

1 those departments.
 2 Q And in the third year of your employment?
 3 A Same.
 4 Q Okay. In the first year of your employment did you
 5 have any other communications with Dr. Dalecki other
 6 than --
 7 A There may have been a couple e-mails back and forth
 8 about a faculty meeting that we had in October of
 9 '12.
 10 Q Socialize with him at all?
 11 A I don't believe so.
 12 Q Golf with him ever?
 13 A I once -- I've golfed with him once.
 14 Q And when was that?
 15 A I don't recall.
 16 Q And --
 17 A Not recently.
 18 Q And was that in association with some sort of event?
 19 A I don't believe so. I don't -- no. I don't believe
 20 so, no.
 21 Q Okay. And would that have been in the first year of
 22 your employment?
 23 A I don't recall. I don't think so, but I don't
 24 recall.
 25 Q Please state each and every reason why you -- why you

1 chose to unilaterally appoint Dr. Dalecki as an
 2 interim chair of the department.
 3 MS. BENSKY: Object to form.
 4 THE WITNESS: After Dr. Caywood resigned as
 5 chair, one, I asked Dr. Caywood for a recommendation
 6 as to who he thought could serve as an interim chair
 7 of the department, and his response was Dr. Dalecki.
 8 I spoke with Cheryl
 9 Banachowski-Fuller, and she agreed he would be an
 10 appropriate chair on an interim basis.
 11 I consulted with the chancellor and
 12 with the provost. Consulted with HR. I consulted
 13 with system legal.
 14 BY MR. HAWKS:
 15 Q Is that each -- is that every reason why, the basis
 16 of those recommendations --
 17 A And the fact that he, in fact, had taught juvenile
 18 delinquency and therefore had some understanding of,
 19 in a broad-based way, the field of criminal justice.
 20 Q Any other reason?
 21 A Those were the primary ones.
 22 Q Dr. Burton had prior experiences with Dr. Dalecki?
 23 Do you understand that to be the case?
 24 MS. BENSKY: Object to form, vague.
 25 THE WITNESS: I don't know.

1 BY MR. HAWKS:
 2 Q Please refer to the second page of the complaint.
 3 It's not numbered, so -- of this exhibit. Do you
 4 have it?
 5 In the fourth emboldened line you use
 6 the expression, "Solving problems on the most local
 7 level possible." Do you see that?
 8 A I do.
 9 Q And you refer next then to a complaint against Deb
 10 Rice?
 11 A Yes.
 12 Q Now, that would be the complaint, would it not, that
 13 Deb Rice had accused Dr. Burton of being mentally
 14 unstable?
 15 A I don't know the -- I never saw the complaint.
 16 Q So how did you know to refer to it then?
 17 A I was told that Dr. Burton had filed a complaint with
 18 HR for defamation. I wasn't told the specifics of
 19 it.
 20 Q But how could that be inappropriate, if, in fact, she
 21 had been defamed?
 22 A That -- seems to me "defamation" is a legal
 23 conclusion I can't draw.
 24 Q Yeah, okay, but my question to you is: How can you
 25 not know about the substance of a complaint and then

1 use that complaint as a basis for an allegation of
 2 misconduct by an employee?
 3 A Dr. Burton chose to not talk with Professor Rice
 4 first.
 5 Q And you -- do you have -- strike that.
 6 Are you saying that as we sit here
 7 today, you don't know what Dr. Burton accused -- or
 8 Dr. Burton understood to be the disparaging remarks
 9 made by Deb Rice?
 10 A I've only heard that it had to do with her being East
 11 German. That's all I've heard.
 12 Q That's all you've heard?
 13 A Yes.
 14 Q If Deb Rice had said to students that Sabina Burton
 15 was mentally unstable, would you consider that
 16 inappropriate?
 17 A Yes, I would.
 18 Q If Deb Rice had said in the presence of students that
 19 Burton would no -- would not be around much longer,
 20 would that be inappropriate?
 21 A Yes.
 22 Q If Deb Rice said in the presence of students that
 23 Burton had antipathy towards East Germans, would that
 24 be inappropriate?
 25 A Yes.