility and I could take it another step, then yeah
 13 I would go to Tallahassee and talk to United Faculty
 14 there.
 15 **Q Are you familiar with someone named Ogletree?**
 16 A Marshall, yeah.
 17 **Q Who's that?**
 18 A What is his -- I can't recall his role. He's
 19 kind of there maintaining all the activity in management
 20 for United Faculty of Florida. He helps the president
 21 of United Faculty of Florida out a lot. Yeah.
 22 **Q So, Ogletree --**
 23 A So, he sends out a lot of the e-mails.
 24 **Q Agotree works for Zoeller?**
 25 A I think -- Well, they would be in

41

1 communication. Yeah.
 2 **Q Would you go to Agotree with this issue if**
 3 **Zoeller --**
 4 A Pro --
 5 **Q -- and Moats couldn't help you or wouldn't**
 6 **help you?**
 7 A Probably not. I think --
 8 **Q Where would you go after that?**
 9 A I would probably I guess obtain counsel and
 10 maybe try that route.
 11 **Q All right. You don't have a lot of time to**
 12 **file a grievance after a grieve-able event?**
 13 A Yeah.
 14 **Q Is it 30 days?**
 15 A Something like that, yeah.
 16 **Q Okay. Now, do you -- You said you are not**
 17 **going to fill these forms out for your social media at**
 18 **any point?**
 19 A I'd have to fill out probably 10 of these.
 20 **Q Are you --**
 21 A It's just --
 22 **Q Are you worried now that Professor Tracy has**
 23 **been fired for not submitting his forms for his blogging**
 24 **that they could target you in the same way?**
 25 A There is concern, yeah.

42

1 **Q Are any other faculty members at Florida**
 2 **Atlantic University also concerned?**
 3 A Yeah.
 4 **Q Have any of them expressed their concerns to**
 5 **you?**
 6 A It's more of kind of a shoot from the hip
 7 conversation when it comes to stuff like that. A lot of
 8 people just outright ignore it because they don't know
 9 what's going on. They either ignore it or they just
 10 don't know what's going on.
 11 **Q You said ignore, are you referring to the form**
 12 **or the issue?**
 13 A No, no, just in general, the issues, right.
 14 So, you know, you could probably pull all FAU employees
 15 and ask them how many of them know about this form and
 16 maybe half of them do and half don't.
 17 **Q How many FAU employees would you say have**
 18 **actually filled out one of these forms?**
 19 A The ones that I know of?
 20 **Q Sure.**
 21 A One.
 22 **Q Who?**
 23 A A staff member, a senior secretary.
 24 **Q Okay. What about --**
 25 A That's the only one.

43

1 **Q What about Professor Tracy?**
 2 A He's never filled one of these out.
 3 **Q He didn't fill it out when he was directed to**
 4 **in 2015?**
 5 A He might have. I don't recall. Yeah.
 6 **Q Okay. And if I told you he did fill it out**
 7 **and he was fired --**
 8 A Well, yeah -- Yes, yeah.
 9 **Q Would that concern you?**
 10 A You know what, he did it fill out. Now that I
 11 remember he did fill it out, yes. He did fill it out
 12 and yes, it would -- it is a concern.
 13 **Q Right. He was told to fill it out.**
 14 A Right.
 15 **Q He objected, right?**
 16 A Right.
 17 **Q Then he went to the Union, UFF-FAU. Do you**
 18 **remember this timeline?**
 19 A I'm trying to, yeah.
 20 **Q Because you guys talked about it I'm sure,**
 21 **right?**
 22 A A little bit.
 23 **Q He went to his union folks, Zoeller and Moats.**
 24 **They directed him to fill out the form.**
 25 A That's right, yeah, yeah.

44

1 **Q Right?**
 2 A Right.
 3 **Q Were you aware of that directive?**
 4 A I'm aware of it only because of the
 5 conversations that have happened after, so yeah.
 6 **Q Okay. So, Zoeller and others at UFF-FAU**
 7 **direct Professor Tracy to comply with the school's**
 8 **directive --**
 9 A Right.
 10 **Q -- to submit this for his blog?**
 11 A That's right, yeah, if I remember.
 12 **Q So, you obviously would have a problem with**
 13 **that?**
 14 A Him submitting it for his blog, yes, I would
 15 have an issue with it.
 16 **Q And if they asked you or they told you, if you**
 17 **went to Zoeller and said, you know, they want this form**
 18 **for my Facebook page.**
 19 A Right.
 20 **Q And I don't agree that I should have to submit**
 21 **my Facebook for approval.**
 22 A Right.
 23 **Q You would have a problem with him telling you**
 24 **to submit this form, Zoeller?**
 25 A Probably, yeah.

45

1 **Q Because it's not -- what this form it is not--**
 2 A I mean it's a contract, yeah. I mean you look
 3 at -- it's kind of a -- it's separate from Union, it's
 4 separate from faculty. It's all employees at FAU have
 5 to fill out this form if they are asked to. It's not
 6 just Union people or faculty. So, yeah, I mean if
 7 someone said you have to fill out this form I would say,
 8 "Why?", you know, it's --
 9 **Q Well, for activity that falls outside of the--**
 10 A Right, right.
 11 **Q -- the scope of the form?**
 12 A Right.
 13 **Q Which is if you look at the form it's for**
 14 **commercial activity, right?**
 15 A When I look at this form, right, I understand
 16 it as activity outside of the University, yeah that is
 17 paid and not associated with FAU, right and I've never
 18 really understood why this form exists. When I moved
 19 here or took the job in '04 I mean it was kind of an odd
 20 thing, but I thought it was more for adjuncts than
 21 anything. So, when it would roll through an adjunct
 22 test to have two or three different jobs at two or three
 23 different universities and they kind of want to, for
 24 whatever reason, keep track of that and yeah, because I
 25 guess for full-time employees you are locked into a

46

1 specific 9- or 12-month contract with FAU and they want
 2 to be sure that you are complying with their policy.
 3 **Q The policy itself -- this is -- we're talking**
 4 **about Article 19, the Outside Activities, Conflict of**
 5 **Interest Policy have you ever been given guidelines by**
 6 **the University or by United Faculty of Florida as to how**
 7 **to comply with the policy?**
 8 A Verbal, like?
 9 **Q In any way.**
 10 A I don't recall. There may be something in an
 11 e-mail somewhere with this attached to it.
 12 **Q The form?**
 13 A Yeah.
 14 **Q But did they ever provide you with anything**
 15 **other than the form? Did they provide you with --**
 16 A I don't recall. It could have been something
 17 back in 2004 for new employee kind of workshops and
 18 stuff like that, but that was a long time.
 19 **Q Did they give you a memo or like a --**
 20 A I have never -- I don't recall receiving a
 21 memo.
 22 **Q Anything that outlines what is considered an**
 23 **outside activity or reportable outside activity?**
 24 A No.
 25 **Q Have you ever been instructed or advised or**

47

1 told that online social media or any kind of online
 2 speech is considered an outside activity that is
 3 required to be reported to the university in advance
 4 than actually conducting the activity?
 5 A No.
 6 **Q Has anybody ever threatened you or given any**
 7 **indication that by failing to disclose that activity you**
 8 **could be subject to discipline or termination?**
 9 A No.
 10 **Q You had said that there was other faculty**
 11 **members who were concerned. Are those concerns -- have**
 12 **they been concerns for a while or it would be --**
 13 A I think so. It's just a general feeling that
 14 you can get from faculty overall. I mean the, you know,
 15 not everybody is happy with what potentially could be
 16 regarding these forms, so.
 17 **Q Is the University's use of this form and this**
 18 **policy in the way it was used against Professor Tracy,**
 19 **is that the reason for the concerns that you just**
 20 **mentioned?**
 21 A It could -- It's part of it, I think.
 22 **Q Okay. After Professor Tracy's fired --**
 23 A Yeah.
 24 **Q -- was there talk at FAU of the manner in**
 25 **which he was fired?**

48

1 A No, not really.
 2 **Q Nobody ever said, you know, Professor Tracy's**
 3 **firing, that was just wrong the way they did this?**
 4 A Oh, well, there is some people that would
 5 state that, yeah. But, you know I think that -- I mean
 6 I cannot identify who exactly would say something like
 7 that but general conversation. Yeah.
 8 **Q Would you agree that many people don't**
 9 **necessarily have any concern -- I'm saying -- many**
 10 **people at the University aren't so much concerned about**
 11 **this because they disagree with Professor Tracy?**
 12 MS. HEFFNER: Objection as to form. You can
 13 answer.
 14 A Okay. Can you repeat that?
 15 **Q (By Mr. Leo) Sure. Would you agree or if you**
 16 **disagree tell me, that many people at FAU don't**
 17 **necessarily care or they are not concerned with the way**
 18 **that this policy was used against Professor Tracy**
 19 **because they didn't agree with what he was saying?**
 20 MS. HEFFNER: Objection as to form. You can
 21 answer.
 22 A It's possible.
 23 **Q (By Mr. Leo) For example did somebody tell**
 24 **you, anybody at the University say, "You know, good**
 25 **riddance. I don't really care how he was fired,"**

49

1 referring to Professor Tracy.
 2 A Yeah, yeah, some people have said that, yeah.
 3 **Q Did anybody tell you, "You know, the way that**
 4 **Professor Tracy was fired this is unconstitutional"?**
 5 A Some people have said that as well. It's
 6 divided.
 7 **Q How is it divided?**
 8 A Well, some people agree with how -- with his
 9 termination and some people don't, I think.
 10 **Q If you had to quantify or give a percentage of**
 11 **people that you've talked to --**
 12 A Yeah.
 13 **Q What's the difference?**
 14 A I don't know, one to one.
 15 **Q So, half -- it's like half and half?**
 16 A Yeah.
 17 **Q Are a lot of people talking about Professor**
 18 **Tracy's situation?**
 19 A No.
 20 **Q Do you have an opinion as to whether the**
 21 **firing was justified or whether it was wrongful?**
 22 A If it could -- No --
 23 **Q You want me to ask in a different way?**
 24 A I kind of want to say both, but that doesn't
 25 really make sense.

<p style="text-align: right;">50</p> <p>1 Q Not necessarily. Let's rephrase it. Do you 2 think that Professor Tracy should have been fired? 3 MS. HEFFNER: Objection as to form. You can 4 answer. 5 A No. 6 Q (By Mr. Leo) Why? 7 A I think his reasons for being fired were 8 petty. I think his activity outside of FAU is his 9 business and, you know, regarding the correspondence 10 between Jim Tracy and administrators over the time that 11 this whole thing started could have been done better on 12 all sides including the administrators and Jim. 13 Q When you say all sides, are you also referring 14 to the Union? 15 A I think the Union did what they could. I 16 think -- from what I understand, there was communication 17 between the Union and Jim. I'm talking more along the 18 lines of the administrators and you know Jim being on 19 parental leave what does that -- what constitutes how 20 much he has to -- how can I say this -- what amount of 21 responsibility does he have on parental leave to check 22 his e-mail every day, stuff like that. 23 Q So, you are referring to the timetables and 24 the directives that he was given when he's not at the 25 school because he's on leave?</p>	<p style="text-align: right;">52</p> <p>1 Q And the University and the Union settled with 2 Professor Tracy. 3 A Yeah, from what I understand they did and the 4 reprimand was taken out of his file. 5 Q Right. In 2013 they had asked Professor Tracy 6 to submit these reports for his blogging. 7 A Oh, okay. 8 Q Right? 9 A Not right. No, -- 10 Q You don't know? 11 A -- No, it actually surprised me, yeah. 12 Q Well, if you know it. 13 A No, I didn't know. I thought. Sorry about 14 that, I was -- 15 Q Okay. 16 A -- just kind of -- 17 Q And then in 2015 when he's on parental leave 18 they once again tried to discipline him again. You had 19 indicated that the union helped him? 20 A Yeah, from all accounts that I'm aware of, the 21 union assisted him the best that they could for that 22 period that he was going through in December 2015. 23 Q In 2015, so you are saying the Union helped 24 him in what way? 25 A I think they were in communication with him</p>
<p style="text-align: right;">51</p> <p>1 A Yeah. It's a little awkward I think and I 2 don't know if, you know, I don't know what the policy 3 is. I don't, you know. 4 Q When you say the policy, which policy? 5 A If you take parental leave what you are 6 supposed to do because some companies will say, when you 7 are on parental leave you don't check your e-mail, you 8 don't take any calls. You don't do anything associated 9 with FAU. You're not -- 10 Q Right. 11 A You know you are on leave. I don't know what 12 it says regarding that when it comes to FAU policy or if 13 it's even in the Collective Bargaining Agreement. 14 Q Do you think that they waited for Professor 15 Tracy to be on parental leave before they targeted him 16 for -- 17 MS. HEFFNER: Objection as to form. 18 Q (By Mr. Leo) -- for his blogging? 19 A No, I don't believe that. 20 Q Are you aware of the 2013 discipline? 21 A Yeah. 22 Q Let me say, the threat of discipline? 23 A Right. 24 Q The Union defended Professor Tracy in 2013. 25 A Right.</p>	<p style="text-align: right;">53</p> <p>1 regarding this form. They were ready to grieve. There 2 was a lawyer I think that was being set aside and, you 3 know, the -- 4 Q Can I stop you for something? 5 A Yeah. 6 Q You said that when they were ready to grieve? 7 A Or when they were grieving. I don't -- I mean 8 I don't -- I don't recall the full context of it all, 9 but maybe -- I don't think my memory is -- 10 Q No grievance was filed on behalf of Professor 11 Tracy. 12 A Oh, okay then. I thought there was a 13 grievance filed. Okay. I thought one was filed and 14 then something happened and they were going to file a 15 second one. That's -- Yeah. 16 Q So, now that you know that no grievance was 17 filed on behalf of Professor Tracy by the Union would 18 you change your testimony that they helped him? 19 A Well, I was under the -- I thought that they 20 were -- that they did indeed file a grievance, but I 21 guess they didn't. 22 Q Did somebody tell you that they filed a 23 grievance? 24 A No, it's just my assumption. 25 Q Did anybody tell you that they weren't going</p>



54

1 to file a grievance?
 2 A No.
 3 Q Did the -- President Zoeller, did he indicate
 4 that they were defending Professor Tracy?
 5 A Yeah.
 6 Q To you?
 7 A Yeah.
 8 Q Did he represent that to other faculty
 9 members?
 10 A He represented it the best he could from what
 11 I remember keeping it anonymous.
 12 Q Did President Zoeller ever tell you that they
 13 did not intend to defend Professor Tracy?
 14 A No.
 15 Q Did he ever tell you that Professor Tracy
 16 should resign?
 17 A No.
 18 Q Or that they were -- I say they, I'm referring
 19 to the United Faculty of Florida, that they were
 20 planning to pressure Professor Tracy into resigning or
 21 anything along those lines? Did they tell you anything
 22 like that?
 23 A No.
 24 Q Would you have a problem with that strategy?
 25 A Yeah, I think so.

55

1 Q What would the problem be?
 2 A Well, that the Union's there to defend the
 3 faculty and as a collective we should defend each person
 4 no matter what merit it is that they have, what blogs
 5 they have, what Facebook accounts they have, what
 6 scholarly and research activity they have, they should
 7 be defended. And, you know, from what I understand the
 8 Union was doing that.
 9 Q Would you agree that if the Union did not file
 10 a timely grievance, that that would have waived
 11 Professor Tracy's rights to grieve?
 12 A If they didn't file it a time -- If they
 13 didn't file a timely grievance.
 14 Q In response to notice of discipline for
 15 example. You only have 30 days to grieve, right?
 16 A Yeah.
 17 Q What happens after those 30 days?
 18 A You don't have an opportunity to grieve.
 19 Q Right.
 20 A Right.
 21 Q So, if the Union failed to file a grievance
 22 within the --
 23 A Right.
 24 Q -- the time required under the Collective
 25 Bargaining Agreement, that would be a problem for

56

1 Professor Tracy?
 2 A That could --
 3 MS. HEFFNER: Objection as to form. You can
 4 answer.
 5 Q (By Mr. Leo) Would you agree?
 6 A That could be a problem for anybody.
 7 Q That's what my next question is, isn't that a
 8 problem for the entire Chapter?
 9 A It could be, yeah. If that's something that
 10 was done, yeah, then -- but I don't know why they
 11 wouldn't have filed any grievance or would pursue
 12 something like that.
 13 Q Would Zoeller or any other Union member
 14 wanting to get rid of Professor Tracy be a reason that
 15 they wouldn't file a grievance?
 16 MS. HEFFNER: Objection as to form. You can
 17 answer.
 18 A I don't know.
 19 Q (By Mr. Leo) Did Professor Zoeller or
 20 McGetchin ever tell you that they didn't intend to
 21 defend Professor Tracy?
 22 A Not that I recall.
 23 Q Did Zoeller ever tell you that he met with
 24 somebody from the University about defending Professor
 25 Tracy?

57

1 A Not that I recall.
 2 Q Did he ever tell you that he met with Larry
 3 Glick, for example?
 4 A He's met with Glick.
 5 Q Did he tell you he met with Glick or were
 6 actually at the meetings?
 7 A I was not at the meeting. The meeting with
 8 Glick was across the table for collective bargaining.
 9 Q And when was that meeting?
 10 A I don't know, maybe December.
 11 Q 2015?
 12 A Possibly.
 13 Q How do you know about the meeting?
 14 A There's reports that the faculty -- the Union
 15 does at these meetings, and sometimes the reports are of
 16 the Collective Bargaining Agreement and the procedures
 17 and where it is in the timeline, I guess, of bargaining.
 18 Q Where would these reports be regarding this
 19 meeting?
 20 A Where would they be?
 21 Q Or notes, notes about the meeting.
 22 A Yeah, the secretary would have them I guess.
 23 Q Does the secretary accompany the president of
 24 the Chapter to these meetings?
 25 A To the Collective Bargaining meetings, no.

<p style="text-align: right;">58</p> <p>1 Q No.</p> <p>2 A Not that I'm aware of.</p> <p>3 Q So, Zoeller would go by himself?</p> <p>4 A No, there's people that go with him. There's</p> <p>5 the Collective Bargaining team and Zoeller is on that</p> <p>6 team.</p> <p>7 Q Who goes with Zoeller to these meetings?</p> <p>8 A The only person I can recall -- there's</p> <p>9 usually five, and Susan Riley is one person. I can't</p> <p>10 recall the others. I think I'm blanking on her name,</p> <p>11 Sean Miller maybe, forget her last name.</p> <p>12 Q What about Robe?</p> <p>13 A I don't think Robe has gone to the Collective</p> <p>14 Bargaining meetings, but I'm not sure.</p> <p>15 Q How about another professor -- let me just</p> <p>16 refresh my own recollection here. I'm seeing Meredith,</p> <p>17 but I don't --</p> <p>18 A Oh, yeah, yeah, she is -- Meredith.</p> <p>19 Q Meredith Mountford.</p> <p>20 A Yeah, yeah, she's --</p> <p>21 Q Who's Meredith Mountford?</p> <p>22 A She is a senator and she is now -- she was</p> <p>23 vice-president -- second VP.</p> <p>24 Q So, second in command under Zoeller?</p> <p>25 A Yeah, but she was on the Collective Bargaining</p>	<p style="text-align: right;">60</p> <p>1 Q Did Defendant Zoeller ever talk to you about</p> <p>2 his conversations with Larry Glick?</p> <p>3 A He spoke a little bit about them.</p> <p>4 Q What did he tell you?</p> <p>5 A He said that there were conversations about</p> <p>6 Pittsburg.</p> <p>7 Q What about Pittsburg?</p> <p>8 A They are both from Pittsburg.</p> <p>9 Q And how did that come up?</p> <p>10 A I don't know. The conversation between him</p> <p>11 and Glick?</p> <p>12 Q No, the conversation with you and Zoeller?</p> <p>13 A We talk once in a while if we, you know, see</p> <p>14 each other, at the meetings.</p> <p>15 Q So, Zoeller told you that he knows Glick from</p> <p>16 Pittsburg?</p> <p>17 A Well, I think they are just from Pittsburg and</p> <p>18 they have that in common.</p> <p>19 Q So, that's --</p> <p>20 A So, they talk about Pittsburg teams, sports</p> <p>21 teams.</p> <p>22 Q Did they -- Did Zoeller tell you anything else</p> <p>23 about his relationship with Glick?</p> <p>24 A No.</p> <p>25 Q Did he tell you that he knew Glick from before</p>
<p style="text-align: right;">59</p> <p>1 team as well and I think Susan Riley was the chair of</p> <p>2 the Collective Bargaining team.</p> <p>3 Q And have you ever talked to Ms. Mountford</p> <p>4 about Professor Tracy's dispute?</p> <p>5 A No.</p> <p>6 Q Have you ever talked to anybody from the</p> <p>7 Collective Bargaining team about Professor Tracy's</p> <p>8 issues?</p> <p>9 A No.</p> <p>10 Q Did anybody tell you that for example Ms.</p> <p>11 Mountford was being excluded from -- just any</p> <p>12 discussions about Professor Tracy's dispute?</p> <p>13 A She was excluded?</p> <p>14 Q I'm just asking if anybody ever told you that</p> <p>15 for example the vice-president of UFF-FAU, was being</p> <p>16 excluded from a grievance discussion on Professor Tracy?</p> <p>17 A No.</p> <p>18 Q Okay. Did anybody ever express concern about</p> <p>19 the way that Professor Tracy's grievance was being</p> <p>20 handled in any way?</p> <p>21 A Not that I recall.</p> <p>22 Q Nobody ever said, you know, I'm concerned we</p> <p>23 didn't file a grievance, I'm concerned we're not filing</p> <p>24 a grievance or missed the window, anything like that?</p> <p>25 A No, I don't recall anything like that.</p>	<p style="text-align: right;">61</p> <p>1 his time at FAU?</p> <p>2 A No.</p> <p>3 Q Did Zoeller ever tell you that he entered into</p> <p>4 any kind of agreement with Larry Glick?</p> <p>5 A Not that I recall.</p> <p>6 Q Or any agreement concerning Professor Tracy?</p> <p>7 A Not that I remember.</p> <p>8 Q Did you ever talk to Professor Tracy about the</p> <p>9 relationship between Zoeller and Glick?</p> <p>10 A We talked about it.</p> <p>11 Q And what did you tell Professor Tracy?</p> <p>12 A I told him the same thing that they were both</p> <p>13 from Pittsburg and the meetings that took place, if</p> <p>14 there were meetings, were at Collective Bargaining</p> <p>15 meetings.</p> <p>16 Q Did you ever tell Professor Tracy that Zoeller</p> <p>17 confided in you his feelings about Professor Tracy?</p> <p>18 A His feelings, Zoeller has expressed a little</p> <p>19 bit, yeah.</p> <p>20 Q What did you tell Professor Tracy that Zoeller</p> <p>21 told you?</p> <p>22 A That Zoeller didn't agree with his blog and he</p> <p>23 was disappointed and frustrated in the situation.</p> <p>24 Q Did Zoeller tell you that he didn't like the</p> <p>25 media?</p>



<p style="text-align: right;">62</p> <p>1 A The media?</p> <p>2 Q Yes.</p> <p>3 A Not that I recall.</p> <p>4 Q He didn't tell you that he had a problem with</p> <p>5 the media attention --</p> <p>6 A No.</p> <p>7 Q -- in the case?</p> <p>8 A No.</p> <p>9 Q Did Zoeller or anybody else at UFF-FAU ever</p> <p>10 tell you how to handle media criticism or commentary,</p> <p>11 inquiries, anything like that?</p> <p>12 A No one has told me that at all. No one has</p> <p>13 disclosed any sort of way to handle media.</p> <p>14 Q There was never any directive not to speak to</p> <p>15 the media?</p> <p>16 A There could have been something at our faculty</p> <p>17 meeting that was expressed by our director, but I don't</p> <p>18 recall. No one has -- I don't recall an e-mail or a</p> <p>19 telephone call or a conversation or anything like that</p> <p>20 regarding the media not --</p> <p>21 Q You're speaking about the faculty meeting</p> <p>22 amongst FAU?</p> <p>23 A Yeah, just in general.</p> <p>24 Q What about at UFF-FAU?</p> <p>25 A The media?</p>	<p style="text-align: right;">64</p> <p>1 Q By e-mail?</p> <p>2 A Yeah.</p> <p>3 Q Were you ever included on any communication</p> <p>4 concerning Professor Tracy?</p> <p>5 A No, not that I recall.</p> <p>6 Q Did anybody at UFF-FAU ever convey to you that</p> <p>7 there was another agenda with respect to Professor</p> <p>8 Tracy?</p> <p>9 A No.</p> <p>10 Q Did they ever tell you that they were</p> <p>11 concerned about membership?</p> <p>12 A The Union was concerned about membership?</p> <p>13 Q Well, I'm asking you if anybody ever conveyed</p> <p>14 to you a concern about --</p> <p>15 A No, not to me.</p> <p>16 Q -- your union's membership with respect to</p> <p>17 Professor Tracy?</p> <p>18 A No.</p> <p>19 Q Nobody said, "I am concerned, we defend</p> <p>20 Professor Tracy and all of our members leave"?</p> <p>21 A Okay. Rephrase that, yeah, I'm sorry.</p> <p>22 Q I'm saying nobody ever said to you something</p> <p>23 like we're concerned, that should we defend Professor</p> <p>24 Tracy, that all of our members will cancel?</p> <p>25 A No one has said that to me.</p>
<p style="text-align: right;">63</p> <p>1 Q The Chapter. Was there ever a discussion</p> <p>2 about how to handle the press or the media with respect</p> <p>3 to Professor Tracy?</p> <p>4 A No, not that I recall.</p> <p>5 Q It was pretty high profile.</p> <p>6 A It was, yes.</p> <p>7 Q Termination, right?</p> <p>8 A Yeah.</p> <p>9 Q Did you ever get contacted by the media?</p> <p>10 A No.</p> <p>11 Q Did anybody in that faculty of Florida get</p> <p>12 contacted by the media?</p> <p>13 A I do not know. I'm not aware of anyone being</p> <p>14 contacted by the media. Other than -- I think Robe</p> <p>15 might have been contacted once. I don't know if Zoeller</p> <p>16 was ever contacted though.</p> <p>17 Q In 2015, was there ever a discussion of a</p> <p>18 press strategy by UFF-FAU?</p> <p>19 A None -- I have no idea, no.</p> <p>20 Q So, if there was, you weren't included on?</p> <p>21 A Yeah.</p> <p>22 Q Did they ever e-mail you, do you ever</p> <p>23 communicate with Zoeller or any of the Union, UFF-FAU</p> <p>24 folks?</p> <p>25 A Yeah, we -- yeah.</p>	<p style="text-align: right;">65</p> <p>1 Q Has anybody told you that they were concerned</p> <p>2 about Professor Tracy's blogging other than Zoeller's</p> <p>3 comments to you about disagreeing with them?</p> <p>4 A There was other people that didn't care for</p> <p>5 his blogging.</p> <p>6 Q Who at the Union, UFF-FAU told you that they</p> <p>7 didn't agree with what Professor Tracy was blogging?</p> <p>8 A No one in particular that I can recall at the</p> <p>9 Union, it's just general faculty or staff.</p> <p>10 Q Anybody that rings a bell that said to you,</p> <p>11 Tracy blogged X or Y, you know, said this -- he wrote</p> <p>12 this and I disagree with that?</p> <p>13 A No, not -- no, I don't recall any.</p> <p>14 Q Have you ever had that discussion with</p> <p>15 Professor Tracy?</p> <p>16 A What's that?</p> <p>17 Q About his blog, that you disagree with</p> <p>18 something he wrote or that somebody disagrees with what</p> <p>19 he wrote?</p> <p>20 A I don't -- Like I said before, I don't -- he</p> <p>21 can write what he wants, you know. It's his blog and he</p> <p>22 has the right to express what he wants on that blog</p> <p>23 regarding his external research and activity and I don't</p> <p>24 have a problem with what he writes on his blog.</p> <p>25 Q Would you characterize Zoeller as a drinking</p>



66

1 **buddy?**
 2 A A drinking buddy?
 3 **Q Yeah.**
 4 A I've had beers with him, yeah at the senate
 5 meetings.
 6 **Q At the meetings or after?**
 7 A After the meetings.
 8 **Q Do you recall telling Professor Tracy that you**
 9 **had drinks with Professor Zoeller?**
 10 A I don't recall.
 11 **Q Does that mean you didn't have drinks with**
 12 **Professor Zoeller?**
 13 A I've had drinks with him.
 14 **Q When you were drinking with Professor Zoeller,**
 15 **is that when he confided in you that he did not agree**
 16 **with Tracy's blogging?**
 17 A It's possible. Yeah.
 18 **Q Did you go drinking with Defendant Zoeller in**
 19 **2016 February?**
 20 A Possibly.
 21 **Q Was there a state-wide meeting for UFF in**
 22 **February of last year?**
 23 A Yeah, yeah.
 24 **Q Where did you guys go drinking?**
 25 A Cigar City, I think.

67

1 **Q Cigar City?**
 2 A Which is in Tampa.
 3 **Q What's Cigar City?**
 4 A Cigar City is like a craft brewery.
 5 **Q And how long were you guys there?**
 6 A I don't really recall going with him that time
 7 though.
 8 **Q You don't recall going with Zoeller?**
 9 A Yeah.
 10 **Q So, who went to Cigar City with you?**
 11 A I remember being alone actually.
 12 **Q You were alone in Cigar City?**
 13 A Yeah.
 14 **Q Nobody was --**
 15 A For that particular meeting, yeah, I don't.
 16 **Q Who else attended the February 2016 meeting?**
 17 A I don't recall.
 18 **Q Did somebody attend other than you?**
 19 A Maybe Robe, I don't -- I don't remember who
 20 else would have been on that trip.
 21 **Q Did Zoeller attend that conference?**
 22 A Yeah.
 23 **Q Did you guys stay at the same hotel?**
 24 A Yeah.
 25 **Q Do you remember the date of this conference?**

68

1 A No.
 2 **Q And what did you tell Professor Tracy after**
 3 **this conference, about it?**
 4 A What did I tell?
 5 **Q My client. What did you tell James?**
 6 A Regarding what?
 7 **Q Regarding the conference. You told him about**
 8 **it, right?**
 9 A I told him about a conference, yeah. There's
 10 a lot of things that we discussed.
 11 **Q Did you tell him that you had drinks with**
 12 **Zoeller at that conference?**
 13 A I don't remember in particular if I had drinks
 14 at that conference with Zoeller, but I've had drinks
 15 with him.
 16 **Q If Professor Tracy's recollection of your**
 17 **conversation was that you told Professor Tracy that**
 18 **Zoeller and Glick entered into an agreement to sabotage**
 19 **his defense --**
 20 A Right.
 21 **Q -- would that be false?**
 22 MS. HEFFNER: Objection as to form. You can
 23 answer.
 24 A I never said that.
 25 **Q (By Mr. Leo) You never told James+oTracy that?**

69

1 A I don't recall saying anything like that.
 2 **Q And if there were witnesses to this**
 3 **conversation and the statement, what would your response**
 4 **be to that?**
 5 MS. HEFFNER: Objection as to form.
 6 A I don't recall saying something like that. We
 7 had a lot of shoot-from-the-hip conversations where we
 8 hypothesized about stuff, but I don't remember saying
 9 that there was sabotage or conspiracy.
 10 **Q (By Mr. Leo) So, did you hypothesize with**
 11 **Professor Tracy that Zoeller and Glick entered into an**
 12 **agreement?**
 13 A I don't know of any agreement.
 14 **Q I'm not asking whether there wasn't -- whether**
 15 **you know of the agreement. I'm asking whether you**
 16 **hypothesized with Professor Tracy that there was an**
 17 **agreement.**
 18 A We discussed it because that's what we do when
 19 we are at gyms, when we are having beers as well, right,
 20 and there is a lot of other distraction with four kids
 21 running around. So, we discuss many things. Those in
 22 particular are union matters, FAU matters, research
 23 matters, conspiracy matters; a number of things are
 24 discussed.
 25 **Q So, you never told Professor Tracy that you**

<p style="text-align: right;">70</p> <p>1 recall?</p> <p>2 A I don't recall telling him that.</p> <p>3 Q Could you have told him that?</p> <p>4 A It's possible.</p> <p>5 Q Why would you tell him that?</p> <p>6 A I don't know why I would tell him that, I</p> <p>7 really don't. I don't have any reason to express that</p> <p>8 to him, you know.</p> <p>9 Q Now or back then?</p> <p>10 A Back then.</p> <p>11 Q Have you talked to Zoeller about this</p> <p>12 conversation? I'm referring to your conversation with</p> <p>13 Professor Tracy.</p> <p>14 A Not that I recall.</p> <p>15 Q Did Zoeller ever ask you about allegations</p> <p>16 that have been made by Professor Tracy?</p> <p>17 A Allegations toward Zoeller.</p> <p>18 Q Involving you.</p> <p>19 A Zoeller has asked me about those, yeah.</p> <p>20 Q What did he ask you?</p> <p>21 A He asked -- He would ask something like what</p> <p>22 is this comment, what is it -- or I told you guys not to</p> <p>23 talk to Jim Tracy kind of thing.</p> <p>24 Q When did he tell you this -- when did he tell</p> <p>25 you -- When did Robert Zoeller tell you not to talk to</p>	<p style="text-align: right;">72</p> <p>1 Jim.</p> <p>2 Q Are you okay? Do you need a minute? Shane,</p> <p>3 are you afraid to testify today? I'm sorry, the Court</p> <p>4 Reporter cannot record head nods.</p> <p>5 A No.</p> <p>6 Q Why are you upset?</p> <p>7 MS. HEFFNER: Let's take a break.</p> <p>8 MR. LEO: Not in the middle -- I'm not --</p> <p>9 We're not breaking.</p> <p>10 A Puts me in a compromising position.</p> <p>11 Q (By Mr. Leo) Who -- Who is putting you in a</p> <p>12 compromising position?</p> <p>13 A Plaintiff and Zoeller.</p> <p>14 Q Did Zoeller make any threats to you?</p> <p>15 A No, he did not.</p> <p>16 Q When Zoeller told you not to speak to</p> <p>17 Professor Tracy in April, you had already told Professor</p> <p>18 Tracy what Zoeller told you?</p> <p>19 A Say it again.</p> <p>20 Q Is that a fair statement or accurate? After</p> <p>21 Zoeller first tells you not to talk to Professor Tracy?</p> <p>22 A Yeah.</p> <p>23 Q It was too late?</p> <p>24 A I guess so, if you want to -- yeah, look at</p> <p>25 the --</p>
<p style="text-align: right;">71</p> <p>1 James Tracy?</p> <p>2 A Oh, wow. Yeah. He's told me that a couple of</p> <p>3 times.</p> <p>4 Q When was the first time he told you?</p> <p>5 A Maybe April.</p> <p>6 Q April of this year?</p> <p>7 A Last year.</p> <p>8 Q I'm sorry, last year.</p> <p>9 A Um.</p> <p>10 Q So, shortly after the lawsuit's filed against</p> <p>11 him?</p> <p>12 A Yeah.</p> <p>13 Q He contacts you and says -- Zoeller says to</p> <p>14 you, "Don't speak with James Tracy"?</p> <p>15 A Yeah.</p> <p>16 Q What was the context of this -- Was this --</p> <p>17 Were you talking to him about something else or did he</p> <p>18 just contact you just to tell you that?</p> <p>19 A It was, you know, some other things that we</p> <p>20 were discussing, budgetary things and stuff like that.</p> <p>21 Q What was your response to his directive to you</p> <p>22 not to communicate with James Tracy?</p> <p>23 A I took it with a grain of salt. I just kind</p> <p>24 of, you know, -- not that I ignored him. It was just,</p> <p>25 you know, I wanted to maintain the relationship with</p>	<p style="text-align: right;">73</p> <p>1 Q You told Professor Tracy before your April</p> <p>2 2016 conversation with Zoeller, you had already told</p> <p>3 Professor Tracy what Zoeller had told you in February</p> <p>4 2016. Is that a fair statement or accurate statement?</p> <p>5 A It's fair.</p> <p>6 Q After April 2016 when did Zoeller again tell</p> <p>7 you not to talk to Professor Tracy?</p> <p>8 A I don't recall.</p> <p>9 Q Was there any --</p> <p>10 A It's off and on. He would -- we would talk</p> <p>11 about the issue with Jim over the phone or in person or</p> <p>12 whatever and he would just say -- ask if I still talked</p> <p>13 to Jim and I would say, "Yeah." And he would say --</p> <p>14 "Well", I mean I shouldn't repeat what he said actually.</p> <p>15 Q You are under oath. You have to.</p> <p>16 A Well, you know, he would just say that you</p> <p>17 know, if you talk -- he would -- he was curious as to</p> <p>18 why his wife hasn't left him because of the whole</p> <p>19 situation.</p> <p>20 Q Zoeller was curious as to why Tracy's wife</p> <p>21 hasn't left him?</p> <p>22 A Yeah, you know, just like -- in my -- yeah, he</p> <p>23 would say things like, "My life would -- my wife would</p> <p>24 leave me if I was in the news like this" or whatever.</p> <p>25 And so, he would just kind of comment, you know, again</p>



74

1 shoot-from-the-hip stuff.
 2 **Q What other comments can you remember him**
 3 **making?**
 4 A I don't -- "If you talk to Jim you can tell
 5 him fuck you."
 6 **Q He said that?**
 7 A Yeah.
 8 **Q When did he say that?**
 9 A Once because he was just frustrated by the
 10 whole thing.
 11 **Q Was he frustrated that he was sued?**
 12 A I think that yeah, you know, that's where it
 13 really kind of -- where the rubber meets the road,
 14 right.
 15 **Q What was your response to these comments from**
 16 **Zoeller?**
 17 A I laughed.
 18 **Q Did you think that Zoeller was being**
 19 **inappropriate in the way that he was talking about a**
 20 **grievance or a UFF-FAU member that he was supposed to be**
 21 **representing?**
 22 A No, not that I recall.
 23 **Q Are there any ethical guidelines that are**
 24 **given to UFF-FAU officers or members by anybody?**
 25 A No, I don't think so.

75

1 **Q Is there any kind of a duty that you know of**
 2 **that -- for example, the president of the Chapter has in**
 3 **how they handle, you know, matters like this?**
 4 A Well, he, you know, the matters should be
 5 professionally handled and I think ethically it just
 6 comes with the position. I don't know if there is
 7 anything written. I think there is -- our bylaws that
 8 you could glean something from the bylaws, but they
 9 haven't been updated since '97.
 10 **Q Do you think that Defendant Zoeller was**
 11 **ethical in the way that he handled Professor Tracy's**
 12 **dispute with the University?**
 13 A I think he was as ethical as he could be.
 14 **Q And what makes you say that?**
 15 A Well, from what I understand there was
 16 communication between the two of them and --
 17 **Q Between who?**
 18 A Jim and Bob, and the communication was through
 19 e-mail or telephone conversations and whether it was a
 20 heated conversation or not, I don't, you know, I think
 21 they probably had both, you know, just kind of a
 22 friendly conversation and progressively as the potential
 23 termination grew closer and it finally came to be that
 24 everybody's frustration kind of hit the wall.
 25 **Q Do you think that Tracy wanted -- I'm sorry,**

76

1 **do you -- strike that -- Do you think that Zoeller**
 2 **wanted Tracy gone?**
 3 A No.
 4 **Q Did he ever say anything to you that indicated**
 5 **that he did not want Professor Tracy to stay at Florida**
 6 **Atlantic University?**
 7 A No, he actually said that he would fight tooth
 8 and nail and --
 9 **Q When did he say that?**
 10 A I guess he said that a couple of times
 11 regarding this and, you know, that was either in just a
 12 collective meeting or one on one he did all he could.
 13 **Q He was saying that he was doing all he could?**
 14 A Yeah.
 15 **Q But was he actually doing all he could?**
 16 A I don't know.
 17 **Q In your opinion?**
 18 A I don't -- I think he was doing what he could.
 19 **Q What do you know that President Zoeller did to**
 20 **defend James Tracy?**
 21 A I think he was the middle person between Moats
 22 and Jim, Michael Moats and Jim -- I think that the
 23 communication was there. It was regarding this outside
 24 activity form and any other sort of policy that may have
 25 been ignored or -- yeah, ignored.

77

1 **Q When you told Professor Tracy and his wife**
 2 **that Zoeller and you had drinks, you had talked about**
 3 **some hypotheticals?**
 4 A Yeah.
 5 **Q When exactly was this conversation with**
 6 **Professor Tracy and his wife? Was this February-March**
 7 **2016? Do you remember?**
 8 A February.
 9 **Q Okay. And that was shortly after your trip to**
 10 **Tampa and meeting with Zoeller. Would you agree with me**
 11 **that your recollection in February of 2016 of your -- of**
 12 **what you had just done, what you had just spoken to**
 13 **Zoeller about would be better then than it is now?**
 14 A Better then than it is now?
 15 **Q Yeah. February you meet with Zoeller --**
 16 A I don't -- Maybe, you know, I can't -- if, you
 17 know, drinks were had with Zoeller and drinks were had
 18 with Jim and his wife.
 19 **Q Shortly -- Within a short proximity of time?**
 20 A Yeah.
 21 **Q Within say weeks or within a week?**
 22 A I don't recall when that senate meeting was,
 23 but I recall going to Jim and his wife's place on
 24 February 27th.
 25 **Q Okay. So, would you agree that your**

78	<p>1 recollection back on February 27, when you talked to</p> <p>2 Professor Tracy and his wife, was probably best or at</p> <p>3 least better than it is today?</p> <p>4 A Can I recall that I don't recall? Is that --</p> <p>5 I mean I don't --</p> <p>6 Q You can only testify what you know or what you</p> <p>7 recall.</p> <p>8 A Yeah. I mean I don't -- memory is tricky, I</p> <p>9 don't -- it was subjective.</p> <p>10 Q Do you ever have any problems with memory?</p> <p>11 A Sometimes, yeah.</p> <p>12 Q Have you ever been diagnosed with any kind of</p> <p>13 memory loss or --</p> <p>14 A No.</p> <p>15 Q -- any kind of condition that would affect</p> <p>16 your memory?</p> <p>17 A I mean I've never been diagnosed, but there</p> <p>18 could be anxiety and depression and stuff like that in</p> <p>19 there and some form of PTSD.</p> <p>20 Q The --</p> <p>21 A But that's, you know,</p> <p>22 Q -- testimony --</p> <p>23 A -- that's just my --</p> <p>24 Q The testimony that upset you and just you</p> <p>25 characterized it as -- how would you characterize it, it</p>	80
79	<p>1 was conflicted? I'm sorry, what did you say it --</p> <p>2 A I don't know. Which conversation?</p> <p>3 Q The -- You got upset over --</p> <p>4 A Right.</p> <p>5 Q What you just testified to about --</p> <p>6 A I'm upset. Do you want to know why I'm upset?</p> <p>7 Q Absolutely.</p> <p>8 A Because I used -- I looked at these people as</p> <p>9 friends.</p> <p>10 Q When you say these people, who are you talking</p> <p>11 about?</p> <p>12 A The Plaintiff.</p> <p>13 Q So, are you upset that Professor Tracy has</p> <p>14 indicated what you told him to other people?</p> <p>15 A Well, I didn't say those words exactly. Like</p> <p>16 I said we had these conversations about things.</p> <p>17 Q So, to the best of your recollection today</p> <p>18 what exactly did you tell Professor Tracy about your</p> <p>19 conversation with Zoeller?</p> <p>20 A The conversation I had back then with Jim</p> <p>21 would have been regarding the blog, regarding the</p> <p>22 frustration with Zoeller and the blog and the whole</p> <p>23 situation and telling Jim that Zoeller just doesn't</p> <p>24 really care for what it is that he's doing.</p> <p>25 Q And are you saying that you didn't tell</p>	81
	<p>1 Professor Tracy that Zoeller put the fix in on him?</p> <p>2 MS. HEFFNER: Objection as to form.</p> <p>3 A I don't recall saying that.</p> <p>4 Q (By Mr. Leo) You know what I'm asking.</p> <p>5 A Right.</p> <p>6 Q You understand what -- when I said fix?</p> <p>7 A I understand, yeah, yeah.</p> <p>8 Q Sabotage --</p> <p>9 A Right.</p> <p>10 Q Railroad, there's a lot of ways we can</p> <p>11 describe it, but my question is do you remember telling</p> <p>12 Professor Tracy that had Zoeller had it out for him, you</p> <p>13 know?</p> <p>14 A We hypothesized about this stuff. We talked</p> <p>15 about it.</p> <p>16 Q So, you are saying that you were speaking</p> <p>17 abstractly and posing hypotheticals about what happened?</p> <p>18 A Yeah.</p> <p>19 Q Or did you tell Professor Tracy, "I had a</p> <p>20 conversation with Zoeller and Zoeller told me and</p> <p>21 indicated to me -- to you that he didn't like you and</p> <p>22 that's why he didn't do anything to defend you" or</p> <p>23 something along those lines.</p> <p>24 A I don't know about that. I mean there's the</p> <p>25 abstract kind of discussions that we had.</p>	



82	<p>1 when you have a conversation over beers and its shoot-</p> <p>2 from-the-hip, tongue-in-cheek stuff that some of that -</p> <p>3 - some of that conversation isn't taken too seriously,</p> <p>4 but it seems like it's not the case.</p> <p>5 Q Let me just be clear. So, you think telling a</p> <p>6 man that the president of the Union that's supposed to</p> <p>7 represent him --</p> <p>8 A Right.</p> <p>9 Q -- telling him that it's possible or even that</p> <p>10 he did railroad him that that's not something that he</p> <p>11 should tell anybody else?</p> <p>12 A No, that's not what I'm saying.</p> <p>13 Q I'm sorry, you sound upset because Tracy</p> <p>14 disclosed --</p> <p>15 A Well, I'm not going --</p> <p>16 Q -- to his attorneys or to the court or to</p> <p>17 anybody else in this case what you told him.</p> <p>18 A I don't recall telling him that though.</p> <p>19 Q Okay.</p> <p>20 A I really don't.</p> <p>21 Q But you also testified that it's possible you</p> <p>22 did tell him?</p> <p>23 A It's possible.</p> <p>24 Q Okay. Now, if that's what happened, if</p> <p>25 Zoeller railroaded Professor Tracy or if anybody at UFF-</p>	84	<p>1 oath to tell the truth, the whole truth and nothing but</p> <p>2 the truth.</p> <p>3 A Right.</p> <p>4 MS. HEFFNER: Objection as to form.</p> <p>5 Q (By Mr. Leo) You understand what I'm saying?</p> <p>6 A Right.</p> <p>7 Q I mean so you would agree that Professor Tracy</p> <p>8 couldn't hide this from anybody?</p> <p>9 MS. HEFFNER: Objection as to form. You can</p> <p>10 answer.</p> <p>11 A Yeah, I don't know. I guess --</p> <p>12 Q (By Mr. Leo) If Professor Tracy was asked</p> <p>13 under oath in a deposition what did Shane Eason tell you</p> <p>14 --</p> <p>15 A Um.</p> <p>16 Q -- he would have to tell the truth.</p> <p>17 A If that question was proposed to him, yeah.</p> <p>18 Q Right. I'm just responding to your -- you're</p> <p>19 obviously upset that he is let the cat out of the bag -</p> <p>20 -</p> <p>21 A I'm just upset that -- Huh?</p> <p>22 Q You're upset about --</p> <p>23 A It's beyond that. It's -- We were -- It's --</p> <p>24 It has nothing to do with -- anyway let's just --</p> <p>25 Q Okay. Well, I just want to be clear though</p>
83	<p>1 FAU railroaded Professor Tracy in the way that you</p> <p>2 theorized or --</p> <p>3 A Right.</p> <p>4 Q -- talked about, would you agree that that's</p> <p>5 something that should be brought to the public light?</p> <p>6 A If he was railroaded then, yeah.</p> <p>7 Q It would be unlawful, wouldn't it?</p> <p>8 A It would be.</p> <p>9 Q If FAU's attorney and United Faculty of</p> <p>10 Florida's collective bargaining agent chief</p> <p>11 representative conspired to fire Professor Tracy --</p> <p>12 A Right.</p> <p>13 Q -- or to get him to resign, to terminate him</p> <p>14 --</p> <p>15 A Right.</p> <p>16 Q -- would that be legal?</p> <p>17 MS. HEFFNER: Objection as to form. You can</p> <p>18 answer.</p> <p>19 A Well, yeah the legal -- I don't know where it</p> <p>20 would stand, but yeah it probably would not be legal.</p> <p>21 Q (By Mr. Leo) Right. So, can you understand</p> <p>22 and appreciate Professor Tracy's need to share this</p> <p>23 information with his own counsel and also with everybody</p> <p>24 else who is involved in this case as certainly everybody</p> <p>25 who testifies in this case is going to have to give an</p>	85	<p>1 for the record. You are not suggesting that Professor</p> <p>2 Tracy has lied about what you guys discussed, are you?</p> <p>3 A I don't know if he's -- no, I don't think he's</p> <p>4 lying, but I don't know if it's completely true because</p> <p>5 facts and details are hard to come by when you have</p> <p>6 memory and memory is subjective sometimes. That's all.</p> <p>7 Q But there's nothing that you can remember</p> <p>8 sitting here today that would indicate that Professor</p> <p>9 Tracy has misrepresented what you told him in February</p> <p>10 of 2016, is there?</p> <p>11 A I don't think so.</p> <p>12 Q Okay. We'll take a short break.</p> <p>13 (Thereupon, a short discussion was held off</p> <p>14 record.)</p> <p>15 (Deposition resumed.)</p> <p>16 Q (By Mr. Leo) Before we broke we talked a</p> <p>17 little bit about -- I'm sorry, I had misstated what you</p> <p>18 said. You said that you felt compromised. Was that the</p> <p>19 words you used?</p> <p>20 A A little bit, yeah.</p> <p>21 Q Torn between Zoeller and Tracy?</p> <p>22 A Yeah.</p> <p>23 Q And your, say friendships, with both of these</p> <p>24 individuals?</p> <p>25 A Well, it's more about the friendship with --</p>



86

1 **Q Professor Tracy?**
 2 A Yeah.
 3 **Q Professor Tracy's done a lot for you?**
 4 A Yeah.
 5 **Q At some point, Professor Tracy went to bat for**
 6 **you with respect to some charges that were made against**
 7 **you?**
 8 A I asked a number of people to write letters
 9 and he wrote a letter and that was a character letter on
 10 who my -- who I am and what I do and, you know, that's
 11 it.
 12 **Q He helped you?**
 13 A Well, to an extent. I mean it's a letter.
 14 It's not --
 15 **Q Well, it's not just a letter in a vacuum. It**
 16 **was a letter to who?**
 17 A A letter to prosecutors.
 18 **Q Okay. In regards to some serious charges?**
 19 A Yeah.
 20 **Q Okay. And I don't want to get into those**
 21 **charges but I just want to mention this and ask you if**
 22 **there's any -- does Professor Tracy have any reason to**
 23 **lie or to misstate what you told him in February of 2016**
 24 **about Zoeller?**
 25 MS. HEFFNER: Objection as to form.

87

1 A No.
 2 **Q (By Mr. Leo) Now, before you had stated it was**
 3 **hypothetical, could have been more than hypothetical**
 4 **what you told Professor Tracy, but I'm going to ask it**
 5 **one more time. I want to be clear, you are under oath,**
 6 **under the penalty of perjury, did you tell Professor**
 7 **Tracy that Zoeller put the fix in?**
 8 A Put the fix in?
 9 **Q Did you tell Professor Tracy that Zoeller**
 10 **worked with FAU's counsel -- at least Zoeller told you**
 11 **that he worked with FAU's counsel and worked to get rid**
 12 **of Professor Tracy?**
 13 A Yeah.
 14 **Q I'm sorry?**
 15 A He -- He mentioned something like that, yeah.
 16 **Q Well, my question was whether you told**
 17 **Professor Tracy that Zoeller said that to you?**
 18 A But I don't know if Zoeller really said that
 19 to me. I can't -- you know what I mean like --
 20 **Q I'm not asking you whether Zoeller said it to**
 21 **you. I'm asking whether you told Professor Tracy that's**
 22 **what Zoeller said to you.**
 23 A That's what I told Professor Tracy what
 24 Zoeller said to me.
 25 **Q Okay. Would there be any reason for you to**

88

1 **lie to Professor Tracy in February of 2016 about what**
 2 **Zoeller had just told you at a conference in Tampa?**
 3 A No.
 4 **Q In fact, you told him because you wanted to**
 5 **help him, right?**
 6 A I guess so.
 7 **Q I don't have anything further.**
 8 MS. HEFFNER: I have no questions.
 9 CROSS EXAMINATION
 10 BY MS. HEFFNER:
 11 **Q I know you had just testifying that you had**
 12 **heard Bob Zoeller tell you that there was a conspiracy**
 13 **to terminate James Tracy. Am I saying that correctly?**
 14 A Yeah.
 15 **Q Okay. What exactly was said that you can**
 16 **recall and did you know of any actions that were taken?**
 17 MR. LEO: Object to form.
 18 A I don't know of any actions that were taken
 19 and from what Zoeller had said regarding that
 20 conversation, if my memory is correct it was a long, you
 21 know, the -- he didn't care for his blogging. He didn't
 22 like Jim and that, you know, essentially he could -- I
 23 don't know. I can't remember a whole lot of that now.
 24 **Q (By Ms. Heffner) Okay. Did Bob Zoeller ever**
 25 **tell you "We're planning to terminate Tracy"?**

89

1 A No.
 2 **Q Okay. Did he ever tell you about any specific**
 3 **plans about having Tracy terminated?**
 4 A No.
 5 **Q Okay. Do you recall if FAU and UFF had any**
 6 **plans to try and get Tracy terminated?**
 7 A I don't have any recollection of that.
 8 **Q No one ever told you that there was a plan to**
 9 **terminate Professor Tracy?**
 10 A No.
 11 **Q Okay. I don't have any further questions.**
 12 CROSS EXAMINATION
 13 BY MS. HUFF:
 14 **Q I just have a couple. I do yea, just a**
 15 **couple. So, you just testified that Zoeller told you**
 16 **that he didn't care for Mr. Tracy's blogging and he**
 17 **didn't like Mr. Tracy. Is that correct?**
 18 A Yeah.
 19 **Q When did Mr. Zoeller say that to you?**
 20 A Probably -- and I don't want to speculate, I
 21 don't recall.
 22 **Q When do you think it was?**
 23 A 2015 --I'm sorry, not 2015 -- 2016 sometime,
 24 probably between February and April.
 25 **Q (By Ms. Huff) Okay. So, it would have been**

90

1 after Mr. Tracy was terminated?
 2 A Yeah, I think so.
 3 Q So, in that same timeframe is that the same
 4 conversation -- when was the conversation that you had
 5 with Mr. Tracy at his house?
 6 A February 27th.
 7 Q Okay. And you said you were hypothetically
 8 speculating?
 9 A Spec -- Yeah.
 10 Q And so, were you talking about actual
 11 conversations you had had with Zoeller or just
 12 speculating as to what Zoeller's actions may have been?
 13 A It was more I think speculation than anything.
 14 Q So, you were not reporting an actual
 15 conversation that you had had with Zoeller --
 16 MR. LEO: Object to form.
 17 Q (By Ms. Huff) -- on February 27th?
 18 A I never -- On February 27th, well yeah, we
 19 discussed matters. Yeah. We did have a conversation
 20 but what he was saying I was kind of, you know, whether
 21 it was abstract, it's more speculation or on the
 22 speculative side I guess.
 23 Q So, in your conversation with Mr. Tracy on the
 24 27th, were you reporting an actual conversation that you
 25 had had with Mr. Zoeller?

91

1 A I guess I would have been, yeah.
 2 Q And when did that conversation take place?
 3 A I guess it would have been mid-February
 4 sometime. I just -- I don't reco -- I can't remember
 5 the date exactly.
 6 Q Okay. And was that at the conference?
 7 A It would have been, yeah. It would have been
 8 at the conference in Tampa.
 9 Q You testified earlier that you had gone out
 10 for drinks at Cigar City by yourself.
 11 A I, you know what, the -- I guess I -- I don't
 12 remember. I guess I was with Bob at some point and then
 13 I split from him and I was by myself for a while.
 14 Q Okay. So, you can't recall --
 15 A Because I ended up going somewhere else after
 16 and I was alone as well.
 17 Q So, you can't recall when you had an actual
 18 conversation with Zoeller about Professor Tracy?
 19 A No.
 20 Q Okay, that's all.
 21 RE-DIRECT EXAMINATION
 22 BY MR. LEO:
 23 Q Just a couple of follow-ups. Professor, are
 24 you worried about retaliation against you for testifying
 25 here today?

92

1 A Yeah.
 2 Q Are you worried about retaliation by United
 3 Faculty of Florida?
 4 A No.
 5 Q Are you worried about retaliation from Florida
 6 Atlantic University?
 7 A Yes.
 8 Q Are you worried about retaliation by Robert
 9 Zoeller?
 10 A No.
 11 Q Just to be clear because it sounds to me like
 12 you're saying a few different things, when you spoke
 13 with Zoeller over drinks he told you that there was a
 14 conspiracy to get rid of Professor Tracy.
 15 A I don't recall him saying that word
 16 conspiracy, I really don't.
 17 Q Without using the word conspiracy he
 18 described.
 19 A There could have been -- Yeah, there could
 20 have been some sort of other description.
 21 Q So, Zoeller detailed to you in your confidence
 22 that there was some kind of conspiracy that he was
 23 involved in or there was something he was involved in
 24 that was centered on getting rid of Professor Tracy?
 25 MS. HEFFNER: Objection as to form.

93

1 A Again, I don't -- the word conspiracy is not
 2 one that he used.
 3 Q (By Mr. Leo) Without using the word conspiracy
 4 though, he described a plot or some kind of an agreement
 5 to end Professor Tracy's employment, yes or no?
 6 A I don't recall that. Like I said, he didn't
 7 like Jim and he was tired and frustrated by the whole
 8 thing.
 9 Q That's what Zoeller told you?
 10 A Yeah.
 11 Q Among other things. It's not all he said,
 12 right?
 13 A That's -- Yeah, some of the stuff I can
 14 recall. Yeah.
 15 Q He also told you about his relationship with
 16 Larry Glick, the lawyer for FAU, right?
 17 A He told me about that, yeah.
 18 Q Told you they were Pittsburg pals or
 19 something?
 20 A Yeah.
 21 Q He described his relationship with the
 22 attorney at FAU to you?
 23 A Yeah, a little bit like that, yeah.
 24 Q When he described -- When I say he, I'm
 25 referring to Zoeller. When Zoeller described his

94

1 **dealings with FAU's lawyer, it was not just shoot-from-**
 2 **the-hip small talk. He was describing his efforts to**
 3 **end Professor Tracy's employment, yes or no?**
 4 A He was telling me that.
 5 **Q I'm asking whether Zoeller told -- when he was**
 6 **describing his relationship with Larry Glick, it wasn't**
 7 **a conversation about Larry Glick.**
 8 A Right.
 9 **Q It was a conversation about Professor Tracy.**
 10 A They would have off the cuff conversations
 11 about Jim, yeah.
 12 **Q That's what Zoeller told you?**
 13 A Right.
 14 **Q Zoeller told you that Glick and Zoeller were**
 15 **communicating about Tracy's employment, yes?**
 16 A The communication I don't know where it went,
 17 but these meetings or whatever to collective bargaining,
 18 during downtime they would chat. That's really the set--
 19 **Q About Tracy?**
 20 A Yeah, about -- Yeah, about Jim and about --
 21 **Q So, during collective bargaining meetings, is**
 22 **that --**
 23 A Not during.
 24 **Q Or after.**
 25 A Yeah.

95

1 **Q In between -- on breaks?**
 2 A Right, right or yeah.
 3 **Q While collective bargaining is going on in**
 4 **some part of the location they are at --**
 5 A Right.
 6 **Q -- Zoeller and Glick are having communications**
 7 **regarding Professor Tracy's employment?**
 8 A Um-hum.
 9 **Q And -- Is that a yes?**
 10 A Oh, I'm listening, I'm just nodding. I am
 11 sorry --
 12 **Q Well, that's fine.**
 13 A Yeah.
 14 **Q I'm asking you whether he told you -- that's**
 15 **what Zoeller told you. Zoeller told you that he met**
 16 **with Glick during collective bargaining time --**
 17 A Right.
 18 **Q -- and they talked about Professor Tracy?**
 19 A They did.
 20 **Q Okay. And Zoeller told you that he and Glick**
 21 **entered into some kind of agreement regarding Professor**
 22 **Tracy, yes or no?**
 23 A He told me that they -- I don't recall him
 24 saying anything about an agreement.
 25 **Q Okay. Without speaking of an agreement or a**

96

1 **conspiracy, Zoeller told you that he worked with Larry**
 2 **Glick to end Professor Tracy's employment?**
 3 MS. HEFFNER: Objection as to form.
 4 A I don't know if he told me that.
 5 **Q (By Mr. Leo) Zoeller didn't --**
 6 A I don't recall that.
 7 **Q Zoeller didn't tell you, "We talked about**
 8 **Professor Tracy and that was it". He told you more than**
 9 **that, right?**
 10 A Yeah, a little bit, yeah.
 11 **Q And that's what you told Professor Tracy in**
 12 **February of 2016?**
 13 A I guess so, yeah.
 14 **Q You told Professor Tracy that Zoeller confided**
 15 **in you that Glick and Zoeller met and that was it for**
 16 **Professor Tracy?**
 17 A Right.
 18 **Q Would you agree with the characterization of**
 19 **whatever Zoeller and Glick did outside of the collective**
 20 **bargaining realm was unlawful, the way that he described**
 21 **it to you?**
 22 A I don't know where it would fall under the
 23 law.
 24 **Q Did it sound wrong?**
 25 A Ethically.

97

1 **Q What Zoeller conveyed to you was ethically**
 2 **wrong in your opinion?**
 3 A It could be, yeah.
 4 **Q And that's why you told Professor Tracy?**
 5 A Yeah.
 6 **Q I have no further.**
 7 MS. HEFFNER: I don't.
 8 THE COURT REPORTER: Yeah. You have the
 9 option, if this is ordered, to read this transcript
 10 or waive it.
 11 THE WITNESS: I want to read it.
 12 THE COURT REPORTER: Okay. And then should I
 13 contact you -- the contact number --
 14 THE WITNESS: I have a phone number.
 15 THE COURT REPORTER: Okay. What is it?
 16 THE WITNESS: 954-336-0035.
 17 THE COURT REPORTER: And then do you have an
 18 address? I guess I have to put an address on there.
 19 THE WITNESS: Yeah, 629 Southwest 4th Ave.,
 20 Fort Lauderdale, and the Zip is 33315.
 21 (Deposition concluded at 2:01 p.m.)
 22 (Reading and signing of the deposition by the
 23 witness has been reserved.)
 24
 25

1 CERTIFICATE OF REPORTER
 2 STATE OF FLORIDA
 3 COUNTY OF PALM BEACH
 4
 5 I, JESSICA COOPER, Court Reporter and Notary
 6 Public for the State of Florida, do hereby certify that
 7 I was authorized to and did digitally report and
 8 transcribe the foregoing proceedings, and that the
 9 transcript is a true and complete record of my digital
 10 notes.
 11
 12 I further certify that I am not a relative,
 13 employee, attorney or counsel of any of the parties,
 14 nor am I a relative or employee any of the parties'
 15 attorney or counsel connected with the action, nor am I
 16 financially interested in the action.
 17
 18 Witness my hand and official seal this 18TH day of
 19 APRIL, 2017.
 20
 21
 22 _____
 23 JESSICA COOPER, FPR, COURT REPORTER
 24 NOTARY PUBLIC, STATE OF FLORIDA
 25 Commission No.: FF 943563
 Commission Exp: 12/15/19

1 DATE: APRIL 18, 2017
 2 TO: SHANE EASON
 3 954-336-0035
 4 629 Southwest 4th Ave
 5 Fort Lauderdale, 33315
 6 IN RE: James Tracy v. Florida Atlantic University
 7 CASE NO: 9:16-cv-80655-RLR
 8 Dear SHANE EASON,
 9 Please take notice that on APRIL 3RD, 2017 you
 10 gave your deposition in the above-referenced matter.
 11 At that time, you did not waive signature. It is now
 12 necessary that you sign your deposition. You may do so
 13 by contacting your own attorney or the attorney who
 14 took your deposition and make an appointment to do so
 15 at their office. You may also contact our office at
 16 the below number, Monday - Friday, 9:00 AM - 5:00 PM,
 17 for further information and assistance.
 18 If you do not read and sign your deposition within
 19 thirty (30) days, the original, which has already been
 20 forwarded to the ordering attorney, may be filed with
 21 the Clerk of the Court.
 22
 23 If you wish to waive your signature, sign your name in
 24 the blank at the bottom of this letter and promptly
 25 return it to us.
 Very truly yours,

 Jessica Cooper
 Universal Court Reporting
 (954)712-2600
 I do hereby waive my signature.

 SHANE EASON
 Cc: via transcript: LOUIS LEO, ESQUIRE
 KATHERINE HEFFNER, ESQUIRE
 SARA HUFF, ESQUIRE

1 CERTIFICATE OF OATH
 2 STATE OF FLORIDA
 3 COUNTY OF PALM BEACH
 4
 5 I, JESSICA COOPER, the undersigned authority,
 6 certify that SHANE EASON personally appeared before me
 7 and was duly sworn.
 8 Witness my hand and official seal this 3RD day of
 9 APRIL, 2017.
 10
 11
 12 _____
 13 JESSICA COOPER, FPR, COURT REPORTER
 14 NOTARY PUBLIC, STATE OF FLORIDA
 15 Commission No.: FF 943563
 16 Commission Exp: 12/15/19
 17
 18
 19
 20
 21
 22
 23
 24
 25

1 ERRATA SHEET
 2 I wish to make the following changes, for the following
 3 reasons:
 4 PAGE NO. LINE NO.
 5 _____ CHANGE _____
 6 REASON _____
 7 _____ CHANGE _____
 8 REASON _____
 9 _____ CHANGE _____
 10 REASON _____
 11 _____ CHANGE _____
 12 REASON _____
 13 _____ CHANGE _____
 14 REASON _____
 15 _____ CHANGE _____
 16 REASON _____
 17 _____ CHANGE _____
 18 REASON _____
 19 _____ CHANGE _____
 20 REASON _____
 21 _____ CHANGE _____
 22 REASON _____
 23 _____ CHANGE _____
 24 REASON _____
 25 SIGNATURE _____ DATE _____

<u>0</u>	100:1,7	<u>9</u>	14:9,22 31:12
04 45:19	27 78:1	9 2:4 46:1	32:9 35:24 36:3 46:4
<u>1</u>	27th 77:24	9:00 100:10	activity 4:3 29:10
1 17:19 33:1	90:6,17,18,24	9:16-cv-80655- RLR 1:3 5:9	32:11 33:14 34:6
10 20:12 41:19	<u>3</u>	100:5	35:6,9 38:12,18
12/15/19 98:24	3 1:16 5:2 17:19	91 3:8	39:8,12 40:19
99:14	30 41:14 55:15,17	943563 98:23 99:13	45:9,14,16 46:23
12:01 1:16 5:5	100:12	954)712-2600	47:2,4,7 50:8 55:6
1240 1:18 5:10	301 1:17 5:9	100:19	65:23 76:24
12-month 46:1	32801 2:13	954-336-0035 97:16	actors 29:8
1400 2:12	33 4:3	100:2	actual 40:2
18 100:1	33073 2:5	954-478-4223 2:5	90:10,14,24 91:17
18TH 98:17	33315 97:20 100:3	97 75:9	actually 11:15 29:8
19 13:14 46:4	33431 1:18 5:10	<u>A</u>	30:23 42:18 47:4
<u>2</u>	33617 2:10	a/k/a 1:8 5:8	52:11 57:6 67:11
2 17:19	3rd 5:4 99:8 100:7	ability 7:18	73:14 76:7,15
2:01 1:16 97:21	<u>4</u>	able 7:9 38:19	address 97:18
200 2:12	407-406-5246 2:13	above-referenced	adjoining 25:15
2004 6:8,9 10:2 31:1	4171 2:4	100:7	adjunct 45:21
46:17	4th 97:19 100:2	absolutely 16:11	adjuncts 45:20
2009 10:1 20:12	<u>5</u>	79:7	administrator
2012 29:11,12	5:00 100:10	abstract 80:25	33:10
2013 23:1,3,6,20	56TH 2:9	90:21	administrators
30:10,19 32:3,5	<u>6</u>	abstractly 80:17	50:10,12,18
51:20,24 52:5	6 3:3	accompany 24:25	advance 47:3
2014 6:10,12	629 97:19 100:2	57:23	advised 46:25
2015 14:20,23	6-7 20:15	account 32:19 34:15	affect 7:17 21:22
15:1,12 36:19	<u>8</u>	accounts 32:18	78:15
43:4 52:17,22,23	8076 2:9	52:20 55:5	affiliated 5:18
57:11 63:17 89:23	813-514-1414 2:10	accurate 29:25	afraid 72:3
2016 13:22 66:19	88 3:5	72:20 73:4	against 16:21 24:12
67:16 73:2,4,6	89 3:6	across 57:8	31:13 47:18 48:18
77:7,11 85:10		action 98:14,15	71:10 86:6 91:24
86:23 88:1 89:23		actions 88:16,18	agenda 11:2
96:12		90:12	20:18,19,21 64:7
2017 1:16 5:2,4		activities 13:14,19	agent 83:10
98:18 99:9			ago 8:10 9:21
			14:15,17 23:1
			30:21



<p>Agotree 40:24 41:2</p> <p>agreed 81:4</p> <p>agreement 10:16 38:17,21,22 51:13 55:25 57:16 61:4,6 68:18 69:12,13,15,17 93:4 95:21,24,25</p> <p>al 1:8 5:8</p> <p>alcohol 7:13</p> <p>allegations 70:15,17</p> <p>allotted 26:3,4</p> <p>alone 67:11,12 91:16</p> <p>Alperin 37:12</p> <p>already 72:17 73:2 100:12</p> <p>am 22:9 64:19 86:10 88:13 95:10 98:11,13,14 100:10</p> <p>Among 93:11</p> <p>amongst 16:12,16 17:11 62:22</p> <p>amount 50:20</p> <p>and/or 25:25</p> <p>announce 11:21</p> <p>announced 17:24</p> <p>announcements 11:5,13</p> <p>anonymous 11:14,17 17:7,9 54:11</p> <p>answer 16:23 30:8 38:24 48:13,21 50:4 56:4,17 68:23 83:18 84:10</p> <p>answers 7:7</p> <p>Anthony 2:16 5:15</p>	<p>anxiety 78:18</p> <p>anybody 7:20,23 8:1 9:10 11:24 22:10 24:23 33:19 37:7,8 47:6 48:24 49:3 53:25 56:6 59:6,10,14,18 62:9 63:11 64:6,13 65:1,10 74:24 82:11,17,25 84:8</p> <p>anyone 63:13</p> <p>anything 9:7 22:18 24:8 36:1 40:3 45:21 46:14,22 51:8 54:21 59:24,25 60:22 62:11,19 69:1 75:7 76:4 80:22 88:7 90:13 95:24</p> <p>anyway 22:17 84:24</p> <p>APPEARANCES 2:1</p> <p>appeared 99:6</p> <p>apply 6:13</p> <p>appointment 100:9</p> <p>appreciate 83:22</p> <p>approval 44:21</p> <p>April 1:16 5:2,4 13:22 71:5,6 72:17 73:1,6 89:24 98:18 99:9 100:1,7</p> <p>arbitration 11:22</p> <p>aren't 26:6 48:10</p> <p>argument 28:20,22 37:21</p> <p>Article 13:14 46:4</p> <p>Arts 37:4</p> <p>aside 35:24 53:2</p>	<p>aspects 10:5</p> <p>assistance 100:11</p> <p>assistant 37:5</p> <p>assisted 52:21</p> <p>associate 37:5</p> <p>associated 22:6 36:2 39:8 45:17 51:8</p> <p>assumption 53:24</p> <p>Atlantic 1:8 5:7,8 6:6 42:2 76:6 92:6 100:4</p> <p>attached 46:11</p> <p>attachment 33:16</p> <p>attend 21:11 26:7 67:18,21</p> <p>attended 20:10,13 67:16</p> <p>attending 20:11,20</p> <p>attends 25:2</p> <p>attention 62:5</p> <p>attorney 8:7 83:9 93:22 98:12,14 100:9,13</p> <p>attorney-client 8:14</p> <p>attorneys 8:4 82:16</p> <p>authority 99:5</p> <p>authorized 98:7</p> <p>auto 6:25</p> <p>Ave 2:12 97:19 100:2</p> <p>aware 13:13 23:2 30:1 44:3,4 51:20 52:20 58:2 63:13</p> <p>awkward 51:1</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>bag 84:19</p> <p>bar 21:20</p>	<p>bargaining 38:16,22 51:13 55:25 57:8,16,17,25 58:5,14,25 59:2,7 61:14 83:10 94:17,21 95:3,16 96:20</p> <p>based 38:15</p> <p>bat 86:5</p> <p>BEACH 1:2 98:3 99:3</p> <p>became 6:14</p> <p>beers 66:4 69:19 82:1</p> <p>behalf 2:2,7 53:10,17</p> <p>behind 10:10 29:10</p> <p>believe 51:19</p> <p>bell 65:10</p> <p>best 52:21 54:10 78:2 79:17</p> <p>better 50:11 77:13,14 78:3</p> <p>beyond 84:23</p> <p>bills 11:4,5 19:24 21:21</p> <p>bit 7:5 24:24 43:22 60:3 61:19 81:19 85:17,20 93:23 96:10</p> <p>blank 100:15</p> <p>blanking 58:10</p> <p>blog 27:5,23 30:3,4 34:9,14 35:17,22 39:5,7 44:10,14 61:22 65:17,21,22,24 79:21,22</p> <p>blogged 31:22 65:11</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



<p>blogging 27:12,25 29:25 31:16 36:5,6 41:23 51:18 52:6 65:2,5,7 66:16 88:21 89:16</p> <p>blogs 55:4</p> <p>blow 33:15</p> <p>blue 10:7</p> <p>BLVD 2:4</p> <p>Board 1:8 5:7</p> <p>Bob 75:18 88:12,24 91:12</p> <p>Boca 5:10</p> <p>body 10:10</p> <p>bottom 18:25 100:15</p> <p>Bradfield 23:16,21</p> <p>break 72:7 85:12</p> <p>breaking 72:9</p> <p>breaks 95:1</p> <p>brewery 67:4</p> <p>broad 28:7</p> <p>broke 85:16</p> <p>brought 83:5</p> <p>buddy 66:1,2</p> <p>budget 25:24,25</p> <p>budgetary 11:3 71:20</p> <p>bullied 37:23</p> <p>business 18:2 34:14 35:9 50:9</p> <p>busting 11:5</p> <p>byelaws 75:8</p> <p>bylaws 75:7</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>CAIR 2:9</p>	<p>calm 9:3</p> <p>cancel 64:24</p> <p>capacity 6:9 10:15,18</p> <p>card 8:12</p> <p>care 48:17,25 65:4 79:24 88:21 89:16</p> <p>carried 10:8</p> <p>case 1:3 5:8 8:5,25 62:7 82:4,17 83:24,25 100:5</p> <p>cat 84:19</p> <p>CBA 38:20</p> <p>Cc 100:21</p> <p>centered 92:24</p> <p>certainly 83:24</p> <p>CERTIFICATE 98:1 99:1</p> <p>certify 98:6,11 99:6</p> <p>chair 16:23 17:17 18:3 23:15,16 59:1</p> <p>change 53:18 101:4,6,8,10,12,1 4,16,18,20,22</p> <p>changes 21:3 101:2</p> <p>Chapter 13:23 14:2 16:12 17:13 19:23 25:23,24,25 38:13 39:23 56:8 57:24 63:1 75:2</p> <p>Chapters 19:7 21:15,17</p> <p>character 86:9</p> <p>characterization 96:18</p> <p>characterize 65:25 78:25</p> <p>characterized</p>	<p>78:25</p> <p>charges 86:6,18,21</p> <p>chat 94:18</p> <p>check 50:21 51:7</p> <p>chemtrails 28:22</p> <p>chief 83:10</p> <p>Cigar 66:25 67:1,3,4,10,12 91:10</p> <p>city 19:10 66:25 67:1,3,4,10,12 91:10</p> <p>civil 6:25</p> <p>clarify 18:9 39:2</p> <p>clear 81:1 82:5 84:25 87:5 92:11</p> <p>Clerk 100:13</p> <p>click 20:25</p> <p>client 68:5</p> <p>close 24:7</p> <p>closer 75:23</p> <p>COCONUT 2:5</p> <p>co-counsel 5:15</p> <p>collar 10:7</p> <p>colleague 31:3</p> <p>colleagues 31:2</p> <p>collecting 17:18 36:1</p> <p>collection 19:8</p> <p>collective 38:16,22 51:13 55:3,24 57:8,16,25 58:5,13,25 59:2,7 61:14 76:12 83:10 94:17,21 95:3,16 96:19</p> <p>College 37:4</p> <p>Coltman 37:4,7</p>	<p>comes 10:5,10,14 17:14,19 18:18,24 21:20 25:22 28:19 34:22 42:7 51:12 75:6</p> <p>comforting 10:9</p> <p>coming 8:5 11:3,22</p> <p>command 58:24</p> <p>comment 70:22 73:25</p> <p>commentary 62:10</p> <p>comments 65:3 74:2,15</p> <p>commercial 35:9 45:14</p> <p>Commission 98:23,24 99:13,14</p> <p>committee 11:10</p> <p>common 60:18</p> <p>communicate 63:23 71:22</p> <p>communicating 94:15</p> <p>communication 41:1 50:16 52:25 64:3 75:16,18 76:23 94:16</p> <p>communications 31:6 95:6</p> <p>companies 51:6</p> <p>compensated 29:24</p> <p>compensation 22:11,16</p> <p>complete 98:9</p> <p>completely 85:4</p> <p>comply 44:7 46:7</p> <p>complying 46:2</p> <p>compromised 85:18</p> <p>compromising</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



72:10,12 concern 34:8,10 41:25 43:9,12 48:9 59:18 64:14 concerned 8:21 42:2 47:11 48:10,17 59:22,23 64:11,12,19,23 65:1 concerning 13:14 14:9 16:20 23:23 33:23 61:6 64:4 concerns 34:11 42:4 47:11,12,19 concluded 97:21 condition 78:15 conducting 47:4 conference 67:21,25 68:3,7,9,12,14 88:2 91:6,8 Confidant 24:21 confided 61:17 66:15 96:14 confidence 92:21 conflict 13:19 46:4 conflicted 79:1 connected 98:14 connection 7:20 consider 24:19 31:8 consideration 28:21 considered 46:22 47:2 conspiracy 27:5 28:10,16 69:9,23 88:12 92:14,16,17,22 93:1,3 96:1 conspired 83:11	constitutes 50:19 constitutional 38:19 constitutionality 15:24 contact 71:18 97:13 100:10 contacted 8:1 63:9,12,14,15,16 contacting 100:9 contacts 71:13 context 31:17 53:8 71:16 continue 13:2 21:17 contract 38:16 45:2 46:1 controversy 30:12,14 convention 19:20,21 conversation 8:15 26:22 42:7 48:7 60:10,12 62:19 68:17 69:3 70:12 73:2 75:20,22 77:5 79:2,19,20 80:20 81:7 82:1,3 88:20 90:4,15,19,23,24 91:2,18 94:7,9 conversations 44:5 60:2,5 69:7 75:19 79:16 90:11 94:10 converted 6:11 convey 64:6 conveyed 64:13 97:1 Cooper 1:24 5:11 98:5,22 99:5,12 100:18 correct 7:19 19:6	25:6 88:20 89:17 correctly 88:13 correspondence 50:9 cost 22:6 costs 26:6 counsel 2:1 5:12 8:9 41:9 83:23 87:10,11 98:12,14 COUNTY 98:3 99:3 couple 8:10 71:2 76:10 89:14,15 91:23 court 1:1,24 5:3,11,12 72:3 82:16 97:8,12,15,17 98:5,22 99:12 100:13,18 craft 67:4 cramp 12:5 create 37:21 CREEK 2:5 crisis 29:8 criticism 62:10 CROSS 3:4,6 88:9 89:12 cuff 94:10 curious 73:17,20 current 6:4 24:16 currently 9:15 <hr/> D <hr/> date 5:4 67:25 91:5 100:1 101:25 David 36:14 day 24:23 26:2 50:22 98:17 99:8 days 41:14 55:15,17	100:12 deal 21:22 dealings 94:1 deans 37:5 Dear 100:6 deceived 81:18 December 29:12 52:22 57:10 decisions 18:18 defend 54:13 55:2,3 56:21 64:19,23 76:20 80:22 81:4 defendant 7:2 60:1 66:18 75:10 defendants 1:9 2:7 5:20 defended 51:24 55:7 defending 54:4 56:24 defense 68:19 department 12:21 depends 25:20 deposition 1:15 5:1,5 6:22 8:25 12:8 84:13 85:15 97:21,22 100:7,8,9,12 depression 78:18 describe 80:11 described 92:18 93:4,21,24,25 96:20 describing 94:2,6 description 4:2 92:20 designed 35:8 detail 34:1 81:8
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



<p>detailed 92:21</p> <p>details 9:2 85:5</p> <p>diagnosed 78:12,17</p> <p>Diane 37:12</p> <p>diem 26:2</p> <p>difference 49:13</p> <p>different 9:24 45:22,23 49:23 92:12</p> <p>difficulty 35:21</p> <p>digital 98:9</p> <p>digitally 98:7</p> <p>direct 3:3 5:25 44:7</p> <p>directed 36:18 37:16 43:3,24</p> <p>directive 33:9 44:3,8 62:14 71:21</p> <p>directives 32:6 50:24</p> <p>director 36:16,17 62:17</p> <p>dis 26:11</p> <p>disagree 48:11,16 65:12,17</p> <p>disagreeing 65:3</p> <p>disagrees 65:18</p> <p>disappointed 61:23</p> <p>discipline 16:4,6,9,13,14,20 22:22 23:2 24:12 39:18 47:8 51:20,22 52:18 55:14</p> <p>disclose 47:7</p> <p>disclosed 14:6 32:19 62:13 82:14</p> <p>discuss 10:25 11:24 14:2 16:16 21:3,5</p>	<p>24:2 69:21</p> <p>discussed 21:4,8 22:3 24:10 31:14 33:24 34:2 37:15 68:10 69:18,24 85:2 90:19</p> <p>discusses 19:22</p> <p>discussing 71:20</p> <p>discussion 9:1 12:6 14:21,23 17:7,10 59:16 63:1,17 65:14 85:13</p> <p>discussions 11:8 33:18 59:12 80:25</p> <p>dispute 59:4,12 75:12</p> <p>distraction 69:20</p> <p>distributed 20:19</p> <p>DISTRICT 1:1</p> <p>divide 35:16</p> <p>divided 49:6,7</p> <p>DIVISION 1:2</p> <p>document 33:4</p> <p>documents 21:1</p> <p>done 50:11 56:10 77:12 86:3</p> <p>Doug 23:16</p> <p>download 21:1</p> <p>downtime 94:18</p> <p>drinking 65:25 66:2,14,18,24</p> <p>drinks 66:9,11,13 68:11,13,14 77:2,17 91:10 92:13</p> <p>drugs 7:12</p> <p>duly 5:24 99:7</p> <p>during 21:2 94:18,21,23 95:16</p>	<p>duty 75:1</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 8:20 91:9</p> <p>Eason 1:15 3:2 5:1,6,22 6:17 84:13 99:6 100:1,6,21</p> <p>eBay 35:15</p> <p>education 21:22 22:2</p> <p>efforts 94:2</p> <p>either 22:24 42:9 76:11</p> <p>electronically 20:24</p> <p>else 11:13 60:22 62:9 67:16,20 71:17 82:11,17 83:24 91:15</p> <p>e-mail 33:11 46:11 50:22 51:7 62:18 63:22 64:1 75:19</p> <p>e-mails 33:14 40:23</p> <p>employed 26:19</p> <p>employee 46:17 98:12,13</p> <p>employees 5:18 42:14,17 45:4,25</p> <p>employer 6:5</p> <p>employment 33:13 35:4 38:17 93:5 94:3,15 95:7 96:2</p> <p>enforcement 23:16</p> <p>enjoyment 22:20</p> <p>entered 33:1 61:3 68:18 69:11 95:21</p> <p>entire 56:8</p> <p>entitled 35:3</p> <p>ERRATA 101:1</p>	<p>especially 10:5 19:24</p> <p>ESQUIRE 2:3,8,12 100:21,22</p> <p>essentially 88:22</p> <p>estimate 14:15</p> <p>et 1:8 5:8</p> <p>ethical 74:23 75:11,13</p> <p>ethically 75:5 96:25 97:1</p> <p>event 41:12</p> <p>events 20:18</p> <p>everybody 8:21 19:22 25:14 47:15 83:23,24</p> <p>everybody's 75:24</p> <p>evidence 28:12,13,14</p> <p>Exact 10:13</p> <p>exactly 48:6 77:5 79:15,18 88:15 91:5</p> <p>EXAMINATION 3:1,3,4,6,7 5:25 88:9 89:12 91:21</p> <p>example 13:22 15:24 16:15 17:20 21:6 25:20 32:23 48:23 55:15 57:3 59:10,15 75:2</p> <p>exciting 10:9</p> <p>excluded 59:11,13,16</p> <p>excuse 12:5 33:25 39:15</p> <p>Exhibit 4:2 33:1</p> <p>EXHIBITS 4:1</p> <p>exists 45:18</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



<p>Exp 98:24 99:14</p> <p>expenses 9:16 26:1</p> <p>experience 38:15</p> <p>explaining 81:9</p> <p>explanation 38:10</p> <p>express 59:18 65:22 70:7</p> <p>expressed 42:4 61:18 62:17</p> <p>extent 86:13</p> <p>external 35:23 65:23</p> <p>extremely 34:16</p> <hr/> <p style="text-align: center;">F</p> <p>Facebook 32:16,23 34:15 37:17 39:6 44:18,21 55:5</p> <p>fact 88:4</p> <p>facts 85:5</p> <p>faculty 9:14 10:5,22 14:25 15:2,6 16:5,6,8,21 18:10,19 19:13 21:22 24:12,18 25:18 40:13,20,21 42:1 45:4,6 46:6 47:10,14 54:8,19 55:3 57:14 62:16,21 63:11 65:9 83:9 92:3</p> <p>failed 55:21</p> <p>failing 47:7</p> <p>fair 72:20 73:4,5</p> <p>fall 20:6,7 36:8 96:22</p> <p>falls 45:9</p> <p>false 29:9 68:21</p> <p>familiar 12:19 13:24 17:3 29:1</p>	<p>33:4 40:15</p> <p>father 10:7</p> <p>FAU 5:20 15:2,3 16:7 18:10 19:12,15 31:17 33:14 35:24 36:3 37:24 39:9 40:11 42:14,17 45:4,17 46:1 47:24 48:16 50:8 51:9,12 61:1 62:22 69:22 83:1 89:5 93:16,22</p> <p>FAU's 83:9 87:10,11 94:1</p> <p>FEA 11:6</p> <p>February 66:19,22 67:16 73:3 77:8,11,15,24 78:1 85:9 86:23 88:1 89:24 90:6,17,18 96:12</p> <p>February-March 77:6</p> <p>feel 81:22</p> <p>feeling 47:13</p> <p>feelings 61:17,18</p> <p>felt 81:17 85:18</p> <p>FF 98:23 99:13</p> <p>fight 76:7</p> <p>file 39:24 41:12 52:4 53:14,20 54:1 55:9,12,13,21 56:15 59:23</p> <p>filed 13:23 53:10,13,17,22 56:11 71:10 100:13</p> <p>filing 38:1 59:23</p> <p>fill 33:8,10,12 35:12,14 36:18</p>	<p>37:16,18,22 39:4,10,15,16 41:17,19 43:3,6,10,11,13,2 4 45:5,7</p> <p>filled 32:11,13 40:5 42:18 43:2</p> <p>finally 75:23</p> <p>financially 98:15</p> <p>fine 6:18,19 95:12</p> <p>fire 39:18 83:11</p> <p>fired 34:3,9 37:20 41:23 43:7 47:22,25 48:25 49:4 50:2,7</p> <p>firing 48:3 49:21</p> <p>firm 5:11</p> <p>first 5:23 14:11 22:22,25 23:11 26:12 27:2 30:23 71:4 72:21</p> <p>FIU 19:12</p> <p>five 58:9</p> <p>fix 80:1,6 87:7,8</p> <p>FL 2:5,10,13</p> <p>flag 29:9</p> <p>Florida 1:1,8,18,25 2:9 5:7,8,10 6:6 9:14 10:22 16:5,6 18:19 19:10,11 25:18 40:20,21 42:1 46:6 54:19 63:11 76:5 92:3,5 98:2,6,23 99:2,13 100:4</p> <p>Florida's 16:8 83:10</p> <p>folks 43:23 63:24</p> <p>follow-ups 91:23</p> <p>foregoing 98:8</p> <p>forget 58:11</p>	<p>form 4:3 20:23 26:1 30:7 32:9,12 33:10,12,17,20,23 34:3,6,9,18,21,23 35:8,18 36:9 37:16 38:18,23 39:5 42:11,15 43:24 44:17,24 45:1,5,7,11,13,15, 18 46:12,15 47:17 48:12,20 50:3 51:17 53:1 56:3,16 68:22 69:5 76:24 78:19 80:2 81:12 83:17 84:4,9 86:25 88:17 90:16 92:25 96:3</p> <p>forms 36:18 40:5 41:17,23 42:18 47:16</p> <p>form's 35:3</p> <p>Fort 97:20 100:3</p> <p>forwarded 100:13</p> <p>Fourteen 20:16</p> <p>FPR 1:24 98:22 99:12</p> <p>free 29:22,23</p> <p>Friday 100:10</p> <p>friend 24:19 31:9</p> <p>friendly 75:22</p> <p>friends 79:9</p> <p>friendship 85:25</p> <p>friendships 85:23</p> <p>from-the-hip 82:2</p> <p>frustrated 61:23 74:9,11 93:7</p> <p>frustration 75:24 79:22</p> <p>fuck 74:5</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



<p>full 34:1 53:8 81:8</p> <p>full-time 45:25</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>Gary 37:9,10</p> <p>geared 21:13</p> <p>general 14:9 42:13 47:13 48:7 62:23 65:9</p> <p>generally 28:16,18</p> <p>gets 19:22</p> <p>getting 11:9 12:5 92:24</p> <p>given 6:21 33:9 46:5 47:6 50:24 74:24</p> <p>glean 75:8</p> <p>Glick 57:3,4,5,8 60:2,11,15,23,25 61:4,9 68:18 69:11 81:3 93:16 94:6,7,14 95:6,16,20 96:2,15,19</p> <p>gone 58:13 76:2 91:9</p> <p>grain 71:23</p> <p>gray 34:18</p> <p>grew 10:7 75:23</p> <p>grievance 11:18,20 12:23 13:23 14:2 16:22 17:8,17,23 18:2 21:10,11 22:6 23:6,15,24 38:2,3 39:24 40:6 41:12 53:10,13,16,20,23 54:1 55:10,13,21 56:11,15 59:16,19,23,24 74:20</p> <p>grievance/contract</p>	<p>23:15</p> <p>grievances 11:14,19,25 12:2,9,11,19 13:3,13,17 17:3,7,10,20,24,2 5 21:5,7 23:23 24:3,10</p> <p>grieve 37:25 38:19 39:19,23 40:3 53:1,6 55:11,15,18</p> <p>grieve-ability 17:21 38:12</p> <p>grieve-able 38:8,10 41:12</p> <p>grieved 40:1</p> <p>grieving 18:4 53:7</p> <p>ground 7:3</p> <p>guess 6:11 8:21 10:9 11:8 16:23,24 29:11 35:14 37:9 38:9 40:5,9 41:9 45:25 53:21 57:17,22 72:24 76:10 84:11 88:6 90:22 91:1,3,11,12 96:13 97:18</p> <p>guidelines 46:5 74:23</p> <p>GUNSTER 2:12</p> <p>guy 10:8</p> <p>guys 10:25 25:7,11 31:2 43:20 66:24 67:5,23 70:22 85:2</p> <p>gyms 69:19</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>half 25:18,19 42:16 49:15</p>	<p>hand 36:1 98:17 99:8</p> <p>handle 62:10,13 63:2 75:3</p> <p>handled 17:15 59:20 75:5,11</p> <p>handling 16:4,9 23:6</p> <p>Hannah 37:4</p> <p>happen 81:5</p> <p>happened 29:11,17 44:5 53:14 80:17 82:24</p> <p>happens 35:16 55:17</p> <p>happy 47:15</p> <p>hard 85:5</p> <p>hateful 34:16</p> <p>haven't 29:19 75:9</p> <p>having 5:23 10:10 69:19 81:25 89:3 95:6</p> <p>head 72:4</p> <p>healthcare 35:13</p> <p>heard 21:7 88:12</p> <p>heated 75:20</p> <p>Heffner 2:8 3:5 5:17 30:7 38:23 48:12,20 50:3 51:17 56:3,16 68:22 69:5 72:7 80:2 81:12 83:17 84:4,9 86:25 88:8,10,24 92:25 96:3 97:7 100:22</p> <p>held 12:6 16:12 17:2 19:14 20:3 21:19 24:2 28:14 85:13</p> <p>help 41:5,6 88:5</p> <p>helped 52:19,23</p>	<p>53:18 86:12</p> <p>helps 40:20</p> <p>hereby 98:6 100:19</p> <p>he's 24:17,18,22 25:5 26:11 27:25 36:16,17 40:18 43:2 50:24,25 52:17 57:4 71:2 79:24 81:17 85:3</p> <p>Hi 24:8</p> <p>hide 84:8</p> <p>high 63:5</p> <p>higher 40:10</p> <p>HILLSBORO 2:4</p> <p>hip 42:6</p> <p>hired 12:22</p> <p>hit 75:24</p> <p>hold 19:13</p> <p>home 34:13 35:13</p> <p>Hook 28:24 29:3,7 31:22</p> <p>hope 40:2</p> <p>hopefully 26:5</p> <p>hotel 25:11,12,14,17,19 26:4 67:23</p> <p>house 11:4 19:24 21:21 90:5</p> <p>Huff 2:12 3:6 5:19 89:13,25 90:17 100:22</p> <p>Huh 84:21</p> <p>hypothesis 28:12</p> <p>hypothesize 69:10</p> <p>hypothesized 69:8,16 80:14</p> <p>hypothetical 81:7,11 87:3</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



<p>hypothetically 81:3 90:7</p> <p>hypotheticals 77:3 80:17</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>I'd 36:12 41:19</p> <p>idea 63:19</p> <p>identify 48:6</p> <p>ignore 42:8,9,11</p> <p>ignored 71:24 76:25</p> <p>I'm 6:3,16 7:6 9:15 12:5 17:15 23:9 24:23 30:1 33:3 37:13,23 43:19,20 44:4 48:9 50:17 52:20 54:18 58:2,10,14,16 59:14,22,23 63:13 64:13,21,22 69:14,15 70:12 71:8 72:3,8 75:25 79:1,6 80:4 81:22 82:12,13,15 84:5,18,21 85:17 87:4,14,20,21 89:23 93:24 94:5 95:10,14</p> <p>inappropriate 74:19</p> <p>included 18:21 63:20 64:3</p> <p>including 50:12</p> <p>indeed 53:20</p> <p>independent 8:9</p> <p>INDEX 3:1 4:1</p> <p>indicate 54:3 85:8</p> <p>indicated 52:19 76:4 79:14 80:21</p> <p>indication 47:7</p> <p>individuals 37:15</p>	<p>85:24</p> <p>influence 7:12</p> <p>information 17:18 83:23 100:11</p> <p>inquiries 62:11</p> <p>Instagram 34:15</p> <p>institutions 19:12</p> <p>instructed 32:22 46:25</p> <p>instruction 39:9</p> <p>instructor 6:10 12:21</p> <p>intend 54:13 56:20</p> <p>interest 13:19 46:5</p> <p>interested 98:15</p> <p>interfered 38:18</p> <p>intern 2:16 5:15</p> <p>internet 27:8,18</p> <p>introduce 5:13</p> <p>involve 19:5</p> <p>involved 12:12,13 16:19 17:24 23:20 29:9 83:24 92:23</p> <p>involvement 10:16,19 16:3,9,11 23:5</p> <p>involves 12:21 19:11</p> <p>involving 13:13,18 70:18</p> <p>isn't 28:13 36:19 56:7 82:3</p> <p>issue 8:20 16:1 34:12,17 41:2 42:12 44:15 73:11 81:21</p> <p>issues 11:3 19:23 21:4,13,19 22:21 27:4 42:13 59:8</p>	<p>issuing 32:6</p> <p>it's 9:20 11:2,14,21 15:16 18:1,2,20 19:4,21 20:4,23,24 21:22 22:13 23:11 24:17 31:19 33:14,24 34:10,16 35:22 38:8,9 41:21 42:6 45:1,2,3,4,5,8,13 47:13,21 48:22 49:5,15 51:1,13 53:24 65:9,21 66:17 70:4 73:5,10 82:4,9,21,23 84:23 85:4,25 86:13,14,15 90:21 93:11</p> <p>IV 5:14</p> <p>I've 6:8 10:1 12:13 20:11 21:7 29:19 33:6 35:10 40:1 45:17 66:4,13 68:14 78:17 81:22</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>James 1:5 2:17 5:6,16 68:5 71:1,14,22 76:20 88:13 100:4</p> <p>James+ôTracy 68:25</p> <p>January 30:19</p> <p>Jessica 1:24 5:11 98:5,22 99:5,12 100:18</p> <p>Jim 13:7 50:10,12,17,18 70:23 72:1 73:11,13 74:4 75:18 76:22 77:18,23 79:20,23 81:10 88:22 93:7</p>	<p>94:11,20</p> <p>job 35:11 45:19</p> <p>jobs 45:22</p> <p>Joel 2:3 5:15</p> <p>JOEL@MEDGEB OWLAW.COM 2:6</p> <p>join 10:3 11:12</p> <p>July 8:9</p> <p>justified 49:21</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Katherine 2:8 3:5 5:17 100:22</p> <p>KHEFFNER@CAI R.COM 2:11</p> <p>kids 29:7 69:20</p> <p>killed 29:8</p> <p>knew 60:25</p> <p>knowledge 38:16</p> <p>known 30:25</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>ladder 40:10</p> <p>Larry 57:2 60:2 61:4 93:16 94:6,7 96:1</p> <p>last 8:9,24 10:24 19:19 33:7,15 58:11 66:22 71:7,8</p> <p>late 72:23</p> <p>Lauderdale 97:20 100:3</p> <p>laughed 74:17</p> <p>law 2:4 96:23</p> <p>lawsuit 81:22</p> <p>lawsuit's 71:10</p> <p>lawyer 53:2 93:16</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



<p>94:1</p> <p>learn 22:22</p> <p>least 78:3 87:10</p> <p>leave 34:13 50:19,21,25 51:5,7,11,15 52:17 64:20 73:24</p> <p>legal 83:16,19,20</p> <p>legislation 21:5</p> <p>legislative 21:3</p> <p>legitimate 28:20</p> <p>Lenz 15:17,19,20,21</p> <p>Leo 2:3 3:3,8 5:14 6:1 12:9 30:10 33:3 39:1 48:15,23 50:6 51:18 56:5,19 68:25 69:10 72:8,11 80:4 81:14 83:21 84:5,12 85:16 87:2 88:17 90:16 91:22 93:3 96:5 100:21</p> <p>let's 12:16 28:23 30:10,23 39:1 50:1 72:7 84:24</p> <p>letter 86:9,13,15,16,17 100:15</p> <p>letters 32:3,5 37:5 86:8</p> <p>level 21:14</p> <p>lever 21:13</p> <p>lie 86:23 88:1</p> <p>lied 81:14 85:2</p> <p>life 73:23</p> <p>light 83:5</p> <p>likely 36:24 37:1</p>	<p>line 37:14 101:3</p> <p>lineage 18:25</p> <p>lines 50:18 54:21 80:23</p> <p>link 20:25</p> <p>listening 95:10</p> <p>little 7:5 24:24 34:18 43:22 51:1 60:3 61:18 81:19 85:17,20 93:23 96:10</p> <p>local 19:23 21:15,16</p> <p>localized 19:4</p> <p>located 5:9</p> <p>location 95:4</p> <p>locked 45:25</p> <p>long 6:7 9:17 14:15,16 30:24 34:15 46:18 67:5 88:20</p> <p>loss 78:13</p> <p>lot 21:18,23 28:14 40:21,23 41:11 42:7 49:17 68:10 69:7,20 80:10 86:3 88:23</p> <p>Louis 2:3 5:14 100:21</p> <p>LOUIS@MEDGE BOWLAW.CO</p> <p>M 2:6</p> <p>lower 12:23</p> <p>lying 85:4</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>maintain 34:15 71:25</p> <p>maintained 6:13</p> <p>maintaining 40:19</p> <p>man 14:13 27:18</p>	<p>82:6</p> <p>management 21:24 40:19</p> <p>manner 47:24</p> <p>mark 32:25</p> <p>marked 33:3</p> <p>Maroun 2:16 5:16</p> <p>Marshall 40:16</p> <p>matter 5:6 6:25 55:4 100:7</p> <p>matters 69:22,23 75:3,4 90:19</p> <p>may 14:3 33:11 46:10 76:24 90:12 100:8,10,13</p> <p>maybe 9:2 11:4 12:14 14:17,19 20:16 41:10 42:16 53:9 57:10 58:11 67:19 71:5 77:16</p> <p>McGetchin 38:4,5,7 56:20</p> <p>McKee 8:8,16</p> <p>mean 11:17 13:11 19:9 22:2 24:22 26:21 28:10 33:14 34:25 45:2,6,19 47:14 48:5 53:7 66:11 73:14 78:5,8,17 80:24 84:7 86:13 87:19</p> <p>measures 38:12</p> <p>MEDGEBLOW 2:3</p> <p>Medgebow 2:4 5:15</p> <p>media 32:14,18,19 34:6,25 39:12 41:17 47:1 61:25 62:1,5,10,13,15,2 0,25 63:2,9,12,14</p>	<p>medications 7:15</p> <p>meet 19:17 25:9 77:15</p> <p>meeting 12:3 14:1,4,11,25 15:2,15 16:16 23:24 33:25 57:7,9,13,19,21 62:17,21 66:21 67:15,16 76:12 77:10,22 81:9</p> <p>meetings 10:21,23 11:1,6,7 12:1 14:8 16:12,20,25 17:1,6,19 18:1,20 19:14 20:3,9,17,22 21:2,10,12 22:3 23:21 24:2 25:1 33:22 57:6,15,24,25 58:7,14 60:14 61:13,14,15 66:5,6,7 94:17,21</p> <p>meets 74:13</p> <p>member 10:2 24:12 42:23 56:13 74:20</p> <p>members 11:6 16:21 18:21 19:9 26:7 42:1 47:11 54:9 64:20,24 74:24</p> <p>membership 11:9,10 21:18 64:11,12,16</p> <p>memo 46:19,21</p> <p>memory 53:9 78:8,10,13,16 85:6 88:20</p> <p>mention 27:10 86:21</p> <p>mentioned 47:20 87:15</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



Meredith 58:16,18,19,21 merit 28:5 55:4 messed 12:25 messing 31:23 met 31:1 56:23 57:2,4,5 81:3 95:15 96:15 Miami 8:10 Michael 24:5,13 40:7,8 76:22 middle 72:8 76:21 mid-February 91:3 Miller 58:11 minor 18:16 minute 72:2 misled 81:18 misrepresented 85:9 missed 59:24 misstate 86:23 misstated 85:17 Moats 24:5,6,13 40:7,8 41:5 43:23 76:21,22 Monday 100:10 monetary 22:15,16 money 21:24 22:15 36:6 monthly 10:23 months 14:17,18 Mountford 58:19,21 59:3,11 moved 45:18 myself 91:13 <hr/> N <hr/> nail 76:8	nature 11:25 NEA 11:6 necessarily 48:9,17 50:1 necessary 100:8 negligence 6:25 news 30:16 73:24 Newtown 29:7,15,17,21 nobody 9:7 48:2 59:22 64:19,22 67:14 nodding 95:10 nods 72:4 none 12:13 63:19 nor 98:13,14 Notary 1:25 98:5,23 99:13 notes 57:21 98:10 nothing 7:17 34:23 84:1,24 85:7 notice 55:14 100:7 <hr/> O <hr/> oath 73:15 84:1,13 87:5 99:1 Object 88:17 90:16 objected 43:15 Objection 30:7 38:23 48:12,20 50:3 51:17 56:3,16 68:22 69:5 80:2 81:12 83:17 84:4,9 86:25 92:25 96:3 obtain 41:9 obviously 44:12 84:19 odd 45:19	office 100:10 officer 17:23 38:3 40:6 officers 10:22 16:16 18:24 19:9 74:24 official 98:17 99:8 Ogletree 40:15,22 oh 7:3 14:13 16:17 27:4 48:4 52:7 53:12 58:18 71:2 95:10 okay 6:3,21 7:3,17 8:11 9:1,5,13 10:25 12:17 13:10 14:1,5,8,15 15:8 16:1 17:10 18:5 19:3 20:1,17 21:2,12 23:13 25:3 26:8 28:25 36:21 39:3 41:16 42:24 43:6 44:6 47:22 48:14 52:7,15 53:12,13 59:18 64:21 72:2 77:9,25 82:19,24 84:25 85:12 86:18,20 87:25 88:15,24 89:2,5,11,25 90:7 91:6,14,20 95:20,25 97:12,15 ones 12:14 13:4 42:19 ongoing 13:18 online 47:1 opened 33:16 operating 17:14 opinion 35:8 49:20 76:17 97:2 opportunity 55:18 option 97:9	ORANGE 2:12 ordeal 29:6 ordered 97:9 ordering 100:13 organize 11:11 21:17 organized 11:11 original 100:12 Orlando 2:13 11:7 19:18,19 others 11:12 13:11 44:6 58:10 outlines 46:22 outright 42:8 outside 4:3 10:18 13:14,18 14:9,22 19:15 31:12 32:9,11 33:13 35:3 37:24 38:17 39:12 45:9,16 46:4,23 47:2 50:8 76:23 96:19 overall 47:14 oversee 9:15 <hr/> P <hr/> P.A 2:4 p.m 1:16 5:5 97:21 page 3:2 4:2 32:23 37:17 44:18 101:3 paid 22:8 35:25 45:17 PALM 1:2 98:3 99:3 pals 93:18 paper 20:23 parental 50:19,21 51:5,7,15 52:17 particular 65:8
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



<p>67:15 68:13 69:22</p> <p>parties 8:5 98:12,13</p> <p>past 13:18 20:15</p> <p>pay 25:21</p> <p>pays 25:17,18</p> <p>PE1 32:25 33:4</p> <p>PE-1 4:3</p> <p>peer 24:18</p> <p>penalty 87:6</p> <p>people 10:10 17:25 18:3 19:1 20:20 21:11 34:19 42:8 45:6 48:4,8,10,16 49:2,5,8,9,11,17 58:4 65:4 79:8,10,14 86:8</p> <p>people's 10:12,13</p> <p>per 26:2</p> <p>percentage 49:10</p> <p>period 52:22</p> <p>periodically 27:9,10</p> <p>perjury 87:6</p> <p>Perry 37:9,10</p> <p>person 11:21 17:8,24 55:3 58:8,9 73:11 76:21</p> <p>personal 30:3,4 35:23 36:5 39:7,11</p> <p>personally 99:6</p> <p>petty 50:8</p> <p>phone 73:11 97:14</p> <p>photographs 29:13</p> <p>pick 25:19</p> <p>pipeline 17:21</p> <p>Pittsburg 60:6,7,8,16,17,20</p>	<p>61:13 93:18</p> <p>placed 11:18</p> <p>plaintiff 1:6 2:2,17 7:1 13:4,6 72:13 79:12</p> <p>Plaintiff's 33:1</p> <p>plan 34:5 89:8</p> <p>planning 54:20 88:25</p> <p>plans 89:3,6</p> <p>please 5:12 100:7</p> <p>plight 16:18</p> <p>plot 93:4</p> <p>Plus 35:25</p> <p>PM 100:10</p> <p>pocket 25:22</p> <p>point 41:18 86:5 91:12</p> <p>policy 13:14,19 14:9,22 15:24 31:12 46:2,3,5,7 47:18 48:18 51:2,4,12 76:24</p> <p>posing 80:17</p> <p>position 6:11,13,14 12:14 72:10,12 75:6</p> <p>positive 10:4</p> <p>possibility 40:12</p> <p>possible 15:16 23:11 31:19 48:22 66:17 70:4 81:11 82:9,21,23</p> <p>possibly 12:22 57:12 66:20</p> <p>potential 75:22</p> <p>potentially 47:15</p> <p>prefer 6:17</p>	<p>PRESENT 2:15</p> <p>president 13:23 16:15 23:13 24:16 26:8 33:19 40:20 54:3,12 57:23 75:2 76:19 82:6</p> <p>press 63:2,18</p> <p>pressure 54:20</p> <p>pretty 63:5</p> <p>prior 8:1 9:25</p> <p>prisons 22:1</p> <p>privilege 8:15</p> <p>privileges 18:17</p> <p>Pro 41:4</p> <p>probably 10:1 14:23 15:14 35:12 36:3 38:14 39:10 41:7,9,19 42:14 44:25 75:21 78:2 83:20 89:20,24</p> <p>problem 27:11,25 29:16,20 44:12,23 54:24 55:1,25 56:6,8 62:4 65:24</p> <p>problems 78:10</p> <p>procedure 17:14 40:2</p> <p>procedures 8:25 38:11 57:16</p> <p>proceedings 98:8</p> <p>process 10:16 11:21</p> <p>products 35:13</p> <p>professional 24:17 35:6 38:18</p> <p>professionally 75:5</p> <p>professor 5:16 6:17 13:8 14:20 15:17,18,19,23 16:1,4,13,18 22:21,22</p>	<p>26:8,9,13,15,18,1 9,23 27:7,11,14,23 28:4,23 29:16,24 30:6,24,25 31:8,15,22 34:3,8 35:17 36:5,18 41:22 43:1 44:7 47:18,22 48:2,11,18 49:1,4,17 50:2 51:14,24 52:2,5 53:10,17 54:4,13,15,20 55:11 56:1,14,19,21,24 58:15 59:4,7,12,16,19 61:6,8,11,16,17,2 0 63:3 64:4,7,17,20,23 65:2,7,15 66:8,9,12,14 68:2,16,17 69:11,16,25 70:13,16 72:17,21 73:1,3,7 75:11 76:5 77:1,6 78:2 79:13,18 80:1,12,19 81:4,5,14 82:25 83:1,11,22 84:7,12 85:1,8 86:1,3,5,22 87:4,6,9,12,17,21, 23 88:1 89:9 91:18,23 92:14,24 93:5 94:3,9 95:7,18,21 96:2,8,11,14,16 97:4</p> <p>profile 63:5</p> <p>profit 35:9</p> <p>progressively 75:22</p> <p>promises 7:23</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



<p>promptly 100:15 proposals 21:3 proposed 84:17 prosecutors 86:17 protecting 10:5 prove 28:11 provide 46:14,15 proximity 77:19 PTSD 78:19 public 1:25 83:5 98:6,23 99:13 pull 42:14 pursue 13:5 37:25 56:11 Puts 72:10 putting 72:11</p> <hr/> <p style="text-align: center;">Q</p> <p>quantify 49:10 question 11:15 13:16 28:7,8 56:7 80:11 84:17 87:16 questioning 29:6 questions 7:6 9:10 88:8 89:11 quite 34:19</p> <hr/> <p style="text-align: center;">R</p> <p>railroad 80:10 82:10 railroaded 81:23 82:25 83:1,6 Raton 1:18 5:10 re 6:12 100:4 Reading 97:22 ready 53:1,6 really 14:7 17:15 18:2 27:17 29:10</p>	<p>45:18 48:1,25 49:25 67:6 70:7 74:13 79:24 81:8,10 82:20 87:18 92:16 94:18</p> <p>realm 96:20 reason 7:9 45:24 47:19 56:14 70:7 86:22 87:25 101:5,7,9,11,13,1 5,17,19,21,23 reasons 50:7 101:2 recall 13:11,25 15:9 16:14 17:22 27:13 29:4 32:1,6,9 33:7,11,15,21 34:1 40:18 43:5 46:10,16,20 53:8 56:22 57:1 58:8,10 59:21,25 61:5 62:3,18 63:4 64:5 65:8,13 66:8,10 67:6,8,17 69:1,6 70:1,2,14 73:8 74:22 77:22,23 78:4,7 80:3 82:18 88:16 89:5,21 91:14,17 92:15 93:6,14 95:23 96:6</p> <p>receive 22:10 receiving 46:20 recently 22:1 reco 91:4 recollection 58:16 68:16 77:11 78:1 79:17 89:7 record 5:4,13 12:7 33:2 72:4 85:1,14 98:9 RE-DIRECT 3:7 91:21 refer 13:15</p>	<p>referring 13:8 42:11 49:1 50:13,23 54:18 70:12 93:25 refresh 58:16 regarding 7:23 8:25 11:14 16:13 17:3 18:7 21:19,23,24 29:21 33:19 38:11 47:16 50:9 51:12 53:1 57:18 62:20 65:23 68:6,7 76:11,23 79:21 81:9,21 88:19 95:7,21 regards 86:18 reimburse 26:7 reimbursed 26:5,6 relationship 9:13 24:15 30:24 60:23 61:9 71:25 93:15,21 94:6 relative 98:11,13 remains 17:9 remember 12:20 13:12 14:7,12,14,20,25 15:17,22,23,25 17:16 20:24 24:9 26:14,18,20,22 27:16 29:5 30:14,16 43:11,18 44:11 54:11 61:7 67:11,19,25 68:13 69:8 74:2 77:7 80:11 81:8 85:7 88:23 91:4,12 repeat 13:16 38:25 48:14 73:14 rephrase 50:1 64:21 report 34:24 35:3,25 98:7</p>	<p>reportable 46:23 reported 1:24 35:18 36:4 47:3 Reporter 1:24 5:3,11 72:4 97:8,12,15,17 98:1,5,22 99:12 reporting 5:12 30:17 90:14,24 100:18 reports 11:8 52:6 57:14,15,18 represent 5:18,20 18:20 54:8 82:7 representative 83:11 represented 54:10 representing 74:21 represents 5:16 reprimand 22:25 52:4 required 47:3 55:24 research 35:23 36:2 55:6 65:23 69:22 reserved 97:23 resign 54:16 83:13 resigning 54:20 respect 8:2 22:4 63:2 64:7,16 86:6 responding 84:18 response 55:14 69:3 71:21 74:15 responsibilities 18:16 responsibility 19:1 50:21 responsible 17:18 21:25 resumed 12:8 85:15</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

retaliation 91:24 92:2,5,8	100:22	serious 86:18	social 32:14,18,19 34:6,25 39:11 41:17 47:1
return 22:18 100:15	schedule 20:17	seriously 82:3	soft 28:13
revenue 36:2	scholarly 35:23 36:3 55:6	service 22:19 39:9	somebody 8:14 48:23 53:22 56:24 65:18 67:18
review 33:8	school 30:12 31:4 36:21 50:25	settled 52:1	someone 24:22 40:15 45:7
rid 56:14 87:11 92:14,24	schools 19:5	Shane 1:15 3:2 5:1,6,22 6:21 72:2 84:13 99:6 100:1,6,21	sometime 89:23 91:4
riddance 48:25	school's 44:7	Shane's 6:18,19	somewhat 10:9
rights 10:12,14 38:19 55:11	scope 36:8 45:11	share 83:22	somewhere 46:11 91:15
Riley 58:9 59:1	seal 98:17 99:8	SHEET 101:1	sorry 23:9 52:13 64:21 71:8 72:3 75:25 79:1 82:13 85:17 87:14 89:23 95:11
rings 65:10	Sean 58:11	she's 58:20	sort 33:13 36:2 38:11 62:13 76:24 92:20
road 1:17 5:10 74:13	second 12:5 53:15 58:23,24	shoot 42:6 82:1	sound 82:13 96:24
Robe 23:13,21 58:12,13 63:14 67:19	secretary 9:25 42:23 57:22,23	shoot-from 94:1	sounds 12:25 92:11
Robert 24:16 70:25 92:8	seeing 30:16 58:16	shoot-from-the-hip 69:7 74:1	SOUTHERN 1:1
ROCA 1:18	seems 82:4	short 12:6 77:19 85:12,13	Southwest 97:19 100:2
role 18:7 40:18	seen 33:5,6	shortly 71:10 77:9,19	speak 8:4 62:14 71:14 72:16
roles 22:4	sell 35:12,15	shot 29:8	speaking 15:17,22,23 28:16 34:21 62:21 80:16 95:25
roll 45:21	senate 11:7 14:25 15:2,5,6 18:20 19:3,4 24:25 25:1 66:4 77:22	showing 33:3	Spec 90:9
rolling 19:24	senator 10:1 15:5,6,7,11 18:10,11,15,16 58:22	SHUFF@GUNSTE R.COM 2:14	specific 46:1 89:2
rooms 25:15	senators 19:9,10 26:7	sides 50:12,13	Specifically 23:24
route 41:10	sending 32:5	sign 100:8,12,14	specifics 28:9
rubber 74:13	sends 40:23	signature 100:8,14,19 101:25	speculate 14:13 18:1 29:12 89:20
rules 7:4	senior 42:23	signing 97:22	speculating 90:8,12
running 69:21	sense 6:11 49:25	simple 11:3	
<hr/> S <hr/>	sent 20:24 32:2 33:7,12 40:6	sit 10:21	
sabotage 68:18 69:9 80:8	separate 45:3,4	sitting 85:8	
salary 12:23 22:8	separately 25:4	situation 25:20 26:9 29:15 49:18 61:23 73:19 79:23	
salt 71:23	September 15:1	six 14:17,18	
Sandy 28:24 29:3,7 31:22		small 94:2	
Sara 2:12 3:6 5:19			



speculation 90:13,21 speculative 90:22 speech 29:22,23 30:6 47:2 spend 26:2 split 91:13 spoke 8:8,9,14 26:12 60:3 92:12 spoken 77:12 sports 60:20 spring 20:6,7 ST 2:9 staff 11:3 42:23 65:9 stand 83:20 standard 17:14 standing 10:12,13 Starbucks 35:11 start 12:18 started 26:23 50:11 starting 11:22 state 1:25 6:4 10:6 18:20 21:13,14 33:12 34:24 48:5 98:2,6,23 99:2,13 stated 17:16 39:22 87:2 statement 69:3 72:20 73:4 STATES 1:1 state-wide 66:21 stay 9:3 25:11 67:23 76:5 STE 2:4,12 step 40:12 stop 40:11 53:4	stops 38:13 strategy 54:24 63:18 strike 76:1 stuff 27:5 42:7 46:18 50:22 69:8 71:20 74:1 78:18 80:14 82:2 93:13 subject 47:8 subjective 78:9 85:6 submit 26:1,4 32:22 44:10,20,24 52:6 submits 17:8 submitting 34:3,5,9 41:23 44:14 sued 74:11 suggested 81:3 suggesting 85:1 Suite 1:18 5:10 supervisor 36:13 supervisors 36:23,25 37:2,3 support 10:11 supposed 51:6 74:20 82:6 sure 13:17 42:20 43:20 46:2 48:15 58:14 surge 6:12 surprised 52:11 Susan 58:9 59:1 sworn 5:24 99:7 <hr/> T <hr/> table 57:8 tag 18:22 talk 12:16 24:24 26:9 28:9,23 30:23 40:13 47:24	60:1,13,20 61:8 70:23,25 72:21 73:7,10,17 74:4 94:2 talked 26:11,16 27:2,7 31:11 43:20 49:11 59:3,6 61:10 70:11 73:12 77:2 78:1 80:14 83:4 85:16 95:18 96:7 talking 46:3 49:17 50:17 71:17 74:19 79:10 90:10 Tallahassee 11:4 20:2 21:20 26:1,5 38:13 40:7,13 Tampa 2:10 11:7 19:18 67:2 77:10 88:2 91:8 target 41:24 targeted 30:5 31:16 51:15 Targeting 31:19 team 58:5,6 59:1,2,7 teams 60:20,21 telephone 62:19 75:19 tenure 6:11,14,15,16 term 22:16 terminate 12:22 83:13 88:13,25 89:9 terminated 89:3,6 90:1 termination 47:8 49:9 63:7 75:23 test 45:22 testified 5:24 39:19	79:5 82:21 89:15 91:9 testifies 83:25 testify 7:10,18 72:3 78:6 testifying 88:11 91:24 testimony 7:21,24 8:2 9:11 53:18 78:22,24 81:2 that's 11:2,13 12:13 18:6 19:18 20:19 21:1 23:17 24:24 26:3,4 28:6,7,8 35:10,13,15 39:12 40:6 42:25 43:25 44:11 53:15 56:7,9 60:19 69:18 74:12 78:21,23 80:22 81:5 82:6,10,12,24 83:4 85:6 86:10 87:21,23 91:20 93:9,13 94:12,18 95:12,14 96:11 97:4 the-hip 94:2 themselves 5:13 theories 27:5 28:5,10,17 theorized 83:2 there's 10:8 11:5,8 12:23 17:7,19,21,22 19:8 21:23,24 22:2,15 26:1 28:20 34:23 40:11 57:14 58:4,8 68:9 80:10,24 85:7 86:22 Thereupon 5:21 12:6 33:1 85:13
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



thesis 28:11	50:2,10 51:15,24	treasurer	74:20,24
thirty 100:12	52:2,5 53:11,17	9:15,17,23	Uh-huh 13:22
threat 51:22	54:4,13,15,20	10:15,18 15:7	Um 31:19 71:9
threatened 47:6	56:1,14,21,25	18:7 21:25 22:4	84:15
threatening 32:3	59:16	23:8,12	Um-hum 7:8 8:17
threats 7:20 72:14	61:6,8,11,16,17,20	tricky 78:8	16:2 39:21 40:4
throughout 18:20	63:3	tried 39:18 52:18	95:8
Tim 15:20,21	64:4,8,17,20,24	trip 67:20 77:9	unconstitutional
timeframe 90:3	65:7,11,15 66:8	true 85:4 98:9	49:4
timeline 43:18	68:2,17	truly 100:16	undersigned 99:5
57:17	69:11,16,25	Trustees 1:8 5:7	understand 7:3
timely 55:10,13	70:13,16,23	truth 9:4 84:1,2,16	18:3,6 29:14
timetables 50:23	71:1,14,22	truthful 7:7	34:19 45:15 50:16
tired 93:7	72:17,18,21	truthfully 7:10	52:3 55:7 75:15
today 6:2 7:10,21	73:1,3,7 75:25	try 9:3 11:10,11	80:6,7 83:21 84:5
8:1,5,19 33:4 72:3	76:2,5,20 77:1,6	29:14 41:10 89:6	understood 45:18
78:3 79:17 85:8	78:2 79:13,18	trying 21:16 23:9	union 10:2,3,4,8
91:25	80:1,12,19	43:19	11:4,13 43:17,23
Today's 5:4	81:4,5,14	turn 39:5	45:3,6
tongue-in-cheek	82:13,25 83:1,11	twice 19:8 20:4,5	50:14,15,17 51:24
82:2	84:7,12 85:2,9,21	33:24	52:1,19,21,23
tooth 76:7	86:1,5,22	Twitter 32:16 34:15	53:17 55:8,9,21
top 18:25	87:4,7,9,12,17,21,	39:6	56:13 57:14 63:23
Torn 85:21	23 88:1,13,25	type 11:5	64:12 65:6,9
tough 28:8	89:3,6,9,17	typically 10:25 17:6	69:22 82:6
toward 70:17	90:1,5,23 91:18	19:17	unions 10:6 19:13
towards 21:13	92:14,24 94:9,19	<hr/>	union's 55:2 64:16
track 6:12,14,15,16	95:18,22	U	United 1:1 9:13
45:24	96:8,11,14,16	<hr/>	10:21 16:4,6
Tracy 1:5 2:17	97:4 100:4	UA 19:12	18:19 25:18
5:6,16 13:8 14:21	Tracy's	UFF 11:7	40:13,20,21 46:6
26:13,15,19,23	16:1,4,13,18	18:10,12,13,15	54:19 83:9 92:2
27:8,12,15	22:21,22 26:9	19:3 22:8,10	Universal 5:12
29:17,24	27:23 28:4,23	24:25 33:25 40:6	100:18
30:6,24,25	35:17 36:5 47:22	66:21 82:25 89:5	universities 45:23
31:8,15,22 34:3,8	48:2 49:18 55:11	UFF-FAU 5:18	university 1:8 5:7,8
36:18 41:22 43:1	59:4,7,12,19 65:2	9:19 11:24 16:16	6:6 13:20 14:21
44:7 47:18	66:16 68:16 73:20	17:11 19:4 33:19	19:11 26:10 30:5
48:11,18 49:1,4	75:11 83:22 86:3	43:17 44:6 59:15	31:23 32:20,23
	89:16 93:5	62:9,24 63:18,23	33:10 38:22 39:14
	94:3,15 95:7 96:2	64:6 65:6	42:2 45:16 46:6
	transcribe 98:8		47:3 48:10,24
	transcript 97:9 98:9		
	100:21		
	travel 25:7 26:3		



52:1 56:24 75:12 76:6 92:6 100:4 University's 31:12 47:17 unlawful 83:7 96:20 updated 75:9 upset 72:6 78:24 79:3,6,13 82:13 84:19,21,22 USF 19:12 usually 10:23 11:2,20 19:18 20:4,23 25:19 58:9	wasn't 31:23 69:14 81:11 94:6 ways 80:10 web 20:25 week 8:24 77:21 weekend 19:21 weeks 8:10 77:21 we'll 24:24 85:12 we're 46:3 59:23 64:23 72:9 88:25 WEST 1:2 we've 31:14 whatever 18:1 45:24 73:12,24 94:17 96:19 Whenever 12:2 whether 13:17 29:7 49:20,21 69:14,15 75:19 87:16,20,21 90:20 94:5 95:14 Whichever 12:18 whole 28:14 29:6,10,15 50:11 73:18 74:10 79:22 81:21 84:1 88:23 93:7 whom 17:17 whomever 38:4 who's 29:10 40:17 58:21 wife 73:18,20,23 77:1,6,18 78:2 wife's 77:23 Williams 36:14,15 window 59:24 wish 100:14 101:2 witness 3:2 5:23 97:11,14,16,19,23 98:17 99:8	witnesses 69:2 work 31:4 34:13 worked 6:7 14:21 87:10,11 96:1 working 26:15,17 workplace 10:14 works 40:24 workshop 22:1 workshops 21:18,23,24 46:17 worried 41:22 91:24 92:2,5,8 wow 71:2 write 65:21 86:8 writes 65:24 writing 27:8 28:23 29:1,5,17 30:2 written 29:21 75:7 wrong 7:7 29:9 48:3 96:24 97:2 wrongful 49:21 wrote 65:11,18,19 86:9	27:1,7,17,21 33:19 38:1,8 40:24 41:3 43:23 44:6,17,24 54:3,12 56:13,19,23 58:3,5,7,24 60:1,12,15,22 61:3,9,16,18,20,2 2,24 62:9 63:15,23 65:25 66:9,12,14,18 67:8,21 68:12,14,18 69:11 70:11,15,17,19,25 71:13 72:13,14,16,18,21 73:2,3,6,20 74:16,18 75:10 76:1,19 77:2,10,13,15,17 79:19,22,23 80:1,12,20 81:3,6,10 82:25 85:21 86:24 87:7,9,10,17,18,2 0,22,24 88:2,12,19,24 89:15,19 90:11,15,25 91:18 92:9,13,21 93:9,25 94:5,12,14 95:6,15,20 96:1,5,7,14,15,19 97:1 Zoeller's 65:2 90:12
<hr/> V <hr/>			
vacuum 86:15 value 28:14 Verbal 46:8 via 100:21 vice-president 58:23 59:15 video 5:3,5 videos 29:13 VIDEOTAPED 1:15 5:1 volunteer 22:13 volunteering 19:2 22:12 voting 18:17 VP 58:23 vs 1:7 5:6			
<hr/> W <hr/>			
waited 51:14 waive 97:10 100:8,14,19 waived 55:10 wall 75:24			
		<hr/> Y <hr/>	
		Yamato 1:17 5:10 yea 89:14 yours 100:16 yourself 25:21 39:25 91:10 you've 12:11 20:10,13 33:9 49:11	
		<hr/> Z <hr/>	
		Zip 97:20 Zoeller 13:23 14:6 16:15 24:16 26:8,24	

