

Dr. Sabina Burton v. Board of Regents University of
Wisconsin, et al.

14-CV-274

Transcript of the Testimony of:

Elizabeth Throop, Ph.D.

October 28, 2015



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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

DR. SABINA BURTON,

Plaintiff,

vs.

Case No. 14-CV-274

BOARD OF REGENTS
UNIVERSITY OF WISCONSIN, et al.,

Defendants.

Deposition of ELIZABETH THROOP, Ph.D.

Wednesday, October 28th, 2015

8:59 a.m.

at

WISCONSIN DEPARTMENT OF JUSTICE
17 West Main Street
Madison, Wisconsin

Reported by Kealoha A. Schupp, RPR

1 Deposition of ELIZABETH THROOP, Ph.D., a
2 witness in the above-entitled action, taken at the
3 instance of the Plaintiff, pursuant to the Federal
4 Rules of Civil Procedure, pursuant to notice, before
5 Kealoha A. Schupp, RPR and Notary Public, State of
6 Wisconsin, at WISCONSIN DEPARTMENT OF JUSTICE, 17
7 West Main Street, Madison, Wisconsin, on the 28th day
8 of October, 2015, commencing at 8:59 a.m. and
9 concluding at 3:54 p.m.

10 A P P E A R A N C E S:

11 HAWKS QUINDEL, S.C., by
12 Mr. Timothy E. Hawks
13 222 East Erie Street, Suite 210
14 P.O. Box 442
15 Milwaukee, Wisconsin 53201
16 Appeared on behalf of Plaintiff.

17 WISCONSIN DEPARTMENT OF JUSTICE, by
18 Ms. Anne M. Bensky
19 Ms. Katherine Spitz
20 P.O. Box 7857
21 Madison, Wisconsin 53707
22 Appeared on behalf of Defendants.

23 Also Present: Jennifer Schuchart
24
25

1 Dr. Burton; isn't that true?
 2 A It is true.
 3 Q And in that letter of direction you identified a
 4 number of specific areas in which she was to change
 5 her behavior; isn't that true?
 6 A Yes.
 7 Q And did you have any conversation with Dr. Burton
 8 about any of those areas or those issues prior to the
 9 time you issued the letter of direction?
 10 A I think you need to define what you mean by -- do you
 11 mean face-to-face conversation?
 12 Q Yes.
 13 A No.
 14 Q I believe in that letter of direction you refer to an
 15 issue involving Dr. Stackman, a CJ faculty member; is
 16 that true?
 17 MS. BENSKY: I object to the form of the
 18 question. You're asking about a document she doesn't
 19 have in front of her.
 20 THE WITNESS: I don't recall.
 21 BY MR. HAWKS:
 22 Q Okay. On December 12th, 2014, you wrote an e-mail to
 23 Dr. Burton, in which you found that she had -- or
 24 alleged, you stated that she had skipped the final
 25 day of classes in the fall semester of the 2014/2015

1 Q All right. And did you make any effort to verify?
 2 A I asked Professor Rice to go back to those students
 3 and make sure that that's what they understood to be
 4 the case.
 5 Q But you're not the chair of the department, are you?
 6 A No.
 7 Q Do you know whether or not Dr. Rice had shared this
 8 information with the chair of the department?
 9 A I believe she did.
 10 Q On what do you base that belief?
 11 A Dr. Dalecki had told me later that, in fact, it was
 12 Dr.-- not Dr. Rice -- Professor Rice who had told him
 13 about it as well.
 14 Q All right. And how did he communicate that
 15 information to you?
 16 A I don't know. I don't recall.
 17 Q E-mail?
 18 A I don't recall.
 19 Q Okay. Do you know why Dr. Rice shared this -- or
 20 Professor Rice shared this information with you?
 21 A I don't.
 22 Q Did you make any effort to contact Dr. Burton before
 23 sending that letter out?
 24 A I did not.
 25 Q Did you ask the chair of the department to verify the

1 school year and that you were going to discipline
 2 her; isn't that true?
 3 A I don't recall the exact wording of the e-mail.
 4 Q Have I summed up the content of the e-mail?
 5 A I don't recall.
 6 Q Did someone provide you with information that
 7 Dr. Burton had skipped the last day of classes in the
 8 2014/2015 school year?
 9 A Yes.
 10 Q Who was that?
 11 A Deb Rice.
 12 Q And when was that information shared with you?
 13 A I don't recall exactly.
 14 Q Was it the same day?
 15 A I don't recall exactly.
 16 Q As the class was to be conducted?
 17 A I believe it was after that.
 18 Q All right. Was it the same day that you issued --
 19 you sent Dr. Burton that e-mail?
 20 A I don't recall.
 21 Q What did Dr. Rice tell you?
 22 A Dr. Rice told me that two students had told her that
 23 Dr. Burton had canceled the last day of class in the
 24 fall semester to fly to Germany to see her ailing
 25 mother.

1 information before sending the letter out?
 2 A I did not.
 3 MR. HAWKS: I believe our next exhibit
 4 number is 61, but I am relying on memory right now.
 5 (Exhibit 61 marked for identification.)
 6 BY MR. HAWKS:
 7 Q Take a moment to review this, please.
 8 A (Reviewing document.)
 9 Q Are you familiar with the incident that led up to --
 10 first of all, can you identify this document?
 11 A I can't. I've never seen it before.
 12 Q Appears to be a letter written from a grievance
 13 committee to Chancellor Shields; is that fair?
 14 A I have no idea.
 15 Q And are you familiar with the breach incident of
 16 Dr. Gibson?
 17 A Yes, I am.
 18 Q Can you describe that in general terms, please?
 19 A It's -- well, I believe the document explains what I
 20 understand to have happened, which is that Dr. Gibson
 21 handed a note to a student in his class and the note
 22 said what this indicates it did, "Call me," smily
 23 face, and provided his cell phone number.
 24 Q Did you have any conversations with Dr. Gibson about
 25 that matter?