

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

CHRISTOPHER S. CYNOWA,)	
)	
Plaintiff,)	
)	
v.)	No. 08 L 403
)	
CSSS, INC., et al.,)	
)	
Defendants.)	

**APPENDIX OF EXHIBITS TO DEFENDANTS' MEMORANDUM
IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

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Lisa Wolford and William F. Slater*

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5	Plaintiff's Verified Reply to Defendants' Affirmative and Other Defenses	8/14/2009
6	Plaintiff's Verified Amended Complaint Adding Noel Flanagan as a Defendant	9/17/2010
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EXHIBIT 1

IN THE CIRCUIT COURT COOK COUNTY, ILLINOIS
LAW DIVISION

CHRISTOPHER S. CYNOWA,)
)
 Plaintiff,)
)
 v.) Case No.:
)
)
)
 CSSS, INC.)
 (CLIENT SERVER SOFTWARE SOLUTION)
 d/b/a CSSS.NET),)
 LISA WOLFORD,)
 WILLIAM F. SLATER.)
)
 Defendants.)

08L000403

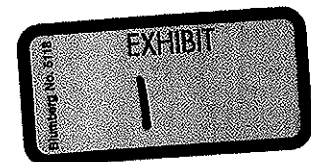
PLAINTIFFS' VERIFIED COMPLAINT AT LAW

NOW COMES Plaintiff, Christopher S. Cynowa, (hereafter, "Plaintiff"), by and through his attorney Theresa V. Johnson and the Law Offices of Theresa V. Johnson, and complains against Defendants Client Server Software Solutions, Inc. (hereafter, "CSSS"), Lisa Wolford (hereafter, "Wolford"), William F. Slater (a/k/a Bill Slater), (hereafter, "Slater"), (CSSS, Wolford and Slater being hereinafter referred to as "Defendants") and state as follows:

SECTION I. PARTIES AND VENUE

1. Plaintiff was employed by CSSS, in the position of a Senior Systems Engineer at the Department of Veterans Affairs ("VA") from February 15, 2006, until he was terminated from his employment on January 18, 2007. Plaintiff resides 941 Hill Crest Drive, Carol Stream, IL 60188.

2. CSSS provides computer supporting services for Hines Veterans Hospital under federal contract. CSSS local office is located at 2100 S. 5th Ave # 111L, Hines, IL, Building 20; however, CSSS President and headquarters are located at 3906 Raynor Parkway Suite 201, Bellevue, NE 68123. The main office where Defendant Wolford is listed as the registered agent



for service of process is located at 5069 South 108th Street, Omaha, NE 68137 (See **GROUP EXHIBIT A**).

3. Defendant CSSS is not registered as a corporation or as a d/b/a entity in Illinois. (See **EXHIBIT B**).

4. Defendant Wolford is the President of CSSS and resides in Nebraska.

5. Defendant Slater is the site manager and acting representative of CSSS VA Hines contract and is the former CSSS manager of Plaintiff. Slater resides at 1409 N. Ashland Ave., Chicago, IL 60622.

6. The acts Plaintiff complains of in this Verified Complaint took place in Cook County, IL, and therefore jurisdiction and venue are proper in Cook County.

SECTION II. FACTS

FACTUAL BACKGROUND AND CHRONOLOGY OF KEY EVENTS

1. On December 16, 2006, CSSS sponsored a Holiday Party at Francescas Fiore restaurant in Forest Park, IL. Plaintiff, one other CSSS employee, and three subcontractors were the only non-management staff to attend the Holiday Party.

2. Defendant Wolford, CSSS'S President, established a gift "grab bag" and provided three "gifts."

3. Maria Milan, a sub-contractor for CSSS, received the *first gift* - a \$50.00 gift card to a shopping mall.

4. Thiem Khaw, also a sub-contractor for CSSS, received the *second gift* - a \$25.00 or \$40.00 gift card to a shopping mall (Plaintiff is uncertain of the exact amount

5. Plaintiff, received the *third gift* - a coupon worth \$10.00 off the purchase of \$50.00 or more to a Build-a-Bear Workshop and a chocolate candy bar with a coupon on the inside of the wrapper worth 25% off an online FTD flower order.

6. The Plaintiff took the \$10.00 off \$50.00 purchase of a Build-A-Bear workshop and coupon for 25% off an online FTD flowers purchase as a joke, since the gift, unlike the *first*

and *second gifts*, was of no value unless the recipient wanted to enroll in a Build-A-Bear workshop or buy flowers online.

7. Plaintiff, along with several of his co-workers; poked fun at both the gift, and the gift giver.

8. During a conversation at the Holiday party with his friends and co-workers, Plaintiff, joking around, referred to himself as a "Pollock" and to his fiancé as a "Dago".

9. On December 18, 2006, Defendant Slater, Plaintiff's immediate manager and local CSSS representative, in his official capacity, spoke with the Plaintiff regarding the fact that Defendant Wolford wanted to send Plaintiff to sensitivity training because of Plaintiff's comments at the Holiday Party referring to himself as a "Pollock" and his fiancé being a "Dago". Defendant Slater also told Plaintiff that he (Slater) discussed Plaintiff's self-directed ethnic comments (i.e., "Pollock" – a slang derogatory term referring to a person of Polish descent, and "Dago" – a slang derogatory term referring to a person of Italian descent.) with Defendant Wolford. Defendant Slater indicated to Plaintiff that he told Defendant Wolford that he (Defendant Slater) did not believe that Plaintiff was prejudiced against either group because of Plaintiff's own self-directed comments or that Plaintiff needed sensitivity training. Defendant Slater also said that "Pollock" and "Dago" are common everyday colloquial language in Chicago. Additionally, Defendant Slater told the Plaintiff that he informed Defendant Wolford that Richard J. Daley, Chicago's mayor, allegedly once publicly stated to the effect, "What is a 'dago' doing as the queen of the Irish parade?" (See **EXHIBIT C**, "Purported ethnic slur by Daley sparks great Chicago furor").

10. On January 11, 2007, Defendant Slater asked Plaintiff for a meeting with himself and Anthony Slatton, Senior Systems Engineer (on information and belief, apparently acting as a

witness). Upon entering his office, Defendant Slater told the Plaintiff that his poking fun at the Holiday grab bag "gift" may have been construed as offensive by Defendant Wolford and suggested that the Plaintiff should not speak ill of the Defendant Wolford and/or the "gift" anymore.

11. The Plaintiff informed Defendant Slater of his displeasure over the "gift," that he (Plaintiff) would comply with the Defendant Slater's request, and he (Plaintiff) would be searching for new employment.

12. On January 16, 2007, the Plaintiff arrived at work at 6:00 a.m.

13. Through the course of the day on January 16, 2007, Plaintiff was informed that some very high profile email mailbox moves were approved for that night.

14. On January 16, 2007, Plaintiff left the office at 1:30 p.m., went home, took a nap and came back to the office at 7:00 p.m. to perform the high profile email moves himself. Plaintiff continued to work until 3:30 a.m. on January 17, 2007, and then went home to get some sleep.

15. After waking up again on January 17, 2007, Plaintiff checked his work email via the internet and noticed that he had received an email from Defendant Slater stating that Defendant Slater wanted to have a meeting with the Plaintiff in Defendant Slater's office at 10:00 a.m. the following day (January 18, 2007).

16. On January 18, 2007, the Plaintiff arrived at work as usual at 6:00 a.m.

17. On January 18, 2007 at 7:59 a.m., Plaintiff sent a customer satisfaction survey email to Lynn Sepple, requesting her opinion regarding his work performance. Lynn Sepple was Plaintiff's main contact for VIP work at Veterans Affairs. The email stated the subject as "Honest opinion needed". The email ("Email No. 1") (See **EXHIBIT D**) read as follows:

EMAIL NO. 1

From: Cynowa Chris (CSSS)
Sent: Thursday, January 18, 2007 7:59 AM
To: Sepple, Lynne
Subject: Honest opinion needed

As one of the most frequent and most important customers, I would like to ask your honest opinion on a few things. If you would be so kind as to give me a rating from 1 to 10 (10 being the best) on the following, I would be most appreciative.

1. Professionalism
2. Competence
3. Technical knowledge
4. Knowing when to escalate and doing so
5. Resolving issues in a timely manner
6. Personal interaction
7. Willingness to go above and beyond to have a job done
8. Attention to detail
9. Following procedures
10. Ensuring complete customer satisfaction;

Thank you for your time on this.

Chris Cynowa
Senior Systems Engineer Department of Veterans Affairs
OI&T – Enterprise Technology Management
Hines OIFO, Building 20, Hines, IL 60141
Office: 708-410-4042
Cell: 630-546-1191
E-mail: chris.cynowa@va.gov

18. On January 18, 2007, time-stamped at 7:39 a.m., Plaintiff received the following answer from Lynne Sepple (See EXHIBIT D):

EMAIL NO. 2

From: Sepple, Lynne
Sent: Thursday, January 18, 2007 7:39 AM
To: Cynowa Chris (CSSS)
Subject RE: Honest opinion needed

10 on all. 10+ on 1,6,7,8,10 – in fact 10+ on all too. You are VERY easy to work with, personable, technically competent, and detail oriented. And you the type of worker that you only have to tell you something once – and you've got it.

19. On January 18, 2007 around 9:15 a.m., CSSS employee, William Slater, asked VA employee, Gary Knipple, to call Department of Veteran Affairs Police Office and to request that the police standby while CSSS supervisors terminated Plaintiff.

20. Hines VA Police Officer Bob Androwski was assigned by Lt. Unthank to stand by during Cynowa's termination. (See **EXHIBIT E - DEPARTMENT OF VETERANS AFFAIRS VA POLICE REPORT UOR # 07-01-18-0915**).

21. While Officer Bob Androwski waited in Defendant Slater's office, Slater, on behalf of CSSS, Wolford, and himself, published the following oral statement (hereafter, "Publication No.: 1") to Officer Androwski:

ORAL DEFAMATORY PUBLICATION NO. 1

...Mr. Cynowa has a temper and has had a few verbal confrontations with the staff. Mr. Cynowa mentioned having an AK-47 assault rifle.

22. On January 18, 2007, at around 9:35 a.m., Plaintiff was working on trouble tickets and at around 9:35 a.m., and finding a proper opportunity for a break, Plaintiff went to Defendant Slater's office and asked Defendants if they could meet before 10 a.m.; however, Defendant Slater said "No," come back at 10:00 a.m.

23. Plaintiff checked in again with Defendant Slater at 10:00 a.m., but Defendant Slater stated he would come and get Plaintiff when he (Defendant Slater) would be ready to meet with Plaintiff. Therefore, Plaintiff continued doing his work and waited for Defendant Slater.

24. On January 18, 2007 between 10:30 a.m. and 11:00 a.m. Anthony Slatton, came to Plaintiff's desk and stated that the Defendant Slater wanted to meet with the Plaintiff in the small conference room.

25. Upon entering the conference room, Plaintiff saw Veterans Administration Police Officer Robert Androwski and Defendant Slater.

26. Defendant Slater handed Plaintiff a one page document.

27. Defendant Slater read the document out loud in front of the Plaintiff, Anthony Slatton and Police Officer Androwski and Scott Theobald, CSSS employee and HR Director, and Defendant Wolford , CSSS President, were also present via a conference call which was on speakerphone and heard by Plaintiff and unknown others. The document read as follows (See EXHIBIT F):

CONFIDENTIAL COMPANY MEMO

To: Christopher Cynowa, Senior System Engineer
From: William F. Slater, Program Manager
CC: Anthony Slatton, Senior Systems Engineer
Scott Theobald, HR Director
Lisa Wolford, President
Date: January 18, 2007
Subject: Termination of Your Employment at CSSS.NET at the VA Hines OIFO

Chris:

At the request of Ms. Lisa Wolford, President of CSSS.NET, your employment with CSSS.NET at the VA Hines OIFO is hereby terminated effective immediately. You are being terminated for the causes of insubordination and for being a disruptive influence in the workplace by engaging in several negative workplace behaviors. These are in violation of your Employment Agreement, and so your employment at CSSS.NET is being terminated.

You will surrender your Campus Access Pass immediately. A VA Hines Security Guard will escort you back to your desk to gather and pack any personal belongings you may have. You are now no longer authorized to access any not to access any VA computer or network resources. After you pack your personal belongings, you will quietly leave Building 20 without conversation with others, and be escorted by a Security Guard off the VA Hines facility. You are requested to not return VA Hines

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facility and if you have any other property that belongs to the VA it must be returned as soon as possible to Ms. Kimberly Griffin via U.S. Postal Service.

The CSSS.NET HR Director, Scott Theobald (1-402-393-8059) will contact you regarding final arrangements on your pay and your benefits.

Signed,

William F. Slater, III, PMP
Program Manager, CSSS.NET

28. Plaintiff asked CSSS employee/HR Director Theobald for any and all documentation that led to decision of terminating Plaintiff's employment. Employee Theobald told Plaintiff that all he (Plaintiff) was going to get was in the form of this CSSS.NET Confidential Company Memo document. (EXHIBIT F).

29. After reading the CSSS.NET Confidential Company Memo, Police Officer Androwski escorted Plaintiff to his desk where Plaintiff was allowed to collect his personal belongings.

30. Officer Androwski then walked with Plaintiff, who was carrying his belongings, to Plaintiff's car.

31. Upon reaching outside of the building, Plaintiff reached into his jacket pocket for a cigarette.

32. Police Officer Androwski, looking very concerned at Plaintiff's reach for his cigarette, said to Plaintiff: "*You aren't reaching for a gun are you?*" to which Plaintiff responded "*I don't even own a gun and would surely not be going to jail for the person that had just fired me, I would let the lawyers do the work.*"

33. Officer Androwski then asked Plaintiff: "*Do you have any loaded weapons in your car?*"

34. Plaintiff responded similarly as he did to the first inquiry: *"No, I don't have any weapons in the car and I am not going to "GO POSTAL".*

35. Plaintiff at no time ever stated that he owned or had ever owned a gun.

36. Plaintiff did not own a loaded or unloaded weapon (a "gun").

37. Noone at CSSS ever saw Plaintiff with a gun.

38. Upon returning to Plaintiff's home on January 18, 2007, Plaintiff promptly applied to the Illinois Department of Employment Security ("IDES") for unemployment benefits and began to search for new employment.

39. On January 18, 2007 at 13:23 p.m. Plaintiff received the following email from Randy Padal (**EXHIBIT G**), another CSSS colleague who was also contracted to do the same work as Plaintiff:

EMAIL NO. 3

From: Randy Padal
To: ccynowa@yahoo.com
Subject: Job Reference for Hines
Date: Thu, 18 Jan 2007 13:23 p.m.

Chris,

Nobody really knows 100% what happened but rest assured that your coworkers will miss you here at Hines.

I personally appreciated the hard work you did during the migrations. Not many men would work 84 hour weeks for 3 weeks straight and offer not to take a day off at Thanksgiving too. I could always depend upon you to get something done when I needed it done.

I am certain you will use Larry as a reference for your time here at Hines. Feel free to also list me as a reference as you will always get a good one from me. I also noted to Mr. George Jackson that you were available for hire if he had any contracts needing a dedicated hard working System Engineer.

Take care of yourself and your family,

Randy Padal

40. On January 20, 2007, Plaintiff received a telephone call on his cell phone from colleagues with whom he was friendly, Tushar Engreji and Michael Nikiforos, who told Plaintiff "the word is spreading amongst VA employees that you had or kept a gun in your car and you were going to come in and start shooting people when you got fired. Some co-workers was afraid and wanted to lock the doors."

41. On January 22, 2007, Plaintiff completed for the Department of Veteran's Affairs, Hines Police Office a Freedom of Information Act Request form requesting the copy of the Police Report written by the police Officer Bob Androwski on or about January 18, 2007, concerning Plaintiff's termination of employment.

42. On January 23, 2007, Plaintiff received a "notice of local interview" from the Illinois Department of Employment Security (IDES), informing Plaintiff that CSSS was objecting to and fighting against Plaintiff receiving unemployment benefits (**EXHIBIT H**).

43. The Illinois Department of Employment Security scheduled a telephone interview with Plaintiff for February 5, 2007 at 10:00 a.m.

44. On January 26, 2007, Plaintiff filed a motion to abate his child support and daycare obligations (for his young daughter, 5 years old at the time) since Plaintiff's loss of income prevented Plaintiff from being able to fully fulfill his child/support daycare obligations. The court date was set for February 5, 2007 at the Kane County Courthouse in St. Charles, IL.

45. On January 31, 2007, Plaintiff picked up Officer Bob Androwski's Police Report printed on the same date.

46. The Report given to Plaintiff had all names redacted (**EXHIBIT I**) – i.e., it had been "sanitized" by the Hines Police. The non-sanitized Hines Police Report (**EXHIBIT E**) published in pertinent part, the following information (hereafter, "**Publication No.: 2**"):

DEPARTMENT OF VETERANS AFFAIRS
VA POLICE REPORT UOR # 07-01-18-0915

Investigation:

On January 18, 2007 at 0915 hrs, I was dispatched to go to bldg 20 around 0950 to standby while an employee is given termination papers. I met with Mr Gary Knippel and he brought me to Mr William Slater's office.

I waited in Mr Slater's office while he was completing some phone calls. Mr Slater during this time stated "that Mr Cynowa has a temper and has had a few verbal confrontations with the staff. He also said that Mr Cynowa mentioned having an AK-47 assault rifle". Mr Slater was nervous about how Mr Cynowa would react to receiving the termination papers. Mr Cynowa and myself walked to the conference room and waited for Mr Cynowa. Mr Slater and Mr Slatton walked in and Mr Slater handed Mr Cynowa the termination paper. He appeared to be slightly mad and surprised. He did remain under control and professional. He did ask some questions of Mr Slater and then walked to his desk. He retrieved all his belongings and then handed his badge over to Mr Slater. We then walked to his car and got his parking pass. Before entering his car, I did ask him if he had any weapons in the car. He replied "No, I don't have any weapons in the car and I'm not going to go POSTAL". We walked back upstairs to check if anything was forgotten and then he handed the parking pass over. We then walked back downstairs and he departed the facility. This was around 1047hrs.

Disposition:

This investigation is closed. Mr. Cynowa exited the facility without any incident occurring.

Bob Androwski #3542
Investigating officer

47. On February 5, 2007, a Kane County divorce court reduced Plaintiff's child support order from \$486.60 bi-monthly to \$ 73.40 per week based on expected unemployment compensation from CSSS which CSSS challenged.

48. On February 5, 2007, the Plaintiff received a call from Illinois Department of Employment Security for Plaintiff's interview regarding the circumstances surrounding Plaintiff's termination.

49. The interviewer informed Plaintiff that she would call CSSS for a rebuttal discussion, and that Plaintiff would be notified via mail of the outcome.

50. On or about April 2, 2007, Plaintiff, after 3 months of unemployment, began new employment for a private employer who does not perform work on U.S. federal contracts.

SECTION III. COUNTS

COUNT I – Defamation “Per Se”- Imputing Criminal Offense- Slander PUBLICATION No. 1: Defendant's Slater's Oral Statement January 18, 2007

50. Plaintiff re-alleges the Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. On January 18, 2007, Defendant Slater on behalf of CSSS, with full knowledge and approval from Lisa Wolford and Scott Theobald, as agents for CSSS, made oral statement(s) to the Hines VA Police Officer Androwski that the Plaintiff *“has a temper and has had a few verbal confrontations with the staff....”*, he also said the Plaintiff *“mentioned having an AK-47 assault rifle”*.

52. Officer Bob Androwski walked with Plaintiff who was carrying his belongings to Plaintiff's car.

53. Upon reaching the outside of the building, Plaintiff reached into his jacket pocket for a cigarette.

54. Officer Bob Androwski, looking very concerned at Plaintiff reach for his cigarette, said to Plaintiff: *“You aren't reaching for a gun are you?”* to which Plaintiff responded *“I don't even own a gun and would surely not be going to jail for the person that had just fired me, I would let the lawyers do the work.”*

55. Officer Bob Androwski then asked Plaintiff: "*Do you have any loaded weapons in your car?*" Plaintiff responded similar as he did to the first inquiry: "*No, I don't have any weapons in the car and I am not going to GO POSTAL.*"

56. The above questions of Officer Bob Androwski, asked of Plaintiff, when taken together make it clear that CSSS'S defamatory statements made Officer Androwski afraid that Plaintiff was armed, dangerous and that plaintiff might shoot his co-workers.

57. The statements in Publication 1 above, which were made orally are *false* and *defamatory "per se"* in that they state that Plaintiff is unable to control his temper (a necessary virtue of being an officer/worker), and that Plaintiff would even go to the extent of using an AK-47 assault rifle(which Plaintiff allegedly possessed or said he possessed) to kill people in response to information of employment termination.

58. Defendants, through *oral* statements in the Hines VA Police Report, *imputed to Plaintiff the commission of a criminal offense.*

59. *CSSS office employees, believing that the Plaintiff would, in fact, "GO POSTAL" and commit an act of workplace terrorism, made requests for the door at the CSSS office to be secured.*

60. Defendants' Publication 1 oral statements are false and defamatory per-se.

61. The Illinois Criminal Code makes it is a crime to make a false report of danger.

62. Defendants, acting in the scope of their employment (CSSS, Defendant Wofford, and Defendant Slater), acted together in their respective official capacities to defame Plaintiff

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

A. Special damages for all economic losses of wages, benefits and vacation dates;

- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT II – Defamation “Per Se” Imputing Criminal Offense- Libel
WRITTEN PUBLICATION No. 1: Defendant's Slater's
Written Police Report Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. Defendants' false statements, Publication 1 of Count I above, which were made orally to the Hines VA Police Officer Androwski were recorded by Officer Androwski in *written* statements in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the U.S. Attorney's office (a federal office), (**EXHIBIT E**) are *false and defamatory "per se"* in that they state that Plaintiff is unable to control his temper, (a necessary component of working in an office), even to the extent of using an AK-47 assault rifle(which Plaintiff allegedly possessed or allegedly said he possessed) in response to being informed of his job termination

52. The impact of CSSS'S *written* statements to others was a *perceived workplace terror threat*.

53. The Illinois Criminal Code makes it is a crime to make a false report of danger.

54. Defendants, through *written* statements, *imputed to Plaintiff the commission of a criminal offense and caused CSSS office employees to believe that the Plaintiff would in fact "GO POSTAL" and commit an act of workplace terrorism.*

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates:

- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT III – Defamation “Per Se” - Imputing Lack of Ability in PLAINTIFF’S Trade, Profession or Business-Slander
ORAL PUBLICATION No. 1: Defendant's Slater’s Oral Statement January 18, 2007

51. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

52. Defendants, through their *oral* statements *imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment.*

53. The statements in paragraph 3 of Count I above, which were made orally and were written in Officer Androwski’s Police Report are *false* and *defamatory “per se”* in that they state that Plaintiff is unable to control his temper, a necessary component of working in an office, even to the extent of using an AK - 47 assault rifle(which Plaintiff allegedly possessed or said he possessed) in response to information of termination.

WHEREFORE, Plaintiff Cynowa Christopher S., respectfully prays that this Honorable Court rules in his favor and render judgment against Defendants et. al., Jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

**COUNT IV – Defamation “Per Se”. Imputing Lack of
Ability in PLAINTIFF’S Trade, Profession or Business-Libel
WRITTEN PUBLICATION No. 2: Defendant’s Slater Written Statement January 18, 2007**

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. The statements of paragraph 3 of Count I above, which were made orally to the police officer Androwski and recorded in *written* remarks in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney’s office, (EXHIBIT D) are *false* and *defamatory “per se”* in that they state that Plaintiff is unable to control his temper, a necessary component of working in an office, even to the extent of using an AK - 47 ASSAULT RIFLE(which Plaintiff allegedly possessed or said he possessed) in response to information of termination.

52. Defendants, through their *written* statements *imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment.*

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

**COUNT V – Defamation “Per Quod”- Criminal Offence- Slander
ORAL PUBLICATION No.: 1: Defendant’s Slater Statement January 18, 2007**

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. The statements in paragraph 3 of Count I above, which were made orally to the Hines VA Police Officer Androwski by CSSS'S employees are *false and defamatory "per quod" in that I) they were about Plaintiff. II) the statements were false: a)Plaintiff did not own AK-47 assault rifle, b)Plaintiff never stated that he owned an AK-47 assault rifle.*

52. No one from CSSS had ever seen Plaintiff with a gun nor was there any statement made by the Plaintiff Cynowa himself that he possessed a gun.

53. The impact of CSSS'S *oral* statements to others is a perceived *workplace terror threat*. In fact, the Illinois Criminal Code makes it is a crime to make a false report of danger.

54. Defendants through *verbal* statements *imputed to Plaintiff the commission of a criminal offence and caused employees to believe that the Plaintiff would in fact "GO POSTAL" and commit an act of workplace terror.*

55. The foregoing defamatory statements were made by the Defendants et al. with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and *impute to Plaintiff criminal offence*, so as to justify an award of punitive damages.

56. As a *proximate result* of the aforementioned defamatory statements by Defendants, Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007, until April 2, 2007, including medical benefits of approximately \$1,060.00;
- c. Inability to pay adequate child support for his 5 year old daughter;
- d. Injuries to professional and personal reputation;
- e. Humiliation and emotional and physical distress.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT VI – Defamation “Per Quod”- Criminal Offense- Libel
WRITTEN PUBLICATION No. 2: Defendant Slater’s Written Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. The statements in paragraph 3 of Count I above, which were made orally to the Hines VA Police Officer Androwski by CSSS’S employees and recorded in *written* remarks in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney’s office, (**EXHIBIT D**) are *false* and *defamatory “per quod”* in that *I) they were about Plaintiff, II) the statements were false: a) Plaintiff did not own AK-47 assault rifle, b)Plaintiff never stated that he owned an AK-47 assault rifle.*

52. Plaintiff Cynowa did not and does not own a gun.

53. No one from CSSS had ever seen Plaintiff with a gun nor was there any statement made by the Plaintiff Cynowa himself that he possessed a gun.

54. The impact of CSSS’S *written* statements to others is a perceived *workplace terror threat*. In fact, the Illinois Criminal Code makes it is a crime to make a false report of danger.

55. Defendants, through *written* statements *imputed to Plaintiff the commission of a criminal offence and caused employees to believe that the Plaintiff would in fact “GO POSTAL” and commit an act of workplace terror.*

56. The foregoing defamatory statements were made by the Defendants with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and impute criminal offence, so as to justify an award of punitive damages.

57. As a *proximate result* of the aforementioned defamatory statements by Defendant , Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007, until April 2, 2007, including medical benefits of approximately \$1,060.00;
- c. Inability to pay adequate child support for his daughter in 2007;
- d. Injuries to professional and personal reputation;
- e. Humiliation and emotional and physical distress.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT VII – Defamation “Per Quod”- Imputing Lack of Ability in PLAINTIFF’S Trade, Profession or Business – Slander
ORAL PUBLICATION No.: I: Defendant Slater’s Oral Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. The statements in paragraph 3 of Count I above, which were made *orally* to the Hines VA Police Officer Androwski by CSSS’S employees are *false and defamatory “per quod” in that I) they were about Plaintiff, II) the statements were false: a)Plaintiff did not own AK-47 assault rifle, b)Plaintiff never stated that he owned an AK-47 assault rifle.*

53. No one from CSSS had ever seen Plaintiff with a gun nor there were any statements made by the Plaintiff Cynowa himself that he possessed a gun.

54. The foregoing defamatory statements were made by the Defendants et al with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and *imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment, so as to justify an award of punitive damages.*

55. As a *proximate result* of the aforementioned defamatory statements by Defendant , Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007 until April 2, 2007 including medical benefits of approximately \$1,060.00;
- c. Inability to pay adequate child support for his 5 year old daughter;
- d. Injuries to professional and personal reputation;
- e. Humiliation and emotional and physical distress.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT VIII – Defamation “Per Quod”- Imputing Lack of Ability in PLAINTIFF’S Trade, Profession or Business – Libel PUBLICATION No. 2 : Defendant Slater’s Written Statement January 18, 2007

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. The statements in paragraph 3 of Count I above, which were made orally to the Officer Androwski by CSSS’S employees and recorded in *written* statements in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney’s office, (EXHIBIT D) are false and defamatory “per quod” in that I) they were about Plaintiff, II) the statements were false: a)Plaintiff did not own AK-47 assault rifle. b)Plaintiff never stated that he owned an AK-47 assault rifle.

52. The foregoing defamatory statements were made by the Defendants et al with the knowledge of their falsity, with actual malice, or with reckless disregard for the truth, and imputed to Plaintiff an inability to perform or want of integrity in the discharge of duties of employment, so as to justify an award of punitive damages. No one from CSSS had ever seen Plaintiff with a gun nor there were any statements made by the Plaintiff Cynowa himself that he possessed a gun.

54. As a proximate result of the aforementioned defamatory statements by Defendant Plaintiff suffered damages/injuries as follows:

- a. Loss of his job;
- b. Loss of wages in the approximate amount of \$16,923.08 and benefits for 11 weeks from January 18, 2007, until April 2, 2007,

including medical benefits of approximately \$1,060.00Inability to pay adequate child support for his 5 year old daughter;

- c. Injuries to professional and personal reputation;
- d. Humiliation and emotional and physical distress.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT IX

False light against all Defendants

50. Plaintiff re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. Moreover, in the IT industry in which Plaintiff worked, personal reputation and references are of utmost importance and Plaintiff's credibility, both personal and professional was severely compromised by CSSS'S defamatory conduct.

52. The statements of paragraph 3 of Count I above, which were made orally to the police officer Androwski and the recorded *written* in a Department of Veterans Affairs VA Police Report, a copy of which was filed with the US Attorney's office, **EXHIBIT D** are *false* and *defamatory "per se"* in that they state that Plaintiff is unable to control his temper (a necessary virtue of an office worker) even to the extent of using an AK-47 assault rifle(which Plaintiff allegedly possessed or said he possessed) in response to information of termination.

53. Plaintiff was placed in a false light before the public as a result of the CSSS'S actions because the publications made orally and subsequently reduced to writing, and were communicated to Plaintiff's colleagues, friends and co-workers. Many of those persons took the publication seriously – i.e., that Plaintiff had an AK - 47 assault rifle and that he posed a likely threat of workplace terror was likely and some co-workers fearful for their safety requested a "lock-down" of the building.

54. The false light in which the Plaintiff was placed would be highly offensive to a reasonable person.

55. CSSS acted with actual malice, that is, with knowledge that the statements were false or with reckless disregard for whether the statements were true or false. CSSS had no cause to ever believe that Plaintiff was a dangerous person or whether Plaintiff actually owned any firearms.

WHEREFORE, Plaintiff Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

COUNT X

Intentional Infliction of Emotional Distress (IIED) against all Defendants

50. PLAINTIFF re-alleges Section II Facts above as through they were fully incorporated herein and further alleges as follows:

51. DEFENDANTS' false statements that Cynowa "has a temper" and has "an AK-47 assault rifle, taken together, characterize Cynowa as a work place terrorist.

52. DEFENDANTS' conduct was *extreme* and *outrageous* and goes beyond all possible bounds of *decency*, and is to be regarded as intolerable in civilized society.

53. DEFENDANTS' conduct directly caused PLAINTIFF'S severe emotional distress.

54. PLAINTIFF was forced to obtain medical attention and medications for emotional distress as a direct result of the DEFENDANT'S *extreme* and *outrageous* conduct.

55. DEFENDANTS either intended to inflict severe emotional distress upon PLAINTIFF or knew that there was a high probability that their conduct would cause sever emotional distress to PLAINTIFF.

56. DEFENDANT'S *intentional infliction of emotional distress* resulted additional grave injury to PLAINTIFF as follows:

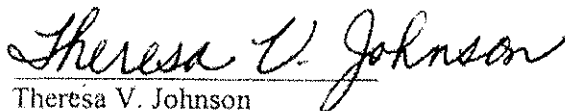
- a. PLAINTIFF'S blood pressure reached dangerous levels.
- b. PLAINTIFF incurred medical expenses.
- c. PLAINTIFF suffered financial injury in excess of \$16,900.00 for loss and other damage for late payment of his bills.
- d. PLAINTIFF lost his ability to support himself, his 5 year old child, his fiancé, and his fiancé's 3 minor children
- e. PLAINTIFF suffered serious damage to their professional reputations.

WHEREFORE, PLAINTIFF Christopher S. Cynowa, respectfully prays that this Honorable Court rule in his favor and render judgment against Defendants et. al., jointly and severally, for:

- A. Special damages for all economic losses of wages, benefits and vacation dates;
- B. General damages;
- C. Punitive damages;
- D. For such further relief as this Honorable Court deems just.

Date: January 14, 2008

Respectfully Submitted:


Theresa V. Johnson

Attorney at Law
Law Office of Theresa V. Johnson
200 E. Chicago Ave. Suite 200
Westmont, IL 60559
Tel: 630-321-1330
Fax: 630-321-1185
Cook County ID: 36373

ATTORNEY'S STATEMENT

I, the undersigned, state that I am the attorney of record in the above entitled cause and representing the party who has signed the foregoing pleading. My business address is 200 East Chicago, Suite 200, Westmont, Illinois 60559. I certify that I have read the foregoing pleading and that to the best of my knowledge, information, and belief, formed after reasonable inquiry of my client, said pleading, and it is well-grounded in fact and is warranted by existing law or good faith argument for the extension, modification, or reversal of existing law, and that said pleading is not interposed for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the cost of litigation.

Theresa V. Johnson Dated: January 4, 2008
THERESA V. JOHNSON

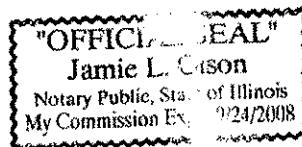
CLIENT'S VERIFICATION

UPON PENALTY OF PERJURY, I, the undersigned, state that I have read the foregoing pleading, including the "Attorney Statement". I further state that I have provided to the attorney who has signed this document, information which, to the best of my knowledge and belief, is true and accurate. I further state that this pleading is being filed with my consent and as part of my attorney's required duties in representing me. I further state that my attorney has explained to me by signing this verification, I am acknowledging that my attorney is acting with my consent and my direction and that my attorney has based his statement on the factual information provided to her by me.

ChS Dated: 1-4-08
CHRISTOPHER S. CYNOWA

Subscribed and Sworn to before me this 4th day of January, 2008

[Signature]
NOTARY PUBLIC



Theresa V. Johnson, Attorney for Plaintiff
Attorney at Law
Law Office of Theresa V. Johnson
200 East Chicago Ave. Suite 200
Westmont, IL 60559
Telephone: (630) 321-1330
Fax: (630) 321-1185
Cook County Attorney No. 37363

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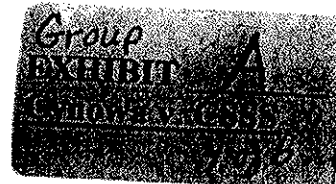
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CLIENT/SERVER SOFTWARE SOLUTIONS, INC.	1565372

Principal Office Address	Registered Agent and Office Address
Not Available	LISA N. WOLFORD 5069 SOUTH 108TH ST OMAHA, NE 68137

Nature of Business	Entity Type	Date Filed	Account Status
COMPUTER SOFTWARE CONSULTING	Domestic Corp .	Jul 22 1997	Active

Corporation Position	Name	Address
President	LISA WOLFORD	3202 S 90TH AVE OMAHA, NE 681240000
Treasurer	LISA WOLFORD	3202 S 90TH AVE OMAHA, NE 681240000

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PP	Proof of Publication	Sep 03 1997		<i>2 of 6</i>
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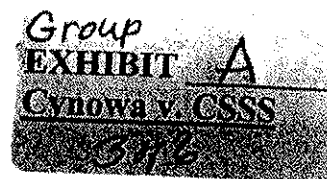
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November 23, 2007 - Ex-Marine breaks into business of government technology

Lisa Wolford's name is followed by adjectives not typically found among defense company CEOs - [read more](#)

November 20, 2007 - Northrop Grumman will mentor CSSS.NET through the Mentor-Protégé Program

The National Geospatial Intelligence Agency (NGA) has awarded a new Mentor-Protégé Program agreement to Northrop Grumman, which will mentor CSSS.NET - [read more](#)

August 23, 2007 - First-ever

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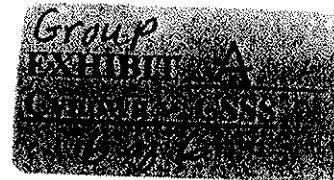
Group
 EXHIBIT A
 Cynowa v. CSSS
 4 of 6

A bnp website

Welcome to the Center of the Security Universe

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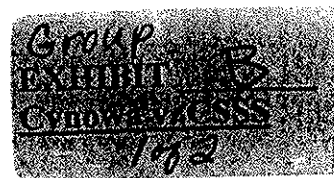
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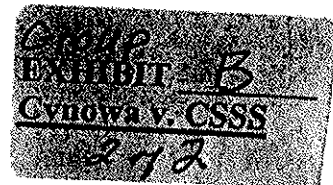
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Purported ethnic slur by Daley sparks great Chicago furor

Milwaukee Journal Sentinel, The, Apr 5, 1998 by STEPHEN BRAUN

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A lot gets done in this town by political muscle. Favors are redeemed, strings are pulled and, presto: Street people become landed voters. Neighborhoods disappear and highways emerge in their place. Lifelong political vendettas are forgotten.

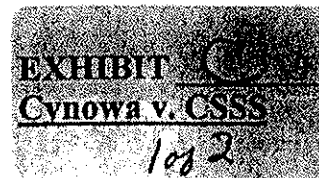
But Chicagoans last week witnessed a phenomenon that is startling even for a place inured to the excesses of civic life. Something happened or did not happen in a City Hall meeting room filled with people, an event so disputed that it left the town's popular mayor, Richard M. Daley, near tears and provoked a running battle with a politically seasoned columnist for the Chicago Tribune.

Immigration Laws
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Last week, Chicagoans have debated whether Daley might have uttered an ethnic slur about a 20-year-old college student with an Italian surname and Irish heritage who was crowned queen of the city's St. Patrick's Day parade. Columnist John Kass quoted the parade queen, Jennifer Battistoni, as saying she had overheard Daley laughingly refer to her as a "dago" during a photo session last month before a crowded City Hall news conference. Battistoni, Kass wrote, then confronted the mayor, who began sweating and "started giggling; you know, the way people do when they're nervous." Daley, crimson-faced and shaken, called a news conference to deny the remarks. He was seconded by Battistoni, who insisted that she had never heard the mayor using the slur and that Kass, a veteran of Chicago political coverage, had gotten it wrong. "I know my words sometimes get tangled and I leave you wondering just what it is I was trying to say," said Daley, who inherited his penchant for mangling English into tortured syntax from his father, onetime Mayor Richard J. Daley. "But this was not one of those times." Battistoni, who could not be reached for comment, denied on a radio talk show that she had heard any slur. Kass has declined to elaborate outside the confines of three columns. But James O'Shea, the Tribune's deputy managing editor for news, said that the college student's mother worked as a city police officer and that both were "obviously getting jittery" and susceptible to pressure from City Hall to change their story. The furor harks back to a legendary 1989 controversy, Kass reminded his readers, over a statement Daley made to a gathering of supporters as he prepared for his first mayoral election against Timothy C. Evans, a black politician running as the heir to the late Mayor Harold Washington. Evans' backers howled that Daley, referring to Washington's fractious tenure, had been overheard saying it was time Chicago had a "white mayor." Daley replied that he had been talking about a "wet mayor" a reference, he said, to a joke about drinking. The reported remark had no bearing on the election; Daley breezed to victory. Now, a similar purported quip that could maim the careers of most politicians is again glancing off. O'Shea marveled at Daley's seeming invulnerability to bad press a testament to his political clout and his undiminished popularity with Chicagoans. "I don't think it's damaging him," O'Shea said. "Half the people believe him,

Hizzoner: Richard Daley
A love letter to Chicago. Chicago's Mayor - Richard J. Daley
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half don't, and he just goes on." Several of the city's influential Italian-American fraternal organizations rushed to back Daley, not flay him. Louis Rago, a funeral director who heads the Joint Civic Committee of Italian-Americans, said: "The mayor didn't say it, and we believe him."

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Newport on the Levee

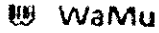
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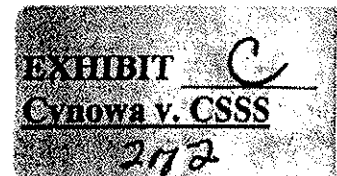
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Cynowa, Chris (CSSS)

From: Sepple, Lynne
Sent: Thursday, January 18, 2007 7:39 AM
To: Cynowa, Chris (CSSS)
Subject: RE: Honest opinion needed

10 on all. 10+ on 1, 6, 7, 8, 10 - in fact 10+ on all too. You are VERY easy to work with, personable, technically competent, and detail orientated. And you the type of worker that you only have to tell you something once – and you've got it.

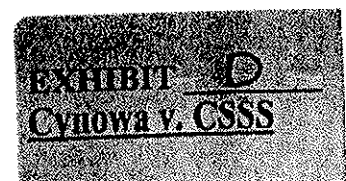
From: Cynowa, Chris (CSSS)
Sent: Thursday, January 18, 2007 7:59 AM
To: Sepple, Lynne
Subject: Honest opinion needed

As one of my most frequent and most important customers, I would like to ask your honest opinion on a few things. If you would be so kind as to give me a rating from 1 to 10 (10 being the best) on the following, I would be most appreciative.

1. Professionalism:
2. Competence:
3. Technical knowledge:
4. Knowing when to escalate and doing so:
5. Resolving issues in a timely manner:
6. Personal interaction:
7. Willingness to go above and beyond to get the job done:
8. Attention to detail:
9. Following procedures:
10. Ensuring complete customer satisfaction:

Thank you for your time on this.

Chris Cynowa
Senior Systems Engineer
Department of Veterans Affairs
OI&T – Enterprise Technology Management
Hines OI&T, Building 20, Hines, IL 60141
Office: 708-410-4042
Cell: 630-546-1191
E-mail: chris.cynowa@va.gov



DEPARTMENT OF VETERANS AFFAIRS
VA POLICE
UNIFORM OFFENSE REPORT
UOR# 07-01-18-0915

VA Facility
EDWARD HINES, JR HOSPITAL
Automated VA Form 10-1393

Date/Time Printed
JUL 06, 2007@09:57

DATE/TIME RECEIVED: JAN 18, 2007@09:15
DATE/TIME OF OFFENSE: JAN 18, 2007@09:15
ENDING DATE/TIME OF OFFENSE: JAN 18, 2007@10:47
LOCATION: Bldg 20
WEAPON USED:
INVESTIGATING OFFICER: ADROWSKI, BOB
METHOD OF OPERATION:

A employee requested that the police standby while another employee was terminated.

CLASSIFICATION CODE: NON-CRIMINAL/INFORMATION

* * * * * COMPLAINTANT DATA * * * * *

COMPLAINANT NAME: KNIPPEL, GARY
STATUS: EMPLOYEE
HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE: X25804

* * * * * COMPLAINTANT DATA * * * * *

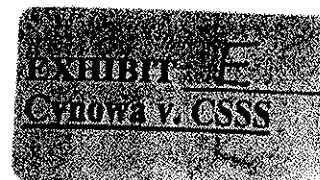
COMPLAINANT NAME: SLATER, WILLIAM
STATUS: EMPLOYEE
HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE:

* * * * * OFFENDER DATA * * * * *

OFFENDER NAME: CYNOWA, CHRISTOPHER
SSN: -- DOB: AGE:
SEX: RACE: HEIGHT:
WEIGHT: HAIR COLOR: EYE COLOR:
SKIN TONE: SCARS/MARKS:
STATUS: EMPLOYEE
DRIVER'S LICENSE & STATE:
PERSONAL DESCRIPTION:

HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE:

WAS CIP WEAPON USED?
WAS POLICE BATON USED?



DEPARTMENT OF VETERANS AFFAIRS
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OTHER AGENCY NOTIFIED

U.S. ATTORNEY NOTIFIED

* * * * * NARRATIVE * * * * *

ORIGIN:

Per Lt Unthank, I was dispatched to bldg 20 to standby during the termination of an employee.

INITIAL OBSERVATION:

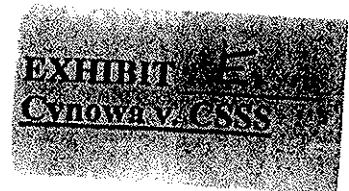
None

INVESTIGATION:

On January 18, 2007 at 0915hrs, I was dispatched to go to bldg 20 around 0950 to standby while an employee is given termination papers. I met with Mr Gary Knippel and he brought me to Mr William Slater's office.

I waited in Mr Slater's office while he was completing some phone calls. Mr Slater during this time stated "that Mr Cynowa has a temper and has had a few verbal confrontations with the staff. He also said that Mr Cynowa mentioned having an AK-47 assault rifle." Mr Slater was nervous about how Mr Cynowa would react to receiving the termination papers.

Mr Slater and myself walked to the conference room and waited for Mr Cynowa. Mr Cynowa and Mr Slatton walked in and Mr Slater handed Mr Cynowa the termination paper. He appeared to be slightly mad and suprised. He did remain under control and professional. He did ask some questions of Mr Slater and then walked to his desk. He retrieved all his belongings and then handed his badge over to Mr Slater. We then walked to his car and got his parking pass. Before entering his car, I did ask him if he had any weapons in the car. He replied "No, I don't have any weapons in the car and I'm not going to go POSTAL". We walked back upstairs to check if anything was forgotten and then he handed the parking pass over. We then walked back downstairs and he departed the facility. This was around 1047hrs.



DEPARTMENT OF VETERANS AFFAIRS
VA POLICE
UNIFORM OFFENSE REPORT
UOR# 07-01-18-0915

Page 3

VA Facility
EDWARD HINES, JR HOSPITAL
Automated VA Form 10-1393

Date/Time Printed
JUL 06, 2007@09:57

DISPOSITION:

This investigation is closed. Mr Cynowa exited the facility without any incident occurring.

BOB ADROWSKI # 3542
INVESTIGATING OFFICER





Confidential Company Memo

To: Christopher Cynowa, Senior System Engineer
From: William F. Slater, III, Program Manager
CC: Anthony Slatton, Senior Systems Engineer
Scott Theobald, HR Director
Lisa Wolford, President
Date: January 18, 2007
Subject: Termination of Your Employment with CSSS.NET at the VA Hines OIFO

Chris:

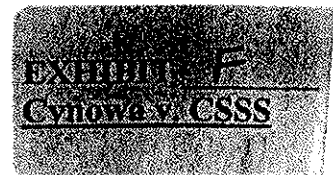
At the request of Ms. Lisa Wolford, President of CSSS.NET, your employment with CSSS.NET at the VA Hines OIFO is hereby terminated effective immediately. You are being terminated for the causes of insubordination and for being a disruptive influence in the workplace by engaging in several negative workplace behaviors. These are in violation of your Employment Agreement, and so your employment at CSSS.NET is being terminated.

You will surrender your Campus Access Pass immediately. A VA Hines Security Guard will escort you back to your desk to gather and pack any personal belongings you may have. You are now no longer authorized to access any not to access any VA computer or network resources. After you pack your personal belongings, you will quietly leave Building 20 without conversation with others, and be escorted by a Security Guard off the VA Hines facility. You are requested to not return VA Hines facility and if you have any other property that belongs to the VA it must be returned as soon as possible to Ms. Kimberly Griffin via U.S. Postal Service.

The CSSS.NET HR Director, Scott Theobald (1-402-393-8059) will contact you regarding final arrangements on our pay and your benefits.

Signed,

William F. Slater, III, PMP
Program Manager, CSSS.NET



YAHOO! MAIL

Print - Close Window

From: Randy Padal <rdpadal@hotmail.com>
To: cynowa@cvs.com
Subject: Job Reference for Hines
Date: Thu, 13 Feb 2007 13:23:49 -0600

Chris,

Nobody really knows 100% what happened but rest assured that your coworkers will miss you here at Hines.

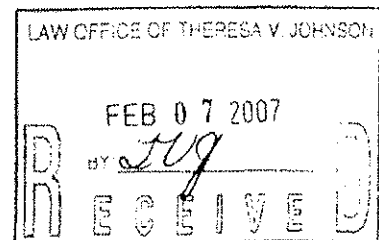
I personally appreciated the hard work you did during the migrations. Not many men would work 84 hour weeks for 3 weeks straight and offer not to take a day off at Thanksgiving too. I could always depend upon you to get something done when I needed it done.

I am certain you will use Larry as a reference for your time here at Hines. Feel free to also list me as a reference as you will always get a good one from me. I also noted to Mr. George Jackson that you were available for hire if he had any contracts needing a dedicated hard working Systems Engineer.

Take care of yourself and your family,

Randy Padal
819 Erie Drive
Romeoville, IL 60446
rdpadal@hotmail.com
Cell 815-685-6158

EXHIBIT G
Cynowa v. CSSS



DEPARTMENT OF EMPLOYMENT SECURITY
30 DUPAGE COURT
ELGIN, IL 60120

DATE: 01-23-2007 SSN: 356-64-8091

CHRISTOPHER S CYNOWA
2043 LEEWARD LN
HANOVER PARK, IL 60133

NOTICE OF LOCAL OFFICE INTERVIEW
IMPORTANTE NOTICIA DE UNA ENTREVISTA EN LA OFICINA LOCAL

A question has been raised regarding your eligibility for unemployment insurance benefits for the period beginning 01-21-2007. To resolve this question, it will be necessary for you to be interviewed and to supply information regarding your discharge for misconduct connected with work. Section 602A of the Illinois Unemployment Insurance Act applies to your eligibility in this case. This interview is requested because YOU WERE TERMINATED FROM CLIENT SERVER SOFTWARE SOLUTIONS INC. WE WILL CALL YOU ON THE DATE SHOWN BELOW. At the time of your interview, you should be prepared to present any information you have regarding your case.

YOU HAVE BEEN SCHEDULED TO BE INTERVIEWED BY TELEPHONE ON: 02-05-2007 at 10 00 AM. We will telephone you at this time or within ten minutes after this time at 6305461191, the contact telephone number which you provided to us. If this number is incorrect, contact the Claims Adjudicator whose name and phone number appear at the bottom of this letter and correct the number. If a questionnaire is enclosed with this Notice, please complete it and be prepared to answer the questions when we call. If you have witnesses who can provide information helpful to your case, you should have them available when we telephone you.

If you wish to be interviewed in person rather than by telephone, CONTACT THE ILLINOIS DEPARTMENT OF EMPLOYMENT SECURITY AT THE TELEPHONE NUMBER LISTED BELOW.

This notice is for your protection and is not a denial of benefits. A final determination regarding your eligibility for benefits will not be made until after you have had an opportunity to discuss this matter with our office. Failure to make yourself available at the time stated above will result in a determination being made on the basis of information then available to the Claims Adjudicator. YOUR BENEFITS MAY BE SUSPENDED, TERMINATED OR RECOVERED.

IF YOU EXPECT TO BE WORKING, OR FOR ANY OTHER GOOD REASON, YOU WILL NOT BE AVAILABLE FOR THE INTERVIEW, COMPLETE THE ENCLOSED FORM AND MAIL IT TO THIS OFFICE TO RESCHEDULE YOUR INTERVIEW.

Esta notificación es para avisarle que hay una duda sobre su elegibilidad para seguro de desempleo. Para aclarar esta duda usted puede hablar por teléfono a la hora y el día antes mencionados o presentarse a esta oficina para una entrevista en la fecha y la hora indicada. Faltar a entrevistarse por teléfono o en persona resultará en una determinación basada en la información al corriente y puede afectar sus beneficios de desempleo. Sus beneficios pueden ser suspendidos, terminados o devueltos en base lo indicado arriba. Si Ud. está trabajando en la fecha y la hora indicada, complete esta tarjeta y envíela por correo a la oficina tan pronto le sea posible.

EXHIBIT H
Cynowa v. CSSS

- 150

ES Service Representative
Phone 847-888-7900 Ext.

Fax 847-888-5547

FORM NBR: Bis-307AR
MIS REF NBR: 00934

(304)

LAW OFFICE OF THERESA V. JOHNSON	
FEB 07 2007	
BY <u>WJ</u>	
R	E C E I V E D

DEPARTMENT OF VETERANS AFFAIRS
VA POLICE
UNIFORM OFFENSE REPORT
UOR# 07-01-18-0915

VA Facility
EDWARD HINES, JR HOSPITAL
Automated VA Form 10-1393

Date/Time Printed
JAN 31, 2007@10:53

DATE/TIME RECEIVED: JAN 18, 2007@09:15
DATE/TIME OF OFFENSE: JAN 18, 2007@09:15
ENDING DATE/TIME OF OFFENSE: JAN 18, 2007@10:47
LOCATION: Bldg 20
WEAPON USED:
INVESTIGATING OFFICER: ADROWSKI, BOB
METHOD OF OPERATION:

A employee requested that the police standby while another employee was terminated.

CLASSIFICATION CODE: NON-CRIMINAL/INFORMATION

***** COMPLAINANT DATA *****

COMPLAINANT NAME: [REDACTED]
STATUS: EMPLOYEE
HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE: X25804

***** COMPLAINANT DATA *****

COMPLAINANT NAME: [REDACTED]
STATUS: EMPLOYEE
HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE:

***** OFFENDER DATA *****

OFFENDER NAME: [REDACTED]
SSN: -- DOB:
SEX: RACE: AGE:
WEIGHT: HAIR COLOR: HEIGHT:
SKIN TONE: SCARS/MARKS: EYE COLOR:
STATUS: EMPLOYEE
DRIVER'S LICENSE & STATE:
PERSONAL DESCRIPTION:

HOME ADDRESS:
HOME PHONE:
WORK ADDRESS:
WORK PHONE:

WAS CIP WEAPON USED?
WAS POLICE BATON USED?



DEPARTMENT OF VETERANS AFFAIRS
VA POLICE
UNIFORM OFFENSE REPORT
UOR# 07-01-18-0915

Page 2

VA Facility
EDWARD HINES, JR HOSPITAL
Automated VA Form 10-1393

Date/Time Printed
JAN 31, 2007@10:53

OTHER AGENCY NOTIFIED

U.S. ATTORNEY NOTIFIED

***** NARRATIVE *****

ORIGIN:

Per [REDACTED] I was dispatched to bldg 20 to standby during the termination of an employee.

INITIAL OBSERVATION:

None

INVESTIGATION:

On January 18, 2007 at 0915hrs, I was dispatched to go to bldg 20 around 0950 to standby while an employee is given termination papers. I met with Mr [REDACTED] and he brought me to Mr [REDACTED] office.

I waited in Mr [REDACTED] office while he was completing some phone calls. Mr [REDACTED] during this time stated "that [REDACTED] has a temper and has had a few verbal confrontations with the staff. He also said that Mr [REDACTED] mentioned having an AK-47 assault rifle." Mr [REDACTED] was nervous about how Mr [REDACTED] would react to receiving the termination papers.

Mr [REDACTED] and myself walked to the conference room and waited for Mr [REDACTED]. Mr [REDACTED] and Mr [REDACTED] walked in and Mr [REDACTED] handed Mr [REDACTED] the termination paper. He appeared to be slightly mad and suprised. He did remain under control and professional. He did ask some questions of Mr [REDACTED] and then walked to his desk. He retrieved all his belongings and then handed his badge over to Mr [REDACTED]. We then walked to his car and got his parking pass. Before entering his car, I did ask him if he had any weapons in the car. He replied "No, I don't have any weapons in the car and I'm not going to go POSTAL". We walked back upstairs to check if anything was forgotten and then he handed the parking pass over. We then walked back downstairs and he departed the facility. This was around 1047hrs.

EXHIBIT 1
CYNOWA V. C.S.S.S

EXHIBIT 2

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

CHRISTOPHER S. CYNOWA,)
)
Plaintiff,)
)
v.) No. 08 L 403
)
CSSS, INC., et al)
)
Defendants.)

DECLARATION OF WILLIAM SLATER

I, William Slater, declare as follows:

1. I am over the age of 18 and am competent to testify to the matters set forth herein, based upon my personal knowledge.
2. I served as Program Manager at CSSS.NET, Inc. from November 2006 to March 2008 and subsequently from September 2009 to January 2010.
3. In January 2007, CSSS had a contract to provide on-site computer support services for the U.S. Department of Veterans Affairs at the Hines VA Hospital in Hines, Illinois.
4. At that time, Christopher Cynowa was a systems engineer employed by CSSS to provide computer support services in connection with CSSS's federal contract.
5. In my capacity as a supervisor, I was responsible for the work, conduct and safety of the employees under my supervision as part of CSSS's contract with the VA. Christopher Cynowa was one of the CSSS employees who reported to me in January 2007.
6. I had been advised both by CSSS management and VA management that the Department of Veterans Affairs Police Department was charged with the responsibility of maintaining public safety at all Veterans Affairs sites and was the appropriate authority to contact for any workplace safety concern.



7. In the weeks leading up to Mr. Cynowa's termination, Mr. Cynowa engaged in conduct that I and other members of management considered to be insubordinate, inconsistent with company policy, ethnically insensitive, and disruptive to the workplace.

8. I personally observed Cynowa get into confrontations with CSSS staff, including myself, on several occasions. For instance, on one occasion in which Anthony Slatton and I spoke with Cynowa about his reading non-work related materials on the job, Cynowa became demonstrably angry, including raising his voice and speaking vulgarities.

9. On another occasion, on January 10, 2007, Anthony Slatton and I met with Cynowa to discuss several recent displays of insubordination by Mr. Cynowa, including his behavior at the company holiday party in December 2006, and its aftermath, and numerous negative and disrespectful remarks about CSSS and its CEO, Lisa Wolford. The purpose of the meeting was to reprimand Mr. Cynowa for this behavior and to direct him to cease it immediately. Mr. Cynowa responded to our efforts by insisting he did nothing wrong and displaying the same angry, upset, and defiant tone I had observed on previous occasions. In addition, on this occasion, Mr. Cynowa became irate and aggressive, calling Ms. Wolford a "tyrant" and "bitch."

10. Lisa Wolford communicated her decision to terminate Mr. Cynowa's employment to me on the evening of January 17, 2007. After that, I made arrangements so that a conference room would be available and so that Ms. Wolford and other top CSSS management, including Larry Carver, Scott Theobald, and Mac Ewell could be on the telephone for Mr. Cynowa's termination. Mr. Carver was Executive Vice President. Mr. Theobald was the Director of Human Resources. Mr. Ewell was Manager of Business Development. They were the top management of CSSS at the time. I also contacted Anthony Slatton, who functioned as an

assistant supervisor at the VA, to arrange for him to be present at the termination meeting in person.

11. Prior to the termination meeting, Noel Flanagan, another employee at the Hines VA, told me that Mr. Cynowa has a bad temper, could be dangerous, and possessed a gun, or words to that effect.

12. Based on Flanagan's statement and my own experiences in dealing with Mr. Cynowa, I was concerned about a potentially aggressive or violent reaction from Mr. Cynowa upon his termination, which I believed to be a potential workplace safety issue.

13. Ms. Wolford, Scott Theobald, and other CSSS managers communicated to CSSS personnel at the VA, including myself, that CSSS had an interest in ensuring the safety of its employees and other people in our work area at the Hines VA. As the program manager for CSSS at the Hines VA, I understood that I had a duty to provide potential workplace safety information I received to CSSS management, the VA and/or its representatives, including VA police.

14. After the decision to terminate Mr. Cynowa's employment was made and in light of my concerns over workplace safety, a request was made for a VA police officer to be present at Mr. Cynowa's termination. Hines VA Police Officer Bob Adrowski came to my office on January 18, 2007, prior to Mr. Cynowa's termination. Before we went to the conference room for the termination meeting, Officer Adrowski and I spoke privately in my office. While Officer Adrowski was in my office, he asked me what information I had about Mr. Cynowa. I told him that I was nervous and anxious about how Mr. Cynowa would react to being terminated and I was concerned about a potentially aggressive or violent reaction from Mr. Cynowa.

15. I believed it was in my personal safety and well-being interests as well as his own to convey the information I had received from Noel Flanagan to Officer Adrowski. I felt obligated to tell Officer Adrowski what I had heard from Flanagan. I believe this obligation stemmed not only from my interest and that of others in having safe workplace but also because of CSSS policy that required reporting potential workplace safety issues to the proper authorities, which in this case I understood to be Officer Adrowski.

16. I believed the information I received from Flanagan was of a nature that I felt obligated to provide it to Officer Adrowski so that Officer Adrowski could investigate it if he deemed it necessary.

17. Not being a trained investigator myself, I reported the information I had in a limited manner to the authorities I believed had a legitimate need to know the information.

18. Subsequently, Officer Adrowski and I went to the conference room where the termination meeting was scheduled to take place. Ms. Wolford, Carver, Theobald, and Ewell were on the telephone. Anthony Slatton brought Mr. Cynowa into the conference room.

19. Mr. Cynowa was then terminated. I read a termination memo to Mr. Cynowa to this effect and provided him a copy. (A copy of the termination memo is attached to the Complaint as Exhibit F.)

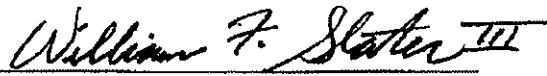
20. Mr. Cynowa reacted in an angry outburst. He slammed his hands on the table, stood up from the table, and hurled obscenities at us in a loud voice.

21. Following his termination, Officer Adrowski and I accompanied Mr. Cynowa to his desk to collect his belongings.

22. I saw Officer Adrowski escort Mr. Cynowa out of the building.

23. I subsequently saw Officer Adrowski escort Mr. Cynowa back into the building to the area of his desk, after which they departed.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.



William Slater

EXHIBIT 3

In The Matter Of:
CHRISTOPHER S. CYNOWA vs.
CSSS, INC., et al.

CHRISTOPHER SCOTT CYNOWA
July 16, 2010
Video Deposition

BISTANY REPORTING SERVICE
1512 North Hudson Avenue, Suite #1
Chicago, IL 60610
e-mail: info@bistanyreporting.com
www.bistanyreporting.com

ORIGINAL

Original File cynowa071610final.txt
Min-U-Script® with Word Index



Page 1

1 STATE OF ILLINOIS)
 2 COUNTY OF COOK) SS:
 3 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 4 COUNTY DEPARTMENT, LAW DIVISION

5 CHRISTOPHER S. CYNOWA,)
 6 Plaintiff,)
 7 -vs-) No. 08 L 000403
 8 CSSS, INC., (CLIENT SERVER)
 9 SOFTWARE SOLUTION d/b/a)
 10 CSSS.NET), LISA WOLFORD,)
 11 WILLIAM F. SLATER,)
 12 Defendants.)

13

14 The videotaped deposition of CHRISTOPHER SCOTT
 15 CYNOWA, called by the Defendants for examination, taken
 16 pursuant to the provisions of the Code of Civil Procedure
 17 and the Rules of the Supreme Court of the State of
 18 Illinois pertaining to the taking of depositions for the
 19 purpose of discovery, taken before NANCY L. BISTANY, a
 20 Notary Public within and for the County of Cook, State of
 21 Illinois, and a Certified Shorthand Reporter of said
 22 state, CSR No. 84-1857, at Suite 900, 542 South Dearborn
 23 Street, Chicago, Illinois, on July 16, 2010, at 9:05 a.m.
 24

Page 2

1 PRESENT:
 2 LAW OFFICE OF THERESA V. JOHNSON
 3 BY: MS. THERESA V. JOHNSON
 4 200 East Chicago Avenue, Suite 200
 5 Westmont, Illinois 60559
 6 (630) 321-1330
 7 theresavjohnson@prodigy.net
 8 appeared on behalf of the Plaintiff;

9 RACHLIS DURHAM DUFF & ADLER, LLC
 10 BY: MR. KEVIN B. DUFF
 11 542 South Dearborn Street, Suite 900
 12 Chicago, Illinois 60605
 13 (312) 733-3390
 14 kduff@rddlaw.net
 15 appeared on behalf of the Defendants.

16

17 ALSO PRESENT:
 18 MR. TERRY KUPPERMAN, Videographer
 19 MR. J. NICK AUGUSTINE, J.D.
 20 MS. CARIN MENDOZA
 21 MS. SONYA DURHAM

22 Reported by: NANCY L. BISTANY, CSR, RPR, FCRR
 23 License No. 84-1857.
 24

Page 3

1 I N D E X
 2 WITNESS PAGE
 3 CHRISTOPHER SCOTT CYNOWA
 4 EXAMINATION BY MR. DUFF 5
 5 EXAMINATION BY MS. JOHNSON 124
 6 FURTHER EXAMINATION BY MR. DUFF 142
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 10 E X H I B I T S
 11 DEFENDANT'S DEPOSITION EXHIBITS FOR ID
 12 No. 5..... 7
 13 No. 6..... 25
 14 No. 7..... 51
 15 No. 8..... 66
 16 No. 9..... 119
 17 No. 10..... 123
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 20
 21
 22
 23
 24

Page 4

1 THE VIDEOGRAPHER: My name is Terry Kupperman in
 2 association with A-1 Legal Video, and my address is
 3 188 West Randolph Street, Chicago, Illinois.
 4 This deposition is taking place on July 16,
 5 2010. The time is now 9:05 a.m., and the location of this
 6 deposition is 542 South Dearborn Street.
 7 This deposition is being taken in the matter
 8 of Christopher S. Cynowa versus CSSS, Inc., et al., Case
 9 No. 08 L 000403. The deponent's name is Christopher S.
 10 Cynowa.
 11 MS. JOHNSON: Cynowa.
 12 THE WITNESS: No, he's right.
 13 MS. JOHNSON: Oh, I thought it was Cynowa. I'm
 14 sorry. Okay.
 15 THE VIDEOGRAPHER: The deposition is being taken on
 16 behalf of the defendants. The party at whose instance the
 17 deposition is being recorded on an audio-visual recording
 18 device are the defendants.
 19 Will counsel please identify yourselves for
 20 the record.
 21 MS. JOHNSON: Theresa Johnson, the Law Office of
 22 Theresa Johnson.
 23 MR. DUFF: For the plaintiff?
 24 MS. JOHNSON: Representing the plaintiff,

Page 5

1 Christopher Cynowa.
 2 **MR. DUFF:** Kevin Duff for the defendants.
 3 **THE VIDEOGRAPHER:** Will the officer please identify
 4 yourself and swear in the witness.
 5 **THE REPORTER:** My name is Nancy Bistany.
 6 Will you raise your right hand, please.
 7 (WHEREUPON, the witness was duly sworn.)
 8 CHRISTOPHER SCOTT CYNOWA,
 9 called as a witness herein, having been first duly sworn,
 10 was examined and testified as follows:
 11 **EXAMINATION**
 12 **BY MR. DUFF:**
 13 Q. Please state your full name for the record.
 14 A. **Christopher Scott Cynowa.**
 15 Q. What's your residence?
 16 A. **1100 Pine Street, Fox River Grove, Illinois.**
 17 Q. And have you ever had your deposition taken
 18 before?
 19 A. **No.**
 20 Q. Your counsel has probably gone over some
 21 ground rules with you, but I'll go over a couple as well.
 22 If at any time today you don't understand or
 23 hear my question, will you let me know?
 24 A. **Sure.**

Page 6

1 Q. And at some time -- you know, at times,
 2 because we have Ms. Bistany here taking down everything
 3 that we're saying, it's important that you and I recognize
 4 that we need to let the other one finish.
 5 A. **Correct.**
 6 Q. So wait until I get my question completed,
 7 and I'll try and give you a chance to get your answer out.
 8 Okay?
 9 A. **Okay.**
 10 Q. And if your lawyer has an objection to make,
 11 you know, likewise we'll try not to talk over her words.
 12 That makes life a lot easier for our court reporter.
 13 A. **Right.**
 14 Q. What did you do to prepare for your
 15 deposition?
 16 A. **Nothing.**
 17 Q. Did you meet with anybody?
 18 A. **I talked briefly with Theresa just about**
 19 **where it was at and just the case in general, but nothing**
 20 **specific.**
 21 Q. Did you talk to anybody else?
 22 A. **No.**
 23 Q. Have you ever been a party to any other
 24 lawsuit?

Page 7

1 A. **No, not that I can recall.**
 2 **(Defendant's Deposition Exhibit No. 5**
 3 **for identification, 07/16/2010.)**
 4 **BY MR. DUFF:**
 5 Q. I'm going to show you a document that has
 6 been marked as Defendant's Deposition Exhibit No. 5.
 7 Do you recognize this?
 8 A. **It's my resume.**
 9 Q. Is this the resume that you provided to CSSS
 10 in connection with the application that you made for
 11 employment with CSSS in 2006?
 12 A. **I can't recall specifically, but it looks --**
 13 **it looks right.**
 14 Q. Was this resume accurate and complete as of
 15 2006?
 16 A. **Yes. It's short one position, though.**
 17 Q. What's that?
 18 A. **The AC Technologies position that I held**
 19 **before CSSS.**
 20 Q. When was that, and where was that?
 21 A. **That was immediately prior to CSSS. I was**
 22 **actually working at the Hines VA facility for AC**
 23 **Technologies, who was a subcontractor to CSSS.**
 24 Q. And it was in connection with that job that

Page 8

1 you became familiar with CSSS?
 2 A. **Correct.**
 3 Q. And was it a result of your exposure to CSSS
 4 in that setting that you got your job offer from CSSS?
 5 A. **Correct. The manager said that he wanted to**
 6 **bring me over once the contract with AC Tech was up.**
 7 Q. Who was that manager?
 8 A. **Larry McKeehan.**
 9 Q. Larry McKeehan was an employee of CSSS at the
 10 time?
 11 A. **Correct.**
 12 Q. What was his position?
 13 A. **He was the site manager.**
 14 Q. And what position were you hired for?
 15 A. **Senior systems engineer.**
 16 Q. The whole time you were at CSSS, is that the
 17 only position that you held?
 18 A. **Yes.**
 19 Q. And when you were hired by CSSS, that was in
 20 approximately January of 2006?
 21 A. **The specific year escapes me. Yeah, yeah, I**
 22 **think so. It's been awhile now, so --**
 23 Q. And when you were hired by CSSS, you were
 24 hired as an at-will employee, right?

Page 9

1 A. Correct. They did ask that I give them three
 2 weeks' notice if I decided to leave, though.
 3 Q. Right. But by "at will," I meant that they
 4 could terminate you for any reason or no reason at all?
 5 A. Correct.
 6 Q. And you understood that?
 7 A. Uh-huh.
 8 Q. Pardon?
 9 A. Yes.
 10 Q. And I'll just stop you and just to let you
 11 know --
 12 A. Yes.
 13 Q. -- because everything is being taken down,
 14 obviously we're being videotaped as well --
 15 A. Right.
 16 Q. -- so we can see what you said and the
 17 gestures you use.
 18 But for purposes of the court reporter's
 19 work, it's difficult to take down nonverbal responses.
 20 A. Gotcha.
 21 Q. Does that make sense?
 22 A. Yes.
 23 Q. So if I ask you a question and it's looking
 24 for a yes or no answer, I appreciate it if you could give

Page 10

1 a yes or no instead of an --
 2 A. Understood.
 3 Q. -- uh-huh or a head shake, things like that.
 4 A. Understood.
 5 Q. Does that make sense?
 6 A. Yes.
 7 Q. Thank you.
 8 Describe your -- a typical day for you at
 9 CSSS.
 10 A. Come in in the morning, check my ticket log
 11 and see what was going on. If there were any pending
 12 migrations to do, I would work on those and check on their
 13 status, coordinate with the other people on the team to
 14 see if they needed any help or just the general state of
 15 affairs and transition the third shift people to the first
 16 shift, which was me.
 17 Q. What time of day did you start?
 18 A. 7:00.
 19 Q. And a.m.?
 20 A. Yes.
 21 Q. And how long did you go?
 22 A. Until 3:00, 3:30.
 23 Q. P.m.?
 24 A. Correct.

Page 11

1 Q. So did you have a first shift team that you
 2 worked with?
 3 A. Yes.
 4 Q. Who was on that team?
 5 A. It kind of changed around a lot. Anthony
 6 Slatton was one, Michael Cronin. And, again, my memory is
 7 not the sharpest at this point. Bunty Kothari, who is a
 8 VA employee.
 9 Q. Could you spell that name?
 10 A. B-u-n-t-y, K-o-t-h-a-r-i. Randy Padal,
 11 P-a-d-a-l.
 12 (Mr. J. Nick Augustine entered the
 13 deposition proceedings.)
 14 THE WITNESS: Several other people. There were --
 15 there were about 40 people up there that I worked with.
 16 BY MR. DUFF:
 17 Q. Okay. The people that you just mentioned,
 18 were they all CSSS employees?
 19 A. No, no. It was a combination of CSSS
 20 employees and VA employees.
 21 Q. And which of the people you mentioned were
 22 CSSS employees?
 23 A. Actually, I think Mike Cronin even -- I don't
 24 even know if he worked for CSSS. I think he was a

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1 subcontractor. Just Anthony Slatton out of that list.
 2 Q. Where physically were you located at the
 3 Hines VA?
 4 A. In Building 20.
 5 Q. And within Building 20, where was your work
 6 space?
 7 A. It was south -- southwest corner-ish.
 8 Q. Did you have an office or a cubicle?
 9 A. Cubicle.
 10 Q. Was it an open room?
 11 A. Yes.
 12 Q. And who had cubicles near you?
 13 A. Michael Cronin, Bunty Kothari, and about two
 14 or three other people, Noel Flanagan.
 15 Q. Who else?
 16 A. I don't recall off the top of my head. There
 17 was one other guy I can remember. Rajiv, I don't recall
 18 his last name, but he was a VA employee.
 19 Q. How about Noel Flanagan, was he a CSSS or was
 20 he --
 21 A. No, he was -- I think he was subcontracted to
 22 CSSS through AC Technologies as well. I don't remember
 23 for certain whether or not they -- I don't think they
 24 worked for CSSS. I'm reasonably certain.

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1 Q. Who did you interact with most during your
2 job at CSSS?
3 A. It would depend on what was going on from day
4 to day.
5 Q. Who were the people that you typically
6 interacted with?
7 A. **Bunty, Mike, Randy Padal, Anthony Slatton.**
8 **That was -- those were the primary -- primary people I**
9 **interacted with.**
10 Q. Did you eat lunch at work?
11 A. Yes.
12 Q. Who did you eat lunch with?
13 A. **I generally sat my desk and just ate while I**
14 **was working.**
15 Q. Who was your supervisor?
16 A. **It started out being Larry McKeehan, and**
17 **then -- what was his name -- Mac, Macintosh ended up**
18 **taking over when they let Larry go. And he was an**
19 **absentee manager. He was actually primary on a contract,**
20 **I think, in Virginia, so he was only out there on**
21 **occasion. And then Bill Slater took over.**
22 Q. So during the course of your employment by
23 CSSS, you had three supervisors?
24 A. **Correct.**

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1 Q. Do you know why Larry McKeehan was let go?
2 A. **Not exactly, no.**
3 Q. Do you know if he left or was terminated?
4 A. **He was terminated.**
5 Q. Do you know any of the circumstances that led
6 to his termination?
7 A. **Not -- not exactly. There was rumor and**
8 **hearsay, but that was pretty much all I knew.**
9 Q. What did you hear?
10 A. **That they had put him on a performance review**
11 **and within 24 hours or something -- he was on vacation,**
12 **and they wanted a report, and he didn't get the report in**
13 **because he was on vacation, so they fired him.**
14 Q. Who at CSSS or the VA did you socialize with
15 while you were an employee of CSSS?
16 A. **As in outside of work?**
17 Q. Yes.
18 **MS. JOHNSON: Objection, relevance.**
19 **BY MR. DUFF:**
20 Q. You can answer.
21 A. **Occasionally Bunty Kothari, Tushar Engreji,**
22 **and a few other people. We would meet over at a local bar**
23 **and have a drink or two after work.**
24 Q. Who else?

Page 15

1 A. **That was pretty much it.**
2 Q. Well, you said a few other people --
3 A. **And I don't recall exactly who it was. It**
4 **would change from time to time, but generally speaking,**
5 **Tushar and Bunty were there.**
6 Q. Do you still socialize with them?
7 A. No.
8 Q. Do you socialize currently with any employees
9 of CSSS --
10 A. No.
11 Q. -- or with employees of the Hines VA?
12 A. **Not on a regular basis, no.**
13 Q. Occasional basis?
14 A. **I've seen one person from there one time in**
15 **the last three years.**
16 Q. Who is that?
17 A. **Randy Padal.**
18 Q. When did you see him?
19 A. **A couple months ago.**
20 Q. What did you do with him?
21 A. **Sat down at a bar and had a couple of drinks**
22 **and talked and caught up.**
23 Q. Have you spoken with anybody who was an --
24 who is a current employee of CSSS or a former employee of

Page 16

1 CSSS in the last 90 days?
2 A. **I talked to Larry McKeehan once for about two**
3 **minutes.**
4 Q. Did --
5 A. **Other than that, no.**
6 Q. Did any of the facts or circumstances of this
7 lawsuit come up during that conversation?
8 A. No.
9 Q. Have you spoken with any current or former
10 employees of the Hines VA in the last 90 days?
11 A. **I've corresponded with Randy Padal via**
12 **e-mail.**
13 Q. Have any of those e-mails --
14 A. No.
15 Q. -- related to the facts or circumstances of
16 this lawsuit?
17 A. No.
18 Q. Did you ever have any problems while you were
19 an employee of CSSS?
20 A. **In what capacity?**
21 Q. In any capacity?
22 A. **Not really, other than -- other than the last**
23 **two months or so, which was just basically a large, I**
24 **suppose, difference of opinion between Lisa Wolford and**

1 myself.

2 Q. What was the nature of the difference of
3 opinion?

4 A. It started at the Christmas party with --
5 with the Christmas gift that I got, and I didn't consider
6 it a gift. And she was offended by the fact that I wasn't
7 grateful for it.

8 Q. Anything else?

9 A. Not to my knowledge.

10 Q. Was it --

11 A. I mean, I had been making fun of the gift, so
12 Bill Slater talked to me, and I told him that I wouldn't
13 say anything else about it from that point on, and I did
14 not.

15 From that point on, I came in, and I did my
16 job, and I went home.

17 Q. Did you ever have any other differences of
18 opinion with Lisa Wolford?

19 A. Not that I recall.

20 Q. Did you have any differences of opinion with
21 Bill Slater?

22 A. Up until -- up until the Christmas party
23 issue, no.

24 Q. And after the Christmas party issue, did you

1 Christmas gift, et cetera, et cetera.

2 Q. Well, when you say, "et cetera, et cetera,"
3 can you be more specific?

4 A. The reading at my desk, and those were --
5 those were the primary focus.

6 Q. Were there any other focuses?

7 A. Not that I recall.

8 Q. Was anything else said during the meeting?

9 A. It was an hour-long meeting. There was
10 plenty said, but I don't recall it verbatim.

11 Q. Do you recall anything that was said?

12 A. Not off the top of my head, no.

13 Q. So I've exhausted the extent of your
14 recollection --

15 A. Correct.

16 Q. -- of that meeting at this point?

17 A. Yes. Yeah, all I remember is that he talked
18 to me about -- about my behavior. And I told him that I
19 would rectify it, and I did so.

20 And I -- well, one thing that I do recall
21 now, I let him know that it was -- it was becoming clear
22 that I was not wanted there and that I would -- I would
23 start looking for other employment and let him know when I
24 found it and give him three weeks' notice, and we would

1 have differences of opinion with Bill Slater?

2 A. Only in that he wanted -- he talked to me and
3 told me to stop making fun of the Christmas gift.

4 Q. Did he tell you to stop doing anything --
5 anything else?

6 A. No.

7 Q. Did he address any other behavior of yours
8 that he felt was inappropriate?

9 A. Oh, he did talk to me about reading before
10 work at my desk.

11 Q. Anything else?

12 A. No, not that I'm -- not that I recall.

13 Q. Did you ever have any meetings with Bill
14 Slater where he specifically addressed your behavior in
15 the workplace?

16 A. There was one that was just a few days before
17 they fired me, maybe a week or two weeks, but that was it.

18 Q. Who was present for that meeting?

19 A. Bill Slater and Anthony Slatton and myself.

20 Q. Where did it take place?

21 A. In Bill's office.

22 Q. What was said during the meeting?

23 A. It was -- that was the primary -- that was
24 when it was brought up about talking bad about the

1 part ways, and that would be that. That way everyone
2 would be happy, and nobody would get hurt and --

3 Q. When you say it had become clear, what do you
4 mean?

5 A. Well, it was just the -- I'm trying to think
6 of the correct words here -- the -- Lisa Wolford's dislike
7 of me because of what I said about her Christmas gift was
8 very apparent. And after I said something about it, there
9 seemed to be a lot of nitpicking going on about me.

10 And like I said, the reading before work, at
11 lunchtime or whatever, if I was on the VA premises, I was
12 not allowed to read anything outside of work material. So
13 I stopped that. But just it got very uncomfortable for me
14 to work there. It seemed like I was under a microscope.

15 Q. Anything else?

16 A. That's pretty much it.

17 Q. Did this --

18 A. I don't like to work that way. I like to
19 enjoy myself when I'm at work with my coworkers because I
20 spend a third of my life at work, and there's no point in
21 being miserable at work, in my opinion.

22 Q. Had you become miserable at work?

23 A. I was very unhappy.

24 Q. Can you express what you mean by that?

1 A. Well, like I said, I felt as though I was
2 under a microscope. Even though my professional
3 performance was -- was exemplary, that carried no weight
4 at all in -- in the -- the apparent desire to find
5 something to dismiss me for.

6 Q. Why do you say that?

7 A. Like I said, I was under a microscope. And
8 nitpicking about reading, and whatnot, was -- it was
9 just -- it was becoming extreme.

10 I felt like I was always had -- I always had
11 Bill looking over my shoulder for something. He would
12 come out of his office several times during the day. His
13 office was right around the corner from my cube, and he
14 would just come around the corner and look and then go
15 back to his office and come around and look and go back to
16 his office. And that's --

17 Q. At the time that Bill was coming over and
18 looking at you, coming out of his office and looking at
19 you, was he your supervisor?

20 A. Yes.

21 Q. Tell me about the circumstances of your
22 termination.

23 A. The day before, I had some final mailbox
24 moves to do for VACO, which was basically the VA corporate

1 small conference room.

2 Q. Was anything else said between you and
3 Anthony before you got to the small conference room?

4 A. Not that I recall.

5 Q. What was your demeanor when you entered the
6 conference room?

7 A. Anxious, I think would probably be the best
8 word.

9 Q. Anything else?

10 A. No.

11 Q. Who was present when you entered the
12 conference room?

13 A. Bill Slater, Anthony Slatton, and Officer
14 Androwski.

15 Q. And Officer Androwski is a member of the VA
16 Hines Police force?

17 A. VA -- yeah, the VA Federal Police, yeah.

18 Q. Describe the room. What did the room look
19 like?

20 A. It was similar to this one. The door was,
21 from where I'm sitting in here, behind me and to the left.

22 Q. And how many people -- there were three
23 people in the room?

24 A. I think -- I think it was just Anthony, Bill,

1 headquarters. They were VIP mailbox moves, and I was the
2 only one trusted to do them.

3 So I worked from 7:00 to about the 2:00
4 o'clock the day before. I went home, had some dinner,
5 took a nap. I came back about 7:00 p.m., and I worked
6 through the night. I'm sorry. This was two days before.
7 But I worked from 7:00 p.m. until, I think, 3:00 or
8 4:00 a.m., and then I went home and got an e-mail that day
9 from Bill saying that he wanted to talk to me at 10:00
10 o'clock the next day.

11 I had -- obviously I had just already worked
12 my eight hours for that day, so I stayed home and slept.
13 And when I went in the next day, I got there at 7:00. It
14 was business as usual for me. Ten o'clock rolled around,
15 and I didn't see Bill anywhere, so I sent him an e-mail
16 and asked him if he was still wanting to meet at 10:00,
17 and he said that he would let me know. Excuse me.

18 About an hour later, Anthony came and got me.
19 And when he came up, I could tell by the look on his face
20 that it wasn't good. They took me into the conference
21 room and told me that I was fired.

22 Q. When Anthony came to get you, what did he say
23 to you?

24 A. He said that they needed to see me in the

1 and myself and Officer Androwski.

2 Q. Was there a conference room table in the
3 room?

4 A. Yes.

5 Q. Did you sit down when you entered the room?

6 A. Yes.

7 Q. And were the people sitting across from you
8 or next to you?

9 A. No, next to me. Bill Slater was on my right,
10 and Anthony was on my left.

11 Q. Okay. And where was Officer Androwski?

12 A. He was standing across the table near the
13 door.

14 Q. Did he remain standing the whole meeting?

15 A. He did.

16 Q. Was there a telephone on the conference room
17 table?

18 A. Yes.

19 Q. Were there people on the phone?

20 A. Yes.

21 Q. Who was on the phone?

22 A. Lisa Wolford and Scott Theobald that I knew
23 of.

24 Q. Anyone else?

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1 **A. I don't recall that there was anyone else.**
2 **Q. Those are the people who spoke on the**
3 **phone --**
4 **A. Correct.**
5 **Q. -- during your meeting?**
6 Just because you started to answer that
7 before I asked -- finished asking the question, I'm going
8 to ask it again just so our record is clear.
9 Those are the people who spoke on the phone
10 during your meeting?
11 **A. Correct.**
12 **Q. What was said during the termination meeting?**
13 **A. I was told that I was being let go**
14 **immediately. And I asked why, and they said that I had --**
15 **that I was insubordinate, that I had disruptive workplace**
16 **behaviors. And those were the primary ones. I don't**
17 **recall if there was anything else.**
18 So I asked for -- I asked for documentation
19 of my behaviors and what was done, and they handed me a
20 piece of paper that -- that stated what they had stated,
21 and they said that's all I was going to get.
22 **(Defendant's Deposition Exhibit No. 6**
23 **for identification, 07/16/2010.)**
24 **BY MR. DUFF:**

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1 **Q. I'm showing you a document that's been marked**
2 **as Exhibit 6. Do you recognize this document?**
3 **A. This is the document that I was given.**
4 **Q. This is the document you were just testifying**
5 **about?**
6 **A. Correct.**
7 **Q. And was this the only document you were given**
8 **during your meeting?**
9 **A. Correct.**
10 **Q. And just for purposes of identifying it for**
11 **the record, this is a document which is titled**
12 **"Confidential Company Memo," and it's to you and from**
13 **William F. Slater; is that right?**
14 **A. Correct.**
15 **Q. And it's dated January 18, 2007?**
16 **A. Correct.**
17 **Q. And that was the day that you were**
18 **terminated by --**
19 **A. Correct.**
20 **Q. -- CSSS?**
21 **A. I'm sorry. Correct.**
22 **Q. Who actually terminated you?**
23 **A. Bill Slater. I mean, he was the one that was**
24 **physically present to do it. I don't recall. It may have**

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1 **been Scott Theobald over the phone. I don't recall**
2 **exactly who it was that -- that said you're fired.**
3 **Q. Did Bill Slater read the document that's been**
4 **marked as Exhibit 6 to you during the meeting?**
5 **A. I don't recall who it was that read it,**
6 **whether it was Bill or Scott. It was one of the two.**
7 **Q. Somebody read this --**
8 **A. Correct.**
9 **Q. -- to you at the meeting?**
10 **A. Correct.**
11 **Q. And just if you would, I know it's easy to**
12 **anticipate where I'm going, but it doesn't make for a very**
13 **good transcript. Okay?**
14 **A. I understand. I'm doing my best.**
15 **Q. Thank you. What was your reaction when the**
16 **termination memorandum was read to you?**
17 **A. I was shocked. I was very confused, because**
18 **I had just been spoken to about these so-called negative**
19 **workplace behaviors and insubordination a week, maybe two**
20 **weeks prior. And I had complied with their requests in**
21 **full, so this took me very much by surprise.**
22 **That was pretty much the gist of it.**
23 **Q. Did your demeanor change during the meeting**
24 **at all?**

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1 **A. Well, I got upset when they -- when they**
2 **would not back up their claims with any kind of**
3 **documentation or anything. I mean, I was -- I was very**
4 **offended by that.**
5 **Q. How did you express that?**
6 **A. I told them that it sucked.**
7 **Q. What else did you do?**
8 **A. Taking into account the way that several**
9 **other people had left CSSS, I told Lisa Wolford that I was**
10 **glad that I had not been in the Marine Corps with her,**
11 **especially if I was to be under her command, because I**
12 **felt that I would have been in more danger from her than I**
13 **would have been from the enemy, the way that she treated**
14 **her employees, and that I was embarrassed to have been a**
15 **part of the same Marine Corps that she claimed to be a**
16 **part of.**
17 **And on that note, I left.**
18 **Q. Did you raise your voice during that meeting?**
19 **A. Perhaps to a loud speak but not to a yell or**
20 **scream or anything of that nature.**
21 **Q. Did you -- did you stand up while you were**
22 **speaking?**
23 **A. Yes, because I was on my way out the door.**
24 **Q. And who did you direct your comments to?**

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1 A. About Lisa Wolford?
2 Q. Yes.
3 A. To Lisa Wolford.
4 Q. And did you make any statements to Bill
5 Slater while you were in the room?
6 A. While I was in the room, no.
7 Q. Did you make any statements to anybody else
8 while you were in the room?
9 A. Not that I recall.
10 Q. Did anybody else say anything to you while
11 you were in the room?
12 A. Not that I recall.
13 Q. Did you raise your hands at all during the
14 meeting?
15 A. Not at all.
16 Q. Did you hit the table?
17 A. No, not that I recall. As a matter of fact,
18 I'm sure I didn't.
19 Q. What did you do with the memorandum that you
20 were given?
21 A. I took it back to my desk, and I put it in my
22 box of stuff.
23 Q. How long did the meeting in the conference
24 room last at which you were terminated?

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1 A. I don't recall exactly. I'd have to say 10
2 to 15 minutes maximum.
3 (Brief interruption.)
4 BY MR. DUFF:
5 Q. I'll just wait a minute.
6 A. Chicago's finest.
7 Q. What did Officer Androwski do while he was in
8 the room with you?
9 A. He stood there, very imposing. He was a very
10 large man.
11 Q. Imposing just because of his size --
12 A. Yeah, yeah.
13 Q. -- or something else?
14 A. He -- he had one hand -- he had rested one
15 hand on his hip and the other one on his sidearm and just
16 stood there.
17 Q. And how far away from you was he?
18 A. Maybe 7 feet.
19 Q. What was his facial expression?
20 A. Pretty much blank.
21 Q. Did he say anything to you when you entered
22 the room?
23 A. No.
24 Q. Did he say anything to you when you left the

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1 room?
2 A. Well, he escorted me to my desk where I
3 collected my stuff.
4 Q. Did anybody else escort you to your desk?
5 A. Bill Slater.
6 Q. So Officer Androwski and Bill Slater and you
7 went to your desk?
8 A. Correct. I think Anthony Slatton might have
9 followed. I'm not sure.
10 Q. Did you go directly from the conference room
11 to your desk?
12 A. Correct.
13 Q. What was the distance that you traveled when
14 you went from the conference room to your desk?
15 A. Maybe 50 feet.
16 Q. Did you pass any offices?
17 A. I passed two cubicles.
18 Q. Whose cubicles did you pass?
19 A. Mike Cronin and Noel Flanagan.
20 Q. Anybody else?
21 A. No.
22 Q. Did you see anybody while you were walking
23 from the conference room to your desk?
24 A. Just Mike and Noel.

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1 Q. Did you see anybody after -- well, strike
2 that.
3 What did you do when you got to your desk?
4 A. I put my stuff into a box.
5 Q. How did you do it?
6 A. I picked it up off of my desk, and I put it
7 into the box.
8 Q. Okay. Did you place it carefully or did you
9 toss it?
10 A. I didn't toss it, because I wasn't going to
11 make a mess with my stuff, so I placed it carefully.
12 Q. And what did you say while you were -- well,
13 let me back up.
14 Did you say anything to Officer Androwski,
15 Bill Slater, or Anthony Slatton between the time you left
16 the conference room and the time you got to your desk?
17 A. Not that I recall.
18 Q. Did you say anything to any of them while you
19 were at your desk?
20 A. Bill Slater.
21 Q. What did you say to Bill Slater?
22 A. I told him that -- I'm trying to remember as
23 close as I can the exact words. Unfortunately, that's not
24 going to be possible, so I can give you the gist of

Page 33

1 things.

2 I told him that he had just proven to

3 everyone that he was an untrustworthy manager and that he

4 had just lost respect and that he likely would not make it

5 as a manager if he continued to subvert his employees

6 instead of back them in certain circumstances and that I

7 felt sorry for him.

8 Q. Did you raise your voice when you were

9 talking to him?

10 A. No more than -- it was upset speaking. It

11 was not yelling in any way, shape or form.

12 Q. What was --

13 A. As a matter of fact, I don't even know that I

14 raised my voice. My voice was more intense because I was

15 upset, but I did not raise my voice.

16 Q. When you were clearing your desk, how were

17 people standing?

18 A. Officer Androwski was standing behind me to

19 my right. Bill Slater was standing -- well, no, Officer

20 Androwski was right behind me. Bill Slater was standing

21 to my right against the wall. And like I said, I don't

22 remember if Anthony was there or not.

23 Q. While you were at your desk, did anybody walk

24 by?

Page 34

1 A. Not that I recall.

2 Q. Did you see anybody else in the area?

3 A. Not that I recall.

4 Q. Did you talk to anybody else in the area?

5 A. No.

6 Q. And after you cleared your -- was anything

7 else said while you were at your desk by anyone?

8 A. Bill said that I needed to give him my badge

9 and stuff, so I gave him all the VA stuff that I had.

10 Q. Was anything else said while you were at your

11 desk?

12 A. Not that I recall. Officer Androwski I think

13 reminded me to make sure I had everything.

14 Q. What happened next?

15 A. I took my stuff, and I went outside to put it

16 in the car and leave.

17 Q. Who --

18 A. When we --

19 Q. Who went with you?

20 A. Officer Androwski.

21 Q. And what was the distance from your desk to

22 the exit door?

23 A. I don't know. A hundred and fifty feet.

24 Q. Did you pass any offices while you were

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1 walking out?

2 A. I passed two rooms that had cubes in them.

3 Q. You mean cubicles?

4 A. Yes.

5 Q. Were there people in those cubicles?

6 A. Yes.

7 Q. And do you know who was present in those

8 cubicles --

9 A. No.

10 Q. -- when you walked by?

11 Did you say anything to Officer Androwski or

12 anyone else while you walked out --

13 A. No.

14 Q. -- from your desk to the exit?

15 A. I did not.

16 Q. What happened next?

17 A. Officer Androwski and I got outside, and I

18 reached into my pocket for a cigarette. And he looked at

19 me, and he said, whoa, whoa, whoa, you're not going for a

20 gun, are you?

21 And I was very puzzled by that, didn't

22 understand it at all.

23 Q. Which pocket did you reach into?

24 A. My right front inside jacket pocket.

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1 Q. What were you wearing at the time?

2 A. I was wearing a winter coat. It was cold

3 out.

4 Q. What type of winter coat?

5 A. I don't recall exactly, either my parka or my

6 down coat.

7 Q. A heavy, large winter coat?

8 A. Yeah.

9 Q. And can you -- so you reached your hand into

10 your -- sort of your breast pocket?

11 A. Correct.

12 Q. Inside of your jacket?

13 A. Correct.

14 Q. And what else happened?

15 A. I told him, no, I'm just going to have a

16 cigarette.

17 And he said, okay. And he had his hand on

18 his sidearm, and I lit up a cigarette. And he looked at

19 me, and he said, you don't have any guns in your car, do

20 you? And I said no.

21 And he said, you don't have an AK-47 in your

22 car? And I said, no, I don't even own a gun.

23 And he said, do you mind if I look? And I

24 said, no, not at all.

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1 And we walked over, and I put my box in the
2 car. And he just did a cursory look through the windows
3 and appeared to be satisfied.
4 And he said, why don't we go upstairs and do
5 one more check of your desk, and then you can take off?
6 So I said okay, and we did that.
7 Q. Was anything else said between you and
8 Officer Androwski while you were out at the car?
9 A. Not that I recall, no. Oh, wait. We talked
10 about, just briefly, about the Marine Corps.
11 Q. What did you discuss?
12 A. Just that he was in, and I was in, and that
13 was -- nothing detailed.
14 Q. Well, tell me what you best recall was said.
15 A. That was what I best recall, that he was a
16 former Marine and so was I. We -- that was -- he
17 mentioned something about his MOS and asked me what mine
18 was, and that was the end of it.
19 Q. What's MOS?
20 A. Method of service, your job in the military.
21 Q. Who brought that up, you or him?
22 A. I think he did, because I had a Marine Corps
23 bumper sticker on my truck.
24 Q. So he was just making chitchat with you?

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1 A. Correct.
2 Q. Small talk?
3 A. Uh-huh.
4 Q. Was there any other small talk with him while
5 you were out there?
6 A. Not that I recall, no.
7 Q. What was Officer Androwski wearing when you
8 were out in the parking lot with him?
9 A. Just his police uniform.
10 Q. Did he have a jacket on?
11 A. No.
12 Q. Was it cold that day?
13 A. It wasn't real cold. It was in the 20s or
14 30s, mid-20s or 30s but not a freezing day.
15 Q. Was there snow on the ground?
16 A. I believe so, yeah.
17 Q. Was there snow in the parking lot on the
18 pavement?
19 A. I don't recall.
20 Q. Do you remember anything else about the facts
21 or circumstances of the time that you were in the parking
22 lot with Officer Androwski?
23 A. Not really. It was just a cold, gray day,
24 and I think it was maybe drizzling a little bit.

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1 Q. So when -- you said after you were with
2 Officer Androwski at your car, he suggested that you go
3 back up to your desk; is that right?
4 A. Correct, to take one more look and see if I
5 forgot anything.
6 Q. And what -- how did he say that?
7 A. He said, do you want to go up and take one
8 more look and see if you forgot anything?
9 And I said, no, I don't think so. I got
10 everything.
11 And he said, why don't we go up and take one
12 more look anyway?
13 Q. Okay.
14 A. So we did. It was a good thing, because I
15 had forgotten something.
16 Q. What did --
17 A. I don't recall what it was but --
18 Q. So when you went back up, tell me how that
19 happened.
20 A. We --
21 Q. So tell me about the walk from your car to
22 your desk.
23 A. We walked in. There wasn't a word spoken to
24 anyone at any time about anything.

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1 I took a look through my drawers and stuff.
2 I found one thing that I had forgotten. And I said, okay,
3 that's it. And we walked back out.
4 Q. While you walked back into the building to
5 your desk, did you encounter anyone?
6 A. Not that I recall.
7 Q. Did you see anyone?
8 A. Not that I recall.
9 Q. Did you see Bill Slater again?
10 A. No.
11 Q. Did you see Anthony Slatton?
12 A. No.
13 Q. Did you see anyone else?
14 A. I don't recall. I probably saw Mike and/or
15 Noel, because they sat right next to me in the cubes, and
16 they were open cubes.
17 Q. Did you say anything to them --
18 A. No, I did not, no.
19 Q. You have to -- I'm sorry, but I know you're
20 anticipating, but you have to -- just because our court
21 reporter, Nancy, cannot take down us talking at the same
22 time.
23 A. I understand that.
24 Q. Did you say anything to Noel or Mike?

1 **A. I did not. And the reason that I interrupt**
2 **you, and I apologize for it, is because that I've already**
3 **answered this question several times.**

4 **Q. Well, now we're talking about when you**
5 **returned to the building as opposed to when you were in**
6 **there the first time.**

7 **A. I understand.**

8 **MS. JOHNSON:** He did answer you. It was asked and
9 answered.

10 **MR. DUFF:** That's fine.

11 **BY MR. DUFF:**

12 **Q. So after you went back to your desk for the**
13 **second time, what happened next?**

14 **A. I got into my --**

15 **MS. JOHNSON:** Asked and answered. He answered
16 that.

17 **MR. DUFF:** It hasn't been asked, and it hasn't been
18 answered.

19 **THE WITNESS:** I walked out of the building with
20 Officer Androwski. I did not see or speak with anyone. I
21 got into my car, and I left the premises.

22 **BY MR. DUFF:**

23 **Q. At what point did Officer Androwski part ways**
24 **with you?**

1 through the stop sign, and one of their officers followed
2 me to my parking spot and told me not to do that again.

3 **Other than that, no.**

4 **Q. Did you know Officer Androwski before**
5 **January 18, 2007?**

6 **A. No.**

7 **Q. Had you ever seen him before?**

8 **A. No.**

9 **Q. After you left the parking lot on**
10 **January 18th, 2007, did you ever have any subsequent**
11 **conversations with Officer Androwski?**

12 **A. I think one in reference to, excuse me, how I**
13 **could get the freedom of information form to get a copy of**
14 **his report.**

15 **Q. When did you have that conversation with him?**

16 **A. A couple of days after they fired me.**

17 **Q. What did he say to you and what did you say**
18 **to him during that call?**

19 **A. I asked him how I could get a copy of his**
20 **report, and he told me to go to the main station and fill**
21 **out the Freedom of Information Act report or form and that**
22 **I would get a copy of it.**

23 **Q. Was that by phone or in person?**

24 **A. It was in person, I believe. I may have**

1 **A. When I got into my car. He was standing next**
2 **to me as I got into my car, and he stood there and watched**
3 **me drive off the parking lot.**

4 **Q. Did you and he have any conversation at all**
5 **from the time you left your desk for the last time to the**
6 **time you went to your car for the last time?**

7 **A. Not that I recall. I think I told him to**
8 **have a good day, and that was about it -- at one point, I**
9 **told him -- during the first exit of the building when he**
10 **asked if I had an AK-47, I told him, no, I don't have an**
11 **AK-47. I'm not going to go postal. I said, if I'm going**
12 **to do anything, it's going to be through a lawyer, and the**
13 **lawyer can handle it.**

14 **Q. Was anything else said between you and**
15 **Officer Androwski?**

16 **A. No, that was it.**

17 **Q. What was your demeanor when you said that to**
18 **him?**

19 **A. It was the same shocked and dumbfounded**
20 **demeanor that I had when they fired me.**

21 **Q. Were you ever involved in any other incident**
22 **at the Hines VA in which the VA police were called?**

23 **A. No. I was on my way early -- I was on my way**
24 **into the office early one day and did a rolling stop**

1 **called. I don't recall.**

2 **Q. Well, after you were terminated by CSSS, did**
3 **you return to the Hines VA at any time?**

4 **A. Yes.**

5 **Q. When?**

6 **A. A couple of days later to fill out the**
7 **Freedom of Information Act form so I could get a copy of**
8 **the police report and then again to pick it up when it was**
9 **ready.**

10 **Q. And when was that?**

11 **A. Approximately a week and a half or so after I**
12 **filled out the form.**

13 **Q. Did you have any communications with any**
14 **other Hines VA police?**

15 **A. The ones that I interacted with to get the**
16 **copy of the form.**

17 **Q. Did you discuss the facts and circumstances**
18 **of your termination with anyone at the Hines VA police?**

19 **A. Not that I recall.**

20 **Q. After you were terminated, did you have any**
21 **communications with any CSSS employees?**

22 **A. I'm sure I did, yes.**

23 **Q. With who?**

24 **A. The specifics escape me. I talked to Tushar.**

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1 I think there were some e-mails back and forth with
 2 Anthony. I don't recall the subjects. Mike Nikiforos.
 3 That's pretty much it.
 4 Q. When did you talk to Tushar?
 5 A. I -- he was a friend outside of work, so I
 6 talked to him fairly frequently for a while after I left.
 7 Q. Did you call him after you were terminated?
 8 A. I don't recall who called who. I had called
 9 him on occasion, yes. We would call back and forth.
 10 Q. Did you speak within the day of your
 11 termination?
 12 A. I don't recall.
 13 Q. Did you speak with anyone at CSSS the day of
 14 your termination other -- after you left the premises?
 15 A. I don't think so. I don't recall.
 16 Q. Did you speak with anyone at the Hines VA the
 17 day of your termination after you were terminated?
 18 Let me be more specific about that, because I
 19 don't think that was a great question.
 20 After you left the premises of the Hines VA,
 21 did you speak with any Hines VA employees other than the
 22 people at the police office?
 23 A. I think I did. I don't recall who, and I
 24 don't recall about what.

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1 Q. When you said you spoke with Tushar, what did
 2 you and he discuss?
 3 A. Like I said, I don't recall the nature of the
 4 conversations.
 5 Q. Was it in person or by phone?
 6 A. By phone.
 7 Q. Do you recall anything that was said?
 8 A. No.
 9 Q. You had some e-mails with Anthony. What was
 10 the subject matter of those e-mails?
 11 A. I don't recall exactly. I was -- I think I
 12 asked him if he -- if he knew any more information that he
 13 could give me as to why it happened.
 14 Q. Why what happened?
 15 A. Why I got fired.
 16 Q. What was said by you or Anthony?
 17 A. He said he couldn't give me any more
 18 information.
 19 Q. Have those e-mails been produced in this
 20 case?
 21 A. No, they've been gone for years. They
 22 were -- they were gone immediately. I don't keep e-mails
 23 around.
 24 Q. Have you done anything to keep your e-mails

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1 that relate to this case?
 2 A. No, I don't do anything to keep my e-mails
 3 about anything. I keep the correspondence back and forth
 4 between Theresa and myself, but that's it.
 5 Q. But you haven't --
 6 A. And there haven't been any in years, so --
 7 Q. But you haven't kept e-mails that related to
 8 communications you had with people other than Theresa
 9 Johnson?
 10 A. Correct.
 11 Q. That related to this case?
 12 A. Correct.
 13 Q. What communications did you have with Mike
 14 Nikiforos?
 15 A. He called me at one point and said that one
 16 of the -- one of the female VA employees was freaking out
 17 and wanted the doors locked when I left because she was
 18 afraid.
 19 Q. Did he say which female VA employee that was?
 20 A. Michelle. I don't recall her last name.
 21 Q. When did -- who contacted whom between you
 22 and Mike?
 23 A. I believe he contacted me.
 24 Q. When did he call you?

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1 A. I don't recall.
 2 Q. Or strike that.
 3 Did he call you or contact you in another
 4 way?
 5 A. He called me.
 6 Q. Where were you when he called you?
 7 A. I don't recall.
 8 Q. Where was he when he called you?
 9 A. I don't know.
 10 Q. How long did your conversation with him last?
 11 A. I don't remember exactly. It wasn't long.
 12 Maybe five minutes.
 13 Q. When was it -- strike that.
 14 When did this call happen?
 15 A. I do not recall.
 16 Q. Can you give me an approximate time frame?
 17 A. I cannot.
 18 Q. Was it --
 19 A. It was within a couple of days of me getting
 20 fired.
 21 Q. In that call with Mike Nikiforos, what did he
 22 say and what did you say?
 23 A. He said that Michelle wanted the doors locked
 24 because she was afraid that I was going to come back all

1 **crazy and hurt people.**
 2 **I asked him why she would think that, and he**
 3 **said, I have no idea.**
 4 Q. Did he say anything else in the call?
 5 A. He said something about somebody mentioning
 6 that I had an AK-47.
 7 Q. Anything else?
 8 A. That was it.
 9 Q. Did you say anything else during the call?
 10 A. I told him that that was ridiculous.
 11 Q. And what did he say when you said that?
 12 A. He said, I know.
 13 Q. Was anything else said during the call?
 14 A. That's as much as I can recall.
 15 Q. Did you ever contact anyone following that
 16 call at CSSS?
 17 A. I -- not that I can recall.
 18 Q. Have you had any other conversations with
 19 anyone at CSSS regarding the circumstances of your
 20 termination or what was said on the day of your
 21 termination?
 22 A. The only people that I would have talked to
 23 about that would be Tushar and Anthony and Mike Nikiforos.
 24 And I don't recall when, and I don't recall what, and I

1 indirectly to tell you what anyone was saying about you or
 2 the circumstances of your termination?
 3 A. Randy Padal sent me an e-mail that said he
 4 didn't -- that nobody really knew what happened but that
 5 he was sorry to see me go; and if I ever needed a
 6 reference, he would be happy to give me a good one and
 7 keep in touch. And if I needed any assistance in finding
 8 a job, he would be happy to help me out any way he could.
 9 I believe I submitted a copy of that e-mail.
 10 Q. I'm about to show it to you.
 11 (Defendant's Deposition Exhibit No. 7
 12 for identification, 07/16/2010.)
 13 BY MR. DUFF:
 14 Q. I'm showing you a document which has been
 15 marked as Defendant's Deposition Exhibit No. 7. Do you
 16 recognize it?
 17 A. Yes, I do.
 18 Q. What is this document?
 19 A. That's the e-mail that Randy sent to me.
 20 Q. That you were just referring to?
 21 A. Correct.
 22 Q. Refresh my memory. Was Randy an employee of
 23 CSSS at the time?
 24 A. No, he was an employee of their

1 don't recall where.
 2 Q. Did you and Mike Nikiforos -- strike that.
 3 What subsequent conversations did you have
 4 with Tushar?
 5 A. As I just stated, I don't recall what or
 6 where or when.
 7 Q. What --
 8 A. I know that I spoke with them, but I don't
 9 recall about what or when or where.
 10 Q. What subsequent conversations did you have
 11 with Anthony Slatton?
 12 A. I -- I don't recall any of the conversations
 13 that I had any CSSS or VA employees with any detail as to
 14 what, when, how, or why.
 15 Q. Other than the ones you've already talked
 16 about?
 17 A. Correct.
 18 Q. And for those you've given me all the detail
 19 that you can recall?
 20 A. All that I can recall, yes.
 21 Q. Is there anything that would refresh your
 22 recollection as to any of those conversations?
 23 A. Not that I can think of.
 24 Q. Did anyone else contact you directly or

1 subcontractor, AC Technologies -- or, no, he worked for
 2 FMI.
 3 Q. Who was FMI?
 4 A. FMI was the project management group that was
 5 in charge of the AC Tech employees for the migration.
 6 THE VIDEOGRAPHER: This will be all for tape No. 1
 7 at 10:02 a.m. We're now off video record.
 8 (A short recess was had from 10:02 a.m.
 9 to 10:08 a.m.)
 10 THE VIDEOGRAPHER: This will be the start of tape
 11 No. 2 at 10:08 a.m.
 12 BY MR. DUFF:
 13 Q. I just want to make sure we finished
 14 discussing Randy Padal.
 15 After you received the e-mail which is marked
 16 as Exhibit 7, did you have any subsequent conversations
 17 with Randy Padal relating to your termination by CSSS?
 18 A. I don't recall. Maybe. Probably. I don't
 19 know.
 20 Q. But you don't recall any?
 21 A. No.
 22 Q. Other than Randy Padal, did anyone else
 23 contact you directly or indirectly to tell you what people
 24 were saying about you in reference to your termination?

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1 A. **No one other than who I've already stated.**
 2 Q. Did you discuss with anyone the conversation
 3 that you had with Officer Androwski at your car on the day
 4 you were terminated?
 5 A. **Probably, because I thought it was odd that**
 6 **he asked me if I had an AK-47, but I don't recall with**
 7 **whom or when.**
 8 Q. Did you tell anybody about the comment that
 9 Officer Androwski had made about the AK-47? Strike that.
 10 Following your termination by CSSS, did you
 11 have any conversations with anyone about the conversation
 12 you had with Officer Androwski at your car?
 13 A. **As I just said, probably, but I don't recall**
 14 **with whom other than the people that I've already stated.**
 15 Q. When you say "probably," can you identify
 16 with whom you probably had those conversations?
 17 A. **As I just stated, I cannot.**
 18 Q. And I take it as a result, you also cannot
 19 say what was said in those conversations --
 20 A. **That is --**
 21 Q. -- if they happened?
 22 A. **That is correct.**
 23 Q. And you're not even sure if they happened?
 24 A. **Correct.**

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1 Q. Other than your attorney, who have you
 2 discussed the statement that you heard with respect to
 3 whether or not you had an AK-47?
 4 A. **I don't quite understand that.**
 5 Q. At some point, you learned that a statement
 6 was made about an AK-47, correct?
 7 A. **Correct.**
 8 Q. And after you learned of that statement, who
 9 did you discuss that statement with?
 10 A. **Again, I probably talked to people; but other**
 11 **than Mike Nikiforos and Tushar Engreji and Bunty Kothari,**
 12 **I don't recall who or what or the context of any of the**
 13 **conversations or any of that.**
 14 Q. What conversations did you have with Bunty
 15 Kothari?
 16 A. **Again, just general conversations about -- I**
 17 **had asked him if he heard anything else, and it was -- it**
 18 **was pretty much the same conversation with all three of**
 19 **them, because I -- once I heard that -- that and saw for**
 20 **myself in the -- in Officer Androwski's report that I**
 21 **was -- that the Hines Federal Police were led to believe**
 22 **that I had an AK-47 in my car and I had had confrontations**
 23 **with my coworkers in the past and that I had -- I had a**
 24 **temper problem, I was very curious to find out if anyone**

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1 that I worked with thought that, and none of them did
 2 and --
 3 Q. Did you -- go ahead.
 4 A. **-- and whether or not they knew where this**
 5 **misinformation came from.**
 6 Q. Did you share a copy of Officer Androwski's
 7 report with any of those individuals?
 8 A. **Not that I recall.**
 9 Q. Did you call them up and read the contents of
 10 the report to them?
 11 A. **Not that I recall.**
 12 Q. Did you call them up and ask them about the
 13 contents of the report?
 14 A. **I asked them if they had heard that I had an**
 15 **AK-47.**
 16 Q. And did you make a call along those lines to
 17 Tushar, Mike Nikiforos, and Bunty Kothari?
 18 A. **I'm sure I did at some point.**
 19 Q. And at this point, you've now exhausted --
 20 strike that.
 21 At this point, you've now told me everything
 22 that you recall about those conversations?
 23 A. **Correct.**
 24 Q. Have you ever touched an AK-47?

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1 A. **No.**
 2 Q. Have you ever seen one in person?
 3 A. **Yes.**
 4 Q. When?
 5 A. **I used to go to gun shows with my dad all the**
 6 **time when I was a kid, and they were everywhere. I**
 7 **believe they showed us AK-47s when I was in basic training**
 8 **as well.**
 9 Q. And when you were going to those gun shows
 10 with your dad, was that here in Illinois?
 11 A. **Yes.**
 12 Q. Did you go to gun shows with him anywhere
 13 else?
 14 A. **Not that I recall.**
 15 Q. What gun shows did you go to with him?
 16 A. **The gun show at the Kane County Fair. There**
 17 **were -- there were several of them that we would go to.**
 18 **That was what he did on the weekends, and he brought me**
 19 **with.**
 20 Q. Was your dad a -- strike that.
 21 Did your dad enjoy guns as a hobby?
 22 A. **He owned a gun shop.**
 23 Q. Where was your dad's gun shop?
 24 A. **In Algonquin.**

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1 Q. What was the name of the gun shop?
 2 A. **I don't recall.**
 3 Q. How long did he have the gun shop?
 4 A. **A few years.**
 5 Q. What time frame?
 6 A. **Roughly 30 years ago.**
 7 Q. What's your dad's name?
 8 A. **Jerry Belrichard.**
 9 Q. Is Jerry with a J?
 10 A. **Correct.**
 11 Q. Is that his full first name?
 12 A. **No. Is there relevance to this?**
 13 Q. You have to answer the question.
 14 **MS. JOHNSON:** Yes, you can answer that question.
 15 It's fine.
 16 **THE WITNESS:** It's Gerald with a G.
 17 **BY MR. DUFF:**
 18 Q. G-e-r-a-l-d?
 19 A. **Yes.**
 20 Q. And what's his middle name?
 21 A. **Robert.**
 22 Q. Is he still living?
 23 A. **Yes.**
 24 Q. Where does he live today?

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1 A. **Algonquin.**
 2 Q. What's his address?
 3 A. **I don't know.**
 4 Q. Do you visit him?
 5 A. **Yes.**
 6 Q. And you don't know what his address is?
 7 A. **No. I know how to get to his house. I do**
 8 **not know his address.**
 9 Q. How do you get to his house? If you can't
 10 give me an address, I need to figure out where the address
 11 would be. So it's either you give me an address -- can
 12 you tell me the street he lives on?
 13 A. **I believe it's Hillside Court.**
 14 Q. Did you ever live in that house?
 15 A. **No.**
 16 Q. Does anyone else live at that house?
 17 A. **His wife.**
 18 Q. And is her name Belrichard as well?
 19 A. **Yes.**
 20 Q. Is that your mother? Is that --
 21 A. **No, that's his -- that's who he married after**
 22 **my mom. He's my stepdad.**
 23 Q. I -- oh, he's your stepdad?
 24 A. **Correct.**

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1 Q. So when you were talking about your father
 2 taking you around to gun shows, you were talking about
 3 your stepfather?
 4 A. **My stepdad, correct. He adopted me, so he's**
 5 **legally my father, but he's not my birth father.**
 6 Q. I understand. Thank you for clarifying that.
 7 And have you ever used Belrichard as your
 8 last name?
 9 A. **Yes.**
 10 Q. Have you ever changed your name to or from
 11 Belrichard?
 12 A. **Yes.**
 13 Q. Can you tell me about that?
 14 A. **I was adopted, and it changed to Belrichard**
 15 **when I was about nine. And I changed it back to my birth**
 16 **name when I was in my mid-20s.**
 17 Q. Have you ever gone by any other names?
 18 A. **No.**
 19 Q. Or aliases?
 20 A. **No.**
 21 Q. How old is your father? And when I say that,
 22 I mean how old is Mr. Belrichard?
 23 A. **He's the only father I consider my father, so**
 24 **I think around 60.**

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1 Q. Is he still working?
 2 A. **Yes.**
 3 Q. What does he do?
 4 A. **He's a sales associate at Cabela's.**
 5 Q. And where is that?
 6 A. **I believe it's Schaumburg.**
 7 Q. What is Cabela's?
 8 A. **It's a sporting goods store.**
 9 Q. Have you ever used guns?
 10 A. **Yes.**
 11 Q. When?
 12 A. **When I was a kid, my dad would take me**
 13 **hunting. I had a .22 that I would use and a 20 gauge that**
 14 **I would use. That lasted up until I was about 13.**
 15 **And I was in the Army and the Marine Corps,**
 16 **so --**
 17 Q. Were you in the Army or the Marine Corps?
 18 A. **I was in both. I --**
 19 Q. Did you -- go ahead.
 20 A. **I went into the Marine Corps straight out of**
 21 **high school.**
 22 Q. Did you go through boot camp?
 23 A. **I got a hernia in boot camp, so they gave me**
 24 **a training separation.**

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1 Q. What does that mean?
 2 A. That means they said that I could stay there
 3 and have it fixed, go through three months of
 4 rehabilitation, and start basic training over again; or
 5 they could give me a training separation; I could have it
 6 fixed and reenlist at a later date.
 7 Q. Did you do the latter?
 8 A. I did.
 9 Q. And then you reenlisted with the Army?
 10 A. Correct.
 11 Q. When did you join the Marines?
 12 A. I signed the papers roughly July 1985.
 13 Q. Was there any other reason that you didn't
 14 complete your training with the Marines?
 15 A. No, that's it.
 16 Q. When did you join the Army?
 17 A. 1988.
 18 Q. Did you go through basic training?
 19 A. I did.
 20 Q. Did you complete it?
 21 A. I did.
 22 Q. What was the highest rank you attained in the
 23 Army?
 24 A. E3.

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1 Q. When did you leave the Army?
 2 A. 1990.
 3 Q. What were the circumstances of your departure
 4 from the Army?
 5 A. I had a problem with my knees that they
 6 couldn't identify, so they gave me an honorable discharge.
 7 Q. Other than what you've mentioned already,
 8 have you had any other exposure to guns?
 9 A. I've got friends that have guns.
 10 Q. Have you gone hunting in the last 10 years?
 11 A. With a gun?
 12 Q. Yes.
 13 A. No.
 14 Q. Bow and arrow?
 15 A. Yes.
 16 Q. Any other weapons?
 17 A. No.
 18 Q. I know that you had a gun registration card
 19 at some point. Do you still have one?
 20 A. No, I do not.
 21 Q. So you got one at some point; then it
 22 expired?
 23 A. Correct.
 24 Q. And you didn't renew it?

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1 A. Correct.
 2 Q. When you were with the Army, what level of
 3 security access did you have?
 4 A. Secret.
 5 Q. Did you ever have a federal security
 6 clearance?
 7 A. When I was with the VA. Other than that, no.
 8 Q. Who gave you your security access?
 9 A. The VA.
 10 Q. And who at the VA gave it to you?
 11 A. I don't recall. The VA security people.
 12 Q. Is that a security group other --
 13 differentiated from the police?
 14 A. I believe so, yeah. They have the -- they
 15 have the background people.
 16 Q. Did you have interaction with a specific
 17 individual at the Hines VA with respect to security?
 18 A. Just the person I had to turn my paperwork
 19 into.
 20 Q. Who was that?
 21 A. I don't recall.
 22 Q. Was there a security person with CSSS?
 23 A. I'm not sure. Nobody that was -- that was
 24 able to grant or deny security.

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1 Q. Did you ever lose your security access
 2 following your termination by CSSS?
 3 A. I'm sure I did.
 4 Q. Why do you say that?
 5 A. Because I was terminated, and there was no
 6 need for it anymore.
 7 Q. Do you have any familiarity with how security
 8 access works?
 9 A. Not much.
 10 Q. So you don't know whether or not you lost
 11 your security access when you left CSSS; isn't that right?
 12 A. Correct. I mean, based on the -- the
 13 disclosure that I've seen, apparently I did, because they
 14 were instructed to terminate my security clearance.
 15 Q. What disclosure are you talking about?
 16 A. The one that was sent to Theresa.
 17 Q. What one is that?
 18 A. Or disclosure -- not disclosure. What's the
 19 word I'm looking for?
 20 MS. JOHNSON: I'm not allowed to help you, but I
 21 know what you're saying.
 22 THE WITNESS: Give me a minute. Discovery. That's
 23 it.
 24 BY MR. DUFF:

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1 Q. So what is it that you saw that leads you to
2 believe that your security access was terminated?
3 A. **An e-mail from Bill Slater stating that he**
4 **talked to Kimberly and told her to terminate everything.**
5 Q. Is there any other basis for your believing
6 that your security access was terminated?
7 A. **No.**
8 Q. That's the only one?
9 A. **Correct.**
10 Q. While working for CSSS, did you have any
11 other sources of income?
12 A. **No.**
13 Q. What were your medical benefits at CSSS?
14 A. **Standard medical benefits, health, dental,**
15 **vision.**
16 Q. How were they paid?
17 A. **The company paid a portion, and I paid a**
18 **portion.**
19 Q. What portion did you pay?
20 A. **I don't recall.**
21 Q. What portion did the company pay?
22 A. **I don't recall.**
23 Q. Do you know what the value of those medical
24 benefits was?

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1 A. **No.**
2 **(Defendant's Deposition Exhibit No. 8**
3 **for identification, 07/16/2010.)**
4 **BY MR. DUFF:**
5 Q. I'm marking a copy of Plaintiff's Verified
6 Complaint at Law as Defendant's Deposition Exhibit No. 8,
7 and I'm giving that to you right now.
8 Do you have that? Do you have that?
9 A. **I -- not that I'm aware of, no.**
10 Q. No, I guess let me be more clear.
11 A. **I don't --**
12 Q. Just so the record is clear --
13 A. **Oh.**
14 Q. -- I've handed that to you, haven't I?
15 A. **Yes.**
16 Q. Okay. So you have Exhibit No. 8 in front of
17 you?
18 A. **Correct.**
19 Q. Do you recognize it?
20 A. **Yes. It's been awhile since I've looked at**
21 **it, but yes.**
22 Q. This is the complaint that you filed to
23 initiate this lawsuit, right?
24 A. **Correct.**

Page 67

1 Q. I'd like to direct your attention to page 17.
2 Let me know when you're there.
3 A. **Okay.**
4 Q. Are you there?
5 A. **Yes.**
6 Q. And this is a page that has page 17 of 23 at
7 the bottom?
8 A. **Yes.**
9 Q. And the top of the page starts with paragraph
10 No. 51?
11 A. **Correct.**
12 Q. If you go down to paragraph 56, do you see
13 that?
14 A. **Yes.**
15 Q. And then there's subparagraphs a, b, c, d,
16 and e?
17 A. **Correct.**
18 Q. Directing your attention to 56b, do you see
19 that there's a loss of wages described there?
20 A. **Yes.**
21 Q. And the approximate amount of \$16,923.08?
22 A. **Yes.**
23 Q. How do you calculate that figure?
24 A. **That was the time between my termination with**

Page 68

1 **CSSS and my obtaining a new position.**
2 Q. How did you come up with that number?
3 A. **Based on what I was making with CSSS.**
4 Q. So you took your -- what, your salary with
5 CSSS, and then you used some sort of approximation?
6 A. **It was divided up into 52 weeks and**
7 **multiplied by the number of weeks that I was out of work.**
8 Q. That's how you came up with this number?
9 A. **Yes.**
10 Q. How did you come up with the number for the
11 medical benefits of approximately \$1,060 that's referenced
12 in this same subparagraph?
13 A. **I don't recall if that was -- I believe that**
14 **was for medical bills that I incurred.**
15 Q. What medical bills did you incur?
16 A. **I had to go to the doctor. The stress of the**
17 **situation caused an almost hypertensive state. So I was**
18 **not in good health, so I had to go to the doctor.**
19 Q. You have a family history of hypertension in
20 your family, don't you?
21 A. **Not that I'm aware of.**
22 Q. Doesn't your mother have hypertension?
23 A. **Not that I'm aware of.**
24 Q. So what else correlates to the \$1,060 number

Page 69

1 in paragraph 56b?

2 **A. It's been years. I don't remember what I**

3 **used to come up with that. I think it was primarily the**

4 **cost of the medical care, and I don't recall what else.**

5 Q. Following your termination from CSSS, how

6 many times did you go see a doctor?

7 **A. I think twice.**

8 Q. And when did those visits occur?

9 **A. I don't recall exactly.**

10 Q. Did --

11 **A. One was within a week of being terminated.**

12 Q. And the second?

13 **A. I don't recall. It was a follow-up visit for**

14 **that one.**

15 Q. Approximately how long thereafter?

16 **A. Two, three weeks.**

17 Q. Who was the doctor?

18 **A. I don't recall.**

19 Q. Was it the same doctor?

20 **A. Yes.**

21 Q. Did that doctor prescribe you any

22 medications?

23 **A. Yes.**

24 Q. What medications were you prescribed?

Page 70

1 **A. An antidepressant. I don't recall which one.**

2 Q. Did you take it?

3 **A. I did.**

4 Q. How often?

5 **A. I don't recall.**

6 Q. Approximately? As needed?

7 **A. As prescribed.**

8 Q. Did you take it, you know, a couple times a

9 week? Did you take it a couple times a month?

10 **A. I think it was daily. I just don't recall**

11 **how many times per day.**

12 Q. Yeah. Well, when did you take it during the

13 day?

14 **A. In the morning.**

15 Q. How many tablets did you take?

16 **A. Just one.**

17 Q. And how long did you continue on medication?

18 **A. I think three months.**

19 Q. Why did you stop taking the medication?

20 **A. The doctor cleared me. I was no longer**

21 **stressed out about this.**

22 Q. When did you stop being stressed out about

23 this?

24 **A. I don't recall. I gained new employment, and**

Page 71

1 **I had an income again, and I was out of court with my**

2 **ex-wife about child support. And when the stress factors**

3 **in my life went down once I gained employment, the anxiety**

4 **and everything else that was going on with them.**

5 Q. So during the time frame of January,

6 February, March of 2007, you had some stress factors?

7 **A. Correct.**

8 Q. What were those stress factors?

9 **A. The fact that I had lost my job and was**

10 **unable to pay my bills and was still responsible for**

11 **paying child support for my daughter. Taking care of the**

12 **family that I had at the time, I was unable to do that.**

13 Unemployment was a third of what my income

14 was. I couldn't pay for my vehicle, couldn't pay bills.

15 The standard stresses of losing a job unexpectedly, plus

16 the audacity that it took to accuse me or even to infer

17 that I had a weapon and an attitude problem and there was

18 a potential that I would -- that I would do any kind of

19 physical harm to anyone, let alone my coworkers.

20 Q. What other stress factors did you have at

21 that time?

22 **A. That was -- at that time, that was -- those**

23 **were the big ones --**

24 Q. You said that you were --

Page 72

1 **A. -- outside of normal, everyday life.**

2 Q. You said that you were having some stress

3 over making payments in connection with your support to

4 your family, or something like that?

5 Was it -- did you have something -- was there

6 something in the context of a divorce that was going on at

7 that time?

8 **A. This was well after my divorce, but there's**

9 **still child support for my daughter.**

10 Q. Oh, I see. Was it stress relating to the

11 child support?

12 **A. Some of it.**

13 Q. Was that -- were you having disagreements

14 with your former wife with respect to the child support

15 payments you were making or able to make?

16 **A. Well, that's a never-ending thing; but, yeah,**

17 **I mean, ever since I got divorced, that's been there.**

18 Q. And in that time frame, January, February,

19 and March, were you married?

20 **A. No.**

21 Q. Did you have a fiancé?

22 **A. During that time, I believe so, yes, she was**

23 **my fiancé.**

24 Q. And just to be clear, you know I'm talking

Page 73

1 about 2007, right?

2 A. **Correct.**

3 Q. Who was your fiancé at that time?

4 A. **Deborah Lawson.**

5 Q. Were you and she having any trouble at that

6 time?

7 A. **At that time, no.**

8 Q. Were you and she living together at the time?

9 A. **Yes.**

10 Q. And where were you living?

11 A. **In Hanover Park.**

12 Q. Who was paying the rent?

13 A. **She was with help from me. I mean, it was**

14 **her mortgage, but my paycheck was -- was the one that paid**

15 **most of the bills.**

16 Q. Did you have any other debts at that time in

17 March -- sort of that January through March 2007 time

18 frame?

19 A. **I had a car payment. I had credit cards.**

20 Q. What was the amount of the note on the car at

21 that time?

22 A. **I believe that one was somewhere around \$450**

23 **a month.**

24 Q. And you were having trouble making those

Page 74

1 payments?

2 A. **Yes.**

3 Q. And that was causing you stress?

4 A. **Yes.**

5 Q. Did you also have other debt beyond credit

6 cards at that time?

7 A. **Not that I recall.**

8 Q. What was the amount of the debt you had on

9 your credit cards at that time?

10 A. **Not much, a couple thousand dollars maybe --**

11 Q. Which --

12 A. **-- probably, not quite.**

13 Q. I'm sorry. Did you finish?

14 A. **Yeah.**

15 Q. What credit cards did you have debt on?

16 A. **Visa and Master Card.**

17 Q. Any others?

18 A. **No.**

19 Q. Have you had any other medical issues that

20 have been going on since you left CSSS?

21 A. **No.**

22 Q. In paragraph 56, subparagraph d, you say that

23 you suffered injuries to your professional and personal

24 reputation. Do you see that?

Page 75

1 A. **Correct, yes.**

2 Q. What injuries to your professional and

3 personal reputation did you suffer?

4 A. **The inference that there is a potential for**

5 **me to, quote-unquote, go postal.**

6 Q. Anything else?

7 A. **I think that's enough --**

8 Q. Was it --

9 A. **-- so, no.**

10 Q. There was nothing else?

11 A. **Correct.**

12 Q. Did you suffer any other physical distress as

13 a result of your termination or the circumstances

14 surrounding your termination by CSSS?

15 A. **No. It's been covered.**

16 Q. Any other humiliation or emotional distress?

17 A. **Just having to go through this in reference**

18 **to the whole thing.**

19 Q. But nothing else?

20 A. **Correct.**

21 Q. In other words, you don't have any symptoms

22 other than what you've told me about?

23 A. **Correct.**

24 Q. And when you say that -- earlier you said

Page 76

1 that you had something that mimicked hypertension; is that

2 right?

3 A. **It didn't mimic hypertension. My blood**

4 **pressure was at the level of low-end hypertension. Had it**

5 **been a couple of points higher, the doctor would have put**

6 **me on a blood pressure medication.**

7 Q. So you didn't need to be put on blood

8 pressure medication, right?

9 A. **Correct.**

10 Q. How many times between January 18, 2007, and

11 the end of April 2007 did you have your blood pressure

12 taken by a professional?

13 A. **I don't recall. I have -- I don't recall.**

14 Q. Do you recall any?

15 A. **I recall several, because they wanted to keep**

16 **track of it, but I don't recall who did it or where or**

17 **when.**

18 Q. You always went to the same doctor?

19 A. **Yes.**

20 Q. Have you ever seen a mental health

21 professional?

22 A. **I've talked to counselors.**

23 Q. When?

24 A. **A few times throughout the course of my life.**

Page 77

1 Q. Okay. Let me be more specific in terms of
2 time frame, just to try and tie it in.
3 Have you talked to any mental health
4 professionals since January 1st, 2006?
5 A. Yes.
6 Q. How many occasions?
7 A. Several. I was going to couples counseling
8 with my former fiancé.
9 Q. Who was that?
10 A. Deborah Lawson.
11 Q. Other than going to couples counseling, have
12 you ever met with any other mental health professionals
13 since January 1st, 2006?
14 A. Not that I recall, no.
15 Q. Did you receive any compensation from CSSS
16 after the date of your termination?
17 A. A final paycheck.
18 Q. Anything else?
19 A. Not that I recall.
20 Q. Did you receive all salaried wages through
21 January 18th, 2007?
22 A. To the best of my knowledge, yes.
23 Q. You received everything that you were
24 entitled to from CSSS, right?

Page 78

1 A. Correct.
2 Q. Did you receive compensation for all holiday
3 and vacation days after you were terminated?
4 A. I don't believe so, no.
5 Q. Because you don't recall or because you know
6 that you didn't?
7 A. My -- I didn't. My final paycheck was for
8 whatever vacation time I had accrued and the time that I
9 had worked.
10 Q. Well, so you did get compensation for accrued
11 vacation and holiday time?
12 A. Not holiday time. Accrued vacation.
13 Q. Okay. Did you apply for unemployment
14 benefits after you were terminated by CSSS?
15 A. Yes, I did.
16 Q. Did you receive them?
17 A. Yes, I did.
18 Q. For how long?
19 A. Approximately three months.
20 Q. Why do you say approximately?
21 A. I -- because I don't remember the exact
22 dates.
23 Q. Was it --
24 A. The middle of January until -- until I was

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1 employed, and I don't remember the exact dates without
2 referring to documentation that I don't have with me.
3 Q. What did you do to get a job after you were
4 terminated by CSSS?
5 A. I called everyone that I knew, and I applied
6 with everything that I saw and every consulting firm that
7 I had ever worked with.
8 Q. Had you actually started looking for a job
9 before you were terminated by CSSS?
10 A. Yes, I had, as I told Bill Slater I would.
11 Q. And who had you contacted about getting a job
12 before you were terminated by CSSS?
13 A. I don't recall.
14 Q. Who did you contact about getting a job after
15 you were terminated by CSSS before you were employed by
16 your next employer?
17 A. As I said, I don't recall.
18 Q. Can you identify any of them?
19 A. TEKsystems would be the one that I can
20 remember off the top of my head.
21 Q. Where are they located?
22 A. Schaumburg.
23 Q. Who at TEKsystems did you talk to?
24 A. I don't recall.

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1 Q. Did you send them a resume?
2 A. Yes.
3 Q. For each instance in which you reached out to
4 a prospective employer after you were terminated by CSSS
5 but before you were next employed, did you send out
6 resumes?
7 A. Yes.
8 Q. How many different employers did you send
9 resumes to?
10 A. I don't recall.
11 Q. Can you give me a ballpark?
12 A. Dozens.
13 Q. Did you send those with letters?
14 A. I sent them via e-mail.
15 Q. Do you have any of those e-mails?
16 A. I do not.
17 Q. And you can't identify other than TEKsystems
18 any of the people that you sent these resumes or e-mails
19 to?
20 A. I'm guessing that Insight Global was one,
21 because that was who I got the project with --
22 Q. That's who hired --
23 A. -- my next -- my next job.
24 Q. When did you send your first e-mail to

Page 81

1 Insight?
 2 A. I don't recall.
 3 Q. When did you first make contact with Insight?
 4 A. I don't recall.
 5 Q. Is it Insight or Insights plural?
 6 A. Insight Global.
 7 Q. Between -- when did Insight Global make a job
 8 offer to you?
 9 A. I don't remember the exact date.
 10 Q. How far in advance of your start date did
 11 they give you a job offer?
 12 A. I believe it was a week or two. I don't
 13 remember exactly.
 14 Q. Between the time that you were terminated by
 15 CSSS and the time you started with Insight, did you take
 16 any vacations?
 17 A. I did take one.
 18 Q. Where did you go?
 19 A. Disney World.
 20 Q. Who did you go with?
 21 A. My fiancé and her children and her brother
 22 and his girlfriend.
 23 Q. How long were you there?
 24 A. A week.

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1 Q. And when did that vacation take place?
 2 A. It was immediately after getting fired. It
 3 had already been paid for.
 4 Q. When you say --
 5 A. It was spring break, I believe.
 6 Q. So would that be March of 2007?
 7 A. I believe so, yeah.
 8 Q. So not immediately after you were terminated
 9 by CSSS but a few weeks after?
 10 A. Correct.
 11 Q. Was that a fun trip?
 12 A. To a degree.
 13 Q. By the time -- on the time that you took the
 14 trip to Disney World, did you already have the job offer
 15 from Insight?
 16 A. I believe they contacted me while we were
 17 there.
 18 Q. And when they contacted you while you were
 19 there, did -- tell me about that contact.
 20 A. They just called and said that they had an
 21 opportunity and wanted to submit me for it, and I told
 22 them to go ahead. And I would be back on Monday, and if
 23 they wanted to set up an interview or whatever, we could
 24 do it then.

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1 Q. Who called you?
 2 A. I don't remember who the contact was.
 3 Q. Was it the person who was in charge of HR?
 4 A. No. It was the person who was in charge of
 5 the contract that the opportunity was with.
 6 Q. Tell me about that contract. Who was the
 7 contract with?
 8 A. It was with Hospira.
 9 Q. So your employer was Insight Global?
 10 A. Correct.
 11 Q. The contract was with Hospira?
 12 A. Correct.
 13 Q. Where was the site at which the contract was
 14 performed?
 15 A. Lake Forest.
 16 Q. Illinois?
 17 A. Yes.
 18 Q. Was the nature of the job responsibilities
 19 that you had working for Global Insight on that contract
 20 along the same lines of the work that you were doing for
 21 CSSS at the Hines VA?
 22 A. Yes.
 23 Q. During the time that you took the position at
 24 Insight until the time that that -- strike that.

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1 How long were you employed by Insight Global?
 2 A. Approximately a year and a half.
 3 Q. During the time that you were employed by
 4 Insight Global, did you try to get another job?
 5 A. No.
 6 Q. You were satisfied with the job you had?
 7 A. Yes.
 8 Q. How did the Insight Global job end?
 9 A. Hospira had gotten a directive from their CFO
 10 that all contractors were to be terminated.
 11 Q. And that was sometime in 2008; is that right?
 12 A. That sounds right, yeah. I believe the end
 13 of June.
 14 Q. During the time between your termination from
 15 CSSS and the time that you were hired by Insight, did you
 16 have any conversations with anyone at any of the
 17 prospective employers you applied to about the
 18 circumstances of your termination by CSSS?
 19 A. No.
 20 Q. Did you have any communications with any of
 21 them about anything that you believe was said about you in
 22 connection with your termination by CSSS?
 23 A. No. That was not something that I wanted
 24 advertised.

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1 Q. And not something they brought up to you?

2 A. Correct.

3 Q. In connection with the jobs that you applied

4 for between the time you left CSSS and the time you

5 started working for Insight Global, did you -- strike

6 that.

7 In between the time that you were terminated

8 by CSSS and the time you began working for Insight Global,

9 did any of the prospective employers to whom you applied

10 ever tell you the reason or reasons why they did not offer

11 you prospective employment?

12 A. No. In my career, none of them ever has.

13 Q. While working for Insight Global, did you

14 receive any compensation other than a salary?

15 A. No.

16 Q. During the time that you were working for

17 Insight Global, did you have any compensation other than

18 from Insight Global?

19 A. No.

20 Q. Did you have any form of security access at

21 Insight Global?

22 A. No.

23 Q. Since you left CSSS, have you worked in any

24 other position where you have needed any form of security

Page 86

1 access?

2 A. No.

3 Q. So you haven't had reason to apply for

4 security access on any other occasion since you left CSSS,

5 correct?

6 A. Correct.

7 Q. Have you ever inquired about or applied for

8 any job at the Hines VA since you were terminated by CSSS?

9 A. Yes.

10 Q. When?

11 A. I don't recall exactly when. A job became

12 available on USAJOBS, which is where they posted their

13 openings, and I put in for it.

14 Q. When was that?

15 A. I don't recall. It was within months of

16 getting fired from CSSS.

17 Q. You submitted -- you submitted an on-line

18 resume?

19 A. Correct.

20 Q. Did you have any conversation with anyone at

21 the Hines VA about that?

22 A. Not that I recall, no.

23 Q. Who did -- what was the job you exactly

24 applied for?

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1 A. It was a job similar to what I was doing with

2 CSSS.

3 Q. Was it for a contractor, a subcontractor

4 or --

5 A. No, it was a direct VA hire.

6 Q. Okay. Have you ever had any conversations

7 with George Jackson after you were terminated by CSSS?

8 A. Joe Jackson?

9 Q. George Jackson.

10 A. Oh, George Jackson. Is that the guy from FMI

11 referred to in Randy Padal's e-mail?

12 Q. Yes.

13 A. I don't recall speaking to him personally. I

14 recall Randy saying that he would talk to him, and I sent

15 him my resume, but I don't recall ever getting a response.

16 Q. What did you think of Lisa Wolford while you

17 worked at CSSS?

18 A. Well, for the first several months I didn't

19 have any issues with her until the Christmas party. With

20 the, quote-unquote, Christmas gift she gave me, I felt

21 that I would have felt better about it if she had just

22 reached across the table and just slapped me in the face

23 as opposed to give me a card worth 10 percent off the

24 purchase of \$50 or more at a Build-a-Bear Workshop and a

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1 candy bar with a \$2 off an on-line FTD order on the inside

2 of the wrapper.

3 That was -- especially given the fact that

4 she had just informed us that they had just signed or were

5 about to sign another \$5,000,000 contract with them, and a

6 big portion of that was due to the work that myself and

7 the other 11 or 12 CSSS employees were putting forth, that

8 was a slap in the face to me. Congratulations on your

9 \$5,000,000. Thanks for the coupons.

10 Q. What else did you think of Lisa Wolford while

11 you worked at CSSS?

12 A. I -- the way that -- the way that she treated

13 employees was -- was despicable. It almost seemed like

14 Larry McKeehan leaving was a turning point for -- for how

15 we got treated as employees.

16 Shortly after that, we were told that we

17 needed to all update our resumes and resubmit them so that

18 they could use our resumes to secure other contracts

19 without using us for those contracts, which is unethical.

20 They were using the resumes as a sale tool without having

21 the actual personnel to back it up to secure those

22 contracts.

23 And I didn't agree with it, but I was told,

24 as was everybody else, that if we didn't do it, we better

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1 start looking for a job. And I thought that in and of
2 itself was unethical.
3 It was just -- I didn't think much of her as
4 a leader in the way that she tried to force us to do her
5 will, and I didn't think much of her character in that she
6 wanted us to -- I'm sorry -- to try to work the system to
7 get more work for the company. It was deceitful, and it
8 was unethical, and that basically killed any -- any
9 respect I had for her as a leader or a person.
10 Q. Why do you say that it was deceitful and
11 unethical for Lisa Wolford to do this?
12 A. It was tantamount to buying something with
13 counterfeit money. To go into a federal organization and
14 say, this is what I have to do this job that you need done
15 but not be able to provide this, you're going to replace
16 it with something else, it's a bait-and-switch. It's bad
17 business practice.
18 Q. Are you saying that she was -- you think she
19 was trying to defraud the federal government?
20 A. She told us straight out that she wanted our
21 updated resumes to secure a new contract, and none of us
22 was going to be working on that contract.
23 Q. So you're saying that she was trying to
24 deceive the government to get the contract?

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1 A. I don't know what she was trying to do, but
2 what she told me killed any respect for her character that
3 I may have had.
4 Q. Did you discuss your view that she was
5 engaging in unethical and deceitful conduct with anyone
6 else?
7 A. No, nobody other than my coworkers, and we
8 all were of like mind.
9 Q. Who are you talking about?
10 A. Mike Nikiforos primarily.
11 Q. Who else?
12 A. Maybe Tushar, Dan McDonald.
13 Q. Who else?
14 A. And Larry McKeehan, and that's it.
15 Q. Anybody else?
16 A. No.
17 Q. You said that you thought that Lisa Wolford's
18 treatment of employees was despicable?
19 A. Yes.
20 Q. Why do you say that?
21 A. Because she threatened to fire us for not
22 doing what she wanted us to do even though that it -- it
23 wasn't right. She had our -- the latest copies of your
24 resumes, but she wanted us to go through and redo them

Page 91

1 with the latest and greatest so that she could submit it
2 to other companies.
3 Q. Anything else?
4 A. And she -- there -- she explicitly threatened
5 to fire Mike Nikiforos if he didn't do this.
6 She did fire Larry McKeehan for what seemed
7 to be a setup. From what I've been told, Larry went on a
8 vacation, took his wife to Las Vegas and was told -- he
9 was leaving Friday morning, I think it was, and was told
10 late Thursday night about -- well, just late Thursday
11 night that he had to turn in reports -- several reports by
12 the next day. And he explained that he was leaving on
13 vacation and that he would turn them in as soon as he got
14 back.
15 And they called him Saturday morning in
16 Las Vegas on his cell phone and fired him over the phone.
17 I've got no respect for that.
18 Q. When you say that she threatened Mike
19 Nikiforos for, I think you said something like, not doing
20 this, what were you referring to?
21 A. The updating of the resume for submission to
22 other contracts. He flat-out refused to do it. And she
23 said, if you don't do it, you'll be fired.
24 Q. Was he fired?

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1 A. I believe he was.
2 Q. For that reason?
3 A. I'm not sure if it was that reason or not.
4 Q. Did you ever say anything to anyone else at
5 CSSS about how Lisa Wolford ran the company?
6 A. Bill Slater, Anthony Slatton. It was a
7 subject of conversation. We were concerned about -- about
8 our jobs, about our futures.
9 Q. What did you say to Bill Slater in that
10 regard?
11 A. I don't recall exactly.
12 Q. What did you say to Anthony Slatton in that
13 regard?
14 A. I don't recall exactly.
15 Q. Did you ever say anything to anyone else at
16 CSSS about Lisa Wolford's abilities to run the company?
17 A. I don't recall exactly.
18 Q. Generally?
19 A. Generally, I didn't think she was doing a
20 good job.
21 Q. Who did you tell that to?
22 A. I don't recall. I know I talked to Bill
23 about it. I know I talked to Anthony about it. Other
24 than that, I don't recall.

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1 Q. Did you ever say anything to anyone else at
2 CSSS about Lisa Wolford's honesty?
3 A. **Not that I recall.**
4 Q. Did you ever say anything to anyone outside
5 of CSSS about how Lisa Wolford ran the company?
6 A. **Not that I recall.**
7 Q. Did you ever say anything to anyone outside
8 of CSSS about Lisa Wolford's abilities to do her job?
9 A. **Not directly that I recall.**
10 Q. Did you ever say anything to anyone else
11 about -- outside of CSSS about Lisa Wolford's honesty?
12 A. **Didn't you just ask me that?**
13 Q. No.
14 A. **Not that I recall.**
15 Q. Did you ever say to anyone that Lisa Wolford
16 was running CSSS into the ground?
17 A. **I believe I talked to Bill and Anthony about**
18 **that.**
19 Q. What did you say?
20 A. **I don't recall exactly, but the gist of it**
21 **was that she was losing good engineers and both to them**
22 **quitting because of workplace conditions and them being**
23 **fired for not asking how high every time she said jump.**
24 Any time you -- any time you were asked to do

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1 something, if you didn't do it, it was insubordination.
2 Q. Did you --
3 A. **And that goes down to the smallest thing.**
4 Q. What do you mean?
5 A. **Like updating the resume.**
6 Q. Anything else?
7 A. **I don't recall specifics. There were a lot**
8 **of -- a lot of circumstances, and I don't recall the**
9 **specifics. It's been years.**
10 Q. Did you ever say to anyone that Lisa Wolford
11 was a jerk?
12 A. **Sure.**
13 Q. To who?
14 A. **I don't recall exactly. I'm sure to Anthony**
15 **and Bill in our meeting.**
16 Q. Did you ever say she was a fool?
17 A. **Perhaps.**
18 Q. Do you recall saying that to anybody?
19 A. **Anthony and Bill in the meeting.**
20 Q. Did you ever discuss the quality of services
21 that Lisa was providing to the VA with anyone?
22 A. **I -- I'm sure I mentioned at some -- I mean,**
23 **if you take it out of context, yes, because I said that**
24 **she was letting good engineers go.**

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1 Q. Anything else?
2 A. **No. You let good engineers go, and the**
3 **quality of service is going to go down if you don't**
4 **replace them with like engineers.**
5 Q. Did you ever discuss Lisa Wolford's military
6 background with anybody?
7 A. **Not that I recall.**
8 Q. What did you think of Bill Slater while you
9 worked at CSSS?
10 A. **When he first came in, I did everything I**
11 **could -- I went out of my way to help him understand the**
12 **VA environment, because it can be -- it's extremely**
13 **political, and there are people who you can talk openly**
14 **with and other people that you can't. And dealing with**
15 **people's personalities and stuff plays a big part in a**
16 **manager's success there.**
17 **So I -- when he first started, I spoke with**
18 **him on several occasions and told him who was who, what**
19 **they were in charge of, and just basically tried to help**
20 **him get acclimated to his new position.**
21 **He, in turn, tried to help me in that he said**
22 **he would -- I could be his protégé, and there was a lot**
23 **that I could learn from him. He sent me a link to his**
24 **website. And I think it was around that point that I**

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1 started to have wonderings about Bill Slater.
2 Q. What do you mean?
3 A. **His -- his website and the things that are on**
4 **his website and the way that -- the way that he projects**
5 **himself through his website, it is odd. He -- it's**
6 **extremely difficult to describe. It's one of those things**
7 **that you have to see.**
8 **THE VIDEOGRAPHER:** This will be all for tape No. 2
9 at 11:07 a.m. We're now off video record.
10 (A short recess was had from 11:07 a.m.
11 to 11:18 a.m.)
12 **THE VIDEOGRAPHER:** This will be the start of tape
13 No. 3 at 11:18 a.m.
14 **BY MR. DUFF:**
15 Q. Before we took a break, Mr. Cynowa, you were
16 talking about Bill Slater. While you were working with
17 Bill at CSSS, what did you come to learn about his
18 personality?
19 A. **He was eccentric.**
20 Q. Can you be more specific?
21 A. **He didn't seem to be fully vested in reality.**
22 **He had a very high opinion of himself and a very low**
23 **opinion of everyone else. He thought that everyone needed**
24 **his help, and it was -- he was just odd.**

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1 He thought that everyone should know that his
 2 wife was a belly dancer and invited everyone to come out
 3 and watch his wife belly dance. He was just odd.
 4 Q. Can you describe it in any other way?
 5 A. He's a very difficult person to describe.
 6 Q. While you were working with him at CSSS, did
 7 you have any reason to believe that Mr. Slater was
 8 paranoid?
 9 A. I don't know about paranoid, per se. No, not
 10 paranoid.
 11 Q. Did you think that he was neurotic?
 12 A. In some areas, I think so.
 13 Q. How so?
 14 A. Again, going back to his website, there's a
 15 bunch of stuff on there that's -- I mean, he had posted on
 16 there and was very proud of a realistic depiction of his
 17 apartment downtown with a giant Elvis postage stamp in the
 18 door window and some type of a neon sign in the window.
 19 And it was -- my daughter could have done a better picture
 20 with crayons, but it was realistic as far as his
 21 description said.
 22 There was a cartoon drawing of him in an
 23 Elvis jumpsuit on his web page that he was quite proud of.
 24 He would come into the office in the morning

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1 and go into -- go into his office and close the door, and
 2 he would play classical music very loudly with one dim
 3 lamp in the corner and stay in there most of the day
 4 unless he was coming out. He would, like, come out and
 5 look around and peek in on everybody and then duck back
 6 into his office again. He was just -- he was odd.
 7 Q. Was he socially awkward?
 8 A. Not awkward. He did not interact well with
 9 others in -- in a functional type of sense. He was very
 10 self-involved, and whenever he spoke to anyone, the
 11 conversation was always geared towards him. I don't know
 12 anyone who enjoyed conversing with him.
 13 Q. Did you ever discuss his abilities to do his
 14 job well with anyone while at CSSS?
 15 A. I don't think so. We discussed his oddness,
 16 but I don't know about his ability to do his job well.
 17 Q. Who did you discuss his oddness with?
 18 A. Oh, that was -- that was a conversation that
 19 was had between everyone. VA, CSSS, everyone thought he
 20 was odd. And he would come in to work in a suit and be
 21 wearing beat-up black work boots.
 22 Q. Did you ever have any reason to question
 23 Mr. Slater's honesty?
 24 A. At the end, yes, because he was telling me

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1 one thing and doing another.
 2 Q. Can you be more specific?
 3 A. Well, he had brought me into his office at
 4 one point after the Christmas party, apparently -- well,
 5 what he told me was that Lisa suggested that I get
 6 sensitivity training, because during the Christmas party I
 7 referred to myself as a Polack and my fiancé as a Dago.
 8 I'm Polish, and she's Italian. We both referred to
 9 ourselves in that fashion, but Lisa thought that I needed
 10 sensitivity training because of it.
 11 And he said that he explained to her that
 12 even Mayor Daley referred to Italians as Dagos and at one
 13 point publicly asked what a Dago was doing in the Irish
 14 Day Parade, or something to that effect.
 15 MR. DUFF: I need to go off record for a minute.
 16 THE VIDEOGRAPHER: Going off the record at
 17 11:25 a.m. We're now off video record.
 18 (A short recess was had from 11:25 a.m.
 19 to 11:26 a.m.)
 20 THE VIDEOGRAPHER: Back on the record at 11:26 a.m.
 21 BY MR. DUFF:
 22 Q. Mr. Cynowa, while you were at working at
 23 CSSS, were you a strong or a weak personality?
 24 A. Strong.

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1 Q. Quiet or outspoken?
 2 A. Outspoken.
 3 Q. What was Bill Slater's impression of you?
 4 A. I don't know.
 5 Q. Do you know what Lisa Wolford's impression of
 6 you was?
 7 A. No, I don't.
 8 Q. Did you have any weaknesses that you
 9 discussed with Lisa or Bill?
 10 A. I imagine there were some. I don't recall
 11 what they were. I mean, I'm not perfect. I've got faults
 12 just like everyone else, so --
 13 Q. Did you ever discuss any of those faults with
 14 Lisa Wolford and Bill Slater?
 15 A. I -- I think we discussed points of
 16 improvements during an evaluation or something at some
 17 point.
 18 Q. Anything else?
 19 A. Not that I recall.
 20 Q. What improvements are you talking about?
 21 A. I don't recall off the top of my head.
 22 Q. Did you ever have any verbal confrontations
 23 with any CSSS employees while working for CSSS?
 24 A. Not that I recall.

1 Q. Did you have any verbal confrontations with
2 anyone at the Hines VA while working for CSSS?
3 A. **Not that I recall.**
4 Q. Would you describe your interaction with
5 people at your termination as a verbal confrontation?
6 A. **I suppose that would depend on your
7 definition of a verbal confrontation.**
8 Q. Well, let's start with your definition.
9 A. **Verbal confrontation to me would -- I suppose
10 it could have been taken as a verbal confrontation.**
11 Q. Did you ever have any other verbal
12 confrontations with anyone at CSSS?
13 A. **Not that I remember.**
14 Q. Did you ever get angry at work while working
15 for CSSS?
16 A. **Angry, no. Frustrated, yes.**
17 Q. Did you ever express that frustration?
18 A. **I'm sure I did.**
19 Q. Did you ever yell or raise your voice at
20 anyone or anything while working for CSSS?
21 A. **Not that I recall.**
22 Q. Did you ever send any vulgar e-mails to
23 anyone while working for CSSS?
24 A. **Not that I recall.**

1 A. **Good, bad, and indifferent.**
2 Q. Is that just part of the manner in which you
3 like to speak?
4 A. **That's part of the manner in which we all
5 spoke.**
6 Q. There was a lot of cursing in that
7 environment --
8 A. **Yes.**
9 Q. -- at CSSS?
10 A. **Yes.**
11 Q. And that was true with -- you're saying that
12 was just sort of the manner in which a lot of people
13 spoke?
14 A. **Yes.**
15 Q. Did you ever have any conversations with
16 anyone at CSSS about guns?
17 A. **Not to my knowledge.**
18 Q. Did you ever have any conversations with
19 anyone at CSSS about weapons?
20 A. **No, not to my knowledge. Well, I --
21 actually, yes, I would -- I would talk about the fact that
22 I hunted with a bow.**
23 Q. Who did you talk to that -- about that with?
24 A. **I don't know. I wasn't -- I didn't hide it**

1 Q. Did you use any vulgar or crude terms while
2 you were talking to people while you were working for
3 CSSS?
4 A. **I'm sure I did.**
5 Q. What did you use?
6 A. **I -- I don't have specifics.**
7 Q. Did you ever speak -- strike that.
8 Did you ever use any inappropriate language
9 while you were working at CSSS?
10 A. **Inappropriate how?**
11 Q. In any way.
12 A. **As far as curse words?**
13 **MS. JOHNSON:** I'm going to object to that as being
14 vague. You haven't defined what inappropriate is. He has
15 no idea what you're talking about.
16 **THE WITNESS:** Curse words?
17 **BY MR. DUFF:**
18 Q. Did you ever use curse words?
19 A. **Yes.**
20 Q. In what context did you use curse words?
21 A. **Every context.**
22 Q. Did you use curse --
23 A. **Good, bad, indifferent.**
24 Q. Pardon me?

1 **from anyone, so --**
2 Q. Was that one of the topics that would be a
3 regular part of your discourse?
4 A. **Probably around hunting season.**
5 Q. When was hunting season?
6 A. **It's late November through January. I would
7 talk about how I wanted to get out and was never able to
8 get out while I was there.**
9 Q. Did you ever discuss with anyone the fact
10 that you had familiarity with guns based on your
11 background?
12 A. **Not that I recall.**
13 Q. Did you ever keep a hunting bow in your car?
14 A. **No.**
15 Q. Did you go hunting while you were working at
16 CSSS?
17 A. **No, I did not.**
18 Q. Have you ever gone hunting with anyone who
19 has ever worked for CSSS?
20 A. **No.**
21 Q. When was the last time you fired a gun?
22 A. **I believe when I was in the Army.**
23 Q. When was the last time you handled a gun?
24 A. **At some point, it was over the holidays,**

1 Memorial Day or Labor Day, I think 2005. I was
 2 considering shotgun hunting that season, and my neighbor
 3 had a shotgun that he said he'd let me borrow, so he
 4 showed it to me.
 5 Q. What was your neighbor's name?
 6 A. Warren Tetzlaff.
 7 Q. Where did he live?
 8 A. He lived two doors down from me in Hanover
 9 Park.
 10 Q. What was the address?
 11 A. I don't recall.
 12 Q. What was your address in Hanover Park?
 13 A. I don't even recall that. It was on -- 2043
 14 Leeward Lane.
 15 Q. Was that your address or his?
 16 A. That was mine.
 17 Q. In Hanover Park?
 18 A. Yes.
 19 Q. Was there ever an occasion when you were
 20 holding a gun that the police subsequently came out?
 21 A. Yes.
 22 Q. Was that the occasion you're talking about?
 23 A. Indeed, yes.
 24 Q. Tell me about that.

1 they called the police and said that we were pointing the
 2 gun at them.
 3 And the police came out and checked
 4 everything out, and it was all unfounded, and so they
 5 left.
 6 Q. Was that the Hanover Police Department?
 7 A. Yes.
 8 Q. Who were the neighbors?
 9 A. I don't recall their names.
 10 Q. Did they live next door -- they lived next
 11 door to Mr. Tetzlaff?
 12 A. Yes.
 13 Q. And --
 14 A. It was a duplex, and they were on the other
 15 half of the duplex.
 16 Q. You're saying Mr. Tetzlaff lived in a duplex?
 17 A. We both did. His was the duplex next to
 18 mine.
 19 Q. Oh, I thought you said you lived two doors
 20 down from him?
 21 A. Well, I count the duplex, the units.
 22 Q. Okay. So you --
 23 A. So there was me and then the other neighbors
 24 that caused the issues and then him.

1 A. He invited us over for hot dogs and stuff,
 2 and he was grilling out. And we went over there, and I
 3 was talking to him about the possibility of hunting with a
 4 shotgun that year. And he said that he had one that he
 5 would loan me, and he brought it out.
 6 And I was sitting on the deck outside right
 7 up against the house, and he handed it to me. And I put
 8 the butt in my lap and had the barrel pointing straight up
 9 in the air, and I cleared it, made sure it wasn't loaded.
 10 And I held it up pointing straight up into the air just to
 11 look at it and see how it felt, and then he took it back
 12 and went in the house.
 13 Q. Were you standing or sitting when you were
 14 holding the gun?
 15 A. I was sitting.
 16 Q. Where were you relative to his house?
 17 A. I was -- I had my back against the back wall
 18 of his house sitting on his deck.
 19 Q. Was the deck up above ground?
 20 A. About two feet.
 21 Q. And what happened next?
 22 A. Apparently the neighbors, who had been
 23 causing quite a lot of difficulty in the neighborhood
 24 anyway, decided that they wanted to cause some more, and

1 Q. Oh, so --
 2 A. So I was in this building, and then this side
 3 of that building was the neighbors, and then he was the
 4 other side of that building.
 5 Q. I understand. So the neighbors who called
 6 the police lived in between you and Mr. Tetzlaff?
 7 A. Correct.
 8 Q. I understand. When you were living in that
 9 situation, you were living in a duplex?
 10 A. Correct.
 11 Q. And by that, does that mean like a building
 12 with -- it's a single building with two doorways to
 13 separate units?
 14 A. Correct.
 15 Q. Did you have the first floor or second floor
 16 or did you have multiple floors?
 17 A. We had the half, yeah, multiple floors in the
 18 half.
 19 Q. Were there three doors, then, to this unit --
 20 A. Just two.
 21 Q. -- this building?
 22 So I'm trying to understand. If you and
 23 Mr. Tetzlaff were in the same duplex, how could somebody
 24 be living in between you?

1 A. No. I was in this duplex, and then he was in
2 the next building.
3 Q. I understand.
4 A. Each one of ours was split in half.
5 Q. I gotcha.
6 A. So the half in between us is the one where
7 the neighbors lived. There was my half of the duplex and
8 then yard, and then his two-unit building in which the
9 neighbors lived closest to me, and he lived on the far
10 side of that building.
11 Q. When the police arrived, do you know what the
12 neighbors complained about?
13 A. They said that I was -- that I don't know if
14 me specifically or both of us or what, but somebody was
15 pointing a shotgun at the kids.
16 Q. Have you had any conversations with Larry
17 Carver since you left CSSS?
18 A. In reference to the deposition, but that's
19 it.
20 Q. Is that the only conversation you've had with
21 him since you left CSSS?
22 A. Well, it's been several conversations about
23 the deposition, but yes.
24 Q. What do you mean several conversations about

1 A. I don't know.
2 Q. How do you know -- so Larry McKeehan called
3 you?
4 A. Correct.
5 Q. What did Larry McKeehan say to you?
6 A. And he said that Larry wanted to talk to me.
7 Q. When did he --
8 A. And he had gotten, I think, his e-mail
9 address, and he gave me his e-mail address, so I gave him
10 an e-mail and asked what was up.
11 MR. DUFF: I'd ask that that e-mail be produced.
12 THE WITNESS: I don't have it. It's one of those
13 things that's long since gone. It's been --
14 MS. JOHNSON: I'm sorry, which e-mail? Could you
15 repeat?
16 MR. DUFF: The e-mail that Mr. Cynowa just
17 testified that he sent to Larry Carver.
18 THE WITNESS: I don't have it. I cannot get it for
19 you.
20 BY MR. DUFF:
21 Q. Did he send you any e-mail back?
22 A. Yes.
23 MR. DUFF: I'd ask that that e-mail also be
24 produced.

1 the deposition?
2 A. Just when it was going to be. He --
3 basically when it was going to be, and he asked that I
4 reimburse him for air fare to come out, so --
5 Q. Did you?
6 A. Not as of yet, no.
7 Q. Are you going to?
8 A. Yes.
9 Q. How much was his air fare?
10 A. I believe \$300.
11 Q. Did he have a hotel?
12 A. No, he was in and out the same day.
13 Q. Other than that, what conversations have you
14 had with Larry Carver about his deposition?
15 A. That's it.
16 Q. When did he first contact you after you left
17 CSSS?
18 A. I don't recall the specifics on when.
19 Q. How did he contact you?
20 A. Through a third party.
21 Q. Who was that?
22 A. Somebody contacted -- he contacted somebody,
23 who contacted Larry McKeehan, who contacted me.
24 Q. Who contacted Larry McKeehan?

1 THE WITNESS: I have none of those. I don't have
2 any of those records of anything.
3 BY MR. DUFF:
4 Q. Did you have any other e-mails between you,
5 between the one that you said you sent and the one he sent
6 back?
7 A. Except for making arrangements to reimburse
8 him for the air fare and stuff, no.
9 Q. Do you have any of those e-mails?
10 A. I don't believe so, no.
11 MR. DUFF: I'd ask if you do, that any of those
12 e-mails be produced.
13 THE WITNESS: If I have them, I will.
14 BY MR. DUFF:
15 Q. Have you had any conversations with
16 Mr. Carver since his deposition?
17 A. He has contacted me a couple of times asking
18 me about the reimbursement, but that was it. Nothing --
19 Q. By e-mail or by phone?
20 A. I believe e-mail. And, again, those are long
21 since gone.
22 Q. Did you -- did you speak with Mr. Carver
23 before his deposition?
24 A. Other than to give him my attorney's

1 information, no.
 2 Q. Your attorney spoke with him at some point?
 3 A. Yes.
 4 Q. Were you present for that conversation?
 5 A. No.
 6 Q. Were you on the phone for that conversation?
 7 A. No.
 8 Q. For any part of it?
 9 A. No.
 10 Q. Other than by CSSS, have you ever been
 11 terminated by any other employer?
 12 A. Yeah.
 13 Q. When and by whom?
 14 A. In February by Orbitz, and I think that's it.
 15 Q. Why were you terminated by Orbitz?
 16 A. My wife has multiple sclerosis. I had to
 17 work from --
 18 MS. JOHNSON: Excuse me. Could he repeat that
 19 because the tape was not --
 20 THE VIDEOGRAPHER: No, this is not the tape.
 21 MS. JOHNSON: Oh.
 22 THE WITNESS: Because of her multiple sclerosis,
 23 there are a lot of days when she needs extra help, and I
 24 had to work from home a lot of days.

1 At first it wasn't an issue, and then the
 2 director of our department, for whatever reason, decided
 3 that that was no longer acceptable. So they put me on a
 4 performance plan because I had to stay home and take care
 5 of my wife, and I would work from home.
 6 BY MR. DUFF:
 7 Q. Who was the director of the department?
 8 A. Jason O'Sullivan.
 9 Q. Have you -- so were there any other reasons
 10 why you were terminated other than relating to missing
 11 work?
 12 A. Well, there was -- he put me on a performance
 13 plan, and it was around review time, so they also added
 14 that they wanted me to take more of a managerial position
 15 within my group. They wanted to see improvements in that,
 16 and they wanted to see me, you know, not work from home as
 17 much.
 18 So then I think about a week later, I was
 19 walking over towards one of the -- one of my coworkers at
 20 the help desk area, which was an open cubicle area, and we
 21 would playfully flip the bird to each other. And I did
 22 that, and he did it back, and somebody saw me and didn't
 23 see him, and they reported me to HR. So they took that
 24 and threw it on top of the performance plan I was already

1 on and terminated me.
 2 Q. And that was in February of 2010?
 3 A. Correct. And it was roughly six or seven
 4 weeks after I had talked to the vice president in charge
 5 of our department about -- about the performance of the
 6 director himself. Everyone in the department had
 7 concerns, and I went, and I talked to the VP about it, and
 8 that was right before the Christmas holiday.
 9 Q. Have you been employed by anyone since you
 10 left Orbitz in February of 2010?
 11 A. Yes.
 12 Q. Who?
 13 A. I work for AIM Consulting now.
 14 Q. A-I-M?
 15 A. Yes.
 16 Q. Where are they located?
 17 A. What is that? I believe it's technically
 18 Chicago.
 19 Q. Where in Chicago?
 20 A. Cumberland and the expressway.
 21 Q. What type of work are you doing for AIM?
 22 A. I'm doing a contract for United or I'm on a
 23 contract for United where I am facilitating application
 24 packaging and testing and stuff for a desktop upgrade.

1 Q. How many times have you been married?
 2 A. Four.
 3 Q. What are the names of your wives?
 4 A. The first one was Dana Fuller. The second
 5 one was Irene Mullen. The third one was Carolyn
 6 Singleton. And my current wife is Leanne Kraemer, Leanne
 7 Cynowa.
 8 Q. Do you know where Ms. Fuller lives now?
 9 A. I have no idea.
 10 Q. Do you know where Ms. Mullen lives now?
 11 A. I think Crystal Lake.
 12 Q. Do you know where Ms. Singleton lives now?
 13 A. Yeah, I believe she's in South Elgin. I
 14 believe you've already contacted her.
 15 Q. Have you ever been arrested for any reason?
 16 A. No.
 17 Q. Have you ever used illegal drugs?
 18 A. When I was a kid.
 19 Q. What type of drugs?
 20 A. Marijuana.
 21 Q. Anything else?
 22 A. No.
 23 Q. Have you ever sold illegal drugs?
 24 A. No.

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1 Q. Has anyone ever gotten an order of protection
2 against you?
3 A. Yes.
4 Q. Who?
5 A. Deborah Lawson's daughter.
6 Q. When was that?
7 A. About a week after I got an order of
8 protection against Deborah Lawson.
9 Q. How old was Deborah Lawson's daughter at the
10 time?
11 A. Fifteen.
12 Q. What was her name?
13 A. Sarah Mensching.
14 Q. Can you spell the last name?
15 A. M-e-n-s-c-h-i-n-g.
16 Q. When did you first contact your attorney,
17 Theresa Johnson, in connection with this lawsuit?
18 A. I don't remember exactly. A week or two
19 after I got fired.
20 Q. Was she the first lawyer you contacted?
21 A. No, I think the third one.
22 Q. Who was the first one?
23 A. I have no idea. I was going through the
24 Yellow Pages.

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1 Q. Did anyone refer you to Ms. Johnson?
2 A. No.
3 Q. So you found her on your own?
4 A. Yes.
5 Q. When you contacted her, was it before or
6 after you had done the FOIA request to the VA Police
7 Department?
8 A. I think it was after I submitted the request
9 but before I had actually gotten it.
10 Q. When did you first believe you had a claim
11 against CSSS, Lisa Wolford, or Bill Slater for defamation?
12 A. The minute I heard that they had insinuated
13 that I had a weapon and that I might use it against my
14 coworkers.
15 Q. When was that?
16 A. Within a day or two of being fired.
17 Q. Who did you hear that from?
18 A. That was one of the -- one of the
19 conversations with Mike Nikiforos we spoke of earlier.
20 Q. Did you ever apply to become a police officer
21 for a job?
22 A. Sure.
23 Q. When?
24 A. I don't recall the exact times. I believe it

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1 was sometime in the -- I'm trying to narrow this down
2 here -- probably the early '90s.
3 Q. What police department did you apply to?
4 A. Elgin, and I think I tested for one or two
5 others. I don't remember which ones.
6 Q. Were you ever told why you didn't get the
7 jobs that you applied to at those police departments?
8 A. No.
9 Q. Did you ever apply to the Carol Stream Police
10 Department?
11 A. No, not that I recall.
12 MR. DUFF: Okay. I'm going to show you a document
13 that I'm going to mark as Defendant's Deposition Exhibit
14 No. 9.
15 (Defendant's Deposition Exhibit No. 9
16 for identification, 07/16/2010.)
17 BY MR. DUFF:
18 Q. Do you recognize it?
19 A. Yes.
20 Q. What is it?
21 A. It looks like the answers to your questions
22 that was sent to me quite some time ago.
23 Q. Do you see that the title of this document is
24 "Plaintiff's Reply to Defendants' Affirmative and Other

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1 Defenses"?)
2 A. Correct.
3 Q. And this is a document that you and your
4 lawyer submitted in connection with this lawsuit?
5 A. Correct.
6 Q. And if you turn to page 3 of 7 --
7 A. Uh-huh. Okay.
8 Q. -- and there's a paragraph No. 9. Do you see
9 that?
10 A. Yes.
11 Q. And that's a paragraph that says -- that
12 begins with the words "Consistent with the interests of
13 the defendants and the Hines VA facility"?
14 A. Correct.
15 Q. Do you see that? And to continue, it says,
16 "as well as the interests of the public, the Hines police
17 officer and the defendants had a duty to protect the
18 public and ensure safety"?
19 A. Uh-huh, yes.
20 Q. Do you see that?
21 A. Yes, I do.
22 Q. And you admitted that CSSS as an employer had
23 a duty to ensure the safety of its employees, right?
24 A. Correct.