

# EXHIBIT 2

## PART 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MARLAINA EASTON,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	No. 07 CV 6127
	)	
COLLEGE OF LAKE COUNTY,	)	Judge Darrah
DR. JEAN KARTJE and BOARD OF	)	
TRUSTEES OF THE COLLEGE OF	)	Magistrate
LAKE COUNTY,	)	Judge Brown
	)	
Defendants.	)	

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Deposition of MARLAINA EASTON, taken before LAURA R. RENKE, CSR, RDR, CRR, pursuant to the provisions of the Federal Rules of Civil Procedure of the United States District Courts pertaining to the taking of depositions, at 35 East Wacker Drive, Suite 500, Chicago, Illinois, commencing at 10:33 a.m. on the 14th day of September, 2009.

There were present at the taking of this deposition the following counsel:

2

1 LAW OFFICES OF ROBERT V. GILDO by  
 2 MR. ROBERT V. GILDO  
 3 120 North Hale Street  
 4 Suite D  
 5 Wheaton, Illinois 60187  
 6 (630) 462-7979  
 7 rvgildo@yahoo.com  
 8 on behalf of the Plaintiff;

9 GONZALEZ SAGGIO & HARLAN LLC by  
 10 MS. LYNN URKOV THORPE  
 11 35 East Wacker Drive  
 12 Suite 500  
 13 Chicago, Illinois 60601  
 14 (312) 236-0475  
 15 lynn\_thorpe@gshllc.com

16 on behalf of the Defendants.

17 ALSO PRESENT:  
 18 DR. JEAN KARTJE.

19 REPORTED BY LAURA R. RENKE, RDR, CRR.

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 21  
 22  
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4

1 MS. THORPE: Would you swear the witness,  
 2 please?  
 3 (Witness sworn.)  
 4 THE WITNESS: I do swear.  
 5 MS. THORPE: Okay. Let the record reflect  
 6 that this is the deposition of Marlaina Easton, taken  
 7 pursuant to notice and set for today's date by  
 8 agreement of the parties.  
 9 MARLAINA EASTON,  
 10 called as a witness herein, having been first duly  
 11 sworn, was examined and testified as follows:  
 12 EXAMINATION  
 13 BY MS. THORPE:  
 14 Q Ms. Easton, I'm going to ask you a series  
 15 of questions today regarding your lawsuit against  
 16 Dr. Kartje and the College of Lake County and the  
 17 Board of Governors of the College of Lake County.  
 18 If you don't hear my question or you don't  
 19 understand my question, please let me know and I will  
 20 rephrase it or state it louder because it's important  
 21 for you to hear and understand what I'm saying.  
 22 Okay?  
 23 A Okay.  
 24 Q If you need to take a break, I would be

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1 happy to accommodate you. As long as a question  
 2 isn't pending, we can take a break, again, as you  
 3 need it. All right?  
 4 A Okay.  
 5 Q All right. For the record, what is your  
 6 name?  
 7 A Marlaina Easton.  
 8 Q Please spell it.  
 9 A Marlaina, M-A-R-L-A-I-N-A, Easton,  
 10 E-A-S-T-O-N.  
 11 Q Where do you live?  
 12 A I live in Chicago, Illinois.  
 13 Q What's your address?  
 14 A 6315 North Magnolia Avenue, Unit 2S,  
 15 Chicago, Illinois 60660.  
 16 Q And how long have you lived there?  
 17 A I have lived there for about six years now.  
 18 Q Is that a -- do you own, or do you rent?  
 19 A I own.  
 20 Q Does anybody live with you?  
 21 A No.  
 22 Q Are you married?  
 23 A Technically, in Canada, yes.  
 24 Q All right. And technically, who is your

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1 spouse?  
 2 A Her name is Kathryn Starzec,  
 3 S-T-A-R-Z-E-C.  
 4 Q Ms. Starzec no longer lives with you?  
 5 A No.  
 6 Q And when did you and Ms. Starzec separate?  
 7 A We separated in May.  
 8 Q May of this year, 2009?  
 9 A Yes, yes.  
 10 Q Do you have any children?  
 11 A No, I don't.  
 12 Q Are you working at the present?  
 13 A Yes.  
 14 Q Where do you work?  
 15 A The College of Lake County.  
 16 Q And what do you do at the College of Lake  
 17 County?  
 18 A I teach English.  
 19 Q English is your field of expertise?  
 20 A Yes, it is.  
 21 Q Are you a tenured English teacher?  
 22 A I am a tenured English teacher.  
 23 Q And when approximately did you start  
 24 working at College of Lake County?

7

1 A I started working there in 2004 -- I  
 2 mean -- I'm sorry. I apologize. I did not start  
 3 working there in 2004. I technically started working  
 4 there in 2002. Sorry about that.  
 5 Q And have you worked at College of Lake  
 6 County continuously from 2002 to the present?  
 7 A I worked there continuously as though I'm  
 8 documented working there, but I took a medical leave  
 9 of absence in the year 2006.  
 10 Q And you've since returned from the medical  
 11 leave?  
 12 A Yes, I have.  
 13 Q And you are again teaching at College of  
 14 Lake County?  
 15 A Yes.  
 16 Q So College of Lake County has been your  
 17 only employer since 2002. Is that correct?  
 18 A Yes.  
 19 Q Okay. And the medical leave that you took,  
 20 that was something that you asked to take from the  
 21 college. Is that correct?  
 22 A Yes.  
 23 Q And that request was granted?  
 24 A Yes, it was.

8

1 Q Let me show you --  
 2 MS. THORPE: We'll do this. Would you  
 3 please mark this as Easton Exhibit 1?  
 4 (Easton Exhibit 1 marked.)  
 5 BY MS. THORPE:  
 6 Q Okay. I'm showing you what's been marked  
 7 as Easton Exhibit 1, which purports to be an  
 8 application by you for a position at College of Lake  
 9 County. Do you recognize this document?  
 10 A I do.  
 11 Q Okay. And did you either fill in or  
 12 furnish the information that's depicted in this  
 13 document?  
 14 A I did.  
 15 Q Okay. And let's see. On the second page  
 16 of this document, where it says "Signature of  
 17 applicant," is that your signature?  
 18 A It is.  
 19 Q And on the last page of this document,  
 20 there are two places where it says "Signature." Is  
 21 that your signature in each of those places?  
 22 A Yes.  
 23 Q And did you sign this application on or  
 24 about December 12th, 2001? It's the date that

9

1 it's --  
 2 A Okay. Yes. Yes, I did.  
 3 Q And take your time going through it. I  
 4 just want to affirm rather than going through it  
 5 piece by piece if all of the information that's in  
 6 this application is true and correct.  
 7 A It looks true and correct.  
 8 Q Okay. Now, when you came to the College of  
 9 Lake County and when you made this application in  
 10 December of 2001, you were an English instructor. Is  
 11 that correct?  
 12 A Yes.  
 13 Q Okay. You were not a tenured English  
 14 teacher when you came to College of Lake County?  
 15 A No.  
 16 Q And you were applying for a position as an  
 17 English instructor. Is that correct?  
 18 A Yes.  
 19 Q And you were subsequently awarded an  
 20 English instructor position at College of Lake  
 21 County. Is that correct?  
 22 A Yes.  
 23 Q Let me show you --  
 24 MS. THORPE: Would you mark this, please,

10	<p>1 as Exhibit 2? 2 (Easton Exhibit 2 marked.) 3 BY MS. THORPE: 4 Q Showing you what's been marked as 5 Exhibit 2, it's a letter dated April 5, 2002, 6 addressed to you from the College of Lake County, 7 awarding you a position as an English instructor. Do 8 you see this? 9 A Yes, I do. 10 Q Do you recall receiving this document? 11 A I do. 12 Q Okay. And it says in here that your base 13 salary was going to be \$39,748 for the 2002-'03 14 academic year. Is that correct? 15 A Yes. 16 Q What is your current salary? 17 A Right now? 18 Q Yes. 19 A My current salary is approximately -- 20 including teaching summer school, I assume that that 21 is about \$80,000. 22 Q Your salary went up every year since you 23 started working at College of Lake County in 2002. 24 Is that a fair statement?</p>	12	<p>1 Q Is that fair? 2 A That's fair. 3 Q Okay. So you've been working -- or you 4 started working at the college in the fall semester 5 of 2002 as an English instructor. Is that correct? 6 A Yes. 7 Q Okay. What were your duties and 8 responsibilities as an English instructor? 9 A I taught developmental English. I taught 10 English 121 and 122. And I taught -- I have taught 11 creative writing. 12 Q Developmental English. What is that? 13 A Developmental English is pre-college credit 14 English. Students do not get credit for this course, 15 but what it does is -- the goal is to prepare them 16 for future courses that will help them to gain 17 college credit. 18 Q And is this something that you wanted to 19 teach? 20 A Yes. 21 Q Are you still teaching developmental 22 English? 23 A Yes. 24 Q English 121 and 122. What is that?</p>
11	<p>1 A Yes. 2 Q Okay. Do you recall with whom you 3 interviewed before you were offered a position at 4 College of Lake County? 5 A Yes. I can do my best to get the names. 6 Sandria Rodriguez was the former dean. She 7 was there and a number of other faculty members. I'm 8 not going to be able to recall all of the names of 9 the people who were in there, but I remember seeing 10 Ray Salazar. I believe he was in there, in the room. 11 Who else was in the room? Larry Starzec was in the 12 room. 13 Q Any relation to Kathryn? 14 A Yes, it's her father. He was in the room. 15 Who else was in the room? Those are the two names 16 off the top of my head, but there were a number of 17 other faculty there. 18 Q Okay. And so you started teaching English 19 at the college -- and just to make things a little 20 briefer, I'm going to refer to College of Lake County 21 as "the college" -- 22 A Okay. 23 Q -- rather than saying the full name. 24 A Got it.</p>	13	<p>1 A Those are standard college-level credit 2 courses, and those are required for any degree at the 3 college. And they're required -- you have to at 4 least get to that point before you can take any other 5 classes. 6 Q And are those classes that you wanted to 7 teach? 8 A Yes. 9 Q And are you still teaching those? 10 A Yes. 11 Q Creative writing. Is that something you 12 teach from time to time? 13 A I teach it every semester. 14 Q Oh, okay. And have you taught it every 15 semester that you've taught? 16 A The first semest -- the first year I 17 taught, I did not teach creative writing. 18 Q So after the first year, you've taught 19 creative writing every semester? 20 A I believe that to be the case. 21 Q Okay. 22 A I don't know that for a fact. Part of me 23 is like is it the first year or second year that I 24 started teaching creative writing?</p>

14	<p>1 Q Well, let's put it this way. Since you've                  2 received tenure, have you taught --                  3 A Yes.                  4 Q -- creative writing every year?                  5 A Yes, I have.                  6 Q Okay. That was one other instruction. You                  7 may often know where my question is leading, or you                  8 may think you know where the question is leading.                  9 The court reporter has a very hard time taking down                  10 two people talking at once, so if you will just do me                  11 the courtesy of waiting till I finish my sentence,                  12 and I will try to do the same for you. It will make                  13 our court reporter much happier. All right?                  14 A I apologize.                  15 Q Not a problem. Not a problem.                  16 And creative writing, that's something you                  17 enjoy teaching as well?                  18 A Yes, it is.                  19 Q Now, you were awarded tenure at the                  20 college, were you not?                  21 A Yes, I was.                  22 Q And what is the significance of being                  23 awarded tenure?                  24 A Stability. Being awarded tenure gives me</p>	16	<p>1 Q And what was her title, if you know?                  2 A She was the dean.                  3 Q And did that change at some point in time?                  4 A Yes.                  5 Q Okay. And when did that change?                  6 A One moment. I'm sorry.                  7 The semester before Dr. Kartje began, Brian                  8 Smith took the position as dean. So I don't know                  9 exactly what semester that was, but that was in                  10 approximately 2004 sometime.                  11 Q Was it before you were awarded tenure                  12 that --                  13 A Yes.                  14 Q Okay. And then after Brian Smith was the                  15 dean, who became the dean -- your dean next?                  16 A Yes, Dr. Jean Kartje.                  17 Q And how long was Dr. Kartje your dean?                  18 A From 2004 until she left in 2007.                  19 Q Okay. And then who succeeded Dr. Kartje as                  20 your dean?                  21 A Nedra Adams-Soller.                  22 Q And is she still your dean?                  23 A No, she is not.                  24 Q How long was she your dean?</p>
15	<p>1 stability in a job that I love. It puts me in a                  2 position where I know I'm going to keep my job and                  3 that the following year I will be there and that any                  4 energy I put into my job is energy that is going                  5 somewhere.                  6 Q Is it fair to say that tenure is something                  7 that a college instructor strives for?                  8 A I think that's fair.                  9 Q Okay. And that was something that you                  10 wanted to achieve at College of Lake County. Is that                  11 correct?                  12 A Yes.                  13 Q And what was your reaction when you found                  14 out that you received tenure?                  15 A I was very happy, and I was relieved.                  16 Q Now, let me show you and your counsel --                  17 MS. THORPE: Let's mark this as Exhibit 3.                  18 (Easton Exhibit 3 marked.)                  19 BY MS. THORPE:                  20 Q Before I ask you about Exhibit 3, when you                  21 started at College of Lake County in the fall of 2002                  22 as an English instructor, to whom did you report?                  23 Who was your supervisor?                  24 A My supervisor was Dr. Sandria Rodriguez.</p>	17	<p>1 A Nedra was our dean from 2007-2008. So two                  2 years, approximately two years.                  3 Q Okay. And then who was next?                  4 A Roland Miller.                  5 Q And he started when, in the fall of '08 as                  6 your dean? Is that right?                  7 A I believe that that is correct.                  8 Q And he is currently your dean?                  9 A Yes, he is.                  10 Q Okay. Now, looking at Exhibit 3, which                  11 I've given to you and your counsel, it's dated                  12 February 23, 2005. It's addressed to you. And it                  13 informs you that you've been granted tenure effective                  14 the fall semester of 2005. Do you recall receiving                  15 this letter?                  16 A Yes, I do.                  17 Q The letter is signed by Gretchen Naff,                  18 President, and it shows a copy to Carole Bulakowski,                  19 B-U-L-A-K-O-W-S-K-I, Jean Kartje, K-A-R-T-J-E, and                  20 Employee File. Do you know what position Carole                  21 Bulakowski held in February of 2005?                  22 A Yes. She was the vice president of the                  23 college.                  24 Q And do you know what position Jean Kartje</p>

18

1 held in February of 2005?  
2 A Yes. She was the dean.  
3 Q And do you know, did Dr. Kartje report to  
4 Carole Bulakowski?  
5 A I am under the impression that she did.  
6 Q Do you know what role, if any, Dr. Kartje  
7 had in the decision to offer you tenure?  
8 A Yes.  
9 Q Okay.  
10 A She wrote a letter of recommendation to  
11 recommend me for tenure.  
12 Q Did you have any conversations with  
13 Dr. Kartje or with any of the faculty regarding the  
14 decision to grant you tenure?  
15 A I am under the impression that I had many  
16 conversations with Dr. Kartje and the other faculty  
17 regarding giving me tenure. Yes, there were many  
18 conversations.  
19 Q And what is the earliest conversation that  
20 you can recall with Dr. Kartje regarding the decision  
21 whether or not to grant you tenure?  
22 A October 19th.  
23 Q Of what year?  
24 A Of 2004 was the first time it ever came up.

19

1 Q Okay. And what was the context?  
2 A The context was that I shouldn't get  
3 tenured.  
4 Q Who said you shouldn't get tenured?  
5 A Dr. Kartje told me that I should not get  
6 tenure.  
7 Q Okay. And where was this conversation?  
8 A It took place in her office.  
9 Q Was anyone else present?  
10 A No.  
11 Q Do you recall what time of day it was?  
12 A No, I do not.  
13 Q And how did this happen to come up?  
14 A I was in her office. I was under the  
15 impression that we were talking about an evaluation  
16 for a class that was observed, but that's not what we  
17 ended up speaking about. We ended up talking about  
18 that I wasn't the type of teacher who deserved tenure  
19 and that I wasn't -- and that a part-time teacher  
20 could do what I do and that I did not fit into the  
21 CLC community. That's what the conversation became.  
22 Q And those were all statements that you are  
23 attributing to Dr. Kartje in this meeting in her  
24 office on October 19th, 2004. Is that correct?

20

1 A Yes.  
2 Q And what, if anything -- how did this come  
3 up where Dr. Kartje allegedly made these remarks?  
4 A She began talking about them. She began --  
5 we were supposed to be talking about a class that I  
6 taught and an observation that she participated in,  
7 but that is not at any point what we talked about.  
8 She said I did not fit into the CLC  
9 environment, that I didn't play an active role there.  
10 And I began by saying that I was on the senate and  
11 that I did a lot of things for the college and that I  
12 did a lot of things for my student -- my students.  
13 And that's when we started -- it moved to  
14 the conversation about how I didn't play an active  
15 role and about a decision the senate had made in  
16 reference to something that she wanted to participate  
17 in that they voted against.  
18 And then from there, that moved on to why I  
19 didn't play an active role, and it was because I  
20 didn't fit into that -- the CLC environment and that  
21 I shouldn't be tenured.  
22 Q How long was this meeting?  
23 A I don't know exactly how long it was. It  
24 felt like it lasted for maybe an hour.

21

1 Q What else, if anything, was discussed in  
2 that meeting other than what you've already testified  
3 to?  
4 A Outside of the senate, outside of me not  
5 fitting into the CLC environment, outside of  
6 developmental students not needing a full-time  
7 instructor, outside of that, I don't think that there  
8 were other things discussed.  
9 Q Okay. Now, Dr. Kartje did recommend you  
10 for tenure, did she not?  
11 A Yes, she did.  
12 Q Is there another conversation that you  
13 recall having with Dr. Kartje regarding the decision  
14 to award you tenure?  
15 A There was that October 19th conversation,  
16 and outside of that conversation, I don't recall  
17 having a conversation with her regarding me being  
18 awarded tenure.  
19 Q Following this conversation that you say  
20 that you had with Dr. Kartje on October the 19th,  
21 2004, did you talk to anybody about what you claim  
22 Dr. Kartje said to you in the meeting?  
23 A Yes, I did. I had meetings with the vice  
24 president, Carole Bulakowski, the head of human

<p style="text-align: right;">26</p> <p>1 teacher who did not fit in the CLC community and I 2 was the type of teacher who did not get tenured even 3 though my type of teacher was -- I was an excellent 4 teacher. So I did believe that there were other 5 reasons why I didn't fit in. 6 Q Okay. Now, let me show you -- 7 MS. THORPE: Let's mark this. What are we 8 on, Exhibit 4? 9 BY MS. THORPE: 10 Q Showing you and your counsel what's been 11 marked as Exhibit 4. 12 (Easton Exhibit 4 marked.) 13 BY MS. THORPE: 14 Q I'm showing you and your attorney what's 15 been marked as Exhibit 4. It's a memo from 16 Dr. Kartje to Carole Bulakowski regarding "Tenure 17 Recommendation: Marlaina Easton, English," and it's 18 dated January 28, 2005. 19 Ms. Easton, have you seen this document 20 before? 21 A Yes, I have. 22 Q Okay. 23 A May I ask -- I'm sorry to interrupt -- is 24 there another page to this?</p>	<p style="text-align: right;">28</p> <p>1 the College of Lake County. 2 Q But how did you know then from that e-mail 3 that Dr. Kartje recommended you? 4 A I assumed she recommended me because she 5 had to. And I use the term "assumed." She had to in 6 order for me to be tenured. I wouldn't be tenured if 7 I wasn't recommended by my dean to be tenured. 8 Q So Dr. Kartje's recommendation that you be 9 awarded tenure was a very important factor in your 10 being awarded tenure. Is that correct? 11 A Absolutely. 12 Q And she makes reference in this first page 13 about the classroom visits that she had made, 14 watching you or observing you in your teaching. Is 15 that correct? 16 A Yes. 17 Q And she's very complimentary about -- what 18 she says about your classroom skills, is she not? 19 A Yes, she is. 20 Q And she also mentions further down that you 21 had extended yourself to the broader college arena, 22 that you were a representative on the faculty senate 23 and coordinated a speakout wall. Is that correct? 24 A Yes.</p>
<p style="text-align: right;">27</p> <p>1 Q This is what I have. 2 A Okay. So you don't have the full document 3 here. 4 Q This is what I have. 5 Do you have a full document? 6 A No. 7 So my -- my comment is you asked me if I 8 had seen this. I had seen part of this. I had seen 9 this, which is not the full document. 10 Q Okay. Well, let's go over what is the full 11 document. 12 A Okay. 13 Q Have you seen -- did you see the document 14 itself before? 15 A I saw this part of this document. 16 Q Okay. And what was the context in which 17 you saw this document? 18 A I believe -- I don't remember. 19 Q How did you learn that Dr. Kartje 20 recommended you for tenure? 21 A I saw an e-mail congratulating me that I 22 was tenured. 23 Q And who sent the e-mail? 24 A A faculty member or a number of them from</p>	<p style="text-align: right;">29</p> <p>1 Q Would you agree that this is a very warm 2 endorsement by Dr. Kartje for your elevation to 3 tenure? 4 A Yes, I do. 5 Q Okay. Now, you believe that this is not 6 the complete memo. Do you know how much more 7 followed, what's missing? 8 A I assume it has another page. Yes, also an 9 assumption, but this sentence doesn't even finish at 10 the end. 11 Q Okay. So but there's nothing that would 12 have been somewhere else in this document that's 13 standing out in your memory as "Oh, I remember 14 reading such-and-such, and it's not here"? 15 A No. 16 Q Okay. And you mentioned that in this 17 conversation in October of 2004 that you had with 18 Dr. Kartje when she allegedly said to you that you 19 don't fit in the College of Lake County and a 20 part-time teacher could do what you do, she said you 21 were an excellent teacher. Is that right? 22 A She said I was an excellent teacher. 23 Q And she did subsequently recommend you for 24 tenure.</p>

34

1 Q Okay. And you mentioned specifically an  
2 incident in August when your pay was docked.  
3 A Yes.  
4 Q The comments you attribute to Dr. Kartje  
5 about your not fitting in that you said she told you  
6 in October -- on October 19th, 2004, and then an  
7 issue over your not being allowed to obtain  
8 reimbursement for courses that you took that impeded  
9 column movement. Is that correct?  
10 A Yes, mm-hmm.  
11 Q Okay. Now, in connection with the pay  
12 docking issue, why did you believe that that was  
13 discriminatory?  
14 A I found that that was discriminatory  
15 because I don't believe that anybody else was docked  
16 for missing days. I knew an individual who missed a  
17 week -- the week and was not docked.  
18 Q Who is that?  
19 A Joel Chmara.  
20 Q Okay.  
21 A He's a white male who is not disabled in  
22 any way, shape, or form, and he was not docked.  
23 Q Do you know -- well, when did this occur  
24 when he missed a week and he was not docked?

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1 A During kickoff orientation week for 2004.  
2 Q Do you know whether he spoke to anybody  
3 before -- well, strike that.  
4 When you were absent in August of 2004, had  
5 you cleared that with anybody in advance?  
6 A No, I had not.  
7 Q Do you know whether Joel had cleared his  
8 absence with anybody in advance?  
9 A No, I do not.  
10 Actually, I do know that he did not. I  
11 apologize.  
12 Q How do you know that?  
13 A Because he forgot to do it, so -- he forgot  
14 to show up at it.  
15 Q How do you know that?  
16 A I know that he forgot to show up about it  
17 because I -- I was told by another faculty member  
18 that he didn't show up at it because he didn't  
19 remember.  
20 Q Who told you that?  
21 A Her name was Mary Winter.  
22 Q And what was her position?  
23 A She was a faculty member.  
24 Q And when did Mary Winter tell you that Joel

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1 forgot to show up?  
2 A Around the time period in late August/early  
3 October.  
4 Q Where did this conversation take place?  
5 A I don't remember.  
6 Q Was there anyone else present when you  
7 spoke with Ms. Winter about Joel?  
8 A Not that I know of.  
9 Q And how do you know that Mary Winter had  
10 firsthand knowledge of why Joel wasn't there?  
11 A I don't.  
12 Q So you're assuming that she knew.  
13 A Yes.  
14 Q Is there anybody else -- and what's Joel's  
15 last name?  
16 A Chmara.  
17 Q Chmara. Can you spell that for the  
18 reporter --  
19 A I believe --  
20 Q -- if you know?  
21 A I believe it's C-H-M-A-R-A. I hope that's  
22 correct.  
23 Q Is there anybody else other than Joel  
24 Chmara who you believe was treated more favorably

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1 than you in connection with being docked or not being  
2 docked for an absence?  
3 A No.  
4 MS. THORPE: And just for the record --  
5 we're out of order here, but that's okay. Would you  
6 mark this as Exhibit -- what are we on, 5?  
7 (Easton Exhibit 5 marked.)  
8 BY MS. THORPE:  
9 Q Ms. Easton, showing you a document that's  
10 been marked as Exhibit 5, is this the absence slip  
11 for your absence in August of 2004 that you were  
12 referring to where you were docked because you were  
13 moving?  
14 A Yes, it is.  
15 And I wanted to bring something up, not to  
16 interrupt or anything. But in another document that  
17 you probably have -- this is accurate so far as  
18 moving. In another document that I gave you in  
19 discovery, it says "ill," and that's incorrect.  
20 Q Did you at one point present a document --  
21 this document, Exhibit 5, where it just says  
22 "moving"?  
23 A Yes.  
24 Q Okay. So you knew at least as of