

1 OFFICE OF THE ATTORNEY GENERAL

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4 IN RE: STANKOSKI/STOUT EEO  
COMPLAINT INVESTIGATION

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8 CONFIDENTIAL INTERVIEW OF

9 KRISTI AUGUST

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11 Taken at the offices of  
The State of Ohio  
12 180 East Broad Street  
11th Floor, Room A  
13 Columbus, Ohio 43215

14

15

on April 21, 2008, at 11:21 a.m.

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17 Reported by: Sara S. Clark, RPR/CRR/CCP/CBC

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1 PRESENT:

2 Ben Espy, Esq.  
Executive Assistant Attorney General  
3 Administration  
30 E. Broad Street, 17th floor  
4 Columbus, Ohio 43215

5

6 Julie M. Pfeiffer, Esq.  
Assistant Attorney General  
7 Employment Law  
150 East Gay Street  
8 Columbus, Ohio 43215

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1 MR. ESPY: Ms. August, my name's Ben  
2 Espy, I'm the executive assistant to the  
3 Attorney General; this is Julie Pfeiffer, senior  
4 attorney with the employment section.

5 On April the 8th, the Attorney General  
6 asked us to investigate some allegations  
7 involving hostile work environment, sexual  
8 harassment with one Anthony Gutierrez.

9 THE WITNESS: (Nods head.)

10 MR. ESPY: And your name has been given  
11 as a person who may have information regarding  
12 the allegations surrounding this investigation.

13 All of the interviews are under oath.  
14 And even though we would like to assure  
15 confidentiality, we cannot assure that because  
16 some things may become public. Do you  
17 understand that?

18 THE WITNESS: I understand.

19 MR. ESPY: And would you raise your  
20 right hand and be sworn in, please.

21 KRISTI AUGUST

22 being first duly sworn, as hereinafter

23 certified, says as follows:

24 EXAMINATION

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1 BY MS. PFEIFFER:

2 Q. Kristi, are you employed in general

3 services?

4 A. Yes.

5 Q. Okay. What's your job function there?

6 A. I am administrative secretary.

7 Q. When were you hired by the Attorney

8 General's office?

9 A. April the 6th, 2005.

10 Q. That was during the Petro

11 administration?

12 A. Yes.

13 Q. Okay. Were you hired in as an

14 administrative assistant?

15 A. No, as a clerk.

16 Q. And you were promoted to administrative

17 assistant?

18 A. Yes.

19 Q. When were you promoted?

20 A. Mid-April of last year. I don't

21 remember the exact date.

22 Q. Mid-April of 2007, then?

23 A. Yes.

24 Q. Okay. Was the position for

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1 administrative assistant posted and you applied

2 or --

3 A. Yes.

4 Q. Were you interviewed?

5 A. Yes.

6 Q. Who interviewed you?

7 A. Tony Gutierrez and Karen Allen.

8 Q. Okay. Who is Karen Allen?

9 A. She is -- she's employed by HR. I don't

10 know her exact title.

11 Q. Do you know if you were competing for

12 the job with other people or --

13 A. I believe there were other applicants.

14 Q. Do you know who?

15 A. No.

16 Q. And what are your job functions? Or in

17 April of 2007, when you assumed the

18 administrative assistant position, what were

19 your job duties?

20 A. My job duties consisted of managing my

21 direct supervisors' and deputy director's

22 schedules, scheduling meetings, act as a liaison

23 between my superiors and vendors, draft

24 contracts, manage purchase orders, invoices,

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1 various paperwork, files, organizing. Anything  
2 that would, of course, come -- the job duties  
3 are consistent, but they change, and they  
4 continue to expand, and they ranged from  
5 miscellaneous duties involving the pool vehicles  
6 to construction information. It has varied.

7 Q. Who was your direct supervisor?

8 A. Anthony Gutierrez.

9 Q. Did you operate as his assistant?

10 A. Yes.

11 Q. Did you operate as Charlie Rosol's

12 assistant, too, or --

13 A. Uh-huh, yes.

14 Q. Does Charlie -- at that point, at least

15 in April, did he have his own administrative

16 assistant?

17 A. No.

18 Q. Okay. Did you know Tony Gutierrez

19 before he was hired in February -- he was hired  
20 in February of 2007. Did you know him prior to  
21 that?

22 A. No.

23 Q. As I'm sure you're aware, two  
24 individuals, Cindy Stankoski and Vanessa Stout,

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1 have complained about sexual harassment, other  
2 inappropriate comments, behaviors by Tony  
3 Gutierrez in the workplace. Are you familiar  
4 with that?

5 A. I am.

6 Q. Okay. You have been identified as a  
7 witness to some things and not others. That's  
8 why we brought you here today, to ask you about  
9 them. One of the things that have come up that  
10 we understand you may have knowledge of is the  
11 allegation that Tony Gutierrez might have been  
12 performing some personal business while he was  
13 in the office working for the Attorney General.

14 A. (Witness nods head.)

15 Q. Are you familiar -- have you seen  
16 anything where he was working on private  
17 business instead of Attorney General business?

18 A. I have heard him mention his

19 construction company, and I'm sure he's made  
20 phone calls. He had his -- the office was  
21 soundproofed, so there was a lot of closed-door  
22 conversations that I'm not aware of.

23 Q. Did he ask you to make any phone calls  
24 regarding a personal matter instead of business?

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1 A. Yes.

2 Q. Okay.

3 A. I made a few calls for insurance, I

4 believe, a while ago.

5 Q. What kind of insurance?

6 A. House insurance?

7 Q. Okay. And what -- who did you make

8 those phone calls to?

9 A. I don't remember the company. It was --

10 he gave me a phone number and asked me to check

11 on something, who we needed to talk to about

12 something. I don't remember the specifics.

13 Q. You just know that it was home

14 insurance?

15 A. I believe it was home insurance.

16 Maybe -- there -- might have been involving a

17 car insurance policy. I don't remember the

18 specifics.

19 Q. Were you asked to do anything else with

20 regard to that?

21 A. Huh-uh. Not that I -- I don't remember.

22 It was maybe a couple months ago. I don't

23 remember anything.

24 Q. Are you aware as to whether or not he's

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1 asked Andy Miller to perform some blueprint  
2 duties with regard to a private construction  
3 business that he was operating?

4 A. No. I don't know anything like that.

5 Q. Did he ever ask you to do any kind of  
6 duties for him with regard to personal matters,  
7 other than making a couple of phone calls  
8 regarding car and/or home insurance?

9 A. Let me think for a minute, if you would.

10 That's all I really remember.

11 Q. Okay. You said his office was  
12 soundproofed.

13 A. Uh-huh.

14 Q. Do you remember that occurring?

15 A. We had -- the office was soundproofed,  
16 Charlie's is soundproofed, and I think they were  
17 planning on doing the 16th floor soundproofing,  
18 and maybe -- there was a time period when many

19 offices were soundproofed. And I was not  
20 involved with that. I think -- I believe I  
21 handled a purchase order for it, like, as far  
22 as, you know, documenting that. But I had no  
23 personal involvement with it other than handling  
24 the specific direction I was given.

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1 Q. Okay. Do you know when that occurred,  
2 the soundproofing?

3 A. I would like to say last summer to the  
4 fall. I could be wrong.

5 Q. Do you know how somebody would go about  
6 soundproofing an office? What does that entail?

7 A. I don't know any of the construction  
8 aspects. I just know that they contacted OBA,  
9 which is Ohio Building Authority. They handle  
10 the construction build-up, teardown of our  
11 building needs, office needs.

12 Q. Did you get along with Tony Gutierrez?

13 A. Yes.

14 Q. Who was your supervisor prior to Tony  
15 coming in in February?

16 A. Mary Lear.

17 Q. Mary?

18 A. Lear, L-e-a-r. Collections enforcement,

19 revenue recovery, workers' comp. I think she's  
20 been promoted since then. She has another title  
21 I'm not aware of.

22 Q. Okay. It's been reported to us that  
23 Tony had made some inappropriate comments to  
24 some of the females in the office, making

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1 comments about their personal body parts,  
2 discussing their weight, those kinds of issues.

3 A. Uh-huh.

4 Q. Did you ever witness those?

5 A. I am aware of two specific ones, if

6 that's what you're implying, regarding

7 someone -- an individual's weight. I heard

8 about that incident, but I did not hear the

9 comments. And the other, referring to a

10 woman's -- her upper body, I was not -- I am

11 aware of the comment that was made from someone

12 else. I never heard those two specific

13 comments.

14 Q. My question to you was have you ever

15 heard him make any kind of comments regarding

16 females' body parts, anything like that,

17 anything kind of off color?

18 A. I've never heard him make any specific

19 comments to female body parts.

20 Q. Any general comments?

21 A. I -- I need to be more specific, because

22 he talked about a lot of stuff, so I --

23 Q. Well, tell me -- if you're thinking

24 about things that he talked about, tell me what

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1 you're thinking about.

2 A. Well, we had an understanding, and I did  
3 not go out of my way to listen to what was -- I  
4 mean, he's a very loud speaker, so when he  
5 talked, everyone was very aware of what  
6 conversations were possibly going on, because he  
7 was a very loud -- he's just very loud in his  
8 conversations. But there was a lot of  
9 closed-door things, and a lot of times, I  
10 deliberately did my best to not listen. It  
11 was -- I just tried not to say -- unless he,  
12 like, directly advised me or called -- I  
13 deliberately did not try to pay attention, even  
14 though I sit right out in front of his office.  
15 And I don't -- I cannot remember anything he  
16 said to anybody in particular about those kind  
17 of comments.

18 Q. Okay. You said that we had an

19 understanding. Did you have understanding with

20 Tony that you wouldn't listen to what he was

21 saying?

22 A. I respected him as my supervisor. I

23 remember, my first week there, when Craig Mehall

24 was still transitioning out of the office, a few

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1 times they were having conversations about  
2 business, and I overheard, and I volunteered my  
3 information. And I saw that it wasn't very  
4 welcome or appreciated, because I was not  
5 introduced into the conversation that he was  
6 having in his office, and I was outside of my  
7 office. And so I learned that, though I may  
8 have been helpful, I should wait unless I was --  
9 instead of offering my information. So I tried  
10 to stay out of anything that I was not  
11 personally -- so that was our understanding,  
12 that I would respect -- it was basically an  
13 unspoken thing, just because I had tried to --  
14 just tried to be helpful. I was a little too  
15 anxious, I think.

16 Q. Did you ever overhear him use any kind  
17 of vulgarity or anything like that? Was he --  
18 did you find him to be -- to use a lot of cuss

19 words?

20 A. Yes.

21 Q. Okay. Did you find that offensive in

22 any way? Did that make you uncomfortable?

23 A. Yes.

24 Q. Okay. Tell me -- give me an example of

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1 what it is that he would say that would make you  
2 feel uncomfortable, if you can.

3 A. Language was very colorful on a daily  
4 basis. I eventually got used to it. There's  
5 this one time he was having an argument, and his  
6 door was open, and I was sitting out there, and  
7 he was having an argument, and he was talking to  
8 his wife, it was a very strong argument, and  
9 it -- it bothered me, just because it was very  
10 strong.

11 Q. Very -- can you remember what -- some  
12 comments that he was making? And please feel  
13 free to use the words when you're in here.

14 A. I remember him calling her an F'ing B.  
15 And that was very hard for me to hear, to have  
16 someone call another person that. It was very  
17 hard --

18 MR. ESPY: You have to keep your voice

19 up so she can hear you.

20 THE WITNESS: I'm sorry.

21 A. He called her an F'ing B.

22 Q. When you say that, do you mean fucking

23 bitch?

24 A. Yeah.

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1 Q. Okay. Anything else?

2 MR. ESPY: What was her answer? Did you  
3 get her answer down?

4 THE WITNESS: Yeah.

5 A. I'm sorry. Would you repeat the  
6 question?

7 Q. Do you remember him saying anything else  
8 to his wife?

9 A. They had a lot of conversations that  
10 were strong, with a lot of language, a few  
11 times. I can't remember one at a certain time.  
12 Maybe -- I do remember these things happened  
13 mostly mid-winter, before the end of the --  
14 before 2008, after -- a little before  
15 Christmastime. And after that, things changed,  
16 and I didn't -- I avoided listening to his  
17 conversations; and, when I heard them, I did not  
18 hear those kind of things anymore after the

19 first of the year. So something changed between  
20 him and his wife. That's the only time I can  
21 remember him addressing anybody violently,  
22 personally.

23 Q. Would be his wife on the phone?

24 A. Yeah. That's the only time -- that's

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1 the only time, I can think of one time, it was

2 repeated a few times, but I tried to not listen.

3 Q. Okay. But it's your recollection that

4 sometime from about Christmas to the end of

5 the -- or to right after New Year, those kinds

6 of violent conversations that he would have with

7 his wife ended?

8 A. Yes.

9 Q. Did you -- did they simply end, or did

10 you hear him have nicer conversations with his

11 wife?

12 A. They had nicer conversations. Things --

13 something was changing. And I don't know -- I

14 don't know. I just noticed that before

15 Christmas -- sometime in December, maybe even

16 November, things were just -- they were becoming

17 nicer.

18 Q. Would he talk to you about his wife?

19 A. No. We did not have a personal  
20 understanding in that way that he felt  
21 comfortable or that I felt comfortable. We did  
22 not have that at all.

23 Q. Did you know of a situation where  
24 Vanessa Stout may have sent him a text message

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1 on his personal phone right around Christmas or  
2 New Year's and his wife got the text message?

3 A. I was off the week before Christmas and  
4 maybe a little bit after, so Vanessa was there  
5 when I left, and when I came back, she was not.  
6 I had heard about it, but nothing was told to me  
7 personally by Vanessa or Tony.

8 Q. How did you hear about it?

9 A. There were so many conversations about  
10 it from other sections. People talk. I would  
11 say two or three people talked to me about it.  
12 And I don't remember -- I don't believe they  
13 were anybody in our section. Because when I --  
14 I didn't hear about it until I went outside the  
15 office to drop something off and someone said  
16 something to me. I was like, what?

17 Q. Do you remember who you heard it from?

18 A. The original -- huh-uh. I do not

19 remember. I remember talking about it, but I  
20 don't remember who told me. Because, like, two  
21 or three people engaged me in conversation about  
22 it. I don't remember who said, hey, by the way,  
23 did you know... I don't remember.

24 Q. Do you remember which section they were

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1 from?

2 A. Huh-uh. I do not. It was a while ago.

3 Q. Would it have been right around the

4 time --

5 A. It was right after, like, maybe two or

6 three days. Because that -- it just happened

7 real quick.

8 Q. Okay. But you didn't hear it from

9 Vanessa or Tony?

10 A. No. No.

11 Q. Now, Vanessa was transferred January

12 18th of 2008.

13 A. Uh-huh.

14 Q. Did you hear from Tony the reasons why

15 she was transferred?

16 A. I did not.

17 Q. He didn't tell you anything?

18 A. No.

19 Q. Did you discuss with him, you know,  
20 where is she, she's just gone, where did she go?  
21 A. He or Charlie may have said -- some --  
22 one of them told us it was -- there was a  
23 situation with the budget, and that's what we  
24 were told. It was either him or Charlie that

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1 told us that.

2 Q. Okay.

3 A. And that wasn't up for further

4 discussion.

5 Q. Okay. Did you have any other

6 conversations with anybody about, here's the

7 real reason why, or --

8 A. People asked me, because of who I am and

9 where my positioning is. And I didn't -- I

10 don't have any information to tell anybody. And

11 so I was glad, because I didn't know. I didn't

12 know the details. Vanessa and I and Cindy and

13 I, we were good, professional coworkers, but we

14 were professional. We did not hang out outside

15 of the office. Maybe a text message here, like

16 one of those cool forwards. Nothing outside of

17 the office.

18 Q. Did you ever process any paperwork for

19 Tony with regard to Vanessa's transfer, anything

20 like that?

21 A. No. I just came back, and she was gone.

22 I didn't even know. It was like half the day,

23 and I was like, where's she at?

24 Q. Okay. Now, at some point in time it's

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1 been told to us that Tony told some people in  
2 the office that it was a temporary transfer,  
3 that she would return back into general  
4 services. Do you remember that?

5 A. I remember either him or Charlie saying  
6 it was temporary, that we were -- something --  
7 again, it was pretty much the same kind of  
8 conversation, where we have to do a move right  
9 now, it's possible, it's temporary. But it  
10 wasn't ever said it is definitely temporary. I  
11 don't remember that.

12 Q. Okay. But they said it might be  
13 temporary, she might be back?

14 A. It was said, she might be back.

15 Q. Now, it's my understanding that about  
16 eight weeks or so, two months, after she was  
17 transferred, towards the end of January, that  
18 Vanessa returned to general services and sat at

19 a desk with Cindy.

20 A. She did?

21 Q. Right. And talked to Tony Gutierrez and

22 said, okay, Vanessa's back, this is her desk.

23 Were you there?

24 A. No. I never knew this happened.

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1 Q. Okay.

2 A. I've taken some time off. I could have  
3 been -- part of my job duties involve me  
4 covering the 17th floor phones, dropping off and  
5 setting up the laptop and projectors. So I  
6 could have been in finance when it happened. I  
7 didn't know this happened, that she came seeking  
8 her job back. I didn't know.

9 Q. Okay. It's our understanding that  
10 Vanessa Stout actually came into the office  
11 prior to her being hired and you assisted her in  
12 filing an application online.

13 A. This is true.

14 Q. Is that -- that's correct?

15 A. This is correct.

16 Q. Okay. Tell me about that.

17 A. She -- I was either warn -- forewarned  
18 that she was coming in, and I was directed to

19 help her. She came in, and we looked online. I

20 went over her information with her, and I said,

21 this is what appears to be available, and I

22 assisted her.

23 Q. Who told you to do that?

24 A. Tony.

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1 Q. What did he say to you?

2 A. Let's see if there's anything available

3 for her.

4 Q. Did he say, this is a friend of mine,  
5 who -- who is this woman that he's bringing in?

6 A. He may have said she was his neighbor.

7 I don't remember. This was a while ago. I  
8 don't remember how he said it. He said she was  
9 going to be in, and I need you to talk to her  
10 and help her.

11 Q. Did you have an idea as to who she was  
12 when you were helping her? You said he might be  
13 a neighbor. Did you think that she was his  
14 neighbor?

15 A. I found that out. She may have told me.  
16 He may have told me. I don't remember. I  
17 eventually found out within the -- right after  
18 it happened.

19 Q. Now, when she came in -- well, was that

20 odd for you that this occurred?

21 A. Yes.

22 Q. Did you find that odd?

23 A. Yes. And I didn't know how to -- I did

24 it because I was directed to do it. I -- from

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1 what I understand, it wasn't our policy to do

2 that, but I did it.

3 Q. Okay. Did you talk to anybody about it?

4 A. My mom.

5 Q. Okay.

6 A. I don't talk to anybody about stuff

7 here. I talk to my -- I did talk to my mom

8 about it.

9 Q. What did --

10 A. She lives in Pennsylvania.

11 Q. And why did you feel the need to talk to

12 her about it?

13 A. I just thought it was odd. I didn't

14 have, like, a breakdown about it. It just was

15 like, okay, I did this. And I was worried that

16 I would get in trouble for doing it. That did

17 bother me.

18 Q. Did Tony ever ask you to do that for

19 anyone else?

20 A. Not that specifically. One of Cindy's

21 friends came in; however, she had graduated

22 already, and she was looking for -- I didn't

23 know she was a graduate, so we were thinking we

24 could help her -- we needed an intern. So she

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1 came in and interviewed. And when we found out  
2 that she had graduated, she stayed over a little  
3 bit, probably 15, 20 minutes, and we went  
4 over -- I -- I showed her how to pull up our Web  
5 site, how to look -- this is the same thing I  
6 did for Vanessa -- said, this is how you search  
7 for something available, this is what you should  
8 do. And if we have anything available, we will  
9 keep your information on file. But as a  
10 graduate, we didn't have anything to offer her.

11 Q. Do you remember her name?

12 A. Ashley Tackett. Is that -- I think that  
13 might be her name.

14 Q. Do you remember what time frame this was  
15 that you talked to her?

16 A. I'd have to check the calendar, because  
17 I dated everything -- when everyone came in, I  
18 put it on the calendar. I'd have to refer to

19 the calendar.

20 Q. And you said this was Cindy Stankoski's

21 friend?

22 A. Uh-huh, her coworker from her second

23 job.

24 Q. And is it Cindy who -- is it your

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1 understanding that Cindy brought --

2 A. Referred her.

3 Q. Referred her?

4 A. Uh-huh.

5 Q. Okay. Do you have your calendar on you?

6 A. No. It's on Outlook. I'm sorry. I

7 didn't even -- I did think of anything I may

8 have.

9 Q. That's all right.

10 A. That is one thing I did not --

11 Q. I would like you, when you go back to

12 the office, to take a look and give me that

13 date, if you could.

14 A. Okay.

15 Q. You can e-mail it to me. If you can do

16 that, that would be great.

17 A. Okay.

18 Q. Now, when -- did Vanessa come in and

19 talk to you one time or more than one time?

20 A. No, she was in two or three times.

21 Q. Okay. The first time you got on the

22 Internet with her and showed her what was

23 available?

24 A. We looked for what was available.

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1 Q. Was there anything available?

2 A. There was something in collections.

3 Because she has a collections background, and I

4 said, this would be -- this looks right up your

5 alley.

6 Q. What did she say?

7 A. I think she was interested. And I tried

8 helping her -- I was instructed to help her, and

9 I'm going to -- I did what I was told. I helped

10 her. We didn't do a half-baked job. I did my

11 best to devote a short amount of time but a

12 quality amount of time with her.

13 Q. Okay. Did she -- do you know if she

14 applied for that job in collections?

15 A. I don't know that she did. I believe

16 she applied for another one, the Secretary of

17 State. I think something else was open in that

18 area. So we went to the Ohio Gov Web site,

19 that's what we were in.

20 Q. Let me backtrack just a minute.

21 Was your instructions from Tony to help

22 her find a job within the Attorney General's

23 office, or to help her find a job, period?

24 A. There was nothing available for her.

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1 And it is, the best of my remembrance, to help  
2 her find a job.

3 Q. Okay. You said she came in two or three  
4 times.

5 A. Yeah.

6 Q. Would she call and set up a meeting with  
7 you?

8 A. She called. I called her for maybe an  
9 interview for -- we did have a communication,  
10 but it was only two or three phone calls, like,  
11 between the two of us, total.

12 Q. At some point in time, you assisted her  
13 in filing an online application for the position  
14 in general services?

15 A. Correct.

16 Q. Okay. Do you remember discussing with  
17 her her background, her skills, any kind of  
18 computer skills that she had?

19 A. Yes.

20 Q. What did she say about those?

21 A. I had to help her with some of the

22 terminology, because I -- I typed it. She sat

23 at my desk, and I typed it. The first time I

24 was in his office -- he had me do it in Tony's

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1 office. And then something was going on, and  
2 she came in and we went over stuff at my desk  
3 the second time.

4 Q. Did you get a sense of whether or not  
5 she was skilled enough to do that on her own?

6 A. She may have been. But in order for the  
7 time, I did it myself. I didn't know how long  
8 it would take -- how familiar she was with the  
9 process, and I wanted it taken care of, so I did  
10 it.

11 Q. Okay. Now, did she ever make any  
12 comments to you about, well, Tony says I need to  
13 put this on the application, Tony says I need to  
14 put that on the application, any kind of -- with  
15 regard to skills or anything like that?

16 A. I don't remember her saying anything  
17 like that. She may have. I don't remember.  
18 But I -- from my previous experience, I have

19 some HR background, I tried to engage her, just  
20 to provoke her to give me information about  
21 herself that she may not have immediately  
22 thought of. So I did try to help her.  
23 Q. Did she say if she had experience in  
24 Microsoft Word, Excel, any kind of computer

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1 functions?

2 A. I believe it was minimal, if she did

3 say -- if that was the case, it was minimal.

4 Q. Did she talk to you about what her

5 relationship was, if any, with Tony Gutierrez?

6 A. I just knew that they were neighbors at

7 this point, and that they had just an easy-going

8 camaraderie, that they were cool.

9 Q. How did you know that?

10 A. Because they interacted positively.

11 Q. And how -- and what -- tell me what led

12 you to believe that it was positive. What were

13 some of the behaviors?

14 A. Joking between the two of them. Just --

15 just like they were old friends.

16 Q. Okay. Anything of a sexual nature?

17 A. Initially, I don't believe so.

18 Q. How about not initially?

19 A. Throughout the course, there may have  
20 been innuendos, but I really try to stay -- I  
21 recognize and I just stay back.

22 Q. What did you recognize?

23 A. Just recognized that they were much more  
24 casual in their conversations between each other

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1 and in the office and I just didn't want to be  
2 part of that.

3 Q. Well, let me tell you this, you have not  
4 been identified as being a participant in  
5 anything.

6 A. I wasn't.

7 Q. I know. I want you to feel comfortable.  
8 I'm sensing that you might be a little fearful.

9 A. Of course.

10 Q. And I understand that. I do.

11 A. Of course.

12 Q. But rest assured, okay, we've  
13 interviewed a lot of people, and you have not  
14 been identified as a participant in anything.  
15 You've been identified as a witness. And I'm  
16 interested in --

17 A. I understand.

18 Q. -- finding out what you know.

- 19 A. Well, if I may make a statement, that  
20 it's -- due to the continual release of  
21 interoffice information that seems to be leaked  
22 out to the public, it bothers me.
- 23 Q. Okay.
- 24 A. And I do not feel that I am not capable

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1 of doing my job successfully, despite this  
2 unspoken idea or concept, I may be scrutinized,  
3 or watched, or that we all are. I do not  
4 appreciate it. I do not like it. And I don't  
5 know that -- again, I do not discuss -- we have  
6 open conversations about what has been out, and  
7 that's what's been printed, as everyone else  
8 has. But I do not like that. I do not like  
9 that. At this point, I feel that way. And I'm  
10 doing my very best to stay congenial and  
11 positive and professional, because that is what  
12 is first. But I do not like that. I do not  
13 like that. I may be doing something, and it may  
14 be misconstrued and used against me. I have  
15 that concern, to be flat-out honest with you.  
16 Q. And I think that's admirable. But  
17 you're in here now, and as ugly as it may be,  
18 this is necessary for you to be honest.

19 A. Okay.

20 Q. I'm not saying you're not being honest.

21 A. This is very hard.

22 Q. I know. I understand. But it may have

23 to be ugly, and it may be uncomfortable, you

24 know, but -- and we're not searching for one

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1 outcome or another. We are searching for the  
2 facts. And your part, me asking you these  
3 uncomfortable questions, is us getting the  
4 facts, as ugly as they may be, or not.

5 A. I understand.

6 Q. Okay.

7 So -- now, you said that you noticed  
8 that Vanessa and Tony had kind of a jovial  
9 relationship, they joked. And I think I asked  
10 you if there was anything that seemed to be  
11 sexually explicit to you; and you said there  
12 might have been innuendos.

13 A. They would have been subtle. They had a  
14 nice friendship. I don't feel that I could  
15 have -- like, I couldn't have participated. I  
16 kept my relationship with Tony A to B. I did  
17 everything possible to keep it straight, clean,  
18 to the point, in anything I was asked to do or

19 required to do. And anything else that went on

20 beyond that, I did not participate in, so I just

21 observed.

22 Q. Okay. Did Tony ever ask you out for

23 drinks?

24 A. No.

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1 Q. Did he ever ask you to do anything

2 outside of work?

3 A. No.

4 Q. Did he ever make any comments to you or

5 behaviors towards you that felt like maybe he

6 would be fishing to see if you would be willing

7 to do it?

8 A. No. I made my stance very clear the

9 first day I was hired.

10 Q. As his -- oh, you mean as his

11 administrative assistant?

12 A. Where I stood as far as ethics and

13 morality, all in the simple statement of saying,

14 I live a rated G life. I was teased a little

15 bit, but I personally have never had anything of

16 that nature directed to me at any time.

17 Q. Okay. Do you know Cindy Stankoski?

18 A. I do.

19 Q. Okay. She was hired in August of 2007.

20 A. Yes.

21 Q. Do you remember when she was hired?

22 A. Yes.

23 Q. Did you see her in the office prior to

24 her being hired?

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1 A. Nope. Interview, yes.

2 Q. Okay.

3 A. That's all that I could remember,

4 recognizing her.

5 Q. Were you in on the interview?

6 A. Huh-uh.

7 Q. Okay. Did you know Cindy prior to her

8 working at general services?

9 A. I did not.

10 Q. Now, on September 10th of 2007, she

11 accompanied Tony for drinks and then ended up

12 having pizza with him back at his apartment.

13 She was text messaging Mariellen Aranda.

14 My question to you is: Were you -- did

15 you become aware of the events of that evening

16 on or around the next day, September 11th, or

17 thereafter?

18 A. I was.

19 Q. Okay. How did you --

20 A. Mariellen told me.

21 Q. Do you remember when she told you?

22 A. Within a day or two. It was very close

23 to -- close proximity to when it happened.

24 Q. Did she tell you if Cindy -- if there

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1 might have been some touching going on or if she  
2 woke up with her buttons unbuttoned? Do you  
3 remember hearing Mariellen tell you that?

4 A. She did not tell me that. That was news  
5 to me when I read it in the paper.

6 Q. What was the substance of what Mariellen  
7 told you?

8 A. What Mariellen told me was that on the  
9 way back from Cincinnati -- because I -- I  
10 know -- I was there when they had to go do the  
11 drop-off, so I saw that whole initial  
12 interaction of the vehicle having to be taken  
13 and having -- two vehicles having to be taken  
14 out and one coming back. And so I knew that the  
15 only other person available at the time was, I  
16 believe, Cindy. I don't know the other  
17 circumstances. But I was there whenever that  
18 happened. And Mariellen told me that Cindy had

19 rode home with Tony, that they did go to a few  
20 bars or something to that nature, and that she  
21 was -- she was in need of a ride home, and she  
22 requested Mariellen to assist her. And I  
23 understand that Mariellen did not.  
24 Q. Okay. Is there anything else that you

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1 can remember?

2 A. They told me that Jessica was there.

3 She said that Jessica was there. And that's --

4 that is -- it was a very point-blank

5 conversation. I was shocked.

6 Q. Why were you shocked?

7 A. Because I thought there was -- I

8 didn't -- I thought there was a policy

9 between -- certain fraternization between

10 supervisor and nonsupervisory roles. But I

11 don't know of a specific one. But I thought, in

12 my mind, there would have been one.

13 Q. Did you speak with Cindy Stankoski about

14 this?

15 A. No. We don't have a friendship like

16 that.

17 Q. Now, you mentioned, I think, a little

18 bit about the incident where the cars went down

19 to Cincinnati and Cindy went down to Cincinnati.

20 If I told you that was October 3rd, would you

21 agree with me, 2007?

22 A. Sounds about right.

23 Q. Okay. Did you -- did you say you

24 scheduled that whole trip?

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1 A. I sat there when it -- the interaction  
2 took place. This -- I don't remember the  
3 details right now. I just remember that two  
4 vehicles -- two or three vehicles had to go  
5 down, and we didn't have -- we needed other  
6 people to drive down. And then Tony was going  
7 to -- I think maybe Tony may have had a meeting  
8 out there, and so someone was going to have to  
9 ride back with Tony, so it ended up being Cindy.

10 Q. You said you were there. I'm trying to  
11 get at --

12 A. I was at my desk when Tony and Charlie  
13 and Cindy were talking about it.

14 Q. Okay.

15 A. I just remember seeing the interaction.  
16 I remember that instance.

17 Q. Okay. You remember seeing the  
18 interaction. Was there anything odd about that

19 interaction?

20 A. No.

21 Q. Was it -- from you watching the

22 conversation, was Cindy aware that she would be

23 driving back with Tony?

24 A. Yes.

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1 Q. Tell me how that occurred.

2 A. It probably went something like, we've  
3 got to take some cars out, we're going to leave  
4 them there, you'll just ride back with me.

5 Probably something real light like that. I'm  
6 not -- that's usually how -- everything was  
7 pretty much from the hip, hey, we've got to do  
8 this and that, this and that. That's how the  
9 directives are in our office.

10 Q. Okay. It's been alleged that Tony asked  
11 her to bring some nice clothes to have dinner in  
12 Cincinnati before they drove the cars back to  
13 Columbus. Did you hear anything like that  
14 during that conversation?

15 A. That never took place in that moment,  
16 no. I would have remembered that. It was  
17 all -- anything that I've ever seen from my  
18 office -- my little area, from this to that, has

19 been jovial, exciting, happy-go-lucky, business

20 oriented, business minded when -- urgency. I

21 never saw that.

22 Q. Okay. Now, coming back from Cincinnati

23 on October the 3rd, Tony Gutierrez and Cindy

24 stopped by in Grove City at an establishment and

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1 had a few drinks, one drink, two, something like  
2 that. Did you become aware of that at any point  
3 in time right around October 3rd?

4 A. No. I only knew from Mariellen that  
5 they stopped at a few places on the way back.

6 Q. Okay. Now, also about a week later,  
7 mid-October, apparently Cindy Stankoski went to  
8 the Ocean Club and had dinner with Tony and some  
9 other AG employees. Did you become aware of  
10 that?

11 A. No, I didn't know.

12 Q. Did you ever witness -- and I know  
13 you've stated that you and Cindy are not  
14 personal friends.

15 A. Uh-huh.

16 Q. Was there anything about her behavior in  
17 the office that would lead you to believe that  
18 she was uncomfortable around Tony, that they had

19 some kind of negative relationship?

20 A. No. They -- she would go in his office

21 a lot, talk, shut the door and talk. I never

22 saw anything at work that -- I never saw that.

23 It was the opposite.

24 Q. Okay. And if she was hired in August,

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1 and you know Tony was put on administrative  
2 leave recently --

3 A. Yes.

4 Q. -- at that point -- during that time,  
5 did it ever change for Cindy, that you can  
6 recall? Was there ever a point in time where  
7 she became maybe withdrawn, didn't go in his  
8 office, tried avoid him?

9 A. Yes. After Christmas, things changed in  
10 our office. Though it's been deemed vulgar and  
11 hostile, there's been expletives on a daily  
12 basis, but something happened around  
13 Christmastime and things were changing in our  
14 office. There was a bit more positive, less  
15 negative, less -- those things were changing. I  
16 do remember Cindy, a few times -- I noticed that  
17 they stopped talking. I don't know what  
18 happened. Somehow -- something happened, and

19 I'm intelligent enough to realize she's not  
20 going to his office anymore. Something  
21 happened, and she stopped talking to him. Once  
22 in a while, when his name was brought up, she  
23 would be like, oh, Tony, negative. And I didn't  
24 know. I never asked her, because I didn't have

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1 that authority in her life to be that person.

2 Q. And you said that was right around

3 Christmas?

4 A. From Christmas until now, like, things

5 were just changing -- like, they were just -- it

6 was nice, because the atmosphere was becoming

7 more positive, less stressful even.

8 Q. Did you ever speak with Vanessa Stout

9 about any concerns she was having in the

10 workplace about Tony's behavior towards her or

11 anything like that?

12 A. I never knew there were any. I had no

13 idea.

14 Q. Would she go in his office and joke with

15 him?

16 A. Oh, yeah. Close the door and have lunch

17 in there sometimes. I mean, between the two --

18 like, I -- I was -- sometimes I was like -- you

19 know, I don't have that relationship with my  
20 boss, you know, but that's okay, because he's my  
21 boss and I want to keep it that way.

22 Q. Do you know when Boss's Day is?

23 A. No. But this is Secretary's Week.

24 Q. Do you recall Vanessa and/or Cindy ever

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1 doing anything for Tony during Boss's Day?

2 A. Possibly. We've celebrated a few  
3 birthdays and had some luncheons in the last  
4 year. We've kind of got away from that, so we  
5 kind of revived it again. We've done five to  
6 seven in the past year. It's possible we did  
7 one for that. I don't remember.

8 Q. Tony's birthday is mid-December.

9 A. Yes.

10 Q. Do you remember Cindy Stankoski, whether  
11 or not she coordinated some kind of birthday  
12 celebration for him?

13 A. Yeah. She ordered the lunch and picked  
14 it up. And we -- I helped her get everything  
15 nice, appearance-wise, you know, as far as the  
16 food display. I'm pretty sure -- see, we  
17 either -- she's gotten lunch a couple times, so  
18 it's -- it was either her aunt did it or it was

19 from Subway. I don't remember which one it was.

20 Q. Okay. And you said you helped her get

21 everything nice. Is that put it on the table?

22 A. Yeah. I helped -- I made a sign, happy

23 50th, for Tony.

24 Q. Okay. And specifically you said that

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1 she ordered food either from Subway or from her  
2 aunt?

3 A. Uh-huh.

4 Q. Did she do anything else?

5 A. She might have initiated a card. She  
6 was going to get a gift for him. She sent an  
7 e-mail out about getting a collection. I think  
8 it was talking about a gift card from  
9 Mitchell's. And we were all like, well, he  
10 always goes there. So we -- I don't know that  
11 we actually did that. I think we actually just  
12 invested in the lunch instead of getting him a  
13 gift. I don't -- or lottery tickets. He got  
14 lottery tickets, that's what he got.

15 Q. Do you know if she purchased the lottery  
16 tickets?

17 A. She could. It's from the leftover money  
18 that she got from everybody.

19 Q. So she collected the money from

20 everybody?

21 A. I'm pretty sure. I helped get involved

22 in that. She pretty much set up everything for

23 that. That was pretty much her thing.

24 Q. Okay. Did you guys buy decorations or

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1 anything other than your sign?

2 A. I don't think so, no. I don't think so.

3 Q. Okay. And then did you have a lunch for

4 him, is that what happened?

5 A. Uh-huh, birthday lunch.

6 Q. Okay. Anything weird occur, any kind of

7 behavior that you felt maybe Cindy was

8 uncomfortable with him or anything like that?

9 A. No. It was a very good day. It was a

10 good day.

11 Q. What made it good?

12 A. Everyone -- you know, it was like a

13 Friday. I don't know if it -- I don't think it

14 happened on a Friday, because he was usually out

15 of the office on Friday. You know how Friday

16 atmosphere is, kind of skeletal staffing and

17 people are a little more like -- it was a good

18 day.

19 Q. Do you remember if she was trying to  
20 figure out any pranks to do or gag gifts to give  
21 him or anything like that?

22 A. Probably. She did play a couple pranks  
23 on him.

24 Q. What were some of those? What were some

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1 of those pranks?

2 A. This is public record, right?

3 Q. It could be.

4 A. Oh, my God. All right. I was at OCIC

5 when this -- they made a phone call from a

6 phone, like, an unmarked number, called -- and

7 they told me this, so I heard it from Cindy and

8 I think -- and I think Vanessa was probably

9 embellishing on it, because it turned out to be

10 very funny to them. It was kind of funny. But

11 they called Tony, pretending to be somebody, and

12 they were going to get him -- hey, we know

13 everything, we're going to get you. And he was

14 like, who is this? Because it kept coming up a

15 restricted number or whatever. So they did that

16 maybe throughout the course of the day, a couple

17 times during the day. I don't remember, because

18 I was at OCIC that day.

19 Q. So they were prank calling him?

20 A. Yeah.

21 Q. Okay.

22 A. And then another time Cindy farted in a

23 Tupperware container and put it in his desk with

24 a note on it that said open and smell. Her and

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1 Vanessa were part of that.

2 Q. Okay.

3 A. They had more access to his office than

4 I was permitted, even though he was my direct

5 supervisor. They were -- they were more

6 comfortable. They had a more comfortable

7 relationship than I did, so they were in and out

8 a lot.

9 Q. Did you ever speak with Charlie Rosol

10 about any kind of workplace issues with regard

11 to Tony's behavior in the workplace?

12 A. No. If I had a problem with something,

13 I just voiced a generic complaint. I didn't

14 have anything that I wanted to escalate.

15 Q. Like what?

16 A. Oh, I just -- I was assigned to manage

17 the conference rooms for the AG's office, and

18 sometimes that needs to be a full-time job. And

19 I just voiced that I thought it was ridiculous  
20 for -- because there's other loyalties and  
21 responsibilities that I have that vary in my job  
22 duties. And when someone needs a conference  
23 room, about 45 percent of the time, it's right  
24 now. I have to stop what I'm doing and research

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1 all of the conference rooms and find -- do my  
2 best to assist them, because that's what I've  
3 been told and assigned to do. And I did voice a  
4 grievance on that. I did voice my grievance to  
5 Tony. He advised me to go to Ed. I appealed to  
6 Ed, and he sustained it, basically, to my  
7 chagrin.

8 Q. Ed did?

9 A. Uh-huh.

10 Q. Has Cindy contacted you recently, trying  
11 to ask you about whether or not you were going  
12 to be a witness, has anybody talked to you or  
13 anything like that?

14 A. No. Someone on the bus asked me how I  
15 spelled my name; and they said was I the Kristi  
16 that worked at the AG's office. Because I take  
17 the COTA express bus from my -- and so I found  
18 out that I was named by going to a Web site --

19 the news Web site and seeing my name on there.

20 That's how I found out, someone -- not even in

21 our office -- pointed it out to me.

22 Q. On the bus?

23 A. Yeah. I ride --

24 Q. Did you know this person?

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1 A. No.

2 Q. Oh.

3 A. No. See, you know, I ride the bus, I  
4 ride with the same people. They all know I work  
5 for the Attorney General. So, of course, it's  
6 brought attention to me. And I'm doing my best  
7 to be as diplomatic as possible, because I  
8 don't -- although I know and have seen things,  
9 there are things I do not know and have not seen  
10 and was surprised. I was very upset, actually.

11 I raced home. I was like, what? But then when  
12 I saw the report and saw that I wasn't  
13 implicated in anything -- because I didn't know  
14 where -- you know, I didn't know where I stood.

15 Q. Right.

16 A. And that was very, very stressing to me.

17 Q. Okay.

18 MS. PFEIFFER: I don't think I have

19 anything else.

20 MR. ESPY: Okay.

21 MS. PFEIFFER: Thank you.

22 THE WITNESS: Okay.

23 MS. PFEIFFER: I'm sorry. He's going to

24 ask you questions.

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1 THE WITNESS: Oh.

2 EXAMINATION

3 BY MR. ESPY:

4 Q. You said that you were concerned because  
5 things were being leaked out to the newspapers.

6 A. Yes.

7 Q. Do you recall saying that?

8 A. Yes.

9 Q. What type of things were you referring  
10 to that you think was leaked out from your  
11 office?

12 A. I've been following the papers now. And  
13 I don't know what was told initially. I just  
14 remember that -- I remember Charlie taking  
15 Tony's plate off the door -- off of his door  
16 when John Hathaway was coming. And I remember  
17 reading the papers the next day or the day  
18 after, specifics like, Tony's name plate was

19 removed, his BlackBerry was shut down or  
20 suspended or turned in, and his vehicle or  
21 computer -- I mean, I remember these things  
22 being said specifically. And to me, someone in  
23 our office had to have said, because a newspaper  
24 reporter is not going to write something as

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1 little as a name plate being removed. And from  
2 herein, that bothered me, because it appeared to  
3 me that someone was communicating daily, often.  
4 That made me wonder if I was under scrutiny, as  
5 well.

6 Q. Did you see that comment in the paper  
7 the day after it happened?

8 A. It had to have been the next day or the  
9 day after, that -- I mean, it was very soon. I  
10 mean, I was surprised because though things are  
11 public record, I'm sure that was not a public  
12 record.

13 Q. Has everybody been speculating in your  
14 section as to who the leak was?

15 A. I haven't talked about my opinion on  
16 that with anybody, so I don't know.

17 Q. Well, I know you're very clear to point  
18 out that you didn't want to get involved, but

19 you can't turn your ears off. You can close

20 your eyes --

21 A. Yeah.

22 Q. -- but you can't turn your ears off.

23 A. Okay.

24 Q. So some things I think you're reluctant

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1 to testify about what you've heard; but we don't  
2 know everything you've heard. That's why we're  
3 asking broad questions to you about what you've  
4 heard. So I know you try to close things off,  
5 try to avoid many situations, but we have to  
6 know what you've heard.

7 A. I understand.

8 Q. And we've been told there's been  
9 numerous times in the office where there's been  
10 inappropriate comments made by Tony.

11 A. Uh-huh.

12 Q. And even though you may not want to talk  
13 about them, you still heard them.

14 A. Tony was open in his conversation. I  
15 cannot remember one instance other than that  
16 time with his wife. That bothered me so much.

17 Q. What was the reason given why the  
18 offices were soundproofed? Did you have a noise

19 problem around there?

20 A. I don't know.

21 Q. Why were the offices soundproofed?

22 A. I don't know. I just know that he made

23 it clear to me from that first instance that I

24 had overheard him and tried to be helpful that

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1 he really didn't want me listening to his  
2 business. And I was well aware of that, and  
3 that's why I became very defensive of my little  
4 corner area. But I don't know. I just know it  
5 was done. I was given a purchase order.

6 Q. On the purchase order, you handled that  
7 as part of your responsibilities on a regular  
8 basis?

9 A. Uh-huh.

10 Q. On purchase orders, there's a routing  
11 slip; is that correct?

12 A. Yes.

13 Q. And the routing slip has people sign off  
14 and approve things?

15 A. Yes.

16 Q. And then it comes back to the person who  
17 initiated the purchase order?

18 A. Yes.

19 Q. Who signed off on the purchase order for  
20 the soundproofing?

21 A. There is an echelon as far as signatory  
22 authority is concerned.

23 Q. Correct.

24 A. So being -- I believe that at least two

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1 or three offices were done. It may have had to  
2 have been signed off by -- if it's over 20,000,  
3 Joyce and Ed have to approve it.

4 Q. Was it over 20,000?

5 A. I don't remember. I'd have to look.

6 Q. Do you still have access to that  
7 document, the soundproofing?

8 A. Of course.

9 Q. Would you supply those documents and get  
10 them back to us?

11 A. I will. May I have a piece of paper?

12 Q. Not only the soundproofing. When you  
13 were there, did you have any purchase orders to  
14 have the vehicles outfitted with lights or  
15 sirens?

16 A. I remember seeing maybe invoices. Some  
17 of those things may have been done before I came  
18 to the office.

19 Q. Sure.

20 A. I can research. I -- and I can confirm

21 whether I did a few of them or not, because I've

22 obviously done quite a few since then, so I

23 don't remember.

24 Q. Well, look for invoices regarding

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1 putting lights and sirens on State vehicles.

2 A. Okay.

3 Q. Are you responsible for maintenance,

4 keeping records on the maintenance of State

5 vehicles?

6 A. Charlie handles that mainly.

7 Q. Okay. And you don't see those documents

8 before they go out to anyone?

9 A. An invoice is approved. Charlie or

10 Tony, John, approves it. I get copies of them,

11 and I do keep them. So I do keep files. But as

12 far as giving the call on those, it's not my

13 authority. But I do manage files.

14 Q. Has anyone asked you to look for records

15 regarding accident reports on the fleet vehicles

16 in the office?

17 A. Regarding an accident report? No, not

18 an accident report.

19 Q. Have you ever seen accident reports

20 filed on fleet vehicles in your office?

21 A. Just one.

22 Q. When was that?

23 A. It was for Melanie Cornelius in

24 collections. Somebody rear-ended her, and I

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1 helped on it.

2 Q. What about damage done by people within  
3 your section, when they damage vehicles, have  
4 they initiated an accident report, do you know?

5 A. They need to be initiated, but I never  
6 have seen it.

7 Q. Would it come through your desk?

8 A. No. Charlie's. An accident report  
9 would go to Charlie or Tony, or Nancy Dunn.

10 Q. Suppose Charlie or Tony caused the  
11 accident. Who would get the accident report?

12 A. It would be between the three of them.

13 Q. You said you never socialized with Tony  
14 outside the job.

15 A. Correct.

16 Q. We've been told he's asked people to go  
17 out for drinks after work. Have you ever heard  
18 him ask anyone to go out for drinks after work?

19 A. Yes.

20 Q. Who did he ask to go out for drinks

21 after work?

22 A. Well, I know he talked about meeting

23 Cindy outside. I knew they were, hey, what do

24 you want to do, okay.

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1 Q. You've heard those conversations?

2 A. Like a lighthearted, it was just  
3 passing, like, they -- I knew they were going to  
4 be meeting up. Like, it was a confirmation. I  
5 didn't know anything else. It wasn't in detail.

6 Q. Other than Cindy, any other people in  
7 the office he's asked to go out for drinks after  
8 work?

9 A. I know that Tony asked Eryah Flynn, only  
10 because Eryah told me.

11 Q. What's her name?

12 A. Eryah Flynn.

13 Q. She works in your office?

14 A. She's in IT.

15 Q. IT?

16 A. Uh-huh.

17 Q. Anyone else?

18 A. I know he talked about meeting Ed and

19 Leo. Those are conversations I heard him talk  
20 about in his office. Those are the only ones,  
21 and that was, like, a regular basis.

22 Q. When you helped Vanessa with her job  
23 application, is this the online civil service  
24 application form that you were helping her with?

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1 A. Yes.

2 Q. Where you type in the fields?

3 A. Yes.

4 Q. Did you see any of her application the  
5 way she had to handwrite some things, did you  
6 help her do that?

7 A. I don't know what that would refer to.

8 I don't recognize --

9 Q. Part of the application process, I  
10 think, you fill out by hand.

11 A. Well, the way we did it, everything was  
12 typed in with the exception of her signature.

13 Q. Okay. Was there any questions regarding  
14 typing in any previous criminal convictions, do  
15 you recall?

16 A. I know I would have asked her, because I  
17 asked -- I went through it thoroughly.

18 Q. Did you ask her that?

19 A. I would have. I -- because it's a  
20 question on the -- I mean, she sat at my desk,  
21 and I said, okay, what did you do in this, as  
22 far as her experience, and she would say A, B,  
23 or C. And then I would input it, and we went to  
24 the next. So I did go line by line. So

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1 whatever I put on there was what she did tell

2 me.

3 Q. Did you hear any discussions in the

4 office that she had convictions involving theft

5 in her past?

6 A. No, not theft.

7 Q. Okay. What about assault?

8 A. Assault, yes.

9 Q. Harassment?

10 A. Yes.

11 Q. DUI?

12 A. No.

13 Q. Did anyone -- did Tony ever tell you not

14 to put certain things on the application?

15 A. No.

16 Q. Because it may jeopardize her not being

17 hired?

18 A. No. He -- he gave her to me and had to

19 leave, so she was in my care.

20 Q. Did you share with him the finished

21 product before you submitted it?

22 A. After she left the first time, I brought

23 it to him and said, this is what she has. He

24 said, okay, is there -- basically, the

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1 conversation was, is there anything we have?

2 And I remember the first time she was there, I

3 said, only in collections. She's -- she has

4 some qualifications that may put her in that

5 position.

6 Q. Did you testify she had come there three

7 times before she was actually hired, came to the

8 office?

9 A. Before she was hired? Two or three

10 times.

11 Q. What was she there for the other times,

12 just for the application process?

13 A. You know, she may have picked up

14 something.

15 Q. Do you know what it was?

16 A. No, I don't. She -- it was all

17 informal, outside of the initial -- she came

18 dressed up the first time we met; and then the

19 second time, she may have come to pick something

20 up, she was meeting someone, I don't remember

21 the specifics. And then the third time, I

22 think, was for an interview or another look on

23 the Web site. I don't remember.

24 Q. You don't know who she picked it up

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1 from, though?

2 A. It would have been Tony. She only had  
3 interaction with Tony.

4 Q. Did she come by herself?

5 A. Someone could have dropped her off, but  
6 I think that would be the extent.

7 Q. She didn't come in with another female?

8 A. She did not enter with anyone else, to  
9 my knowledge.

10 Q. Okay. You described the atmosphere from  
11 September to sometime in December as being  
12 lighthearted in the office.

13 A. Uh-huh.

14 Q. And Cindy did not show any signs that  
15 she was uncomfortable with Tony being around?

16 A. I have no idea.

17 Q. She didn't show any signs she was  
18 uncomfortable?

19 A. Cindy did not show any signs she was  
20 uncomfortable.

21 Q. You said she went into his office  
22 periodically and closed the door behind her?

23 A. Once in a while they had conversations  
24 with the door shut.

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1 Q. Okay. Do you know who shut the door?

2 A. She walked in. She shut the door.

3 Q. Okay. And this continued -- would you

4 say this continued at least up through

5 Christmas?

6 A. Yes.

7 Q. And when Vanessa was hired, she and

8 Cindy were very close? Would you say they were

9 very close?

10 A. They became very close.

11 Q. And were you aware that they were social

12 friends outside of work also?

13 A. I was aware they were.

14 Q. How did you become aware of that?

15 A. Because they would talk about coming in

16 from the night before.

17 Q. Okay. Were you aware, had they been

18 socializing with Tony outside the office?

19 A. I'm not aware of the two of them

20 together socializing with Tony outside the

21 office.

22 Q. What about the two of them separately?

23 A. Yeah, they hung out regularly, to my

24 understanding.

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1 Q. With Tony?

2 A. No. I don't -- I can't vouch for that.

3 I can't vouch -- for the three of them together,

4 I can't vouch for that.

5 Q. When this Christmas party was planned,

6 do you recall receiving an e-mail from Cindy

7 requesting donations for the party?

8 A. For the birthday party or Christmas

9 party?

10 Q. Birthday party. I'm sorry.

11 A. I do. I'm sure I have it still saved.

12 Q. Okay. And would you say she was in

13 charge of planning the party?

14 A. She took it upon herself. She's a

15 self-starter.

16 Q. Did Vanessa assist her in that?

17 A. She could have. They probably went

18 together and got the stuff. If they went -- I

19 believe they picked up the subs from Subway.

20 I'm pretty sure. And I remember they went to

21 the wrong Subway initially together and had to

22 go to a different one, because there's, like,

23 five down here, to the best of my remembrance.

24 Q. When did you think that things started

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1 to change in the office? You mentioned around

2 Christmastime or the first of January.

3 A. After Christmastime.

4 Q. How long were you off work after

5 Christmas?

6 A. Probably just New Year's Day.

7 Q. And you said you came back and Vanessa

8 was gone?

9 A. Yes.

10 Q. She wasn't transferred from there until

11 the middle of the month of January.

12 A. She was -- I'm very sure that -- I'm

13 very sure that I came back from my break and she

14 was not in our office anymore.

15 Q. Well, the records we have is that she

16 was transferred around about the 22nd of

17 January.

18 A. I'm 99 percent sure when I returned from

19 my break, I was so -- I'm certain that she was

20 gone.

21 Q. You don't recall seeing her after that?

22 A. I did not.

23 Q. Okay. Do you recall a situation where

24 the Attorney General's wife came by the section

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1 around Christmastime?

2 A. I was out of the office.

3 Q. You were out of the office then?

4 A. (Witness nods head.)

5 Q. You didn't see that at all?

6 A. No.

7 Q. Did anyone tell you, when you came back,

8 that the Attorney General and his wife came by

9 with chocolates or something?

10 A. Uh-huh.

11 Q. With cups of chocolate?

12 A. Yes.

13 Q. Who told you that?

14 A. Nicholas Miller.

15 Q. Nicholas Miller?

16 A. Uh-huh.

17 Q. What did he tell you about that?

18 A. Our interaction regarding that was that

19 there was extra cups of chocolate left over, and  
20 he wanted them to be distributed to the section  
21 chiefs, and that was how I found out about it.

22 Q. Section chiefs?

23 A. The AG at 150 and SOT section chiefs.

24 So the remaining cups, we did meet up, and had

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1 them delivered to the respective chiefs.

2 Q. How many people in the section got cups  
3 of chocolate, in your section?

4 A. I think these ones went only to the 150  
5 building.

6 Q. Which ones went to 150?

7 A. The remaining ones that Nicholas Miller  
8 brought down.

9 Q. Nicholas Miller is the Attorney  
10 General's secretary?

11 A. Assistant, yes.

12 Q. And he brought them down when?

13 A. It was -- I had just come -- see, he  
14 brought them -- I just remember that there  
15 wasn't a lot of people in the office. There  
16 wasn't a lot of people there. And he just said,  
17 these -- I'm instructed to pass these out. And  
18 he needed help -- he had just started, or he had

19 been fairly new, so I was just helping him  
20 organize it. And it was just remaining cups of  
21 chocolate that had been passed out. I didn't  
22 know anything about it until he brought them to  
23 me.  
24 Q. But did you hear the Attorney General

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1 and his wife had been there passing out cups of  
2 chocolate?

3 A. I did.

4 Q. And when did you hear they came by to do  
5 that?

6 A. After that. Because when the  
7 chocolate -- when Nicholas brought me the  
8 chocolate, I didn't know what it was for. I  
9 didn't ask questions. He brought them, and I  
10 just did it. Maybe a couple weeks after that,  
11 someone told me -- I think Charlie and I were  
12 talking about it, and he said that Marc and  
13 Alyssa had been in. I was sad because I didn't  
14 get a chance to meet her.

15 Q. Do you know approximately when that time  
16 period was? Was that when you were on your  
17 break?

18 A. No. It would have been sometime in

19 January, when --

20 Q. You were back then?

21 A. Yes.

22 Q. But you were not there when they were

23 passing chocolates out?

24 A. I was not.

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1 Q. Did it occur in the morning, do you

2 know, or the afternoon, or the evening?

3 A. I have no knowledge.

4 Q. Did you hear anything that happened

5 while they were there passing chocolate out that

6 people were discussing?

7 A. There -- I have heard that Alyssa met

8 Cindy, and it was not a positive experience.

9 And that's the extent I heard.

10 Q. Who told you that?

11 A. I think James Ford told me that.

12 Q. Okay. And did you ask him why?

13 A. Probably. There was minimal knowledge

14 about it. I believe he told me that they were

15 introduced, and when Alyssa found out Cindy's

16 name, she recoiled a bit. That's the extent I

17 know.

18 Q. Okay. You didn't hear it from Cindy,

19 though, did you?

20 A. No.

21 Q. Did you see the same closeness between

22 Cindy and Tony after the New Year's as you did

23 before the New Year's?

24 A. No. I think it dwindled. It dwindled.

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1 I just knew something happened. I can't  
2 pinpoint whether it was January or the first of  
3 February, I don't remember. I just noticed that  
4 things started to change.

5 Q. Did Vanessa come back to the section  
6 once she left, and were you there when she came  
7 back to see people?

8 A. She's come a few times.

9 Q. When she came back to the section, what  
10 was the environment then?

11 A. He wasn't around.

12 Q. He wasn't around either time she came  
13 back?

14 A. No. Well, no. One time, she came, and  
15 I know that there was a disagreement between  
16 them. At this point, I didn't know any  
17 specifics. I knew there was a disagreement.

18 And she had come before that, and he wasn't

19 there. But this particular time she came in, he

20 was there. It was, hey, what's up? How are

21 you? Shooting the breeze.

22 Q. They still seemed to be friendly?

23 A. That particular time, yes.

24 Q. Okay. But she had already been

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1 transferred then?

2 A. Yes, she had.

3 Q. These prank calls you said that Cindy

4 placed to Tony, was it Cindy and Vanessa doing

5 this, or --

6 A. I believe so.

7 Q. And you said one of the prank calls,

8 they were pretending to say we know everything.

9 A. Uh-huh.

10 Q. What were they referring to, do you

11 know?

12 A. No. I think they just talked in a dark,

13 solemn voice, I know what you did, something to

14 the degree of they had knowledge and they were

15 going to tell on him.

16 Q. Knowledge of what?

17 A. They weren't specific. I think they

18 were just making short, brief statements, just

19 to escalate fear.

20 Q. And this occurred when, what month?

21 A. I'll have to confirm that. I'll have to

22 check my calendar. It was when I went to OCIC,

23 because I was gone that day. I came back to the

24 office, and they told me.

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1 Q. Do you think it was before the first of  
2 the year?

3 A. No, it was after. I -- I do not  
4 remember. I'll have to confirm my calendar.

5 Q. Could you get back to us on that?

6 A. I will.

7 Q. And then you said also that she farted  
8 in a container --

9 A. Yes.

10 Q. -- and sealed it back up.

11 A. Yes.

12 Q. And did you -- and she presented this to  
13 Tony?

14 A. They left it on his desk. He was at a  
15 meeting.

16 Q. Did you see them leave it on his desk?

17 A. I knew they did. I -- I didn't watch  
18 them do it. But I knew that the action had

19 taken place, was dropped off, and then they left

20 it in there.

21 Q. Were you there when Tony opened the

22 container?

23 A. Yes.

24 Q. And what happened then?

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1 A. There was nothing. It had apparently  
2 dissipated. He didn't know. He thought it was  
3 ridiculous, like what's supposed to be in here.

4 Q. Were they around when he did that?

5 A. Yes. I think Cindy hid from Tony. She,  
6 like -- you know, it was -- she got a little  
7 shy. I was concerned.

8 Q. Now, this -- was Vanessa around also?

9 A. Yes.

10 Q. And they both started laughing when he  
11 opened it up?

12 A. More than likely. It was -- it was a  
13 jovial experience. It was just -- they were  
14 laughing. It was funny.

15 Q. Were any other employees involved in  
16 that prank?

17 A. No.

18 Q. Just the two of them?

19 A. Yeah.

20 Q. Okay.

21 What was Tony's reaction to that?

22 A. I think he just laughed it off.

23 Q. Laughed it off?

24 A. (Witness nods head.)

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1 Q. So the phone call prank and the  
2 container prank were all done around the same  
3 time?

4 A. Huh-uh. Maybe --

5 Q. Two separate occasions?

6 A. Two separate occasions.

7 Q. How much time elapsed between the first  
8 prank and the second prank?

9 A. Maybe a month.

10 Q. And you will be able to tell me going  
11 back and looking at your calendar and notes when  
12 these took place possibly?

13 A. Confirm the OCIC trip. I cannot  
14 confirm -- because that's when they farted --  
15 I'm sorry, when they made the crank calling.

16 But I don't remember when they did the other  
17 things.

18 Q. Well, Vanessa was gone in 2008 --

19 sometime in 2008. So with that time reference,  
20 would you say that it occurred before the New  
21 Year or after the New Year?  
22 A. I don't know. Because I know that I  
23 took off for Christmas. And if I was off again,  
24 because I like to take -- there's a holiday in

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1 January, is there not? I like to take three- or  
2 four-day weekends. And there is a good chance  
3 that she was there, because I'm getting confused  
4 when I was off between Christmas and if there  
5 was a holiday in January.

6 Q. Well, Martin Luther King Day was on the  
7 16th of January.

8 A. Yes. There's a good chance that  
9 either -- all I remember specifically is that  
10 she was in my office -- I went on a break and  
11 came back and she was gone. It was either  
12 Christmas or the Martin Luther King holiday.  
13 I'd have to go back and see when I wasn't here.

14 Q. I think you're referring to Dr. King's  
15 holiday, because that was the weekend of the  
16 16th.

17 A. Uh-huh.

18 Q. I think she was transferred --

19 A. Shortly after that?

20 Q. Yeah.

21 A. I'm sorry. I'm trying to remember

22 specifically. There's a good chance that

23 happened between that break. I cannot confirm.

24 Q. But you will go back and try to

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1 reconstruct this?

2 A. I will.

3 Q. Okay. Is there anything else that you

4 can think of that you have knowledge of which

5 goes to the crux of this investigation that

6 you've seen or heard?

7 A. I'm just surprised, to a degree. I did

8 not realize all these things had happened

9 outside the office. But as far as the work

10 environment was concerned, there was no

11 indication to me that there was ever a problem.

12 It just -- I never saw a problem. I was

13 surprised.

14 Q. You never saw a problem between Cindy

15 and Vanessa and Tony --

16 A. Uh-huh.

17 Q. -- in regards to any type of sexual

18 harassment?

19 A. No. I mean, there was teasing both  
20 ways, interaction both ways. I never -- I'm  
21 just surprised.

22 Q. Did you ever hear Cindy or Vanessa make  
23 off-color jokes to Tony?

24 A. It is possible. Well, Vanessa. Vanessa

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1 had a more open relationship with Tony, as far  
2 as her language. They were a lot -- they became  
3 closer, I think, when she came. I just remember  
4 one instance, I was in the office and I was  
5 either -- I was expressing a concern -- or the  
6 process of being reprimanded, because it was a  
7 serious -- like, just a serious address that was  
8 being -- that had taken place.

9 And the door was open, and she just  
10 walked in and went off about the security guard  
11 downstairs had stopped her, just used the F  
12 bomb, just going -- and very -- right in the  
13 middle of our conversation. And I was just  
14 surprised, because -- but this happened, you  
15 know, this type of fluency and freedom was  
16 there. There was that freedom. I did not  
17 exercise that freedom myself. But I was, that  
18 particular time was just, like, disappointed and

19 surprised because he was in the middle of  
20 something, ran briefly sustained while they --  
21 you know, he inquired as to what had happened,  
22 and made a -- gave her some instruction on how  
23 to handle it. And I think we may have finished  
24 up briefly after that.

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1 Q. But she was throwing the F bomb in his  
2 office?

3 A. That particular time, she was just --  
4 she was very angry and just caught me off guard.

5 Q. Did you ever hear Cindy use profanity --

6 A. Yes.

7 Q. -- in the presence of Tony?

8 A. Yes.

9 Q. Anything with sexual overtones to them?

10 A. It's possible, but I can't remember  
11 anything specifically.

12 Q. Do you have an opinion as to why you  
13 think this has happened?

14 A. Yes, I do.

15 Q. What is your opinion? And let me assure  
16 you that there's nothing here that could cause  
17 any retaliation against you for anything you  
18 say, so don't worry about anything happening to

19 you, job security, things like that. It won't  
20 happen. But we need to have you be totally  
21 honest with us.

22 A. Okay. This is very hard.

23 I felt at times that there was

24 favoritism and privileges. I did my very best

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1 to perform aptly and to be excellent at all  
2 times. I made mistakes, like anyone else, but I  
3 worked very diligently. But I did feel there  
4 was a camaraderie and privilege. And there were  
5 times when Tony instructed us -- meaning maybe  
6 myself or Erika or James or Andy -- to assist  
7 Cindy when she needed help. And I felt she had  
8 a lot of free privileges, free rein, just more  
9 fluency. Again, there's reasons for everything,  
10 and I will not question Tony's judgment. But I  
11 was required to always tell him where I was  
12 going, always had to be accountable. But then  
13 again, I was his secretary, so that may give  
14 cause to that.

15 I feel that something had happened to  
16 change the rights of those privileges, and I'm  
17 not sure that -- what the -- I question the  
18 motive of these two ladies.

19 Q. Are you questioning their motive because  
20 you think their privileges were curtailed or  
21 limited in some kind of way?

22 A. I don't -- if -- maybe jockeying for  
23 power.

24 Q. They were jockeying for power? I'm

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1 trying to put in context what you told me.

2 A. I understand. I'm sorry.

3 Things were better for me after the  
4 first of the year because I felt that they were  
5 not only gaining more professional stance, but  
6 that I was starting to step into the -- to -- I  
7 am not an authority in that office. But there  
8 is an authority that the title has. And I felt  
9 that I was getting respected differently, and  
10 treated in respect to that, and that these  
11 privileges were ceasing, and that the freedom  
12 and liberty to go and come as they pleased,  
13 whether Tony was aware of it or not, those were  
14 changing. And --

15 Q. Why do you think that happened, do you  
16 know?

17 A. I have no idea.

18 Q. What was Cindy's reaction when Vanessa

19 was transferred?

20 A. I believe she was very upset.

21 Q. And she -- do you know why she was very

22 upset?

23 A. No.

24 Q. Did she ever voice her opinion, maybe

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1 she's next?

2 A. No, not to me.

3 Q. Okay. Did Tony's wife ever come into

4 the section at all?

5 A. Yes. I met her.

6 Q. When did you meet her?

7 A. Right before Easter weekend.

8 Q. Before Easter weekend?

9 A. Yes.

10 Q. Okay. What was the occasion?

11 A. The family was in town. The kids were

12 off on spring break maybe.

13 Q. And you never met Marc's wife, though?

14 A. Oh, yes, I have.

15 Q. When did you meet her?

16 A. I met her maybe two or three weeks

17 before that.

18 Q. That would be when?

19 A. It would have been in February,

20 possibly, or the first of March.

21 Q. What was the occasion?

22 A. She was meeting Tony for some particular

23 reason, and she was sitting out in front of his

24 office, and I had the privilege of meeting her.

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1 Q. Was Cindy there that day?

2 A. Yes.

3 Q. Did she meet her also that day, do you  
4 know?

5 A. No. She -- Mrs. Dann stayed right in  
6 front of Tony's office. She may have walked  
7 somewhere else with Tony as her escort. But to  
8 the best of my remembrance, she stayed right  
9 there.

10 Q. Okay. Did you think you were getting a  
11 little bit more of your authority or  
12 relationship as administrative assistant with  
13 Tony after Vanessa left?

14 A. Yes.

15 Q. Is that a yes?

16 A. Yes.

17 Q. And I'm trying to characterize what  
18 you're telling me. Before that, because of

19 Cindy and Vanessa's relationship with Tony, you  
20 were marginalized to some extent? You didn't  
21 have as much influence or access to him? You  
22 talked before about how they could walk in any  
23 time they want to in his office and they could  
24 close the door. They had free flow of language

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1 between them. But you were the administrative  
2 assistant, and you didn't have the same --

3 A. No. But I respected him also. And I --  
4 if I wanted to, I'm sure I could have engaged  
5 just in more conversations. But it was, this is  
6 my personal opinion, to stay as professional.

7 If that meant not being as friendly -- we were  
8 friendly and congenial, professional. I didn't  
9 step outside of that box. Joked and teased once  
10 in a while, but nothing to that extent.

11 Q. Okay. Well, if there's anything else  
12 that you want to add or clarify, would you  
13 contact me or Julie on that?

14 A. I will.

15 Q. You still look like there's something  
16 else you want to say.

17 A. If I may express another concern in  
18 light of this, that with all this scrutiny, it

19 just seems to be in my area, with me being  
20 completely honest, that I will be retaliated  
21 against within my own staff. That is my --

22 Q. You'll what?

23 A. Be retaliated against. Individuals from  
24 my own staff. You know, me saying such things

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1 and voicing my opinion on how the attitudes were  
2 changing. And this is what is difficult. My  
3 opinion, that things were -- in my opinion, they  
4 were changing. We have all grown and worked in  
5 this department to make things possible and  
6 effective for the State of Ohio. And everything  
7 else that's happened, not ignoring that, but  
8 putting that over there, it has disappointed me  
9 that this has just come up when things, in my  
10 professional opinion, were becoming more sharp  
11 and defined and clear, behaviors changing.  
12 Everyone was working together to make this  
13 possible.

14 Tony did address me, that he was working  
15 on -- two or three times to be more diligent in  
16 his watch of his language, in his contact or  
17 whatever. And so I -- I appreciated that. I  
18 appreciated that, because that's the change that

19 I saw.

20 In regards to the two girls, I just was  
21 surprised because of the freedom that they had  
22 changed. And I have no ill will against the two  
23 of them. However, it just seems that -- I'm so  
24 very sorry. I'm just glad to see -- I was glad

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1 to see the changes.

2 Q. Was Cindy very close to anyone else in

3 that section, other than Vanessa?

4 A. Doug Armbrust.

5 Q. Define that relationship. Did she

6 report to him as a -- did she work for him?

7 A. No.

8 Q. Describe that for me.

9 A. She talked to him a lot. They probably

10 communicated a lot. It's changed, though.

11 Because when Mariellen was there, Cindy confided

12 a lot in Mariellen. Mariellen left. We

13 added -- well, I know Amanda came on the scene

14 shortly around that time, but Amanda did not

15 replace her in that respect. And then Vanessa

16 came, and then Vanessa and her became bosom

17 buddies. And then Cindy has talked to me about

18 stuff, but it's like, hey, about her other job,

19 personal training, it's not -- we never had

20 that.

21 Q. When did she become close to Armbrust?

22 Is it Doug?

23 A. Doug, yes. I just noticed that she

24 talked to him a lot.

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1 Q. Do you think she confided in him?

2 A. Well, I don't know. Doug expressed to  
3 me, I believe on Thursday -- because we chatted  
4 about how everyone's been questioned. And he  
5 said, well, I have stayed out of this, and she  
6 has tried -- he just volunteered it, he  
7 volunteered that she has tried to talk to him  
8 and he pushed her off.

9 Q. Was there any indication that -- did she  
10 have a relationship with Doug Armbrust outside  
11 the office?

12 A. No, I don't think so. Everybody got  
13 together once in a while for drinks outside of  
14 work. I don't know if he was there. Outside of  
15 that, no.

16 Q. Did he indicate he had some apprehension  
17 about coming here to testify?

18 A. No, I don't think so.

19 MR. ESPY: That's all I have. I  
20 appreciate you coming in. I appreciate your  
21 honesty and straightforwardness. And if you can  
22 look into those other matters for me, I'd  
23 appreciate that, too.  
24 MS. PFEIFFER: Ashley Tackett, too. I

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1 don't know if you --

2 THE WITNESS: Oh, yes. With Ashley, you  
3 just want the date, right?

4 MS. PFEIFFER: Right.

5 THE WITNESS: Okay.

6 MR. ESPY: And you can e-mail -- do you  
7 have e-mail addresses?

8 MS. PFEIFFER: Yeah. My e-mail address  
9 is on the notice I sent to you Friday. So is  
10 Ben's.

11 THE WITNESS: Okay.

12 MR. ESPY: Thank you very much. I  
13 appreciate it.

14 THE WITNESS: Sure.

15 MR. ESPY: I hope we didn't upset you  
16 too much.

17 THE WITNESS: If I can say something off  
18 the record.

19 MR. ESPY: Okay.

20 (Discussion held off the record.)

21 BY MR. ESPY:

22 Q. Did you ever have any information

23 regarding Tony's acquisition of a concealed

24 carry permit?

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1 A. I assisted in filing -- filling out the  
2 application for concealed carry, making contact  
3 with Franklin County Sheriff's office for  
4 general information and instruction on the  
5 application process.

6 Q. And did you receive an application in  
7 your office for that concealed carry?

8 A. I received it and filled out information  
9 and then turned it in for him to complete.

10 Q. Okay. Was there a work-related reason  
11 as to why the concealed carry permit was being  
12 obtained?

13 A. It was my understanding that in the  
14 event he needed to drive Marc, if Mr. Conley was  
15 not available, or for whatever reason, he was a  
16 backup. That was my understanding.

17 Q. Did you ever see a weapon acquired by  
18 Mr. Gutierrez in the office?

19 A. No. No.

20 Q. Did you ever hear that there was a

21 weapon utilized in one of the State vehicles?

22 A. No.

23 Q. Kept in one of the State vehicles?

24 A. No, I did not hear that.

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1 Q. Is there anything else you want to put  
2 on the record before you leave today?

3 A. No.

4 MR. ESPY: That will end our interview,  
5 then.

6 --0--

7 Thereupon, the sworn interview of  
8 Kristi August, April 21, 2008, was concluded at  
9 1:02 p.m.

10 --O--

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1                    CERTIFICATE

2 STATE OF OHIO     :

                  SS:

3 COUNTY OF FRANKLIN :

4            I, Sara S. Clark, RPR/CRR/CCP/CBC, a  
Notary Public in and for the State of Ohio, duly  
5 commissioned and qualified, do hereby certify  
that the within-named KRISTI AUGUST was first  
6 duly sworn to testify to the truth, the whole  
truth, and nothing but the truth in the cause  
7 aforesaid; that the testimony then given was  
reduced to stenotypy in the presence of said  
8 witness, afterwards transcribed; that the  
foregoing is a true and correct transcript of  
9 the testimony; that this interview was taken at  
the time and place in the foregoing caption  
10 specified.

11           I do further certify that I am not a  
relative, employee or attorney of any of the  
12 parties hereto; that I am not a relative or  
employee of any attorney or counsel employed by  
13 the parties hereto; that I am not financially  
interested in the action; and further, I am not,  
14 nor is the court reporting firm with which I am  
affiliated, under contract as defined in Civil  
15 Rule 28(D).

16           In witness whereof, I have hereunto  
set my hand and affixed my seal of office at  
17 Columbus, Ohio, on this     day  
of                    , 2008.

18

19

Sara S. Clark, RPR/CRR/CCP/CBC

20

Notary Public, State of Ohio.

21 My commission expires: March 10, 2013

22

23

24

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