

EXHIBIT C



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Transcript of Jay Alstadt

Date: March 8, 2017

Case: Larrick -v- The Sheriff of Beaver County, Pennsylvania, et al.

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Transcript of Jay Alstadt
 Conducted on March 8, 2017

<p style="text-align: center;">1</p> <p>1 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA</p> <p>2 -----x</p> <p>3</p> <p>4 CURTIS LARRICK, : Civil Division</p> <p>5 Plaintiff, : </p> <p>6 vs. : No. 16-282</p> <p>7 THE SHERIFF OF BEAVER COUNTY, : PENNSYLVANIA; BEAVER COUNTY, : PENNSYLVANIA and ANTHONY GUY, : Sheriff of Beaver County in his : individual capacity, : </p> <p>10 Defendants. : </p> <p>11 -----x</p> <p>12 Videotaped Deposition of JAY ALSTADT</p> <p>13 Beaver, Pennsylvania</p> <p>14 Wednesday, March 8, 2017</p> <p>15 10:09 a.m.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22 Job No.: 137326</p> <p>23 Pages: 1 - 91</p> <p>24 Reported by: Deborah Endler</p> <p>25</p>	<p style="text-align: center;">3</p> <p style="text-align: center;">A P P E A R A N C E S</p> <p>1 On behalf of the Plaintiff:</p> <p>2 John E. Black, III, Esquire</p> <p>3 Samuel J. Cordes & Associates</p> <p>4 245 Fort Pitt Boulevard</p> <p>5 Pittsburgh, Pennsylvania 15222</p> <p>6 (412) 281-7991</p> <p>7 jblack@cordeslawfirm.com</p> <p>8</p> <p>9 On behalf of the Defendants:</p> <p>10 Marie Millie Jones, Esquire</p> <p>11 Jones Passodelis, PLLC</p> <p>12 Gulf Tower, Suite 3510</p> <p>13 707 Grant Street</p> <p>14 Pittsburgh, Pennsylvania 15219</p> <p>15 (412) 315-7272</p> <p>16 mjones@jonespassodelis.com</p> <p>17 ALSO PRESENT: Nate LeMaster, Videographer</p> <p>18 Curtis Larrick, Plaintiff</p> <p>19 Anthony Guy, Defendant</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>																		
<p style="text-align: center;">2</p> <p>1 Videotaped Deposition of JAY ALSTADT, held</p> <p>2 at the:</p> <p>3</p> <p>4</p> <p>5</p> <p>6 Beaver County Court of Common Pleas</p> <p>7 Law Department Conference Room</p> <p>8 810 Third Street</p> <p>9 Beaver, Pennsylvania 15009</p> <p>10 (724) 728-5700</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15 Pursuant to agreement, before Deborah</p> <p>16 Endler, Court Reporter and Notary Public in and</p> <p>17 for the Commonwealth of Pennsylvania.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: center;">4</p> <p style="text-align: center;">C O N T E N T S</p> <table border="0"> <tr> <td>2 EXAMINATION OF JAY ALSTADT</td> <td style="text-align: right;">PAGE</td> </tr> <tr> <td>3 By Mr. Black</td> <td style="text-align: right;">6</td> </tr> <tr> <td>4 By Ms. Jones</td> <td style="text-align: right;">77</td> </tr> <tr> <td>5 By Mr. Black</td> <td style="text-align: right;">87</td> </tr> </table> <p style="text-align: center;">E X H I B I T S</p> <table border="0"> <tr> <td>7 MICHAEL DEPOSITION EXHIBITS</td> <td style="text-align: right;">PAGE</td> </tr> <tr> <td>8 Exhibit 1 - Memo from Sheriff</td> <td></td> </tr> <tr> <td>9 David to Rick Darbut</td> <td style="text-align: right;">20</td> </tr> <tr> <td>10 Exhibit 2 - Larrick file</td> <td style="text-align: right;">59</td> </tr> <tr> <td>11 Exhibit 3 - List of names</td> <td style="text-align: right;">62</td> </tr> </table> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	2 EXAMINATION OF JAY ALSTADT	PAGE	3 By Mr. Black	6	4 By Ms. Jones	77	5 By Mr. Black	87	7 MICHAEL DEPOSITION EXHIBITS	PAGE	8 Exhibit 1 - Memo from Sheriff		9 David to Rick Darbut	20	10 Exhibit 2 - Larrick file	59	11 Exhibit 3 - List of names	62
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5	<p>1 PROCEEDINGS</p> <p>2 VIDEOGRAPHER: Here begins tape number</p> <p>3 one in the videotaped deposition of Jay</p> <p>4 Alstadt in the matter of Larrick versus</p> <p>5 Sheriff of Beaver County, Pennsylvania, et</p> <p>6 al., in the United States District Court for</p> <p>7 the Western District of Pennsylvania, Case</p> <p>8 No. 16-282.</p> <p>9 Today's date is March 8, 2017. The</p> <p>10 time on the video monitor is 10:09 a.m.</p> <p>11 Videographer today is Nate LeMaster</p> <p>12 representing Planet Depos. This video</p> <p>13 deposition is taking place at 810 Third</p> <p>14 Street in Beaver, Pennsylvania, 15009.</p> <p>15 Counsel, please, voice identify</p> <p>16 themselves and state whom they represent?</p> <p>17 MR. BLACK: John Black on behalf of</p> <p>18 Plaintiff, Curtis Larrick.</p> <p>19 MS. JONES: Marie Millie Jones on</p> <p>20 behalf of all Defendants.</p> <p>21 VIDEOGRAPHER: Court reporter today is</p> <p>22 Deb Endler, representing Planet Depos.</p> <p>23 Would the reporter, please, swear in the</p> <p>24 witness.</p> <p>25 (Witness first duly sworn.).</p>	7	<p>1 feel free to, just let me know that. I would ask</p> <p>2 that you finish answer any pending question</p> <p>3 before we break.</p> <p>4 A. Okay.</p> <p>5 Q. Sir, could you state your educational</p> <p>6 background, please?</p> <p>7 A. Well, I had education throughout four</p> <p>8 years of military, high school education, some</p> <p>9 college, and training throughout my career.</p> <p>10 Q. How long have you worked for the Beaver</p> <p>11 County Sheriff's Department?</p> <p>12 A. This is my 10th year.</p> <p>13 Q. And for how long have you been Captain?</p> <p>14 A. A year and two months.</p> <p>15 Q. Who do you presently report to?</p> <p>16 A. Chief Dean Michael and the Sheriff,</p> <p>17 Tony Guy.</p> <p>18 Q. And with regard to Department</p> <p>19 structure, as Captain, what is your role within</p> <p>20 the Sheriff's Office?</p> <p>21 A. I oversee from Lieutenant down. I</p> <p>22 handle partial daily operations. I do</p> <p>23 scheduling. I do payroll, administrative type</p> <p>24 work and then I fill in wherever they need me.</p> <p>25 Q. And previously, what other positions</p>
6	<p>1 Whereupon,</p> <p>2 JAY ALSTADT</p> <p>3 being first duly sworn or affirmed to testify to</p> <p>4 the truth, the whole truth, and nothing but the</p> <p>5 truth, was examined and testified as follows:</p> <p>6 EXAMINATION BY COUNSEL FOR THE PLAINTIFF</p> <p>7 BY MR. BLACK:</p> <p>8 Q. Good morning, Captain Alstadt.</p> <p>9 A. Good morning, sir.</p> <p>10 Q. As I mentioned earlier when we met, I'm</p> <p>11 Jay Black and I represent Curtis Larrick. Have</p> <p>12 you had your deposition taken before?</p> <p>13 A. Not involving any of this, but, yes,</p> <p>14 I've had a deposition years and years ago.</p> <p>15 Q. Okay. Just a couple ground rules for</p> <p>16 today. If at any point in time you can't hear</p> <p>17 me, will you let me know that?</p> <p>18 A. Absolutely.</p> <p>19 Q. Will you also let me know if you don't</p> <p>20 understand a question I'm asking?</p> <p>21 A. Absolutely.</p> <p>22 Q. And can you continue to give me verbal</p> <p>23 answers as you're doing now?</p> <p>24 A. Absolutely.</p> <p>25 Q. If you need a break at any time, please</p>	8	<p>1 have you held in the Beaver County Sheriff's</p> <p>2 Office?</p> <p>3 A. For the previous 8 years before that I</p> <p>4 was the Chief Deputy.</p> <p>5 Q. And as Chief Deputy, what was your</p> <p>6 role?</p> <p>7 A. Pretty much the same thing, except I</p> <p>8 had the captains under me and had maybe a little</p> <p>9 bit more decision-making within the actual</p> <p>10 Department, or office.</p> <p>11 Q. And with respect to decision making,</p> <p>12 what type of decision-making would you have at</p> <p>13 that time?</p> <p>14 A. Well, other than the Sheriff,</p> <p>15 everything rested with me. So on a daily basis I</p> <p>16 made decisions that affected the entire</p> <p>17 organization.</p> <p>18 Q. And during the period of time that you</p> <p>19 were Chief Deputy, who was the Sheriff?</p> <p>20 A. George David.</p> <p>21 Q. And prior to the Beaver County</p> <p>22 Sheriff's Office, where were you employed?</p> <p>23 A. I spent 21 years in the City of Beaver</p> <p>24 Falls as a police officer.</p> <p>25 Q. As I mentioned, I represent Curtis</p>

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<p style="text-align: right;">9</p> <p>1 Larrick. Was there a period of time that Curtis 2 Larrick was employed by the Sheriff's Office? 3 A. Yes. 4 Q. Okay. Do you recall what position he 5 held? 6 A. I believe when we took office he was a 7 deputy. Sheriff then promoted him to sergeant. 8 And then during the 8 year period of time, back 9 to deputy. 10 Q. And at the time, is it fair to say at 11 the time that Curtis Larrick's employment ended, 12 he was a deputy? 13 A. Yes. 14 Q. Do you recall what, during that second 15 period of time when Curtis Larrick was deputy, 16 what his job duties were? 17 A. As a deputy? 18 Q. Yes. 19 A. Basic court security, warrants, civil 20 paper delivery, the basic duties of a deputy. 21 Transportation of prisoners, juveniles. 22 Q. And as a deputy, did Curtis Larrick 23 supervise any employees? 24 A. As a senior deputy, he may have. That 25 wasn't his role as a deputy, though, no. In</p>	<p style="text-align: right;">11</p> <p>1 Q. I want to get back to that second 2 period of time where Larrick was a deputy. As a 3 deputy, did he have any decision-making process 4 with related to policies for the Sheriff's 5 Office? 6 A. No. 7 Q. And with the second period of time that 8 Larrick was a deputy, who would have made policy 9 for the Sheriff's Office? 10 A. Myself or the Sheriff. 11 Q. And do you recall what led to Sergeant 12 Larrick being moved back to Deputy Larrick? 13 A. I don't recall any specific event. I 14 recall the different things that occurred leading 15 up to it. I know that Sergeant Larrick, at the 16 time, had a personal relationship with Sheriff 17 David prior to us even taking office. There 18 was -- 19 Q. Go ahead. 20 A. No. 21 Q. Can you tell me what events you 22 remember that led up to Larrick becoming a 23 sergeant? 24 A. Becoming a sergeant? 25 Q. Yeah.</p>
<p style="text-align: right;">10</p> <p>1 other words, I'm saying that had he been senior 2 deputy on a certain event, he may have supervised 3 them, yes. 4 Q. And during the period of time, that 5 second period of time, where Larrick was a 6 deputy, who would have he reported to? 7 A. He would have reported to a first line 8 sergeant, and he would have reported to a 9 lieutenant, captain or chief. 10 Q. And during the period of time that 11 Larrick was a sergeant, what were his duties as a 12 sergeant? 13 A. His basic duty as a sergeant was 14 courthouse security. 15 Q. And with respect to courthouse 16 security, what would his responsibilities have 17 been as a sergeant? 18 A. Making sure that the courtrooms were 19 swept before any type of major trial. He would 20 have been in charge of the two entrance points to 21 this courthouse, as far as making sure the 22 deputies had what they needed or were trained to 23 do what they needed to do there. It was 24 basically supervisor of security within the 25 building itself.</p>	<p style="text-align: right;">12</p> <p>1 A. That was just a decision by the Sheriff 2 at the time. He promoted, I believe, four people 3 when he first took office into sergeant 4 positions. 5 Q. Do you recall who those four people 6 were? 7 A. Sergeant Yalinski, Sergeant Yasick, 8 Sergeant Larrick and Sergeant Hurst. 9 Q. And then now going in the other 10 direction, do you recall the events leading to 11 Larrick moving down to deputy? 12 A. Curt had some personal issues that were 13 occurring that were affecting his life in a 14 drastic way, and certain events took place that 15 Sheriff David wasn't happy with and he made the 16 decision that he no longer wanted Curt in a 17 supervisory position. 18 Q. And the personal issues you're 19 referring to at the time, prior to being moved 20 from sergeant to deputy, can you tell me what 21 those were? 22 A. He was going through a very difficult 23 divorce at the time, or separation. I shouldn't 24 say divorce at that point. It was separation. 25 Q. Any other personal issues at that time?</p>

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4 (13 to 16)

<p style="text-align: right;">13</p> <p>1 A. Um, not that I'm aware of. I know that 2 there was a custody issue that played into that 3 whole thing involving his son, which made it more 4 difficult for him. 5 Q. And other than personal issues, do you 6 recall any other events that led the Sheriff to 7 move Larrick from sergeant to deputy? 8 A. Well, there were several events or 9 things that took place. You are talking five or 10 six years ago, and without reading through or 11 refreshing my memory, I would hate to say 12 something on record that I'm not positive about. 13 But I know that they were affecting our 14 operation. 15 Q. Do you recall if any of the events were 16 issues with co-workers? 17 A. Yes. 18 Q. Do you recall who those co-workers 19 were? 20 A. Sergeant Larrick believed that a 21 Sergeant Hurst, Assistant Chief Tallon and 22 possibly Deputy Chapes were giving his wife 23 information concerning his duties here and 24 whether he showed up for work, anything involving 25 what he was doing here. And he was fairly</p>	<p style="text-align: right;">15</p> <p>1 A. Absolutely. 2 Q. Okay. Do you recall what you said to 3 Hurst? 4 A. No, other than what I told all of them 5 on numerous occasions was that this was a 6 personal matter between Curt and his wife, and 7 that in the best interest of the office and their 8 careers here, that they needed to stay out of it 9 and let them work through whatever they were 10 going to go through. 11 Q. And do you recall anything that Hurst 12 said in response to that? 13 A. No. I know that, according to Curt, my 14 words weren't heeded, because he continued to 15 suspect this was going on and continued to talk 16 to me about it. 17 Q. And during this period, again I'm 18 talking between the period of Sheriff to deputy 19 for Larrick? 20 MS. JONES: Sergeant? 21 Q. From sergeant to deputy. Did 22 Mr. Larrick raise some concerns with you 23 regarding Tallon? 24 A. Yes, I mean Randy was one of the people 25 that he mentioned. He also felt that in some way</p>
<p style="text-align: right;">14</p> <p>1 convinced that this was going on on a daily 2 basis, and he also suspected that one of them may 3 be involved with her. 4 Q. And fair to say he suspected that Hurst 5 was involved with her? 6 A. Yes. 7 Q. And did he address that with you? 8 A. Yes, he did. 9 Q. And did he show you phone records 10 between his wife and Hurst? 11 A. Yes, he did. 12 Q. And do you recall if the phone records 13 showed significant contact between Hurst and 14 Mr. Larrick's wife? 15 A. I know there was contact. I don't know 16 if it was significant. I don't remember actually 17 what the records showed. 18 Q. Okay. Did he show you any text 19 messages? 20 A. I believe he did. 21 Q. Do you recall what those said? 22 A. No. 23 Q. And this issue between Larrick and 24 Hurst, did you address the issue with Hurst at 25 all?</p>	<p style="text-align: right;">16</p> <p>1 he was being persecuted by Randy or that Randy 2 had some sort of personal issue with him. 3 Q. And did Larrick say to you at all what 4 he believed that issue was? 5 A. Um, I wish I could state yes. I 6 believe he did on a couple occasion or numerous 7 occasions. 8 During all this time, this was a 9 constant with Curt and I, our communication. We 10 talked every day at work and then we would talk 11 after work. So for me to recall everything that 12 occurred back then, what was said, how it 13 happened, I can't do that and give you a definite 14 answer. 15 Q. And did you have any opinion at that 16 time, and again, I'm talking that period between 17 sergeant back to deputy, whether Mr. Larrick was 18 telling the truth to you? 19 A. I believe Curt believed it to be the 20 truth. I'm not sure that I saw it the same way 21 all the time. But I did as much as I could to 22 help Curt through whatever he needed from me. 23 Q. And again, for that same time period, 24 did you believe that he was lying to you? 25 A. No, I didn't believe that he was lying</p>

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<p style="text-align: right;">17</p> <p>1 about any of it, no.</p> <p>2 Q. And I believe, just to kind of clear</p> <p>3 the record, you mentioned a Deputy Chape?</p> <p>4 A. Chapes.</p> <p>5 Q. Chapes.</p> <p>6 A. It's a female deputy, right.</p> <p>7 Q. And do you recall what the issue that</p> <p>8 Larrick had with Deputy Chapes?</p> <p>9 A. He just believed that Deputy Chapes and</p> <p>10 his wife had been friends prior to this</p> <p>11 separation, and that she was possibly one of the</p> <p>12 people feeding his wife information about his</p> <p>13 daily routine here. She wasn't a focal point per</p> <p>14 se, but he believed that she may be involved.</p> <p>15 Q. And with respect to the focal point,</p> <p>16 would have that been Hurst and Tallon?</p> <p>17 A. Pretty much so, yes.</p> <p>18 Q. Other than Chapes, Hurst and Tallon,</p> <p>19 during that period between sergeant and deputy,</p> <p>20 was there anyone else that Larrick raised</p> <p>21 concerns he had with you?</p> <p>22 A. Yeah, he felt that Lieutenant McGeehan</p> <p>23 was also a close friend of his wife's and he may</p> <p>24 be involved with talking to her.</p> <p>25 Q. And again, for that same time period,</p>	<p style="text-align: right;">19</p> <p>1 head of Human Relations.</p> <p>2 Q. And I'm not sure whether you even know</p> <p>3 this or not, do you know at the time that Darbut</p> <p>4 got involved that Larrick was already back to</p> <p>5 deputy or if he was a sergeant?</p> <p>6 A. I don't remember that.</p> <p>7 Q. What was Mr. Darbut's title at that</p> <p>8 time?</p> <p>9 A. I just knew he was Director of Human</p> <p>10 Relations.</p> <p>11 Q. And with respect to after Larrick was a</p> <p>12 deputy again, were there any other issues between</p> <p>13 Larrick and co-workers?</p> <p>14 A. Yes. The issues continued through the</p> <p>15 entire time. There was never a point that it</p> <p>16 ended. Even after the divorce was finalized,</p> <p>17 there was still issues going on between him and</p> <p>18 the main parties that we've talked about.</p> <p>19 Curt had, he was certain in his mind or</p> <p>20 felt that this was continuing, that they</p> <p>21 continued to feed her information, that she</p> <p>22 continued to attack him with the information they</p> <p>23 fed her. So, yes, it continued.</p> <p>24 Q. And do you recall at all what that</p> <p>25 information was?</p>
<p style="text-align: right;">18</p> <p>1 did you address Larrick's concerns with the</p> <p>2 Sheriff at all?</p> <p>3 A. Absolutely.</p> <p>4 Q. Okay. And do you recall what you said</p> <p>5 to the Sheriff?</p> <p>6 A. I would brief him on what Curt</p> <p>7 suspected, and give him, tell him how I was</p> <p>8 handling it, who I was talking to. And we</p> <p>9 discussed it. He let me control most of it. I</p> <p>10 don't know if Curt and him had any communication</p> <p>11 about it behind, that I'm not aware of. But yes,</p> <p>12 I kept him informed.</p> <p>13 Q. And with respect to the issues during</p> <p>14 that period when Larrick was sergeant to deputy,</p> <p>15 did you discuss Larrick's concerns with anyone in</p> <p>16 the Beaver County Human Resources Office?</p> <p>17 A. Um, at the beginning of it, no. And</p> <p>18 that was partially by Curt's request. He really</p> <p>19 didn't want to go outside the office. He wanted</p> <p>20 to see if we could handle and maintain the things</p> <p>21 within the office.</p> <p>22 And then eventually as time went on,</p> <p>23 Rick Darbut was brought in. I can't remember if</p> <p>24 it was by Curt himself or by me, but Rick Darbut</p> <p>25 became involved in it. And Rick Darbut was the</p>	<p style="text-align: right;">20</p> <p>1 A. Well, it was basically what occurred</p> <p>2 here at the office, what they would hear him say</p> <p>3 or do or whether he reported for work or didn't</p> <p>4 report for work. Just anything within the office</p> <p>5 that Curt was doing, he felt his wife knew about</p> <p>6 it before he got home, or ex-wife.</p> <p>7 (THEREUPON, Alstadt Deposition Exhibit</p> <p>8 1 was marked for identification.)</p> <p>9 A. Okay.</p> <p>10 Q. I handed you Exhibit 1 of your</p> <p>11 deposition. Have you seen this document before?</p> <p>12 A. Yes.</p> <p>13 Q. And on this document, on the second</p> <p>14 page, is that your signature?</p> <p>15 A. Yes.</p> <p>16 Q. And also, do you recognize the</p> <p>17 signature above your's?</p> <p>18 A. Yes, that's Sheriff David's.</p> <p>19 Q. Do you recall when this document was</p> <p>20 created?</p> <p>21 A. I believe this was -- I wouldn't want</p> <p>22 to say the exact time, but I believe it would</p> <p>23 have been in the last, could have been the last</p> <p>24 two years of the Sheriff's administration.</p> <p>25 Q. And did you have any role in creating</p>

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21	<p>1 this document?</p> <p>2 A. I probably typed it from what the</p> <p>3 Sheriff gave me, notes that he gave me. The</p> <p>4 Sheriff didn't have a computer.</p> <p>5 Q. And I just want to ask you some things</p> <p>6 regarding this to identify. I'm looking where it</p> <p>7 looks like the second sentence, starts part way</p> <p>8 through the third line, "I believe along with</p> <p>9 other members of my command staff that Larrick</p> <p>10 has several personal unresolved issues that are</p> <p>11 interfering with his job performance."</p> <p>12 At this time did you have concerns with</p> <p>13 issues interfering with Larrick's job</p> <p>14 performance?</p> <p>15 A. I believe when this letter was drafted,</p> <p>16 Curt had a major issue with absenteeism due to</p> <p>17 FMLA. I mean it was legitimate reasons, but he</p> <p>18 was a full-time deputy sheriff and a position</p> <p>19 that wasn't being filled. We had no availability</p> <p>20 from him.</p> <p>21 Q. Do you recall at this point what the</p> <p>22 FMLA was for?</p> <p>23 A. Curt had FMLA on himself and his son,</p> <p>24 most of it was due to his son and issues he was</p> <p>25 having with him. Again, that's just to my</p>	23
22	<p>1 knowledge.</p> <p>2 Q. And do you recall what the issue his</p> <p>3 son had?</p> <p>4 A. I do, but it's not my place to say, I</p> <p>5 don't think.</p> <p>6 Q. Well, and that's fine. I'm asking you.</p> <p>7 You are welcome -- can you tell me what the issue</p> <p>8 was with related --</p> <p>9 A. Well, I prefer you get that from Curt.</p> <p>10 Q. Well, I will, but I want to know what</p> <p>11 your knowledge of it was.</p> <p>12 A. My knowledge was that his son was</p> <p>13 having very difficult time dealing with the whole</p> <p>14 situation, in school, at home, everywhere.</p> <p>15 Q. And did, we'll do it this way, did</p> <p>16 Deputy Larrick raise with you that his son was</p> <p>17 having anxiety issues?</p> <p>18 A. Yes.</p> <p>19 Q. And with respect to the issues that</p> <p>20 Larrick was having that caused him to get FMLA,</p> <p>21 do you recall what those were?</p> <p>22 A. Um, no, I really don't.</p> <p>23 Q. And this document, you have had a</p> <p>24 chance to look at it, there is an issue related</p> <p>25 to Larrick's contact with females.</p>	24
21	<p>1 A. Yes.</p> <p>2 Q. Do you recall what that, what the</p> <p>3 letter is referring to with respect to Larrick's</p> <p>4 contact with --</p> <p>5 A. We had received complaints from</p> <p>6 different females in the courthouse about their,</p> <p>7 Curt's conduct in their presence, that they</p> <p>8 weren't comfortable with. And they did not want</p> <p>9 it put on paper, they didn't want to file a</p> <p>10 formal complaint, but they asked that we speak</p> <p>11 with Curt and take some action to make sure that</p> <p>12 it stopped.</p> <p>13 Q. Do you recall who these individuals</p> <p>14 were?</p> <p>15 A. I know one was a legal secretary for a</p> <p>16 Judge. One was from the, I believe -- no, I'd</p> <p>17 hate to say. I want to say the Women's Shelter</p> <p>18 in my mind, without reviewing. Or the PFA</p> <p>19 office, one of the two.</p> <p>20 And then there was a third complaint,</p> <p>21 but I don't know what office she works in. I</p> <p>22 don't remember.</p> <p>23 Q. Do you remember who the person was?</p> <p>24 A. No.</p> <p>25 Q. And these complaints, did they come</p>	23
22	<p>1 directly to you or how did you learn about them?</p> <p>2 A. The only one that I was directly</p> <p>3 involved with was the Judge's legal staff.</p> <p>4 Q. And that would have been Judge Kwidis's</p> <p>5 staff?</p> <p>6 A. Yes.</p> <p>7 Q. And with respect to these complaints,</p> <p>8 how did you handle them in your position as</p> <p>9 Chief?</p> <p>10 A. Well, I had Curt in. I advised him</p> <p>11 that we had received a verbal complaint, that any</p> <p>12 action he was taking in that line or regard, he</p> <p>13 curtail. And I knew that he was going through a</p> <p>14 very rough time, but things were going to start</p> <p>15 piling up on him and he needed to get his ship</p> <p>16 right.</p> <p>17 Q. And do you recall what Larrick's</p> <p>18 response to you was?</p> <p>19 A. Curt basically, especially with the</p> <p>20 secretary from the Judge's chambers, or I'm</p> <p>21 sorry, from the legal staff, was that they had</p> <p>22 been friends for a long time and he did not feel</p> <p>23 that he had done anything out of line with her,</p> <p>24 and that there wasn't a problem. And I said</p> <p>25 obviously if a Judge is calling me, there is a</p>	24

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7 (25 to 28)

25	<p>1 problem and it needs to stop. I never received</p> <p>2 another complaint.</p> <p>3 Q. At that time did you issue any kind of</p> <p>4 discipline against Deputy Larrick?</p> <p>5 A. No, none at all.</p> <p>6 Q. And at that time did you have authority</p> <p>7 to issue discipline if you wanted to?</p> <p>8 A. Yes.</p> <p>9 Q. And at the period of time you were</p> <p>10 Chief and Larrick was a Deputy, what level of</p> <p>11 discipline were you capable of meeting out?</p> <p>12 A. Suspension.</p> <p>13 Q. And during the period of time that, the</p> <p>14 entire period of time that you were Chief, did</p> <p>15 you ever discipline Larrick for anything?</p> <p>16 A. There were a few minor write-ups,</p> <p>17 verbal warnings, things like that, that I recall.</p> <p>18 You got to understand during this entire time I</p> <p>19 was trying to work with and help Curt through his</p> <p>20 traumatic experience so he could function as a</p> <p>21 deputy.</p> <p>22 Q. And what were you doing to try to help</p> <p>23 him?</p> <p>24 A. I talked to him constantly. When I</p> <p>25 tell you constantly, we were on the phone every</p>	27	<p>1 and firing would be in the file, or should be.</p> <p>2 Q. And with respect to suspension of other</p> <p>3 deputies, do you recall during the period of time</p> <p>4 you were chief any deputies that were suspended</p> <p>5 by the Sheriff?</p> <p>6 A. Yes.</p> <p>7 Q. And who do you recall was suspended by</p> <p>8 the Sheriff?</p> <p>9 A. John Fratangelli, Joey David, Randy</p> <p>10 Tallon. Those are the names that come off the</p> <p>11 top of my head. Again, we're talking a few years</p> <p>12 ago, so.</p> <p>13 Q. With respect to Tallon, do you recall</p> <p>14 what Tallon's suspension was related to?</p> <p>15 A. Yes, I do.</p> <p>16 Q. And what was Tallon's suspension</p> <p>17 related to?</p> <p>18 A. It involved a female in a county</p> <p>19 vehicle.</p> <p>20 Q. Were there allegations that he was</p> <p>21 having sexual relations with that female?</p> <p>22 A. Yes.</p> <p>23 Q. I just want to kind of get back to</p> <p>24 Exhibit 1. There is a reference in this letter</p> <p>25 about, to a new woman coming forward. Is that a</p>
26	<p>1 day, after work, just constant, trying to make</p> <p>2 sure that his mind was right, that he understood</p> <p>3 what other views were, and just how to get</p> <p>4 through the whole process.</p> <p>5 Q. Again, it's a little different</p> <p>6 question. During the period of time that you</p> <p>7 were Chief, did you ever suspend any deputies?</p> <p>8 A. Personally, no. I mean, I may have</p> <p>9 been involved in a suspension, but I never</p> <p>10 actually took that action. That came from the</p> <p>11 Sheriff.</p> <p>12 Q. Okay. And in terms of Larrick, was he</p> <p>13 ever suspended at any point in time that you were</p> <p>14 employed by the Sheriff's Office?</p> <p>15 A. I would have to go back and look at his</p> <p>16 record. I can't say yes or no on that.</p> <p>17 Q. Okay. And if he was suspended, would</p> <p>18 that be something that would be in his personnel</p> <p>19 file?</p> <p>20 A. Yes, it would.</p> <p>21 Q. What other type of discipline would be</p> <p>22 placed in a deputy's personnel file?</p> <p>23 A. Anything from a verbal warning, even</p> <p>24 though it was a verbal warning, we make record of</p> <p>25 it. So anything from that on up to suspension</p>	28	<p>1 new subject making a complaint? Do you know who</p> <p>2 that references?</p> <p>3 A. No, I do not.</p> <p>4 Q. There is also a reference here to other</p> <p>5 deputies wishing to remain anonymous, saying that</p> <p>6 they question Larrick's mental stability. Do you</p> <p>7 know who that refers to?</p> <p>8 A. No, I don't. We -- first off, we have</p> <p>9 turnover in our office. So it could have been</p> <p>10 people that were here that aren't here now. And</p> <p>11 this is during George's administration, it's just</p> <p>12 a normal occurrence in our office.</p> <p>13 Secondly, I don't think that anything</p> <p>14 rose to the level of major concern on my part at</p> <p>15 that time, so I wouldn't have documented.</p> <p>16 Q. After this memo went out to Darbut, did</p> <p>17 you have any follow-up with Darbut regarding the</p> <p>18 issues in this matter?</p> <p>19 A. We probably discussed it, yes. I don't</p> <p>20 want to say no, but I don't think that it was --</p> <p>21 there is not much here that Darbut could have</p> <p>22 done anything with, just as it's stated in the</p> <p>23 letter itself, because I think this letter was</p> <p>24 more of a letter that the Sheriff wanted to</p> <p>25 provide to Darbut to put him on notice so that</p>

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<p style="text-align: right;">29</p> <p>1 somebody else understood that there was an issue 2 in our office, somebody from Human Resources. 3 Q. During the period of time after 4 Larrick's back down to deputy, up until the time 5 his employment ended, did you have any issues 6 with Larrick's truthfulness? 7 A. Could you rephrase or just say that 8 again one more time? 9 Q. Sure. And again, he's down from 10 sergeant, he's back at deputy. 11 A. Okay. 12 Q. Up until the, so deputy the second time 13 up until the time his employment ended -- 14 A. Right. 15 Q. -- did you ever have any issues with 16 Larrick not being truthful with you? 17 A. I didn't have, pertaining to the job, I 18 would say no. 19 Q. How about outside of the job? 20 A. Curt, I don't want to say that he -- he 21 would over-exaggerate or over-state something and 22 then not be able to follow through. So I had 23 minor issues with me, that's all. 24 Q. Can you explain maybe some of the 25 situations you remember where he would over-state</p>	<p style="text-align: right;">31</p> <p>1 Q. And with respect to the Lying Larrick 2 nickname, are there people that you have heard 3 use that? 4 A. Absolutely. 5 Q. And who have you heard use that 6 reference? 7 A. 90 percent of who was here back then. 8 I could go down the list of deputies that were 9 present here when I came on. 10 Q. Did you ever ask anybody how did he get 11 that nickname? 12 A. Um, they most of them would have told 13 me, you'll see, or you'll find out. I always 14 judge people from what I know of them. I try not 15 to prejudge anybody before I meet them or talk to 16 them. 17 And like I said, Curt and I had a 18 stronger bond because of the issues that he went 19 through. So I was with him on the phone or 20 personally on a daily basis. 21 Q. During the period of time that you were 22 Chief, did you have any employees that you felt 23 were untruthful with you and lied to you? 24 A. Oh, yes. 25 Q. Do you recall who any of those were?</p>
<p style="text-align: right;">30</p> <p>1 something? 2 A. Well, in just maybe people he knew or 3 places he had been. Some of it was just -- you 4 got to remember, Curt and I had a close 5 relationship for quite a long time. If you're 6 asking me do I think he was a liar? No. I think 7 that Curt stated a lot of things that he just was 8 using to be impressive. 9 Q. And would those be work things or 10 outside? 11 A. Outside. I don't remember Curt ever, 12 ever lying to me about the job. If I asked him a 13 question particularly pertinent to the job, I 14 don't ever remember him lying to me about it or 15 that I ever proved or wanted to prove that he was 16 lying. 17 Q. During the period of time that you were 18 Chief, did anyone within the Sheriff's Office 19 tell you that they believed Larrick was a liar? 20 A. Yeah, well, yes, Curt had a nickname of 21 Lying Larrick. 22 Q. And do you know who gave him that 23 nickname? 24 A. I have no idea. It was here before I 25 ever got here.</p>	<p style="text-align: right;">32</p> <p>1 A. Not that I'd want to go on record. 2 Q. And I mean, unfortunately, in the 3 nature of the deposition, it would be something 4 you have to answer, because they are 5 comparatives. 6 Do you recall any employees that lied 7 to you or misled you? 8 MS. JONES: I'm just going to object to 9 the form of the question. I don't 10 necessarily agree with your characterization 11 of comparatives for purposes of the issues 12 in this case. But I'm not going to prevent 13 him from answering the question, if you can. 14 A. The assistant chief lied to me when he 15 got caught with the woman in the car. 16 I hate to even say these things because 17 they were just things that were handled. I mean, 18 Paul Clark, Don Fratangelli, Tom Ochs. There is 19 a plethora of names. If I had them in front of 20 me, I could go down and tell you who lied to me. 21 Q. And when you reference Assistant Chief, 22 were you referring to Tallon? 23 A. Yes. 24 Q. During the period of time that you were 25 Chief, was Hurst ever suspended for anything?</p>

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<p style="text-align: right;">33</p> <p>1 A. Not that I recall. I'm not saying he 2 wasn't, I just don't recall it. 3 Q. Take you to 2015 and the election for 4 Sheriff. During that election, do you recall in 5 the Democratic primary who ran for Sheriff? 6 A. Yes, Democrat was -- I just went 7 completely blank with his name. I know Donna 8 Knopp, Kowal, Kowal. The guy that won is in the 9 primary. I'm just drawing a complete blank. 10 Q. Wayne Kress? 11 A. Wayne Kress, thank you. 12 Q. And did the Sheriff run for reelection 13 at that time? 14 A. Yes, he was on the Republican side. I 15 thought you meant the Democratic. 16 Q. Yes, and we're going to go to the 17 Republican next. 18 A. Yes. 19 Q. On the Republican side do you recall 20 who ran for, who ran for Sheriff? 21 A. Yes, Sheriff Guy, and I believe Sam 22 Piccinini. 23 Q. And as a result of the primaries, is it 24 fair to say that Kress and Guy were the final 25 candidates --</p>	<p style="text-align: right;">35</p> <p>1 so that's -- trying to run through my mind, 2 that's the extent of who I remember seeing 3 actually doing things. 4 Q. Okay. And besides putting up signs and 5 working the polls, did you attend any fundraisers 6 SIRS for David during the primary season? 7 A. I don't believe, I don't believe he had 8 any fundraisers. 9 Q. And I asked you what you've seen. Did 10 you hear from any source there were other people 11 in the deputy department, other persons in the 12 Sheriff's Department supporting David in that 13 primary? 14 A. I'm sure there were, yes. 15 Q. And do you recall who any of those 16 individuals were? 17 A. No. I'd hate to say it, because there 18 was five candidates and certain people supported 19 certain people. So I just know that he had other 20 support within the office. 21 Q. And again, staying during the primary 22 season, did you witness any employees of the 23 Sheriff's Department supporting Guy for Sheriff? 24 A. During the primary? 25 Q. Yeah.</p>
<p style="text-align: right;">34</p> <p>1 A. Yes. 2 Q. -- for the position for each? 3 During the primary season, did you 4 openly support any candidate for Sheriff? 5 A. I supported who was the sitting Sheriff 6 at the time, which was George David. 7 Q. And in terms of open support, can you 8 tell me what you did to support David during the 9 primary season? 10 A. What did I do? 11 Q. Yes. 12 A. I put signs up. I talked to people. I 13 worked the poll. Yes, yes, I did. 14 Q. And during that primary season where 15 you were working the POLL, putting signs up, did 16 you see anybody else in the Sheriff's Department 17 that were also supporting David in the manner 18 similar to you? 19 A. Yeah, there were a couple people that 20 were out putting signs up or supporting him, yes. 21 Q. And do you recall who those people 22 were? 23 A. Deputy Montani, Lieutenant McGeehan, or 24 he was Captain McGeehan at the time. 25 You're asking me what I actually saw,</p>	<p style="text-align: right;">36</p> <p>1 A. No, I don't believe so. 2 Q. During the -- 3 A. I will clarify that by saying at the 4 time we were serving under a Democratic Sheriff. 5 Most of the people at the time would have 6 supported on the Democratic side. I don't think 7 we have that many registered Republicans during a 8 primary in our office. 9 Q. And during the primary did you know who 10 Larrick was supporting? 11 A. During the primary? 12 Q. Yes. 13 A. I don't believe so. Curt wasn't 14 working at that time. I know it wouldn't have 15 been Sheriff David. I believe it was Wayne 16 Kress, but, yeah, I'm pretty positive on that it 17 would have been Wayne Kress. 18 Q. Okay. And do you know, you mentioned 19 you talked to Larrick a lot over the years. Do 20 you know if Larrick was involved in politics for 21 a number of years? 22 A. Oh, yeah, Curt's whole family has 23 always been involved in politics in his local 24 area. 25 Q. And that would be on the Democratic</p>

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<p style="text-align: right;">37</p> <p>1 side?</p> <p>2 A. Yes.</p> <p>3 Q. And by his whole family, do you know</p> <p>4 other members of his family that are involved,</p> <p>5 too?</p> <p>6 A. Actually I don't personally know it. I</p> <p>7 only know it from what Curt's told me.</p> <p>8 Q. During the general election, do you</p> <p>9 know who Larrick supported?</p> <p>10 A. Definitely. Supported Wayne Kress.</p> <p>11 Q. And is that something that Larrick told</p> <p>12 you?</p> <p>13 A. Absolutely.</p> <p>14 Q. Did he tell you why he was supporting</p> <p>15 Kress?</p> <p>16 A. No, not so much on why he was</p> <p>17 supporting, because I assumed him being a</p> <p>18 Democrat and Wayne being a Democratic candidate,</p> <p>19 he would support the Democrat. That's how most</p> <p>20 of the office felt, or started to fall.</p> <p>21 I also know that Curt contacted me to</p> <p>22 sit down and talk with Wayne Kress, that Wayne</p> <p>23 had personally contacted Curt to get to me.</p> <p>24 Q. Do you recall when that was in terms of</p> <p>25 the time frame?</p>	<p style="text-align: right;">39</p> <p>1 openly support any candidate?</p> <p>2 A. No.</p> <p>3 Q. With respect to people in the office</p> <p>4 supporting candidates during the general</p> <p>5 election, other than Larrick, did you know of any</p> <p>6 other individuals that were supporting Wayne</p> <p>7 Kress?</p> <p>8 A. Yes.</p> <p>9 Q. Who else was supporting Wayne Kress?</p> <p>10 A. Openly, Dave Mangerie, Jim Bredemeir,</p> <p>11 Paul Clark, Mike Hurst, or not Mike Hurst, I'm</p> <p>12 sorry. I said Mangerie. I know there were two</p> <p>13 or three others. I just can't think of who they</p> <p>14 were.</p> <p>15 Q. And during the general election, are</p> <p>16 you aware of any employees in the Sheriff's</p> <p>17 Office that were openly supporting Tony Guy?</p> <p>18 A. Yeah, there were several. Montani,</p> <p>19 Steve Montani -- now, when I say openly</p> <p>20 supporting, I'm talking about talking about it in</p> <p>21 the office. I don't know that they went out and</p> <p>22 did anything. I just know that.</p> <p>23 Q. Okay.</p> <p>24 A. McGeehan, Tallon was still there, Randy</p> <p>25 Tallon, Chapes, Brown. Again, I'd need a list of</p>
<p style="text-align: right;">38</p> <p>1 A. No, I can't remember if it was early</p> <p>2 summer or -- I believe it was early summer, yes.</p> <p>3 I think it was June or July.</p> <p>4 Q. And did you meet with Kress?</p> <p>5 A. Yes, I did.</p> <p>6 Q. And do you recall where you met with</p> <p>7 Kress?</p> <p>8 A. At his home.</p> <p>9 Q. And when you met with Kress, what did</p> <p>10 you discuss with Kress?</p> <p>11 A. Just basically the Sheriff's Office,</p> <p>12 present standing, what his view was on where he</p> <p>13 wanted to take it. He was, there was another</p> <p>14 gentleman there who was a previous chief deputy</p> <p>15 from a prior administration who had some input.</p> <p>16 But we, he just basically discussed politics and</p> <p>17 the office itself. It was never any discussion</p> <p>18 around personnel individually, it was just an</p> <p>19 overall view of the office.</p> <p>20 Q. And who was the other individual that</p> <p>21 was there?</p> <p>22 A. Dave Matthews.</p> <p>23 Q. And was Larrick there as well?</p> <p>24 A. No.</p> <p>25 Q. During the general election, did you</p>	<p style="text-align: right;">40</p> <p>1 deputies to go back.</p> <p>2 Q. We can do that in a little bit. How</p> <p>3 about Hurst at that point?</p> <p>4 A. Yes, definitely Hurst.</p> <p>5 Q. And how did you, from Hurst, how did</p> <p>6 you know that Hurst was openly supporting?</p> <p>7 A. He told me.</p> <p>8 MR. BLACK: Let's go off the record for</p> <p>9 a second.</p> <p>10 VIDEOGRAPHER: We are going off the</p> <p>11 record. The time is 11:00 a.m. .</p> <p>12 (Recess taken.)</p> <p>13 VIDEOGRAPHER: We are back on the</p> <p>14 record. The time is 11:09 a.m. Please</p> <p>15 proceed.</p> <p>16 Q. With respect to the general election,</p> <p>17 do you know who John Joe Fratangelli supported?</p> <p>18 A. He was back and forth, to my knowledge,</p> <p>19 when he talked to me. He was back and forth for</p> <p>20 awhile. I would say towards the very end of the</p> <p>21 election, he was supporting Sheriff Guy.</p> <p>22 Q. And during the general election, fair</p> <p>23 to say that Guy won?</p> <p>24 A. Yes.</p> <p>25 Q. And following that election, did</p>

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11 (41 to 44)

<p style="text-align: right;">41</p> <p>1 Larrick discuss at all with you that he had run 2 into Sheriff Guy during the election? 3 A. I heard the story about it, but I'm not 4 positive that it was Curt that told me. I don't 5 want to say yes. 6 Q. Can you tell me what story you heard? 7 A. I heard that they had met at, I thought 8 it was the Harmony poll, and Curt said that 9 somebody had identified him as Sheriff Guy or 10 come up and complained to him, thinking that he 11 was Sheriff Guy, and then he later ran into the 12 Sheriff, or Tony Guy at the time and was 13 explaining that incident to him. And that's 14 basically what I know occurred. 15 Q. Following the election, did Larrick 16 come to you and say he had concerns about whether 17 he would stay on under the new regime? 18 A. He contacted me about it, yes. 19 Q. Do you recall what he said to you? 20 A. No, other than his concern about 21 remaining in place. 22 Q. Did he tell you that Hurst and Tallon 23 said that he was going to be gone when Guy took 24 office? 25 A. It sounds familiar. He probably did</p>	<p style="text-align: right;">43</p> <p>1 Again, I was trying to stay as neutral as 2 possible due to my position, and not knowing what 3 the outcome would be and how it would affect me. 4 So I'm sure we discussed it. 5 Q. And earlier you testified about having 6 met with Kress during the election. 7 A. Yes. 8 Q. Did you meet with Guy at all during the 9 election? 10 A. Yes, I did. 11 Q. Do you recall how many times? 12 A. Actually met physically? Once. 13 Q. Okay. Do you recall when that was? 14 A. It was about a week prior to meeting 15 with Wayne Kress. 16 Q. And where did you meet with Guy? 17 A. At my residence. 18 Q. And was there anyone else present other 19 than you and Tony Guy? 20 A. No, we were outside. 21 Q. And what did you discuss during that 22 meeting? 23 A. Basically it was me telling him why he 24 needed to keep me. 25 Q. And what was your explanation as why he</p>
<p style="text-align: right;">42</p> <p>1 say it. I don't recall it. 2 Q. Did you ask him at all why he had 3 supported Kress? 4 A. No, he had supported Kress through the 5 Democratic primary, so I wouldn't have questioned 6 why he would have supported him then. And again, 7 Curt and I weren't talking nearly as much. We 8 were in communication, but not like we had been. 9 Q. And why were you not in communication 10 as much at that point in time? 11 A. I don't know, you would have to ask 12 Curt that. 13 Q. Okay. And I just want to clear 14 something up. Is it fair to say that, just 15 basically your answer, that when David ran for 16 reelection, he ran as a Democrat? 17 A. Yes, he ran as a Democrat. 18 Q. And it was Kress who beat him? 19 A. Yes. 20 Q. Following the election, did you have 21 any discussions with Clark regarding why he had 22 supported Kress? 23 A. Um, during the election? 24 Q. Let's start with during the election. 25 A. I'm sure Paul and I discussed it.</p>	<p style="text-align: right;">44</p> <p>1 needed to keep you? 2 A. That I wanted the opportunity to 3 continue on in the Sheriff's Office, partially to 4 clear my reputation. The fact that I had working 5 knowledge of the day-to-day operation, that I did 6 the scheduling, the payroll, and that I could be 7 of value to him and his administration given the 8 opportunity. 9 Q. Do you recall anything that Tony Guy 10 said during that meeting? 11 A. He said at that time that he had not 12 chosen any type of command structure, that he 13 would take everything I said into consideration, 14 and that sometime after the election, he would 15 let me know where I stood. 16 And I will say that I offered these 17 same things to Wayne Kress. 18 Q. And during the election, you mentioned 19 one in-person meeting. Did you have any phone 20 conversations with Guy? 21 A. I had several phone conversations with 22 Guy, just relative to general knowledge of the 23 office and its workings. He had questions 24 concerning different aspects of what we actually 25 did.</p>

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12 (45 to 48)

45	<p>1 Q. Did you have, during the election, any 2 phone conversations with Kress? 3 A. Two. 4 Q. And what were those phone 5 conversations? 6 A. It was me calling him to tell him that 7 he needed to go to certain events, and I thought 8 it was imperative that he be there and show up. 9 And I believe the second one was just concerning 10 the office structure or the office, the workings 11 of the office, something that he wasn't sure 12 about. 13 Q. And with respect to the events, was 14 that something, was that phone conversation 15 before or after you met with him in person? 16 A. That was after I had met with him in 17 person. 18 Q. And what events did you tell him he 19 needed to go to? 20 A. It was a Beaver Falls Community Days, 21 and the Chippewa Gun Bash. 22 Q. And why did you think he needed to 23 attend those? 24 A. Well, first of all the, he wasn't well 25 known on my side of the river, Beaver Falls area,</p>	47	<p>1 how long that was after the election? 2 A. It was in November. 3 Q. Do you recall how long the meeting was? 4 A. No, I don't. 5 Q. Did you take any notes of that meeting? 6 A. I did not. 7 Q. Did you see if Tony Guy took any notes 8 during that? 9 A. I believe he did. 10 Q. During that meeting tell me what you 11 remember was discussed. 12 A. We discussed mostly the personnel, the 13 operation itself, the stigmatism that had been 14 placed on the office due to what the previous 15 Sheriff had gone through, and basically his 16 vision of where he wanted to take it. 17 Q. And during that meeting did you discuss 18 specific personnel? 19 A. Yes. 20 Q. And were you asked opinion on specific 21 personnel? 22 A. Yes. 23 Q. Were you asked your opinion regarding 24 Larrick? 25 A. Yes.</p>
46	<p>1 so I wanted him to get public exposure, or 2 thought it would help him to get public exposure 3 there. And I also knew that the crowd at the Gun 4 Bash would be massive and it would be good for 5 exposure there. 6 Q. After the election, did you meet with 7 Guy at all? 8 A. After the election? 9 Q. Yes. 10 A. Yes, I'm sure we did. Yes. 11 Q. And do you recall what the purpose of 12 the meeting after the election was? 13 A. Well, he met with everybody in the 14 office after the election. And then after that 15 was to -- I was never informed of my position or 16 if I even had a position until after everything 17 was completed. So we met once, twice. 18 Q. Okay. And the first time you met with 19 him, where did you meet with him? 20 A. Right here in this room. 21 Q. Was there anyone else present? 22 A. Dean Michael who was the Chief. Oh, 23 no, I take that back. He was not there. It was 24 just the Sheriff and I. 25 Q. Okay. And that meeting, do you recall</p>	48	<p>1 Q. And with respect to Larrick, what did 2 you offer in response? 3 A. He needed to be let go. 4 Q. And why did you recommend that Larrick 5 needed to be let go? 6 A. For the fact that the controversy that 7 was dealt with internally with all the people, or 8 most of the people within the office, had 9 continued to fester. It was centered around 10 Curt. The fact that his complete absenteeism for 11 almost a year and a half prior to the election, 12 it was just a burden on the entire office and the 13 operation of it. 14 Q. And in that meeting did you recommend 15 anyone else be let go? 16 A. I'm sure I did, yes. Yes, I did. 17 Q. Do you recall who else you recommended? 18 A. John Fratangelli. 19 Q. Other than those two individuals, did 20 you recommend anyone? 21 A. I may have, but those are the two that 22 stand out in my mind. 23 Q. Do you recall during that meeting 24 anything Guy said to you about Larrick? 25 A. No.</p>

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13 (49 to 52)

49	<p>1 Q. And with respect to the individuals</p> <p>2 that Larrick was having issues with, did you make</p> <p>3 any recommendation as to whether they should be</p> <p>4 retained or let go?</p> <p>5 A. I don't believe so. I knew that Tallon</p> <p>6 was retiring. He was not going to stay, so I</p> <p>7 wouldn't have said anything. The other two, no,</p> <p>8 I don't recall.</p> <p>9 Q. And with respect to, we talked a little</p> <p>10 bit earlier about Hurst.</p> <p>11 A. Yes.</p> <p>12 Q. The kind of, Larrick's allegations that</p> <p>13 Hurst was somehow involved in a relationship with</p> <p>14 his wife.</p> <p>15 A. Yes.</p> <p>16 Q. When you first addressed that with</p> <p>17 Hurst, did he deny that he was having any contact</p> <p>18 with her at all?</p> <p>19 A. Yes, he did.</p> <p>20 Q. And you learned that that wasn't true</p> <p>21 when you saw the text messages; correct?</p> <p>22 A. Right.</p> <p>23 Q. Did he have an explanation, did Hurst</p> <p>24 have an explanation why he told you that he</p> <p>25 hadn't had contact with her when he had?</p>	51	<p>1 Sheriff in an area that he wasn't supposed to be</p> <p>2 in.</p> <p>3 Q. And with respect to Larrick's</p> <p>4 testimony, do you know whether it was true or</p> <p>5 false?</p> <p>6 MS. JONES: I'm sorry, whether the</p> <p>7 testimony was?</p> <p>8 MR. BLACK: I'm asking if he knows</p> <p>9 whether it was true or false.</p> <p>10 MS. JONES: If you know.</p> <p>11 A. Do I have personal knowledge whether he</p> <p>12 saw him or not?</p> <p>13 Q. Yes.</p> <p>14 A. No, I don't know.</p> <p>15 Q. With respect to Larrick's involvement</p> <p>16 in the criminal proceedings against Sheriff</p> <p>17 David, do you have any knowledge or information</p> <p>18 that Larrick said anything that was untruthful?</p> <p>19 A. No.</p> <p>20 Q. And I want to kind of take you to your</p> <p>21 second meeting with Guy. Who was present for</p> <p>22 that second meeting?</p> <p>23 A. I'm not sure -- what --</p> <p>24 Q. After the election.</p> <p>25 A. After the general election?</p>
50	<p>1 A. Again, I couldn't recall it if he did.</p> <p>2 Q. You mentioned a couple times about kind</p> <p>3 of the stigma in the Sheriff's Office.</p> <p>4 A. Yes.</p> <p>5 Q. Can you tell me what you are referring</p> <p>6 to with that?</p> <p>7 A. Well, our Sheriff had been charged with</p> <p>8 a criminal action, and it got front page news for</p> <p>9 quite awhile. And we were under a lot of fire</p> <p>10 from the Commissioners' Office. So it was just a</p> <p>11 dark period for the office as a whole.</p> <p>12 Q. And in those criminal proceedings, did</p> <p>13 Larrick testify in those proceedings?</p> <p>14 A. I don't know. I was sequestered for</p> <p>15 other testimony. I don't know if he testified in</p> <p>16 the trial. I know that he testified during a</p> <p>17 hearing on a revocation for Sheriff's bond.</p> <p>18 Q. And with respect to that testimony, did</p> <p>19 you hear that testimony?</p> <p>20 A. I believe I heard a portion of it and</p> <p>21 then had to leave the room.</p> <p>22 Q. And did you have an understanding, or</p> <p>23 sitting here today do you have an understanding</p> <p>24 of what Larrick testified to?</p> <p>25 A. He testified to actually witnessing the</p>	52	<p>1 Q. Yeah.</p> <p>2 A. Dean Michael.</p> <p>3 Q. Where did that meeting take place?</p> <p>4 A. At the Sheriff's residence.</p> <p>5 Q. Was anyone else present other than you,</p> <p>6 Guy, and Michael?</p> <p>7 A. No.</p> <p>8 Q. What was discussed in that meeting?</p> <p>9 A. Personnel.</p> <p>10 Q. Was Larrick discussed in that meeting?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. What did you say with respect to</p> <p>13 Larrick in that meeting?</p> <p>14 A. What I originally stood by, that I felt</p> <p>15 that Curt would be, would not be a part of the</p> <p>16 Sheriff's new vision of the office and the</p> <p>17 direction it needed to go.</p> <p>18 Q. And why did you believe he would not be</p> <p>19 part of the Sheriff's new vision?</p> <p>20 A. Because of the, everything surrounding</p> <p>21 him. The lack of being able to work, his</p> <p>22 attitude and the attitude of others towards each</p> <p>23 other, it was very disruptive. It was a -- I</p> <p>24 dealt with it every single day, either from</p> <p>25 Curt's side or some somebody else's side. So it</p>

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14 (53 to 56)

53	<p>1 was a disruption continually.</p> <p>2 Q. And in that meeting, did you, did you</p> <p>3 make, the second meeting, any recommendations</p> <p>4 about letting anyone else go?</p> <p>5 A. I don't think it was so much that we</p> <p>6 were making recommendations. We were just</p> <p>7 discussing the different personnel. I didn't</p> <p>8 know Sheriff Guy prior to all this, so I wouldn't</p> <p>9 be able to influence him to any degree other than</p> <p>10 tell him what I knew of, or what I dealt with on</p> <p>11 a daily basis as Chief.</p> <p>12 So it wasn't where I was trying to</p> <p>13 influence him to do something, it was just I was</p> <p>14 explaining the basic operation of the office and</p> <p>15 how we were going to make it work his way.</p> <p>16 Q. And in that, in either meeting, either</p> <p>17 the first or the second one, with Guy, did you</p> <p>18 discuss Hurst at all with him?</p> <p>19 A. Yes, we were under the understanding,</p> <p>20 or at least I was under the understanding, that</p> <p>21 Mike Hurst was, wanted to complete one more year</p> <p>22 and retire. So I was just under the assumption</p> <p>23 that that's what was going to happen, or may</p> <p>24 happen.</p> <p>25 Q. And did you discuss any of the issues</p>	55	<p>1 Q. And what position is he in today?</p> <p>2 A. Sergeant.</p> <p>3 Q. And just so I know, you were talking</p> <p>4 about kind of the controversy surrounding Larrick</p> <p>5 and the people that he was having issues with.</p> <p>6 At the time you're meeting with Guy, were there</p> <p>7 people other than Tallon and Hurst that Larrick</p> <p>8 was having problems with?</p> <p>9 MS. JONES: I'm sorry. Could you just</p> <p>10 repeat that?</p> <p>11 MR. BLACK: Sure.</p> <p>12 Q. At the time of the meeting with Guy in</p> <p>13 those post election meetings --</p> <p>14 A. Yes.</p> <p>15 Q. -- you mentioned you were discussing</p> <p>16 kind of the controversy kind of swirling around</p> <p>17 Larrick; is that fair?</p> <p>18 A. Yes.</p> <p>19 Q. And what I'm trying to say is at that</p> <p>20 point was he having problems with anyone else</p> <p>21 other than Tallon and Hurst?</p> <p>22 MS. JONES: I'm just going to object to</p> <p>23 the form to the extent it presupposes the</p> <p>24 timing was the same with those two.</p> <p>25 MR. BLACK: That's fine.</p>
54	<p>1 that you had with Hurst with Tony Guy?</p> <p>2 A. I may have briefed him on the</p> <p>3 controversy between him and Curt. I don't</p> <p>4 recall. I mean, I didn't spend a lot of time on</p> <p>5 any one individual. We discussed everybody to</p> <p>6 some degree.</p> <p>7 Q. And in either meeting do you recall</p> <p>8 discussing Tallon with Guy?</p> <p>9 A. Again, I did brief the Sheriff on</p> <p>10 Randy's past and what had occurred, but I also</p> <p>11 knew that Randy was a non-factor because he was</p> <p>12 retiring.</p> <p>13 Q. And did Tallon, in fact, retire?</p> <p>14 A. Yes, he did.</p> <p>15 Q. Do you recall when he retired?</p> <p>16 A. I believe it was January, sometime in</p> <p>17 January, February, after the Sheriff took over.</p> <p>18 Q. Okay --</p> <p>19 A. In 2016.</p> <p>20 Q. And has Hurst retired?</p> <p>21 A. No.</p> <p>22 Q. Is he still working?</p> <p>23 A. Yes.</p> <p>24 Q. Still today?</p> <p>25 A. Yes.</p>	56	<p>1 MS. JONES: And the conversation. But</p> <p>2 you can answer.</p> <p>3 A. It wasn't so much that Curt was</p> <p>4 having -- those people he was having direct</p> <p>5 conflict with. But other people had a lot of</p> <p>6 animosity towards Curt, because Curt had, again,</p> <p>7 was in a full-time position, had not been at work</p> <p>8 for a good year pretty much. He was totally</p> <p>9 unreliable. And they would take offense to</p> <p>10 almost any time his name was mentioned. So he</p> <p>11 wouldn't even may have known that there was</p> <p>12 problems with other employees, but they had a</p> <p>13 problem with him.</p> <p>14 Q. And who are the employees that had a</p> <p>15 problem with him?</p> <p>16 A. Again, give me a list of the office and</p> <p>17 I'll read you off the names, because most</p> <p>18 everybody there felt the same way.</p> <p>19 Q. And we're going to look at a list --</p> <p>20 A. Okay.</p> <p>21 Q. -- but my question for you is, and the</p> <p>22 problem that these other individuals had was that</p> <p>23 Larrick wasn't at work?</p> <p>24 A. Well, his past history with them and</p> <p>25 this was just icing on the cake. They had worked</p>

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15 (57 to 60)

57	<p>1 with him his career and now they looked at Curt 2 as a slacker. 3 Q. And at that time with Larrick out, was 4 he on some form of approved leave? 5 A. Of course he was. 6 Q. And who approved that leave? 7 A. The HR Department. 8 Q. And at that period of time, was the 9 leave related both to his condition and his son's 10 condition? 11 A. Yes. 12 Q. When did you learn that you would be 13 staying on board at the Sheriff's Office? 14 A. Probably, I -- probably would have been 15 early December. 16 Q. And at that point did you have an 17 understanding what position you would be in? 18 A. No. That decision was not made, I 19 don't believe, until possibly right after he took 20 office or right before. 21 Q. And with respect to -- you mention you 22 attended a meeting with Dean Michael. Did you 23 know who Michael was? 24 A. Yes, I had known Dean, not personally, 25 but I've known of him and dealt with him through</p>	59	<p>1 A. Oh, from his own mouth. 2 Q. And do you recall what he said to you 3 about Larrick testifying? 4 A. Not specifically. But I do know that 5 he was angry. 6 Q. Do you know how many times that David 7 told you he was angry at Larrick for testifying? 8 A. Any time it would come up. 9 (THEREUPON, Alstadt Deposition Exhibit 10 2 was marked for identification.) 11 VIDEOGRAPHER: Do you need me to go off 12 the video record? 13 MR. BLACK: That's fine. 14 VIDEOGRAPHER: We are going off the 15 record. The time is 11:38 a.m. 16 (Off the record.) 17 VIDEOGRAPHER: We're back on the 18 record. The time is 11:39 a.m. Please 19 proceed. 20 Q. I handed you a packet of documents that 21 were produced to us in discovery. Is this, can 22 you tell, a file that you had on Larrick? 23 A. Yes. 24 Q. And what was the purpose of the file? 25 A. I don't think there was any general</p>
58	<p>1 a 30 year, 35 year career. 2 Q. And did you have an understanding of 3 what he was doing in the meeting? 4 A. I had my assumptions, but I knew he was 5 probably going to be part of the transition team, 6 yes. 7 Q. When did you learn that Michael would 8 be the new chief? 9 A. Probably the same time that I learned 10 that I was going to be retained and what position 11 I had. 12 Q. When did you learn that certain 13 individuals were being let go? 14 A. I know it was on a Friday. I know it 15 was probably a week or two weeks before 16 Christmas. It wasn't long after I found out I 17 was being retained. 18 Q. Do you know if there were employees in 19 the Sheriff's Department that were angry with 20 Larrick for testifying against Sheriff David? 21 A. I'm going to say no. 22 Q. Do you know if Sheriff David was angry 23 at Larrick for testifying against him? 24 A. Yes, he was. 25 Q. And how do you know that?</p>	60	<p>1 purpose. I had several files on different 2 employees that the Sheriff had requested to be 3 kept. So I wouldn't know what his purpose would 4 have been for it. But these were documents 5 involving Larrick, yes. 6 Q. And who decided what went in this file? 7 A. The Sheriff. 8 MS. JONES: Just for the record, 9 Sheriff -- 10 THE WITNESS: Oh, I'm talking about 11 Sheriff David. 12 MS. JONES: Just so we're clear. 13 Q. I was coming back to that. When did 14 Sheriff David start keeping, having these files 15 kept on employees? 16 A. I'm going to assume that it was when we 17 started receiving different reports from outside 18 agencies. It could have been prior to that, I 19 don't know. 20 Q. Where was this file kept? 21 A. In my office. 22 Q. Okay. And where in your office? 23 A. In a locked cabinet. 24 Q. And was this separate from Larrick's 25 personnel file?</p>

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<p style="text-align: right;">61</p> <p>1 A. Absolutely.</p> <p>2 Q. And what was the purpose of the file?</p> <p>3 A. Again, that would be a question for</p> <p>4 Sheriff David.</p> <p>5 Q. Okay. How many employees did you have</p> <p>6 a file like this on?</p> <p>7 A. Off the top of my head, six.</p> <p>8 Q. And off the top of your head, do you</p> <p>9 remember who those individuals were?</p> <p>10 A. There was one on the incident involving</p> <p>11 Randy Tallon. There was one on Joey David, one</p> <p>12 on Frat.</p> <p>13 MS. JONES: Is that Fratangelli?</p> <p>14 A. Fratangelli, I'm sorry. Curt, Stephani</p> <p>15 Guidice who was a clerical person. That's all I</p> <p>16 can come up with right now.</p> <p>17 Q. Do you know if there was one on Hurst?</p> <p>18 A. I'm going to say I don't believe so.</p> <p>19 Q. And this particular file, did you ever</p> <p>20 share it with Tony Guy?</p> <p>21 A. No.</p> <p>22 Q. And do you recall if at any time</p> <p>23 previous to this file starting if there had been</p> <p>24 an issue where Human Resources had had an issue</p> <p>25 with the creation of separate files on employees</p>	<p style="text-align: right;">63</p> <p>1 MS. JONES: Are you calling these</p> <p>2 Alstadt's 1, 2, 3?</p> <p>3 COURT REPORTER: Yes.</p> <p>4 Q. My first question for you for Exhibit 3</p> <p>5 is have you seen this document before?</p> <p>6 A. Nope.</p> <p>7 Q. Okay. I'm not going to ask you</p> <p>8 anything about creating it. We talked a little</p> <p>9 bit before kind of of the list of names both in</p> <p>10 terms of people that had issues with Larrick as</p> <p>11 well as supporting.</p> <p>12 So I want to kind of first go through</p> <p>13 in terms of the individuals. With respect to</p> <p>14 Ochs, do you know who Ochs supported in the</p> <p>15 general election?</p> <p>16 A. Up at the top here, Ochs?</p> <p>17 Q. Yeah, Ochs.</p> <p>18 A. No, I do not.</p> <p>19 Q. Do you know who he supported in the</p> <p>20 primary?</p> <p>21 A. No, I do not.</p> <p>22 Q. And then who is the next individual?</p> <p>23 A. Tibolet.</p> <p>24 Q. And do you know who Tibolet supported</p> <p>25 in the primary?</p>
<p style="text-align: right;">62</p> <p>1 beyond their personnel file?</p> <p>2 A. They -- personally, they had, that I</p> <p>3 was involved in one incident, but they were aware</p> <p>4 that they existed.</p> <p>5 Q. Okay. And how were they aware that</p> <p>6 they existed?</p> <p>7 A. When they made issue that they</p> <p>8 shouldn't exist.</p> <p>9 Q. Okay. Who was it that said they</p> <p>10 shouldn't exist?</p> <p>11 A. Bernie Rabik I believe was the</p> <p>12 solicitor at the time. We were in a hearing for</p> <p>13 a disciplinary action on one of the clerical</p> <p>14 staff, and the file that the Sheriff wanted me to</p> <p>15 present was not, had documents in it that were</p> <p>16 not documented in their personnel file upstairs</p> <p>17 in HR. And at that point he pointed out that</p> <p>18 they carried no weight. If they weren't in the</p> <p>19 personnel file upstairs, they carried no weight.</p> <p>20 Q. And following that hearing, did Darbut</p> <p>21 have any discussion with the Sheriff's Office</p> <p>22 regarding keeping separate files?</p> <p>23 A. If he did, I wasn't part of it.</p> <p>24 (THEREUPON, Alstadt Deposition Exhibit</p> <p>25 3 was marked for identification.)</p>	<p style="text-align: right;">64</p> <p>1 A. In the primary, no.</p> <p>2 Q. And the general election do you know</p> <p>3 who Tibolet supported?</p> <p>4 A. Um, I'd be guessing, no.</p> <p>5 Q. Who is Stevenson?</p> <p>6 A. It's a female deputy that is no longer</p> <p>7 here.</p> <p>8 Q. And with respect to Stevenson, do you</p> <p>9 know who she supported in the general election?</p> <p>10 A. No, she was basically suspended from</p> <p>11 the office at the time of the elections.</p> <p>12 Q. And was she suspended related to a</p> <p>13 criminal matter?</p> <p>14 A. Yes.</p> <p>15 Q. And do you know if Stevenson ever made</p> <p>16 sexual harassment allegations against Larrick?</p> <p>17 A. Yes, I believe she did.</p> <p>18 Q. And did you have any involvement in</p> <p>19 investigating that complaint?</p> <p>20 A. Not so much in investigating. I was</p> <p>21 in, Darbut had a meeting with me after his final</p> <p>22 disposition on the whole incident itself. He</p> <p>23 more or less handled the investigation.</p> <p>24 Q. And do you recall what Darbut's finding</p> <p>25 of that investigation was?</p>

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17 (65 to 68)

<p style="text-align: right;">65</p> <p>1 A. Due to the fact that Stevenson was 2 unwilling to either put it in writing or pursue 3 it, even after interviewing everybody, he was 4 left with no action be taken. 5 Q. Okay. And -- 6 A. Could I stop real quick? I do have to 7 make a run to the -- 8 Q. Absolutely. That's fine. 9 MS. JONES: Sure. 10 VIDEOGRAPHER: We are going off the 11 record. The time is 11:47 a.m. 12 (Recess taken.) 13 VIDEOGRAPHER: We're back on the 14 record. The time is 11:54 a.m. Please 15 proceed. 16 Q. Just working our way down the list. We 17 talked about Frantangelli, Larrick and Clark 18 earlier. Who is the last individual on that 19 list? 20 A. Kuhlber. 21 Q. And who was Kuhlber? 22 A. Another female deputy that worked here. 23 I can't recall her status at the time of the 24 election. 25 Q. Do you recall at all who she supported</p>	<p style="text-align: right;">66</p> <p>1 in the election at all? 2 A. No. 3 Q. Kind of move to the next grouping of 4 people. Who is Lupo? 5 A. Sergeant Kevin Lupo. 6 Q. And are you aware who Sergeant Lupo 7 supported in the primary? 8 A. No, I'm not -- well, yes. George 9 David. 10 Q. How about with respect to Lupo in the 11 general election? 12 A. Yes, Sheriff Guy. 13 Q. We talked about Hurst. Is the next 14 person Yasick? 15 A. Yes. 16 Q. Who is Yasick? 17 A. Sergeant Dave Yasick. 18 Q. And do you recall who Yasick supported 19 in the primary? 20 A. No. 21 Q. Do you know who Yasick supported in the 22 general? 23 A. No. 24 Q. And with respect to the next 25 individual, Kutzko, who is that individual?</p>
<p style="text-align: right;">67</p> <p>1 A. Sergeant John Kutzko. 2 Q. And do you know who -- 3 A. No. 4 Q. -- Kutzko supported in the, any of the 5 elections -- 6 A. No. 7 Q. -- during 2015? 8 MS. JONES: So just to make sure you 9 let him complete the question before you 10 answer. Okay? His whole question. 11 THE WITNESS: Oh. 12 MS. JONES: You might anticipate it, 13 but just make sure. Thank you. 14 THE WITNESS: Okay. 15 Q. After Kutzko, who is the next 16 individual? 17 A. Dave Hunter. 18 Q. And what position did Hunter have? 19 A. Deputy. 20 Q. Do you know who Hunter supported in the 21 primary? 22 A. I believe Sheriff David. 23 Q. Do you know in the general election? 24 A. No. 25 Q. And we talked about Chapes earlier, but</p>	<p style="text-align: right;">68</p> <p>1 I just want to for the record, do you recall who 2 Chapes supported in the general election? 3 A. Yes, Sheriff Guy. 4 Q. How about the primary? 5 A. I believe George David. 6 Q. And who is the next individual? 7 A. Michael Matzie. 8 Q. And who did, if you know, Matzie 9 support in the general? 10 A. In the general, I don't know. 11 Q. How about the primary? 12 A. No. 13 Q. Who is the last individual in this 14 grouping? 15 A. Ralph Ramanna. 16 Q. And do you know who Ramanna supported 17 in the primary? 18 A. In the primary George David. 19 Q. How about in the general? 20 A. No, I do not. 21 Q. The next grouping of people, there is a 22 person with a l next to the name, do you know who 23 that is? 24 A. Dave Mangerie. 25 Q. Who did Mangerie support?</p>

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18 (69 to 72)

69	<p>1 A. Wayne Kress.</p> <p>2 Q. In both the primary and the general?</p> <p>3 A. Yes.</p> <p>4 Q. And was Mangerie full-time or</p> <p>5 part-time?</p> <p>6 A. Part-time.</p> <p>7 Q. And who is the next individual?</p> <p>8 A. Doug Hanna, Douglas Hanna.</p> <p>9 Q. Do you know who Hanna supported in the</p> <p>10 primary?</p> <p>11 A. No, I do not.</p> <p>12 Q. How about the general?</p> <p>13 A. No, I do not.</p> <p>14 Q. Who is the next individual?</p> <p>15 A. Steve Montani.</p> <p>16 Q. Who did Montani support in the general,</p> <p>17 if you know?</p> <p>18 A. In the general? Tony Guy.</p> <p>19 Q. How about in the primary?</p> <p>20 A. George David.</p> <p>21 Q. Who is the next individual?</p> <p>22 A. John Cumberledge.</p> <p>23 Q. And do you know who Cumberledge</p> <p>24 supported in the general?</p> <p>25 A. Cumberledge is in the military, I'm</p>	71	<p>1 supported Kress?</p> <p>2 A. Yes.</p> <p>3 Q. Was that both in the primary and the</p> <p>4 general?</p> <p>5 A. Yes.</p> <p>6 Q. And who is the next individual?</p> <p>7 A. Justin Rapko.</p> <p>8 Q. And do you recall who Rapko supported?</p> <p>9 A. George David in the primary.</p> <p>10 Q. And how about in the general election?</p> <p>11 A. I believe Tony Guy.</p> <p>12 Q. And during the period of time that you</p> <p>13 were Chief, was Rapko ever disciplined?</p> <p>14 A. I'm not -- I don't know.</p> <p>15 Q. Do you recall if there was an incident</p> <p>16 with Rapko and a shots fired?</p> <p>17 A. I know that Rapko on his off duty time</p> <p>18 was involved in an incident in Aliquippa with</p> <p>19 Aliquippa policemen.</p> <p>20 Q. And did that involve any discipline</p> <p>21 within the Sheriff's Office?</p> <p>22 A. Not to my knowledge.</p> <p>23 Q. Okay.</p> <p>24 A. Or not that I recall.</p> <p>25 Q. And then the last, the last one is that</p>
70	<p>1 not sure that he wasn't deployed, so I'm not sure</p> <p>2 who he supported in either.</p> <p>3 Q. Was he deployed at the time --</p> <p>4 A. That, I'm not sure whether he was</p> <p>5 deployed for the primary or not.</p> <p>6 Q. Did any of Cumberledge co-workers have</p> <p>7 issues with Cumberledge not being present to</p> <p>8 work?</p> <p>9 A. No.</p> <p>10 Q. And --</p> <p>11 A. Well, can I quantify that?</p> <p>12 Q. Sure.</p> <p>13 A. They may have had some -- Cumberledge,</p> <p>14 first off, is a part-timer. I can't speak for</p> <p>15 everybody. There may have been some resentment</p> <p>16 that, you know, he was gone to the military and</p> <p>17 we had a position open. I can't say no.</p> <p>18 Q. Nothing that you heard of similar to</p> <p>19 Larrick, is that fair?</p> <p>20 A. No.</p> <p>21 Q. Who is the next individual?</p> <p>22 A. Jennifer Bredemeir.</p> <p>23 Q. And was she also part-time?</p> <p>24 A. Yes.</p> <p>25 Q. And I believe you mentioned earlier she</p>	72	<p>1 Sallis?</p> <p>2 A. Yes.</p> <p>3 Q. And who is Sallis?</p> <p>4 A. Beau Sallis.</p> <p>5 MS. JONES: Beau?</p> <p>6 THE WITNESS: He goes by Beau, B --.</p> <p>7 MS. JONES: E-a-u?</p> <p>8 THE WITNESS: E-a-u, yes.</p> <p>9 Q. And was Beau part-time?</p> <p>10 A. Yes.</p> <p>11 Q. And do you know who Beau supported in</p> <p>12 the primary?</p> <p>13 A. I do not.</p> <p>14 Q. Do you know who Beau supported in the</p> <p>15 general?</p> <p>16 A. I do not.</p> <p>17 Q. Okay. In looking at this list of</p> <p>18 individuals, you mentioned earlier about it would</p> <p>19 help you remember individuals that had issues</p> <p>20 with Larrick being out of work. Looking at this</p> <p>21 list, can you tell me who had issues with</p> <p>22 Larrick?</p> <p>23 A. Hurst, Yasick, Hunter, Chapes, Matzie,</p> <p>24 Lupo, Fratangelli, Clark, Tibolet, Ochs.</p> <p>25 Part-timers may have had some, but they were</p>

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73	<p>1 part-time.</p> <p>2 Q. Was Clark also part-time?</p> <p>3 A. Yes, he was. But he was very</p> <p>4 boisterous.</p> <p>5 Q. And was it ever explained to</p> <p>6 individuals why Larrick was not at work?</p> <p>7 A. On a daily basis.</p> <p>8 Q. Okay. And what was explained to the</p> <p>9 employees why Larrick was not at work?</p> <p>10 A. That due to the FMLA and HIPAA laws</p> <p>11 that he had a legitimate reason to be gone, and</p> <p>12 that at the time there was nothing that could be</p> <p>13 done with it, so move on.</p> <p>14 Q. At any point in time were you ever</p> <p>15 asked to give a recommendation related to Clark?</p> <p>16 A. Recommendation?</p> <p>17 MS. JONES: Object to the form, but you</p> <p>18 can answer.</p> <p>19 Q. A recommendation as to whether Clark</p> <p>20 should stay or go under the new regime?</p> <p>21 A. Um, I spoke about Paul Clark. When I</p> <p>22 found out that he was possibly one to be let go,</p> <p>23 the Sheriff and I had a conversation and I spoke</p> <p>24 on why I didn't believe that that was a move that</p> <p>25 should be made, and then that was the last</p>	75
74	<p>1 conversation about it I believe.</p> <p>2 Q. And do you recall when you learned that</p> <p>3 Clark may not be retained?</p> <p>4 A. We had -- the initial meeting that we</p> <p>5 had at the Sheriff's home, it was discussed and I</p> <p>6 was pretty sure that Clark and one other</p> <p>7 individual was going to not be retained. I</p> <p>8 thought about it for a day, and the following day</p> <p>9 I called the Sheriff and just gave him my opinion</p> <p>10 on the two names that I was concerned about and</p> <p>11 why I didn't -- I didn't think that it was the</p> <p>12 wrong decision, but I wanted him to reconsider.</p> <p>13 He took it under advisement and then made his</p> <p>14 decisions.</p> <p>15 Q. And with respect to Clark, what did you</p> <p>16 hear that made you believe Clark was going to be</p> <p>17 somebody that might be let go?</p> <p>18 A. The feedback from the, that the Sheriff</p> <p>19 and Dean had received from all the other deputies</p> <p>20 in the office, or most all of the other deputies</p> <p>21 in the office.</p> <p>22 Q. And why did you think letting Clark go</p> <p>23 might not be something that would be a good idea?</p> <p>24 A. Well, it wasn't that it wasn't a good</p> <p>25 idea. I just thought that Clark had positive</p>	76
73	<p>1 things and had the ability to possibly work</p> <p>2 within the system if we worked with him on it.</p> <p>3 But he definitely had provided a negative impact</p> <p>4 on us to some degree.</p> <p>5 Q. Who is the other individual you heard</p> <p>6 might be somebody --</p> <p>7 A. I didn't hear. I mean, I was in the</p> <p>8 discussion.</p> <p>9 Q. Right.</p> <p>10 A. Michael Tibolet.</p> <p>11 Q. Okay. And with respect to Tibolet,</p> <p>12 what was your feelings with respect to retaining</p> <p>13 or not retaining Tibolet?</p> <p>14 A. That basically Mike had been, had a</p> <p>15 career here. I think he was close to or over 20</p> <p>16 years, that he got caught into a bad situation</p> <p>17 with the Sheriff, the previous Sheriff. But the</p> <p>18 bottom line was he had violated an integrity code</p> <p>19 that I just really couldn't get by. I just was</p> <p>20 trying to make a gesture to rethink it. But</p> <p>21 basically the bottom line was he couldn't be</p> <p>22 retained.</p> <p>23 Q. And what was the integrity issue with</p> <p>24 Tibolet?</p> <p>25 A. He lied.</p>	76
74	<p>1 Q. And was that related to the</p> <p>2 investigation into Sheriff David?</p> <p>3 A. Yes.</p> <p>4 Q. Is there a former deputy named Robin</p> <p>5 O'Connor?</p> <p>6 A. No, there is a Deputy Robin O'Connor.</p> <p>7 Q. And is Robin O'Connor presently working</p> <p>8 in the Sheriff's Office?</p> <p>9 A. Yes, her name is Robin Redfern now.</p> <p>10 Q. But was she at some point in time known</p> <p>11 as Robin O'Connor?</p> <p>12 A. Right, she was known as Robin O'Connor.</p> <p>13 Q. Okay. And was Robin O'Connor on an</p> <p>14 extended medical leave for a period of time?</p> <p>15 A. Yes, she was.</p> <p>16 Q. And do you recall what period of time</p> <p>17 that O'Connor was on extended medical leave?</p> <p>18 A. I believe it was about, again, I'm just</p> <p>19 guessing, 14 months.</p> <p>20 Q. And did any of the deputies have issues</p> <p>21 with O'Connor being out on leave?</p> <p>22 A. None that was spoken of. She was</p> <p>23 receiving cancer treatment.</p> <p>24 Q. Do you recall when O'Connor returned to</p> <p>25 work?</p>	76

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77	<p>1 A. I do not.</p> <p>2 MR. BLACK: I don't have any further</p> <p>3 questions for you, sir.</p> <p>4 MS. JONES: I may have a couple just</p> <p>5 for clarification of my notes.</p> <p>6 EXAMINATION BY COUNSEL FOR THE DEFENDANTS</p> <p>7 BY MS. JONES:</p> <p>8 Q. You indicated you had some military</p> <p>9 service and some training in the military. Could</p> <p>10 you tell me what that was?</p> <p>11 A. Well, I was a law enforcement</p> <p>12 specialist for four years. I attended various</p> <p>13 classes, accident reconstruction, criminal</p> <p>14 investigation, combat training for overseas.</p> <p>15 Q. What branch was that in, sir?</p> <p>16 A. Air Force, United States Air Force.</p> <p>17 Q. There has been some testimony that</p> <p>18 Mr. Larrick was out of the office of the</p> <p>19 Sheriff's Department for a period of time based</p> <p>20 on leave. During the periods that he was out of</p> <p>21 the office, were you still in communication with</p> <p>22 him as you've described on a regular basis?</p> <p>23 A. Yes.</p> <p>24 Q. So even though he was not working in</p> <p>25 the office at the time, did the communications</p>	79	<p>1 Q. And then is it true then that the level</p> <p>2 of communications continued even during periods</p> <p>3 when he was not in the office working?</p> <p>4 A. Yes, he, yes.</p> <p>5 Q. And would it also be true that that</p> <p>6 level of communication continued even after the</p> <p>7 divorce was final?</p> <p>8 A. Yes.</p> <p>9 Q. Were there any other employees in the</p> <p>10 Sheriff's Department about whom you spent as much</p> <p>11 time dealing with as Mr. Larrick?</p> <p>12 A. No.</p> <p>13 Q. Was that a factor in your information</p> <p>14 provided to Sheriff Guy in why you thought he</p> <p>15 was -- strike that.</p> <p>16 Was your time spent dealing with</p> <p>17 Mr. Larrick a factor in what you described to</p> <p>18 Sheriff Guy about Mr. Larrick?</p> <p>19 A. Um, no, not why I described it. I</p> <p>20 can't say it wasn't a factor in my overall</p> <p>21 opinion. But I didn't disclose to the Sheriff,</p> <p>22 or to Mr. Guy, the phone conversations on a</p> <p>23 regular basis. I didn't go into that detail or</p> <p>24 anything like that at the time.</p> <p>25 Q. In your own assessment, was the fact</p>
78	<p>1 relating to issues in his personal life and/or</p> <p>2 whether people were talking about him in the</p> <p>3 office continue?</p> <p>4 A. Yes.</p> <p>5 Q. Did he come to the Sheriff's</p> <p>6 Department, that is show up in the office even</p> <p>7 though he wasn't working?</p> <p>8 A. Not on any regular basis.</p> <p>9 Q. Okay. Were there any occasions when he</p> <p>10 came to the office where others who had expressed</p> <p>11 concern about him said something to you about</p> <p>12 coming to the office even though he wasn't</p> <p>13 working?</p> <p>14 A. I don't recall.</p> <p>15 Q. Okay. So during the time that you</p> <p>16 described Curt had a separation leading to a</p> <p>17 divorce going on, was that a period when he was</p> <p>18 actually in the office working or was that a</p> <p>19 period when he was off?</p> <p>20 A. It's a period when he was actually</p> <p>21 still in the office working.</p> <p>22 Q. Okay. And am I correct that during</p> <p>23 that period of time there were regular, if not</p> <p>24 constant, communications between you and Larrick?</p> <p>25 A. Yes.</p>	80	<p>1 that you had to spend a lot of time with</p> <p>2 Mr. Larrick, in dealing with Mr. Larrick, a</p> <p>3 reason that you felt he was disruptive to the</p> <p>4 office?</p> <p>5 A. No, it wasn't I had to. I empathized</p> <p>6 with Curt, and I wanted to help Curt. I wanted</p> <p>7 to see him get through it. I wanted to see him</p> <p>8 get past his issues with the Sheriff and continue</p> <p>9 to work. It didn't work out that way. But, no,</p> <p>10 it wasn't anything that I felt -- it didn't start</p> <p>11 out to feel as a burden. In other words, it was</p> <p>12 something that I wanted to do to help him as an</p> <p>13 employer, as employee, as a friend.</p> <p>14 Q. I understand that. At some point did</p> <p>15 it become a burden?</p> <p>16 A. Yes.</p> <p>17 Q. And at what point would you</p> <p>18 characterize that change?</p> <p>19 A. Towards the end when it got ugly</p> <p>20 between him and the Sheriff and the deputies and</p> <p>21 that there was just no resolution or end to it,</p> <p>22 no matter what I attempted to do or try to do did</p> <p>23 not work out.</p> <p>24 Q. So you would describe, for example,</p> <p>25 that there were legitimate reasons why</p>

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21 (81 to 84)

81	<p>1 Mr. Larrick would not be in the office, but 2 objections by others in the office continued? 3 A. Yes. 4 Q. You indicated I believe that many of 5 the persons in the office had an opinion about 6 Mr. Larrick that you learned of when you first 7 arrived in the department; is that right? 8 A. Yes. 9 Q. And did they express to you the basis 10 for the opinion they had when you first arrived? 11 Or had you learned of or heard of the reason for 12 their opinion when you first arrived? 13 A. Well, I knew there were stories that 14 were told, but you know, again, I judged him by 15 himself, not by the things I had heard. 16 Q. I understand that. What kinds of 17 things were either being said or what stories 18 were being told? 19 A. Just that Curt would tell, say 20 something that would prove not to be true at all, 21 you know, and whether it was here at this office, 22 whether it was earlier than that, I don't know. 23 But his nickname was just Lying Larrick. 24 Q. You described some conversations you 25 had with Wayne Kress, some in person, some by</p>	83	<p>1 Q. Okay. You related to Mr. Black that 2 you had heard, not necessarily from Mr. Larrick 3 directly, but from someone that Mr. Larrick had 4 interacted with Sheriff Guy at a polling place 5 and that that interaction was said to be a 6 possible mistaken identity of Mr. Larrick for the 7 Sheriff, Sheriff Guy. Is that a fair 8 characterization? 9 A. Yes. 10 Q. When you heard that, what was your 11 reaction to that? 12 A. It sounded like a pretty crazy story, 13 but -- 14 Q. And that's because the two don't look 15 alike, do they? 16 A. No. 17 Q. Okay. And did you ever have a 18 conversation with Mr. Larrick about that story, 19 that you can recall? 20 A. No. 21 Q. Okay. 22 A. I mean Curt could have been the one 23 that told me. 24 Q. I understand, but you don't have a 25 recollection --</p>
82	<p>1 phone, prior to the general election. And as I 2 understood it, some of those related to 3 suggestions about events that might be useful for 4 him to attend in terms of getting good exposure 5 to voters; is that right? 6 A. Right. 7 Q. Did you have any similar conversations 8 with Tony Guy relative to attending events or 9 getting exposure? 10 A. If I did, it was the day that we met at 11 my residence and discussed the campaign. I had 12 obviously been through several campaigns. I had 13 given him advice at that time on it. Most 14 of the phone conversations after that were just 15 general questions that he had in regards to the 16 operation of the office or that he felt he needed 17 some knowledge and background in. 18 Q. Okay. You don't have a specific 19 recollection about advising him to attend events 20 like you had a specific recollection about the 21 discussions with Mr. Kresse though? 22 A. The only reason I have a specific 23 recollection of that was that Mr. Kresse had told 24 me he wasn't going to go, and I told him why he 25 needed to go.</p>	84	<p>1 A. No. 2 Q. E- that? 3 A. No, I don't know. 4 Q. All right. So you described two 5 in-person meetings with Sheriff Guy after the 6 election, but before he took office. 7 A. Yes. 8 Q. Do you recall any other even perhaps 9 not sit-downs but interactions, maybe ran into 10 you somewhere in the courthouse, discussed 11 anything? 12 A. Do I specifically remember it, no. 13 Q. Okay. Looking at Exhibit 3, the bottom 14 grouping, the last bottom third of the page -- 15 A. Yes. 16 Q. -- were those all people that were in 17 part-time positions before the time Tony Guy took 18 office as Sheriff? 19 A. Yes. 20 Q. Am I correct that some of them were 21 promoted to full-time? 22 A. Yes. 23 Q. And did that include Mangerie? 24 A. Yes. 25 Q. And Bredemeir?</p>

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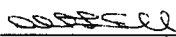

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22 (85 to 88)

<p style="text-align: right;">85</p> <p>1 A. Yes.</p> <p>2 Q. Any others?</p> <p>3 A. Montani.</p> <p>4 Q. Okay.</p> <p>5 A. And Hanna.</p> <p>6 Q. Okay. Good. And the group in the</p> <p>7 middle of the page --</p> <p>8 A. Yes.</p> <p>9 Q. -- were those people that either were</p> <p>10 in a position of I'll call it management or</p> <p>11 leadership, or being considered for that, to your</p> <p>12 knowledge? Is that your understanding of that</p> <p>13 grouping, or is there anything about that group</p> <p>14 that is similar?</p> <p>15 A. It basically stands out because four of</p> <p>16 them are sergeants, two of them are desk</p> <p>17 dispatchers and one has become a lieutenant since</p> <p>18 this list I guess was made.</p> <p>19 Q. And of the first group on the top of</p> <p>20 the page, were some of those people in a position</p> <p>21 of deputy and others in a position of management</p> <p>22 or leadership?</p> <p>23 A. Yes.</p> <p>24 Q. And which were in the positions of</p> <p>25 management or leadership?</p>	<p style="text-align: right;">87</p> <p>1 questions. Thank you.</p> <p>2 MR. BLACK: I just have a brief</p> <p>3 follow-up based on that.</p> <p>4 REEXAMINATION BY COUNSEL FOR THE PLAINTIFF</p> <p>5 BY MR. BLACK:</p> <p>6 Q. You were asked about kind of the</p> <p>7 situation with Larrick and it becoming a burden</p> <p>8 at the end.</p> <p>9 A. I hate that word, but yes.</p> <p>10 Q. Okay. That's fine. And my question</p> <p>11 just is at the point that it became a burden, was</p> <p>12 Sheriff David still in office?</p> <p>13 A. Yes.</p> <p>14 Q. And did you ever suggest to Sheriff</p> <p>15 David, hey, we should just let Larrick go?</p> <p>16 A. No.</p> <p>17 Q. Why not?</p> <p>18 A. Sheriff David's every day thought --</p> <p>19 well, I can't say that. Sheriff David's</p> <p>20 indication to me was he wanted to let Larrick go.</p> <p>21 I would have never had to say that.</p> <p>22 Q. And do you know why while David was</p> <p>23 still there Larrick was not let go?</p> <p>24 A. FMLA.</p> <p>25 Q. And at the time that Guy met with you,</p>
<p style="text-align: right;">86</p> <p>1 A. Ochs was a Lieutenant, Fratangelli was</p> <p>2 a Lieutenant, Tibolet was a Sergeant, Larrick was</p> <p>3 a Sergeant.</p> <p>4 Q. Although at the time he was</p> <p>5 terminated --</p> <p>6 A. Well, yes, he would have been --</p> <p>7 Q. He was a deputy?</p> <p>8 A. Yes, he would have been a deputy, I'm</p> <p>9 sorry.</p> <p>10 Q. Okay. So as I understood your comments</p> <p>11 about Tibolet, was your position that you had</p> <p>12 followed up with Tony because even though you</p> <p>13 were concerned about Tibolet's conduct, you were</p> <p>14 taking maybe one last shot for someone who was a</p> <p>15 longer serving employee? If I've</p> <p>16 mischaracterized that, you can explain?</p> <p>17 A. Can I expound on that a little bit?</p> <p>18 Q. Yes, yes.</p> <p>19 A. Mike Tibolet was the desk dispatcher</p> <p>20 and I had worked closely on a daily basis with</p> <p>21 Mike during some tough times to make the</p> <p>22 operation function. It was just something I had</p> <p>23 to do personally that I felt was necessary.</p> <p>24 Q. Okay.</p> <p>25 MS. JONES: I don't have any other</p>	<p style="text-align: right;">88</p> <p>1 was Larrick still on FMLA?</p> <p>2 A. No, Curt was -- he may have been at the</p> <p>3 time. But Curt was scheduled to report back to</p> <p>4 work I believe right after the election in</p> <p>5 November. Then that was postponed until the</p> <p>6 first week of January. But he was already done</p> <p>7 with his FMLA, scheduled to report for work.</p> <p>8 Because we discussed his uniform purchases and</p> <p>9 things.</p> <p>10 Q. And did you tell him to purchase</p> <p>11 uniforms?</p> <p>12 A. I told him that he needed to be</p> <p>13 cautious in what he purchased, if he purchased</p> <p>14 anything, because I wasn't sure whether he was</p> <p>15 being retained. I wasn't sure whether I was</p> <p>16 being retained when we talked. There was no</p> <p>17 definite yet.</p> <p>18 Q. And just one last follow-up based on</p> <p>19 when you were saying he was scheduled to go back.</p> <p>20 Had you told Sheriff Guy that Larrick had been on</p> <p>21 FMLA?</p> <p>22 A. Well, I'm sure that came up or that he</p> <p>23 had been out of work, yes. I'm sure -- that</p> <p>24 wasn't a specific point that I remember, but I'm</p> <p>25 sure it came up.</p>

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<p style="text-align: right;">89</p> <p>1 MR. BLACK: That's all I have. Thank 2 you so much for your time. 3 THE WITNESS: Yes, sir. 4 MS. JONES: I have nothing else. You 5 have the ability to review the transcript or 6 you can waive that right. My recommendation 7 would be to review it, but you don't have to 8 if you don't want to. 9 THE WITNESS: Okay. 10 MS. JONES: You just have to tell the 11 court reporter. 12 THE WITNESS: Oh, well, then I will 13 review. 14 MS. JONES: Okay. 15 VIDEOGRAPHER: This concludes the 16 deposition. We are going off the record. 17 The time is 12:24 p.m. 18 (Off the record at 12:24 p.m.) 19 20 21 22 23 24 25</p>	<p style="text-align: right;">91</p> <p>1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC 2 I, Deborah Endler, the officer before 3 whom the foregoing deposition was taken, do 4 hereby certify that the foregoing transcript is a 5 true and correct record of the testimony given; 6 that said testimony was taken by me 7 stenographically and thereafter reduced to 8 typewriting under my direction; that reading and 9 signing was requested; and that I am neither 10 counsel for, related to, nor employed by any of 11 the parties to this case and have no interest, 12 financial or otherwise, in its outcome. 13 IN WITNESS WHEREOF, I have hereunto set 14 my hand and affixed my notarial seal this 16th 15 day of March 2017. 16 My commission expires November 2, 2020. 17 18 19 20   21 NOTARY PUBLIC IN AND FOR 22 THE COMMONWEALTH OF PENNSYLVANIA 23 24 25</p>
<p style="text-align: right;">90</p> <p>1 ACKNOWLEDGMENT OF DEPONENT 2 I, JAY ALSTADT, do hereby acknowledge 3 that I have read and examined the foregoing 4 testimony, and the same is a true, correct and 5 complete transcription of the testimony given by 6 me and any corrections appear on the attached 7 Errata sheet signed by me. 8 9 _____ 10 (DATE) (SIGNATURE) 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	