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SC SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM OCONEE COUNTY
Court of Common Pleas
J. Cordell Maddox, Jr., Circuit Court Judge

Unpublished Opinion No. 2016-UP-160 (S.C. Ct. App. filed Apr. 6, 2016)

Mariam R. Noorai.....Petitioner,

v.

School District of Pickens County, School District of Oconee County, and
Gary Culler, Donald Boggs, Richard Hudak, Earnestine Williams, Marilyn
Raines and Dr. Kelly Pew in their individual capacities,

Of whom the School District of Pickens County and Gary Culler

are Respondents.

APPENDIX
VOLUME II

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STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

COURT OF COMMON PLEAS

MARIAM R. NOORAI,
Plaintiff(s),

vs.

Case No.: 2010-CP-37-279

SCHOOL DISTRICT OF PICKENS COUNTY,
SCHOOL DISTRICT OF OCONEE COUNTY,
AND GARY CULLER, DONALD BOGGS,
RICHARD HUDAK, EARNESTINE WILLIAMS,
AND DR. KELLY FEW IN THEIR INDIVIDUAL CAPACITIES,

Defendant(s).

D E P O S I T I O N

WITNESS: MARIAM R. NOORAI

DATE: Thursday, January 26, 2012

TIME: 11.07 a.m.

LOCATION: Duff, White & Turner, LLC
3700 Forest Drive, Suite 404
Columbia, South Carolina

TAKEN BY: Attorneys for the Defendants

REPORTED BY: SHERI L. BYERS
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1 consideration for me for any job in Oconee. And then
2 when we were discussing about substitutes, she kept
3 telling me that, you know, it was not just because I
4 had a professional certificate, she would have to
5 approve my application to become a sub. And her tone
6 and the way she discussed that made it clear it was not
7 going to be an automatic thing. Like she had concerns.

8 Q. Okay. So what exactly was the implication or
9 that she implied that the comments made by Mr. Culler?

10 A. I'm sorry, I'm confused by what you're asking
11 me.

12 Q. Maybe I should clarify it. Did she tell you
13 anything about comments made by Mr. Culler?

14 A. She said she could not recall the exact
15 comments. It was something about how I was in the
16 classroom and what kind of teacher I was, whether I was
17 a blooming, a budding teacher, of that nature. And she
18 kept reassuring me throughout the whole time that
19 Mr. Culler never told her that I was a victim of a
20 sexual assault, or didn't tell her but told West-Oak.

21 Q. Mr. Culler did or did not tell West-Oak?

22 A. Did not tell West-Oak.

23 Q. All right. And your testimony is that

24 Mrs. Williams told you that she had talked to

25 Mr. Culler?

1 A. Not she, but when Jami Verderosa came and
2 talk to her, that West-Oak had talked to Mr. Culler.
3 And she just could not recall what she was told
4 Mr. Culler said.

5 Q. All right. So you're not testifying here
6 that Earnestine Williams talked to Mr. Culler?

7 A. No.

8 Q. All right. Do you believe that Earnestine
9 Williams talked to Mr. Culler?

10 A. She may have afterwards. I don't know.

11 Q. All right. Do you have any evidence that she
12 did?

13 A. No.

14 Q. All right. At any point?

15 A. No.

16 Q. All right. But your testimony is that you
17 believe Jami Verderosa talked to Mr. Culler?

18 A. Or someone from West-Oak.

19 Q. All right. Do you believe that anyone else
20 from the district office at the School District of
21 Oconee County talked to Mr. Culler?

22 A. I'm sure they probably have, but, I mean, I
23 don't know.

24 Q. All right. But that's -- you don't know for
25 a fact either way?

1 A. No.

2 Q. Do you have any reason to believe that
3 somebody has?

4 A. It's possible. Mr. Culler, in his letter,
5 said that someone was sharing with him how I was, you
6 know, filling out confidential employment applications,
7 so ...

8 Q. All right. But you had applied to all the
9 other districts, as well?

10 A. Yes.

11 Q. And you had done that by the time you got the
12 letter from Mr. Culler that we looked at in the last
13 deposition?

14 A. Yes.

15 Q. All right. Go to the fourth bullet.

16 A. The fourth bullet.

17 Q. Right. That's when you told Mrs. Williams
18 that you had been sexually and physically assaulted by
19 a student.

20 A. Yes, sir.

21 Q. All right. And why did you decide to tell
22 that to Mrs. Williams?

23 A. I wanted her to understand, I guess, you
24 know, the situation and where I was coming from.
25 Understand why I left my job, and, you know, I felt

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1 the Department of Juvenile Justice in Pickens. There's
2 was a letter from there.

3 Q. All right. And you note here that
4 Mrs. Williams refused to comment on Dr. Pew's statement
5 that Mr. Culler had no contact with or gave a reference
6 to West-Oak Middle or any other school?

7 A. I mean, she saw where that was written, and I
8 had mentioned it. But she didn't make any comments
9 about that.

10 Q. What do you mean -- tell me what you mean by
11 "refuses to comment." Did you ask her?

12 A. I just know that she did not. No, I did not
13 get aggressive or ask her, question her. I just
14 said -- I pointed that that's where it says that there
15 was no contact with West-Oak or any other. And since
16 she had just been saying repeatedly that, you know,
17 Jami Verderosa came to her and said that after they had
18 contacted Mr. Culler, they weren't going to hire me.

19 Q. Okay. So that's your testimony is that you
20 didn't ask her to comment on that or show that to her
21 particularly to pull that sentence out?

22 A. I said that it was there.

23 Q. All right. Do you have any evidence that
24 Dr. Pew had had any communications with Earnestine
25 Williams at any point prior to October 2009?

1 A. I'm not sure how I would know. But with a
2 conspiracy, I'm not sure how I would know that either.

3 Q. Do you have any evidence that they had any
4 communications about you?

5 A. No, sir.

6 Q. At any point?

7 A. No, sir.

8 Q. All right. Do you have any evidence to
9 believe -- any evidence that Mrs. Williams had any
10 communication at any point with anybody from School
11 District of Pickens County about you?

12 A. I don't think I would have access with any of
13 that stuff, sir.

14 Q. Regardless of whether you have access or
15 don't have access, do you have evidence of it?

16 A. No.

17 Q. All right. And then you talked about being
18 forced to write a letter of resignation?

19 A. Yes, sir.

20 Q. All right. And why did you decide to share
21 that with Mrs. Williams?

22 A. Because I know that a letter of resignation
23 is usually a negative in someone's employment file. It
24 usually implies that someone did not fulfill their
25 obligations from their previous contract.

1 Dr. Pew was, you know, supposed to have
2 pulled that letter from my file. That letter had been
3 used when unemployment was -- had contacted me first
4 and took my statement and then contacted Pickens
5 County. They produced that letter as a negative to
6 deny me unemployment. The woman then contacted me
7 back. I took her additional documentation, dropped it
8 off at the unemployment office.

9 Q. Okay. So it was basically it's been treated
10 as a resignation, or how has it been treated?

11 A. I'm confused by what you're asking me.

12 Q. Right. As far as your status as a teacher in
13 South Carolina, is this treated -- your separation from
14 Pickens, is it treated as a resignation or a
15 termination or other?

16 A. I was offered a continuing contract, which I
17 chose not to sign. So that is a resignation.

18 Q. Okay. All right. And Mrs. Williams
19 suggested that you apply to be a substitute?

20 A. Yes.

21 Q. Did you do that at any point?

22 A. Not at that point because I was on
23 unemployment, and they wanted me to apply for full
24 positions only. Positions that I had, you know,
25 previously held.

1 Q. Did you have specific communications with the
2 unemployment office about being a substitute teacher
3 and whether you should do that or not?

4 A. They were requesting that I apply only for
5 full-time positions when I would go in. They also say
6 that they don't advise or tell you what positions to
7 apply for. They tell you how many and when.

8 Q. All right. So what is your understanding
9 that your receipt of unemployment benefits would have
10 on being a substitute teacher? Or really the converse
11 of that. Being a substitute teacher, what would that
12 do to your unemployment benefits?

13 A. I would assume that if I was making, you
14 know, it would reduce, I guess, the amount I was
15 receiving in that week if I had worked as a substitute.

16 Q. So that's why you decided not to be a
17 substitute?

18 A. Why I decided not to is just when
19 Mrs. Williams kept telling me that, again, that she
20 would have to, you know, approve my application and
21 just I guess the manner made me feel that I didn't want
22 to apply for a substitute with a professional teaching
23 certificate and not get it.

24 Q. All right. But you didn't actually try that
25 to see if you would get a substitute position?

1 A. No.

2 Q. Yet you have applied for how many jobs in the
3 School District of Oconee County?

4 A. I have not counted to be able to tell you.

5 Q. More than 20?

6 A. Probably.

7 Q. But never have applied for a sub position or
8 followed up with that?

9 A. No, sir. I did at one point, you know,
10 seeing what I needed to do later on, but ...

11 Q. Right. But never actually fulfilled the
12 requirements to be a substitute teacher?

13 A. Not in Oconee County.

14 Q. Have you done it in other counties?

15 A. I may have applied for substitute positions
16 in Pickens County a couple of times. Of course, never
17 heard back.

18 Q. All right. What time frame would you have
19 done that?

20 A. Whenever it was posted. Several times when
21 it's been posted.

22 Q. How about in other Anderson school districts
23 or Greenville?

24 A. I may have for one of the Andersons, I don't
25 remember the specifics. I may have.

1 bullets here, as you started to walk out the door into
2 the hallway that Mrs. Williams asked if you were a
3 friend of Fred Hamilton?

4 A. Correct.

5 Q. All right. And you hadn't talked about Fred
6 Hamilton at all in the meeting until that point?

7 A. Well, I had mentioned that Mr. Hamilton had
8 made the appointment, and her receptionist knew that
9 when I made the appointment.

10 Q. Okay. And you note that Mrs. Williams seemed
11 to like that because she was the former principal of
12 the school that you had gone to?

13 A. Yes, sir.

14 Q. All right. Is there anything Mrs. Williams
15 said -- anything else she said in that meeting that you
16 considered to be inappropriate or unprofessional or
17 offensive?

18 A. No, not that I recall.

19 Q. All right. And you would have included that
20 in here if you thought that was the case?

21 A. I'm sure I would have.

22 Q. Your attempt was to be thorough here?

23 A. Yes.

24 Q. All right. And how long did it take you to
25 put all this together?

1 MR. CROMER: Sure. You want to take a couple
2 of minutes now?

3 MR. BARLOW: Let me do that now.

4 (A recess transpired.)

5 BY MR. BARLOW:

6 Q. All right. Ms. Noorai, anything else about
7 the October 1, 2009, meeting that you want to share?

8 A. Not at this time. But I am in a great deal
9 of pain.

10 Q. Sure. I'm sorry about that, and I don't have
11 a whole lot longer for you.

12 Do you have any evidence that Mrs. Williams
13 has spoken with -- about you to any other school
14 district in South Carolina?

15 A. Again, with the conspiracy, I wouldn't really
16 know or have access to that.

17 Q. All right. But you don't have any knowledge
18 that that has occurred?

19 A. -- No one has ever told me that, no.

20 Q. All right. Or any other evidence of it?

21 A. No, sir.

22 Q. All right. And you remember what the last
23 position you applied for in the School District of
24 Oconee County is?

25 A. No, I don't recall at this time.

1 Q. All right. Do you apply for every open
2 position in the school district?

3 A. That I'm qualified for.

4 Q. Have you applied for any positions for which
5 you are not qualified?

6 A. Not that I know of. I'm sure I've looked at
7 the qualifications and seem to.

8 Q. Have you applied for positions for which you
9 might consider yourself overqualified?

10 A. Yes, sir.

11 Q. What might those be?

12 A. Some classified positions.

13 Q. All right. Why did you apply for those?

14 A. Because I'm able to do the work of those
15 positions, and I thought if I can at least get my foot
16 in the door, work my way up.

17 MR. BARLOW: Okay. All right. Let's recess
18 at this point.

19 MR. CROMER: Okay.

20 MR. BARLOW: We'll finish it up sometime up
21 your way.

22 MR. CROMER: All right.

23 (Off the record.)

24 (The deposition recessed at 4:41 p.m.)

25

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1 County School District since March?

2 A. Yes, sir.

3 Q. What have you applied for?

4 A. Too many to be able to tell you at this time.

5 Q. Do you have a list of those somewhere?

6 A. Yes. And I believe they do too as well.

7 MR. BRANDT: We'll be happy to compile a list
8 and give it to you.

9 BY MR. BARLOW:

10 Q. Thank you. How about with the School District
11 of Oconee County --

12 A. Yes, sir. I have.

13 Q. Let me finish before you start.

14 A. Oh, I'm sorry.

15 Q. No. That's fine. We did a good job -- I was
16 looking back at the transcript, and I think we did a good
17 job of that last time. I just want to start off on the
18 right track here.

19 And we would have a list of those jobs, but
20 have you kept up with those as well?

21 A. Yes, sir.

22 Q. School districts -- other than Pickens and
23 Oconee, where else have you applied since March?

24 A. Greenville County, Anderson School District 1,
25 Anderson School District 2, Anderson School District 3,

1 Anderson School District 4, Anderson School District 5,
2 Charleston County School District, Tri-County Tech,
3 Clemson University.

4 Q. And would you have a list of the positions that
5 you have applied for at all of those?

6 A. Yes, sir.

7 Q. Have you had any interviews with Greenville?

8 A. Yes. I have.

9 Q. For what position did you interview?

10 A. I interviewed for an English position at
11 Carolina High School. I interviewed for a position at
12 the middle school in Taylors.

13 I've interviewed -- I'm sorry. I've had
14 several in Greenville. It's hard to think off the top of
15 my head.

16 Q. This is March to now timeframe?

17 A. Yes, sir.

18 Q. Have you had any offers?

19 A. No, sir.

20 Q. But you have a list of those somewhere.

21 A. Yes. I have the dates when I went for the
22 interviews in Greenville.

23 Q. Would you have a list of the people that you
24 interviewed with as well?

25 A. Well, with the principals. I may not remember

1 all the people they had in the room.

2 Q. Were those done in a team approach?

3 A. Some were. Some weren't.

4 Q. How about Carolina High School? Was that a
5 team approach?

6 A. It was principal and coach.

7 Q. How about Taylors?

8 A. It was the principal and assistant principal.

9 I was also interviewed at League Academy. It was a
10 principal, team leader, teachers, and other teachers, and
11 an instructional coach.

12 Q. And you have heard back from them that you did
13 not get those?

14 A. I have not heard back from League Academy.

15 Q. But you heard back from the others?

16 A. From Carolina and the one in Taylors, yes. But
17 not the others.

18 Q. How about as far as Anderson 1? Have you had
19 any interviews with Anderson 1?

20 A. Not with Anderson 1.

21 Q. How about Anderson 2?

22 A. No. I have not.

23 Q. And I bet you'll guess where I'm going next.
24 Anderson 3.

25 A. No interviews with Anderson 3.

- 1 Q. Anderson 4?
- 2 A. Yes, sir.
- 3 Q. Which school?
- 4 A. Pendleton High School. And the interview was
- 5 just with the principal.
- 6 Q. Do you remember the principal's name?
- 7 A. Not off the top of my head.
- 8 Q. What was the outcome of that?
- 9 A. I haven't heard.
- 10 Q. Okay. Is that the only school that you
- 11 interviewed with in Anderson 4?
- 12 A. Yes.
- 13 Q. How about Anderson 5?
- 14 A. I was interviewed at Glenview Middle School.
- 15 Q. And who interviewed you there?
- 16 A. The principal, and three of the 8th grade
- 17 English teachers.
- 18 Q. Have you heard back from them yet?
- 19 A. Yes. I received a rejection.
- 20 Q. Do you know who the successful candidate was?
- 21 A. No, sir.
- 22 Q. For any of the positions that you did not get,
- 23 that we've talked about, have you done any research to
- 24 see who the successful candidates were --
- 25 A. No, sir.

1 Q. -- and compared your qualifications with them?

2 A. No, sir.

3 Q. Do you plan to do that?

4 A. I haven't thought about it.

5 Q. How about in Charleston? Have you interviewed?

6 A. Yes, sir.

7 Q. For what positions did you interview down
8 there?

9 A. At one school. Thomas C. Cario Middle School.
10 It's in Mount Pleasant. The principal is Mr. Bragg. I
11 had two interviews.

12 Q. Have you heard back on a decision on those yet?

13 A. Yes. I was rejected.

14 Q. And presumably you don't know who the
15 successful candidate or candidates were?

16 A. No, sir.

17 Q. How about Tri-County Tech? Have you
18 interviewed there?

19 A. I've had three interviews at Tri-County Tech.

20 Q. And again, just so we're clear, in the March to
21 now timeframe?

22 A. No. In 2011.

23 Q. Okay. What type of jobs there?

24 A. Again, a variety.

25 Q. You have applied there since March.

1 A. Yes. When there was a position that I meet the
2 requirements for, that I'm able to do the work, I apply.

3 Q. Other than what we've already talked about,
4 Greenville, Anderson districts, Charleston, and
5 Tri-County Tech, any other applications that you've
6 submitted to school districts in South Carolina?

7 A. Well, I also mentioned Clemson University, but
8 no other public school district.

9 Q. How about private schools or charter schools?

10 A. I haven't found any jobs when I've searched.

11 Q. How about in Georgia?

12 A. No, sir. I don't have the money to move, and
13 when I have checked in the past for the connecting school
14 districts in Georgia, there were none posted.

15 Q. When was the last time that you would have
16 checked in Georgia?

17 A. Might have been last year.

18 Q. How about North Carolina? Same?

19 A. No. I have not checked in North Carolina.

20 Q. Going back to our prior deposition. I think we
21 left off -- I was asking you questions about your notes
22 from your October 1, 2009, meeting with Earnestine
23 Williams. I'll show you Exhibit 27.

24 I asked a few questions about that. I think I
25 was about done but wanted to give you the opportunity --

1 Q. And you inquired of Tammy Brock as to why.

2 A. I received a letter of rejection from Tammy
3 Brock.

4 Q. All right. Then you had some discussion back
5 and forth with her through correspondence.

6 A. I believe so.

7 MR. BARLOW: I want to go ahead and mark this.

8 (Defendants' Exhibit 28, June 8, 2010 Letter
9 From Tammy Brock to Mariam Noorai, marked for
10 identification.)

11 (Defendants' Exhibit 29, June 1, 2010 Letter
12 From Mariam Noorai to Tammy Brock, marked for
13 identification.)

14 BY MR. BARLOW:

15 Q. Look at 29 first. Apparently there was some
16 undated and unsigned form letter that you received.

17 A. Yes. As I said I received a rejection letter
18 from Ms. Brock.

19 Q. And the second paragraph says, "On the advice
20 of counsel, please confirm that you were the only one
21 present during our meeting".

22 Had you hired legal counsel at that point?

23 A. No. That was the counsel of my father.

24 Q. So you had not hired a lawyer.

25 A. Absolutely. No, sir.

1 Q. And then you received Exhibit 28 as the
2 response to that -- Exhibit 29.

3 A. Yes, sir.

4 Q. And during this time, were you having
5 discussions with anybody, other than Tammy Brock, with
6 the School District of Oconee County?

7 A. Not that I recall.

8 (Defendants' Exhibit 30, June 16, 2010 Letter
9 From Mariam Noorai to Tammy Brock, marked for
10 identification.)

11 BY MR. BARLOW:

12 Q. Have you had a chance to look at Exhibit 30?

13 A. Yeah.

14 Q. I would like you to read it -- let me ask you
15 this first.

16 Between the time that we broke in March and
17 now, have you done anything? Gone back and looked at
18 anything.

19 A. Absolutely nothing.

20 Q. Well, take a look at it then while get a little
21 more coffee, and if you need a break at any time
22 certainly let us know.

23 A. Thank you.

24 Q. During your interview with Tammy Brock, did the
25 question of why you left R.C. Edwards come up?

1 A. Yes. I believe she asked a couple of times.

2 Q. What was your response to her?

3 A. I don't remember my exact response, but I don't
4 believe I said very much.

5 Q. Would you agree that it's relevant for a future
6 employer to know why you left your former employer?

7 A. I'm assuming that they have questions that they
8 need to ask.

9 Q. Would that be one of them?

10 A. It could be.

11 Q. Have you ever had any responsibility for hiring
12 anyone?

13 A. No, sir.

14 Q. How about any classes? Did you take college
15 courses, or anything like that, on management? Or
16 anything like that.

17 A. No, sir.

18 Q. So you weren't philosophically opposed to her
19 asking you the question why you left R.C. Edwards.

20 A. No, sir.

21 Q. You don't remember what your exact response to
22 her would have been to that question.

23 A. No, sir. That was back in 2010. I don't
24 recall.

25 Q. Do you recall telling her that you felt unsafe

1 at that school?

2 A. I really don't recall what I said.

3 Q. Do you recall generally what you might have
4 discussed as far as R.C. Edwards?

5 A. It would have been very little. She did most
6 of the talking the entire interview.

7 Q. Do you consider that to be a negative?

8 A. No, sir. She was explaining about the program
9 and what it required.

10 Q. Did you mention at that point having been
11 subjected to an assault by a student? Did you mention
12 that in the interview?

13 A. No, sir. Not that I recall.

14 Q. You mentioned it in the follow-up letter.

15 A. Yes. I did.

16 Q. And the principal and assistant principal are
17 being reviewed by the Office of South Carolina Department
18 of Education. Did that come up in the interview? I'm
19 looking at Exhibit 30.

20 A. That did not come up in the interview.

21 Q. Would you agree that the tone of this is fairly
22 aggressive? Exhibit 30.

23 A. I don't see it as aggressive.

24 Q. What did you expect the response to be to this?

25 A. I see this as a victim writing and trying to

1 explain the unfairness of what happened to this person.

2 Q. Do you have any evidence that Tammy Brock had
3 any communication with anybody at Pickens in making this
4 decision?

5 A. No, sir.

6 Q. As far as these other positions that you've
7 applied for since really June of 2009, do you have any
8 evidence that Earnestine Williams communicated with any
9 of the prospective employers?

10 Do you have any direct evidence? Or any
11 evidence, circumstantial or otherwise.

12 A. On my own evidence, no. As I said, I know in
13 the countersuit, Mr. Culler claims that all school
14 districts in the area are sharing and passing around my
15 confidential application.

16 Q. Do you have any reason to believe that
17 Earnestine Williams, right here, communicated with
18 Greenville County School District about you?

19 A. I mean, she could.

20 Q. Do you have any reason to believe that she did
21 that?

22 A. What exactly do you mean?

23 Q. Do you think she did that?

24 A. She may have.

25 Q. Do you know whether she did or not?

1 A. No. I do not know whether she did.

2 Q. Do you have any reason to think she might have?

3 A. It's possible.

4 Q. How about with Charleston County School
5 District?

6 A. Could be possible. I don't know.

7 Q. But you have no evidence of that ever
8 happening.

9 A. No, sir.

10 Q. You have no witnesses from that school
11 district, for example, that are going to tell us that
12 Earnestine Williams called them up and told them not to
13 hire you.

14 A. No, sir.

15 Q. And not the Anderson school districts either.

16 A. No, sir.

17 (Defendants' Exhibit 31, January 24, 2011,
18 E-mail from Mari Noorai to Tammie Fletcher, marked for
19 identification.)

20 Q. Do you know who Jackie Coldwell is?

21 MR. BRANDT: Last name?

22 MR. BARLOW: C-O-L-D-W-E-L-L.

23 THE WITNESS: I can't recall Exhibit 31.

24 BY MR. BARLOW:

25 Q. Do you have any evidence that anyone else

1 employed with the School District of Oconee County has
2 kept you from getting a job in one of the other school
3 districts?

4 A. Not that I can recall.

5 Q. Do you recognize this document? Exhibit 31.

6 A. Yes, sir.

7 Q. Can you tell me what that is?

8 A. This was when I was involved with unemployment
9 and what they had me do with job contacts. So I wasn't
10 sure if I needed to apply as a substitute teacher.

11 I ended up applying for others instead, so I
12 didn't follow through with this.

13 Q. One more step you would have had to do in order
14 to be a substitute teacher would be to do substitute
15 training.

16 A. Substitute training and having the TP test, but
17 unemployment said they preferred me to apply for
18 full-time.

19 Q. So that's your reason --

20 A. I applied for other jobs and made my contacts
21 all over.

22 Q. All right. Who were the people that you had
23 direct communication with at the State Department of
24 Education? Anybody other than Janet Stein?

25 A. She was South Carolina Education Association.



Seneca Middle School
School District of Oconee County

810 W. S. Fourth Street • Seneca, S.C. 29678 • 886-4455 • Fax 886-4452

Certified and Regular Mail

June 8, 2010

Mariam R. Noorai
518 W. North 4th Street
Seneca, SC 29678

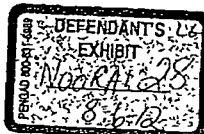
Dear Ms. Noorai:

This letter is to follow up with your letter regarding your most recent interview for a position as a teacher in the Summer School Program at Seneca Middle School. You asked that I confirm that I was the only one present during our interview. This is correct. It is a pleasure to confirm that we did hire the most qualified candidates to fill the vacancy. Again, thank you for your interest in working at Seneca Middle School. We wish you the best.

Sincerely,

Tammy Brock
Teacher/Director of S.M.S. Summer School Program
CC: Al LeRoy, Principal Seneca Middle School

The School District of Oconee County does not discriminate on the basis of race, color, national origin, sex, or disability in admission to, access to, treatment in, or employment in its programs and activities. Assistant Superintendent of Human Resource Services (Title IX); contact (864) 886-4400 ext 1121. Director of Special Services (504/ADA Coordinator); contact (864) 886-4400 ext 1143.



DEF SDCC 000111

518 W. North 4th Street
Seneca, South Carolina 29678

1 June 2010

Tammy Brock
Seneca Middle School
810 W. South 4th Street
Seneca, South Carolina 29678

Dear Mrs. Brock:

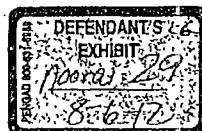
I received your undated and unsigned form letter. Your personal offer of assistance was appreciated.

On the advice of counsel, please confirm that you were the only one present during our meeting. In addition, I would like to know if the successful candidate was more qualified and experienced than I, and the actual date the position was offered to her.

Thank you for your time.

Sincerely,

Mariam R. Nooral
Mariam R. Nooral



DEF SDOC 000112

518 W. North 4th Street
Seneca, South Carolina 29678

16 June 2010

Tammy Brock
Seneca Middle School
810 W. South 4th Street
Seneca, South Carolina 29678

RECEIVED
JUN 21 2010
PERSONNEL DEPT.

Dear Mrs. Brock:

Your certified letter dated June 8, 2010 was received today, Wednesday, June 16, 2010. I am sending you this certified letter with return receipt as a response in kind.

During our meeting, I gave you my updated resume; you returned it, making it clear that I was not being considered as a candidate for this Summer School teaching position. The only question that you were interested in asking me was why I left teaching at R.C. Edwards Middle School.

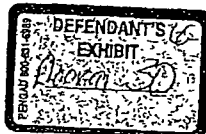
As a second year teacher, I was offered a continuing contract, but I declined to sign it. I was sexually and physically assaulted by a student, and the school's administrators chose to disregard the law and not report this crime. As a result, the student who attacked me burned another student with a piece of hot metal the following day after he realized that he was going unpunished for my assault. Currently, the certificates of the principal and the assistant principal are being reviewed for misconduct by the Office of General Counsel at the South Carolina Department of Education.

Please explain how it is appropriate to interview candidates differently. If you interview candidates in a group of two or more, how can you then discriminate against others by having only one person serving as an interviewer? The bottom of your June 8, 2010 letter states that "The School District of Oconee County does not discriminate . . . (in) employment in its programs and activities," yet you claim to interview people differently.

In my June 1, 2010 letter, I asked you how the successful candidate was more qualified and experienced than I. You wrote that "we did hire the most qualified candidates to fill the vacancies." You left out what kind of experience the people had that you hired, which goes along with the statement you made during our meeting. You told me that you had interviewed many candidates and "they all wanted to get their foot in the door and prove themselves" to the School District of Oconee County. This implies that your candidates were either newly graduated with no experience or teachers who had not been offered a contract at another district.

I am requesting through the Freedom of Information Act (F.O.I.A.) to know the names, qualifications, and years of teaching experience of all the candidates you hired for this Summer School Program funded by the 21st Century Grant. Also, I would like to know the dates the candidates were offered their

1



DEF SDOC 000117

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STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

IN THE COURT OF COMMON PLEAS
CASE. NO. 2011-CP-37-279

Mariam R. Noorai,
Plaintiff,
vs.



School District of Pickens
County; School District of
Oconee County; and Gary Culler,
Donald Boggs, Richard Hudak,
Earnestine Williams, Marilyn
Raines and Dr. Kelly Pew, in
their individual capacities,

Defendants.

DEPOSITION OF KELLY ULDRICK PEW

Pursuant to Notice of Deposition and/or agreements
in the above entitled case, the Deposition of Kelly
Uldrick Pew was taken at the law offices of Larry C.
Brandt, 3691 Blue Ridge Boulevard, Walhalla, South
Carolina, on Wednesday, August 8th, 2012, commencing at
1:35 p.m.

COPY

KAREN BELANGER
CERTIFIED VERBATIM REPORTER, MASTER

FOOTHILLS COURT REPORTING
864-991-2570

you agree with me that would have been furnished on 1/12/2009?

A. Yes, sir.

Q. So January the 12th of 2009 would have been the day that Ms. Raines was responding to the request?

A. That appears to be what that says.

Q. Okay, that's all I need from that. Since the complaint with the OCEA or the OCA meeting, I guess in June or whatever it was, the 30th of '09 --

A. Yes, sir.

Q. -- has anyone from another school district in the State of South Carolina called and spoken to you directly about Ms. Noorai?

A. They have. It's been more than a year ago. I cannot tell you -- that's part of what we do. I can't tell you who, but there probably have been two or three. One specifically was the one who notified me of what was on the CERRA application.

Q. And do you remember who that was?

A. I cannot tell you. It was a male and I believe they were from Greenville County, but I cannot tell you that. I was -- to be honest, I was very surprised at the information that was given. At that point, for him, it was more of did you know. We were looking at her references. Did you know this was said about one

of your principals? And I pulled it up and looked at it.

Q. But it wasn't like she's applied for us?

A. I think she had, but I cannot tell you that.

Q. But it was more like you say, he called in and said do you know this is on--

A. He was -- I think he was going to check her reference.

Q. It wasn't like how good a teacher, or anything like that?

A. I don't think we had a whole lot of other conversation.

Q. How about the other two of them?

A. I know I had one other, for sure. And I recall saying to them that she was offered a continuing contract in the School District of Pickens County, that she had passed her ADEPT evaluation, and she chose not to return to our school district. It was very factual information, and that would have been all that I would have said.

Q. Did you discuss with that other caller her comment about --

A. I did not.

Q. -- Mr. Culler?

A. I did not discuss that. I looked at the information.

7

512

517

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

IN THE COURT OF COMMON PLEAS
CASE. NO. 2011-CP-37-279

Mariam R. Noorai,
Plaintiff,

vs.

School District of Pickens
County; School District of
Oconee County; and Gary Culler,
Donald Boggs, Richard Hudak,
Earnestine Williams, Marilyn
Raines and Dr. Kelly Pew, in
their individual capacities,

Defendants.

DEPOSITION OF JAMI LYNN VERDEROSA

Pursuant to Notice of Deposition and/or agreements
in the above entitled case, the Deposition of Jami Lynn
Verderosa was taken at the law offices of Larry C.
Brandt, 3691 Blue Ridge Boulevard, Walhalla, South
Carolina, on Thursday, October 18th, 2012, commencing
at 3:00 p.m.

COPY

KAREN BELANGER, CVR-M

FOOTHILLS COURT REPORTING
864-991-2570

participated in the hiring processes for teachers?

A. Yes.

Q. And how many teachers do you think that you have participated in the hiring process in Oconee, since you came here?

A. I'd say approximately 20.

Q. June of 2009 is the interview, of course, that's at contention here with Ms. Noorai. Prior to that, how many interviews and hiring processes had you participated in with Oconee School District? Prior to June 2009.

A. Half dozen, about six.

Q. And since that time, how many have you actually gone on an interview team for?

A. I would say approximately 12 to 15.

Q. Are you on the interview team for every applicant or position that is hired at West-Oak Middle School since you became principal, or have you delegated that sometimes to other administrative people?

A. I'm on every interview team.

Q. Tell me how you go about setting up your interview teams. What criteria do you use, to choose the people for the interview of any particular position, and how many people are usually on those teams?

1 A. Usually there's at least one other administrator.
2 I have two other assistant principals that make up
3 my administrative team. So one other assistant
4 principal. Depending on the position, a department
5 chair. I have department chairs that oversee
6 departments, or a team leader if we are hiring for
7 a specific grade level. I have team leaders in
8 sixth, seventh, and eighth grade. Possibly a
9 guidance counselor, depending on the position that
10 I would be hiring for, would also make up that
11 team.

12 Q. And then, of course, you?

13 A. And then myself.

14 Q. What is a team leader? What do they do?

15 A. We are teamed in our middle school. So they are
16 ones that oversee five other teachers, and sort of
17 relay information and make sure the team stays on
18 the same page. And they serve on an instructional
19 leadership team with myself, as we are
20 disseminating information throughout our school and
21 trying to make school improvement.

22 Q. When you mean a team leader, we're not talking
23 about the interview team?

24 A. No.

25 Q. This is a designation for their duties in the

1 normal course of business --

2 A. Correct.

3 Q. -- throughout the year. Correct?

4 A. Correct.

5 Q. And that team leader, the team that they lead, is
6 that comprising of teachers in one particular
7 subject or is it just a team made up across the
8 board by grade?

9 A. By grade, various subjects.

10 Q. But there's more than one subject that the team
11 would deal with?

12 A. Yes.

13 Q. I mean, you don't just have one team for English,
14 one team for math and that stuff. You might have
15 English, math, and history all on one team?

16 A. Yes.

17 Q. And in this case, let me ask you this. Have you
18 been provided any depositions of any of the
19 deponents previous to you, for your perusal or your
20 reading?

21 A. I have reviewed parts of Ms. Noorai's deposition,
22 where my name was involved as part of the
23 interview.

24 Q. And how long ago did you review that?

25 A. I reviewed that over the weekend.

Q. We know you are on there, and there was another assistant principal. And I guess that was Rosemary, in this case, or Ms. Lusk?

A. Both were on that interview committee.

Q. Who was department chair?

A. Kristen Gray.

Q. So she would have been over the English and language arts?

A. That is correct.

Q. Who was the team leader?

A. Cheryl Peden, P-E-D-E-N.

Q. Is she still with the school district?

A. She's retired.

Q. Do you know where she lives?

A. I don't know an address. I do know that she lives in Seneca.

Q. But she's in Oconee, as far as you know?

A. Yes.

Q. Do you know her husband's name?

A. She called him Hughey.

Q. Hughey?

A. Hughey. I don't know that that's his given name.

Q. And Kristen Gray, is she still employed at your school?

A. Yes.

Q. And does she live in Oconee County, too?

A. Yes.

Q. So the guidance counselor, would that have been Rosemary picked for that slot?

A. No, the -- Rosemary Wise was an assistant principal along with Linda Lusk. Both of those ladies were on the committee. We did not have a guidance counselor on this committee.

Q. Why not?

A. We were hiring for English teachers.

Q. And that's fair. But I had asked you, and you gave me your recipe for it, and you listed a guidance counselor. And I assumed that you were saying you had a guidance counselor on each team.

A. No, you asked me who made up interview teams. And I said these are individuals, but everyone isn't on every interview team.

Q. Yes, ma'am, I understand that. So the assistant principals can vary from team to team, too?

A. I only have two assistant principals, but, yes, they can vary. Both would not necessarily be on every interview.

Q. Do you recall back in June of 2009, specifically the day of the week that the interview of Ms. Noorai took place?

A. I do not know the day of the week. I do know that it was a half-day. We were finishing school. As I had stated, I was a principal of another building at that time. And once students were dismissed that day, it was a half-day, and I came to West-oak Middle School and that's where we held the interviews. So it was a half-day. It was one of our last two half-days of school.

Q. So although you were not the principal at West Oak physically until July 1, you were going to be for the next year. And so I take it, that the principal that was there deferred all the hiring and everything to you?

A. Yes, and that was a decision made by the School District of Oconee County at that time, that I would be involved in all the hiring since I would be the principal there.

Q. Because they were going to end up working for you, so you needed to be there?

A. Yes.

Q. Do you know how many people were interviewed for the English and language arts positions that were coming available for the 2009/2010 school year?

A. There were five that were interviewed at that time, for the openings that we had.

Q. Was that more than one opening they interviewed for?

A. We had two openings at that time, a seventh grade and an eighth grade.

Q. Seventh grade and --

A. Eighth grade.

Q. Everybody that was interviewed, the five that were interviewed, were they in contention for both positions or just one?

A. If they wanted to be considered.

Q. Was Ms. Noorai considered for both or just one?

A. For both.

Q. Do you know whether all five of them chose to be considered for both, or just Ms. Noorai and someone else?

A. I know that one of the candidates did not want to be considered for the eighth-grade position.

Q. And who didn't?

A. Her name is Jeanette Freeman.

Q. Do you remember the order in which the candidates were interviewed?

A. I do not.

Q. Was Ms. Noorai the last one, first one? Where did she fit in the order, if you remember?

A. I know that she was near the end. Because when the

interview was set up, the time was requested that she interview near the end because she was still teaching at the time.

Q. And how about a Ms. Cody? Wanda Cody. What order was she considered?

A. I don't remember.

Q. Do you recall her?

A. No, I don't.

Q. We've heard other testimony. I'll try to speed it up. Was Jeanette Freeman interviewed in person?

A. Not at that time.

Q. Was she interviewed at all, at that time?

A. On the phone.

Q. Was a decision made to hire her after that phone interview, or was it delayed until you had an opportunity to talk to her in person?

A. It was made after that interview.

Q. So you hired her with merely a phone conference? You had never met her?

A. I had not met her face-to-face.

Q. And was she coming in from out of state?

A. She was coming in from Chicago, and had just been to the district shortly before.

Q. And Ms. Palermo, do you know where she fell in the order of the five, whether she was first, last, or

in the middle?

A. I don't recall, sir.

Q. Prior to the interview, were you supplied any information on any of the candidates to review before the interviews began?

A. Yes, that's how we select the candidates to be interviewed.

Q. Did the team select the candidates by reviewing a bunch of them, or did you select the candidates and then go to the team?

A. I selected the candidates and then went to the team.

Q. And what process did you use, to select the candidates?

A. We have a program, it's called winOcular, that we review the candidate's file. All information is scanned. And any information that they have provided to the district we can review online, their application, their certification. So anything that they have provided we can review online, as well as their screening interviews that they have done with the district, because they must have a screening interview before the principal can even consider them for positions in our school.

Q. Do you know how many applications that you looked

over before selecting the five?

A. I do not know how many were on a saved list. There is a query. And then when positions are posted, we will receive a saved list of applicants that are qualified for us to consider. I do not.

Q. That list of qualified candidates, do they just send you the names of those qualified, that initial screening that says these are qualified candidates for you? Or do you go through and look at all of them?

A. They send me a list of qualified candidates that have names. When you click on the name, it opens up their file with all the documents to review.

Q. So I take it, that at least, you had a resume of all the candidates, I suppose, and the application?

A. If they provided the district with a resume, yes, but there would have had to have been an application that would be submitted.

Q. So you're talking about a resume that would have been presented in the screening process?

A. Yes.

Q. Was a resume provided or sent to you by the school district concerning Ms. Noorai?

A. Yes.

Q. Was it an updated resume or was it old? When I say

1 old, not right within a few months, but I'm talking
2 about a couple of years.

3 A. To the best of my knowledge, it was updated. Many
4 times when candidates come into interviews, we'll
5 make sure that we have updated resumes and they'll
6 bring those with them. But, yes, her packet was up
7 to date.

8 Q. And her up-to-date packet that you reviewed, when
9 you selected her to interview, did you see anything
10 on that application or resume that caused you
11 concern?

12 A. No, or she wouldn't have been granted an interview.

13 Q. And when you came into the interview, tell me how
14 the process within the interview proceeds.

15 A. The committee meets ahead of time. We have a list
16 of questions, and we ask the same questions to each
17 candidate. We decide who is going to ask the
18 question, so that the interview can flow for the
19 candidate as well as the committee. So we came up
20 with a list of questions. We decided who would ask
21 each question. The candidate is greeted by myself
22 and walked into a conference room, very similar to
23 this, and given the seat at the head of the table.
24 We go around and introduce ourselves and our
25 positions. We outline a little bit about our

1 school. Some people know a lot of things. Some
2 people don't know a whole lot. And the positions
3 that we have available. And at that point, we lead
4 into the questions that we are going to ask the
5 candidate. Once we have completed our questions,
6 we give them an opportunity at the end to ask any
7 questions that they have. And then we always like
8 to give the candidate, if they have not been to our
9 building, a tour, because we like them to see our
10 facilities. I'm very proud of the facilities that
11 we have.

12 Q. I take it that all the interviews aren't conducted
13 back-to-back on certain days, that if you've got as
14 many as five they may be spread out over days.

15 A. That really just depends on the time of the school
16 year and --

17 Q. Do you know whether or not these interviews were
18 conducted back-to-back or on different days?

19 A. The interviews for the seventh and eighth grade
20 position were conducted that day, all at the same
21 time.

22 Q. All of them?

23 A. Yes, sir.

24 Q. So you had a half-day, you said, at another school,
25 and you came over there. So then between whatever

time you arrived till quitting time? What time of day was it that your five interviews were conducted?

A. Well, when we interview, we go until we're finished. So there isn't a quitting time. When we get an interview committee together, they know the times. We usually set the interviews up approximately one hour apart. Sometimes 45 minutes, but usually an hour. So we would have started interviewing about noon and finished at about 5:00.

Q. Would each of the interviewees that were seen that day -- I guess if you had five, and one of them was by phone, there was only four that came?

A. Yes.

Q. Do you remember, on that day, Ms. Cody having to change her interview to a later time because her mother had passed? Do you remember that?

A. I do not.

Q. As far as you know, sitting here today, if Wanda Cody was one of those interviewed for that position, one of the five, she would have been interviewed that same day?

A. Yes.

Q. But you don't remember which order she would have

been in?

A. I don't.

Q. You stated that you get in there and you formulate questions. Are these questions already scripted by the school district?

A. No, they are not. The interview committee decides on the questions for the specific positions we're interviewing for.

Q. You use an interview committee. Is that the same five people that I'm talking to about the interview team, or is that someone else?

A. Same people.

Q. And each member, do they pose questions that they want to ask? Is that how you do it?

A. We met, in this case, prior to the interviews taking place and decided on the questions. I'm a new principal coming in, giving people input. Once you have interviews, you have usually standard questions that we use over the course of the years now. So that committee developed those questions specifically for those two positions that we were interviewing for.

Q. You decide who asks the questions?

A. Uh-huh (affirmative).

Q. When you say that, is there one person asking the

questions or do you kind of go around the room and you split them up?

A. We go around the room. And specifically, you know, I might -- I usually introduce a little bit about the school, talk about the positions that we have and lead in with the first question, which would be to ask the candidate to share their experiences and things and their educational background and why they would be interested in working at West-Oak Middle School.

Q. Are notes taken of those interviews?

A. They are.

Q. Do you all elect a secretary or whatever, that takes all the notes, or does everybody take their own?

A. Everyone takes their own.

Q. And in this instance; everyone took their own. Correct?

A. That's correct.

Q. What happens to those notes when the interview's concluded?

A. They have been shredded.

Q. They have?

A. Yes.

Q. Why?

1 A. That was the typical process that we used at the
2 time.

3 Q. Do you know when they were shredded?

4 A. They would have been shredded over the -- after
5 those interviews and those candidates were board-
6 approved, those would have been shredded. I'm
7 going to say in later June, early July.

8 Q. Would you keep notes until the candidate selected
9 had been approved by the board?

10 A. Yes, I just said that.

11 Q. And once you do that, is there a scoring system for
12 each of the interviewers to use on each candidate?

13 A. Yes.

14 Q. And what is the criteria that they use for scoring
15 it? What kind of scale? What things do they
16 consider?

17 A. We use a 1 to 5 on each question. Each individual
18 person that is part of the interview team rates
19 each individual question for each candidate. They
20 total their points at the bottom of the scoring
21 sheet.

22 Q. How many questions do you have on there?

23 A. Typically ten.

24 Q. So the score would be 50?

25 A. Fifty.

square?

A. Yes.

Q. So before you start the interview, everybody knows they're going to be asking the questions they're going to ask, and they're going to be scoring this 1 to 5 on each and every question?

A. Yes.

Q. And all these five candidates were scored; is that correct?

A. Yes.

Q. Give me the order of the scores, high to low, who got the most.

A. Palermo, Freeman.

Q. Who else?

A. Chassereau.

Q. Who?

A. Chassereau.

Q. Okay.

A. Cody and Noorai.

Q. So Palermo was first, Freeman was second, Chassereau was third, Cody was fourth, and Noorai was fifth?

A. Yes, sir.

Q. Can you give me the scores?

A. I don't know.

1 Q. -- or language arts in sixth, seven, or eight?

2 A. Yes.

3 Q. And Palermo, was she certified to teach sixth,
4 seven, and eighth?

5 A. Yes and also secondary, I do believe.

6 Q. At the time of the interview?

7 A. Yes.

8 Q. And Noorai, was she certified for six, seven, and
9 eight?

10 A. Yes.

11 Q. Do you know how a teacher earns a highly qualified
12 designation by the state?

13 A. Yes, based on their successful teaching experience
14 and passing the various tests that they need, to
15 pass the PRAXIS test.

16 Q. Were all five of these people rated on that one
17 singular day?

18 A. Yes.

19 Q. So whatever day it was, be it the first of June,
20 second of June, third of June -- whatever it was,
21 at the end of that day, the rating were in?

22 A. That is correct.

23 Q. Prior to the people being interviewed, had you
24 called any of the references listed on any of the
25 applications?

1 A. No.

2 Q. Did you call any of the teachers that were coming
3 from other districts? How many of them were coming
4 from other districts?

5 A. All of them were coming from other -- well, when
6 you say other districts --

7 Q. Not Oconee schools. They were maybe in-state, out-
8 of-state, but other school districts other than
9 Oconee.

10 A. If they were currently in permanent positions
11 teaching, not just student teaching?

12 Q. Yes.

13 A. I didn't call any references on any candidate prior
14 to the interviews.

15 Q. So you didn't call any principals from any of the
16 schools from which they were coming?

17 A. No.

18 Q. Why not?

19 A. I don't do that. We wait until we have the
20 interview. And once the interview committee has
21 come to consensus on the top candidate or
22 candidates, then reference checks are made.

23 Q. So you would have selected your top candidates and
24 then called?

25 A. That's correct.

Q. And did you specifically do that, in this case?

A. Yes.

Q. Did you call any principals at the schools from which candidates may be coming?

A. Yes.

Q. So you made a decision on two that day?

A. Yes.

Q. And that was who?

A. Palermo and Freeman.

Q. And where was Freeman coming from?

A. Chicago.

Q. And you called her principal in Chicago and asked about her?

A. Yes.

Q. And you called the principal where Palermo was coming from?

A. Palermo was currently graduating. I spoke with her cooperating teacher.

Q. Who was that?

A. I don't recall.

Q. Being as she was just graduating, did you call the head of the department at Clemson and find out what they had to say about Palermo?

A. Yes. When I say cooperating teachers, supervising professor. But I spoke directly with the

cooperating teacher who saw Ms. Palermo teach in the classroom.

Q. Did you speak with Lienne Medford about any candidate? Do you know who she is?

A. I know the name. I did not speak with her about Ms. Freeman or Ms. Palermo.

Q. Did you call any references or the principal at Edwards Middle School, in regards to Ms. Noorai?

A. I did not, because she was not one of the candidates that we were considering and offering a position to.

Q. I take it that, again, this order that you gave me is based on that score of the ten areas, 50-point range. Do you recall what Ms. Noorai's score was?

A. I do not.

Q. Was anything graded or scored other than her answers to the questions?

A. No.

Q. So just the content, thoroughness, that kind of thing of the questions? That was what was scored?

A. Yes.

Q. And nothing else about personalities, or anything else like that was scored?

A. No.

Q. Or appearances, age?

1 A. No.

2 Q. Gender?

3 A. No.

4 MR. BARLOW:

5 I hate to do this to you, but I need to take a
6 break. Is this a good time?

7 MR. BRANDT:

8 Yes.

9 (OFF THE RECORD; BRIEF RECESS)

10 EXAMINATION RESUMED BY MR. BRANDT:

11 Q. The name Gary Culler, did that come up in Ms.
12 Noorai's interview?

13 A. Not his name, no.

14 Q. When you say not his name, no, what did come up?

15 A. She shared with the interview committee that she
16 was being placed back on ADEPT, which is the
17 evaluation process, and that she had chose not to
18 return to that current position because she was not
19 going to be put back on ADEPT for a third year.

20 Q. And you're absolutely positive that's --

21 A. I'm positive.

22 Q. -- what she said?

23 A. Yes.

24 Q. Was there any mention of Gary Culler being a friend
25 of Dr. Lusk during that interview process?

question, any particular question, and what the question was and what your score was for her?

A. I do not.

Q. Do you recall anything that you scored her on less than 5?

A. I can tell you the classroom management was a concern, and how she would use 90 minutes to teach an ELA class. That was one of our questions. Our ELA is taught in 90-minute blocks. And we look for what the candidates are going to do in the various activities that they are going to use in that 90-minute class. And I do recall that she was currently teaching in 45-minute classes, and so that was a question that we did ask.

Q. So basically her school curriculum had her teaching that in 45-minute classes. You all would use 90. It's just a difference in the schools?

A. It's a different type of class. We're teaching an English language arts class for 90 minutes. Some classes -- some schools choose to teach reading for 45 and writing for 45. She was teaching a writing class.

Q. And that concerned you?

A. How the 90 minutes would be used in the various activities, in transitioning students, based on her

answer in the interview.

Q. What was her answer?

A. The different types of activities focused on writing, because that's what she was doing, and the literature that would be used and grammar aspects that would be used in integrating that into the classroom.

Q. And what was deficient about her answer?

A. How much time was spent on various activities and how to fill that 90 minutes, and how much -- what we were looking for in that classroom.

Q. How did the other candidates fare on that question?

A. Well, those are the candidates that we hired. So they would have been more successful in answering that question, or how they were currently teaching in a block of time like that.

Q. Ms. Palermo, had she been teaching in such a block of time?

A. It was not 90 minutes. But it was 75 or 80, is what I recall, from her experiences, yes.

Q. Palermo, at that time, had no classroom experience except for student teaching; is that correct?

A. That is correct.

Q. And how many months of student teaching had she had?

come to this deposition?

A. I have not.

Q. What did you do, to prepare yourself for this deposition today?

A. Met with counsel and read over the deposition parts that had -- that pertained to me through the interview process, Ms. Noorai's deposition.

Q. Did you read any other depositions of any other deponents, the depositions of whom had been taken previously?

A. No.

Q. Were you given any? I asked that once, but I want to make sure I've covered it now. The only parts you've been given, excerpts from Noorai's deposition. But other than that, you weren't supplied any of them?

A. No.

Q. Have you had any conversation with Dr. Kelly Pew since this lawsuit was filed?

A. No.

Q. Do you know her?

A. I do.

Q. How do you know her?

A. Dr. Pew was a principal at Seneca Middle when I first came to Oconee County. She then moved to

Seneca High School as principal. So that's how I know Dr. Pew. And she left then and went to another county.

Q. Does a lady named Deb Wallace work for you?

A. She does now.

Q. What does she do?

A. She teaches sixth-grade English.

Q. What is her certificate for?

A. She is certified in many areas, but is elementary certified through sixth grade, highly qualified. I believe she's also certified in science, as well as some other areas.

Q. Have you verified that, or are you just assuming that?

A. That was verified before Ms. Wallace was hired in August.

Q. Of what year?

A. 2012.

Q. Carole Sorrells Alexander. What is her certificate in?

A. She is elementary certified.

Q. For what grade or what subjects?

A. I know that she is certified K through 6. I also believe she has a reading certificate.

Q. Reading?

1 Q. And I've got certain things highlighted. I did
2 that highlighting. It consists of four pages.

3 A. (Reviewing document.)

4 MR. BRANDT:

5 We'll take a break.

6 (OFF THE RECORD; BRIEF RECESS)

7 EXAMINATION RESUMED BY MR. BRANDT:

8 Q. I understood your testimony earlier, and if I
9 misunderstood it you correct me, that you made a
10 statement that during the course of the interview
11 that Mari admitted management problems in the
12 classroom.

13 A. No, she did not admit. One of our questions
14 related to classroom management. And when she
15 answered that, that is -- through that question and
16 another follow-up question is when she shared with
17 us about the contract situation and choosing not to
18 go back to Pickens County.

19 Q. Did she mention anything in that interview process
20 about she didn't feel safe at her prior school?

21 A. No.

22 Q. Did she mention anything, tell you anything about a
23 situation where she had been -- at least her view
24 of it -- inappropriately touched by a student while
25 he sang the lyrics to a sexually suggestive song?

1 MR. DICKEY:

2 Object to the form.

3 EXAMINATION RESUMED BY MR. BRANDT:

4 Q. Did she relate that to you?

5 A. No.

6 Q. Did she tell you anything or make any allegation
7 that she had been assaulted, sexually assaulted at
8 school, at Edwards by a student, and she didn't
9 feel it had been dealt with appropriately and that
10 was the reason she was leaving?

11 A. No.

12 Q. Did you have any information at all that she had
13 any difficulty with Mr. Culler, her principal at
14 Edwards?

15 MR. DICKEY:

16 Object to the form.

17 EXAMINATION RESUMED BY MR. BRANDT:

18 Q. And when I say difficult, not getting along, didn't
19 like working for him, anything like that.

20 A. No.

21 MR. DICKEY:

22 Same objection.

23 EXAMINATION RESUMED BY MR. BRANDT:

24 Q. You stated that you interviewed these five, and
25 that then the positions were filled. And then

A. And that would come from human resources.

Q. And my question is, do you know when she signed her contract?

A. I do not. That comes from human resources.

Q. And when did the school year start that year?

A. I don't know an official start date.

Approximately --

Q. Okay, give me an approximate.

A. -- mid August.

Q. After the interview process, Mari was interviewed and the job was filled, did you have any discussions with Earnestine Williams about Ms. Noorai?

A. Not specifically Ms. Noorai.

Q. When you say not specifically, can you tell me then what kind of conversation you had with her?

A. Once the interviews are complete and I make the reference checks on the candidate or candidates in this case that were going to be recommended to the board, to be hired, I call Ms. Williams. I tell her that the interview has been complete, that the reference checks that I have made. She then will either keep me on the phone or call me back and make sure that all their paperwork is in line, as far as certification, et cetera, and tell me at

1 A. I do not have access to the CERRA --

2 Q. But you know what it is?

3 A. Yes.

4 Q. And so you've never gone into it and checked on
5 her?

6 A. No.

7 Q. What was that other program?

8 A. We call it winOcular.

9 Q. winOcular.

10 A. You can go into the state website and type in
11 someone's name, like you said, and find the
12 certification. But you can't -- I cannot check
13 ADEPT status or any notes that are in there, to the
14 best of my knowledge.

15 Q. I understand that, of the five candidates you
16 interviewed, your testimony is that Ms. Noorai
17 ranked fifth in that pool.

18 A. That is to the best of my knowledge, yes.

19 Q. Was there anything during that interview process
20 and scoring process, even though she may have come
21 in fifth among those five, that would have told you
22 that you would never consider her for a job at your
23 school?

24 A. When she shared with the committee going back
25 through ADEPT. I would not consider bringing on a

1 teacher going back through the ADEPT process again.

2 Q. And that was because she said that if she stayed,
3 she would have to go back through ADEPT?

4 A. Yes.

5 Q. Other than that, was there anything about the
6 interview that said, look, this is not my kind of
7 candidate and I would never consider her?

8 A. Candidates can look very good on paper, very bright
9 and can be straight As. But their interaction with
10 students and what they do in the classroom is
11 something completely different. And the decision
12 of the interview committee that day is that we felt
13 that she would not be a good match for West-Oak
14 Middle School.

15 Q. Were you aware that she had her students writing
16 essays, and whatever, that had won several state
17 awards under her tutelage?

18 A. I did not recall that, no, until you showed me that
19 information.

20 Q. Did you understand that her students at RC Edwards,
21 that she had taught for those two years, had really
22 scored well on the exams and things that had been
23 given, that she really had a productive class down
24 there? Were you aware?

25 A. Like I said, you can look good on paper. But, you

1 know, how a match for your school and the type of
2 students that you have and the curriculum that
3 you're going to be teaching -- she was teaching a
4 writing class.

5 Q. That's all? Just a writing class?

6 A. To the best of my knowledge she was teaching a
7 writing class, yes.

8 Plaintiff's Exhibit No. 1 marked for identification
9 (Application and Promissory Note)

10 EXAMINATION RESUMED BY MR. BRANDT:

11 Q. I marked Deposition Exhibit Number 1 to your
12 deposition. You've had an opportunity to look at
13 it. Are you familiar with that form, what it's
14 for?

15 A. I am familiar with the form. I have seen it online
16 before, yes.

17 Q. And what did you understand it to be?

18 A. That teachers that are going through college, up to
19 a certain point, have a loan forgiveness if they
20 are teaching in certain schools in certain subject
21 areas, or make career changes.

22 Q. And I'm not wanting to direct any questions toward
23 this, I think, that part of it. But here it talks
24 about critical subject areas and it says all middle
25 school level math, science, social studies,

1 Q. You stated the ratings, and I want to make sure I
2 covered it. I may have already asked it. But you
3 gave me the rankings of how they came out
4 -- Palermo first, Freeman second, Chassereau third,
5 Cody fourth, and Noorai fifth. This was the sum
6 total of yours. In your mind, on your rating,
7 would you have scored Noorai last or somewhere up
8 the line, and then it got together with all the
9 composite scores and she fell to the bottom? Do
10 you know what I mean? If you ranked them, would
11 you have put her higher than fifth or did you have
12 her scored last, too?

13 A. I do not know if I would have had her fourth or
14 fifth, but I would not have had her first, second
15 or third based on the candidates that we
16 interviewed.

17 MR. BRANDT:

18 That's all. I had one question.

19 MR. BARLOW:

20 You absolutely did.

21 EXAMINATION BY MR. DICKEY:

22 Q. Ms. Verderosa, have you ever been an employee of
23 Pickens County School District?

24 A. I have not.

25 Q. So you were not a part of her ADEPT process, as Mr.

8

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STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

IN THE COURT OF COMMON PLEAS
CASE. NO. 2011-CP-37-279

Mariam R. Noorai,
Plaintiff,

vs.

School District of Pickens
County; School District of
Oconee County; and Gary Culler,
Donald Boggs, Richard Hudak,
Earnestine Williams, Marilyn
Raines and Dr. Kelly Pew, in
their individual capacities,

Defendants.



DEPOSITION OF EARNESTINE ROBINSON WILLIAMS

Pursuant to Notice of Deposition and/or agreements
in the above entitled case, the Deposition of Earnestine
Robinson Williams was taken at the law offices of Larry C.
Brandt, 3691 Blue Ridge Boulevard, Walhalla, South
Carolina, on Tuesday, August 7th, 2012, commencing at 9:33
a.m.

COPY

KAREN BELANGER
CERTIFIED VERBATIM REPORTER, CVR-M

FOOTHILLS COURT REPORTING
864-991-2570

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- 1 Q. All right, and the reason for those questions is jury
2 selection --
- 3 A. Correct.
- 4 Q. -- if we have to do that. And I have to go through
5 a litany of questions here. And I don't mean to
6 offend you by that. But have you ever been sued --
- 7 A. No, I have not.
- 8 Q. -- personally on any kind of case?
- 9 A. No, sir.
- 10 Q. And I'm not worried about anything like traffic
11 court, or anything like that.
- 12 A. No.
- 13 Q. Have you ever been charged with a crime?
- 14 A. I have not.
- 15 Q. And I suppose then, you've never been convicted?
- 16 A. No, sir.
- 17 Q. Have you ever served time in the military?
- 18 A. No, sir.
- 19 Q. Ms. Williams, it's my understanding that back some
20 time ago, year 2009 maybe, somewhere around there,
21 that you interviewed Mari for a job at Oconee.
- 22 A. No, I did not interview her.
- 23 Q. You did not?
- 24 A. I did not.
- 25 Q. Did you have any meeting with her, or talk to her at

all?

A. I spoke with her, yes.

Q. In person or on the telephone?

A. In person.

Q. And where did that conversation occur?

A. At the School District office, my office.

Q. And what do recall was said and done in that conversation, at the time you met with her there?

MR. BARLOW:

Object to the form, but go ahead.

EXAMINATION RESUMED BY MR. BRANDT:

Q. What was the purpose of her being there?

A. Basically at first, it was unclear because I had another meeting to handle a very sensitive matter with another employee. She originally was not on my calendar for the day. And I think my secretary -- and I'll try to remember best I can. This is three years ago. Rebecca Coker may have called me and said you've got someone that's coming in to see you, and wanted to know how long I'd be there. And when I got to the office, I think they were waiting. I don't recall. But I think they were waiting. When we met, it was basically a lot of things.

Q. Stop right there. You used the word "they". Was there someone else with Mari?

1 A. I think her mother was there, because I remember them
2 saying that the mother and daughter was there.

3 Q. Rebecca Coker. Who is she?

4 A. She's my assistant, secretary -- administrative
5 assistant.

6 Q. And how long has she worked for you?

7 A. She's been there the whole five years that I've been
8 there, but she's been with the School District maybe
9 ten years or more.

10 Q. Was she always in HR with the School District?

11 A. As far as I recall. She worked with Mike Pearson
12 when he was in HR.

13 Q. And do you know if she's held any position with the
14 Oconee School District other than the district
15 office?

16 A. I do not. No, I do not.

17 Q. But she's just a clerical, secretarial kind of
18 employee?

19 A. She is, yes.

20 Q. You say they were waiting. So tell me, when you got
21 there -- pick it up and relate to me what occurred.

22 A. It's -- she came into the office. I do remember her
23 sharing her portfolio about her evaluation, wanted me
24 to see that. And that's initially what I thought the
25 meeting was about. Usually I have applicants that

1 come back in, if they weren't hired for a position.
2 They come back in, to inquire what can they do. They
3 want to meet me. And I guess that's just so I can
4 share their information with principals and let them
5 know they're available.

6 Q. Had she already been declined for a position with a
7 school?

8 A. I was not aware of that. Not that I was aware of.

9 Q. Did she say that, in that interview?

10 A. She did.

11 Q. Were you aware that she had even submitted an
12 application to the Oconee School District for
13 employment, prior to meeting her that day?

14 A. No.

15 Q. The normal process, if I understand it, you do it
16 mostly online now --

17 A. Correct.

18 Q. -- rather than the old way, when we went around.
19 We'd go to the people and say, hey, I want to apply,
20 and fill it out there in the office. But now, is it
21 true, that you all take the application online?

22 A. Applications are submitted online.

23 Q. Is there any type of policy or procedure about who
24 would review those applications initially, as they
25 come in, online?

- 1 interviews back in 2009?
- 2 A. It probably was Rob Rhodes, because he was working in
3 my department at that time.
- 4 Q. Rob Rose?
- 5 A. Uh-huh (affirmative).
- 6 Q. R-O-S-E?
- 7 A. R-H-O-D-E-S.
- 8 Q. R-H-O --
- 9 A. D-E-S.
- 10 Q. And is he still there?
- 11 A. He's not.
- 12 Q. where is he?
- 13 A. The last I heard, he was in Greenville County.
- 14 Q. Still working with the schools over there?
- 15 A. I think so.
- 16 Q. When did he leave?
- 17 A. He left the summer of '09, yeah. June 30th, I think,
18 would have been his last day.
- 19 Q. Do you recall if you were the initial, or conducted
20 the HR screening interview with Mari back in '09?
- 21 A. I did not.
- 22 Q. Do you know who did?
- 23 A. Rob Rhodes.
- 24 Q. And I remember. R-H-O-D-E-S. Do you recall what
25 action, or do you have any knowledge of what action

1 for anything else, this is the information in the
2 packet. The packet has guidelines on how to apply
3 for jobs.

4 Q. But would you give me a list of the positions that
5 you're still seeking?

6 A. No, I do not give them a list. No. I just tell them
7 to watch the website for additional positions.

8 Q. There's a question, as I understand on the job
9 application, that asked if you had any problem with
10 contacting previous employers. Is there one such
11 question on your application?

12 A. There is a question, yes.

13 Q. If it says, "Will you consent to us checking with
14 prior employer," if I check yes, do you check with
15 them? As a matter of routine, if I consent for you
16 to check with my previous employer about me -- I'm
17 already not a first-year teacher. I've been
18 teaching, and I'm coming from another school district
19 or another school. And I say you have permission to
20 contact my previous employer or my present employer,
21 if I'm employed and I'm wanting to move. Would you,
22 as a matter of course, as HR, then contact that
23 previous employer to talk with them about me?

24 A. I do not, no.

25 Q. Does anyone else? Is that task assigned to anyone

1 Q. whether that be the principal or another teacher, or
2 an assistant principal. You would make contact with
3 somebody at that old school to say, "Larry Brandt did
4 a good job or Larry Brandt did a bad job"?

5 A. Correct.

6 Q. And that's pretty much followed in the vast majority
7 of the applicants when they interview for a job?

8 A. Correct.

9 Q. Before a decision is made as to --

10 A. Correct.

11 Q. -- whether or not to hire them?

12 A. Correct.

13 Q. At what stage of the interview process would that
14 background -- I'm going to call it a background check
15 with my former place of employment. At what stage of
16 the interview process would that occur?

17 A. That occurs if they're the final candidate, only if
18 they're the final candidate.

19 Q. You say the final candidate?

20 A. Correct.

21 Q. So you would have one each time that's picked as the
22 final candidate, and check that person out?

23 A. Right.

24 Q. If I didn't make the final, if I wasn't the first
25 choice, you wouldn't check me?

1 A. We would not.

2 Q. If the first choice then turned it down, and I was
3 the second guy to come up, then you would check me
4 before you offered me the job?

5 A. Correct.

6 Q. And, I guess, you work on down. In essence, that
7 background check is pretty much one of the last
8 things you do before you make a final decision to
9 hire?

10 A. Well, the final decision is, once they send a
11 recommendation to us that that is the top candidate,
12 then we do -- we have to do a background check which
13 involves SLED and all that, sex offender.

14 Q. And you do all that?

15 A. Correct.

16 Q. Plus call the prior place of employment, correct?

17 A. I don't. The principals do it, at that level.

18 Q. Well, somebody does --

19 A. Yes.

20 Q. -- that's in the loop, to make a decision on this
21 candidate?

22 A. Correct.

23 Q. I'm sure that you've gone back and checked all your
24 records and understand that the position at
25 Westminster Middle School was the subject that sort

1 of started all this right here.

2 MR. BARLOW:

3 Object to the form, but go ahead.

4 EXAMINATION RESUMED BY MR. BRANDT:

5 Q. Are you aware of that? That Mari, the Plaintiff,
6 applied for a job at Westminster Middle School?

7 MR. BARLOW:

8 I'm just objecting to the name of the school.

9 EXAMINATION RESUMED BY MR. BRANDT:

10 Q. West Oak. She applied for a position at West Oak?

11 A. I'm aware of that now, yes.

12 Q. And was that a high school position?

13 A. No, that's a middle school.

14 Q. Was she qualified, other than the background check?

15 A. As far as my knowledge, when I went back and reviewed
16 that, yes.

17 Q. Was she highly qualified for that position?

18 A. What do you mean by highly qualified?

19 Q. Well, I've seen something in your records that talks
20 about highly qualified. I don't know. What do you
21 all consider highly qualified?

22 A. Highly qualified means -- it's two levels. Highly
23 qualified meaning this is the best candidate for the
24 position. Then highly qualified, according to the
25 State, means that you have taken the necessary praxis

1 your link?

2 A. I am not sure if it would show the HQ status, but it
3 may show the teacher and what her certification might
4 be.

5 Q. And you said highly qualified had a meaning to you
6 anyway of being the best candidate for the job?

7 A. Correct.

8 Q. Was Mari the best candidate for that job?

9 A. I do not know that. I was not in the interview.

10 Q. You didn't make that decision?

11 A. I did not make that decision.

12 Q. Did anybody consult with you about Mari prior to
13 selecting another candidate?

14 A. No.

15 Q. When you first met with Mari, I think you said her
16 mother was there. Did her mother come in the room to
17 talk at the same time?

18 A. No, she did not. And I really didn't see her mother.
19 I just remember that the word "they" was used,
20 "they're here".

21 Q. But I just wanted to make sure, when you talked to
22 Mari about that, it was just you and Mari in --

23 A. Correct.

24 Q. -- there. It wasn't anyone else?

25 A. No.

1 Q. No other school official or anyone that witnessed
2 that?

3 A. No.

4 Q. And tell us again what occurred when you met with
5 Mari.

6 A. As I recall, there were -- she talked about her
7 resignation, that she had resigned from Pickens. She
8 talked about her applying for the job at West Oak.
9 And there was something about references. She was
10 concerned about her references.

11 Q. Do you remember specifically what she was concerned
12 about?

13 A. No.

14 Q. Did you go back and review her references while she
15 was there?

16 A. In the office, no, I did not.

17 Q. Have you since gone back and looked at the references
18 that were sent in, in regards to that application --

19 A. I have.

20 Q. -- on her behalf?

21 A. Yes.

22 Q. Was there any need that you found, in any of those
23 -- I guess there were three, because you have to list
24 three?

25 A. Three, yes, correct.

1 Q. And in those three references, was there anything in
2 there negative that would have kept her from being
3 considered for employment?

4 A. No, there were not.

5 Q. Would you classify those references as weak, mild, or
6 strong?

7 A. All of her -- there's a -- if you've seen it, there's
8 like a checklist of the different items that they're
9 asking. She did have a below, I think; expectations
10 with classroom management. But her overall rating by
11 that particular person that did the reference said to
12 consider strongly. So her overall rating was high.

13 Q. Below expectations in what?

14 A. I think it was classroom management.

15 Q. And I know I'm asking you to go back and remember
16 stuff. So I probably won't hold you to that answer.
17 We'll go with what's on the thing.

18 A. Okay.

19 Q. But you think classroom management, that there was
20 criticism from one of her references that she gave
21 you? She supplied the three names?

22 A. She did.

23 Q. You all went out, and those three came in with
24 references. And you think that you recall, at least
25 one of them said, she was below expectations at

1 classroom management. But other than that, they were
2 pretty strong?

3 A. Overall, yeah.

4 Q. They were real strong?

5 A. Yeah.

6 Q. This position at West Oak, tell me what you know
7 about hiring process for that position. Was it a
8 one-person interview, two, three people that was in
9 on that? Do you know?

10 A. I don't know. I just know from the recommendation
11 form it did list several people's names, but I was
12 not at the interview.

13 Q. I guess I'd better back up and ask this. When
14 there's a position open at a particular school, this
15 intake interview that you go through, screening, you
16 screen HR screening interview and you make sure
17 everything is in order. And then do the principals
18 at the schools then take care of the interview
19 process, actual interview for the job?

20 A. They do.

21 Q. And do they get to make the final decision, or do
22 they send it forward to you? Do you have to bless
23 it?

24 A. They make the final decision. The only thing we do
25 it follow up, to make sure that the person is indeed

1 certified and highly qualified.

2 Q. So if the principal wants to hire someone and their
3 academic credentials are in order, you're going to
4 allow that to occur?

5 A. Correct.

6 Q. Obviously you're going to make sure that they're not
7 trying to hire a felon or anyone like that.

8 A. Correct.

9 Q. But unless there is something that's sort of bell-
10 ringing in that person's background, then you're
11 going to go along with what the principal wants to
12 do?

13 A. Correct.

14 Q. So it would have to be pretty strong for you to
15 override them?

16 A. I have not over --

17 Q. You've never had occasion to do that?

18 A. I have not, no. We don't micro-manage. They need to
19 be able to work with the people that they hire.

20 Q. I understand. And as far as the process that that
21 principal, or that procedure and process that the
22 principal would want to follow in the interview, in
23 the selection of this teacher, would you also leave
24 it up to that principal to develop that process or
25 procedure to follow whether they wanted one person,

1 Verderosa, has any kind of a personal relationship
2 -- and I'm not meaning that in an ugly way, but I'm
3 talking about a friendship or an acquaintance of Mr.
4 Culler?

5 A. I don't. No, I don't.

6 Q. Did you know Mr. Culler before this all started?

7 A. No, sir.

8 Q. Had you ever met him at a school meeting, or anything
9 like that?

10 A. No.

11 Q. Ever had occasion to call him and check on anybody
12 else, another person?

13 A. No.

14 Q. Are you familiar with Mari's complaints that her
15 application, that she kept submitting to the school
16 district, kept dropping information on her
17 certificate?

18 A. I do think there was an e-mail that she sent to
19 personnel about information was dropping.

20 Q. In consideration for a job, would it matter whether
21 I had -- I think you called it an initial
22 certification as opposed to a professional
23 certification? Is there a difference?

24 A. One is you're a first-year teacher. You're an
25 induction teacher. Professional just means that you

1 in writing somewhere?

2 A. No, it's not in writing.

3 Q. Did he give it to you personally, individually, or
4 did he give it to you in a meeting?

5 A. I think it was in a meeting with him, in his office.

6 Q. Was it just a meeting between you and him, or was it
7 a meeting between you and others?

8 A. No, just with me and him.

9 Q. Would Kay Powell have knowledge of that meeting and
10 that direction?

11 A. I'm not aware of.

12 Q. Kay just retired this June?

13 A. She did, yes.

14 Q. Have you ever talked to Kelly Pew about my client?

15 A. No, sir.

16 Q. Have you ever talked to Mr. Culler about my client?

17 A. No, sir.

18 Q. Marilyn Raines?

19 A. No, sir.

20 Q. Mr. Hudak?

21 A. No, sir.

22 Q. Have you ever done anything to try to check out my
23 client's claim that she was sexually assaulted by a
24 student at Edwards Middle School and nothing was ever
25 done about it?

1 yes, I did.

2 Q. Before or after the lawsuit was filed?

3 A. This probably would have been before.

4 Q. And the first meeting was before? Or the first time
5 he communicates, "I want you to meet with --

6 A. Correct, yes.

7 Q. And that was before you met with Mari at all, wasn't
8 it?

9 A. Yes, it would have been.

10 Q. When she came into that office and you knew she was
11 out there, had you already pulled up her application
12 on the screen?

13 A. I did pull up her application, because I didn't know
14 what she wanted to meet with me about.

15 Q. Did you go over the application with her?

16 A. I did not, no.

17 Q. At the moment, in that meeting, did you give her any
18 reasons or even attempt to explain why she was not
19 chosen for the job?

20 A. No, I did not.

21 Q. Did you discuss any of the other candidates'
22 qualifications with her?

23 A. No, I did not.

24 Q. Or why the person, that was selected, was selected?

25 A. No, I did not.

REQUEST/ MOTION AND ORDER

FILED 000122, SC
BEVERLY H. WHITFIELD
CLERK OF COURT

2013 FEB 15 PM 4 24

ATTORNEY SECTION:

Case Name Mariam R. Noorai v. School District of Pickens, et al
Case or Indictment Number 2011-CP-37-00-279

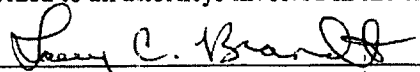
I am requesting **PROTECTION** for the above-named case for the date(s) of _____ to _____, due to _____ and my signature certifies, pursuant to Rule 11(a), SCRCP, that:

- (1) I have communicated with all other attorneys involved in the case and that there are no objections to this request; or
If there is an objection to this request, please explain fully, using additional pages as necessary. _____; and
- (2) I have notified the appropriate docket clerk (in civil cases) or the appropriate representative from the Office of the Solicitor (in criminal cases) of this request; and
- (3) There are no special Orders or dockets setting the case for trial in this particular time period.

I am moving for a **CONTINUANCE** in the above-named case which is currently scheduled on the **MOTIONS** docket for **FEB. 19, 2013**, due to parties have agreed to extend discovery through 4/19/2013 in order to complete same and take the depositions of recently discovered witnesses. The parties are in the process of submitting an Amended Scheduling Order and have agreed to continue the hearing upon the Summary Judgment Motions filed by the Defendants until after 4/19/2013 and my signature certifies the following, pursuant to Rule 11(a), SCRCP:

- (1) I have communicated with all other attorneys involved in the case and there are no objections to this request; or
If there is an objection to this request, please explain fully, using additional pages as necessary. _____; and
- (2) I have filed a Motion for Continuance with the Clerk of Court and paid the appropriate filing fee, or, in criminal cases, notified the appropriate representative from the Office of the Solicitor of this request and this case is not set for trial at this term of court, S.C. Code Ann. § 1-7-330.

Upon receiving the completed Request/Motion and Order, I will confirm that the original is filed with the Clerk of Court and that copies have been provided to all attorneys involved in the case.

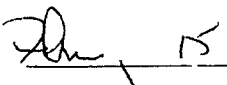

Attorney Making Request

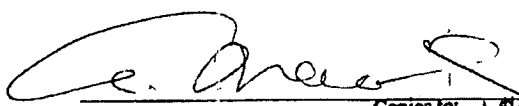
Feb. 15, 2013

Larry C. Brandt, Attorney for Plaintiff
Please Print Attorney's Name

COURT SECTION:

____ Request for Protection OR ☒ Motion for Continuance
☒ GRANTED _____ DENIED

 15, 2013


Judge, Tenth Judicial Circuit

Copies to: ☒ pd #45. ☒ eccl ☒ (P) ☒ (S)
Atty _____
DSS _____
Mailed ☒ Boxed ☒ Indexed ☒ 

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT CIVIL CASE

CASE NO. 2011 CP-37-00279

MARIAM R. NOORAI

SCH. DIST. OF PICKENS COUNTY; SCH. DIST. OF

PLAINTIFF(S)

OCONEE COUNTY; ET AL

DEFENDANT(S)

Submitted by: LARRY C. BRANDT

Attorney for: ☒ Plaintiff ☐ Defendant
or
☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. ☐ See Page 2 for additional information.
- ☐ ACTION DISMISSED (CHECK REASON): ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other
- ☐ ACTION STRICKEN (CHECK REASON): ☐ Rule 40(j), SCRCP; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL

IT IS ORDERED AND ADJUDGED: ☒ See attached order (formal order to follow) ☐ Statement of Judgment by the Court:

ORDER INFORMATION

This order ☐ ends ☒ does not end the case.

Additional Information for the Clerk:

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge

Judge Code

Date

Copies to:

Atty (P) Brandt (D) Hart
DSS other

Page 1

SCRCP Form 4C (03/2013)

567

572

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE)

COURT OF COMMON PLEAS

Mariam R. Noorai,)
Plaintiff,)
vs.)

Sch. Dist. of Pickens County;)
Sch. Dist. of Oconee County;)
and Gary Culler, Donald Boggs,)
Richard Hudak, Earnestine)
Williams, Marilyn Raines and)
Dr. Kelly Pew, in their individual)
capacities,)
Defendants.)

ORDER RELIEVING COUNSEL
(Larry C. Brandt)

CASE #2011-CP-37-00279

FILED OCONEE, SC
BEVERLY H. WHITFIELD
CLERK OF COURT
2013 JUN 6 PM 3 50

This matter came before the Court on May 31, 2013, upon the Motion of Larry C. Brandt, Attorney, seeking an Order releasing him as attorney of record for the Plaintiff and relieving him of any further duties and responsibilities in the representation of her in the above captioned matter.

Present at the hearing were the Plaintiff, Mariam R. Noorai; Mrs. Laura Hart, Attorney for the Defendants, School District of Pickens County, Gary Culler, Donald Boggs, Richard Hudak, Marilyn Raines and Dr. Kelly Pew; and Mr. Thomas Barlow, Attorney for the Defendants, School District of Oconee and Earnestine Williams.

Upon commencement of the hearing, Mr. Brandt summarized the history of his involvement in the case and stated the reasons why he believed it necessary that he

withdraw as Plaintiff's attorney. He further stated that he did not believe that he could continue to effectively represent Plaintiff under the circumstances given the more recent history of the difficulties in the case.

Plaintiff presented a written statement to the Court, as well as a return to Mr. Brandt's Motion objecting to his release and stating that she desired that Mr. Brandt continue to represent her, that he had been with the case from the beginning, that he knew it, that it was complicated and that she was satisfied with his representation. Her statement, as well as her return, were read and, along with all matters presented, was considered by the Court in deciding the issue.

Mrs. Hart and Mr. Barlow both stated their clients did not oppose the Motion but that they did not want the case to be delayed indefinitely as their clients were most anxious to move it along to conclusion as quickly as possible.

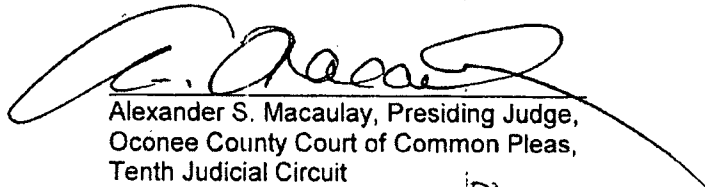
After considering all matters of record and statements presented by Plaintiff, Mr. Brandt, Mrs. Hart and Mr. Barlow, it is the opinion of this Court that Mr. Brandt's Motion should be granted and that Plaintiff should be allowed a period of sixty (60) days from date of this Order to retain the services of another attorney to represent her. It is also the opinion of this Court that any dispositive Motions which may hereafter be filed should not be heard before September 20, 2013 and that Plaintiff should cooperate with any counsel retained by Plaintiff to allow further discovery to posture the case so that it may thoroughly proceed in a fair manner to all parties.

2-63
a

IT IS, THEREFORE, ORDERED:

1. Mr. Brandt is hereby relieved as attorney for the Plaintiff, Mariam R. Noorai, and shall have no further responsibility or duty to her in regards to representing her in this matter.
2. Plaintiff, Mariam R. Noorai, is hereby granted **sixty (60) days** to retain an attorney to represent her in this matter.
3. Any dispositive Motions which may be filed by any of the parties shall not be heard before September 20, 2013.
4. Further discovery shall be permitted until September 1, 2013, or as may hereafter be granted by Order of this Court.

AND IT IS SO ORDERED!


Alexander S. Macaulay, Presiding Judge,
Oconee County Court of Common Pleas,
Tenth Judicial Circuit

June 5, 2013
Walhalla, South Carolina

FILED OCONEE, SC
BEVERLY H. WHITEFIELD
CLERK OF COURT
2013 JUN 6 PM 3 50

3-03

REQUEST/ MOTION AND ORDER

ATTORNEY SECTION:

Case Name Marium R Noorais. Sch District of Pickens County, et al. Case or Indictment Number 2011-CP-37-279

I am requesting **PROTECTION** for the above-named case for the date(s) of _____, 20____, to _____, 20____, due to _____ and my signature certifies, pursuant to Rule 11(a), SCRCP, that.

- (1) I have communicated with all other attorneys involved in the case and that there are no objections to this request; or
If there is an objection to this request, please explain fully, using additional pages as necessary _____; and
(2) I have notified the appropriate docket clerk (in civil cases) or the appropriate representative from the Office of the Solicitor (in criminal cases) of this request, and
(3) There are no special Orders or dockets setting the case for trial in this particular time period

I am moving for a **CONTINUANCE** in the above-named case which is currently scheduled on the docket for the _____, 20____ Term of Court or _____, 20____ (date certain), due to The recent retention of my services after previous attorneys were relieved. and my signature certifies the following, pursuant to Rule 11(a), SCRCP:

- (1) I have communicated with all other attorneys involved in the case and there are no objections to this request; or
If there is an objection to this request, please explain fully, using additional pages as necessary _____, and
(2) I have filed a Motion for Continuance with the Clerk of Court and paid the appropriate filing fee, or, in criminal cases, notified the appropriate representative from the Office of the Solicitor of this request and this case is not set for trial at this term of court, S.C Code Ann. § 1-7-330.

Upon receiving the completed Request/Motion and Order, I will confirm that the original is filed with the Clerk of Court and that copies have been provided to all attorneys involved in the case.

Oct 4, 202013

Attorney Making Request

Please Print Attorney's Name

COURT SECTION:

____ Request for Protection OR ☒ Motion for Continuance
☒ GRANTED _____ DENIED

Oct 7, 2013

Judge, Tenth Judicial Circuit

Copies to:

Atty _____ (P) _____
DSS _____ other _____

ENTERED
10/7/13
CLERK OF COURT

REQUEST OR MOTION AND ORDER

FILED O'CONNOR, SC
BEVERLY H. WHITFIELD
CLERK OF COURT

ATTORNEY SECTION:

Case Name Mariam R. Noorai v SDOC, et al

Case or Indictment Number 2011-CP-37-279

2013 DEC 6 PM 1 17

I am requesting PROTECTION for the above-named case for the date(s) of _____, to _____, due to _____ and my signature certifies, pursuant to Rule 11(a), SCRCP, that:

(1) I have communicated with all other attorneys involved in the case and that there are no objections to this request; or

If there is an objection to this request, please explain fully, using additional pages as necessary. _____; and

(2) I have notified the appropriate docket clerk (in civil cases) or the appropriate representative from the Office of the Solicitor (in criminal cases) of this request; and

(3) There are no special Orders or dockets setting the case for trial in this particular time period.

I am moving for a CONTINUANCE in the above-named case which is currently scheduled on the docket for Monday, December 9 at 12:00p.m., a Non-Jury Term of Court, for a Motion for Summary Judgement, due to the unanticipated unavailability of the Plaintiff and my signature certifies the following, pursuant to Rule 11(a), SCRCP:

(1) I have communicated with all other attorneys involved in the case and there are no objections to this request; or

If there is an objection to this request, please explain fully, using additional pages as necessary. _____; and

(2) I have filed a Motion for Continuance with the Clerk of Court and paid the appropriate filing fee, or, in criminal cases, notified the appropriate representative from the Office of the Solicitor of this request and this case is not set for trial at this term of court, S.C. Code Ann. § 1-7-330.

Upon receiving the completed Request/Motion and Order, I will confirm that the original is filed with the Clerk of Court and that copies have been provided to all attorneys involved in the case.

December 14, 2013

S. Paul Aaron
Attorney Making Request

S. Paul Aaron
Please Print Attorney's Name

COURT SECTION:

Request for Protection OR Motion for Continuance
GRANTED DENIED

December 5, 2013

[Signature]
Judge, Tenth Judicial Circuit

Copies to:

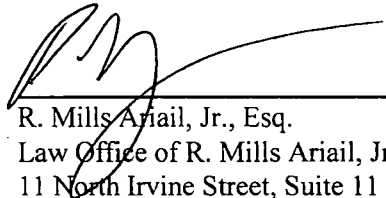
Atty ✓ (P) Aaron (D) Hart
DSS other Barlow

ENTERED
761
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Certificate of Counsel

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

April 7, 2015



R. Mills Ariail, Jr., Esq.
Law Office of R. Mills Ariail, Jr.
11 North Irvine Street, Suite 11
Greenville, South Carolina 29601
(864) 232-9390
Attorney for Appellant

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APR 10 2015
SC Court of Appeals

573

578

RECEIVED

APR 10 2015

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

J Cordell Maddox, Jr , Circuit Court Judge

Case No 2011-CP-37-279

Mariam R Noorai

Appellant,

v

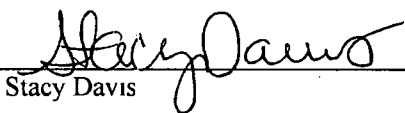
The School District of Pickens County, The School District
of Oconee County, and Gary Culler, Donald Boggs,
Richard Hudak, Earnestine Williams, Marilyn Raines,
and Dr Kelly Pew in their individual capacities

Respondents

PROOF OF SERVICE

I certify that I have served the Record on Appeal by depositing a copy of it in the
United States Mail, postage prepaid, on April 7, 2015, to all counsel of record listed
below

April 7, 2015


Stacy Davis

Laura Callaway Hart
Duff, White and Turner, LLC
Post Office Box 1486
Columbia, SC 29202

Thomas Kennedy Barlow
Childs & Halligan, PA
Post Office Box 11367
Columbia, SC 29211

David T Duff
Duff, White and Turner, LLC
Post Office Box 1486
Columbia, SC 29202

(S)

22027

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

J. Cordell Maddox, Jr., Circuit Court Judge

Case No.: 2011-CP-37-279

RECEIVED
AUG 17 2015
SC Court of Appeals

Mariam R. Noorai Appellant,

v.

School District of Pickens County, School District
of Oconee County, and Gary Culler, Donald Boggs,
Richard Hudak, Earnestine Williams, Marilyn Raines,
and Dr. Kelly Pew in their individual capacities Respondents.

SUPPLEMENTAL RECORD ON APPEAL

R. Mills Ariail, Jr., Esq.
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Greenville, South Carolina 29601
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Attorney for Appellant

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(803) 790-0603
Attorney for Respondents School District of
Pickens County, Gary Culler, Donald
Boggs, Richard Hudak, Marilyn Raines, and
Dr. Kelly Pew

Mary Allison Caudell
Thomas K. Barlow, Esq.
Childs & Halligan, P.A.
P.O. Box 11367
Columbia, South Carolina 29211
(803) 254-4035
Attorney for Respondents School District of
Oconee County and Earnestine Williams

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STATE OF SOUTH CAROLINA.

COUNTY OF OCONEE

Mariam R. Noorai

Plaintiff

vs.

School District of Pickens County, School
District of Oconee County and Gary
Culler, Donald Boggs, Richard
Hudak, Earnestine Williams and Dr. Kelly
Pew, in their individual capacities

Defendant.

IN THE COURT OF COMMON PLEAS

SUMMONS

Common Pleas # 2011-cp-37-279

FILE NO.

2011 MAR 22 AM 9:27

TO THE DEFENDANT ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

Columbia, South Carolina

Dated: March 21, 2011

J. Perry Ann
Plaintiff/Attorney for Plaintiff

Address: 1522 Lady Street
Columbia, South Carolina 29201

SCCA 401 (5/02)

ENTERED
COMPUTER

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

Mariam R. Noorai,

Plaintiff,

v.

School District of Pickens County, School
District of Oconee County, and Gary Culler,
Donald Boggs, Richard Hudak, Earnestine
Williams and Dr. Kelly Pew in their
individual capacities,

Defendants.

IN THE COURT OF COMMON PLEAS

Common Pleas # 2011-cp-37-279

Complaint
(Jury Trial Demanded)

2011 MAR 22 A 9:11

The Plaintiff, complaining of the Defendants herein, would respectfully allege as follows:

PARTIES

1. The Plaintiff, Mariam R. Noorai, is a citizen and resident of Oconee County, South Carolina, residing in Seneca, South Carolina.
2. The Defendant School District of Pickens County ("SDPC") is a political subdivision operating under the laws of the State of South Carolina for purposes of public education. SDPC is located within Pickens County, South Carolina, and its principal place of business is located at 1348 Griffin Mill Road, Easley, South Carolina, 29640.
3. The Defendant School District of Oconee County ("SDOC") is a political subdivision operating under the laws of the State of South Carolina for purposes of public education. SDOC is located within Oconee County, South Carolina, and its principal place of business is located at 414 South Pine Street, Walhalla, South Carolina, 29691.
4. The Defendant Gary Culler ("Culler") is, upon information and belief, a citizen and resident of Pickens County, South Carolina. At all times mentioned herein Culler served as principal

ENTERED
AS
COMPLETED

of R.C. Edwards Middle School ("Edwards") located in Central South Carolina, operating within the auspices of the SDPC.

5. The Defendant Donald Boggs ("Boggs") is, upon information and belief, a citizen and resident of Pickens County, South Carolina. At all times mentioned herein Boggs served as assistant principal responsible for student discipline at Edwards.
6. The Defendant Richard Hudak ("Hudak") is, upon information and belief, a citizen and resident of Oconee County, South Carolina. At all times mentioned herein Hudak served as a teacher at Edwards.
7. The Defendant Earnestine Williams ("Williams") is, upon information and belief, a citizen and resident of Oconee County, South Carolina. At all times mentioned herein Williams served as the head of Human Resources for SDOC.
8. The Defendant Dr. Kelly Pew ("Pew") is, upon information and belief, a citizen and resident of Pickens County, South Carolina. At all times mentioned herein Pew served as the head of Human Resources for SDPC.

FACTUAL ALLEGATIONS

9. At all times mentioned herein, Plaintiff served as an 8th grade language arts teacher at Edwards, until a decision was made not to renew her contract which expired on or about June 30, 2009. Plaintiff also handled duties relating to the school's yearbook and took charge of the annual project related to the production of the same.
10. Plaintiff performed her duties in an exemplary and highly professional manner, as evidenced by her ADEPT scores and the success of her teaching and yearbook project.

11. In the fall of 2008, Plaintiff had assigned her students to write an essay to be entered into the Clemson University writing competition. The work performed by the students would also be a part of the students overall language arts grade.
12. In October, 2008, Plaintiff became aware and warned a student for plagiarizing his writing assignment. Despite her warnings, the student plagiarized his paper anyway, bragging about having done so. Plaintiff reported the student for a discipline referral, whereupon Boggs assigned the student a "zero" for the assignment, and took no further action. As Boggs' actions were contrary to school policy, and given the flagrant and defiant nature of the student's behavior, Plaintiff consulted with Marilyn Raines ("Raines"), head of the English Department at Edwards, who agreed the student needed both further and different disciplinary attention.
13. Plaintiff reported the situation to Culler. Although he reluctantly changed the discipline to one consistent with the student handbook, Culler also confronted Plaintiff and in loud, intimidating and angry terms denounced the Plaintiff for consulting with Culler after Boggs had "handled" the student's discipline.
14. Culler further caused Plaintiff personal discomfort by utilizing personal gestures towards the Plaintiff in a manner Plaintiff found to be unwelcome and gave her cause for concern.
15. As the end of the grading period approached, the student persisted in his improper behavior. Plaintiff again sought resolution from Culler, who took no action. When the issue remained unresolved, Plaintiff was forced to assign an incomplete/inaccurate grade. Ultimately, the student never submitted the required assignment.
16. The actions of Culler made it clear to Plaintiff that, where the welfare of a student or teacher was at issue, if a conflict existed with Boggs, the complainant could expect to be ignored.

17. Culler began a pattern of hostility towards Plaintiff, taking every opportunity to infuse conflict into Plaintiff's work environment and to treat her in a disrespectful and embarrassing manner.
18. When one of Plaintiff's students won third place in the Clemson writing contest, Plaintiff was never informed by Culler that an awards ceremony was being held, causing her to miss the ceremony despite Culler being provided with award information directed toward Plaintiff by Clemson University, thus depriving her of an opportunity to receive deserved recognition as a teacher. Mary Bridges ("Bridges") had instructed Culler to place the information in Plaintiff's inbox, which he intentionally failed to do.
19. On January 27, 2009, Plaintiff was caught in a stairwell and became trapped by a male student. The large male student began to loudly sing sexually explicit lyrics of a song in Plaintiff's presence using Plaintiff's name, trapping her from moving with his arms, making full frontal contact with Plaintiff. In great fear of bodily harm, Plaintiff resisted the attacker and the student broke off his attack.
20. Plaintiff went directly to the Principals office and filed a discipline referral concerning the incident. Plaintiff became physically ill and emotionally affected as a proximate result of the sexual assault, and was unable to attend an open house that evening or to attend school the following day. Upon her return, Plaintiff was surprised to learn that nothing had been done to the student. Culler and Boggs refused to report the student's actions criminally, and failed to take any disciplinary action against the student as a result of the sexual assault, in spite of the severity of the same.
21. Plaintiff consulted Raines concerning the proper action to take, and was informed she must go through Culler, rather than go directly to SDPC, or face disciplinary action herself.

Plaintiff voiced concern over speaking with Culler regarding such a personal issue, given his past history of personal antagonism towards Plaintiff.

22. Shortly after the sexual harassment incident, Plaintiff was to meet with Luke Samples ("Samples"), a representative of the Jostens yearbook company. At that meeting, Plaintiff was informed by Samples that Culler had indicated Plaintiff would not be back at Edwards for the upcoming school year. At no time had Plaintiff ever been advised of Edwards' intentions, and was appalled that such a statement could have been made by Culler.
23. On or about March 1, 2009, Plaintiff was summoned to a meeting with an instructional coach and Culler, whereby she was disciplined for teaching curriculum deemed to be beyond simple writing strategies, despite having been directed by Bridges earlier in the school year that language arts strategies teachers could no longer teach only writing, and that teachers should "enrich and enhance all the language arts standards."
24. On April 2, 2009, Plaintiff had gall bladder surgery. Although excused from work until April 24, 2009 by her doctor, Plaintiff had returned early, advising her supervisors that care must be taken for her not to over perform physically or to encounter stressful situations. Culler was well aware of the situation.
25. Upon her early return on April 15, 2009, Plaintiff was summoned to Culler's office for a yearbook meeting. Having requested not to be assigned yearbook duties in the upcoming school year due to a heavy teaching load, Plaintiff had been reassured by Culler on numerous occasions in the past that the yearbook would be assigned to someone else. Plaintiff was informed by Culler that not only would her teaching load increase in the coming school year, but also she would be forced to accept responsibility for the yearbook yet again, causing Plaintiff great stress and concern.

26. Plaintiff was also further subjected to maltreatment, hostility, abuse, mental harassment, stress and ridicule when she allowed a student additional time to complete an exam and then sent the student to his/her next class with a pass stating the reason for the student's tardiness to the class, all in accordance with Edwards' policy providing for such action in cases where students experience difficulties in completing their exams.
27. On April 23, 2009, Plaintiff's first period class was taking an exam. As per policy, Plaintiff kept a student over to complete his exam, and then sent the student on to Hudak's industrial arts class with a pass. Hudak returned the student to Plaintiff with a note stating he would not be accepted into Hudak's class. Hudak instructed Plaintiff to send the student to Hudak's class during Plaintiff's first period class the following day to "makeup" for his lost time.
28. When the bell rang between second and third period, Hudak stormed into the hallway outside Plaintiff's classroom doorway, verbally berating and belittling her in front of students. Visibly angered and with the intent to harass and intimidate Plaintiff, Hudak then stormed from the classroom, bumping into a female student on his way out so violently that Plaintiff had to obtain ice to treat the victim's injuries. Students in the classroom were aghast at Hudak's behavior and made comments to Plaintiff about the level of disrespect toward her displayed by Hudak.
29. Plaintiff reported the incident to assistant principal Bridges, who indicated Culler would meet with Plaintiff to discuss Hudak's behavior, yet this meeting never occurred. Bridges indicated the student need not worry about reporting to Hudak as demanded.
30. The student remained fearful of retaliation from Hudak. Plaintiff did not send the student to Hudak during her first period class as Hudak had demanded, prompting Hudak to send a second note indicating the student must report another day that week. Plaintiff again met

with Bridges and then finally Culler, who simply indicated he "thought he had taken care of that" and seemed surprised by a second Hudak note.

31. Hudak again verbally attacked Plaintiff with an e-mail on May 1, 2009, which Plaintiff directly reported to Culler. Culler again acted as though the issue was resolved, going so far as to categorize Hudak's e-mail as accusatory. Culler's blasé attitude was in direct conflict with an earlier incident at Edwards whereby the same scenario occurred, yet Culler reacted definitively and made it clear the student was to be accepted in the classroom late.
32. In Plaintiff's case, Culler simply told her to "avoid" Hudak and that he would take care of it. Had Culler responded appropriately to the incident when it first occurred, Plaintiff would not have had to suffer the continued humiliation at the hands of Hudak.
33. Culler indicated he would speak to Hudak, but that there would be "no more contact and no apologies." Although never confronted again by Hudak, Plaintiff was continually confronted by Hudak, who continuously angrily leered at Plaintiff.
34. Plaintiff received advice from other faculty to report the incident to Human Resources, yet was dissuaded from doing so when told she would be the one who would suffer punishment for taking the incident beyond Culler.
35. On May 18, 2009, Plaintiff missed school to attend to her ailing great-uncle in Charleston, who had a terminal illness. Plaintiff informed Culler of her absence and e-mailed lesson plans for her classes directly to Culler.
36. However, Plaintiff's first period class was told that no lesson plan existed and, at the direction of Culler, substitute teachers were told to have the students watch films instead. Other staff ultimately corrected the error, yet Plaintiff overheard Culler making derogatory

comments about teachers who failed to submit lesson plans during absences, obviously critical of Plaintiff.

37. Later in the 2009 school year, Culler scheduled Plaintiff to meet with Jostens yearbook representative and students to plan the yearbook for the coming school year. On the day of the meeting, Plaintiff reminded Culler of the meeting and that she would need to be present during her planning period. For the purpose of harming Plaintiff and causing her stress, Culler scheduled Plaintiff for duty during the time period the meeting was scheduled and informed Plaintiff if she wanted to be off, she must find a replacement. This was clearly aimed at Plaintiff because other eighth grade teachers were not scheduled for duty that afternoon. It was clear to Plaintiff that Culler intended to cause problems for Plaintiff at every opportunity and did so as part of a retaliatory agenda.

38. On Thursday, May 21, 2009, Bridges told Plaintiff that she was going to talk to Culler about assigning yearbook to another teacher so that the Plaintiff might reconsider signing her contract for the following school year. On Friday, May 22, 2009, Plaintiff was called by the secretary during her afternoon planning period with a reminder to sign her contract. Culler had left to go to the District Office, and Bridges asked Plaintiff to wait for Culler to return. After 5 PM, Culler returned and first told Plaintiff he did not want to talk to her, then asked her to go to his office. Culler then treated the Plaintiff in a hostile and belligerent manner and tried to force Plaintiff to sign her contract. He repeated several times that "if I am going to force anyone to do yearbook, I will force you."

39. On June 1, 2009, aware that Plaintiff was interviewing for a teaching position, Culler began hounding Plaintiff to submit a letter of resignation.

40. During a meeting with Bridges just after Culler had issued his ultimatum regarding Plaintiff's resignation, Plaintiff and Bridges could clearly overhear Culler, openly, in the main office, loudly evaluating Plaintiff and other related arts teachers as "weak" or "strong," further intimidating Plaintiff.
41. Several days later, Plaintiff and several students, having completed distributing yearbooks in the cafeteria, were walking back to Plaintiff's class with Culler following. First, Culler shouted at Plaintiff, asking if she had completed yearbook duties; then Culler loudly and tersely shouted into the walkie-talkie, "if she doesn't tell me she's finished, how do I know?" Culler was carrying out his agenda to harass and intimidate Plaintiff to the best of his ability.
42. The following day, Plaintiff had just arrived at school when Culler bellowed "Noorai!" and that he "needed to see her." When the Plaintiff went to his office, Culler curtly said he wanted to remind her about writing her "letter of resignation." Later in the day, Bridges indicated to Plaintiff that Culler had wanted her to tell Plaintiff that, if she didn't submit her letter of resignation, her license to teach would be "pulled" by Culler.
43. Plaintiff was finally forced to submit a letter of resignation by Culler during the time when Plaintiff was to be recognized by her peers on her last day of school. Rather than attend the celebration, Plaintiff was relegated to Bridges' office to use her computer to complete the resignation letter, thus depriving her of the pleasure and enjoyment of the occasion.
44. While in the office and thinking the door was locked, Culler entered unannounced and began berating Plaintiff, who repeatedly requested that Culler leave the office. Culler refused and continued his barrage. Plaintiff finished the resignation letter under extreme duress and in a total state of stress.

45. Plaintiff had applied for a job at West-Oak Middle School ("West-Oak"), a job within the SDOC. Culler, during his barrage of Plaintiff, made strong implications that she had not been chosen for the job at West-Oak. Plaintiff was later called by West-Oak principal Jami Verderosa and informed that "after checking references, I am unable to give you a job at this time." Plaintiff believes that Culler was responsible for her not getting the position.
46. Pew, although Plaintiff sought her participation, made no effort to either assist with or investigate the behaviors exhibited toward Plaintiff by Culler. Pew further drafted a letter replete with inaccuracies and fabrications concerning Plaintiff. SDPC even falsely asserted that Plaintiff was on an improvement plan. She was also told by Pew that her replacement had already been hired and the Plaintiff had "no grievance rights."
47. No charges were ever brought by SDPC against the student who sexually assaulted Plaintiff, nor was any investigation conducted into the allegations and concerns raised by Plaintiff with regards to Culler and Hudak, in reckless disregard of her rights.
48. On or about August 19, 2009, Plaintiff learned that the teacher hired for the job at West-Oak was not certified as a middle school teacher by the South Carolina Department of Education, as Plaintiff was. Plaintiff was clearly the more qualified candidate for the position, yet had been purposefully overlooked as a direct result of Culler's interference.
49. In October, 2009, Plaintiff met with Williams at the offices of SDOC. Williams confirmed that Culler's actions had cost Plaintiff an employment opportunity at West-Oak and that everything Culler had said regarding Plaintiff could not be changed, affecting any jobs Plaintiff applied for in the future, including substitute teaching positions.

50. Plaintiff has been continually denied employment opportunities with both SDPC and SDOC through the current time and the record created by Culler is now keeping her from obtaining any meaningful position in her educational field.

**FOR A FIRST CAUSE OF ACTION
AGAINST DEFENDANT SDPC
(Negligence/Gross Negligence)**

51. Plaintiff realleges paragraphs 1 through 50 aforesaid.
52. The Defendant owed Plaintiff a duty of care, comprised of the standard of conduct the law required of Defendant in order to protect Plaintiff from the risk of harm perpetrated upon her by the student. Further, the Defendant had an affirmative duty to report such criminal behaviors to the appropriate law enforcement agencies for investigation and prosecution.
53. Through its omission, Defendant has breached that duty of care by failing to take any definitive action on behalf of Plaintiff.
54. As a direct and proximate cause and result of Defendants negligence, Plaintiff has suffered damages including, but not limited to loss of employment, severe emotional distress and humiliation.

**FOR A SECOND CAUSE OF ACTION
AGAINST DEFENDANT SDPC
(Negligent Misrepresentation)**

55. Plaintiff realleges paragraphs 1 through 54 aforesaid.
56. A false representation was made by Defendant Culler to Plaintiff in forcing her to submit a letter of resignation to the Board of the SDPC where none was required. Further, Defendant Pew, knowing such requirement did not exist, failed to inform Plaintiff of this fact when Plaintiff specifically requested such information. Such acts and omissions were known to be false by both Defendants at the time they were made.

57. Culler, as principal of Edwards, was the highest authority for the school and therefore its alter ego, making the SDPC vicariously liable for Culler's actions.
58. Defendant had a pecuniary interest in making the statement.
59. Defendant owed Plaintiff a duty of care to see that truthful information was communicated to Plaintiff.
60. Defendant breached its duty by failing to exercise due care.
61. Plaintiff justifiably relied upon the representation in submitting her resignation.
62. As a direct and proximate cause and result of reliance upon the representation, Plaintiff has suffered and continues to suffer a pecuniary loss by and through continued lack of employment.

**FOR A THIRD CAUSE OF ACTION
AGAINST DEFENDANT SDPC
(Negligence/Gross Negligence)**

63. Plaintiff realleges paragraphs 1 through 62 aforesaid.
64. The Defendant owed Plaintiff a duty of care, comprised of that standard of conduct the law required of Defendant to ensure Plaintiff was not harmed by actions such as those perpetrated by Culler. Defendant had specific and exacting knowledge of the falsity of any and all negative comments characterizing Plaintiff's employment with SDPC, yet has continued to act as if those statements were true.
65. Defendant has breached its duty through its continued negative acts and omissions, continually denying Plaintiff employment opportunities she is clearly more qualified for than those applicants ultimately hired.
66. As a direct and proximate cause and result of Defendant's negligence, Plaintiff has and continues to suffer loss of employment, severe emotional distress and humiliation.

**FOR A FOURTH CAUSE OF ACTION
AGAINST DEFENDANTS SDPC AND CULLER
(Breach of Contract Accompanied by Fraudulent Act)**

67. Plaintiff realleges paragraphs 1 through 66 aforesaid.
68. Defendants breached its contract with Plaintiff in failing to protect Plaintiff from the harms created by her employment, failure to intervene on her behalf where its contract warranted such action, failure to properly inform Plaintiff of the requirements for terminating her employment, and failure to act upon the grievances raised by Plaintiff with regards to her employment.
69. Defendants' fraudulent behavior relates specifically to the breaching of Plaintiff's contract, comprising numerous false representations made to Plaintiff with regards to their mutual contractual obligations.
70. The fraudulent acts perpetrated by Defendants include dishonesty in fact and unfair dealing with Plaintiff as to actions and remedies available to her under the contract.
71. As a direct and proximate cause and result of all Defendants actions, Plaintiff is entitled to actual damages. Where Defendant Culler's behavior was willful, wanton and in reckless disregard of Plaintiff's rights, Plaintiff is entitled to an award of punitive damages against Culler.

**FOR A FIFTH CAUSE OF ACTION
AGAINST DEFENDANTS SDPC, SDOC AND CULLER
(Defamation)**

72. Plaintiff realleges paragraphs 1 through 71 aforesaid.
73. Defendants have offered communications that tend to impugn the honesty, integrity and reputation of Plaintiff, as well as expose her to public hatred, contempt, ridicule and cause her to be shunned and avoided, as well as injure her in her business and occupation. Such

communications allege impropriety and inadequacy in performing Plaintiff's trade and profession, and are therefore actionable *per se*.

74. Further, the communications made by Defendants are defamatory *per se*.

75. Malice is implied in said communications and as such no showing of malice is required.

76. The communications made by Defendants are false.

77. The statements made by Defendants were published and republished to third parties,

including between SDPC and SDOC, as well as Plaintiff's former coworkers and colleagues at Edwards.

78. Such statements concerned Plaintiff.

79. As a direct and proximate cause and result of Defendants' defamation, Plaintiff has suffered legally presumed special damages, including but not limited to embarrassment, humiliation, and mental suffering as a result of injury to her reputation.

**FOR A SIXTH CAUSE OF ACTION
AGAINST DEFENDANT HUDAK
(Assault)**

80. Plaintiff realleges paragraphs 1 through 79 aforesaid.

81. Defendant did exhibit conduct toward Plaintiff that, even if unintentional, was committed recklessly and in total disregard for Plaintiff and her students.

82. Plaintiff, due to Hudak's size and demeanor, was placed in reasonable and justifiable fear for her own safety. Such conduct by Hudak was made under circumstances as to affect the mind of Plaintiff so as to influence her conduct. Further, Plaintiff is a person peculiarly susceptible to fear and Hudak knew and took advantage of the fact that Plaintiff could not stand as much as an ordinary person.

83. As a direct and proximate cause and result of the willful, wanton and reckless disregard of Plaintiff's rights, Plaintiff is entitled to actual and punitive damages against Defendant.

**FOR AN SEVENTH CAUSE OF ACTION
AGAINST INDIVIDUAL DEFENDANTS CULLER, PEW, WILLIAMS AND BOGGS
IN THEIR INDIVIDUAL CAPACITIES
(Civil Conspiracy)**

84. Plaintiff realleges paragraphs 1 through 83 aforesaid.

85. There existed a combination of two or more persons, who did conspire based upon the nature of their acts, the relationship of the parties and the interest of the conspirators. The nature and reasonable inferences arise that the acts were in furtherance of a common design of the conspirators.

86. That combination of parties was for the purpose of injuring Plaintiff through insidious actions, the object of which was to ruin and damage the business and profession of Plaintiff.

87. As a direct and proximate cause and result of Defendants actions, Plaintiff has suffered special damages, including but not limited to rendering Plaintiff unemployable within reasonable distance of her residence and in her chosen profession and injury inflicted due to the destruction of her professional business credentials.

[Signature Page Follows]

WHEREFORE, the Plaintiff, Mariam R. Noorai, prays for judgment against Defendant School Districts of Pickens and Oconee Counties awarding her actual damages as well as awarding her actual and punitive damages against the individual Defendants; in an appropriate amount to be determined by a jury, as well as for attorney's fees and costs, and for such other and further relief as the Court may deem just and equitable.

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Attorneys for Plaintiff

March 21, 2011

1 STATE OF SOUTH CAROLINA

COURT OF COMMON PLEAS

2 COUNTY OF OCONEE

3

4 MARIAM R. NOORAI,

5 Plaintiff(s),

6 vs.

Case No.: 2010-CP-37-279

7 SCHOOL DISTRICT OF PICKENS COUNTY,

SCHOOL DISTRICT OF OCONEE COUNTY,

8 AND GARY CULLER, DONALD BOGGS,

RICHARD HUDAK, EARNESTINE WILLIAMS,

9 AND DR. KELLY PEW IN THEIR INDIVIDUAL CAPACITIES,

10 Defendant(s).

11

12 D E P O S I T I O N

13 WITNESS: MARIAM R. NOORAI

14 DATE: Thursday, January 26, 2012

15 TIME: 11:07 a.m.

16 LOCATION: Duff, White & Turner, LLC
3700 Forest Drive, Suite 404
17 Columbia, South Carolina

18

TAKEN BY: Attorneys for the Defendants

19

20 REPORTED BY: SHERI L. BYERS
Registered Professional Reporter

21

22 COMPUSCRIPTS, INC.
A Full-Service Court Reporting Agency
23 Post Office Box 7172
Columbia, South Carolina 29202
24 803-988-0086
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22 ALSO PRESENT:

23 DR. KELLY PEW
24 STEPHANIE LACKEY
25 GARY CULLER
26 EARNESTINE WILLIAMS

27 (INDEX AT REAR OF TRANSCRIPT)

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1 STIPULATION: It is stipulated by and
2 between counsel that this deposition is being taken in
3 accordance with the South Carolina Rules of Civil
4 Procedure the right to read and sign the deposition
5 transcript.

6 - - - - -

7 MARIAM R. NOORAI, being first duly
8 sworn, testified as follows:

9 EXAMINATION

10 BY MS. DICKEY:

11 Q. My name is Kiosha Dickey. I'm with the law
12 firm of Duff, White & Turner. Along with Dave Duff, we
13 represent Pickens County School District, as well as
14 Dr. Kelly Pew, Richard Hudak, Donald Boggs, and Gary
15 Culler.

16 And in the room we also have Tom Barlow from
17 Childs & Halligan who represents Oconee County School
18 District, as well as Earnestine Williams who is here as
19 a named defendant in this case.

20 And, Ms. Noorai, you probably had a chance to
21 talk to your attorney about the purpose of depositions
22 and why we're here today. But I'm just here today to
23 ask you some questions about the lawsuit that you
24 brought against the Pickens County defendants and the
25 Oconee County defendants and just get a sense of the

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1 facts of the case, why you're bringing the lawsuit, the
2 issues that you had with all of the parties, and just
3 try to get a sense of the evidence that you have to
4 support your claims.

5 If you need to take a break at any time --
6 I'm just going to go ahead and say, the court reporter
7 is taking down everything that we are saying, so you
8 need to respond verbally. I see you shaking your head,
9 but you need to answer with a "yes" or a "no," so she
10 can get down everything that you are saying.

11 Do you understand that?

12 A. Yes, ma'am.

13 Q. Okay. And on that same line, don't say
14 "uh-huh" or "huh-uh" because she doesn't know if that's
15 a "yes" or "no." So we want to make sure that
16 everything we are taking down for the record is
17 accurate. Okay?

18 A. Yes, ma'am.

19 Q. Okay. If you at any time need me to clarify
20 a question that I've asked or you don't understand a
21 question or you need me to repeat it, just go ahead and
22 ask me to clarify it, don't ask your attorney. Okay?

23 A. Yes, ma'am.

24 Q. If you need to take a break at any time, just
25 let me know. I just advise you that during those

1 breaks, you are not to speak to your attorney about
2 your testimony for today.

3 A. Yes, ma'am.

4 Q. Okay. Is there any reason why you can't
5 proceed with your deposition this morning?

6 A. No, ma'am.

7 MS. DICKEY: Okay.

8 MR. CROMER: I would also ask her to speak
9 up. She has a low voice, and these folks down here
10 have got to hear you too, Noorai.

11 THE WITNESS: Yes, sir. I'll try my best.

12 MR. CROMER: All right. Very good.

13 BY MS. DICKEY:

14 Q. That was good.

15 When I say the word "District," I'm referring
16 to the Pickens County School District. If at any time
17 I'm referring to Oconee, I will say "Oconee." Okay?

18 A. Yes, ma'am. I understand.

19 Q. For the record, what is your full name?

20 A. Mariam Rosalie Noorai.

21 Q. And do you have a nickname you sometimes go
22 by?

23 A. Mari.

24 Q. Mari.

25 Okay. Ms. Noorai, how old are you?

- 1 A. 31.
- 2 Q. And what is your date of birth?
- 3 A. November 3, 1980.
- 4 Q. And what's your address?
- 5 A. 518 West North 4th Street, Seneca, South
- 6 Carolina 29678.
- 7 Q. Okay. Are you married?
- 8 A. No.
- 9 Q. Okay. Do you have any children?
- 10 A. No.
- 11 Q. Do you live alone?
- 12 A. No.
- 13 Q. Who do you live with?
- 14 A. It's my family home. My parents, my sister.
- 15 Q. So your parents live in the house with you?
- 16 A. My mother does. She goes back and forth. My
- 17 father is still working in New York City, so he comes
- 18 down and she goes back and forth.
- 19 Q. What's your mother's name?
- 20 A. Dr. Nora Rooche Field.
- 21 Q. And your father's name is?
- 22 A. Dr. Farid S. Noorai.
- 23 Q. Okay. And you said that he is working in New
- 24 York City?
- 25 A. Yes. He works for the Port Authority of New

1 York and New Jersey. He's a structural engineer, and
2 he has his doctorate from Columbia University.

3 Q. Okay. And so how often does he come back to
4 Seneca?

5 A. He comes back during the holidays and
6 vacation times from work.

7 Q. Okay. And you said your sister lives in your
8 household as well?

9 A. Yes.

10 Q. What's her name?

11 A. Rooksana, she goes by Rooksie, Elizabeth
12 Noorai.

13 Q. Okay. How old is she?

14 A. 33.

15 Q. Anyone else that lives in the house?

16 A. No.

17 Q. Okay. Now, your mother Dr. Nora Field,
18 that's her name, correct?

19 A. Yes.

20 Q. Tell me about your relationship with your
21 mother. Are you close?

22 A. I've always had a very close relationship
23 with my mother.

24 Q. Okay. Would you describe your family as a
25 tight-knit close family as well?

1 A. Yes.

2 Q. And what is your current occupation?

3 A. I'm unemployed.

4 Q. Okay. And how long have you been unemployed?

5 A. Since I guess July 1, 2009.

6 Q. Okay. Do you have any relatives in Pickens
7 County?

8 A. Yes, I do.

9 Q. And you have cousins or aunts, uncles?

10 A. Cousins and kind of distant. My family on my
11 mother's side came -- originally Pickens district was
12 Oconee and Pickens County.

13 Q. Okay. And what are their last names?

14 A. I'm trying to think. I think the family that
15 I think still lives there is Parrish. I think Parrish.

16 Q. So that's your family in the Pickens County
17 area?

18 A. That I can think of, yes.

19 Q. In Oconee County, I know you have your mom,
20 your sister. Any other family in Oconee?

21 A. A lot of family in Oconee.

22 Q. And what are their last names?

23 A. Nimmons, Parker. Let me see what else we
24 have. It's kind of hard to think off the top of my
25 head. There are the Brandts and all the branching with

1 them. Hunter.

2 Q. Okay.

3 A. Wigingtons.

4 Q. I just ask these questions in the event this
5 case were to go to a trial and we have to select a
6 jury, we kind of need to know the last names of people
7 who would be related to you.

8 A. Right.

9 Q. So that's the only reason why we ask these
10 types of questions.

11 A. There are a lot of different. It was a huge,
12 huge family.

13 Q. That's the main?

14 A. Main ones, yes, ma'am.

15 Q. Okay. And I know you told me your father
16 works for the Port Authority in New York, correct?

17 A. In New Jersey, correct.

18 Q. In New Jersey. Okay. And does your mother
19 work?

20 A. No.

21 Q. Okay. Where did she work -- did she ever
22 work?

23 A. Yes, she did.

24 Q. What was her occupation?

25 A. Before she went to Columbia University for

1 her doctorate, she did work for the North Carolina
2 Hospital Association in public relations. After
3 getting her doctorate at Columbia University in English
4 and comparative literature, my sister was already a
5 year old, and so she opted to stay at home with my
6 sister. She also worked for the Renaissance Society in
7 New York with their journal.

8 Q. Okay.

9 A. Part-time.

10 Q. Were you born in South Carolina, or were you
11 born in New York?

12 A. I was born in Bronxville, New York.

13 Q. Okay. How long did you live in New York?

14 A. My family has always gone back and forth
15 between New York and South Carolina.

16 Q. Okay.

17 A. And so I started going to school in New York.
18 I did first grade in Seneca because my grandfather had
19 become ill, and so my father thought it was best to
20 move the family down there to be with my mother's
21 family while my grandfather was ill.

22 Q. Okay.

23 A. So I went to first grade at Kellett. But my
24 father was unable to find a job that would be
25 comparable to what he had in New York, so we moved back

1 from second grade to high school and my primary
2 residence was in Manhattan in New York City, and then I
3 went to college.

4 Q. Okay.

5 A. And then my primary residence shifted to
6 Seneca.

7 Q. So from second grade to high school, you were
8 in New York?

9 A. Yes, ma'am.

10 Q. Okay. Are you a member of any type of social
11 club or organization?

12 A. I have hereditary organizations that I'm a
13 member of.

14 Q. What are those?

15 A. The Daughters of the American Revolution, and
16 the Colonial Dames of the XVII Century are the two main
17 ones.

18 Q. Okay. Do you attend church?

19 A. Yes, ma'am.

20 Q. What church do you attend?

21 A. St. Johns Lutheran Church in Walhalla, South
22 Carolina. It's a family church.

23 Q. Is the pastor related to you?

24 A. No, but my great great great grandfather gave
25 the four main beams that built the steeple for the

1 church on my German side. That's their church.

2 Q. Okay. Are you currently a defendant in any
3 lawsuit?

4 A. No, ma'am.

5 Q. Okay. Have you ever been a defendant in any
6 lawsuit?

7 A. No, ma'am.

8 Q. Are you currently a plaintiff in any lawsuit
9 other than this one?

10 A. Yes. I have the -- when I was in a car
11 accident in 2005.

12 Q. And that case is?

13 A. It's still not settled.

14 Q. Okay. So that's still pending. That's the
15 only other lawsuit you have been involved in?

16 A. Yes, ma'am.

17 Q. And this was 2005?

18 A. Was the accident, yes.

19 Q. Was that accident in South Carolina?

20 A. Yes, ma'am.

21 Q. Okay. In the Oconee County area?

22 A. Yes.

23 Q. I know you told me that from second grade
24 through high school you were in New York, correct?

25 A. Yes, ma'am.

1 Q. What high school did you attend in New York?

2 A. I attended The Bronx High School of Science.
3 It's located in the southern part of the Bronx.

4 Q. Okay.

5 A. It's a specialized high school, and you had
6 to take an exam and only the top 6- to 800 students in
7 the city would be able to go there.

8 Q. Okay. What year did you graduate from that
9 school?

10 A. 1999.

11 Q. From there, you told me you went to college,
12 correct?

13 A. Yes, ma'am.

14 Q. And what college did you attend?

15 A. I first was at Emory University.

16 Q. Okay.

17 A. Then I was a junior transfer to the
18 University of North Carolina at Chapel Hill where I
19 graduated with highest distinction.

20 Q. What year did you graduate?

21 A. In 2003.

22 Q. And what degree did you earn?

23 A. I had a Classics degree with a minor in
24 English.

25 Q. What is a Classics degree?

1 A. Classics degree, it's the study -- one of the
2 oldest degrees out there. It is the study of Latin,
3 language of Latin and ancient Greek. It's also a study
4 of the culture, civilization, history, and all of that
5 kind of rolled into one.

6 Q. And then, I'm sorry, you also said that
7 you --

8 A. Were an English minor.

9 Q. English minor.

10 A. Okay. At that time what did you plan on
11 doing careerwise with that degree?

12 A. Ever since I was in the fifth grade, I wanted
13 to be a teacher.

14 Q. Okay. And so 2003 is when you graduated from
15 college, correct?

16 A. Yes, that is correct.

17 Q. And after you graduated from college, did you
18 pursue any further education?

19 A. Yes, I did. I enrolled the same month that I
20 graduated in August at the College of Charleston.

21 Q. Okay.

22 A. And I got a Master's degree in English.

23 Q. What year did you earn that Master's?

24 A. I got the degree in May 2006.

25 Q. Okay. And did you work at all when you were

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1 in college?

2 A. I had an assistantship for my last year at
3 the College of Charleston.

4 Q. Okay. And what type of assistantship did you
5 have?

6 A. The first semester I was a writers group
7 facilitator, which means I work with struggling
8 freshman students that were enrolled in English.

9 Q. Okay.

10 A. And I had to create lessons and work a
11 workshop and run lessons for them where they worked
12 with each other and on their own writing to improve so
13 that they were better prepared for college.

14 Q. Any other assistantships that you had?

15 A. The next semester, because they did not have
16 the writers group for the spring semester, I was the
17 research assistant for two separate professors in the
18 English department, and I had to do research and other
19 tasks for them that they needed to help working on
20 their projects.

21 Q. Do you remember the names of the professors
22 that you worked for?

23 A. The one was Dr. Joe Kelly, and I cannot think
24 of the other one.

25 MR. CROMER: Man or woman?

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1 THE WITNESS: She was a female.

2 BY MS. DICKEY:

3 Q. So in May 2006 when you earned your Master in
4 English --

5 A. Yes.

6 Q. -- did you receive any other degrees after
7 that?

8 A. Yes, I did. Within a month I had started at
9 Clemson in the MAT program, become a middle grades
10 English teacher.

11 Q. What does MAT stand for?

12 A. Master's of Arts in teaching.

13 Q. Okay. And you said that you wanted to be an
14 English middle school?

15 A. English teacher or high school teacher. I
16 took the exam so that I was highly qualified to also
17 teach secondary English.

18 Q. Okay. What exam did you take?

19 A. I had to take three exams, two different
20 English subject exams for secondary, and then the PLT,
21 the Principles of Learning and Teaching, which I
22 received a certificate for my high score on that.

23 Q. What year did you earn your MAT?

24 A. I was only in the masters program for 11
25 months, and I finished my Master's in May 2007.

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1 Q. Okay.

2 A. May 11.

3 Q. Okay. Now, while you were at Clemson, did
4 you work anywhere, did you student teach anywhere?

5 A. We were unallowed to have a job. We had to
6 actually sign that when we started the Master's
7 problem, but I did my practicum and student teaching at
8 R.C. Edwards in Central, South Carolina.

9 Q. And so that was in 2---

10 A. We started in fall of 2006 and finished in
11 spring 2007. And I also did substitute. The
12 cooperating teacher and the principal wanted me to take
13 sub training, and so I did take sub training so that I
14 could fill in for the eighth grade teachers as needed
15 when I wasn't doing my practicum or student teaching.

16 Q. Okay. Now, in whose class were you doing
17 your student teaching in?

18 A. Both semesters in Marilyn Raines' eighth
19 grade English class.

20 Q. Just tell me about just the duties of a
21 student teacher, what did you have to do on a daily
22 basis?

23 A. There's varying duties. The first part is
24 your practicum, and you're really just supposed to be
25 observing, helping with tasks, preparing lessons, and

1 doing stuff like that. I actually, because my teacher,
2 my cooperating teacher's father fell ill within the
3 second week, I think, of school, so I was doing a
4 majority of, a lot of teaching in both her class and
5 also the other English teacher, they taught the same
6 subjects.

7 Q. Okay.

8 A. And that teacher was having issues trying to
9 get pregnant. And then when she finally did get
10 pregnant, she had issues, so I had to fill in and do a
11 lot of teaching in her classroom as well.

12 Q. What was that teacher's name, the other --

13 A. Christine Matthews.

14 Q. Okay. And what grade did Marilyn Raines
15 teach?

16 A. Eighth grade.

17 Q. And Christine was eighth grade as well?

18 A. Yes, ma'am.

19 Q. Was this eighth grade ELA?

20 A. It was language arts, yes.

21 Q. Is that what essentially what ELA stands for?

22 A. English language arts.

23 Q. And that encompasses what areas, is it just
24 writing or is it --

25 A. It's reading, it's writing, it's

1 communication. It's all of that.

2 Q. Now, tell me about your relationship with
3 Marilyn Raines when you were her student teacher.

4 A. It was very close. She had even told at
5 Clemson, and I have letters that she wrote, that she
6 felt I was sent by God because she could not have been
7 able to get through that year with what was happening
8 with her father if she had not had me. She was very
9 dependent on me, which continued while I stayed at R.C.
10 Edwards.

11 Q. Okay. So you were a student teacher, you
12 said the fall 2006 through spring 2007, correct?

13 A. Right.

14 Q. And then that you graduated from Clemson?

15 A. Yes.

16 Q. In 2007. May 11, 2007, I believe.

17 Now, after you graduated from Clemson in May
18 of 2007, where did you work? Or did you work after
19 that?

20 A. I was hired by the Pickens County School
21 District to be a teacher which started in August 2007.

22 Q. Did you have to interview for that position?

23 A. Yes, I did. And I interviewed also in Oconee
24 County School District.

25 Q. Okay. So you interviewed in Pickens and

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1 Oconee. Do you remember when you interviewed in
2 Pickens?

3 A. The first time I interviewed in Pickens was
4 with Stephanie Lackey. It was a district screening
5 interview. I'm not sure exactly when that was. I
6 would think earlier in the spring of 2007.

7 Q. Okay.

8 A. And then I interviewed with the new principal
9 that was coming in to replace the retiring principal,
10 Dr. Chuck Pressley, and I believe that it was in June.
11 I'm not sure, May or June 2007. And I was interviewed
12 by him, by Marilyn Raines, by William Chandler, and by
13 James King.

14 Q. So Chuck Pressley was the incoming principal?

15 A. Yes.

16 Q. Of R.C. Edwards?

17 A. Yes.

18 Q. Who was the principal when you were student
19 teaching?

20 A. Smiley Sanders.

21 Q. Okay.

22 A. And he had tried to hire me, but the District
23 said since he was retiring, that they wanted the new
24 principal to come in and make the decision.

25 Q. So you interviewed with Chuck Pressley. Who

1 else did you say you interviewed with?

2 A. Marilyn Raines.

3 Q. Okay.

4 A. William Chandler and James King.

5 Q. Who is William Chandler?

6 A. He was the English arts strategy teacher and
7 the yearbook adviser. And that's also for eighth
8 grade. And James King was an eighth grade science
9 teacher.

10 Q. Okay.

11 A. But he was the team lead teacher for team
12 six, which was the team that I had student taught
13 under.

14 Q. Okay. And when did -- do you know when you
15 interviewed with Oconee County?

16 A. I had interviewed with Oconee two separate
17 times.

18 Q. Okay.

19 A. Prior to that, I also had had a District
20 screening interview with Rob Rhodes, and I also had a
21 job fair, I believe that was in January 2007, with
22 Oconee.

23 Q. Okay.

24 A. The two schools that I went to was Walhalla
25 High School, and they called me two hours after I left

1 and offered me the job. They said I could have my
2 choice of tenth or ninth grade English. And they gave
3 me 24 hours to make that decision. And then following
4 that interview, I interviewed at Seneca Middle School.

5 Q. Okay.

6 A. And he was actually calling R.C. Edwards the
7 day that they were offering me the job there to offer
8 me the job at Seneca Middle School.

9 Q. Okay. So you had job offers from Pickens
10 County and Oconee County?

11 A. Any interview I went on, I was offered the
12 job.

13 Q. Okay. And did you only interview with
14 Pickens and Oconee?

15 A. Yes, ma'am. And I had calls for some
16 interviews after I had already accepted the R.C.
17 Edwards position.

18 Q. Okay. What made you decide to go and work
19 for Pickens County as opposed to Oconee County?

20 A. Because I had already been at that school. I
21 had already met most of the staff, the administrators.
22 I loved the students. I loved the school. I felt a
23 loyalty to the school and to the students and to the
24 faculty. It just felt like the place I was going to
25 stay for the rest of my teaching career.

1 Q. Okay. So the year that you were hired as a
2 teacher at R.C. Edwards, that would have been the
3 '07-'08 school year; is that correct?

4 A. Yes, ma'am.

5 Q. Okay. And the principal was Chuck Pressley,
6 you said?

7 A. Yes. And then he was replaced halfway
8 through the year, a little more than halfway, I think,
9 with Regina or Reggie Stapleton.

10 Q. Okay. During the 2007-2008 school year, you
11 taught what grade?

12 A. Eighth grade. It was eighth grade.

13 Q. That was eighth grade ELA?

14 A. It was language arts strategies, and that
15 year my class was a semester course. I taught half the
16 eighth grade students writing, and then the next
17 semester I taught the second half. It was divided by
18 teams.

19 Q. What's the difference between ELA and
20 language arts strategy?

21 A. The way they had it, it was so the students
22 got a double-dose of English and also they had for
23 math.

24 Q. Okay.

25 A. And so the first year it was just required

1 that I just do all the writing for the courses. All
2 the writing standards. The second year it changed.

3 Q. Okay. Do you remember what your salary was
4 that first school year?

5 A. I don't remember exactly what my salary was.
6 I was actually told by the lady at the district office
7 they had never had a first-year teacher come in making
8 as much. It was close to 40,000.

9 Q. Okay. And did she tell you why they had
10 never had a first-year teacher coming in at that --

11 A. Because I had two master's degrees, so I was
12 already at the masters and 30 plus.

13 Q. Okay. So you taught eighth grade language
14 art strategies; is that correct?

15 A. Yes, and yearbook.

16 Q. And yearbook. What were your duties as
17 the -- were you the yearbook adviser?

18 A. I was the yearbook adviser. I had a class,
19 and I was also in charge of producing the yearbook,
20 yes.

21 Q. So what were your duties as the yearbook
22 adviser?

23 A. I had to teach the yearbook class, which was
24 just one of my regular classes the first semester.

25 Q. Okay.

1 A. So I had to teach those students. Both --
2 you know, they are working on the yearbook and
3 producing the yearbook, and I also had to teach them
4 the writing standards so they would be prepared for the
5 writing exam in May.

6 Q. Okay. Now, at this time, your first year of
7 teaching, did you still have a close relationship with
8 Marilyn Raines?

9 A. Absolutely. Because this was the first year
10 that they were teaching English I in the eighth grade,
11 and so she had had me go during the summer before I was
12 paid by the District to attend all the workshops with
13 her and to help with the planning of the English I
14 courses. Especially because of my Classics degree, I
15 was able to add a lot to the District planning of the
16 course in the middle school because those teachers were
17 not used to teaching mythology.

18 Q. And what was your professional relationship
19 like with Chuck Pressley, the principal? Did you get
20 along with him?

21 A. Yes, ma'am.

22 Q. Okay. Did you ever have any sort of issues
23 with Chuck Pressley?

24 A. No, ma'am.

25 Q. You said he was replaced midyear?

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- 1 A. Yes.
- 2 Q. By? What was that person's name?
- 3 A. Reggie Stapleton.
- 4 Q. Stapleton.
- 5 A. She served as the interim principal.
- 6 Q. Did you get along with Ms. Stapleton?
- 7 A. Yes, ma'am.
- 8 Q. Did she stay throughout the end of the
- 9 '07-'08 school year?
- 10 A. Yes, ma'am.
- 11 Q. Okay. Were you close to any other teachers
- 12 or staff members besides Ms. Raines?
- 13 A. Yes.
- 14 Q. Who else were you close with?
- 15 A. I was close with all the other eighth grade
- 16 teachers, especially on team six since those are the
- 17 ones that I had worked with.
- 18 Q. Who were teachers that were on team six?
- 19 A. James King. Christine Matthews was on the
- 20 other team, but she switched to team six to teach
- 21 social studies. Traci Hedetniemi.
- 22 Q. Okay.
- 23 A. The keyboarding teacher then was a
- 24 Mrs. Burgess that I worked with.
- 25 Q. Okay.

1 A. I was also, because of a family connection,
2 Mr. Brooks was -- he did in-school suspension, and so
3 he always kind of came and checked on me to make sure I
4 was doing okay.

5 Q. What was Mr. Brooks' first name?

6 A. I think it was Donald Brooks.

7 Q. Donald Brooks. And he was the -- he was over
8 ISS, is that what you told me?

9 A. Yes, ma'am.

10 Q. You said he would come to check on you to
11 make sure you were okay?

12 A. Yes. He kind of checked around the school,
13 and he always just -- you know, he was very close to my
14 godfather, they had worked together, and my godfather
15 had passed away in 2005 from leukemia. And so he would
16 just kind of like to come and talk about my godfather,
17 I think.

18 Q. What was your godfather's name?

19 A. Daniel Bailey. He lived in Oak Way.

20 Q. Is that in --

21 A. It's in Oconee County.

22 Q. So did you have any issues or problems during
23 the '07-'08 school year?

24 A. No, ma'am.

25 Q. Okay. Did you ever have any of the other

1 teachers or principals or anyone from the District
2 office come in and observe you?

3 A. Yes, Dr. Pressley did observe me. Marilyn
4 Raines observed me. She was one of my mentor teachers,
5 and William Chandler was the other mentor teacher
6 assigned by the District.

7 I also had -- I'm not sure about her name,
8 the lady at the District who was over the English
9 language arts and I guess foreign language. I think
10 it's Kim Welborn. I'm not sure if that's her name or
11 not. I think. She came and observed me and e-mailed
12 me to tell me how wonderful the class was.

13 Q. Okay. Did you receive a contract for the
14 following school year, the '08-'09 school year?

15 A. Yes, ma'am.

16 Q. Okay. And did you sign that contract?

17 A. Yes, I did.

18 Q. Okay. And at the start of the '08-'09 school
19 year, who was the principal of Edward?

20 A. Well, after we had signed the contract and
21 turned them in, Dr. D'Andrea, who was the
22 superintendent at the time, had announced that Gary
23 Culler was coming in as the new principal.

24 Q. Did you know Gary Culler prior to him
25 becoming principal?

1 A. No, ma'am.

2 Q. Okay. And for the '08-'09 school year, were
3 you still teaching eighth grade language arts strategy?

4 A. Yes, I had, but it had changed. The
5 structure of it changed and what the District required
6 me to teach had changed.

7 Q. How did it change?

8 A. We were now on an A/B schedule, so it was no
9 longer a semester long course where I taught half team
10 six in the fall and team five in the spring. It was
11 then a class where I had to teach on an A/B switching
12 schedule. And also the District had required that I
13 was not to teach a writing class. I was to enrich and
14 enhance all English language arts standards for eighth
15 grade and English I.

16 Q. Who at the District said you weren't supposed
17 to teach writing?

18 A. I'm not sure who at the District said that.
19 I was informed by Mary Bridges, who was the instruction
20 and curriculum assistant principal.

21 Q. Okay.

22 A. I actually had finished my syllabi for my
23 courses, and she told me that I would have to change
24 them, that the District said that they wanted me to
25 enrich and enhance all English language arts. It was

1 not an only writing course...

2 Q. And what did you take that to mean, that you
3 had to enrich all language arts?

4 A. It meant that I had to be even closer to what
5 was going on in the language arts class to make sure
6 that it was tied in, and I just took it at what it was,
7 to be serious and to do everything, not just focus on
8 writing.

9 Q. Okay. Did you stop teaching writing
10 altogether or --

11 A. No, because I went and discussed with the two
12 eighth-grade English teachers what they wanted me to
13 teach, so I still did the majority, almost pretty much
14 primarily all of the writing, and then they gave me
15 other subjects to teach as well. Like I was in charge
16 of the Latin and Greek roots and suffixes. I was in
17 charge of propaganda, just certain topics, research
18 they wanted to go on in my class.

19 Q. Were you still the yearbook adviser at this
20 time?

21 A. Yes, I was.

22 Q. Okay. And you said there was a new A/B
23 schedule that you had to adhere to. Did you find that
24 this schedule was more difficult to handle than the
25 '07-'08 school year?

1 A. It did put, I guess, more of a stress because
2 I had to teach ten language art strategies classes with
3 an eleventh class as a yearbook class, so I had to give
4 up daily a planning period to do that..

5 Q. Okay.

6 A. So that it made it more packed. If there
7 were meetings I had to attend in the morning, I would
8 not have a single break except for my lunch, if I
9 didn't have lunch duty or something else to do. It
10 did -- you know, it was an extra work. Because, again,
11 I had to also have it separate where I had my eighth
12 grade subject, my eighth grade classes as those
13 standards, and then I had the honors English I classes.

14 Q. How did you feel about having -- you said the
15 ten classes, regular core classes, plus the eleventh
16 class being the yearbook class, how did you feel about
17 having that type of schedule that year?

18 A. I found that it was very challenging, and
19 since I always want to do my best in everything I do, I
20 found that I was, you know, spending most of my time,
21 all of my time outside of work working on my students,
22 grading or doing whatever yearbook assignment I had.

23 I felt -- because all strategies teachers at
24 Edwards had ten classes, we had twice as many students
25 as any other core teacher. We had half the time to get

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1 the same number of grades for each student. So that
2 was a heavy load.

3 Q. Did you discuss your concerns about the
4 stress and the challenges of this particular A/B
5 schedule with anyone at the school?

6 A. Yes.

7 Q. Who did you talk to?

8 A. I talked to the other English teachers,
9 especially Marilyn Raines.

10 Q. Okay.

11 A. I talked to Gary Culler, the principal. I
12 talked to Mary Bridges. And almost every teacher
13 realized and spoke to me about my workload and they all
14 said, "I don't know how you're doing it" because I had
15 the heaviest workload of any core teacher in the
16 school.

17 Q. Now, what did Marilyn Raines, do you remember
18 the conversations that you had with her, what she told
19 you about your situation, how you should handle it?

20 A. She told me that with my workload that she
21 said that she thinks that the administrators because it
22 was new with the A/B schedule and that the planning of
23 how that worked, they didn't realize exactly what that
24 workload meant, and she felt that I should resign from
25 having to do yearbook.

1 Because when she was a young teacher at R.C.
2 Edwards, she had to resign from yearbook when the
3 responsibilities interfered with her doing the best for
4 her English language arts students.

5 Q. Do you remember when you had your
6 conversations with Marilyn Raines?

7 A. Throughout the entire year.

8 Q. Throughout the '08-'09 school year --

9 A. Yes.

10 Q. -- you had conversations --

11 A. Ongoing from the beginning.

12 Q. -- with Marilyn Raines about challenges of
13 your workload?

14 A. Because I especially had to do a lot of
15 grading of essays and when you have over 250 students
16 in a grade that you're teaching on an A/B schedule.

17 Q. Okay. And when you said that she told you
18 that she had resigned from yearbook when she had that
19 duty --

20 A. Yes.

21 Q. -- as a young teacher, did that make you
22 think that you should also resign from yearbook?

23 A. No, it didn't.

24 Q. Okay. Now, tell me about your conversations
25 with Mary Bridges concerning your issues.

1 A. I discussed with her the challenges of it in
2 the fall, I guess, of 2008. And then in spring 2009,
3 there were conversations about how I was just unable to
4 do my best in both positions because they would have to
5 suffer.

6 Q. This is what you told Mary Bridges?

7 A. Right.

8 Q. Okay.

9 A. And she understood the workload and what went
10 into it and understood about the grading that I had,
11 twice as many students, half the time to get the same
12 number of grades for each student.

13 Q. And did she offer any sort of resolution?

14 A. She felt that I should be allowed to not be
15 in the yearbook adviser for the following year.

16 Q. Okay. And I know you said you spoke to Gary
17 Culler as well.

18 A. Yes, in December 2008.

19 Q. Okay.

20 A. And he told me that he understood and that he
21 did not force a teacher to be the cheerleading coach,
22 therefore, he would not force me to be the yearbook
23 adviser.

24 Q. Okay. So in December of 2008, you had a
25 conversation with Gary Culler, correct?

1 A. Yes, ma'am.

2 Q. And he told you that he would not force you
3 to be the yearbook adviser?

4 A. Because he had not forced the teacher to be
5 the cheerleading coach.

6 Q. Okay. And how did you respond to that
7 statement by Mr. Culler?

8 A. I thanked him, and I left.

9 Q. Okay. So at that time did you think that you
10 would continue being the yearbook adviser at Edwards?

11 A. No, I took him at his word.

12 Q. Okay. So during the '08-'09 school year,
13 were you still close to Marilyn Raines, the same people
14 you were close to during '07-'08?

15 A. Yes.

16 Q. Now, I know you said that you didn't have any
17 issues with Chuck Pressley, the former principal,
18 correct?

19 A. Correct.

20 MR. CROMER: Speak a little louder. Go
21 ahead. Speak a little louder.

22 THE WITNESS: Correct. Sorry.

23 MR. CROMER: Your voice is kind of trailing
24 away.

25 THE WITNESS: I'm sorry.

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1 BY MR. CROMER:

2 Q. Tell me about -- now, Gary Culler came in for
3 the '08-'09 school year, correct?

4 A. Correct.

5 Q. Tell me about your relationship with
6 Mr. Culler. Did you get along with him ever, initially
7 or --

8 A. He made me uncomfortable from the beginning.

9 Q. When you say "from the beginning," the
10 beginning of the '08-'09 school year?

11 A. Yes.

12 Q. And how did he make you feel uncomfortable?

13 A. Initially and it became very much escalating,
14 I didn't like the way that he kind of looked and kind
15 of leering. And he also had the habit when he would
16 come in to encounter me, he would always block the exit
17 so that there was no way for me to get out.

18 And, for example, it was always very
19 argumentative, I guess, kind of aggressive towards me.
20 For example, on August 25th, 2008, he came and brought
21 documentation into my room. And I was sitting at my
22 desk, you know, preparing for my next class. It was
23 during my morning planning period, I believe.

24 Q. Okay.

25 A. And he said that he had a federal form that I

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1 needed to sign if I had been present at the special
2 education, it was a special presentation for some
3 changes in law, and it was part of our welcome back
4 thing the District threw for us at Clemson University
5 at Littlejohn.

6 And so I said -- you know, he said, "Were you
7 there?"

8 I said, "Yes, sir."

9 He said, "Well, are you sure you were there?
10 Did you pay attention? Did you see it?" And it became
11 an escalating kind of argumentative thing like "I'm not
12 going to let you sign this paper unless you really tell
13 me that you were there." And, of course, he had seen
14 me there. He knew that I had been there. I had not
15 taken off a day. So then he finally agreed that I
16 could sign the form.

17 Q. Now, when you say "escalating situation,"
18 what do you mean by that?

19 A. He was aggressive and getting louder in his
20 speaking towards me and arguing was I really there, did
21 I really see it, did I pay attention, that manner.

22 Q. Did you ever observe Mr. Culler being what
23 you say was aggressive or argumentative towards other
24 teachers?

25 A. No.

1 Q. Did you ever tell Mr. Culler that you didn't
2 like the way -- you said that he leered at you, is that
3 what you --

4 A. Yes.

5 Q. Okay. And that's basically saying the way he
6 looked at you?

7 A. Yes.

8 Q. Made you uncomfortable?

9 A. At first, then it escalated.

10 Q. Did you ever tell anyone that you were
11 uncomfortable with the way that Mr. Culler looked at
12 you?

13 A. Yes.

14 Q. Who did you share this with?

15 A. Marilyn Raines. Other teachers when issues
16 came up and they said, "Well, you will need to go speak
17 to Mr. Culler." And I would tell them, no, that he
18 made me uncomfortable.

19 Q. Okay. So you had said that the way that he
20 looked at you made you feel uncomfortable, correct?

21 A. Yes. And his way blocking the doorway
22 whenever he talked to me. He always wanted to be where
23 I could not get out.

24 Q. So you're saying that whenever he would have
25 a meeting with you, he would stand in front of the door

1 or whatever the exit way was?

2 A. Correct.

3 Q. Did you ever try to exit a room and he
4 prevented you from exiting the room?

5 A. No, but it was intimidation.

6 Q. How were you intimidated?

7 A. Because he was blocking the door, so it was
8 always he did the talking, and then when he was
9 finished, he would leave.

10 Q. But he never prevented you from leaving the
11 room?

12 A. I never tried because I was scared.

13 Q. Okay. Did you ever tell anyone that you were
14 scared of Mr. Culler?

15 A. Yes. Tying into being uncomfortable.

16 Q. Okay.

17 A. And I told Dr. Pew in June 2009.

18 Q. Now, these issues that you were having with
19 Mr. Culler, were they going on throughout the '08-'09
20 school year?

21 A. Yes. And I just planned on avoiding him as
22 much as possible, which was for the first part of the
23 year easy for me to do.

24 Q. Okay. And did you ever feel the need to go
25 to Dr. Pew prior to June of '09?

1 A. I had been told that if I went to Dr. Pew
2 without Mr. Culler's permission, that I would be the
3 one retaliated against.

4 Q. Who told you this?

5 A. Marilyn Raines on multiple occasions.

6 Q. Did she use the word "retaliated against"?

7 A. Yeah. She explained also that I'm the one
8 that would be punished.

9 Q. So did she use the word "punished" or did she
10 use the word "retaliated"?

11 A. I think she used both.

12 Q. Both words. So Marilyn Raines told you that
13 if you went to Dr. Pew, let me make sure I have this
14 correct. If you went to Dr. Pew without first going to
15 Mr. Culler, that you would be retaliated against or
16 punished?

17 A. Yes. I had to get his permission.

18 Q. You had to get Dr. Culler's permission to
19 speak to Dr. Pew?

20 A. Correct.

21 Q. Okay. And Marilyn Raines is the person who
22 told you?

23 A. Yes.

24 Q. Other than speaking with Marilyn Raines about
25 your issues with Mr. Culler, did you speak to anyone

1 else at the school or District office?

2 A. I did.

3 Q. Who did you speak to?

4 A. In November 2008, there was an issue coming
5 up where we had two teacher conferences scheduled at
6 the same time. I taught both students, and I wanted to
7 go to the one meeting because that student was
8 struggling in my class over the other. And I told
9 Traci Hedetniemi my dilemma, and she said, "Well, just
10 go and tell Mr. Culler."

11 And I told her that that was an issue because
12 he made me uncomfortable. I didn't feel comfortable
13 going to speak to him, so she told me that she would do
14 it.

15 Q. Okay.

16 A. So she went and came and talked to me later
17 in the day, and she said, "It's taken care of. I have
18 spoken to Mr. Culler, but I do want you to know that he
19 was angry." And he said that he was uncomfortable that
20 I was uncomfortable to go and talk to him.

21 Q. Okay. And did you ever have any
22 conversations with Mr. Culler about the way that you're
23 saying he made you feel?

24 A. It was pretty apparent by my reactions to him
25 that I was uncomfortable.

1 Q. Did you ever speak to him, was my question,
2 about how you felt about him?

3 A. I was too intimidated to verbalize it, but my
4 body and my moving made it clear.

5 Q. So that's a "no"; is that correct?

6 A. No.

7 Q. That you never went to him? That's a "no"?

8 A. No.

9 Q. Okay. Do you remember what your salary was
10 that '08-'09 school year? I know you say you started
11 around 40-.

12 A. Right below 40-, and it was probably right
13 above 40-.

14 Q. Right above 40-.

15 Did you have a good relationship with your
16 students?

17 A. Absolutely.

18 Q. Okay. And how about your relationship with
19 Mary Bridges, was that a good relationship that you had
20 with her?

21 A. Yes. She was involved there since I student
22 taught, and so I had a lot of interactions with her
23 because she and Marilyn Raines were very close.

24 Q. Okay. Now, in your complaint that you filed
25 against the various defendants, you discuss an incident

1 about a student plagiarizing some sort of report. Do
2 you recall the student?

3 A. Yes, I recall.

4 Q. Okay. And what do you recall about this
5 particular incident of plagiarism by the student?

6 A. It was part of the Clemson University Martin
7 Luther King contest. We had to turn in the essays.
8 They had to be 500 words or more based on Mr. Martin
9 Luther King's message. And it was always due at the
10 end of October so that the winners would be recognized
11 during the celebration of Martin Luther King's birthday
12 in January the following year.

13 Q. Okay.

14 A. And this was a very big project that we did
15 every year. And both years I did it. The first year I
16 had a first place winner, and this is for students in
17 all of Anderson school districts, Oconee County, and
18 Pickens County. And we were also awarded my first year
19 that we had the most students to participate and the
20 school received a plaque.

21 Q. Okay.

22 A. And Mary Bridges and I and the students were
23 there and had our pictures taken.

24 Q. Okay. Now, now concerning the student who
25 plagiarized, did you fill out some sort of discipline

1 note concerning the student?

2 A. Yes, I did.

3 Q. Okay.

4 A. And I followed the policy of writing up the
5 referral. But before that, I had caught the student
6 plagiarizing.

7 Q. Okay.

8 A. I had had conferences with the student,
9 warned the student of the consequences of plagiarizing.
10 We had also studied it. I had sent him to Donald
11 Boggs, who agreed about the consequences, who told him,
12 according to the student, that Mr. Boggs said just get
13 another source. Don't do it. Because we hadn't turned
14 in the essays.

15 The following day the student, because we had
16 the A/B schedule, he was in keyboarding when he
17 submitted the essay.

18 Q. Okay.

19 A. And he did the original plagiarizing plus an
20 additional new source that he plagiarized. And so of
21 course when I checked and saw that he had submitted
22 this to be turned in to me and turned into the
23 university, that's when I wrote up the referral.

24 Q. Okay. And I'll just show you right here.
25 Can you identify that document for me?

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1 MR. CROMER: Let me look at it with her.

2 MS. DICKEY: I have copies.

3 MR. CROMER: Okay.

4 That's fine. You want to mark it?

5 MS. DICKEY: Yes, it's going to be made

6 Exhibit 1.

7 (DEFT. EXH. 1, School Discipline Notice, was
8 marked for identification.)

9 BY MS. DICKEY:

10 Q. Okay. Did you -- can you identify this
11 particular document for me, please.

12 A. Yes. It's a referral I wrote up when the
13 student submitted his essay as completed, and it was
14 plagiarized with the two sources.

15 Q. Okay. And the date says November 7, 2008,
16 correct?

17 A. Yes. That's what it says.

18 Q. Okay. And you are writing him up for
19 academic dishonesty/cheating?

20 A. Correct. And also disobeying instructions of
21 both mine and Mr. Boggs. It says he is refusing to
22 follow our instructions and that he also bragged to
23 other students.

24 Q. Right. But I'm talking about where it says
25 "office use only," the offense that was checked, it

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1 says "academic dishonesty/cheating."
2 A. That was checked by Mr. Boggs.
3 Q. I'm just asking you, is that checked?
4 A. Yes.
5 Q. Okay. Just make sure you just answer the
6 question that I ask, and then if you feel the need to
7 elaborate on it --
8 A. I'm sorry, I misunderstood.
9 Q. Yeah, feel free. Just that particular box
10 was checked, and you are saying it was checked by
11 Mr. Boggs?
12 A. Mr. Boggs.
13 Q. And who was Mr. Boggs?
14 A. Assistant principal in charge of discipline.
15 Q. Okay. And on the bottom portion it says,
16 "Please note the action taken below," and checked is
17 "other." Did you make that check or did --
18 A. No, Mr. Boggs.
19 Q. Mr. Boggs.
20 A. And that is his handwriting.
21 Q. Okay. And it says, "Zero on assignment. In
22 talking with" -- the student's name is left blank for
23 his protection -- "talking with the student, I don't
24 think he has a concept of how to footnote or give
25 proper credit to his sources."

1 Now, did Mr. Boggs talk to you about his
2 conversation with the student?

3 A. No.

4 Q. Okay. So did you agree with Mr. Boggs'
5 assessment that the student did not have a concept of
6 how to footnote or give proper credit to his sources?

7 A. No, because he actually took my sample essay
8 and used my words in it.

9 Q. Okay.

10 A. So it was not a question of how to footnote
11 or not understanding how to give credit. We had had
12 lessons and worked on it, and then you have to do that.

13 Q. Okay. So why do you think Mr. Boggs came to
14 this conclusion about this student in this situation?

15 A. I'm not sure. He didn't ask me.

16 Q. Okay. And this is the second page to that.
17 I'll have you take a look.

18 MR. CROMER: You want to call that 2?

19 MS. DICKEY: Yes. Exhibit 2. It's just the
20 second page to what you already have.

21 (DEFT. EXH. 2, School Discipline Notice, Page
22 2, was marked for identification.)

23 BY MS. DICKEY:

24 Q. Okay. Now, have you ever seen this
25 particular page, this document? Does it look familiar

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1 to you?

2 A. Not this exact page because our student
3 handbook that had the academic dishonesty was a much
4 smaller page, and it actually went on front and back of
5 a page. It started, I believe at the bottom, and then
6 I finished at the top of the next page.

7 Q. Okay. And at the bottom of this particular
8 page, the Pickens County School District's Web site is
9 listed at the bottom, and under "Academic Dishonesty,"
10 it basically gives a definition of what academic
11 dishonesty is, what plagiarism is.

12 And it says that, "Academic dishonesty may
13 result in the students receiving a zero on the work."
14 Was that the general punishment that you were --

15 A. That's not what our handbook said for the
16 students.

17 Q. So what did your handbook say for the
18 students?

19 A. It said that when it was reported and the
20 teacher had spoken to the student and written the
21 referral and given it to the administrator, before the
22 administrator made a decision, the administrator was
23 supposed to come and talk to the teacher to set what
24 the protocol would be for this case of plagiarism or
25 any in that teacher's class.

1 Q. Is receiving a zero, was that ever one of the
2 punishments for academic dishonesty or plagiarism that
3 you have been aware of?

4 A. Not that I'm aware of.

5 Q. Have you ever even in your student teaching
6 or in your career as a student in college or graduate
7 school ever heard that a student could receive a zero
8 on an assignment if they plagiarized? Is that unheard
9 of to have that be what the student would receive, a
10 zero on that assignment?

11 A. I guess it would depend on the situation. I
12 haven't heard of someone just receiving a zero. I have
13 always heard of a student redoing the work so they
14 could learn from it. I have also heard of students who
15 have been expelled for plagiarizing.

16 Q. Okay. So Mr. Boggs, as part of this
17 student's punishment, gave the student a zero on the
18 assignment. Did you disagree with how that was
19 handled, him receiving a zero on that assignment?

20 A. It was a major grade, and the school had
21 started an initiative that they didn't want any zeros
22 of any kind for students. I didn't think it was fair
23 because I didn't think the student had learned anything
24 from it. It was more than just plagiarizing, he
25 disobeyed both my instructions and Mr. Boggs'. He then

1 also bragged about it, that he was doing it to other
2 students and got out of having to finish or do the
3 assignment.

4 I was going to accept the referral. I went
5 to Marilyn Raines because she was seen as the head of
6 the English department.

7 Q. Okay.

8 A. And she was so disturbed by that, that that
9 had not been the accepted rule at that school or was
10 not going to be of value, that she took me herself to
11 Mr. Culler to discuss what had transpired and what the
12 punishment was and that it was unacceptable.

13 Q. And tell me about that conversation that you
14 had with Marilyn and Mr. Culler about this particular
15 situation.

16 A. He agreed with us, that it was not acceptable
17 and that the student hadn't learned, and the fact that
18 it was a major grade. It destroyed the student's -- I
19 mean, there was no way he would ever pass my class no
20 matter what work he did on anything else. He agreed
21 that the student did not learn from it.

22 And Mr. Culler's suggestion, which he told me
23 he wanted me to think about and tell him the next
24 morning whether I agreed with it or not, he wanted the
25 student to be assigned to in-school suspension and made

1 to rewrite the complete essay in his own words and then
2 to receive a grade no higher than a 60.

3 Q. And what -- did you make a decision about his
4 suggestion?

5 A. I thought that that sounded good, and Marilyn
6 Raines felt that it was good.

7 Q. Okay.

8 A. But he told me he wanted me to come back and
9 tell him the next day, so I did, that I agreed, and
10 then he said that that was fine.

11 Q. And did that actually happen?

12 A. That never happened.

13 Q. What did actually -- did anything happen with
14 the student following up on that?

15 A. Mr. Culler did tell me the next day that he
16 did talk to Mr. Boggs about it, and he wanted me to
17 know that Mr. Boggs was not happy and was upset that I
18 had shown this and brought this to Mr. Culler's
19 attention. So he implied that I was getting Mr. Boggs
20 in trouble, reporting him for not doing something that
21 he had done correctly according to policy.

22 Q. Okay. So what happened with that particular
23 student? Did he make up the assignment? Did he end up
24 passing your class? Did he fail your class because of
25 this? What happened with him or her?

1 A. I kept thinking that the student was going to
2 be made to do the assignment, as Mr. Culler said. I
3 took him at his word.

4 Q. Okay.

5 A. When it was getting close to the grades going
6 in and I saw the student had never set ISS or had
7 rewritten the essay, I tried to speak to Mr. Culler,
8 but I couldn't get ahold of him. So I sent him an
9 e-mail about it saying the student had not set
10 in-school suspension. I did not get a response --

11 Q. Okay.

12 A. -- about the e-mail, but he did tell me he
13 just wanted me to know, "Noorai, I didn't forget about
14 it."

15 Q. Okay. Did he ever approach you again about
16 the situation with the student?

17 A. No. I figured if he wasn't going to do it at
18 that point, then I had to just let it go.

19 Q. Okay. Now, you said that you had had some
20 issues, so to speak, with Mr. Culler starting at the
21 beginning of the '08-'09 school year where he was
22 making you feel uncomfortable and that sort of thing,
23 correct?

24 A. Correct.

25 Q. At any point during the '08-'09 school year,

1 did you decide that you no longer wanted to work for
2 Pickens?

3 A. No. December I had signed my letter of
4 intent.

5 Q. Okay. December of '08?

6 A. '08.

7 Q. Okay.

8 A. I believe that's when the letter of intent
9 went out.

10 Q. And just so we know for the record, what is
11 the letter of intent?

12 A. That is your intent whether you plan to stay
13 at the District, seek to transfer to a different school
14 within the District, or if you plan on leaving the
15 District.

16 Q. Okay. So December you signed your letter of
17 intent stating that you --

18 A. Was staying at Edwards and not leaving the
19 District.

20 Q. Okay. Who is Rob Rhodes?

21 A. Rob Rhodes is -- well, he was. When I was at
22 Edwards, he was in the human resources department, and
23 he did both of my district screenings at Oconee County.
24 I'm not sure, I think he's with Greenville County
25 schools now.

1 Q. And he was an administrator with Oconee?

2 A. In human resources.

3 MS. DICKEY: He was in human resources with
4 Oconee County School District.

5 Let me show you that. This be Exhibit 3.

6 (DEFT. EXH. 3, District Interview Question
7 E-Mails, was marked for identification.)

8 BY MS. DICKEY:

9 Q. Okay. Now we're looking at what has been
10 marked as exhibit -- Pickens Exhibit Defendant's 3.

11 It's Mari, not Mary, correct?

12 A. Mari. M-a-r-i.

13 Q. I didn't want to mispronounce. Mari Noorai.

14 Is that your e-mail address,
15 mari.noorai@gmail.com?

16 A. Yes, ma'am.

17 Q. You said Mr. Rhodes was an administrator with
18 Oconee County School District?

19 A. Yes.

20 Q. At the bottom of this e-mail, it says that he
21 was the coordinator of teacher quality, correct?

22 A. That's what it says.

23 Q. Okay. And this is an e-mail from you, Mari,
24 to Rob Rhodes, and it's dated December 14, 2008,
25 correct?

1 A. Correct.

2 Q. Okay. And you're just e-mailing Mr. Rhodes,
3 and you said you had already interviewed with Oconee
4 previously, correct?

5 A. Yes.

6 Q. So you had already met him before?

7 A. Yes.

8 Q. Okay. And you are saying that you spoke with
9 him last at the SCMSA conference in Myrtle Beach?

10 A. Yes.

11 Q. Okay. And you're telling him you are a
12 writing teacher at R.C. Edwards Middle School and that
13 you are updating your application and planning to
14 attend the job fair in February.

15 Where was the job fair going to take place?

16 A. In Oconee.

17 Q. Okay. Then you go on to say, "I wanted to
18 know if I needed to set up another district interview
19 with you before I could be interviewed for positions in
20 Oconee County. I'm very serious about leaving Pickens
21 County for Oconee."

22 Why were you very serious about leaving
23 Pickens for Oconee?

24 A. Because of my workload. I believe that this
25 e-mail came prior to my talking to Mr. Culler and him

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1 telling me that he was not going to force me to do
2 yearbook.

3 Q. Okay. So this -- you're saying that your
4 conversation with Mr. Culler where you said that he
5 told you he wouldn't force you to do yearbook because
6 he didn't force the other teacher to do cheerleading,
7 is that the conversation you're talking about?

8 A. Yes.

9 Q. That conversation took place after
10 December 14th, '08?

11 A. That's what I believe.

12 Q. Okay. And had you already signed your letter
13 of intent before this e-mail was sent or was it after,
14 do you remember?

15 A. I think the letter of intent was after, but
16 I'm not sure.

17 Q. Okay. So you were serious about leaving
18 Pickens for Oconee because of the workload you
19 described earlier?

20 A. Yes.

21 Q. You had ten classes, plus the eleventh class
22 being yearbook, correct?

23 A. Correct.

24 Q. Okay. And he responds, Mr. Rhodes responds
25 to you apologizing for the delay, telling you that the

1 recruitment fair had been canceled.

2 Did you follow up with Mr. Rhodes after he
3 sent the January 16, 2009, e-mail to you?

4 A. Yes.

5 Q. Okay. And is that -- the second page of this
6 document, is that the follow up e-mail that you sent to
7 him on January 16 --

8 A. Yes.

9 Q. -- '09?

10 A. It appears to be.

11 Q. Okay. And again, from that same gmail
12 account --

13 A. Yes.

14 Q. -- that you had. You said you already
15 contacted Rebecca Coker about setting up a District
16 interview some afternoon.

17 Who is Rebecca Coker?

18 A. She works in human resources.

19 Q. With what district?

20 A. Oconee County.

21 Q. Okay. And "She responded today with an
22 interview date of February 10 at 3:30 p.m."

23 Did you have an interview on February 10th
24 with Oconee County, do you remember?

25 A. I know I had one. I'm not sure if that was

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1 the exact date.

2 Q. Okay. But what you interviewed with them in
3 February of '09?

4 A. Yes.

5 Q. Okay. Okay. Then you go on to say that
6 you're serious about transferring to Oconee from
7 Pickens.

8 Now, this e-mail is dated January 16, '09. I
9 know that you had said you had a conversation with
10 Mr. Culler about him not forcing you to do yearbook in
11 December.

12 A. In December.

13 Q. So did something happen between your
14 conversation with Mr. Culler and you sending this
15 January 16, 2009, e-mail that made you think that you
16 would actually still have to be doing yearbook?

17 A. I felt that since I had started, I was
18 following through with what I had started to do in
19 Oconee.

20 Q. Okay. So since you had already sent that
21 previous e-mail to Mr. Rhodes, you just wanted to go
22 ahead with the interview process that you had already
23 started?

24 A. Started.

25 Q. Okay.

1 A. I wanted to see my options as well. I was
2 thinking about maybe I would like to teach high school.

3 Q. Okay.

4 A. Because there was so much stress with this
5 job, and I was becoming very sick. My gallbladder had
6 actually, I guess, given out, and I had missed several
7 days.

8 Q. When did your gallbladder give out?

9 A. Well, I started getting sick over winter
10 break in December.

11 Q. Okay.

12 A. I came back for the first day of school in
13 January, and I spoke to Mary Bridges about how I was
14 feeling, that I felt that the work load was starting to
15 become very overwhelming. And I was becoming, you
16 know, physically sick.

17 Q. Okay.

18 A. And she was saying she wanted me to take care
19 of myself, and I ended up missing the next day. I had
20 also asked her to fill out a reference for me for
21 Oconee County because I wanted to see what my options
22 would be for teaching high school.

23 Q. Okay. And so when were you actually out
24 for -- did you have to have gallbladder surgery?

25 A. Yes. I had gallbladder surgery. I planned

1 it for right before spring break. It was April 2.

2 Q. Okay.

3 A. But before that, they had to determine if it
4 was gallbladder. I had to have a series of nine
5 different tests or so before that they were certain
6 that it was just my gallbladder and that it had to be
7 removed.

8 Q. And did they say if anything triggered the
9 issues that you had with your gallbladder, or was it
10 just natural?

11 A. It was unknown because I did not have
12 gallbladder disease. I did not have a genetic history
13 or family history of losing a gallbladder. It was just
14 one of those things that for whatever reason it was not
15 functioning normally.

16 Q. Okay. You said April of '09 is when you had
17 it?

18 A. April 2, 2009. I scheduled it so I would
19 have it right before spring break so that it would
20 minimize time I had out of the classroom.

21 Q. Okay.

22 A. Unfortunately, I had complications and my
23 common bile duct was cut almost completely in two. I
24 had two tubes and drains inserted. Both of the -- the
25 first tube was removed, and the drain was removed

1 during spring break.

2 The second tube they removed the drain, but I
3 still had the tube, which I taught with the tube
4 coming -- it was minimal to see, but it came out of my
5 body. And I had to have tests, several tests before I
6 could determine that it was safe or all right to take
7 the tube out, that everything had healed.

8 Q. Okay. Just going back to this e-mail
9 briefly, you just go on to tell Mr. Rhodes about your
10 teaching position at Edwards changed that school year,
11 which you had just spoke to me about earlier. And that
12 in addition to being the yearbook adviser, you were
13 teaching the entire eighth grade student body on an A/B
14 schedule, which you had mentioned before. And you
15 talked about how teaching the 250 plus students really
16 added to your practical experiences but is not one you
17 wanted to repeat with an even larger class.

18 That goes back to you saying it was just too
19 much for you, basically, that new A/B schedule and the
20 11 classes --

21 A. I didn't feel that I could be the best
22 teacher that I wanted to be.

23 Q. Okay. So that -- this, what you put in your
24 e-mail to Rob Rhodes is an accurate reflection of how
25 you were feeling about your new teaching schedule at

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1 R.C. Edwards, correct?

2 A. Yes.

3 Q. Okay. Now, did you ever -- I know you said I
4 think February of '09 that you at some point
5 interviewed with Oconee County, correct?

6 A. Correct.

7 Q. Did you have to get anyone to write a letter
8 of reference for you?

9 A. As I had already said earlier, Mary Bridges
10 filled out an online reference and also Marilyn Raines
11 did as well.

12 Q. Okay.

13 A. Dr. Lienne Medford at Clemson University, the
14 coordinator for the MAT or Masters of Arts in Teaching
15 program, she also filled out a reference.

16 Q. That's Lienne Medford?

17 A. Yes.

18 Q. M-e-d-f-o-r-d?

19 A. Correct.

20 Q. How do you spell her first name?

21 A. L-i-e-n-n-e and her middle initial is F for
22 Frederico.

23 Q. Do you know if Ms. Raines, other than filling
24 out an online reference form, whether or not she
25 actually wrote a letter of reference?

1 A. Yes, she did, and I have a copy of it.

2 MS. DICKEY: Well, so do I. Okay.

3 (DEFT. EXH. 4, Letter Dated January 5, 2009,
4 was marked for identification.)

5 MR. CROMER: Hold on a minute.

6 Go ahead.

7 BY MS. DICKEY:

8 Q. Is this the letter you just referenced that
9 you have a copy of?

10 A. Correct.

11 Q. And it's dated January 5, 2009, correct?

12 A. Correct.

13 Q. And it's to whom it may concern, and it's
14 signed by Marilyn Raines, and you asked her to write a
15 letter of reference for you?

16 A. The same time that I asked Mary Bridges when
17 I first came back from break.

18 Q. Okay. And so it was -- you said when you
19 came back from the winter break is when you asked her?

20 A. Yes.

21 Q. Okay. And obviously, we have to have a copy
22 of this. You read this letter of reference that Ms.
23 Raines wrote. Have you read this?

24 A. In the past, yes.

25 Q. Okay. And just not going over everything but

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1 just some background information about how she worked
2 with you, that you excel in content, knowledge, you
3 hold multiple degrees. Display a genuine concern for
4 students, you're conscientious and so forth.

5 Essentially, were you pleased with this
6 letter of reference that Ms. Raines wrote for you?

7 A. It was nice. It wasn't as glowing a
8 reference as she had given when I was student teaching
9 there.

10 Q. And that previous reference that you said
11 was --

12 A. She had said I was the best student teacher
13 that she had ever had.

14 Q. And just before you start answering
15 questions, let me get my question out, then you can
16 fully answer.

17 A. I'm sorry.

18 Q. And I'll try not to interrupt you when you're
19 answering the question --

20 A. I'm sorry.

21 Q. -- as well.

22 So this previous reference that she wrote for
23 you, who was that reference given to?

24 A. She filled out all the paperwork that she had
25 submitted to Clemson University.

1 Q. Okay. So it was a reference to Clemson about
2 your student teaching with her?

3 A. My performance in her classroom.

4 Q. Okay. You said it was more of a glowing
5 reference?

6 A. More of I guess a personal with more detailed
7 information.

8 Q. Okay. But you were still essentially pleased
9 with this letter of reference that she gave to you?

10 A. Yes.

11 Q. Okay. And you had just mentioned that Mary
12 Bridges and Marilyn Raines filled out online, I guess
13 it was an online reference form for you?

14 A. Correct.

15 Q. And did you ever see those reference forms?

16 A. I waived the right to see them.

17 MS. DICKEY: Okay. And just for the record.

18 (DEFT. EXH. 5, Certified Application, DEF
19 SDOC 000743 through 747, was marked for
20 identification.)

21 BY MS. DICKEY:

22 Q. We have been talking about your applying and
23 interviewing for a position in Oconee County. Can you
24 identify what this particular document is?

25 A. It appears to be my application.

1 Q. Okay. And it's dated --

2 MR. CROMER: One second. Let me read over
3 it.

4 Go ahead.

5 BY MS. DICKEY:

6 Q. And it's dated January 6, 2009. So this is
7 around the same time that you had the -- Ms. Raines
8 wrote her letter of reference, and you had interviewed
9 with Oconee.

10 A. I hadn't interviewed with Oconee.

11 Q. You interviewed in February. This is the
12 same kind of time period, January, February '09 that
13 all this with Oconee was taking place. This is your
14 application dated January 6, but the interview, as I
15 understand it, didn't happen until --

16 A. February.

17 Q. The next month, correct.

18 And just going over some of the parts of the
19 application, under additional information, it says, you
20 know, date available for employment 8-1-09, which would
21 have been the end of the '08-'09 school year, correct?

22 A. My contract ended June 30, 2009.

23 Q. Right. So it would have been --

24 A. At the start of the new school year.

25 Q. Right. And "if presently employed, why you

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1 wish to change jobs?"

2 You stated, "I am not teaching the subject
3 matter that I am trained to teach. I am teaching a
4 supplemental writing course, and I want to teach either
5 middle or secondary ELA."

6 So when you say you weren't teaching the
7 subject matter you were trained to teach, you were
8 trained to teach ELA, is that what you --

9 A. I wanted to teach the full subject and not
10 just have the supplement course, the strategies.

11 Q. Right.

12 A. And have twice the students -- half the time
13 to get the grades in for twice the number of students.

14 Q. Okay. And further at the bottom it just says
15 that you also were qualified to instruct or coach
16 yearbook or soccer, correct?

17 A. Correct.

18 Q. So you were still interested, you enjoyed
19 working with the yearbook?

20 A. Yes.

21 Q. At Pickens?

22 A. I had actually requested to do yearbook for
23 that second year.

24 Q. Okay. So you wanted to continue to do
25 yearbook wherever you ended up if you ended up in

1 another district?

2 A. It was an option I was willing to do if the
3 workload was not the same.

4 Q. Okay. So it was only if it didn't, as you
5 said before, interfere with your ability to teach your
6 students?

7 A. Teach my students.

8 Q. Okay.

9 A. Because preparing them for their state exams
10 and --

11 MS. DICKEY: Okay. We'll have this marked as
12 the next exhibit.

13 MR. CROMER: Thank you.

14 (DEFT. EXH. 6, Applicant Reference Form, DEF
15 SDOC 000182 through 183, was marked for
16 identification.)

17 BY MS. DICKEY:

18 Q. Now, this particular document, can you
19 identify what it is for me, please.

20 A. I've never seen it before, but it appears to
21 be, I guess, an applicant reference form, so one
22 someone had filled out a reference.

23 Q. Right. I know you said before you had
24 already waived your right to see them, so I didn't
25 expect you to actually have seen them.

1 A. Okay.

2 Q. But it is a School District of Oconee County
3 Applicant Reference Form, as you just stated. And on
4 the second page of the document, it says, the person
5 who filled it out was Mary Bridges, so you had
6 requested --

7 A. Correct.

8 Q. And her title was assistant principal at R.C.
9 Edwards Middle School and this document is dated
10 January 12, 2009, correct?

11 A. That's what it says.

12 Q. Okay. And on this it has various
13 characteristics and the person filling out the
14 reference form has to check whether or not they felt
15 you were clearly outstanding, exceed expectations,
16 satisfactory, below expectations, or if they didn't
17 have any information to basically assess you on.

18 A. Correct.

19 Q. And from this document Mary Bridges
20 essentially rated as you clearly outstanding or
21 exceeding expectations; is that what this says?

22 A. That's what the X's are.

23 Q. Okay. And it also says at the bottom that,
24 "In the above evaluation, the lack of experience is the
25 only reason Mariam is not receiving 'clearly

1 outstanding' in all the categories."

2 So essentially she's saying if you had had
3 more experience, she would have rated you clearly
4 outstanding in everything, correct?

5 A. Correct.

6 MS. DICKEY: Okay.

7 MR. CROMER: Let's go off the record for a
8 minute.

9 (Off the record.)

10 (DEFT. EXH. 7, Applicant Reference Form, DEF
11 SDOC 000181, was marked for identification.)

12 BY MS. DICKEY:

13 Q. Can you identify this document?
14 Understanding that you waived your right to see this.
15 Just state what it is.

16 A. It's says that it is an Applicant Reference
17 Form.

18 Q. Okay. And the bottom it says it was filled
19 in by Marilyn Raines, so you requested her to provide a
20 reference for you. Her titled was 8th grade ELA
21 teacher at Edwards Middle School. It is dated
22 January 12, 2009.

23 And on her reference form, Ms. Raines, the
24 majority of her X's are under "exceeding expectations"
25 and there's one under "clearly outstanding."

1 There is, let's see, about eight of the X's
2 are under satisfactory, and there's only one that's
3 listed under "below expectations" and that's for
4 classroom management skills.

5 Do you agree with Ms. Raines' assessment that
6 you were below expectations on classroom management
7 skills?

8 A. I don't agree with it.

9 Q. Has she ever had any conversations with you
10 about what she thought about your classroom management
11 skills prior to January of '09?

12 A. She hadn't, I guess, observed my teaching
13 since the fall of the previous school year.

14 Q. Okay.

15 A. And she just said that I was growing as a
16 teacher and that that comes with time. So she was, I
17 guess, strict about the classroom management, but I
18 didn't have any problems. She never pointed it out.
19 As my mentor teacher, she never pointed it out as a
20 problem.

21 Q. Okay. Now, besides -- I know you asked
22 Ms. Raines and Ms. Bridges to fill out reference forms
23 for you. Did anyone else besides these two ladies know
24 that you were interviewing in Oconee County at this
25 time?

1 A. I told you that I had also asked Dr. Medford
2 at Clemson.

3 Q. Other than Ms. Medford. Anybody else in the
4 District or at the school that knew?

5 A. I didn't really discuss it with people at the
6 school.

7 Q. Okay. So Ms. Raines and Ms. Bridges.

8 Now, you did say earlier that in February of
9 '09, you did interview with Oconee County, correct?

10 A. Correct.

11 MS. DICKEY: Okay.

12 (DEFT. EXH. 8, Teacher Quality Index, DEF
13 SDOC 000174 through 178, was marked for
14 identification.)

15 BY MS. DICKEY:

16 Q. Are you ready, Ms. Noorai?

17 A. Yes, ma'am.

18 Q. Have you ever seen this document?

19 A. No, ma'am.

20 Q. Okay. And at the top it says interview
21 information for Noorai, Mariam. And it says it is a
22 Teacher Quality Index Screening Interview.

23 Now, did you -- and interviewer, I'm assuming
24 that's R. Rhodes, so is that the same R. Rhodes you had
25 e-mailed with before?

1 A. I assume so.

2 Q. Okay. Did you interview with Mr. Rhodes?

3 A. Yes.

4 Q. Okay. And the date on it is February 10,
5 2009. So you do recall being interviewed on this date
6 or around that time?

7 A. Yes.

8 Q. Okay. And let's see in this little box area
9 that's filled out, it has possible new hire, and it's
10 X'd or circled. And underneath that it "indicates the
11 interviewee may be recommended for a building-level
12 interview." And it says, "Good candidate. Two years
13 experience, middle level ELA."

14 Do you remember having what you would call a
15 good or solid interview with Mr. Rhodes --

16 A. Yes.

17 Q. -- during this time?

18 Okay. And after you were interviewed by
19 Mr. Rhodes did he inform you that you would possibly be
20 called to be interviewed at a building level?

21 A. Yes. He told me that I would.

22 Q. Okay. And did he tell you about
23 approximately when you would be contacted?

24 A. That positions would be posted on the Web
25 site.

1 Q. Okay. And did you indeed participate in
2 building-level interviews?

3 A. There was just at West-Oak Middle School.

4 Q. West-Oak.

5 And going back to your complaint for a
6 minute, one of the main things that you talk about or
7 take issue with is the handling of an incident in a
8 stairwell with a student.

9 A. Yes.

10 Q. You obviously remember or recall that
11 incident. Tell me what happened that day involving
12 that student in the stairwell.

13 A. I had taught my last class of the day. As an
14 eighth-grade teacher, we had seventh period. The last
15 period of the day was our planning period. My
16 classroom, I first have to give you the location.

17 Q. Okay.

18 A. It was down in the locker area where all the
19 students had their books and, you know, their jackets
20 and their locker area where they kept everything. I
21 was just in my classroom. There were stairs going out
22 on either side. The office was directly above.

23 Q. Okay.

24 A. So I had the habit of -- you know, I had to
25 not only watch my classroom and my students, I had to

1 watch the whole locker area during class change. I was
2 down there, and very few times would anyone come down
3 to assist during the day during class change.

4 Also this was an area where a lot of times
5 they would -- there had been in the past scuffles or
6 whatever, so you had to be very vigilant. Also, the
7 one stairwell that went up, if you came out of my
8 classroom and turned to the right, that was the most
9 crowded staircase. Most the students used that. That
10 hallway right outside that staircase was the most
11 congested during class change. It was the most popular
12 hallway where the students went.

13 Q. Okay.

14 A. And my habit was that if I heard noise up in
15 that area, I would go up there and address and tell the
16 students to go on and get to class. And I would have
17 to, you know, use a loud teaching voice saying, Go
18 ahead, get to class. You need to move out of here."

19 And usually as I would do that, Mr. Boggs
20 would come from a little further down and would also
21 address, and they would move out of the way.

22 Q. Okay.

23 A. On that particular afternoon, I was standing
24 outside my classroom. All the students had left my
25 classroom. I was watching the locker area, as I had

1 always done. And I heard some noises up top. And so
2 as it was my habit that when I heard noises, I went up
3 the staircase, and of course, you know, it's class
4 change and the students are moving, and there's a lot
5 of noise. And I was met by an eighth-grade student who
6 was larger than I was, wider, taller than I was.

7 Q. Okay.

8 A. And so he appeared to be the one that had
9 made the noise so that I would leave my classroom right
10 outside and come up there.

11 He began singing a very inappropriate
12 sexually explicit song in which he inserted my name.
13 It was Green Light by John Legend. In the lyrics of
14 the song it talks about "I've been watching you a
15 really long time, and I have been wanting to have sex
16 with you, and I have just been waiting till the right
17 moment today till you give me the green light so that I
18 can do it."

19 And he kept repeating that he was ready to go
20 right now. "I'm ready to go right now" with my
21 lyrics -- with my name in the lyrics.

22 Q. Okay.

23 A. He was approaching me, and this whole time I
24 was telling him, "This is not appropriate. You need to
25 stop. I'm going to write you up for this. You need to

1 stop."

2 And as he was doing it, he just kept on, and
3 I was pinned because I was at the stairwell, and I
4 could have fallen down the stairwell. The railing
5 that's between going down and going up was at my back.
6 And he came and he wrapped himself around me as he's
7 singing these lyrics about being obsessed with me and
8 wanting to have sex right then. And he pinned himself,
9 and I was only slightly able to turn so that it wasn't
10 full frontal contact between his organs, I guess, and
11 mine.

12 Q. Okay.

13 A. And it was very uncomfortable because that
14 was extremely inappropriate. And I was scared about
15 falling down the steps, and there was nothing that I
16 could do to stop it.

17 Q. Okay.

18 A. And I was speaking very loudly. I expected
19 that somebody would have come, but I guess with the
20 class change and all the noise, nobody did.

21 Q. Okay. Now, the song lyrics that he was
22 singing to you, can you repeat for me exactly what he's
23 saying to you? Do you remember exactly what was?

24 A. He was singing more of the song at first, but
25 when he started inserting my name it was, "I'm ready to

1 go right now, I'm ready to go right now, Ms. Noorai,"
2 and he kept repeating it over and over as he got
3 closer.

4 Q. Okay. And was he laughing while he was doing
5 this?

6 A. No.

7 Q. Was he serious in what you thought was
8 serious in manner and in tone when he was doing it?

9 A. He was singing it very seriously to me.

10 Q. And when you said that you were pinned, tell
11 me about -- I'm just trying to get a visual of how you
12 were --

13 A. They had stairs that went down, and there was
14 stairs that went up to the back part of the office.

15 Q. Okay.

16 A. And so I was right there closer to falling
17 down the steps with it at my back.

18 Q. Okay. And so how did your encounter with the
19 student actually end? How did you get away from him,
20 or how did he get away from you? What happened?

21 A. He had enclosed me, and then he let go, had a
22 smile on his face, and he just walked away.

23 Q. Okay. And after this encounter with this
24 student, what did you do?

25 A. I went straight up to the office.

1 Q. Okay.

2 A. To get an office referral. As I was getting
3 the office referral, the yearbook adviser was checking
4 in saying, you know, that it was a scheduled
5 appointment, he was coming to see me.

6 Q. Who was the yearbook adviser?

7 A. Let's see. Mr. Samples, Luke Samples with
8 Jostens.

9 Q. Okay. So you went to the office to get a
10 referral?

11 A. Referral.

12 Q. And you ran into Luke Samples with Jostens?

13 A. He was already signing in, he had gotten
14 there.

15 Q. Okay. So did you fill out the referral form
16 once you were in the office?

17 A. I had to go down to the classroom for the
18 meeting.

19 Q. Okay.

20 A. I took the referral with me. I also had my
21 yearbook editor. A student had gotten out of band.
22 His band teacher was allowing him to come do some of
23 work as required by the editor.

24 MS. DICKEY: Okay.

25 (DEFT. EXH. 9, School Discipline Notice,

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1 Pickens Defs 1, was marked for identification.)

2 MR. CROMER: Go ahead.

3 BY MS. DICKEY:

4 Q. Now, this document that has been marked as
5 Exhibit 9, is this the referral form that you filled
6 out concerning the incident?

7 A. Correct.

8 Q. And it's dated January 27 of 2009. Date and
9 time is 2:18. What time does school end?

10 A. 3:10.

11 Q. 3:10. Okay. And is it correct that the only
12 portion of this discipline notice that is filled out is
13 your portion --

14 A. Correct.

15 Q. -- that you filled out?

16 Okay. And it says, "During class change
17 students were blocking stairs so I walked up. I was
18 pinned in between the stairs to the locker room and to
19 the office." The student's name is blanked out. We'll
20 just say student "started to sing repeatedly 'I'm ready
21 to go right now' and had his arms out to hug me. He
22 added my name in between the lyrics. I told him to
23 stop. He just came closer and hugged me singing the
24 same lyrics." And it's signed by Mari Noorai.

25 Is this an accurate reflection of what

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1 happened in the stairwell with the student, what you
2 wrote on this referral form?

3 A. It appears to be. I thought I had put the
4 name of the song, but I guess I did not.

5 Q. But those were the lyrics you're talking
6 about, "I'm ready to go right now"?

7 A. Yes. That's the refrain of the song.

8 Q. Okay. And you said that he sang that and
9 then he entered your name into that, after that lyric,
10 as well?

11 A. In the lyrics.

12 Q. Okay. Now, did you -- how would you
13 characterize your encounter with this student? Would
14 you say it was some sort of assault incident, would
15 you -- how would you characterize what happened in that
16 stairwell?

17 A. I would characterize it as an assault.

18 Q. Would you say it was a physical assault or a
19 sexual assault or both?

20 A. Both.

21 Q. Okay. Did you ever use the term "sexual
22 assault" or "physical assault" in your writeup that you
23 filled out here?

24 A. No. I expected that to come when the
25 resource officer would have contacted me to fill out

1 her report.

2 Q. Okay. I missed the first part. You said no,
3 that you didn't use the term sexual assault or physical
4 assault on this form? I just want to get that.

5 A. It's not on this form.

6 Q. You went on to say that you expected the --
7 who was the resource officer at this time? Do you
8 remember?

9 A. Teddi Pallis. She was always the resource
10 officer.

11 Q. Okay. And you expected the resource officer
12 to come and speak to you?

13 A. Yeah, and ask for a report.

14 Q. Okay. Now, once you filled this out, this
15 form, what did you then do with it?

16 A. I submitted it like I was supposed to, put it
17 in Mr. Boggs' box.

18 Q. Okay. So when you put the 2:18, is that the
19 time that the actual incident happened?

20 A. Incident occurred.

21 Q. And so do you remember what time you put it
22 in --

23 A. Before the end of the day.

24 Q. Make sure you let me finish.

25 A. Sorry.

1 Q. I know you anticipate what I'm going to ask
2 you.

3 A. Sorry.

4 Q. Just for the record we need to make sure I
5 get the question out.

6 So what time did you put this referral form
7 in Mr. Boggs' box?

8 A. Before the end of the day. After Mr. Samples
9 had left.

10 Q. Okay.

11 A. And the student was out of my, you know,
12 guidance and watch.

13 Q. Okay. Was Mr. Boggs still at school?

14 A. Yes.

15 Q. Okay. And did you ever speak to him? Did
16 you just put it in his box when he wasn't around, or
17 was he around when you put it in his box?

18 A. I put it in his box. I can't remember if he
19 was in the office. No, he'd be getting ready for the
20 buses to go out.

21 Q. Okay. So you filled out the form and you put
22 the form in Mr. Boggs' box, correct?

23 A. Correct.

24 Q. At the end of the school day. Okay. Now,
25 did you ever -- that particular day that the incident

1 happened, did you speak to anyone at the school about
2 what happened?

3 A. Yes, I did.

4 Q. Who did you speak to?

5 A. I went to Marilyn Raines.

6 Q. Okay.

7 A. And she was out at bus duty.

8 Q. Okay.

9 A. And as I went to speak to her, the offender
10 who had assaulted me was sitting, waiting to get on his
11 bus.

12 Q. Okay.

13 A. And the whole time that I was telling her
14 what happened, he kept saying, "Ms. Noorai, Ms. Noorai,
15 I'm not in trouble, am I?" And he just kept speaking
16 in like a soft tone to me as I was talking to her, and
17 I told her what happened and how I had reported it and
18 I had -- what I did. And that I did not feel very
19 well, that I was feeling sickly. I was feeling
20 nauseated and that I was not going to be able to go eat
21 with the teachers before the open house that was that
22 evening.

23 Q. Okay.

24 A. And she said that that was perfectly
25 understandable. So I said I was going to try to get

1 home and try to compose over what had just happened to
2 me and that I was going to try to be back for the open
3 house.

4 Q. Okay. Now, when you said that you told her
5 what happened, do you remember specifically what you
6 said to her --

7 A. I told her exactly what happened --

8 Q. Just remember, let me --

9 A. I'm sorry.

10 Q. -- ask the question then you start to answer.

11 Do you remember specifically what you told
12 her happened? Go ahead.

13 A. I told her that I had gone up there and what
14 had happened with the song that the student was
15 singing.

16 Q. Okay.

17 A. And that he refused to stop and he was coming
18 towards me and what he had done pressing himself
19 against me and then walking away.

20 Q. Okay. And what did -- what was her response
21 again to what had happened in the stairwell?

22 A. She said that, you know, that she understood
23 that that was very upsetting and that she was glad I
24 had already written it up and submitted the referral.

25 Q. Okay.

1 A. And she understood why I wouldn't be there
2 for dinner.

3 Q. You just said that you felt nauseated, that
4 you were feeling sickly, and that you decided you
5 needed to go home.

6 Did you tell anyone in your family about what
7 happened in the stairwell?

8 A. Yes, I did.

9 Q. Who did you tell?

10 A. I told my parents. I told my sister.

11 Q. What was --

12 A. Sorry.

13 Q. You can go ahead and finish whatever you want
14 to say.

15 A. That's okay.

16 Q. Okay. What was your parents' and your
17 sister's reaction to what you had told them?

18 A. They were sorry for me that that had
19 happened, that it was very upsetting. I'm not sure if
20 you have ever been assaulted sexually and physically to
21 know what you are going through as a victim and what
22 you're dealing with, so it was a very traumatic thing
23 and they just listened mostly.

24 Q. Okay. Did you ever go to the police as a
25 result of what you said was a sexual and physical

1 assault?

2 A. Well, I know that the policy is that the
3 school district is required to report it, and so I
4 expected that when I went into work, I didn't go in the
5 next day, when I went in on Friday, I went to my box
6 expecting to find the referral that was my copy placed
7 in my box.

8 Q. Okay. Just make sure you answer. I asked
9 you, did you go to the police to report?

10 A. No, because the school was supposed to report
11 it.

12 Q. Okay.

13 A. I did later on but not at the time.

14 Q. Okay. Initially you didn't go to the police,
15 and you're saying you didn't go to the police because
16 the school was supposed to have?

17 A. Correct.

18 Q. Now, did anyone ever tell you that you could
19 not go to the police to report the incident?

20 A. No.

21 Q. Okay. And so you just mentioned that you
22 didn't go to the police initially, but eventually you
23 did go to the police?

24 A. Yes. I was told by my advocate at the SCEA
25 that if I had gone to the police, that they most likely

1 were not going to believe me because it was not
2 reported through the school at the time of incident.

3 Q. Who was your SCEA?

4 A. Janet Stein.

5 Q. And just for the record, what does SCEA stand
6 for?

7 A. South Carolina Education Association.

8 Q. Okay. So Janet Stein with the SCEA told
9 you -- and did she tell you this around the time that
10 the incident took place, or when did she --

11 A. No, it was in June.

12 Q. So June of '09, correct?

13 A. Correct.

14 Q. You had a conversation with Janet Stein --

15 A. Stein.

16 Q. -- with SCEA and she told you what again
17 about the going to the police?

18 A. That if I had gone to the police at the time,
19 that they wouldn't necessarily have believed it if it
20 wasn't reported right at the time through the school,
21 that that was the protocol.

22 Q. Okay. But eventually you said you did go to
23 the police, correct, yourself?

24 A. I had to go. Yeah, I went several different
25 times.

1 Q. Okay. Do you remember when you did decide to
2 go to the police?

3 A. The first time I went in July 2009 after
4 receiving a letter from Dr. Pew where she said law
5 enforcement had been contacted and the situation had
6 been handled and addressed.

7 Q. Okay. And what did -- so you say you went to
8 the police then?

9 A. To get the report. I went to sheriff's
10 department to get a copy of the report since she said
11 that law enforcement had been contacted.

12 Q. Who told you law enforcement had been
13 contacted?

14 A. Dr. Pew in her letter.

15 Q. So as a result of what she said in her
16 letter, you went to the sheriff's department?

17 A. Yeah, it would have been Pickens County
18 Sheriff's Department.

19 Q. Pickens County. So you went there to I
20 guess --

21 A. Get a copy of the report.

22 Q. Okay.

23 A. Since they had been contacted.

24 Q. And when you went to the sheriff's department
25 to get a copy of the report, what happened?

1 A. There was no such report. And at that time
2 the resource -- school resource officer Teddi Pallis
3 was working at the desk, I guess the front desk.

4 Q. Okay.

5 A. And so the sheriff's department pulled her to
6 come and say, "Teddi, we can't find this report." And
7 so she had an absolute look of shock. She said she had
8 not ever heard about what had happened to me and that
9 she had already had a file and she used her hand to
10 gesture quite a thick file on this student and this
11 would have been information that she should have been
12 given at the school from the administrators.

13 She said she was not always given information
14 by the school administrators, only what they wanted her
15 to handle. But she took me into an office and took
16 information and told me that we could file charges
17 against the student and that she was going to look into
18 it and she would be calling me.

19 Q. Okay. And after you had that conversation
20 with Teddi Pallis, is that the name? Teddi Pallis?

21 A. Yes.

22 Q. SRO. Did you end up filing charges against
23 this particular student?

24 A. Not at that time.

25 Q. Okay. When did you end up filing charges

1 against the student?

2 A. I went in December. I believe it was
3 December.

4 Q. Okay. So what made you decide to file
5 charges in December as opposed to, was it July when you
6 met with Ms. Pallis?

7 A. I because I was waiting to hear back from
8 her.

9 Q. Okay. And she was supposed to come back with
10 you with what?

11 A. She was checking with the school
12 administrators.

13 Q. Okay. So in July of '09, Ms. Pallis said she
14 would get back with you. And so between July and
15 December, you hadn't heard anything?

16 A. She got with me.

17 Q. Okay.

18 A. And she called me on the phone and let me
19 know that she had talked to Mr. Boggs.

20 Q. Okay.

21 A. And that he said it was handled. She did not
22 remember it. He said he had talked to her about it.

23 And he said he had tied it to an incident that occurred
24 the following day.

25 Q. Okay.

1 A. Between that student and another student.

2 Q. Okay.

3 A. And that he had filed it. So she told me
4 that I needed to make a decision, but that if I
5 contacted the Department of Juvenile Justice, that they
6 would have a copy of my referral showing that the
7 school had connected the two referrals together.

8 Q. Okay. And did you contact the Department of
9 Juvenile Justice?

10 A. Yes, I did.

11 Q. Okay. And did you request information about
12 this particular student from the Department of Juvenile
13 Justice?

14 A. Yes. But before that.

15 Q. Go ahead.

16 A. I had contacted the Department of Juvenile
17 Justice. I also went to the Solicitor's Office in
18 Greenville, which is over Greenville and Pickens.

19 Q. Okay.

20 A. And I talked to the victim's advocate, and I
21 can't recall her name.

22 Q. Okay.

23 A. And she said she was going to also contact
24 family court to pull up records to see if the
25 referrals, you know, were connected and that my issue

1 had been addressed and that she would also be calling
2 me. I did that the same day that I went to the Pickens
3 County Sheriff's Department.

4 Q. Okay. And did you ever receive any
5 information?

6 A. I received a call from her. She said there
7 were no records with the Pickens County family court
8 and that I needed an attorney.

9 Q. Okay. This was the victim's advocate out of
10 Greenville County?

11 A. It's the Greenville/Pickens. I think it's
12 the 13th District. I'm not positive.

13 Q. Out of that Solicitor's Office. Okay.

14 And you referenced an incident that involved
15 this particular student that you were involved with
16 happening the next day after.

17 A. While I was out, yes.

18 MS. DICKEY: Okay.

19 (DEFT. EXH. 10, School Discipline Notice,
20 Pickens Defs 2, was marked for identification.)

21 BY MS. DICKEY:

22 Q. Have you ever seen this document before, Ms.
23 Noorai?

24 A. Yes. I received it from the South Carolina
25 Education Association through the School District of

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1 Pickens County.

2 Q. Okay. And this document is a School District
3 of Pickens County School Discipline Notice, correct?

4 A. Correct.

5 Q. And it's dated 1-29, but as I understand it,
6 the incident involving the student actually took place
7 on the 28th, which was the day after your incident with
8 the student; is that correct?

9 A. That was my understanding.

10 Q. Okay. And in the report of incident, it
11 says, "Burned the student on the back of the neck with
12 a hot piece of metal," and it's signed by D. Boggs.

13 And the criminal offense says "aggravated
14 assault," and he was suspended for five days, correct?

15 A. That's what it says.

16 Q. Okay. And I know you had mentioned before
17 that, was it Teddi Pallis that told you that your
18 incident was tied to --

19 A. She had gotten that information from
20 Mr. Boggs, and she related to me on the phone.

21 Q. Okay. So Teddi Pallis told you that Donald
22 Boggs told her that this particular incident that's
23 referenced in Exhibit 10 was tied to your incident that
24 happened on the 27th?

25 A. Yes. And she said if it was, there would be

1 a record at the Department of Juvenile Justice.

2 Q. You said earlier that when you contacted the
3 Department of Juvenile Justice, they didn't have any
4 record of your incident?

5 A. Also the director was very nice. He checked.
6 He had to call me back. And there was no record.

7 Q. Okay. Now, you said earlier that in December
8 of '09, you went to the police to file a report against
9 the student that was involved in the stairwell
10 incident, correct?

11 A. Correct.

12 Q. And you went to the Pickens County Sheriff's
13 Office?

14 A. Yes.

15 MS. DICKEY: Okay.

16 (DEFT. EXH. 11, Incident Report, Pickens
17 County Sheriff's Office, Pickens Defs 4, was marked for
18 identification.)

19 BY MS. DICKEY:

20 Q. And so can you identify this document for me,
21 please.

22 A. This appears to be the incident report on
23 file that was written up from --

24 Q. Okay. And incident type it says, "forcible
25 fondling;" is that correct?

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1 A. Correct.

2 Q. Okay. And on one of the -- I don't know if
3 that's the disposition date, that 12-18-09, is that the
4 date that you went in to file the report?

5 A. I guess to the best of my recollection.

6 Q. Okay. And then at the -- towards the bottom
7 right, it says date 1-22-2010. Do you know what the
8 significance of that particular date is, January 22nd,
9 2010?

10 A. Not off the top of my head.

11 Q. Okay. Now, in the narrative portion that
12 says that you came to the LEC in reference to a
13 situation that had occurred at R.C. Edwards Middle
14 School on January 27, 2009, and that incident is the
15 incident involving the student in the stairwell,
16 correct?

17 A. Correct.

18 Q. Okay. Who did you -- do you remember who you
19 spoke to at the sheriff's department when you made this
20 report?

21 A. I think it was an Officer Wald.

22 Q. Wald. Okay. Now, who is Detective -- and
23 you can go with me to the page listed as Pickens
24 Defendants 6 at the bottom right, and it has 1-20-2010,
25 Detective Rita Burgess. Who is Rita Burgess?

1 A. She was the detective that called me in
2 January.

3 Q. Okay.

4 A. I have not seen this part before. This was
5 not part of the report I had.

6 Q. So she called you in January to discuss the
7 report that you had filed?

8 A. She called to tell me that since there had
9 been such a time, the assistant solicitor was not going
10 to press charges against the student and that I needed
11 to talk to the assistant solicitor for more
12 information.

13 She also told me on the phone that the issue
14 involving -- it not being reported according to, you
15 know, what was required by the school, that I would
16 just need to keep reporting what the administrator said
17 and that the whatever followed from it not being
18 handled and it being covered up, that I would just need
19 to keep reporting it to somebody's boss until finally
20 somebody would respond. She said just keep reporting
21 it to the next person's boss, which is what I needed to
22 do.

23 Q. Okay. This was Rita Burgess telling you this
24 or the assistant solicitor?

25 A. Yes, Rita Burgess.

1 Q. Okay. Going a little further; it says
2 that -- and this is Rita Burgess' report. I received a
3 message from Ms. Noorai stating that she mainly wanted
4 to know the status as to the way the administrator
5 handled this sexual assault against her rather than the
6 student himself.

7 Do you recall having that conversation with
8 Ms. Burgess?

9 A. Yes.

10 Q. Okay. And further on under the date
11 1-22-2010, she said that she reviewed the case with
12 Assistant Solicitor Judy Munson. And this is what she
13 related to you that she did review your case with the
14 assistant solicitor?

15 A. Yes.

16 Q. Okay. And she stated we can't investigate
17 how the school handled the situation reported to them,
18 that would be handled by the School District office and
19 the paperwork we receive from Ms. Noorai does show that
20 she filed a complaint with the District office.

21 Is that accurate as far as you remember?

22 A. I'm lost. Where?

23 Q. Under 1-22-2010.

24 A. I see that.

25 Q. Yeah. Now, she's saying that you did show

1 paperwork that you gave to the school district and that
2 they did receive a copy of that and it does show that
3 you filed a complaint with the District office
4 concerning the incident?

5 A. I took all the paperwork when I made the
6 complaint in December.

7 Q. Okay. And it goes on to say that, "I have
8 contacted school resource officer Teddi Pallis, who is
9 assigned to Edwards Middle School, and she advised Ms.
10 Noorai never came to her and reported a sexual assault
11 by the student." Is that accurate?

12 A. Yes.

13 Q. Okay. It also says, "I also have a copy of
14 the school discipline notice filled by Ms. Noorai
15 concerning this incident, and it does not say that she
16 was sexually assaulted. It states" -- the student's
17 name is blocked out -- "pinned her between the stairs
18 to the locker room and the office and the student
19 repeatedly saying 'I'm ready to go right now.' And he
20 put his arms out to hug her. It also says the student
21 added her name in between the lyrics of a song.

22 "Assistant Solicitor Munson said we won't go
23 back a year after this incident and try to make a
24 charge on this suspect."

25 Did Ms. Burgess tell you that the solicitor

1 said we won't go back, you know, a year later and
2 charge this student with a crime?

3 A. That's what she said.

4 Q. Okay. Now, from Ms. Burgess' write up, it
5 says that you did not say in your incident report that
6 you were sexually assaulted. I think I had asked you
7 earlier about the actual writeup that you gave to
8 Mr. Boggs in his box and the fact it doesn't actually
9 say sexual assault or physical assault.

10 Do you think that reading this document, I
11 think it was Exhibit 9, at face value someone would say
12 that you were sexually assaulted or physically
13 assaulted?

14 A. Yes.

15 Q. How do you come up with that?

16 A. First of all, there's no tolerance, nothing
17 is involved with touching a teacher. Nothing is
18 involved with stating that you're ready to have sex
19 with a teacher or that you are ready to go. I don't
20 think that that is something that can be misunderstood.

21 Q. You're saying when you put "I'm ready to go
22 right now," you're saying that someone would conclude
23 that means sex?

24 A. Right. And that if a teacher is telling a
25 student "no" and then he forces himself on the teacher,

1 to me, that would be a definition of an assault. Also,
2 to me, it seems very apparent that it was not
3 appropriate. I had also then told that I needed to
4 keep my referrals as short as possible because if you
5 give too many details, Mary Bridges told me that
6 Mr. Boggs just doesn't read it, it is overwhelming, he
7 won't handle it, and that you have to keep it as short
8 as possible.

9 Q. But do you think even keeping it as short as
10 possible that you -- let me ask you this, why didn't
11 you use the words physical or sexual assault in this
12 actual write up?

13 A. Because it just happened to me, and like I
14 said before, I don't know if you have ever been
15 sexually or physically assaulted, but you go into a
16 state of shock and you're not going to be functioning
17 or thinking clearly or have a legal mindset of what you
18 need to write up and how you are going to write it.

19 You are hurt, you are sick, you're trying to
20 make sense of what happened. Plus the fact that I had
21 the man from Jostens there and a student, and I was
22 having to write it hidden so that neither one knew what
23 I was doing.

24 And I was in a state of shock, and it was one
25 of the most violating things that had ever happened to

1 me because there was nothing that I could do. And I
2 didn't know was the student going to come back and do
3 something else. I didn't know anything else. I didn't
4 know what was going to happen, and then the fact that
5 when he was trying to talk to me in kind of in a
6 singing voice, I'm not sure if you understand how
7 horrible that is.

8 And also the fact that issues and what had
9 happened from the year before with another student, and
10 what had happened with another student, the issue was
11 in -- I guess in 2008, I was in my room. It was the
12 end of the day. It was the end of the day, and the
13 bells had rang. The teacher who was supposed to be
14 monitoring the locker area had not shown up for that
15 space, and so I was in my classroom.

16 A little sixth grader, what appeared to be a
17 sixth-grade child, much smaller than the other
18 students, came and told me that an eighth grader was
19 blocking him from his locker and he couldn't get to his
20 locker and he was afraid he was going to miss his bus.

21 And so he came and got me because I was the
22 only adult -- although I was in my classroom and not
23 supposed to be watching the locker area. I went out..
24 It was one of my students goofing around at the locker.
25 I addressed him.

1 He allowed the student to go. I thought that
2 was clear. Then I noticed that there was no teacher,
3 no administrator in that area. Because there were
4 teachers who were assigned to watch at the end of the
5 day.

6 And so I was addressing the other students
7 telling them with my arm waving up, "Go ahead, move on
8 up, get to where you need to go. This is not a place
9 to stand and socialize."

10 The eighth-grade student, who was a special
11 needs student, then came out of his locker row just at
12 the time I had my hand up, I did not know that my hand
13 was going up, he turned and ran past me and rubbed
14 across my chest.

15 Q. Okay.

16 A. Then I addressed him and I stopped him, and I
17 said that, "You are not allowed to touch a teacher.
18 Hold on." There were kids, other students who saw
19 that. They were horrified making middle school sounds
20 like "Oh my gosh, look what he just did."

21 He turned, and as a young child would do when
22 in trouble, he said, "But I love you, Ms. Noorai," so
23 that would have made it okay. But he turned and ran
24 on.

25 So because it had happened in front of all

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1 these students and I was a first-year teacher, I went
2 to Marilyn Raines, and so she was showing me what the
3 policy was. She got a blank referral. She actually
4 hand wrote the referral for me as I told her what
5 happened because it was very upsetting to me.

6 And we turned it in, just as I did the next
7 year. Mr. Boggs came to me the next day and said he
8 was going to come back to discuss it with me, but he
9 and Officer Pallis were going to arrest the student.
10 He was later charged with assault and battery of a high
11 and aggravated nature.

12 And that incident, which seemed violating at
13 the time, was nowhere near the violation that I felt.
14 And I shut down when that student pinned me in the
15 stairwell. It was one of the most disturbing and
16 disgusting things that had happened to that point.

17 Q. Okay.

18 A. And I did not know if he was coming back. I
19 did not know what was going on. The next day, instead
20 of being removed from the school, he burned another
21 student when he should not have even been at the
22 school. That incident should have never happened.

23 When I returned and did not find my referral
24 in my box, I questioned because I saw the student was
25 suspended. I asked Marilyn Raines because he was her

1 student as well, "Was he suspended for what he did to
2 me?"

3 And she said, "Oh, no, he just got into some
4 little fight," like it was just some innocent little
5 middle school fight out in the yard. So I believed
6 that when he came back that maybe this happened before
7 school so they didn't have a time. I knew that
8 Mr. Boggs was going to address it. I full well
9 believed that when he came back, there was going to be
10 something done.

11 Q. Okay.

12 A. And when he came back after his five-day
13 suspension, he was in my classroom first period. He
14 got called out of my classroom, and I thought, oh, he
15 is going to be addressed. He came back down and all he
16 did was smile and grin at me for the rest of class.
17 And that was even more violating.

18 Q. Okay. And I can see and hear in your voice
19 that you are very upset about what happened, and I
20 understand that you said that you didn't go to the
21 police because you thought the District would. But if
22 you're this passionate about what happened, if you are
23 this upset, this violated, what stopped you from going
24 to the police yourself?

25 A. Because I was scared of what was going to

1 happen at school, what would happen from the
2 administrators. I had already said I was
3 uncomfortable. I didn't know what was going to happen
4 next. Because I could not understand why professionals
5 wouldn't do what was required of them to protect me, to
6 protect students. I could not fathom it.

7 Q. So what did you think that the administrators
8 would do if you went to the police to report that you
9 were sexually assaulted? What did you think they would
10 do to you?

11 A. I thought it would even be worse. I didn't
12 even want to think about what it would be. And I asked
13 Marilyn Raines when I showed that there was no referral
14 in my box. I said to her, "Does this mean they're not
15 going to handle it?"

16 And she says, If you didn't get a copy of a
17 referral, that means they are not going to handle it.
18 And if you don't get Mr. Culler's permission to go to
19 Dr. Pew to tell her what happened to address this, that
20 I was the one that was going to have the consequences
21 negatively.

22 Q. Okay. And you said you didn't want it to get
23 worse. What didn't you want to get worse?

24 A. I didn't want to have a more hostile work
25 environment. I didn't want any more trouble. I didn't

1 know what was going to happen. It was just a horrible,
2 horrible experience.

3 Q. When you say "hostile work environment," who
4 subjected you to a hostile work environment?

5 A. The administrators, Mr. Culler especially.

6 Q. You said "administrators," other than Mr.
7 Culler --

8 A. Mr. Boggs. Because obviously, I had reported
9 the incident to him, and I don't know which one -- they
10 both had to have known about it. I do not know which
11 one chose not to handle it, if it was an agreement.

12 Q. Okay. So how did Mr. Boggs subject you to a
13 hostile work environment?

14 A. By not handling this offense and by causing
15 the situation to arise with another student getting
16 physically harmed.

17 Q. So that's what you mean by "hostile work
18 environment" is --

19 A. For that --

20 Q. -- relating to not reporting the stairwell
21 incident?

22 A. I felt like it was not reported because I was
23 the one that had reported it. And I assumed that when
24 Mr. Culler told me that Mr. Boggs was angry with me for
25 reporting the plagiarism, that this was just my

1 punishment for reporting that, that the plagiarism
2 wasn't handled correctly. And I didn't want to bring
3 this to anyone's attention as well because I didn't
4 know what was going to happen next, what would lash out
5 next.

6 Q. So you're saying that the administrators --
7 and when you say "administrators," you're talking about
8 Mr. Culler and Mr. Boggs, that they did not report the
9 stairwell incident to the police because they wanted to
10 punish you; is that what you're saying?

11 A. That was a possibility for reporting the
12 plagiarism.

13 Q. Okay. So because you had reported the
14 plagiarism incident in '08, I think it was '08, that
15 because of that, that's why they decided not to report
16 the stairwell incident in '09?

17 A. Plus, when the yearbook adviser came to my
18 room on the 27th --

19 Q. Okay.

20 A. -- when I had been -- right after I had been
21 assaulted, the yearbook adviser told me, he said,
22 "Mr. Culler told me you're not going to be here next
23 year. What school are you going to be at? Have you
24 started interviewing?"

25 And that, again, just completely sent me for

1 a loop because I had never discussed with Mr. Culler my
2 intentions for leaving.

3 Q. Okay.

4 A. And it was very upsetting, the yearbook
5 adviser said he was uncomfortable with that whole
6 conversation with Mr. Culler.

7 Q. Okay.

8 A. And so that was also very disturbing to me
9 because I thought if I report this, maybe I wouldn't
10 even be offered a contract in the spring. Because I
11 didn't know what was going on with that comment.

12 Another reason why I did not report to
13 Officer Pallis right when the assault happened on
14 the -- when I find out that they weren't handling it,
15 because when I had reported the issue with the other
16 student, the special needs student, which was minor in
17 comparison, she found it very amusing. And I had
18 teachers who asked me for weeks following, "Has anyone
19 rubbed your breast today?" And I thought that bothered
20 me. And this incident was also so personal and so
21 violating I didn't want to go to her because I didn't
22 feel that she was going to handle it professionally if
23 it wasn't coming from the administrators or what joking
24 comments she would make. And I had thought about who
25 else I could report it to at the school level.

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1 But when Marilyn Raines had said there would
2 be consequences for me, I believed that because I
3 believed that what my fellow workers or my superiors,
4 the veterans told me that they would always tell me the
5 truth, and that I had no options. I believed that.

6 Q. Okay. And when you said that she laughed
7 about the first incident that you had with the student
8 rubbing against your breast, you are talking about
9 Teddi Pallis?

10 A. Yeah. She kind of jokingly talked about it
11 and she must have told other teachers because I had a
12 teacher the first day after back, the student had been
13 arrested, she asked me very -- you know, caught me off
14 guard up in the office, "Has anyone rubbed your breast
15 today?" And said, "I'm so sorry that that had to
16 happen to you, but we're glad that the student did it
17 because we are trying to get him out of here."

18 MS. DICKEY: Okay. And a few more before we
19 take a break. I'm almost at a cutting off point.

20 MR. CROMER: All right. It's 1:00. Go
21 ahead.

22 MS. DICKEY: Yeah, but I'm not going to stop
23 when I'm on my line, so we're going to finish.

24 MR. CROMER: Go ahead. Go ahead.

25 BY MS. DICKEY:

1 Q. How could -- or do you think that Mr. Culler
2 or Mr. Boggs could have prevented what happened to you
3 in the stairwell?

4 A. Well, if the hallway had been properly
5 watched during class change, that there might have been
6 something. I spoke loud enough; Mr. Boggs was usually
7 not that far away. I was right below Mr. Culler's
8 office. I thought with my voice that somebody could
9 have come. But at least I felt that it should have
10 been addressed and it would have prevented the student
11 that was burned the next day.

12 Q. But I'm talking about the stairwell incident,
13 not the burning incident. So you are saying that the
14 hallway should have been monitored better, that's a way
15 that it could have been prevented?

16 A. Yes.

17 Q. And do you know how far Mr. Boggs was from
18 you at that time that this was happening?

19 A. I couldn't see him. I knew he was usually
20 where the two hallways meet. He usually was kind of
21 hanging out in that area. I don't know where he was at
22 that particular moment.

23 Q. Okay. And do you know if Mr. Culler was in
24 his office when this was taking place?

25 A. I wouldn't know that.

1 Q. Okay. I know you said that having a
2 better -- I guess more people monitoring that
3 particular hallway could have prevented --

4 A. That was the worst hallway during class
5 change.

6 Q. Okay. Was there anything else you think they
7 could have done to have prevented the stairwell, the
8 particular stairwell incident from taking place besides
9 monitoring the hallway better?

10 A. Not that I know of.

11 Q. Okay. Do you feel that the District owed you
12 some sort of duty of care as a teacher in the District?

13 A. Yes.

14 Q. What was that duty that they owed to you as a
15 teacher?

16 A. I should have had my well-being taken care
17 of. I should not have had to deal with an issue, and
18 although you can't control a student at every moment --

19 Q. Right.

20 A. -- I expected that once something happened,
21 that protocol would be followed. It would have been
22 investigated and addressed and handled correctly. I
23 had called the Department of Education and I was told
24 by the person at the Department of Education on the
25 phone that it was the school district's responsibility

1 to file it. They do not have teachers file these
2 things because of retaliation possibilities through the
3 students or the parents and that the school
4 administrators were required and had to file it.

5 Q. Did they say that they had to report every
6 incident that took place between teachers or just
7 criminal activity?

8 A. Anything criminal had to be reported.

9 Q. Okay. And in your eyes, what happened in the
10 stairwell was a criminal activity?

11 A. Yes.

12 Q. Now, could it have been that in someone
13 else's eyes that it was not criminal activity?

14 A. No.

15 Q. But you don't believe that anyone else
16 looking at this incident report --

17 A. If they had investigated and had looked into
18 it, no.

19 Q. But judging just -- I'm not talking about
20 investigating right now, but just judging from what you
21 wrote up on the referral form, do you think that that
22 conclusion was -- just an automatic conclusion that
23 could have been made?

24 A. No, ma'am.

25 Q. Okay. But I understand that in your eyes you

1 were sexually and physically assaulted and that was a
2 criminal offense, and so that's why for criminal
3 offenses, the District would have had to have reported
4 the incident?

5 MR. CROMER: Object to the form of the
6 question, but you can answer.

7 THE WITNESS: There is zero tolerance. A
8 student is not allowed to touch a teacher, to sing any
9 type of explicitness to the teacher, especially when a
10 teacher is saying no.

11 BY MS. DICKEY:

12 Q. Okay.

13 A. That should not happen.

14 Q. Okay. So because you felt that a criminal
15 activity had taken place in the stairwell, that's why
16 you feel the District was obligated to report that
17 incident; is that correct?

18 MR. CROMER: Same objection.

19 BY MS. DICKEY:

20 Q. Is that correct?

21 A. Yes. Because the incident that happened the
22 year before was minor, it was handled. Everybody,
23 every situation was the same except for the principal
24 at the school. So I expected since that one was
25 handled swiftly, that this one that was far more severe

1 and violating and disgusting would be handled correctly
2 and fairly.

3 Q. Right. So back to my question, because you
4 consider this stairwell incident to be a criminal
5 activity, that's why you think the District should have
6 reported it?

7 A. Yes.

8 MR. CROMER: Object to the form of the
9 question. You can answer.

10 BY MS. DICKEY:

11 Q. Just "yes" or "no."

12 A. No. I feel it should have been -- can you
13 repeat it? I'm sorry.

14 Q. Okay. Because you consider the stairwell
15 incident to be a criminal activity, correct?

16 MR. CROMER: Same objection, and don't ask
17 that question again or I'll instruct her not to answer
18 it.

19 MS. DICKEY: She doesn't understand my
20 question.

21 MR. CROMER: She's answered it four times.

22 MS. DICKEY: No, she hasn't. She told me she
23 didn't understand it, and she asked me to repeat it.

24 MR. CROMER: Don't argue with me. Ask your
25 question.

1 MS. DICKEY: I'm arguing with you because
2 you're wrong.

3 MR. CROMER: Ask your question. I will put
4 the objection on the record if I feel it's appropriate.
5 Whether I'm wrong or not, somebody else will decide.

6 Go ahead and ask your question. Let's go.

7 MS. DICKEY: I'm going to ask my question. I
8 don't need your permission to ask my question.

9 MR. CROMER: Go ahead. Go ahead.

10 BY MS. DICKEY:

11 Q. Ms. Noorai, I'm asking, you thought the
12 incident that took place in the stairwell was a
13 criminal activity, correct?

14 MR. CROMER: Object to the form. You can
15 answer.

16 THE WITNESS: Yes.

17 BY MS. DICKEY:

18 Q. So you consider that sexual and physical
19 assault that you have talked about criminal activity,
20 and because you considered it criminal activity, you
21 feel the District should have reported it to the
22 police?

23 MR. CROMER: Same objection. You can answer.

24 THE WITNESS: Correct.

25 MS. DICKEY: Okay. Thank you for answering

1 my question.

2 Okay. We're at a point we can stop. I'm
3 ready to stop.

4 MR. CROMER: Let's take a break.

5 (A lunch recess transpired.)

6 BY MS. DICKEY:

7 Q. Okay. Ms. Noorai, we're back on the record
8 after a lunch break. And I was asking you some
9 questions about the incident report --

10 A. Yes.

11 Q. -- you had filed. Let me get Exhibit 11.
12 And just going further down on the report,
13 it's on the second section that says 1-22-2010.

14 A. Down here?

15 Q. Yes. That last block. The detective, Rita
16 Burgess', writeup. It said, "I received a call back
17 from Ms. Noorai from that number and advised her of the
18 case status. Ms. Noorai stated she was not concerned
19 about criminal charges against the student so much as
20 she was concerned about charges being brought against
21 someone within the School District for covering up a
22 crime."

23 Do you remember saying that to
24 Detective Burgess?

25 A. I do remember saying that.

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1 Q. Okay. And why were you more concerned about
2 charges being brought against the District as opposed
3 to the student?

4 A. Okay. First of all, that day I was suffering
5 from a stomach virus, and I was -- had been resting all
6 that day. I just thought the context -- I remember
7 when she called and when I had to call her back, I had
8 one of those 24-hour, 48-hour type of stomach bugs. So
9 I had to call her in between vomiting and that nature.

10 Q. Okay.

11 A. My belief is that the educators at the
12 school, the professionals are supposed to set the
13 appropriate example. In the Safe School Climate Act it
14 says that the students learn from the examples of the
15 administrators and the teachers and all the staff at
16 the school. And to me, the worst crime -- because no
17 school can control what a student does at every time --

18 Q. Right.

19 A. -- and obviously to me, as an educator, this
20 student was acting out and was having issues which led
21 him to attack a student physically the next day,
22 scarring him on the back of the neck. And to me, that
23 incident should and would not have happened if they had
24 handled the assault as they were required to. And to
25 me, that was worse. And I had that discussion with

1 Rita Burgess and with Judy Munson.

2 Q. Okay.

3 A. And with the crime victim ombudsman office,
4 governor's office as a result of this phone call.

5 Q. Okay. So were -- I know you said that you
6 were more concerned about the District being charged
7 for not reporting the incident. Were you concerned at
8 all about the student being charged?

9 A. I felt that because the time had passed, I
10 didn't know if it would be an effective punishment for
11 the student. I did not want this incident to occur
12 again, and the only way that would prevent this from
13 happening was if the administrators were called on
14 their cover up and not doing as they were required to.

15 I discussed that with Judy Munson, she said,
16 well, to her, that might just be like a seat belt
17 violation. And I said, "Well, even with a seat belt
18 violation, people are issued a ticket --"

19 Q. Okay.

20 A. "-- so that they do not repeat the offense.
21 There are consequences when you do not do as you are
22 required to do."

23 Q. Okay. And you said just now that also in
24 this report that the School District was covering up
25 the incident?

1 A. Correct: Because the story kept changing.

2 Q. Why do you think that anyone with the School
3 District was trying to cover up what happened?

4 A. I think they were worried about maybe the
5 liability of the student the next day being harmed
6 since that would not have happened if the student had
7 been pulled. Because it happened towards the end of
8 second period, so there was plenty of time for the
9 offender to have been pulled from school.

10 Q. Okay. Now, a little -- the next paragraph in
11 Detective Burgess' write-up, it says, "A few minutes
12 after speaking with Ms. Noorai, I received another call
13 from the same number that she listed above from a
14 female who advised that she was Miriam Noorai and
15 wished for me to provide her with something in
16 writing."

17 Then she goes on to say, "She knew the person
18 she was speaking with had just advised that she was Ms.
19 Noorai. She recognized the voice as the person who
20 earlier advised her that she was the mother of
21 Ms. Noorai."

22 It goes on to say, "She inquired as to who
23 she was speaking with, and the female became defensive
24 saying that she was Ms. Noorai. Then pointed out to
25 her that she was the person that earlier told her she

1 was Ms. Noorai's mother. And then she became agitated,
2 stating that Ms. Noorai didn't want to speak with
3 Detective Burgess anymore.

4 "She stated this was a conspiracy to cover up
5 for the School District failing to do their job and
6 report a crime."

7 Now, did -- are you aware of whether or not
8 your mother called Detective Burgess essentially
9 pretending to be you?

10 A. No. I asked my mother to call back because,
11 as I said, I had a stomach bug and I was in between
12 vomiting. And I had also become very upset by what I
13 was hearing from Ms. Burgess, who kept telling me that
14 I needed to report what the administrators did to their
15 boss and to that person's boss until finally somebody
16 would handle it.

17 And so I had become extremely very upset. I
18 was reliving what had happened to me, which was very
19 traumatic. The fact that it was never handled and that
20 the School District kept changing their story. And
21 through that and through being sick, I asked my mother
22 to call because I wanted it in writing that they were
23 not going to handle it. I wanted the documentation so
24 that I would have it. And I don't think this was very
25 truthfully -- when my mother called, it was from a cell

1 phone. So cell phones are not always that clear. I do
2 not think that there was agitation on my mother's part
3 or any nature of that. I think my mother identified
4 who she was. She was calling on my behalf.

5 Q. Were you present when your mom made this
6 phone call?

7 A. I was in the bathroom vomiting, but I could
8 hear my mother's voice from another room.

9 Q. When your mother made the phone call to
10 Detective Burgess, you were sick in the other bathroom?

11 A. I was sick in my own bathroom. I was having
12 a stomach bug. I didn't leave my house all day.
13 Sorry.

14 Q. You're saying that Detective Burgess'
15 write-up where she's saying that your mom called her,
16 said that -- saying that she was, indeed, you is
17 untruthful?

18 A. I think it was misunderstood.

19 Q. Okay. So you think Detective Burgess
20 misunderstood your mom?

21 A. I think so.

22 Q. Okay. Did you ask your --

23 A. I believe she then put me on the phone to
24 talk to Ms. Burgess.

25 Q. Okay.

1 A. If my memory serves.

2 Q. So you asked your mother to call Detective
3 Burgess?

4 A. Yes.

5 Q. Are you saying that you did not ask your mom
6 to pretend to be you when you called?

7 A. No. She was calling on my behalf, which I
8 guess is where the confusion come from.

9 Q. Okay. Now, do you recall being involved in
10 an incident with someone named Richard Hudak?

11 A. Yes, I do.

12 Q. Who is Richard Hudak?

13 A. Richard Hudak was an industrial arts teacher.

14 Q. Okay. Tell me about the incident that you
15 had with him you referenced in your complaint.

16 A. Oh, surely. I have to give the background
17 information first, if that is all right with you.

18 Q. Sure.

19 A. Okay. First of all, eighth-grade policy, and
20 it's been there since I student taught for the two
21 years that I taught there, that they believe in giving
22 students plenty of extra time to -- if they need some
23 extra time to complete tests. Especially because this
24 was I believe in April, and so this was approaching the
25 May PASS testing. Although the writing PASS testing

1 was over, I was enriching and enhancing, as the
2 District required me to do the other English language
3 arts standard.

4 Q. Okay.

5 A. It was a very important test. It was a very
6 lengthy test. I had a few students who needed to take
7 a little longer. This was first period. Their second
8 period class is a related-arts-type class.

9 Q. Okay.

10 A. Okay. So it was not a core class. But
11 plenty of times core teachers allow students to stay
12 late, even sending them to a core teacher late with a
13 pass. It was standard practice, accepted. And I
14 allowed some students to stay. I sent them to their
15 teachers after whatever, you know, extra 5, 10 minutes,
16 15 minutes, whatever it took for them to finish. I
17 sent a particular student was going to Mr. Hudak's
18 class. And so then I sent some other students after
19 that to wherever the classes they were going.

20 I then left my room. I locked -- I left my
21 room, you know, closed it up. I went to the teachers'
22 workroom. I went to start doing some teacher stuff to
23 do during a planning period. When I came back to my
24 classroom, getting close to when second -- you know,
25 the second period was over, I noticed that the student

1 was standing outside my classroom and he had a note --

2 Q. Okay.

3 A. -- saying that Mr. Hudak was not going to
4 accept him. And that I would have to send him the next
5 day. But as I explained earlier, it was A/B schedule.
6 I did not have the student the next day.

7 Q. Okay.

8 A. And so I then had to try to find what I need
9 to do. So I looked for Mary Bridges, and she's in
10 charge of curriculum and instruction. I did not
11 want -- you know, if Mr. Hudak felt he needed the
12 student, then I wanted to be sure to do what was
13 needed.

14 So I looked for her. I could not find her,
15 so then I went to the keyboarding teacher thinking the
16 two of us could work something out. I said if
17 Mr. Hudak wanted him the next day, was she doing
18 something that was very important in class or could we
19 work -- could he go that day or did he have to wait
20 till the following day and that he be back in my
21 classroom? And so we discussed it, and she said she
22 had something important. So I knew I needed to discuss
23 it with Mary Bridges.

24 And it was getting close to the bell ringing
25 and students were going to be coming. So the bell rang

1 for the sixth graders. Now, the sixth graders were on
2 their way to their related arts class. They move, I
3 think, about four minutes before the other students.

4 Q. Okay.

5 A. So Mr. Hudak had a long class full of eighth
6 graders that still had class that were not out of class
7 yet. They were still in class in the shop class. He
8 had a group of sixth graders who were lining up to go
9 to class at this time. But Mr. Hudak was not there.
10 He was standing outside my door.

11 So when I come down the steps, I see that he
12 is there. He is very angry. You can tell by his stare
13 and his demeanor. He is a very large man. He looks
14 like ex-military, big, puffy, muscular, large man. And
15 he was brooding and standing in a very square, very
16 loud, aggressive stance.

17 And you have to remember this is soon after I
18 came back. I had a tube sticking out of me. I had
19 medical complications. I was very weak and very pale,
20 you know, look what I was doing. So this was a state.

21 The whole school knew that e-mails had been
22 sent out about my complications, so my medical
23 condition was known.

24 Q. This is your gallbladder?

25 A. Yes, the complications from the gallbladder.

1 And that everyone knew that I had an excuse from the
2 doctor, that I could have been out longer but the
3 surgeon felt that getting me back in the workplace, as
4 long as I took it easy and was not stressed, that it
5 was better for me to go to work than to stay at home.

6 Q. Okay.

7 A. So when I came down, I was almost so
8 intimidated by the fact the way Mr. Hudak was standing
9 and his look of anger. I mean, he was not hiding it.
10 And there were students already in the locker area.
11 The bell had rung at that time. My eighth graders were
12 starting to come down.

13 And I went down there and he started verbally
14 berating me and screaming at me for being
15 unprofessional for keeping a student. And he just went
16 off and was screaming and shouting as my students were
17 walking into my classroom, as all the students that
18 were in the locker room. He was screaming and
19 shouting.

20 It didn't matter what I said, he didn't hear
21 me. He just kept on. He was gesticulating with his
22 finger. I mean, it was a horrible, screaming, shouting
23 thing.

24 He was so angry that when he stood to leave,
25 because it was getting ready for the late bell to ring,

1 so his eighth graders would have left but his sixth
2 graders were still unattended in his classroom, he then
3 stood back, slammed into one of my eighth grade
4 students who was trying to enter my classroom. The
5 girl hit the door and slammed her head, and I had to
6 send another student to get ice for her injury that
7 Mr. Hudak caused and completely ignored.

8 And then my students that were walking in,
9 one of the students said, "That was so disrespectful."
10 And I tried to completely ignore what had happened, as
11 a good teacher would do, just teach the class, don't
12 have any unpleasantness, unprofessionalism in front of
13 students. And the student repeated, "What Mr. Hudak
14 just did to you is disrespectful."

15 But I just start class. I ignored it. I was
16 able to send an e-mail to Mary Bridges --

17 Q. Okay.

18 A. -- to tell her that I had a concern about
19 something that happened. I believe I said it happened
20 in between the end of second, before third started.

21 Q. Okay.

22 A. She was busy. I didn't get a response from
23 her. So then I had to talk to her at some point. I
24 remember she was out at bus duty at the end of the day.
25 I knew this had to be discussed that day.

1 Q. Okay.

2 A. And so I went out and spoke to her. She said
3 if I could just wait until she was finished with her
4 afternoon duty, she would come to my classroom.

5 And so she came to my classroom, and she
6 said, yes, she got my e-mail. She couldn't understand
7 why anyone would have a problem with me. I explained
8 to her what happened. She was not happy with what
9 happened. She said it was completely unprofessional.
10 I hadn't done anything wrong, but you don't discuss
11 that in front of students in the manner in which
12 Mr. Hudak had. He has done that in the past.

13 Q. With you?

14 A. Not with me but with others and had been
15 reprimanded for it. She said that if he didn't like
16 it, he needed to go ahead and retire. That his class
17 was related arts and mine was a core class and, you
18 know, I wasn't doing anything that I wasn't supposed to
19 do.

20 She said she would have handled the
21 situation, but she said -- and it was more like an
22 excited utterance, that he was angry with her because
23 she had stopped him from allowing -- he wanted to have
24 the young girls come to his classroom in the morning
25 before school started and she had stopped that, which

1 made him angry. And so he wouldn't listen to anything
2 that she said.

3 So she said that she was going to go and
4 discuss with it Gary, and if Gary wanted to come and
5 discuss it with me, then he would. But she was telling
6 me and she was going to tell the keyboarding teacher
7 that this student was not to be sent to Mr. Hudak at
8 any cost, for any reason. He was not to go. And that
9 wasn't just from her, that was also from the principal.

10 Q. Okay.

11 A. And so I waited thinking the next day or so
12 that Mr. Culler would address it with me, and he didn't
13 seem to have any questions or address it with me.

14 I didn't know until I received a note --
15 another note from Mr. Hudak requesting that he still
16 wanted the student to come. He had understood that
17 there was an A and B schedule. The student at this
18 time, when he gave me the note, informed me that
19 Mr. Hudak was threatening him. Mr. Hudak was
20 threatening him with a failing grade if he didn't make
21 this up and with a disciplinary action.

22 I told the student not to worry, that it had
23 been taken care of with the administrators. He had
24 done nothing wrong and for him not to fear anything.

25 I had to take the note to Mary. And I

1 believe, and this I have to refresh, I'm not quite
2 sure, that that's when Mary took me to Mr. Culler to
3 discuss what was going on.

4 MR. CROMER: Mary Bridges?

5 THE WITNESS: Yes, Mary Bridges.

6 BY MS. DICKEY:

7 Q. Okay. So did Mary Bridges end up taking you
8 to Mr. Culler to discuss what happened?

9 A. I believe that was the day. I can't remember
10 if there was a second note I received in between or
11 not. I'm not looking at notes. That's to my
12 recollection.

13 Q. Okay. Did you indeed meet with Mr. Culler
14 and Ms. Bridges?

15 A. Yes, I did.

16 Q. Tell me about that.

17 A. Mr. Culler said he had thought he had taken
18 care of that. He couldn't understand why Rich was
19 pushing it. He said that he had told him that, you
20 know, right now with PASS testing that it could be made
21 up after the eighth graders return from their, you
22 know, eighth-grade trip. That it did not need to be
23 made up before PASS testing because this was important
24 ELA instruction before a state PASS test. And he
25 promised me that he was going to take care of it.

1 Q. And did he -- when he said "take care of it,"
2 did he specify what he would do?

3 A. I mean, he implied that he was going to end
4 this situation if the student would be sent to him
5 after PASS testing.

6 Q. Okay. And to your knowledge was the
7 situation with the student resolved?

8 A. No.

9 Q. Okay.

10 A. The student said Mr. Hudak was still
11 threatening him, that Mr. Hudak informed him that
12 Mr. Culler knew at first nothing about it. That
13 Mr. Culler agreed with Mr. Hudak that I had been the
14 one that was unprofessional. And so I know this is the
15 information coming from the student so that I don't
16 know exactly.

17 Q. Okay.

18 A. The student seemed very shaken still. He
19 thought he was going to be written up for discipline
20 notice or failed because of it.

21 And so I had to go to have a test to
22 determine if my tube could be taken out. Okay. So I
23 went, I had the test. They did. I had to stay
24 completely flat for over -- for 24 hours. I was not
25 allowed to move once they had removed the tube.

1 When I came back, not the following day but
2 the day after, I believe it was a Friday. Because this
3 stretched on for weeks, this back and forth with
4 Mr. Hudak.

5 Q. Okay.

6 A. When I came back, it was the first day that I
7 had felt like myself since a semester before. Before I
8 had gotten this sick and started having all of these
9 tests and unpleasantries.

10 Q. Right.

11 A. I taught all my classes. I was on my last
12 class. They came on the loud speaker, I believe, and
13 said, "Please check your e-mail." Because sometimes
14 they would say you need to check an e-mail. They
15 wanted to know were students out of a classroom at a
16 certain time.

17 So I went on and checked my e-mail, and I saw
18 that I had an e-mail from Mr. Hudak. Of course, you
19 can see part of the e-mail. And I just almost fainted
20 right there. I mean, it was a horrible, aggressive,
21 nasty e-mail. And going off about how I was
22 unprofessional, how Mr. Culler agreed. And this is
23 just from my memory. If I had the e-mail I could, you
24 know, tell you more about it.

25 But, anyway, I had to print the e-mail off.

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1 Once the class -- again, I finished teaching the class,
2 didn't show anything to the students. But I felt sick
3 and horrible. I could not believe that someone was
4 attacking me like this when I had done nothing wrong
5 and was saying he was doing it because the principal
6 told him that I was the wrong person, the wrong party,
7 and that he had the right to go off on me.

8 I then took the letter. It was printed off.
9 I went up to the office. I did not see Mr. Culler. I
10 went to Marilyn Raines. I showed her the letter, and
11 she said she wanted me to go up and either have the
12 secretaries call him on the walkie-talkie, Mr. Culler,
13 or just wait for him to come because he had to see that
14 letter for himself.

15 Q. This is Mr. Culler who needed to see it?

16 A. See the letter.

17 Q. Okay.

18 A. I finally got Mr. Culler in the office. He
19 read the letter. He read it a couple of times. He
20 took notes on the letter. He agreed that this letter
21 was, you know, accusatory in tone. He also said that
22 he, again, thought he had taken care of it, that he was
23 going to take care of it. He couldn't believe that
24 Rich was pushing it. He told me the only reason Rich
25 was pushing it is because he was upset about the

1 teacher who had been fired. And so that that was the
2 issue.

3 Q. What teacher? Who?

4 A. Christine. He was alluding to Christine
5 Hunsinger. He was alluding that Mr. Hudak, who had
6 been her cooperating teacher when she student taught
7 there, who had worked with her, he was upset about her
8 not getting a contract and this is why he was going off
9 at me.

10 Q. Why would he be upset with you?

11 A. I have no idea, but that's what Mr. Culler
12 said. He said, "He's not upset with you. He's upset
13 about this thing with this other teacher."

14 Q. Okay. Okay. That teacher's name was
15 Christine?

16 A. Christine Hunsinger.

17 Q. What grade does she teach?

18 A. She was the industrial arts -- she was, like,
19 the technology, industrial arts teacher. She taught
20 all the grades. She was related art.

21 (DEFT. EXH. 12, E-Mail Dated May 4, 2009,
22 Pickens Defs 26, was marked for identification.)

23 BY MS. DICKEY:

24 Q. Can you identify this document for me?

25 A. This appears to be the e-mail, and that's

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1 Mr. Culler's notes.

2 Q. So this is the e-mail that you were
3 referencing that Mr. Hudak sent to you?

4 A. Yes.

5 Q. Okay. And it's dated May 1st, 2009,
6 12:25 p.m. And he's telling you that you seem to have
7 lost sight, that what you did was wrong.

8 What part of this e-mail did you find to be
9 unprofessional on Mr. Hudak's part?

10 A. I found all of it unprofessional. The fact
11 that he said, "You seem to have lost sight that what
12 you did was wrong. Keeping a student out of your class
13 without that permission from that teacher is
14 inconsiderate and unprofessional."

15 Which was policy and he had already -- there
16 had already been issues where he had had this situation
17 before. This was not a fresh situation. There was a
18 situation earlier in that year where an eighth-grade
19 teacher sent a child to -- I believe it was
20 Ms. Hunsinger's classroom. And Ms. Hunsinger tried not
21 to accept the child, and there was a big issue. But
22 Ms. Hunsinger was made to accept the child and to drop
23 it.

24 Q. Okay.

25 A. And so I couldn't understand why he was the

1 one who came, abandoned two sets of students, sixth
2 graders outside, eighth graders inside a classroom with
3 equipment, when he already had one student who had been
4 burned in that classroom, completely unprepared.

5 So it just seems that it made it worse.
6 Okay. It said, "And then compounding the offense by
7 putting a student in the middle of conflicting
8 directions is worse."

9 So he's saying that I was the one causing
10 issue for the student. He was the one telling the
11 student, "You're going to fail." He was the one
12 telling the student that he was going to get a
13 discipline referral.

14 This was not what was happening. And he just
15 goes on, and then he said that Mr. Culler agreed with
16 him. Mr. Culler and with Mary Bridges agreed with me
17 that I was not the one that had done anything. He
18 handled it in an unprofessional manner. He was the one
19 that was out of bounds. And the fact that he was
20 pretty much saying that I'm the one that goes around
21 jeopardizing students' grades, that's impugning my
22 integrity and what type of character I was and what
23 type of teacher I was. And I found that very
24 offensive.

25 Q. Okay. Now, was there any resolution that

1 came of this incident that you had with Mr. Hudak? Did
2 he continue to, as you said, be unprofessional towards
3 you?

4 A. Well, following this, when it was the end of
5 the day and Mary Bridges and I were walking down the
6 steps because she was going to kind of watch that
7 locker area, she said, "If Mr. Culler had handled the
8 situation correctly the first time, this e-mail, none
9 of this would have happened."

10 Because I had been out, like I said, I had
11 had the test and then I had to stay out an extra day.
12 I didn't need that on my first day back. My first day
13 without that tube, I mean, it was not something that
14 was appropriate for anyone, especially me in that
15 situation.

16 I can't remember if it was the following day
17 back at school because this was a Friday -- this was a
18 Friday. I would have to check notes to know that. But
19 it was during my second period planning, and I was
20 coming from the teacher's work room down there. I was
21 walking through the cafeteria. And Mr. Culler
22 approached me and he said he was going to see Mr. Hudak
23 at that time and that he wanted to make sure that, you
24 know, he had everything. He wanted me to resend him
25 the e-mail because he first told me he didn't need me

1 to resend the e-mail.

2 And so he went to go see Mr. Hudak, but he
3 told me that he was -- this was going to be the end of
4 it. There was going to be no more contact on either
5 side. He was taking care of it, ending it, you know,
6 just and for all.

7 I tried to tell him, now, starting -- that
8 I'm going to have my duty spot outside and Mr. Hudak
9 had the next spot and I was intimidated by that. And
10 he just completely ignored what I was saying and just
11 said, "There will be no more contact and no apologies
12 on either side," and that was that.

13 Q. So did you have any more encounters of this
14 type with Mr. Hudak again?

15 A. He did not send any more e-mails or contact,
16 but he kind of followed me outside. He kind of
17 watched. He would come behind me when our duty was
18 over and kind of slam his feet and kind of speed up and
19 slow down. So it's just intimidation, but he never
20 again mentioned it. And it was towards the end of the
21 year.

22 Q. Now, during -- going back to the incident in,
23 I guess it was the hallway in front of the students
24 with Mr. Hudak that you were describing earlier, at
25 that time were you in fear of Mr. Hudak?

1 A. He's very intimidating. I mean, he was so
2 angry, I wouldn't have been surprised if he struck me.
3 And the way he slammed into my student was horrible.

4 Q. So were you in fear of him during that time?

5 A. Yes, I was in fear of him.

6 Q. And did he at that time make any threats
7 towards you?

8 A. He was just screaming and shouting about
9 everything that had happened and just going off. It's
10 not stated but when someone is that angry and that
11 aggressive, it's understood.

12 Q. Okay. So I'm just trying to understand what
13 exactly about him at that time made you fearful?

14 A. Because he was screaming at me, he was
15 criticizing me, he was telling me how horrible I was
16 and what I did was so wrong. And it was just -- it was
17 a personal attack. And this is the type of thing that
18 he had been addressed for in the past.

19 An earlier incident happened with a student
20 teacher, and the principal, Mr. Sanders, handled it
21 very swiftly and nothing followed that when he had
22 attacked a student teacher. Because that teacher who
23 was the former student teacher worked there and she
24 told me about it and she said there was no comparison
25 about how it was handled. Because her situation was

1 just a one-time situation and did not escalate through
2 notes and e-mail.

3 Q. Okay. And just judging from the date of this
4 e-mail, this all took place April, May of '09?

5 A. Yes.

6 Q. Okay. And you said that it took place in
7 front of students, correct?

8 A. Yes. All the students that were in the
9 locker area and the students entering my classroom.

10 Q. Now, you also mentioned that Mr. Hudak ran
11 into a student?

12 A. He stepped back and slammed into one of my
13 female students, who slammed into the door and hit her
14 head. And I had to send another student to the office
15 to get ice.

16 Q. Do you remember the name of that student who
17 was injured?

18 A. Yes, I do.

19 Q. What was her name?

20 A. Do I have to give her name?

21 MR. CROMER: Go ahead and give her name.

22 This is subject to confidentiality.

23 THE WITNESS: Cassandra, she went by Cassie,
24 Baker.

25 BY MS. DICKEY:

1 Q. You said that Mr. Hudak slammed into her?

2 A. Yeah. He stood back and puffed up like this
3 because he was so aggressive. He kind of puffed up his
4 shoulders and stepped back and just briskly turned to
5 go up the stairs. And he slammed into her.

6 Q. So do you think it was an unintentional --

7 A. It was very obvious that he had done it, and
8 he did not turn to see if the student was okay.

9 Q. Did you think it was intentional or
10 unintentional that she ended up being injured?

11 A. I think that he was uncaring what he did at
12 that time, so I don't know if it was intentional or
13 not. But it was obvious to him that he had slammed
14 her, and he didn't even turn back.

15 Q. So what makes you say that it was obvious to
16 him?

17 A. Because he kind of stepped on her. I mean,
18 he stepped on her kind of going backwards. He stepped
19 on her, pushed into her. He made a loud sound with the
20 door because it was opened, slammed the wall. It was a
21 very loud sound, and he never even paused.

22 Q. Okay. Now, you had mentioned before, I
23 think, that Mr. Hudak was involved in a similar kind of
24 situation with another teacher?

25 A. Years ago with -- we had Mr. Sanders was

1 principal..

2 Q. Were you -- do you remember what school
3 year -- were you at the school when this other incident
4 took place?

5 A. No. It was the year before I was there. But
6 the teacher, who was a student teacher, who was
7 verbally assaulted by Mr. Hudak, told me her story and
8 how fearful she was of Mr. Hudak and how Mr. Sanders
9 handled it.

10 Q. What is the name of this --

11 A. Do I have to tell you the name of her?

12 Q. Yes.

13 A. Kristine Matthews.

14 MR. CROMER: Go ahead and tell it. I think
15 we can all agree, unless I hear otherwise, that names
16 of the people are confidential and will only be used
17 within -- in the relevancy of this lawsuit.

18 MS. DICKEY: Right. Its only purpose is for
19 all of this.

20 MR. CROMER: You can answer all of those
21 questions.

22 BY MS. DICKEY:

23 Q. Was it Kristine --

24 A. Matthews. And she was a student teacher, and
25 I believe it would have been the 2005-2006 school year.

1 Because she was there -- a student teacher the year
2 before I was there.

3 Q. And so it was when she was student teaching
4 that she had the incident with Mr. Hudak?

5 A. Right.

6 Q. That she later told you about?

7 A. Because of what had happened with me. And
8 she actually encouraged, she said, shouldn't I go to
9 Kelly Pew and tell her what had happened? And, again,
10 Marilyn Raines said that I would be the one that would
11 have the negative consequence unless Mr. Culler gave me
12 permission to do so. And since Mr. Culler had said he
13 handled it and he had taken care of it and I was
14 uncomfortable by him and his demeanor, there was no way
15 I was going to go to talk to him by myself. It just
16 was not going to happen.

17 Q. Okay.

18 A. I just wanted that over.

19 Q. Okay. And so Marilyn Raines, you're saying,
20 is the person who told you you can't go to Dr. Pew --

21 A. Without --

22 Q. -- unless Mr. Culler tells you that you can
23 go?

24 A. Without his approval.

25 Q. So, again, this was all April, May of '09?

1 A. And plus, you know, I would tell her that
2 it's because he made me uncomfortable. And these were
3 conversations that I had with her multiple times. And
4 she knew exactly what I was talking about, and she
5 shared with me that when she was my age and she was a
6 principal at -- you know, was working -- she had a
7 principal at that school that's Mr. Wade, and he used
8 to do similar things with her and that he made her very
9 much uncomfortable.

10 And he used to come to her room in the
11 morning, she said, which is why she now always gets to
12 work late because of how he scarred her with the
13 feeling of being uncomfortable. And she said that even
14 Mr. Wade, after he had wanted to run up and move up, he
15 had been told because of his acts towards -- with women
16 that he was not a wise decision for him.

17 And also when her mother passed away,
18 Mr. Wade came to the visitation for her mother and she
19 said that her father was so angry for what he had done
20 to her that he almost wanted to, you know, go off on
21 him at the visitation. It was very hard for her father
22 to take it.

23 So, I mean, I made it clear with Marilyn
24 Raines, and she understood by sharing her personal
25 stories about principals and being made uncomfortable.

1 So it was made very clear.

2 Q. Okay. Do you recall receiving a Contract of
3 Employment for the '09-'10 school year with Pickens?

4 A. Yes. I received a continuing contract.

5 MS. DICKEY: Okay. Just so we have it in the
6 record.

7 (DEFT. EXH. 13, Contract for Professional
8 Services for the 2009-2010 School Year, was marked for
9 identification.)

10 BY MS. DICKEY:

11 Q. Okay. Ms. Noorai, have you ever seen this
12 particular document?

13 A. Yes, I have.

14 Q. And can you just identify it for me?

15 A. It's my tenured or continuing contract that
16 was offered to me.

17 Q. Okay. And it's dated May 15th, 2009, signed
18 by Mendel Stewart. Who was Mendel Stewart?

19 A. He was the interim superintendent at the time
20 before they had hired Dr. Hunt.

21 Q. Okay. And did you -- it's dated May 15th,
22 2009. Is that when you received it?

23 A. I believe so. We had to turn it in the day
24 after Memorial Day. That's all I remember.

25 Q. It says, under Special Conditions, "Please

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1 indicate your acceptance of this agreement by signing
2 below and returning the original to the superintendent
3 on or before May 25, 2009."

4 So did you understand that if you intended to
5 accept employment with the District for the next school
6 year, you had to sign this and turn it in by the 25th
7 of May?

8 A. Yes, ma'am, I did.

9 Q. Okay. And did you sign your contract of
10 employment?

11 A. This was a very difficult decision for me to
12 make and so it took -- where I went trying to decide
13 whether the school that I had planned to stay for the
14 rest of my career, with all the staff that I cared for,
15 that I worked well with, the environment had changed.
16 It was not the same place. Although the students were
17 the same and the community was the same, it was a very
18 tough decision for me to make whether I could stay at
19 that school.

20 Q. Okay.

21 A. And I went -- the decision was very difficult
22 for me, and it made -- it was a hard station to make
23 and I went back and forth quite a bit. I knew that I
24 had to discuss it and with whatever findings I was
25 coming up with with Marilyn Raines, because of the

1 loyalty I had with her for over the years and with Mary
2 Bridges.

3 Q. Okay.

4 A. Marilyn Raines said she was sorry that every
5 day something else would happen that would make me want
6 to leave that school because she didn't want to see me
7 leave that school. But all the issues, it was making
8 it very difficult for me because I didn't feel safe to
9 stay there.

10 And so I had the discussion first with Mary
11 Bridges, and I was trying to explain to her my decision
12 making. And she volunteered to go talk to Mr. Culler
13 to see if she could get him to pull the yearbook.
14 Because when I came back from my gallbladder surgery,
15 my first day back, he had called me into his office for
16 a meeting where -- and when I went up there for the
17 meeting, it was first an eighth grade meeting and then
18 it turned into just a meeting about me with Mr. Culler
19 and Mary Bridges about yearbook and that he had changed
20 his mind. And as he said, if he was going to force
21 anybody, he was going to force me.

22 But before this decision started, Mary
23 Bridges opened by saying, "Now I've told Gary that this
24 is not the time to have this meeting." Because this
25 was my first day back. I was very weak. I was very

1 pale. I had the tube. And so she started the meeting
2 by making it very clear that she was not in favor of
3 having that meeting that day because it was obvious
4 what type of fragile state I was in.

5 But Mr. Culler insisted on having the meeting
6 anyway. He even -- when I said that my workload, that
7 I couldn't do a fair job to both my classes with my
8 students and with the yearbook, he even kind of laughed
9 about it and said I would have a bigger workload
10 because it was a larger class. He just kept on about
11 if he was going to force anybody, he was going to force
12 me to do it. It didn't matter what else I said in the
13 meeting.

14 I even asked Mary the next day, "Did I make
15 myself clear about my reasonings why I just couldn't
16 possibly do that workload?"

17 She said I made myself very clear, and she
18 looked to tell me that it wouldn't be as many students
19 as he implied.

20 Q. Okay.

21 A. But that was that. So Mary Bridges, back at
22 the time period where I could sign or not sign my
23 contract, she wanted to go and talk to Mr. Culler about
24 removing the yearbook because she did not want the
25 school to lose me. I mean, I was there as a student

1 teacher from the beginning. The administrators did not
2 want to lose me.

3 Mr. Sanders made a phone call before my
4 District screening interview to Ms. Lackey. When I was
5 there, Ms. Lackey asked me was I the student teacher
6 that Mr. Sanders called about to say if he couldn't
7 have me at Edwards, he didn't want me out of that
8 District so as soon as there was an opening at Edwards,
9 he could have me go there. Nobody had wanted me to
10 leave the school.

11 So Mary Bridges, on her own, went and I guess
12 had a meeting with Mr. Culler. She said she was going
13 to be out at the high school in the -- that next day
14 and that she would talk to me whatever the decision
15 was.

16 When I came to work and I was signing in the
17 office, all that Mr. Culler did was wink at me in an
18 inappropriate manner. And so he didn't say anything.
19 He didn't say anything for the rest of the day. At the
20 end of the day, Mary Bridges came and found me, and I
21 was -- where we were getting ready for the eighth
22 graders to get their materials for this big field trip.

23 She said, "Did Gary tell you that he wanted
24 to talk to you this morning?"

25 And I looked at her and with tears in my

1 eyes, I told her, "All he did was wink at me."

2 And she said, "Well, he was leaving for the
3 District office, or was there any way that I could stay
4 until he came back so I could discuss this with him?"

5 And it was the day of the dance. I waited at
6 the school till 5:00 before Mr. Culler made it back to
7 the school. I met him outside. There were the cars.
8 It was out in public, with the parents. I felt very
9 comfortable addressing him there.

10 And I said to him, "Mr. Culler, Mary Bridges
11 said that you want to --" "-- you wanted to talk to
12 me."

13 And he just said, "No, I don't."

14 And so I said -- I had to catch my breath
15 because that caught me completely off guard by his
16 abrasive tone and the fact that Mary Bridges had told
17 the opposite. I told him that I regretted to inform
18 him but if I was going to be required or forced to do
19 yearbook, that I would be unable to sign my contract.

20 He told me that he didn't want to discuss
21 that there, so he had me go to his office to discuss
22 it.

23 Q. Okay. So did you end up signing your
24 contract?

25 A. I hadn't made the decision yet.

1 Q. But I'm just saying, did you end up signing
2 your contract with the District?

3 A. No, I did not sign it.

4 Q. Okay. That was the question.

5 Now, you talked about the heavy class load,
6 student load, and not wanting that to be jeopardized by
7 working with the yearbook. Now, did -- is that the
8 reason why you decided that you did not want to
9 continue working with Pickens County School District?

10 A. My reason not to was conflicted, and it was
11 more than just one simple thing. The environment in
12 which I worked was no longer a safe environment for me
13 or my students. I just wanted to decide -- it was hard
14 because I didn't want to leave. You have to
15 understand, this was a very difficult decision. I
16 mean, I had really thought I would never leave this
17 school. But our school went through three principals
18 in one year. This was not -- it wasn't becoming the
19 place that I had expected. It was just not the same
20 place.

21 There was things that happened to me, things
22 happened to students that should not have happened.
23 And so I was trying to figure out what was the best
24 thing. A principal who constantly told me what was he
25 going to force me to do was not professional or

1 appropriate. I was made to feel uncomfortable by him
2 at every single encounter. He would go out of his way
3 to sometimes isolate me from others or kind of say
4 things in manners in which I looked like -- I felt like
5 I was being singled out for being stupid or incompetent
6 or not doing what was being asked of me.

7 And so I had to, you know -- when I had this
8 meeting with him, I was wanting to sign the contract
9 but his manner in which he carried on that meeting,
10 referring to me as a "little writing teacher," and how
11 I could just, you know, go on to do things, and the
12 belittling manner is how he always addressed me. It
13 was just not appropriate.

14 He then called Mary Bridges into the meeting
15 and he was trying to coax me to sign my contract. He
16 wanted Mary Bridges there. He told me how I could sign
17 my contract and he would let me get out of it if I
18 found a job within a month. And he would let me out.
19 He explained he did this himself when he left Woodmont
20 for Easley, he signed a contract in Greenville. He
21 left it and broke it when he went to Easley High
22 School.

23 He kept saying, "Mary, don't you agree that
24 we'll let her out if she can find a job within a
25 month?"

1 So Mary said, you know, "Okay."

2 And so that's how the conversation ended. I
3 left crying my eyes out the whole way home. I called
4 and spoke to Marilyn Raines on the phone. I was
5 balling my eyes out. It was the most horrible, most
6 painful thing. But there was just no way I could stay
7 there.

8 So when I came back, I had made the decision.
9 It was Memorial Day. I was to leave for the
10 eighth-grade field trip, which I was required as an
11 eighth-grade teacher. They had asked me to go, so I
12 said that I would go.

13 Mr. Culler was not there. Mary Bridges was
14 there as the administrator. I had had a note. She
15 asked me what my decision was because Mr. Culler said I
16 could have until he came in the day after Memorial Day
17 to make my decision, whether I signed my contract or
18 not, because that was when they had to be taken off.

19 I told Mary Bridges that I had put a note in
20 her box and that it was painful for me, but I was not
21 signing it. She looked at me and she said, "You mean
22 you're not doing what Gary told you to do?"

23 Q. Which was what?

24 A. Was to sign my contract. And I said, "No,
25 ma'am. I was taught that you don't sign a contract --"

1 I talked to my parents, just like he told me to. I
2 talked to my family. You don't sign a contract and
3 then try to break it. That's not how I was brought up.

4 So that was how I left it when I went on the
5 required eighth-grade trip.

6 Q. Okay. Had you -- at that time had you heard
7 back from Oconee County about the teaching positions
8 you had interviewed for?

9 A. I had not interviewed yet, but I had an
10 interview. They had called, because I was away, I was
11 not able -- as the chaperone, I did not take any calls
12 or, you know, to assign for another thing. But they
13 had set up through my mother at the home phone an
14 interview for me when I returned -- I was returning the
15 week before, but June 1st they set up an interview.
16 They had three positions open at West-Oak Middle School,
17 two or three positions.

18 Q. So that's June 1st is when you --

19 A. That I was scheduled for an interview. They
20 gave me the last interview possible.

21 Q. So on June 1st is the time you went to
22 interview at West-Oak in Oconee County?

23 A. That was set up.

24 Q. It was set up on June 1st. Okay.

25 Now, concerning your decision to not sign

1 your contract for the '09-'10 school year, do you
2 recall drafting a letter of resignation regarding that
3 decision?

4 A. Yes, but can I explain the context of that?

5 Q. Okay. But you do recall drafting --

6 A. Under duress I wrote it.

7 Q. So you do recall drafting the letter,
8 correct?

9 A. Under duress, yes.

10 Q. You recall drafting a letter of resignation
11 from employment with the District. Who asked you to
12 write that letter?

13 A. The first person to ask me to write that
14 letter was Gary Culler because he said if I didn't
15 write this letter -- and he asked me this when I
16 returned from my interview on June 1st where he knew
17 that I had gone for an interview --

18 Q. Let me stop you. How do you know -- did you
19 tell him you went to interview?

20 A. When I returned from the eighth-grade trip on
21 Friday, I knew that the interview was set up. I was
22 very up front. I waited, again, because being
23 uncomfortable, I did not want to go into his office. I
24 waited until he was in the office, in front of the
25 office staff, the secretary, et cetera. I told him

1 that I had an interview. I told him the time of my
2 interview and the date. And so he said that was fine.
3 Because the last period of the day was my planning
4 period, so I said I didn't know -- I had set it up for
5 the last possible time, but that I would need to leave
6 to make sure I got there on time. He said that was
7 fine.

8 And so later that weekend I realized it was
9 the career day and that I was supposed to go with the
10 students to the career day at Easley to the church
11 where they had the big career day. It was the first
12 day -- I believe it was the first year they were doing
13 it there.

14 And so I thought that this might interfere,
15 and so I wanted to know if we were supposed to ride the
16 buses with the students. So I e-mailed Mr. Culler with
17 my concern that maybe did I need to have a ride to be
18 picked up in Easley? I didn't want to interfere with
19 any problems. And he responded to me that weekend and
20 he was glad because he didn't know what was going to
21 watch the eighth graders who didn't go on the career
22 day field trip, so he was glad to know that I could be
23 there and stay with the students and that he would send
24 somebody to relieve me so I would have time to get to
25 my interview.

1 So when it became June 1st, which I believe
2 was a Monday, I did stay at the school waiting. And
3 then when it was time for me to go, nobody came to
4 relieve me of the few students that were in my
5 classroom. So I had to send one of my students up to
6 the office to say that Mr. Culler was supposed to have
7 sent somebody to -- you know, so that Ms. Noorai could
8 go for her appointment. I didn't tell the student
9 exactly that someone was supposed to come down.

10 Q. Right.

11 A. The secretary, according to student, I mean,
12 I wasn't there, I was watching the other students,
13 snapped and said, "Mr. Culler told us nothing about it.
14 We don't know anything about it. You know, you have to
15 talk to Mr. Culler."

16 So the student came back down. I didn't know
17 what to do. But eventually one of the other staff did
18 come down and stayed with the students in my room so
19 that I was able to leave for the interview.

20 Q. Okay.

21 A. After I was at the interview for over an
22 hour, been taken on a personal tour and all of the
23 different stuff with the interview, I came back to the
24 school because were having the awards ceremony, I
25 believe, the following day. And I knew that Mary

1 Bridges was going to have certificates and other things
2 for me to sign. So to do my due diligence and make
3 sure I did everything I needed, I went back to the
4 school.

5 On my way in to go check my mail, that is
6 when Mr. Culler, who was sitting at the secretary's
7 desk shouted, "Noorai," and so he followed me in to
8 where the mailboxes were. And this is where he told me
9 that he wanted me to write a letter of resignation so
10 that he could interview. And until I wrote this letter
11 of resignation, he could not interview anybody for my
12 position and so it would be hurting the school.

13 It wasn't a desperate thing that I had to
14 write immediately, but he just kept going on, he could
15 not interview. And I took him at his word. I did not
16 think it sounded correct, but that's what was said.
17 And from that I checked my box, I then went to speak to
18 Mary Bridges to make sure there was nothing that she
19 needed from me with the certificates in relation to
20 writing stuff or yearbook.

21 And that is the time that I heard Mr. Culler
22 going off in the office because he kept wanting to talk
23 to Mary, and he started going off about which teachers
24 were weak and which teachers were strong because he was
25 trying to plan who was going to watch what during

1 yearbook day. And it made me very uncomfortable to
2 hear my colleagues being spoken to in such derogatory
3 terms or groupings.

4 Q. Okay. So Gary Culler asked you to write a
5 letter of resignation, and I believe you said that he
6 asked you to write it so that he would be able to
7 interview you for your position?

8 A. Yes. Because without the letter, he could
9 not interview for the position.

10 Q. Okay.

11 A. And there was not a rush. He just wanted me
12 to write it when I got a chance. He knew yearbook day
13 was coming --

14 Q. This was on June 1st?

15 A. Yes. When I came back from my interview.

16 Q. When did you draft this letter of
17 resignation?

18 A. Well, it was the last day of school. It was
19 Thursday. I think it was June 4.

20 Q. Okay.

21 A. I had to be dealing with some last minute
22 yearbook stuff. Some students had got -- was not here
23 on yearbook day. She had gotten her yearbook, had left
24 it in the classroom and other students had defaced it.
25 So I was on the phone with an angry, older sister, who

1 was going off about how her younger sister had these
2 horrible, disgusting comments written about her on the
3 yearbook. And she was demanding another copy of the
4 yearbook.

5 We had sold out all the yearbooks, so I had
6 to -- first, I had to go find Mr. Boggs to see if there
7 was anything that could be done. He said the school
8 year is over, the kids are on the bus, they're going
9 home, nothing we can do. I had to go back, tell the
10 sister how there was nothing that could be done. I got
11 screamed at by the sister because she was very angry
12 because she didn't like what was written in her younger
13 sister's yearbook. So I left -- and I had taken that
14 call because of the loudness of the sister, the
15 bookkeeper was so sweet to have me use her office for
16 the second call because she knew how angry the sister
17 was.

18 When I was walking out of the bookkeeper's
19 office, I heard Mary Bridges call to me from the office
20 of one of the guidance counselors, Paula Doolittle. So
21 I went into Paula's office, where it was just Mary
22 Bridges. And she said very plainly, I needed to -- she
23 needed to tell me that Mr. Culler wanted her to tell me
24 that if I did not write my letter of resignation that
25 day, my certificate would be pulled and I would never

1 teach again in the state of South Carolina.

2 Q. Okay. So Paula Doolittle?

3 A. No.

4 Q. Mary Bridges --

5 A. Mary Bridges in --

6 Q. -- told you?

7 A. -- Paula Doolittle's office.

8 Q. That Gary Culler --

9 A. Told her.

10 Q. -- that if you do not draft that letter of
11 resignation -- was it that day that you had to do it?

12 A. Yes.

13 Q. -- that your certificate would be pulled?

14 A. I would never be able to teach again. And I
15 was in shock. I couldn't believe this. But I thought,
16 well, if she says and he says he can do that, then it
17 must be true because why would they lie to me.

18 So I looked at her, and I said, "Mary, I was
19 going to write it. I've been busy."

20 She says, "I know you were busy, and it's not
21 that Gary doesn't think you're not going to write it,
22 but he wants you to know what the consequences are and
23 it's very serious."

24 And I said, "Mary, I don't have any paper, I
25 don't have a computer, I don't have anything in my

1 room, it's completely emptied."

2 They had the desk, you know, packed up that I
3 was taking home. It was my desk. I said I had
4 nothing.

5 She said, "Well, you can use the computer in
6 my room."

7 And I said, you know, I was -- you know, "I
8 do it because I did not want to lose my certificate."
9 I went to Marilyn Raines to borrow a pen and to get a
10 piece of paper so that I could draft my letter of
11 resignation so that I would not lose my certificate. I
12 went down to my room. All the desks and chairs had
13 been taken out because they were going to be waxing the
14 floor. I had a big long cabinet against one wall. I
15 had to sit on top of the cabinet to write my rough
16 draft letter. I was becoming really upset.

17 I couldn't believe that someone -- I had
18 worked so hard to get my professional teaching license.
19 I had to pass ADEPT with a perfect score. I had been
20 offered the top professional continuing contract. Not
21 every second year teacher who passes ADEPT is offered
22 that. I knew that that was a sign of how the District
23 respected me and my abilities.

24 And so I wrote it, and I went to take Marilyn
25 Raines back her pen. And we were getting ready to have

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1 our big barbeque lunch. And I guess there had been a
2 celebration planned for the teachers that were leaving.
3 And they knew that, you know, barbeque might not be
4 something I wanted to eat.

5 So when I walked to over to Ms. Raines and to
6 Kristine Matthews, they said, "Now, you're going to
7 have to sit down and eat with us whether you can eat or
8 not. So you're going to have to stay."

9 And I broke into tears at that instant
10 because I had realized what that threat meant. And I
11 said, "No, I cannot." And I turned and I walked out of
12 the school and got into my vehicle to cry my eyes out
13 because what was happening and the unfairness of it and
14 how everything was escalating and had gotten to this
15 point and how unsafe and unprofessional a place that
16 school environment was and that I could no longer stay
17 there.

18 And I cried and I cried. And then Marilyn
19 Raines came out to my vehicle, and she had a message
20 from Mr. Culler. And she told me that I was supposed
21 to come in there and that he wanted me in that
22 cafeteria for that celebration and that if I didn't
23 come, he was going to be angry. I just had to come in
24 there for them to do the little ceremony and the little
25 PowerPoint or whatever else they had for me.

1 And I told her, "I'm sorry, I don't care at
2 this point what he wants me to do." I needed to be in
3 my own vehicle for myself, and I refused go in.

4 Following that, first Mr. Brooks had come out
5 because he was leaving for the day. He could tell I
6 was upset. He didn't ask any questions. Then Mary
7 Bridges came out. My vehicle was parked in a giant
8 puddle because when it rained, it was a very rainy day,
9 it would flood up.

10 Mary Bridges took her shoes off. She stood
11 in the puddle, and she said she was angry, too, just as
12 angry as I was. Angry about what was happening. It
13 wasn't fair. And that she wasn't leaving that puddle
14 till I got out of that vehicle. She was going to take
15 me to her office so that I could write this letter so
16 Mr. Culler would be happy. He would leave me alone.
17 She would have me locked in there. Nobody could come
18 in there, that I would be safe and fine.

19 Q. This was Mary Bridges?

20 A. Bridges. So because I didn't want her
21 standing in that puddle any longer, for her, I got out.
22 She walked me in there. She told me how something I
23 never want to happen was to lose my certificate.
24 That's very serious and hard to get back. So to just
25 do what he said so I wouldn't lose it.

1 She walked me in there like I was a student
2 who had done something wrong. I got taken straight up
3 to her office. I was locked in there so that I could
4 write the letter. She didn't want anybody coming in
5 there.

6 She handed me a box of Kleenex. Her office
7 is a very small, kind of long and narrow office. She
8 has her door kind of all the way over on the left in
9 the back. Her computer is all the way at the other end
10 of the office, more on the right side. So it's the
11 full length of the office. I'm sorry, it gets kind of
12 difficult.

13 So she had me start writing it. I was in
14 there a long time writing this letter. Because I
15 didn't know what to do, she tried to show me a sample
16 letter. I didn't know what to say. She kept saying
17 she was going to be in Paula's office. They were
18 working on scheduling.

19 She had -- there's a small, like most of the
20 doors, there's a window, a very long, kind of narrow
21 window that goes down. But she had her window of her
22 door blocked by a white cardigan kind of buttoned-up
23 sweater that she had hanging on the back of the door.
24 So she had that so it's like when you're in there
25 nobody can really see what's going on in there, the way

1 she had her sweater that was hanging there.

2 So she would go -- and she got it locked so
3 that it couldn't be opened by anyone but herself
4 because she was the only one, she said, with that key.

5 Q. Okay.

6 A. So I was writing the letter. It was taking
7 forever. I finally heard a knock and kind of bang on
8 the door. And so it was Marilyn. She was there with
9 the white orchid and a gift -- the gift card from just
10 the eighth-grade teachers. And she told me, you know,
11 that -- she came in there, so I had to let her in. She
12 stayed in there a while. I told her that Mr. Culler
13 said if I didn't write this letter that I would lose my
14 license. She didn't tell me that it wasn't true.

15 She just said, "Well, I guess I better go to
16 let you write this letter." So she left. But when she
17 left, she obviously did not -- the door didn't relock
18 when she left. And so I stayed in there thinking that
19 I had the security that the door was locked.

20 So then sometime later the door opened and
21 Mr. Culler came in there, and he was very angry. And
22 he was screaming, and he was going off. He came and he
23 closed the door. He's standing with a bright red face.
24 He was so angry. He was screaming. He had excitement.
25 He had pleasure on his face because he seemed to take

1 pleasure of the fact that I was completely scared, that
2 I was completely crying, that it was -- I was just in a
3 state. It was horrible. And he was going off and
4 taking pleasure in that I was doing what he wanted, but
5 that wasn't enough.

6 Then his face kind of changed a little bit,
7 and it appeared that he was having an erection and he
8 came forward to get in the seat that was in front of me
9 and he sat down and his tone kind of changed. And he
10 kept going off, "I thought I had explained it to you
11 the first time. I needed you to write this letter."
12 And he went off about how he couldn't interview -- all
13 the good teachers would already be interviewed, "even
14 you," he said, so even I had an interview, implying I
15 knew at that point I didn't get that job.

16 And he went off and he was screaming and he
17 just saying this was this and he kept on. I kept
18 asking him to leave. He did not leave. I told him to
19 please, you know, just leave me alone. Then he kept
20 on, so then I said, "I'll give in."

21 He said, "You're not really upset about
22 writing this letter."

23 So I said, "No, sir, I'm not." I just wanted
24 him to leave the room, but he wouldn't. And I guess he
25 was collecting himself so that when he left he would

1 not be that disheveled. He finally left. And then he
2 sent in Mary Bridges right away. And Dr. Pew even said
3 in her letter that he realized that I was more upset
4 when he left so had Mary Bridges come in there to check
5 on me.

6 I was crying my eyes out, so Mary Bridges
7 came in. She starts refixing the door so that it would
8 lock. She said, "Oh, silly Marilyn --" "--- silly
9 Marilyn didn't refix the door for it to lock."

10 And so she then looked at the letter that I
11 was writing. She said it was a good letter. But she
12 said she had the envelopes for me. She said that I had
13 to understand if I tell the whole truth with what
14 happened, it was going to make Gary angry because he
15 would read it. So whatever I said, I had to know that
16 my letter may cause him to be angrier than he already
17 was based on what I wrote, how much of the truth I put
18 into it.

19 And so she left. I eventually finished the
20 letter. I put two copies, one in the envelope for the
21 District, another for Mr. Culler's box. Okay. And
22 when Mr. Culler had come in there and he was doing his
23 thing, I really several times almost picked up the
24 phone and called 911 because I was scared to death. I
25 have never seen anything like that or the anger or

1 anything. It completely beat what Mr. Hudak did. I
2 was more violated than I was with the student.

3 So when I finished my letter, I went into the
4 office with my head down. I put the letters, and I had
5 to go to Paula Doolittle's office to find Mary Bridges.
6 And she said, "Okay," because I told her I had
7 finished. And she told me that I had to -- had a
8 little checklist that had everything and the last thing
9 you had to turn in your keys, turn in your
10 walkie-talkie, all the things you had to do. And that
11 the last thing was an exit interview that you were
12 supposed to have with the principal.

13 Mary Bridges asked me, "Can you have this
14 exit interview with Mr. Culler?"

15 And I told her, "After what he did, no, I
16 never want to see that man again."

17 And she said I didn't have to. So she sent
18 me to Susan Rowland's office to turn in -- to get her
19 signature, the walkie-talkie was turned in. That I
20 didn't have any receipts that I needed to give her.
21 Then I came back to Mary Bridges. She signed my exit
22 interview. She told me to go on and leave before she
23 started crying.

24 I went down -- I had to go to Marilyn Raines'
25 room because I had my handbag locked in her closet

1 because I had nothing in my room where it would be
2 locked. So then I got my bag. There were a group of
3 eighth grade teachers that were there. James King was
4 there. Traci Hedetniemi was there. Kristine Matthews
5 was there. Marilyn Raines was there. And Rachel
6 Gregory, who was like -- I think she was more in
7 seventh grade at that point. She had been a fill-in
8 teacher, was there working on scheduling.

9 All the teachers, when I walked in they
10 stopped their laughter, they stopped all the fun. They
11 looked and put -- they looked at me and put their heads
12 down. They wouldn't say anything to me. Marilyn went
13 and got my handbag. I got my bag. She said how she
14 was going to miss seeing my little twinkle in my eye
15 that she had gotten used to for three years being at
16 that school, that it was going to be sad with me not
17 there.

18 I left. I then met one of the art teachers
19 that was retiring out there. He stayed with me. They
20 moved my desk out, and then I left. Mary Bridges told
21 me that I did not need to come back the next day. That
22 that was it.

23 MS. DICKEY: Okay. We can take a short five-
24 or ten-minute break, then we'll resume.

25 (A recess transpired.)

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1 (DEFT. EXH. 14, Letter Dated June 4, 2009,
2 Pickens Defs 35, was marked for identification.)

3 BY MS. DICKEY:

4 Q. Okay. We are back on the record.

5 Ms. Noorai, before we took a little break we
6 were talking about your -- the letter of resignation --

7 A. Yes.

8 Q. -- that you wrote. And I just handed you
9 what's been marked as Exhibit 14.

10 MR. CROMER: Go ahead.

11 BY MS. DICKEY:

12 Q. Now, Exhibit 14, is this the letter of
13 resignation that you drafted?

14 A. Yes, ma'am.

15 Q. Okay. And it's dated June 4, 2009 --

16 A. Yes, ma'am.

17 Q. -- which is what you testified to before the
18 break, correct?

19 A. Correct.

20 Q. Okay. And in this letter of resignation in
21 second paragraph, you stated, "My loyalty and
22 dedication to this school is why making this decision
23 extremely difficult for me," which is what you just
24 testified before the break.

25 You said your decision to not renew your

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1 contract is one of necessity. Explain that to me.

2 A. I felt that I had to for my own safety, for
3 my own well-being, that I had something I had to do. I
4 could not stay there.

5 Q. Okay. And you go on to talk about your
6 principal's request being completely unreasonable about
7 having to give up a planning period in order to do
8 yearbook, by teaching language arts to over 260
9 students on an alternating A/B schedule, and then have
10 to take -- serving as a yearbook adviser would take
11 away from your language arts instruction.

12 Then in the last paragraph you state that,
13 "For this reason alone, I have chosen not to renew any
14 contract for the '09-'10 school year with the School
15 District of Pickens County."

16 When you say, "for this reason alone," are
17 you referring to the previous paragraph about yearbook
18 and teaching that many --

19 A. And the principal's request being completely
20 unreasonable.

21 Q. What was his request?

22 A. To me that completely unreasonable request
23 was just everything in general. It was what I was
24 being forced to. I was constantly told I was being
25 forced to do this. He was going to force me to do

1 yearbook if he was going to force anyone. And it was
2 the way that I felt comfortable saying it at the time.

3 Q. Okay. Now, at any time when you were going
4 through your issues with Mr. Culler and your situation
5 at R.C. Edwards, did you think about transferring to
6 another school within the District?

7 A. I live in Oconee County. I knew that they
8 had positions available in Oconee County, and I felt
9 like I wanted to go to my home district. At that
10 point, it was just such an unhappy situation at the
11 school with the coverup and not having things reported,
12 I wanted to start anew.

13 Q. Okay. And when you were told that you had to
14 write a letter of resignation for employment with the
15 District, would you say that you were resistant to the
16 idea of drafting this letter of resignation?

17 A. No.

18 Q. When you were -- what was your initial
19 reaction to being told that you had to write a letter
20 of resignation?

21 A. When I was told on June 1st that I had to
22 write the letter so that he could interview for that
23 position, I didn't quite understand it because my
24 understanding was by not signing the contract, that was
25 all that I needed to do. But I was planning to write

1 the letter since it was requested of me by my
2 administrator. Whether I agreed with it or not, I was
3 going to write it.

4 Q. Now, did you know about the District's
5 practices concerning teachers who chose not to sign
6 their contract, did you know if other teachers had to
7 write letters of resignation when they didn't sign
8 their contracts?

9 A. The only teacher that I was told of who wrote
10 a letter of resignation, she was a media specialist
11 that was at the school, and she had to do that because
12 she was going to get married. And so in order to go on
13 the honeymoon and I guess have the time off, that was
14 the only person I had been told that had to sign --
15 write a letter of resignation.

16 Q. All right. Okay. Go ahead.

17 A. That was the only resignation letter I had
18 been told about. But that teacher actually, I guess,
19 broke her contract of employment for the current year.

20 Q. Okay. Do you remember that teacher's name?

21 A. Alicia Dunlap. She was the media specialist.

22 Q. Now, would you say that you were harmed in
23 some sort of way by having to draft this letter of
24 resignation?

25 A. Yes, emotionally.

1 Q. Okay. And in what way were you emotionally
2 harmed by drafting the letter of resignation?

3 A. Because I was threatened and wrote it under
4 duress.

5 Q. Now, would you agree that by choosing to
6 forego signing your contract of employment, that you
7 essentially resigned from employment with the District
8 by choosing not to sign your contract?

9 A. That I had fulfilled my contract completely
10 and that I had just opted not to sign a new one.

11 Q. So you wouldn't consider that option not to
12 sign the contract as essentially the same as a
13 resignation?

14 A. To me, by not signing the contract, that was
15 the same thing.

16 Q. Okay.

17 A. That I didn't want it to say that I did not
18 fulfill my contract completely.

19 Q. Okay. Now, in your complaint, you have a
20 cause of action for breach of contract accompanied by a
21 fraudulent act against the District and Gary Culler.
22 In what way did Gary Culler breach your contract of
23 employment with the District?

24 A. May I see exactly where that's written?
25 Because I didn't write the document. My attorney did.

1 So if you don't mind.

2 Can you repeat the question so I have it
3 clear in my mind?

4 Q. Okay. In what way did Gary Culler breach
5 your contract with the District?

6 A. I felt that when you have a contract with an
7 employer, your well-being is supposed to be protected,
8 first of all. And that if something happened that was
9 threatening, like what occurred with me and the
10 student, that they're supposed to protect you to make
11 sure it doesn't happen again. That they take care of
12 the situation. There was a failure to do that. There
13 was a failure to protect me with the ensuing thing with
14 Mr. Hudak.

15 And also it is my understanding that you're
16 not to be told threatening lies about why you need to
17 do something. The threat of having my certificate
18 pulled was very upsetting. That was the one thing I
19 had worked so hard for. And I truly believe that when
20 he said he could do it, I believed that he could.

21 Q. Did Mr. Culler tell you directly that he
22 would pull your certificate?

23 A. Yes.

24 Q. Okay.

25 A. He told me it was automatic. That he would

1 pull it.

2 Q. So he said if you didn't sign your
3 contract --

4 A. If I did not write the letter of resignation,
5 my certificate to teach in South Carolina would be
6 pulled automatically.

7 Q. Okay. But he didn't say that he would pull
8 it, he said it would automatically be pulled, correct?

9 A. He said that, you know, he would have --
10 because it's his say so it would be pulled. It did
11 imply that it came from him.

12 Q. So he implied --

13 A. He did not say that the state would pull it.

14 Q. Did he say who would pull it?

15 A. He implied that he would pull it.

16 Q. Did he actually say that he would?

17 A. I'm pretty sure that he did.

18 Q. So he said that he would pull your
19 certificate if you didn't draft the letter of
20 resignation?

21 A. Yes, ma'am.

22 Q. Okay. So you're saying that Gary Culler
23 breached your contract of employment with the District
24 because he threatened to pull your certificate and
25 basically because he didn't properly handle the Hudak

1 situation and other issues that you had throughout the
2 school year?

3 A. Yes. He did not protect me as he would have
4 been required to.

5 Q. Now, along with that breach of contract
6 claim, did Gary Culler or anyone else in the District
7 say anything to you that you believed was fraudulent in
8 any way?

9 A. Yes. That if I didn't write a letter of
10 resignation, that I would lose my teaching certificate
11 or that he could not interview for the position without
12 me writing this letter.

13 Q. So that's the fraudulent piece of information
14 that was given to you by Mr. Culler.

15 Was there anything else?

16 A. With regard to the contract --

17 Q. Right.

18 A. -- it was the letter of resignation.

19 Q. Right. Was there anything else?

20 A. Also the fact that they did not -- when I
21 went and voiced the grievances with the District, that
22 my concerns were not taken care of as well.

23 Q. Okay. So concerning your contract, you're
24 saying that Gary Culler telling you that he would pull
25 your certificate was fraudulent, correct?

1 A. Yes.

2 Q. But you believed at the time that he could
3 actually do that?

4 A. Yes, ma'am, I did. Because Mary Bridges had
5 said that he could. When I mentioned that to Marilyn
6 Raines, she didn't say. So I trusted what they said.

7 Q. Does that sound weird to you at all, that
8 statement that he would pull your certificate? Did
9 that just seem --

10 A. I know that principals can ask teachers to
11 redo ADEPT even if they have gone through and passed.
12 So I believe that if he said this was his authority,
13 that he had it.

14 Q. And do you believe that Mr. Culler gained
15 anything by you drafting this letter of resignation and
16 what he would get out of that?

17 A. I do think that he was, I guess, making sure
18 that, first of all, that there weren't two people that
19 would have had the same position, I guess, because he
20 had the person that was making the in-District
21 transfer -- I was told by Marilyn Raines that
22 Mr. Culler knew exactly who he wanted for that
23 position, and it didn't matter who had applied for it.

24 I also know by writing the letter of
25 resignation, it showed that -- it appeared as if I was

1 breaking my contract, that I was not fulfilling the
2 terms of what I signed. And also I know in terms of
3 unemployment, that that was what was used by the
4 District to try to deny my unemployment that the state
5 gave me based on the harassment that I suffered, that I
6 reported, that was not taken care of by the District,
7 so, therefore, I had good cause to do my job.

8 Q. And the last, are you talking about the
9 stairwell incident?

10 A. I'm talking about everything when I discussed
11 it with the lady who took my report. I'm not sure
12 exactly what she wrote up for unemployment. But I gave
13 her documentation, and I spoke to the woman who took my
14 report.

15 Q. Okay. Now, do you believe that Dr. Pew
16 gained anything by you drafting a letter of
17 resignation? What would she get out of that?

18 A. Again, that the District wouldn't have to pay
19 for two positions. Because when I first contacted
20 Mr. Pew via e-mail, we had had some phone tag when I
21 first heard the threat. She said that there was no --
22 I can't remember her exact words, but I guess remedy
23 because the position had been filled. So I guess if
24 the position hadn't been filled, she implied that she
25 would have offered me the job, according to the way her

1 e-mail was worded.

2 So, again, that prevents the District from
3 paying for two people for the same position. And,
4 again, the same is true because the letter of
5 resignation had been used to try to stop the
6 unemployment.

7 Q. Now, at what point did you decide that you
8 wanted to file a formal complaint against Gary Culler?

9 A. I was not going to say anything. I wanted to
10 leave and go and get a job. When I realized that his
11 threats were complete lies, and that he had cost me the
12 job, I felt that I had no other choice.

13 Q. What job did he cost you?

14 A. At West-Oak Middle School.

15 Q. And that's in Oconee County?

16 A. Yes.

17 Q. Okay. So do you remember about when you --
18 about when you decided that you were going to pursue a
19 complaint against Mr. Culler?

20 A. Because I had -- when I returned home on the
21 4th, Dr. Pew had left a message for me to call her
22 back.

23 Q. Okay.

24 A. Also, I had contacted the SCEA, and they told
25 me that that was not the case. That no one would have

1 their license pulled for not writing a letter of
2 resignation. So that's when I started discussing
3 with -- they had me get in touch with the advocate and
4 talk to the people at the SCEA, and that's when the
5 decision was made. Because everything had been taken
6 away from me.

7 Q. Okay. Now, as far as you know, did any other
8 teacher at Edwards Middle School feel the same way
9 towards Mr. Culler that you did?

10 A. With the uncomfortableness?

11 Q. Yes, right.

12 A. The exact -- I don't know. I know that there
13 were issues with Christie Hunsinger, and I knew that
14 there were issues with the guidance counselor, Maria
15 Thomas.

16 Q. Do you know what type of issues that these
17 two women had with Mr. Culler?

18 A. I don't know exactly what Christie
19 Hunsinger's exact were. I know that with Ms. Thomas
20 and things that were going on, there were issues -- I
21 think, you know, I'm not sure exactly what her cause
22 was coming from. But I do know there were issues where
23 teachers were not wanting her at this position that she
24 was.

25 Q. Okay. Now, do you have any sort of opinion

1 or belief as to why Mr. Culler would in a way single
2 you out as far as his treatment of you?

3 A. I don't know why he would do that. I don't
4 know. I just know that it happened.

5 Q. Now, did you end up meeting with Dr. Pew
6 about your complaints regarding Mr. Culler?

7 A. Yes, I did.

8 Q. And do you remember about when that happened?

9 A. It was around June 29th, I think, around
10 then. It was towards the end of June.

11 Q. And did you prepare any type of document in
12 preparation of your meeting with Dr. Pew?

13 A. No. The SCEA asked me to document before I
14 met with Janet Stein.

15 Q. Okay.

16 A. And so that -- I had a document, and it was
17 her decision. She wanted me to take that and write up
18 a little bit more for Dr. Pew.

19 MS. DICKEY: Okay.

20 (DEFT. EXH. 15, Chronology, Pickens Defs 43
21 through 67, was marked for identification.)

22 BY MS. DICKEY:

23 Q. Okay.

24 A. Yes, this is the document that Janet Stein --

25 Q. Okay.

1 A. I had written up the chronology, and then she
2 told me what else that I should write, the opening
3 statement in the chart.

4 Q. Okay. And just for purposes of the record,
5 this is a 25-page document, correct?

6 A. I believe so.

7 Q. Yeah. And the first page has Opening
8 Statement?

9 A. Yes.

10 Q. So this is a document that your SCEA rep
11 asked you to draft in preparation of your meeting --

12 A. Yes.

13 Q. -- with Dr. Pew?

14 A. Yes, ma'am.

15 Q. Do you remember about when you drafted this
16 document?

17 A. It was in between leaving Edwards June 5th
18 and before meeting with Dr. Pew.

19 Q. Okay.

20 A. By the middle of June.

21 Q. And the first, I believe, four pages are an
22 opening statement, and then you have a timeline of
23 incidents. Did you draft this timeline in June of '09?

24 A. Yes.

25 Q. Okay.

1 A. At the request of the SCEA.

2 Q. Okay. And did you just draft this from your
3 memory of what had occurred throughout the '08-'09 --

4 A. Memory and some things I had jotted down on a
5 calendar.

6 Q. Okay. So you just made some previous notes
7 and then from your memory is how you created the
8 timeline.

9 A. Yes, ma'am.

10 Q. Okay. And did you give this document to
11 Dr. Pew when you met with her?

12 A. Yes. The advocate suggested -- told me to
13 give it to her.

14 Q. And when you met with Dr. Pew, was your SCEA
15 rep in attendance?

16 A. Yes, she was there.

17 Q. And that's Janet --

18 A. Stein -- Stein but pronounced Stein.

19 Q. Okay. Was the intent of you drafting this
20 was just to do what?

21 A. She wanted, I guess, to present to Dr. Pew, I
22 guess, the whole picture of what had gone on.

23 Q. Okay. And you said that you did hand this
24 document to Dr. Pew at the meeting that you had with
25 her?

1 A. Yes, I did.

2 Q. Okay. Did Dr. Pew follow up with you after
3 you met with her?

4 A. She sent a letter.

5 MS. DICKEY: Okay.

6 (DEFT. EXH. 16, Letter Dated July 8, 2009,
7 was marked for identification.)

8 BY MS. DICKEY:

9 Q. Okay. And is this document that I just
10 handed to you the letter that you received from Dr. Pew
11 after your meeting?

12 A. It appears to be.

13 Q. Okay. It's dated July 8, 2009. And as I
14 said, it's from Dr. Pew to you, Miriam Noorai. And it
15 appears that it is in follow up to the conference that
16 you had with her on June 30th. And she mentions that
17 your SCEA rep was in attendance as well. And it says
18 that during your meeting you share concerns that you
19 have with your principal, Gary Culler.

20 And she categorized your different
21 complaints: sexual harassment, lack of communication,
22 intimidation, and lack of professionalism. Is that an
23 accurate reflection of your complaints that you had,
24 those four categories?

25 A. I would say so.

1 Q. Okay. And then in the second paragraph she
2 goes on to state that you would like the following: no
3 employee would have to experience the harassment, an
4 apology letter from Mr. Culler, recommendation letter
5 from Mr. Culler, want to review your personnel file,
6 receive a copy of your final summary evaluation. You
7 wanted the gift card from the school. She said that
8 she enclosed the recommendation from Mr. Culler.

9 Did you receive a recommendation from
10 Mr. Culler?

11 A. Yes, I did.

12 Q. Okay. And did you receive a copy of your
13 final evaluation?

14 A. I received the summary sheet but not the
15 evaluations.

16 Q. Okay. And did you receive the gift card from
17 the middle school?

18 A. Yes.

19 Q. Okay. And did you end up reviewing your
20 personnel file at the District office?

21 A. She showed it to me that day.

22 Q. Okay. She goes on in the next paragraph
23 to -- and this is in reference to the stairwell
24 incident. She says that you never verbally shared this
25 incident with an administrator or the school resource

1 officer. "Mr. Culler was unaware of this incident
2 until I brought it to his attention on Wednesday,
3 June 30th."

4 Is that accurate from what you remember?

5 MR. CROMER: I object to the form. Are you
6 talking about what's in the letter, or are you talking
7 about the facts?

8 MS. DICKEY: I'm talking about what's in the
9 letter.

10 THE WITNESS: That's what the letter says.

11 BY MS. DICKEY:

12 Q. But you say -- did you ever verbally share
13 the incident with an administrator at the middle
14 school?

15 A. No.

16 Q. Or with the school resource officer?

17 A. No.

18 Q. Okay. I know you had mentioned before about
19 Mr. Culler winking at you. Had he winked at you on
20 more than one occasion?

21 A. Several occasions.

22 Q. Okay. And each time that he winked at you,
23 did you feel uncomfortable?

24 A. Yes --

25 Q. Did you -- go ahead.

1 A. But it wasn't not -- I mean, there are
2 different sorts of winks and there are different ways
3 that you can take them. But his type of wink was
4 inappropriate, especially at the times in which he used
5 them.

6 Q. Okay.

7 A. And the way that they made me feel.

8 Q. Okay. Now on to the next page at the bottom,
9 it says Pickens Defendant 71. This is concerning your
10 contract and the letter of resignation. And she states
11 in her letter that, "After May 25th, the Human Resource
12 Office asked principals to send unsigned contracts to
13 our office so that we could confirm the resignation.
14 Mr. Culler was attempting to follow these instructions
15 based on the common practice of having teachers who do
16 not sign their contracts also submitting a letter of
17 resignation."

18 Are you -- were you ever aware that the human
19 resource office is the office that asked Mr. Culler to
20 ask you to draft the letter of resignation?

21 A. I was not told that.

22 Q. Okay. And when you saw this in the letter,
23 did you believe Dr. Pew when she said that the HR
24 office is the office that asked Mr. Culler to draft --
25 to get you to draft the letter of resignation? Did you

1 believe that statement that she made?

2 A. I didn't really think about the statement
3 that she made.

4 Q. It goes on to say that you stated, however,
5 that Mr. Culler threatened to take away your
6 certificate, which you had mentioned before. And that
7 she believed that Mr. Culler was attempting to explain
8 that you could lose your certificate if you did not
9 resign and took other employment without obtaining a
10 release from your contract.

11 Now, do you believe that Mr. Culler was just
12 attempting to explain to you that you could lose your
13 certificate if you did not resign the contract and took
14 employment?

15 A. No, I do not. I did not agree with that
16 statement.

17 Q. Okay. When you received this letter from
18 Dr. Pew, what was your overall reaction to the
19 statements that were made in the letter? I know you
20 just said that some of the things you didn't believe in
21 here, so was that --

22 A. It was -- I felt there were a lot of
23 inaccuracies and insulting. And as I said before, I
24 went to the Pickens County Sheriff's Department that
25 same day.

1 Q. Okay. So do you follow up with Dr. Pew after
2 you received this letter from her?

3 A. Yes, I tried to via e-mail.

4 Q. Okay. And did she respond to you?

5 A. Yes. I was requesting to move the grievance
6 forward. She said I was no longer employed; therefore,
7 there was no grievance and that this was the end of it.

8 (DEFT. EXH. 17, E-Mails Dated July 14 and 15,
9 2009, was marked for identification.)

10 BY MS. DICKEY:

11 Q. Now, do you recall -- first of all, just
12 identify what this document is for me.

13 A. This is the e-mail I sent after I received
14 the letter from Dr. Pew, and this is her response.

15 Q. Okay. And you told them that you were
16 dissatisfied with the response and that there were
17 inaccuracies and you were moving forward to the next
18 level of the grievance. And she responded that, "The
19 matter is not considered a grievance because you are no
20 longer an employee of the District."

21 At this time July 15, '09, did you understand
22 that you were no longer employed with Pickens County
23 School District?

24 A. Yes. Yes. But I was under the understanding
25 that once you started and filed one while an employee,

1 it was supposed to be allowed to continue.

2 Q. And you filed yours -- when did you file your
3 grievance?

4 A. I met with her June 29th, but we had been
5 communicating about that there was concerns throughout
6 the month of June. My employment ended on the 30th.

7 Q. Okay. Then she goes on to say that you --
8 she, however, agreed to meet with you to hear and
9 address your concern, which she believes the District
10 has now done. And then she asks if you would like to
11 put in writing what you believe are inaccuracies, and
12 she will be happy to look into them further.

13 Did you go on to put in writing what you
14 believe to be inaccuracies?

15 A. After talking with the SCEA rep, she had told
16 me not to do that.

17 Q. So this is Janet?

18 A. Yes..

19 Q. She told you not to put into writing what you
20 thought were inaccuracies?

21 A. Yes.

22 Q. Okay. Now, you have named Dr. Pew as an
23 individual defendant in this case, correct?

24 A. Correct.

25 Q. What did Mr. Pew do that you believe was

1 unlawful or caused you some sort of injustice?

2 A. I felt that she, in her position, had a
3 responsibility to fully investigate the complaints and
4 what I had brought to her attention. And that also
5 there was a civil conspiracy to ensure that I would
6 not --

7 MR. DUFF: Mr. Cromer, you are pushing the
8 complaint in front of your client.

9 MR. CROMER: Let the record show that's
10 correct. And in answer to your question, you asked
11 what she meant by it. I gather she meant what was in
12 the complaint. I was furnishing the complaint for her
13 to look at. But if you object to it, I will put it
14 away.

15 MR. DUFF: I don't think that's the way it's
16 supposed to work. The lawyer is not supposed to help
17 the witness.

18 MR. CROMER: Can you furnish her a copy of
19 the complaint so she can have it?

20 MR. DUFF: It's already done now.

21 MR. CROMER: All right. Go ahead, ask your
22 questions.

23 BY MS. DICKEY:

24 Q. Anyway, so you were saying -- I don't even
25 know what you were saying, actually. Got interrupted.

1 A. First, I felt there was a responsibility and
2 a duty of Dr. Pew because I let her know, although she
3 did not agree with me, that Mr. Culler had cost me the
4 job in the other District. And I knew that he had. I
5 was told that he had. And so I felt like and I was
6 starting to realize and understand that this was going
7 to be a situation where if I wasn't going to stay at
8 Edwards and work for Mr. Culler, that I was not going
9 to be able to work or teach at any school district.

10 Q. Okay. Now, who told you that Mr. Culler said
11 things that jeopardized your ability to have another
12 teaching position?

13 A. First of all, Mr. Culler implied that I did
14 not get the job. Secondly, I was told by Marilyn
15 Raines over that summer that she knew that this was
16 going to happen -- because I told her, I said,
17 "Mr. Culler prevented me from getting a job."

18 Marilyn Raines told me that she knew that
19 that was going to happen. That there were going to be
20 problems with references since the only place that I
21 had worked for my whole employment as a teacher was at
22 R.C. Edwards. I then found out who had received the
23 position at West-Oak Middle School that I was applying
24 for.

25 Q. Okay.

1 A. And then I met with Earnestine Williams, and
2 she told me that based on what Mr. Culler had said was
3 the reason why I did not get the job.

4 Q. Okay. Going back to Dr. Pew for a moment,
5 you said that she didn't properly investigate the
6 issues that you brought before her; is that correct?

7 A. That was my understanding.

8 Q. Okay. I'm just trying to get a sense of how
9 you were harmed or injured by Dr. Pew. What harm did
10 she cause you in all this?

11 A. Well, more emotional distress, that someone
12 who I thought was going to listen and would do the
13 right thing did not. I felt that she -- that there was
14 more harm because the first ADEPT form I got was one
15 way with things printed and some things handwritten.
16 Then I got a second copy that was different. I didn't
17 know how things that were typed could become
18 handwritten and vice versa. So I felt that it was
19 everyone working against me and attacking my
20 credibility and my ability to teach.

21 Q. When you say everyone was working against
22 you, who do you lump into that category of everyone?

23 A. I guess the District personnel in the
24 difference Districts. I felt like it was they were
25 protecting, I guess, their own.

1 Q. Why do you think that they were, for lack of
2 a better word, out to get you specifically?

3 A. I'm not sure if it was just part of covering
4 up what had happened or if it was what I had, you know,
5 reported, whether it was just -- but the fact that I
6 have been unable to get a teaching job and the things
7 that I've been told by different principals in the
8 different counties that are untrue about myself has
9 made it very clear that there has been an effort to
10 make sure that I am not being offered another teaching
11 position.

12 Q. Okay. So you mentioned that other principals
13 in other counties have told you things that make you
14 believe that what the individual defendants have done
15 or said have caused you not to be able to have a job?

16 A. Correct.

17 Q. Who were these principals that you talked to?

18 A. There are multiple ones.

19 Q. Give me any of their names.

20 A. Okay. When in -- Anderson 4 -- Anderson 5,
21 I'm sorry, when I went on the interview at McCants with
22 Jacky Stamps, and then I think she was an instructional
23 coach, Leigh Burton. And Mr. Stamps was asking me
24 questions. She stopped the interview and she said she
25 wanted to make sure it was clarified, but she said,

1 "Yes, Mr. Stamps," and she was pointing to the
2 reference letter from Mr. Culler, and she says, "It
3 says it right here. She was offered a continuing
4 contract."

5 Q. So she -- who is the she that pointed to --

6 A. Leigh Burton speaking to Mr. Stamps. They
7 were under the pretense that I had not been offered a
8 contract. That I had been forced -- I had been asked
9 to resign in lieu of termination.

10 Q. And you're saying that you saw them point to
11 a reference letter from Mr. Culler?

12 A. She pointed to the line where it said I was
13 offered a continuing contract for the 2009-2010 school
14 year.

15 Q. But you mentioned Mr. Culler's name.

16 A. It was his letter that he had written.

17 Q. So you saw that it was a letter that was
18 written by him or signed by him?

19 A. It was a letter Dr. Pew had him write, that
20 you had made mention of in her letter.

21 Q. The letter of?

22 A. Dr. Pew that said he was writing a reference
23 letter.

24 Q. Okay.

25 A. Is what I had furnished.

1 MR. CROMER: Exhibit 16?

2 THE WITNESS: Yes, sir. Where she made
3 reference to it.

4 BY MS. DICKEY:

5 Q. Okay. So is the letter -- that was part of
6 trying to resolve your issues that Mr. Culler wrote a
7 letter of reference for you, and that's what they were
8 referring to --

9 A. That was --

10 Q. -- at that time?

11 A. -- what I had with me for the interview.

12 Q. And tell me again what Ms. Stamps said when
13 she pointed to it.

14 A. Leigh Burton pointed to it to Mr. Stamps.

15 Q. Okay.

16 A. And she said, "No, it says right here. She
17 was offered a continuing contract.."

18 Q. Okay.

19 A. And she said it more than once.

20 Q. Okay. Now, when you heard that exchange
21 between Mr. Stamps and Leigh Burton, did you say
22 anything in response to what they were saying?

23 A. I said that was correct, I was offered a
24 contract. And I chose not to sign it.

25 Q. This was Anderson --

1 A. 5.

2 Q. 5.

3 So I'm trying to understand what in that
4 exchange makes you believe that something that
5 Mr. Culler said was preventing you from getting a job.

6 A. They implied that I had not been offered a
7 contract, which is similar to what earlier I had been
8 told by Ms. Williams in Oconee County because she said
9 based on her understanding, if I did not write a letter
10 of resignation, I would have been marked terminated
11 with the State. Which only can happen if you are not
12 offered a contract.

13 Q. So, again, I guess I'm -- Mr. Culler's letter
14 said that you were offered a contract of employment?

15 A. That letter that I had with me.

16 Q. Right. So did anyone tell you that
17 Mr. Culler told them that you were not offered a
18 contract?

19 A. Ms. Williams told me that if I had not
20 written a letter of resignation, based on what she had
21 been told, based on what Mr. Culler said, I would have
22 been marked terminated with the State. Which can only
23 happen if you are not offered a contract.

24 Q. So no one came to you and specifically said,
25 "Mr. Culler said that you were not offered a contract

1 of employment"?

2 A. That -- not directly.

3 Q. Okay. So that was Anderson 5?

4 A. Correct.

5 Q. Anywhere else that you went?

6 A. Also in Anderson 5, at Lakeview Middle
7 School, I was told by the administrators untrue things
8 about myself and my teaching.

9 Q. Okay. First tell me who the administrators
10 were.

11 A. I can't think of what their names are.

12 Q. They're administrators at Lakeview Middle?

13 A. Two female administrators at Lakeview, which
14 is also in Anderson 5.

15 Q. What is the untrue --

16 A. I was first told that I had always had
17 problems, you know, like my induction year. I had all
18 these problems in my induction year, which were not
19 true.

20 Q. Okay. And what else? Was there anything
21 else?

22 A. I was also told that I had never been a core
23 subject teacher, that I was only like a related arts
24 teacher, which was not true. And they also tried to
25 imply that I wasn't offered a contract.

1 Q. Did they tell you where they got this
2 information from, that you were not a core subject
3 teacher and the year of induction?

4 A. Well, I know that the whole point of a
5 conspiracy is that it's secretive. People are not just
6 going to tell where they're getting it from. Some
7 principals are -- you know, just hint. Like another
8 principal in Greenville at the Greenville High School
9 said, "Well, you have reference letters right here that
10 show that you did not have a problem with management,"
11 implying that he had been told previously that I had a
12 problem with management. But that's not what the
13 documents that I had said.

14 Q. So they didn't tell you where they got this
15 information from?

16 A. Those did not.

17 Q. Okay. And do you have any evidence as to who
18 would have told them this information, how they would
19 have received this information?

20 A. I assume that it came from the District. For
21 example, in Anderson 5, a principal that had been moved
22 to one of the brand-new middle schools called one of my
23 references and told her that my file in Anderson 5 was
24 full of red flags.

25 Now, I shouldn't have red flags in a school

1 district where I didn't work. They would have had to
2 get that information from my former employer.

3 Q. Did she say what those red flags were?

4 A. No.

5 Q. She just said there were red flags?

6 A. The principal just told her that there were
7 red flags.

8 Q. And the red flags were in your file?

9 A. They said my file had reg flags. It had red
10 flags in it, multiple flags.

11 Q. What do you understand "red flags" to mean?

12 A. Well, she said that these red flags were
13 going to prevent her from interviewing me for a
14 position.

15 Q. So what do you consider "red flag" to mean?
16 What does that mean to you?

17 A. Negative comments about my teaching and I
18 guess how I left my former employer.

19 Q. Okay. So Anderson 5, you have McCants and
20 Lakeview Middle. Anywhere else? Any other principals
21 that told you information that you believe to be untrue
22 about you and your teaching abilities?

23 A. Several -- I mean, the principals have said
24 different things. Also, when I went to a middle school
25 in Simpsonville, Hillcrest, I was with that principal

1 for over two hours. I believe it was Mr. Russell. He
2 told me -- because he had first had a conversation with
3 Dr. Medford explaining to her that there were issues
4 coming from my former employer.

5 Q. And he used the word "issues"?

6 A. Yes. And that it was implied that -- he said
7 for her, he wanted her to explain what was going on.
8 And that she implied that there was an issue with a
9 student, and that what happened was the school resource
10 officer didn't handle it quickly enough. It led to
11 another student being attacked. It ended up
12 embarrassing the principal so, therefore, he forced me
13 to write a letter of resignation. That was her
14 understanding from whoever told her that.

15 She, the principal, had the understanding
16 that I was not offered a contract. He told me that he
17 had called the school for a reference. That when he
18 had Mary Bridges on the phone, she clammed up and did
19 not even give a neutral reference. And that he was
20 told he would have to call Ms. Lackey as head of human
21 resources, which he said he had not done yet. But that
22 was a very negative mark.

23 He looked at the reference letter that
24 Dr. Pew had Mr. Culler write, and he said he was going
25 to be honest with me, that that was a very negative

1 reference letter. That it implied to a principal that
2 there were problems. That it was written.

3 He also said that he was going to let me know
4 if it was the fact that Greenville County School
5 District would not allow me to be hired, and that he
6 would contact me again. And if he didn't --

7 MR. CROMER: Who is he?

8 THE WITNESS: Mr. Russell at Hillcrest Middle
9 School. I'm pretty sure that's his name. That the
10 only reason I wouldn't hear from him in regards to this
11 position would be if Greenville County put a gun to his
12 head and told him that he was not to contact me again
13 or tell me anything about whether or not I could be
14 hired.

15 BY MS. DICKEY:

16 Q. And he never told you who shared this
17 information with him?

18 A. I'm not sure if I understand.

19 Q. Mr. Russell -- you don't know who at the
20 Pickens County School District or whoever shared
21 information with him, do you know if anyone at Pickens
22 talked to him directly?

23 A. He talked to Mary Bridges and tried to talk
24 to people at the school. And they refused to tell him
25 anything but to call Ms. Lackey. Which he had not done

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1 so at the time of meeting me.

2 Q. So that's two schools in Anderson 5. We have
3 Hillcrest and Simpsonville. Anywhere else where you
4 talked to principals?

5 A. One of the last positions I went on to
6 interview in Greenville County, I think it's called
7 Greenville Middle School.

8 Q. Okay.

9 A. I can't think of the name of that principal.
10 It was for a part-time drama/English position. And he
11 told me multiple times that the only way, the deciding
12 factor into whether he would offer me a job would be
13 based on what my former employer told him about me.
14 And I was rejected for that position. I was also --

15 Q. Repeat that for me. The only -- I don't want
16 to get it incorrect. Restate what you just said.

17 A. That the deciding factor into whether I would
18 get this position or not would be what my former
19 employer said.

20 Q. Would be what your -- did he tell you he had
21 already contacted --

22 A. He had not at that time. He was contacting
23 them after I left.

24 Q. He just said your former employer. Did he
25 specify who?

1 A. At the school.

2 Q. Did he say who at the school he would speak
3 to?

4 A. I was assuming it would be Mr. Culler since
5 he said he was calling the former supervisor. I guess
6 the administrator at the school.

7 Q. At first you said your employer.

8 A. Employer, but that is the same as supervisor.

9 Q. Did he say "supervisor" or did he say
10 "employer"?

11 A. He said "employer."

12 Q. Okay. So he said that he would have to
13 contact your former employer, and that would be the
14 deciding factor as to whether or not you got the job.
15 And you ended up not getting the job; is that correct?

16 A. Correct.

17 MR. CROMER: Who is "he"?

18 THE WITNESS: I cannot think of his name, but
19 it's Greenville Middle School. I have it in the
20 records. I think his last name is Palmer.

21 BY MS. DICKEY:

22 Q. But it's the principal at Greenville Middle?

23 A. I'm pretty sure, yes. It was just in
24 December.

25 Q. Of '11?

1 A. Yes, ma'am.

2 Q. Okay. Anywhere else? Anybody else?

3 A. Also, there was another school. I think it
4 was -- I think it's Lakeview Middle that's in
5 Greenville County. I interviewed before the last
6 summer.

7 Q. Do you remember who you interviewed with?

8 A. I'm trying to think what her name is. I
9 cannot. She's been there for years, but I can't think
10 of what her name is.

11 Q. It was Lakeview Middle School in Greenville?

12 A. I'm positive. It's in Greenville County.
13 It's a Title I school.

14 Q. So you interviewed at Lakeview Middle, but
15 you just don't remember who it was?

16 A. It's the principal, but --

17 Q. The principal of the school?

18 A. -- I'm not thinking what her name is.

19 Q. What did the principal say to you in regards
20 to references?

21 A. I was at that interview for close, again, to
22 over two hours. I had a personal tour of the school.
23 She was very complimentary. She told me what she had
24 been told was that if something little, just some
25 little something happens, that I'm just going to walk

1 out and leave my job and not come back. Which causes,
2 you know, the students to be upset because they've lost
3 a teacher.

4 Q. And she said, "What I was told is the --"

5 A. Yes, exactly what she said.

6 Q. Did she say who told her?

7 A. No, and I did not ask her. I was shocked by
8 her saying that.

9 Q. Okay. So this is the principal at Lakeview
10 Middle School in Greenville. Anyone or anywhere
11 elsewhere where you ran into this problem?

12 A. I'm sure, but I'm not thinking of it off the
13 top of my head.

14 Q. Those are the five ones you can think of
15 right now?

16 A. And then I've had others. Like when I
17 applied for a position at Beck Middle School, one of
18 the assistant principals wrote me back right away and
19 said, "Yes, we've checked your resume, and we have so
20 many applicants. Thank you. Have a nice day."

21 So I've kind of gotten the message that they
22 know who I am and most schools, when I apply, do not
23 even respond.

24 Q. Okay. And going back to Oconee County and
25 the -- I know you interviewed at West-Oak -- is it

1 West-Oak -- West-Oak Middle School in Oconee County for
2 the three ELA teaching positions available --

3 A. Right.

4 Q. -- correct?

5 And did you interview for all three of those
6 positions or just one?

7 A. Yeah. It was interviewing for the vacancies,
8 but they had geared me towards eighth grade since that
9 was where my experience was.

10 MS. DICKEY: Okay.

11 (Off the record.)

12 BY MS. DICKEY:

13 Q. Okay. Ms. Noorai, I want to ask you now
14 about the specific claim that you have regarding Gary
15 Culler and your belief that he has defamed you in some
16 way; okay?

17 A. Okay.

18 Q. Okay. Now, what did Gary Culler say that you
19 believe constitutes defamation?

20 MR. CROMER: You object if I hand her the
21 complaint so she can read it?

22 MR. DUFF: Yes.

23 MR. CROMER: Okay. Go ahead with that
24 understanding. Answer the question, if you can.

25 THE WITNESS: Well, I feel that things that

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1 have been said about my teaching, first of all,
2 Mr. Culler never once observed me teach.

3 BY MS. DICKEY:

4 Q. Okay.

5 A. What I was told by Earnestine Williams in
6 Oconee County was that based on what Mr. Culler told
7 West-Oak and what Jami Verderosa, the new principal
8 came and told her, was I went from being the top
9 candidate for the eighth grade position to not being
10 selected for that position. As Ms. Verderosa had told
11 me on the phone, "After checking your references, we
12 are unable to give you a job at this time."

13 And she also told me that she couldn't
14 remember exactly what was said by Mr. Culler that was
15 related to her by Ms. Verderosa, but it was something
16 about what kind of teacher I was, whether budding or
17 how I manage the classroom, she reassured me multiple
18 times that Mr. Culler did not make reference to me
19 being sexually assaulted by a student, but she kept
20 reiterating that based on what Mr. Culler said cost me
21 the job.

22 Q. And she specifically said, "based on what
23 Mr. Culler said"?

24 A. "Said."

25 Q. Okay.

1 MR. CROMER: And "she" is who?

2 THE WITNESS: Earnestine Williams.

3 BY MS. DICKEY:

4 Q. And she's with the defendant, Oconee County
5 School District?

6 A. Yes, ma'am.

7 Q. Other than this conversation that you had
8 with Ms. Williams, anyone else tell you that Gary
9 Culler made statements about your teaching abilities?

10 A. Not directly.

11 Q. Okay.

12 A. But that's part of the whole conspiracy and
13 the nature of it and that most principals don't even
14 respond to me or the ones that do indirectly say
15 things.

16 Q. So you mentioned conspiracy a couple of
17 times. Who is involved in this conspiracy against you?
18 Who are the individuals who are conspiring against you?

19 A. I'm assuming that, like, Mr. Culler and Kelly
20 Pew and whoever was involved at the District level to
21 do this, whoever sends out these references, whoever
22 had put that I had an improvement plan on my ADEPT that
23 I never had.

24 Q. So these are the people who conspired?

25 A. The District. And then I guess how they've

1 all worked at all the districts that I'm unable to get
2 a job. Because there have been multiple jobs. I've
3 been told by principals how exceptional I am and that
4 in regards to other people who are applying that are
5 not as qualified or as experienced as I am, and yet
6 I've not been able to get a job.

7 Q. Okay. So Gary Culler is involved in the
8 conspiracy, that's what you believe, correct?

9 A. Correct.

10 Q. Kelly Pew is involved in the conspiracy, as
11 well? Correct?

12 A. Correct.

13 Q. Who else at the District or school level is
14 involved in the conspiracy?

15 A. Well, I mean, I don't know exactly. It has
16 to be working through -- at the District. I can't know
17 exactly who was saying it. It would have to do with
18 the references going out. The one principal said that
19 he would be calling Ms. Lackey. So, I mean, I cannot
20 tell you exactly who. I mean, that's the whole part of
21 a conspiracy is that it's secretive. They are not just
22 going to reveal everything.

23 Q. So why do you believe that Gary Culler or
24 Dr. Pew or whoever at the School District, why do you
25 believe they would be trying to conspire against you?

1 A. I guess it's part of them covering up exactly
2 what happened and also for the fact that if I wasn't
3 going to work there, I -- just like with an abusive
4 spouse, if you're not going to stay and do what he
5 tells you to do, then you're not going to have a job
6 anywhere. This is obviously what has happened, that I
7 have been unable to get any type of job. I'm unable to
8 get any type of reference for any employer.

9 Q. So do you believe the only reason why you
10 haven't been able to get a job is because of Gary
11 Culler, Kelly Pew, and the people at Pickens County
12 School District?

13 MR. CROMER: Object to the form, but you can
14 answer.

15 THE WITNESS: I also feel like there's some
16 involvement with Oconee, as well.

17 BY MS. DICKEY:

18 Q. Oconee, as well. So you believe you haven't
19 been able to gain employment because Kelly Pew, Gary
20 Culler, other Pickens County administrators and then
21 Oconee County administrators are conspiring against
22 you?

23 MR. CROMER: Same objection. You can answer.

24 THE WITNESS: Yes.

25 BY MS. DICKEY:

1 Q. Okay. I know you said that the Pickens
2 County folks would be conspiring against you to cover
3 up what had happened during the '08-'09 school year,
4 correct?

5 A. Correct.

6 Q. Why would Oconee be involved in a conspiracy
7 with Pickens?

8 A. I guess because they got pulled in by
9 Pickens, and they got pulled into it by hiring someone
10 for the position that I applied for that I was supposed
11 to get based -- that was unqualified, inexperienced.
12 And I believe that it just got blown out of proportion,
13 and it escalated from there.

14 Q. So other than this conversation that you said
15 you had with Ms. Williams with Oconee, what evidence do
16 you have that any of these individuals conspired
17 against you?

18 A. That I've been unable to get a job with all
19 these jobs that I have applied for and unable to get a
20 reference and based on what I've been told.

21 Q. Okay. I know that you had interviewed at
22 Anderson 5, correct?

23 A. Oh, yes, multiple positions at Anderson 5.

24 Q. Greenville County, you applied there?

25 A. Yes.

1 Q. Did you continue to apply to District -- I
2 mean for jobs in Oconee County?

3 A. Oconee.

4 Q. Did you continue to apply for jobs in Pickens
5 County?

6 A. Yes, ma'am.

7 Q. Where else did you apply?

8 A. Anderson 1, Anderson 2, Anderson 3.

9 Q. Okay.

10 A. Anderson 4. I've applied for jobs at
11 Tri-County. I've applied for jobs with Clemson
12 University. I have applied for jobs while I was on
13 unemployment for almost two years. Too many employers
14 to count how many jobs, and they have records of
15 everything. I made hundreds of job contacts.

16 Q. Okay. Did you interview with all of these
17 different employers, Anderson 1, 2, 3, 4, did you have
18 interviews with all of them, or did you just apply?

19 A. I applied. I was told that if I was
20 qualified for the positions, I would be contacted for
21 an interview. I've not been contacted. Some have
22 never replied.

23 Q. What is Tri-County?

24 A. Tri-County Technical College.

25 Q. Okay. And you said Clemson University?

1 A. Yes.

2 Q. What position did you -- or positions did you
3 apply for at Clemson?

4 A. Too many to count. I've applied for student
5 services positions. I've applied for positions with
6 the Academic Success Center, which would have been
7 similar what I did at the College of Charleston. I
8 applied for administrative assistants. I've applied
9 for a whole gamut of things that I am qualified and
10 even overqualified for.

11 Q. Okay. Now, for these various positions that
12 you applied for in the Anderson, Greenville, and all
13 these different places, were there actual job openings
14 that were available that you applied for or did you
15 just send out your resume, cover letter to different
16 employers?

17 A. Yes, ma'am. I applied for specific positions
18 multiple times over.

19 Q. Okay. And I know before we talked about
20 references from Marilyn Raines and Mary Bridges and
21 Ms. Medford?

22 A. Dr. Medford.

23 Q. Dr. Medford. Did you request anyone else to
24 submit references on your behalf?

25 A. Dr. Medford had me contact Dr. Pressley since

1 he was the first principal and that she had known him.
2 She said that since he did observe my teaching and was
3 the principal that hired me, he should also give a
4 reference. And that he did.

5 Q. You had mentioned before that when you were
6 interviewing in different places, that they made
7 reference to classroom management issues that you may
8 have had when they checked your references.

9 A. Earnestine Williams had just said it was
10 about what type of teacher I was blooming, maybe, and
11 how I was in the classroom. I had a principal at
12 Greenville High who said -- assistant principal,
13 actually, who said it was for the Freshman Academy
14 English position, said that, "Well, these --" you know,
15 "These letters right here show that you do not have a
16 management issue."

17 And also when I met with Mrs. Williams, she
18 told me that my references actually showed no concerns,
19 and she said this is the first time she had looked at
20 them because she had them up on her computer while I
21 was in there for over an hour, I believe. And she
22 said, actually, my references were quite good.

23 Q. Okay. Now, at that time were you aware about
24 the below expectations mark that Ms. Raines had put on
25 your reference form concerning classroom management?

1 A. No, I was not. As Ms. Williams told me,
2 there were no concerns on my references and that they
3 were quite good.

4 Q. Okay. And then earlier, and I forget which
5 exhibit it was, the reference that Marilyn Raines
6 filled out for you, that it did indeed say that you
7 were below expectations on classroom management.

8 MR. CROMER: Exhibit 4.

9 MS. DICKEY: Right?

10 MR. CROMER: Wait, wait, maybe not. Don't
11 even say that.

12 THE WITNESS: I think it was 7.

13 MR. CROMER: I think it's Exhibit 7.

14 MS. DICKEY: Yeah.

15 THE WITNESS: As I said before, she had never
16 addressed that with me in regards to my teaching, so I
17 had no idea about that. And that was not what I had
18 got from Ms. Williams looking at my references right in
19 front of me.

20 BY MS. DICKEY:

21 Q. What do you mean that's not what you got
22 from.--

23 A. She said there were no concerns with my
24 references, and that they were quite good.

25 Q. Okay. So from what she said, you didn't

1 think that anything was of concern to you?

2 A. I have never been told by Ms. Raines there
3 was any below expectations, no. I would not have been
4 able to pass ADEPT like I did with a perfect score if
5 there had been below expectations.

6 Q. Okay. Now, did you ever receive a letter
7 from Gary Culler concerning his certificate?

8 A. Yes, I did. I received it on Saturday,
9 January 15th. It came with no return address. A
10 female, it appeared, had addressed the envelope. And
11 it had the King of Hearts Love Stamp on the envelope.
12 I actually had to take the letter, which I found quite
13 threatening, with no return address, to law
14 enforcement.

15 (DEFT. EXH. 18, Letter Dated January 5, 2011,
16 was marked for identification.)

17 BY MS. DICKEY:

18 Q. Is this document that's been marked as
19 Exhibit 18 the letter that you received from
20 Mr. Culler?

21 A. It appears to be.

22 Q. Okay. And it's signed by Gary Culler, sent
23 to you on January 5th, 2011. And it says that, "It has
24 come to my attention that you have indicated on
25 employment applications that my certificate is being

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1 reviewed by the State Department of Education because
2 of misconduct."

3 Did you place that information on your
4 application?

5 A. I did.

6 Q. And what made you place that information on
7 your application?

8 A. I was explaining why I did not give
9 permission for him to be contacted.

10 Q. Okay. It goes on to say, "As a matter of
11 clarification, I have contacted the State Department of
12 Education and no action has been taken nor is there any
13 pending action regarding my certificate."

14 Now, when you read that sentence, what was
15 your reaction to that?

16 A. That's not the information that I had.

17 Q. What was the information that you had?

18 A. There's a crime victim ombudsman in the
19 Governor's office, I had filed certificates of
20 misconduct.

21 Q. Okay.

22 A. I had even gone down to Columbia and met with
23 Wendy Cartledge and some other people down there. And
24 I have an e-mail that says that their certificates are
25 going to be reviewed. They said that when I went down

1 there that they were not going to just voluntarily go
2 with what the State Board said, and so they told me
3 that it would take years and there might be no action
4 or what action was taken, but that I would have to go
5 down there and to testify.

6 And so as far as I know, in good faith, that
7 that is still going on since I have not heard otherwise
8 from the State Board of Education or from Wendy
9 Cartledge or anyone with that office. I have never
10 gone down to testify.

11 Q. Okay. So it's your understanding that the
12 investigation into your allegations of misconduct
13 against Mr. Culler are still pending with the State
14 Department of Education?

15 A. Yes.

16 Q. When's the last time that you had any contact
17 with someone from the State Department about your
18 complaint?

19 A. After I went down there and they -- right
20 after I went down there, and I have not heard since,
21 but they said that it would take years.

22 Q. When did you last go down there?

23 A. It was middle of May, I believe, in 2010.
24 And it was arranged through the crime victim ombudsman
25 in the governor's office.

1 Q. So Mr. Culler says, "I have contacted with
2 the State Department of Education. No action has been
3 taken nor is there any pending action regarding my
4 certificate."

5 You do not believe that statement that he
6 made; is that accurate?

7 A. That's not the understanding I have.

8 Q. Okay. It goes on to say, "Because the
9 information about me on your application is inaccurate,
10 I believe that including it amounts to slander. I'm
11 requesting that you immediately remove the statement
12 from any and all applications where it has been
13 included."

14 Now, you said you ended up calling the
15 police?

16 A. I went to the Seneca Police Department.

17 Q. Okay. What made you contact the Seneca
18 Police Department when you received this letter?

19 A. Because I had took it as threatening but also
20 as a violation because especially with the fact that he
21 had someone else other than himself address the
22 envelope. There was no return address. He was
23 ensuring that I would open it, which I was told was
24 what stalkers do. And also his choice of postage stamp
25 was very upsetting to me, from what I had reported to

1 Dr. Pew, and very unprofessional. So it caused a lot
2 of issues.

3 I started grinding my teeth. I've got that
4 documented. I had to get a mouth guard made for that.
5 I had to go see my counselor. She had to have a
6 special appointment for me to come in. And I discussed
7 it with a detective, as I said.

8 Q. Now, you said it appeared that someone else
9 had addressed the envelope, is that what --

10 A. Yes. It looked like a woman's hand.

11 Q. And so do you know whether it was -- how do
12 you even know that it wasn't his handwriting? How do
13 you know he didn't address the envelope?

14 A. Because I've seen his handwriting, and it did
15 not match.

16 Q. So because you felt that it did not match the
17 handwriting that you had seen of Mr. Culler's, you
18 assume that somebody else addressed the envelope?

19 A. That's how it appeared.

20 Q. Okay. And you had took issue with the stamp
21 that was on the envelope. You believe that someone
22 else addressed the envelope. Do you also believe that
23 someone else put the stamp on the envelope?

24 A. I believe that if he asked someone to address
25 the envelope in order to disguise so that to ensure

1 that I would open it, he also knew full well which
2 stamp would have been used to cause me the most
3 distress. And the fact that it was sent to my personal
4 home made me fear for my safety.

5 Q. So it's your contention that the Love Stamp
6 was inappropriate or in some way -- did you find it
7 threatening?

8 A. I found it extremely inappropriate based on
9 what I had reported to Dr. Pew. And when I took it to
10 the police department, the detective who looked over
11 everything told me that that stamp meant one of two
12 things: That either I had had a sexual relationship
13 with this man in the past that had gone wrong, which he
14 questioned me about over and over again, or he was
15 still obsessed with me a year and a half after leaving.
16 And he said those were the only two options in the eyes
17 of law enforcement for the use of that stamp.

18 He said -- I showed him a copy of Dr. Pew's
19 letter, and he said -- you know, where she said she
20 didn't think it was his intention to make me feel
21 uncomfortable. And he said, "Based on this stamp, his
22 intention was all along to make you uncomfortable."

23 MR. CROMER: Who is "he"?

24 THE WITNESS: A detective at the Seneca
25 Police Department.

1 BY MS. DICKEY:

2 Q. Do you remember this detective's name?

3 A. I think Rory Jones.

4 MR. CROMER: Roy Jones?

5 BY MS. DICKEY:

6 Q. Roy or Rory?

7 A. Rory. I think, R-o-r-y.

8 Q. Rory Jones, a detective with the Seneca
9 Police Department, told you that this Love Stamp that
10 was on the envelope meant that either you had had a
11 sexual relationship with this person --

12 A. That for an individual, for a boss to use
13 that stamp on some type of professional letter, that it
14 could only mean one of two things.

15 Q. And did you agree with Detective Rory's
16 assessment?

17 A. I know how it made me feel, and I felt
18 violated all over again.

19 Q. So seeing the stamp that said "love" made you
20 feel violated?

21 A. Yes.

22 Q. Did you keep the envelope with the stamp on
23 it?

24 A. Yes, ma'am.

25 MR. DUFF: You can produce it to your

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1 attorney who can give it to us?

2 THE WITNESS: Yes.

3 MR. CROMER: It wasn't produced in the other
4 stuff I sent?

5 Get it for me, and I'll produce it.

6 THE WITNESS: Yes, sir.

7 BY MS. DICKEY:

8 Q. Okay. And so what about what was written in
9 this letter did you find to be a threat or threatening?

10 A. I guess because I've seen him at his angriest
11 and threatening, to me, it just made me relive and feel
12 how he was, how he addressed me. I could pick up the
13 anger in it and the attacking nature of it.

14 Q. Okay. And so you did say that you went and
15 contacted your doctor about --

16 A. Well, I first -- I did see my counselor.

17 Q. Okay. Who was that again?

18 A. Dr. Cheryl Warner.

19 Q. Okay. And you told Dr. Warner about the
20 letter and the --

21 A. I showed her the letter.

22 Q. -- and the stamp?

23 What did she say about the letter?

24 A. She was -- you know, wanted to make sure and
25 she talked to me so that I was able to go and take it

1 to the police department.

2 Q. Okay. So even though Mr. Culler told you
3 that he had contacted the State Department and no
4 action had been taken, no pending action was taken, you
5 didn't believe that because you had been told that you
6 would be contacted again concerning your complaint; is
7 that accurate?

8 A. Correct.

9 Q. Okay. Now, after you received this -- you
10 said you received it on January 17th?

11 A. 15th.

12 Q. 15th, okay.

13 A. I believe it was a Saturday.

14 Q. And you read that Mr. Culler had contacted
15 the State Department. Did you then contact the State
16 Department to seek some kind of confirmation that this
17 was true or to get some sort of follow up about your
18 past complaint?

19 A. Mr. Culler had already lied to me so many
20 times, that just him generically saying he contacted
21 the State Department of Education did not cause me --
22 you know, I just figured it was another one of his
23 lies.

24 Q. Did this trigger in your mind that maybe you
25 should contact the State Department to see -- check on

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1 the status of your case --

2 A. No, ma'am.

3 Q. -- complaints?

4 And since -- you said May 2010 was the last
5 time that you had had any contact with someone at the
6 State Department; is that correct?

7 A. Correct.

8 Q. And since then, you haven't checked back with
9 anyone about the status of your complaints?

10 A. He said it would take years.

11 Q. Who did you speak with at the State
12 Department concerning your complaints against
13 Mr. Culler?

14 A. At the meeting it was Wendy Cartledge, Jack
15 Singletary was there, Paul Bozard was also there. And
16 Kathy Meeks was there for the first part, separate to
17 the misconduct.

18 Q. Did you ever take any issue with how the
19 State Department or anyone who works for the State
20 Department handled you or your complaints?

21 A. I felt that I was treated more like I was the
22 one causing the problems. Like they aggressively
23 pursued did I think what happened was sexual enough
24 with what the student did? I felt that I wasn't being
25 treated as a victim. I had tried so many different

1 ways to have my voice back. I had been told by law
2 enforcement that I couldn't report what happened to me
3 because it had to be reported from the School District.

4 Q. You think -- was this the Pickens County
5 Sheriff's Office, someone told you that you wouldn't
6 report --

7 A. The crime victim ombudsman.

8 Q. They told you what again?

9 A. That it had to be reported at the school. I
10 was not a victim. They could not help me.

11 Q. Do you remember who you spoke to in that
12 office?

13 A. The first crime victim ombudsman was
14 Ms. Blackley. And then her replacement, I think his
15 name was James Irby.

16 MS. DICKEY: Okay. Just so I have it in the
17 record.

18 (DEFT. EXH. 19, Letter Dated March 24, 2010,
19 Pickens Defs 87 through 91, was marked for
20 identification.)

21 BY MS. DICKEY:

22 Q. Okay. Okay. And the first pages of this
23 document says Pickens 87, dated March 24th, 2010; is
24 that correct?

25 A. Correct.

1 Q. And it is a letter from Wendy Cartledge with
2 the State Department to Dr. Henry Hunt, who at that
3 time was superintendent of Pickens County School
4 District, correct?

5 A. Yes.

6 Q. It says that she is attaching complaints that
7 you filed against Mr. Culler and Mr. Boggs. On the
8 second page, it says, "Complaint of Educator
9 misconduct." Did you fill out this form? The second
10 page.

11 A. Yeah, it appears to be.

12 Q. Page 88. 88 at the bottom.

13 A. Yes. That appears to be what I filled out.

14 Q. And then page 89, does that appear to be your
15 handwriting and what you filled out?

16 A. Yes, ma'am.

17 Q. And page 90, do you recall this being the
18 attachment that you attached to your complaint?

19 A. Yes, ma'am.

20 Q. And then on page 91, is that your handwriting
21 as well?

22 A. Yes, ma'am.

23 Q. Okay. Did you work -- was Ms. Wendy
24 Cartledge, she's the main person at the State
25 Department that you worked with concerning your

1 complaint?

2 A. She was handling it.

3 Q. Okay. And did you have any issues with the
4 way that she handled your complaints?

5 A. Not with the complaint. The crime victim
6 ombudsman called and told me that she had told him all
7 about issues that I had with my principal that were
8 separate from the assault I had with the student that
9 wasn't handled. And as a victim who was voiceless,
10 unable to express her voice, I took concern with that.

11 MS. DICKEY: Okay.

12 (DEFT. EXH. 20, Letter, Pickens Defs 21, was
13 marked for identification.)

14 MR. CROMER: Hold on a minute, please.

15 Go ahead.

16 BY MS. DICKEY:

17 Q. Have you ever seen this document before,
18 Ms. Noorai?

19 A. Never.

20 Q. Okay. And it was produced by the Pickens
21 County defendants as part of our discovery responses to
22 your attorney's discovery request. And it is a letter
23 to Wendy Cartledge from Marilyn Raines regarding you,
24 Mari Noorai. And she explains that you were her
25 student teacher. And then the second paragraph it

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1 says, "Her content knowledge was excellent, and the
2 only areas of concern, which I expressed to her,
3 involved her classroom management. She did not always
4 maintain an environment which demanded students focus
5 or full cooperation."

6 I know that we discussed before that she
7 checked off the below expectations for classroom
8 management on that reference form. In here she's
9 saying that the only area of concern was classroom
10 management, and she expressed this to you.

11 Now, do you recall having a conversation with
12 Ms. Raines your issues about classroom management?

13 A. No. Not in regards to being below
14 expectations, no.

15 Q. Did you ever have a conversation with her
16 concerning your classroom management skills?

17 A. When I was student teaching, that was one of
18 the areas she told me I needed to improve on.

19 Q. So you did have, when you were student
20 teaching, a conversation with her about your classroom
21 management skills?

22 A. Correct.

23 Q. Correct. Okay.

24 And it goes on to discuss the stairwell
25 incident, and she just goes on to say in that last

1 paragraph that you discussed the incident involving the
2 eighth grade student and the song "Green Light" with
3 her. She didn't witness the incident. She didn't
4 remember all the details, but she knows that you did
5 not use the terminology "sexual assault" as related to
6 her.

7 Do you remember whether or not you used the
8 term "sexual assault" when you talked about the
9 stairwell incident with Ms. Raines?

10 A. I do not have a law enforcement background or
11 a legal background, but I did tell her exactly what had
12 happened and how violated I was. But I did not use
13 that term.

14 Q. Okay. So that was accurate when she put this
15 in this memo to Ms. Cartledge?

16 A. She said I did not use that terminology.

17 Q. Right. So that's an accurate statement?

18 A. Yes.

19 Q. You didn't use the terminology?

20 A. No, I did not.

21 Q. It goes on to say that you returned to find
22 no copy of the reference form, and you consulted with
23 her. She didn't remember her exact words, but her
24 response to you was intended to communicate the idea
25 that the incident was probably -- had probably not been

1 handled yet, which would be the reason for the missing
2 referral.

3 Do you recall her --

4 A. That is not what she said.

5 Q. Okay. What did she say?

6 A. When I told her that there was not a referral
7 in my box when I returned, she told me, you know, about
8 what happened with the other student, when the student
9 returned, was taken out of my class and returned and
10 still not a referral placed in my box.

11 I said, "What does it mean by me not
12 receiving a referral?"

13 And she said it means they were not handling
14 it.

15 Q. Okay. So when she said her response was
16 intended to communicate the idea that the incident had
17 probably not been handled yet, you're saying that is
18 incorrect?

19 A. That is incorrect.

20 Q. She goes on to say, "I'm sure I told her
21 there was nothing to do but wait until the referral was
22 complete."

23 Did he she ever tell you that?

24 A. She never told me that.

25 Q. Then she goes on to say, "I'm also certain

1 that I told her that if she did not wish to wait for
2 the completed referral, she could talk to either the
3 assistant principal or the principal."

4 Did she tell you that?

5 A. She told me that I would have to go to the
6 principal and get his approval before, you know, moving
7 it to the next level.

8 Q. And she said, "get his approval," is that
9 words that she used?

10 A. Yes. To go to Dr. Pew, I would have to have
11 his approval.

12 Q. And the last sentence says, "When she
13 inquired about further action, I told her that it would
14 be wise to go through proper channels, meaning the
15 principal first."

16 Is that accurate?

17 A. She told me that I would face consequences if
18 I didn't get the principal's approval.

19 Q. Did she tell you what those consequences
20 were?

21 A. She said it would be negative. That I would
22 be the one punished.

23 Q. Okay. Now, after going back to Mr. Culler's
24 letter that he sent you, after you received that letter
25 from Mr. Culler and he told you that he had checked

1 with the State Department and his certificate was not
2 under review and he asked you to remove that
3 information your application, did you remove that
4 information your application?

5 A. No, because I was desperate for employers not
6 to contact him. I didn't want any more lies about me.

7 MS. DICKEY: Okay.

8 (DEFT. EXH. 21, School District of Oconee
9 County Certified Application Dated 2-3-11, was marked
10 for identification.)

11 BY MS. DICKEY:

12 Q. Okay. Can you just identify what this
13 document is?

14 A. This is an employment application from
15 Oconee.

16 Q. Okay. It's dated February 3rd, 2011,
17 correct?

18 A. Correct.

19 Q. And on page 4 of 6 -- on 3 of 6 it says to
20 name your supervisor. You put Gary Culler. And then
21 when on page 4 of 6, they asked if they could contact
22 supervisor. You said no. Then when you explained the
23 reported misconduct, certificate under review, you were
24 sexually assaulted by a student and administrators
25 ignored it.

1 So this February 3rd, 2011, is obviously
2 after you received the letter from Mr. Culler, correct?

3 A. Correct.

4 Q. And you're saying that you left it on your
5 application because you didn't believe him when he said
6 that they were not under review?

7 A. I know what I had been told by the Department
8 of Education.

9 Q. So you didn't believe Mr. Culler when he said
10 that his certificate was not under review?

11 A. Correct.

12 MS. DICKEY: Correct. Okay.

13 (DEFT. EXH. 22, School District of Oconee
14 County Certified Application Dated 3-20-11, was marked
15 for identification.)

16 BY MS. DICKEY:

17 Q. Can you identify this document for me?

18 A. It's another employment application.

19 Q. Okay. It's dated March 20th, 2011. And it
20 shows on what has Defendant SCDOC 934 in the right
21 corner, that you reported misconduct on the part of
22 Gary Culler and that a certificate was under review,
23 correct?

24 A. Correct.

25 Q. And that you report your reason for leaving

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1 is that you were sexually assaulted by a student,
2 administrators ignored it?

3 A. Correct.

4 MS. DICKEY: Okay.

5 MR. CROMER: Is this part of the production
6 request -- production response from Oconee County?

7 MS. DICKEY: Yes. On the bottom it has their
8 stamp on it.

9 MR. CROMER: Yeah. Have you sent us all
10 this?

11 MR. BARLOW: I have.

12 MR. CROMER: Okay. Good.

13 (DEFT. EXH. 23, School District of Oconee
14 County Certified Application Dated 5-26-11, was marked
15 for identification.)

16 BY MS. DICKEY:

17 Q. This next document is another employment
18 application for employment with Oconee County, and it's
19 dated May 26th, 2011. And on what's been marked as
20 page 998, again, you know, your supervisor is Gary
21 Culler, saying they couldn't contact him, you reported
22 misconduct, certificate under review, that you were
23 sexually assaulted by a student and administrators
24 ignored it; correct?

25 A. That's what it says.

1 MS. DICKEY: Okay. One more.

2 (DEFT. EXH. 24, School District of Oconee
3 County Certified Application Dated 6-2-2011, was marked
4 for identification.)

5 BY MS. DICKEY:

6 Q. This is another employment application for
7 Oconee County dated June 2, 2011. And on page 1055, it
8 says the same thing as the other application stated.
9 Gary Culler's name, that you reported misconduct, his
10 certificate is under review. Said you were sexually
11 assaulted by a student, administrators ignored it;
12 correct?

13 A. That's my good-faith statement, yes.

14 Q. Okay. That was what?

15 A. In good faith that's what I knew and that's
16 what I told, was the truth.

17 Q. Okay. Okay. Now, did you feel that it was
18 appropriate to put on your job applications that you
19 had been sexually assaulted by a student?

20 A. I felt it was important to explain my
21 situation for leaving since I had had such
22 mistreatment. I wanted to tell the truth. And as a
23 victim, that was my right to do.

24 Q. Did you feel it was appropriate to put on
25 your job application that you had reported misconduct

1 by Mr. Culler and that his certificate was under
2 review?

3 A. Yes.

4 Q. Why did you feel that that was appropriate?

5 A. Because I was desperate for them not to
6 contact him because even when I tried to say don't
7 contact him, he's not a reference, he didn't observe my
8 teaching, people were still contacting him.

9 Q. Okay. Now, do you think that potential
10 employers would find it -- find that information about
11 the sexual assault and about Mr. Culler, would you
12 think they would find that appropriate information to
13 see on someone's job application?

14 A. When you had everything in your life taken
15 away from you and you're desperate for the truth to be
16 out there, that is why I said what I said.

17 Q. Well, do you think that an employer would
18 find that information appropriate to put on a job
19 application?

20 A. I think it's saying the truth of what it is,
21 and it was part of the reason why I left.

22 Q. Okay. I want to make sure that you're
23 answering the question that I asked you. Do you think
24 that an employer, looking at your job application and
25 seeing the information that you put on there about the

1 sexual assault, about Mr. Culler, would an employer,
2 reading that information, think that that was
3 appropriate to put on a job application? And just
4 answer yes or no, and then you can explain.

5 A. Yes.

6 Q. Okay. Tell me why.

7 A. Well, when I was talking to Ms. Williams back
8 in October --

9 Q. Okay.

10 A. -- she was very sympathetic as -- talking to
11 me saying that as a victim I had lost my voice by that
12 not being handled. And she said that I should go
13 through whatever means necessary, say as much -- you
14 know, say whatever I needed to to become whole again.
15 And she said no employer can hold that assault and what
16 I had to do to have my voice back against me.

17 Q. I know you had mentioned before that someone
18 told you there were red flags in your file. I think it
19 was Anderson 5?

20 A. Yes.

21 Q. Someone at Anderson 5. And you said that it
22 was your belief that that could mean negative
23 information was in your file. Is that accurate?

24 A. Yes.

25 Q. Do you think that an employer seeing this

1 information that was on your application, that that
2 could have been what was a red flag to them?

3 A. No.

4 MR. CROMER: Object to the form, but you can
5 answer. I think you just did.

6 THE WITNESS: No, ma'am.

7 BY MS. DICKEY:

8 Q. Why not?

9 A. Because I feel that it's of a personal
10 nature, and I'm trying to explain the situation. And
11 I've been even told by a principal at Lakeview, she
12 complimented me for being so honest and forthright when
13 I applied for a job.

14 Q. Now, do you think that it would be possible
15 that the comments that you placed on your job
16 applications would lead a perspective employer to
17 contact Pickens or to contact maybe Mr. Culler to find
18 out what it was all about? Do you think someone seeing
19 that would then think, "Um, let me call Pickens, let me
20 call Gary Culler"?

21 A. No.

22 Q. Why not?

23 A. Because I've asked them not to.

24 Q. So you don't think that it would lead them to
25 even think to call Pickens? Regardless of whether or

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1 not they did, do you think that in their mind that
2 would trigger them to say, "Um, maybe I should call
3 Pickens," or "Maybe I should call Gary Culler"?

4 A. No.

5 Q. Now, I know you've talked to me some about
6 what you thought Gary Culler did to you that was
7 unlawful or somehow violated you. And you said that
8 Dr. Pew failed to properly investigate your complaints,
9 and that she was involved in the conspiracy.

10 What did Donald Boggs do to you that you feel
11 was unlawful or unjust?

12 A. Well, he did not handle the referral that I
13 wrote up for whatever reason.

14 Q. Okay.

15 A. That was a large thing that has to do with it
16 because it was his responsibility. He was the one who
17 the referral was given to. That was policy.

18 Q. Okay. Is that the only issue that you had
19 with Mr. Boggs?

20 A. Let me think about that. Other things that
21 happened in the past, for example, he used to let his
22 daughter into my classroom on the weekend, and she was
23 using computers and actually was suspended for that
24 use. And I couldn't understand why he would unlock my
25 door and have his daughter use my computers on the

1 weekend. And that resulted in her suspension.

2 Q. So part of the reason why you have named
3 Mr. Boggs is because he let his daughter --

4 A. No. I'm just saying -- I'm sorry, you didn't
5 finish.

6 Q. -- because he let his daughter use your
7 computer?

8 A. No. It was just that I couldn't understand
9 why he did that. But then there were other issues
10 where he did not handle referrals as he should have.

11 Q. Okay. So Mr. Boggs isn't named as an
12 individual defendant because he didn't follow up on
13 specific referrals that you made as well as referrals
14 that other people made as well; is that what you're
15 saying?

16 A. Other people had complained about him not
17 handling referrals. And also I didn't write up the
18 charges, my attorneys did.

19 Q. Right. So, I mean, but you are bringing a
20 lawsuit, so why are you suing Donald Boggs?

21 A. The main reason is that he didn't handle the
22 assault that happened against me and because he did
23 not, a student was physically harmed the next day. And
24 I did not want that to repeat.

25 Q. Okay. So that's involving the stairwell

1 you to Dr. Warner?

2 A. He referred me to have a counselor for this
3 work-related issue. And he wanted me to find a
4 counselor that was in my area because he's in
5 Greenville.

6 Q. And why did Dr. Chambliss feel that you
7 needed to see a therapist?

8 A. I had explained to him what was happening in
9 this work situation, and he felt quite strongly that I
10 needed a counselor because I was having nightmares. I
11 was reliving things. And he felt that that and not
12 being able to get a job, he felt that I needed someone
13 to talk to.

14 Q. Did do you still see Dr. Warner?

15 A. Yes, ma'am.

16 Q. And Dr. Chambliss, you said, is out of
17 Greenville?

18 A. Yes.

19 Q. When did you start seeing Dr. Chambliss?

20 A. I saw him, I believe, June 2009.

21 Q. And do you still see Dr. Chambliss?

22 A. Yes.

23 Q. And who is Ronald Moore, is he one of your
24 physicians?

25 A. He's my dentist.

1 Q. And Kimberly Dubose?

2 A. She's another doctor.

3 Q. What type of doctor is she?

4 A. Gynecologist.

5 Q. And John Crumpton?

6 A. He is the prosthodontist who made my mouth
7 guard for the teeth grinding.

8 Q. Okay. You said that you still see Dr. Warner
9 today, correct?

10 A. Correct.

11 Q. And your issues that relate to everything
12 that happened in Pickens County, do you still seek
13 treatment from her concerning what happened?

14 A. Yes.

15 Q. Are you on any type of medication?

16 A. Yes. At the time when I saw Dr. Chambliss,
17 he wanted me to see a counselor. He thought that I
18 might need some medication, which I declined. He said
19 that it was not something to be ashamed of. But after
20 I received Mr. Culler's letter and the stress that it
21 caused, I went back to see Dr. Chambliss. And he first
22 prescribed, because I wasn't sleeping and the issues I
23 was having, Zoloft and finally it got to Lexapro.

24 Q. Do you remember the type of medicine that he
25 initially suggested that you didn't want to take, was

1 it Zoloft or Lexapro?

2 A. He didn't name anything, but he told me that
3 it was not something to be ashamed of.

4 Q. Taking medicine?

5 A. Yeah, for this issue.

6 Q. Did he -- so this was your grinding of your
7 teeth and that sort of thing? What were your issues
8 that you had that you talked to Dr. Chambliss about?

9 A. The nightmares, about what was happening at
10 work, what had happened at work. The issues with not
11 being able to get employment. All the things that I
12 was uncovering and having to deal with. Being a victim
13 and not being able to have a voice.

14 Q. So are you currently taking Zoloft and
15 Lexapro?

16 A. Lexapro.

17 Q. You're not on Zoloft?

18 A. No, ma'am.

19 Q. So the only medicine that you're taking right
20 now is Lexapro, correct?

21 A. Yes, ma'am.

22 Q. Okay. Have you ever been the victim of any
23 type of physical assault or sexual assault, even a
24 verbal assault, other than what you described to me
25 that you said happened in Pickens County?

1 A. No, ma'am.

2 Q. Have you ever experienced any sort of
3 traumatic life event ever in your life?

4 A. No, ma'am.

5 Q. Okay. Now, do you -- I know you said you
6 live with your mom and your sister and that your dad
7 comes in from New York or New Jersey occasionally,
8 correct?

9 A. Correct.

10 Q. Okay. Do you own any property yourself?

11 A. I have vehicles. And I did live by myself
12 before.

13 Q. Before what?

14 A. While I was working and everything. We have
15 two homes that are -- have adjoining backyards. And
16 until I received Mr. Culler's letter and became
17 fearful, I lived by myself.

18 Q. So do your parents own two pieces of
19 property?

20 A. Yes, with adjoining backyards.

21 Q. Do you have any ownership property in those?

22 A. No.

23 Q. Okay. So your parents own two pieces of
24 property and two houses that are next door to each
25 other, correct?

1 A. Correct.

2 Q. And they have adjoining backyards. And when
3 you were working in Pickens, you lived in one of the
4 houses by yourself; is that correct?

5 A. That's correct. And I paid for the bills.

6 Q. Okay. And then you said after what happened
7 in Pickens, you moved in to your mother's?

8 A. Following receipt of Mr. Culler's letter of
9 January 15th, 2011, I moved out of the house because I
10 didn't feel safe alone.

11 Q. And these two houses were next door and had
12 adjoining backyards?

13 A. They had a house in between them, but the
14 back backyards adjoined.

15 Q. So three houses have adjoining backyards, is
16 that what you're saying? You said the house, then
17 another house, and then your mom's house?

18 A. Well, the house I had stayed previously had a
19 backyard, but then the house -- the other house is two
20 houses away on the one street, has a very large
21 L-shaped backyard. My grandfather had originally owned
22 all that property and which he had sold for the people
23 who built the house in between.

24 Q. Is anyone living in the house that you used
25 to live in?

1 A. Not at this time.

2 Q. So you don't own any property. You don't own
3 any shared ownership property with your parents. You
4 said you own a car, is that --

5 A. I have two vehicles in my name.

6 Q. Okay. Do you own any property anywhere else
7 or any vehicles or like a boat? Do you have anything
8 like that in your name?

9 A. No.

10 Q. So the only thing you have ownership in is
11 two cars, correct?

12 A. Correct.

13 MS. DICKEY: Let me take a little five-minute
14 break, and then I'll come back and try to finish.

15 MR. CROMER: All right.

16 (A recess transpired.)

17 MR. CROMER: I believe, and counsel can
18 correct me if I misstate anything, but I believe we've
19 reached the point we've agreed to continue the
20 deposition. And counsel represents that she's finished
21 her part of the examination, but we have Mr. Barlow's
22 part and my part and Kiosha's reply, if she wants to do
23 it.

24 So I think we have agreed to postpone that
25 until we can find a mutually agreeable date for it.

1 And we can do that here, as far as I'm concerned. As
2 long as we can agree on getting everything done.

3 And that's enough, I guess, unless anybody
4 wants to change that.

5 MR. BARLOW: I think that's fine.

6 MS. DICKEY: That's fine.

7 (The deposition recessed at 5:45 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, Sheri L. Byers, Registered
3 Professional Reporter and Notary Public for the
4 State of South Carolina at Large, do hereby
5 certify:

6 That the foregoing deposition was
7 taken before me on the date and at the time and
8 location stated on page 1 of this transcript; that
9 the deponent was duly sworn to testify to the
10 truth, the whole truth and nothing but the truth;
11 that the testimony of the deponent and all
12 objections made at the time of the examination were
13 recorded stenographically by me and were thereafter
14 transcribed; that the foregoing deposition as typed
15 is a true, accurate and complete record of the
16 testimony of the deponent and of all objections
17 made at the time of the examination to the best of
18 my ability.

19 I further certify that I am neither
20 related to nor counsel for any party to the cause
21 pending or interested in the events thereof.

22 Witness my hand, I have hereunto
23 affixed my official seal this 8th day of February,
24 2012, at Columbia, Richland County, South Carolina.

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1 STATE OF SOUTH CAROLINA

COURT OF COMMON PLEAS

2 COUNTY OF OCONEE

3

4 MARIAM R. NOORAI,

5 Plaintiff(s),

6 vs.

Case No.: 2010-CP-37-279

7 SCHOOL DISTRICT OF PICKENS COUNTY,

SCHOOL DISTRICT OF OCONEE COUNTY,

8 AND GARY CULLER, DONALD BOGGS,

RICHARD HUDAK, EARNESTINE WILLIAMS,

9 AND DR. KELLY PEW IN THEIR INDIVIDUAL CAPACITIES,

10 Defendant(s).

11 VOLUME II

12 D E P O S I T I O N

13 WITNESS: MARIAM R. NOORAI

14 DATE: Tuesday, March 13, 2012

15 TIME: 1:58 p.m.

16 LOCATION: Duff, White & Turner, LLC
3700 Forest Drive, Suite 404
17 Columbia, South Carolina

18 TAKEN BY: Attorneys for the Defendants

19 REPORTED BY: SHERI L. BYERS
20 Registered Professional Reporter

21 - - - - -

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15 SCHOOL DISTRICT OF PICKENS COUNTY,
16 GARY CULLER, DONALD BOGGS, RICHARD HUDAK,
17 AND DR. KELLY PEW IN THEIR INDIVIDUAL
18 CAPACITIES:

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16 ATTORNEYS FOR THE DEFENDANTS
17 SCHOOL DISTRICT OF OCONEE COUNTY AND
18 EARNESTINE WILLIAMS:

19 CHILDS & HALLIGAN, P.A.
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22 ALSO PRESENT:

23 DR. KELLY PEW
24 STEPHANIE LACKEY
25 GARY CULLER
EARNESTINE WILLIAMS

(INDEX AT REAR OF TRANSCRIPT)

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1 STIPULATION: It is stipulated by and
2 between counsel that this deposition is being taken in
3 accordance with the South Carolina Rules of Civil
4 Procedure and that the deponent waives the right to
5 read and sign the deposition transcript.

6 - - - - -

7 MARIAM R. NOORAI, being first duly
8 sworn, testified as follows:

9 EXAMINATION

10 BY MR. BARLOW:

11 Q. Ms. Noorai, we met a couple of weeks ago.
12 I'm Tom Barlow. I'm the attorney for the School
13 District of Oconee County --

14 A. Yes, sir.

15 Q. -- in this lawsuit that you have filed. And
16 thanks for coming back and rescheduling the deposition
17 through your counsel.

18 A. Yes, sir.

19 Q. Same rules apply as last time. Try to let me
20 finish my question before you answer, please give
21 verbal responses rather than shakes of the head or
22 "huh-uh" and "uh-huh."

23 A. Yes, sir.

24 Q. It's difficult for her to transcribe it.

25 In addition, if you need to take a break, and

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1 you've already discussed that a little bit with your
2 counsel, but if you need to take break at any time,
3 just let us know. We are on your schedule today.

4 A. Thank you.

5 Q. The dialogue needs to be between you and me
6 as opposed to with your counsel.

7 A. Yes, sir.

8 Q. If they make an objection from time to time,
9 they may do that, but if they make an objection, we'll
10 both stop talking and let them make their objection.
11 And then you'll get instruction from counsel whether to
12 answer the question or not.

13 A. Yes, sir.

14 Q. Fair enough?

15 A. Yes, sir.

16 Q. What have you done to prepare for the
17 deposition today?

18 A. I just looked over the amended charges and
19 looked over the deposition from last time.

20 Q. You had an opportunity to review your
21 deposition transcript?

22 A. I just skimmed it, yes, sir.

23 Q. Was there anything that jumped out at you as
24 incorrect, something that you wanted to correct when
25 you got here today?

1 A. No, sir.

2 Q. All right. Before we got started, your
3 counsel passed me a note from a physician about your
4 inability to sit for a prolonged amount of time today.

5 A. Yes, sir.

6 Q. All right. And what condition is that for?

7 A. I was in a car accident, ended up having back
8 surgery. And as a result, I have issues with my -- I
9 had -- my sciatic was pinched for five months before I
10 had the surgery, and so I have flares up with the
11 sciatica, especially during menstruation. And so since
12 that has started, I'm having sciatic pain down my
13 leg --

14 Q. Okay.

15 A. -- and in my lower back from the swelling.

16 Q. All right. Like I said before, if you need
17 to get up at any time, just call a break. We'll let
18 you get up. We'll all get up. We could probably all
19 use one.

20 Going back to the car accident, and that was
21 one of the things I made a note to follow up with you
22 about, and I'm not going to plow new ground too much --
23 or I'm not going to plow old ground with what you
24 talked about last time. I think Kiosha did a
25 reasonable job of covering your background with you and

1 all that, so I'm not going to go into everything.

2 One of the things you did mention was the car
3 accident and a case from that?

4 A. Yes, sir.

5 Q. All right. Can you tell me more about that?

6 A. Can you be more specific?

7 Q. Sure. Is your lawsuit still pending from
8 that accident?

9 A. Yes.

10 Q. What were the circumstances of the accident?

11 A. I was rear-ended by an 18-year-old that ran a
12 stop sign, and so I ended up having to have back
13 surgery as a result of the injury.

14 Q. All right. And was the accident in Oconee
15 County?

16 A. Yes, sir.

17 Q. And what was the date of the accident, if you
18 recall?

19 A. January 15, 2005.

20 Q. All right. And are you represented by
21 counsel with regard to that accident?

22 A. Yes.

23 Q. Who is that counsel?

24 A. It's Harry Waikart, and then there's a John
25 Prescott in Walhalla. Harry Waikart took over after

1 his father, who had passed away. This law firm was
2 Friddle & Waikart in Columbia. But now Harry Waikart
3 Jr. has it in Charleston.

4 Q. All right. Have you given a deposition with
5 regard to that case?

6 A. Yes, sir.

7 Q. All right. And when did you give that
8 deposition?

9 A. I can't remember the exact date. I believe
10 it was in December 2008.

11 Q. And is the case still pending?

12 A. Yes.

13 Q. Okay. Has it -- is there a trial date been
14 set for the case?

15 A. Not that I'm aware of.

16 Q. All right. And do you know who the lawyer on
17 the other side might be?

18 A. It's with State Farm. I believe it's David
19 Allison.

20 Q. From Oconee County, as well?

21 A. I don't know where he is from. It's for
22 State Farm.

23 Q. Do you know who the 18-year-old was? What
24 the name of that individual was?

25 A. Kara Stills, and she's now married. Last

1 name Glass.

2 Q. And where does Kara Stills Glass live?

3 A. Well, at the time that I was aware of, in
4 Seneca.

5 Q. Okay. Did you have any passengers with you
6 at the time?

7 A. Yes. My mother was in the car.

8 Q. Was she injured as well?

9 A. Yes.

10 Q. Is she a party to the lawsuit?

11 A. No, not anymore.

12 Q. At one point she was a party to the lawsuit?

13 A. Correct.

14 Q. All right. And is her part of the case
15 resolved?

16 A. Yes.

17 Q. All right. By a settlement or otherwise?

18 A. We had mediation and the insurance company,
19 Allstate, was the -- Kara Stills Glass' attorney, and
20 they are now out of it.

21 Q. All right. And who is the State Farm, the
22 attorney for?

23 A. For our insurance.

24 Q. Gotcha. All right. Did your mother give a
25 deposition in connection with the case?

1 A. Yes, she did.

2 Q. About the same time that you did?

3 A. The same day, earlier in the day.

4 Q. All right. Do you have in your possession at
5 home or somewhere in your belongings a copy of that
6 transcript of the deposition?

7 A. No, sir.

8 Q. Okay. All right. Have you ever filed any
9 other lawsuit or been involved as a party?

10 A. No, sir.

11 Q. All right. Given any other depositions?

12 A. No, sir.

13 Q. Testified under oath under any other
14 circumstance?

15 A. No, sir.

16 Q. You were involved in an Employment Security
17 Commission proceeding, is that right, with regard to
18 your separation from Pickens School District?

19 MR. CROMER: Unemployment?

20 MR. BARLOW: Correct.

21 THE WITNESS: Yes.

22 BY MR. BARLOW:

23 Q. Was there a hearing on that?

24 A. No.

25 Q. All right. Just somebody from Employment

1 Security called you and got your version of events?

2 A. Correct.

3 Q. There was not an appeal hearing after that?

4 A. No appeal hearing.

5 Q. All right. One of the other things I wanted
6 to go back to was a gentleman named Luke Samples that
7 you mentioned.

8 A. Yes, sir.

9 Q. Who is Luke Samples?

10 A. He was the Jostens representative for the
11 yearbook that was assigned to the school in 2008-2009
12 school year.

13 Q. When's the last time you talked to him?

14 A. I spoke to him the last time in June 2009, I
15 believe.

16 Q. All right. And that would have been prior to
17 your leaving employment with Pickens?

18 A. Yes.

19 Q. All right. What was it in connection with?

20 A. I had to call him because Dr. Pew had taken
21 his name as a witness, and she suggested that I call
22 all my witnesses to let them know that she would be
23 calling them.

24 Q. All right. And did he mention anything else
25 about having talked to Mr. Pew?

- 1 A. Dr. Pew hadn't called him.
- 2 Q. All right. And you haven't talked to him
- 3 since?
- 4 A. No..
- 5 Q. All right. Have you attempted to call him
- 6 since?
- 7 A. No.
- 8 Q. Has he called you and left a message since?
- 9 A. No.
- 10 Q. All right. Do you have social media that you
- 11 participate in?
- 12 A. No.
- 13 Q. Do you have a Facebook account?
- 14 A. No.
- 15 Q. Have you ever had a Facebook account?
- 16 A. No, sir.
- 17 Q. Have you ever had a Myspace account?
- 18 A. No, sir.
- 19 Q. How about a Twitter account or any other
- 20 social media that you use?
- 21 A. No, sir.
- 22 Q. What type of -- do you have a computer,
- 23 personal computer?
- 24 A. Yes, I have a laptop.
- 25 Q. Okay. Do you have an e-mail address?

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1 A. Yes, sir.

2 Q. What is your e-mail address?

3 A. Mari.noorai@gmail.com.

4 Q. And do you use any or e-mail addresses?

5 A. Yes.

6 Q. What?

7 A. That's my primary one.

8 Q. All right. What would you use as a secondary
9 e-mail address?

10 A. Well, when I'm a student, I use whichever one
11 is set up through that school. Like my Clemson one.
12 It's not active right now, but I have used that.

13 Q. Sure. What was your Clemson address, if you
14 recall?

15 A. It might be mnoorai, I'm not sure.

16 Q. Whatever the Clemson EDU --

17 A. Yes, sir.

18 Q. -- extension afterward.

19 All right. How about other electronic mail?

20 A. I had one since I believe middle school or
21 high school that I still get e-mail at. I'll spell it
22 out for you.

23 Q. Sure.

24 A. Southnxena@aol.com.

25 Q. Is there any significance to the e-mail

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1 address?

2 A. It's because growing up being that I was in
3 New York City and in South Carolina, I was the Southern
4 girl and I had dark hair and took classics. So Xena
5 was a Greek name, so Southern Xena.

6 Q. Okay. Have we exhausted the e-mail addresses
7 that you use?

8 A. I believe so.

9 Q. All right. Kiosha asked you some questions,
10 a lot of questions -- I think you answered a lot of
11 questions about the stairwell incident that we'll refer
12 to.

13 A. Yes, sir.

14 Q. If I refer to the stairwell incident, would
15 that be the time when you have alleged that a student
16 sexually and physically assaulted you?

17 A. Yes, sir.

18 Q. You mentioned that there was an open house
19 later that night; is that right?

20 A. Yes, sir.

21 Q. Did you actually attend the open house?

22 A. I was unable to.

23 Q. All right. Did you make any notes to that
24 effect or communicate that to anyone?

25 A. I had called the school, but the answering

1 machine had come on. And I had sent an e-mail to the
2 principal.

3 Q. Did you keep a copy of the e-mail?

4 A. I believe so.

5 Q. All right. All right. Let's talk about
6 another incident that you mentioned was a special ed
7 student at some point, maybe in your first year
8 teaching, had touched you on the breast.

9 A. Yes.

10 Q. Do you recall that?

11 A. Yes.

12 Q. Testifying about that?

13 And you mentioned some teachers making some
14 jokes about it later on?

15 A. Yes.

16 Q. Who were those teachers, could you identify
17 them?

18 A. Well, I remember the first teacher who said
19 it. It was Patty Cannon. And she joked about it in
20 front of other teachers, but I can't remember.

21 Q. All right. You had gallbladder surgery at
22 some point?

23 A. Yes, sir, April 2nd, 2009.

24 Q. April 2, 2009. Okay.

25 And who was the doctor that performed that?

1 A. It was Dr. Russell in Greenville out of
2 St. Francis.

3 Q. Now, have you ever had a job where you had
4 supervisory responsibilities over others?

5 A. Besides teaching?

6 Q. Correct.

7 A. Yes. When I was at the College of
8 Charleston, I had an assistantship. I was a writer's
9 group facilitator, and I ran work groups with students
10 who were enrolled in their first year English course
11 that were struggling. They either self-identified
12 themselves or were identified by their professors.

13 Q. Okay. You did not supervise other College of
14 Charleston employees in that job?

15 A. Just their students.

16 Q. All right. Have you ever had a job where you
17 supervised employees as opposed to students?

18 A. No.

19 Q. Have you ever had a position where you had to
20 hire or review applications for jobs?

21 A. No.

22 Q. Have you -- any experience as an
23 administrator in an academic setting?

24 A. No.

25 Q. Have you taken any administration classes

1 or --

2 A. No.

3 Q. -- anything like that?

4 A. No.

5 Q. Okay. Since your employment with Pickens
6 School District ended, have you had any income from any
7 source?

8 A. I've not had any jobs, just unemployment.

9 Q. All right. And have you taken any academic
10 courses since your employment with Pickens ended?

11 A. I took one course at Clemson. It was a
12 secondary English course that I needed to add secondary
13 to my certificate.

14 Q. And why did you need to add secondary to your
15 certificate?

16 A. Because I'm already highly qualified to teach
17 secondary English, and I wanted to add it to my
18 certificate.

19 Q. And what were your dates that you attended
20 Clemson to finish that up?

21 A. It was a summer course. I believe in
22 June 2010.

23 Q. Are you currently enrolled in any courses?

24 A. Not at this time.

25 Q. All right. And what does a typical day in

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1 the life of Ms. Noorai consist of?

2 A. Well, it depends on exactly what I'm having
3 to do at the time. From the middle of December through
4 the end of January, I was volunteering teaching English
5 and writing up at the Tamassee Academy, at the Tamassee
6 DAR School to sixth through eighth graders. They were
7 working on an essay contest on the War of 1812.

8 Q. Also through the DAR school up there or
9 elsewhere?

10 A. Yes. It's their school for the students who
11 are too far behind to attend the Tamassee Salem Middle
12 School.

13 Q. And are you working with anyone at the school
14 with that?

15 A. Well, the main teacher is Lynn Gibson. And I
16 went up.

17 Q. Lynn Gibson?

18 A. Yes.

19 Q. All right. What is Lynn Gibson's title?

20 A. Well, she's the teacher at the Tamassee
21 Academy. The other teacher has been out, and they've
22 had a substitute.

23 Q. All right. Any other volunteer activities
24 that you've been involved in?

25 A. I've been involved in a lot, to think about

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1 all of them. I've also started the Junior American
2 Citizen Club at the Tamassee DAR School. They've
3 worked on two community service projects as a result of
4 that club in the past year.

5 Q. Other things?

6 A. I've done work -- I'm the state chaplain for
7 the Colonial Dames of the XVII Century. I'm also
8 involved with other clubs. The Seneca Woman's Club,
9 the Once a Week Club.

10 Q. What's the Once a Week Club?

11 A. It's one of the -- it's the oldest club in
12 the state of South Carolina. Women's club. And it
13 does things with the community. We have speakers come
14 from different parts of the community.

15 Q. All right. Other activities that you've been
16 involved in, volunteer?

17 A. I'm trying to think off the top of my head.
18 Just the work mostly what I've done up at the Tamassee
19 DAR School. I've done different events with them and
20 through the DAR and through the Colonial Dames of the
21 XVII Century.

22 Q. All right. Which South Carolina School
23 Districts have you applied for employment in a teaching
24 position?

25 A. Oconee, Pickens, Anderson 1, Anderson 2,

1 Anderson 3, Anderson 4, Anderson 5, and Greenville
2 County.

3 Q. All right. Any reason you have not applied
4 beyond outside the region?

5 A. At this time I'm unable to move or afford
6 traveling that kind of distance.

7 Q. Have you applied to any school districts in
8 North Carolina or Georgia?

9 A. No.

10 Q. Any particular reason?

11 A. Again, the traveling and moving. I've looked
12 into the Georgia district a few times, I guess closest
13 to I think was Toccoa. And they didn't have any
14 positions at the time that I looked.

15 Q. Did you contact anybody affiliated with that
16 school district?

17 A. No, sir.

18 Q. No e-mail or phone messages or anything like
19 that?

20 A. No, sir.

21 Q. All right. How about in the Jackson County
22 School District up in North Carolina or any other
23 adjoining school district?

24 A. No, sir.

25 Q. You've made no contact up there?

1 A. No, sir.

2 Q. And you've submitted no application?

3 A. No, sir.

4 Q. All right. And have you applied for
5 nonteaching jobs at the other districts in South
6 Carolina that you mentioned?

7 A. Yes.

8 Q. All right. Is there any district in
9 South Carolina where you have only applied for teaching
10 jobs?

11 A. I think a few of the Anderson ones I've only
12 applied for some teaching jobs.

13 Q. All right. Following your student teaching,
14 you inquired in to a position in Oconee County?

15 A. Yes, sir.

16 Q. All right. And who was your first contact
17 with the School District of Oconee County?

18 A. I was set up for a job fair, and I believe it
19 was through Rob Rhodes.

20 Q. When would that first contact have been made?

21 A. I guess it would have probably been the fall
22 of 2006 sometime. The job fair was January, I believe,
23 2007. So it would be before that.

24 Q. All right. And how did you communicate with
25 Mr. Rhodes? Is it Dr. Rhodes?

1 A. I don't know.

2 Q. All right. How did you communicate with
3 Mr. Rhodes?

4 A. I don't recall.

5 Q. Did you do any written communication to him?

6 A. I may have sent him a thank you. I'm not
7 sure if there was an e-mail. That, I don't recall.

8 Q. All right. Did you -- had you met with him
9 personally?

10 A. Yes, sir.

11 Q. All right. When did you meet with him
12 personally?

13 A. I don't remember the date, but it was for a
14 district screening interview.

15 Q. All right. Had you met with him prior to the
16 fall of 2006 personally?

17 A. No.

18 Q. All right. Had you met with and discussed
19 employment with the School District of Oconee County
20 with anybody other than Mr. Rhodes prior to the fall of
21 2006?

22 A. I don't believe so, no.

23 Q. All right. After your first communication
24 with Mr. Rhodes, what happened next?

25 A. After the district screening interview that I

1 had in 2007, I had an interview at Walhalla High
2 School.

3 Q. All right. Tell me about the district
4 screening interview. Mr. Rhodes was in that with you?

5 A. Yes.

6 Q. Was anybody else involved in that interview?

7 A. No, sir.

8 Q. Just the two of you?

9 A. Yes, sir.

10 Q. Where did that take place?

11 A. In his office at the district office.

12 Q. And what was involved in the district
13 screening interview?

14 A. He had to ask me a series of questions. I
15 had presented a portfolio.

16 Q. Do you still have a copy of the portfolio?

17 A. Not in the same state because as a teacher,
18 my portfolio has changed and enlarged and had new
19 things added.

20 Q. All right. How long did the screening
21 interview take?

22 A. I don't recall.

23 Q. More than an hour?

24 A. It's probably around that time.

25 Q. All right. And were there other people being

1 screened at the same time?

2 A. I don't recall seeing any other applicants.

3 Q. Okay. You don't recall being in a waiting
4 room or anything like that where people were being
5 called one at a time or anything of that sort?

6 A. No.

7 Q. All right. Other than the handing in your
8 portfolio and discussing it with Mr. Rhodes, what else
9 did you all talk about during the screening interview?

10 A. Just the standard questions about my
11 background and teaching. Why I wanted to teach, and I
12 guess what my experiences were going through my
13 practicum and starting the student teaching and why
14 would I want to teach in Oconee County. Those sort of
15 questions.

16 Q. What was your response to those?

17 A. To all the questions?

18 Q. Well, what was your response to why you
19 wanted to teach in Oconee County?

20 A. Because that's, to me, a part of my home. I
21 grew up both in New York City and in Oconee County.
22 And so like the first football games I ever went to
23 were West-Oak Warrior football games with my godfather.

24 Q. Who is your godfather?

25 A. He's passed away, but Daniel Bailey of Oak

1 Way.

2 Q. I believe you testified about that last time.

3 A. Yes, sir.

4 Q. That rings a bell.

5 Like I said, I'm going to try not to cover
6 old ground, but sometimes I just have to. It will come
7 up.

8 Anything unusual -- you felt was unusual
9 about your screening interview with Mr. Rhodes?

10 A. No. He had -- was very complimentary and
11 said it was a successful interview.

12 Q. All right. And what happened after the
13 screening interview? What was your next contact?

14 A. It was following Memorial Day, I had gone on
15 the eighth grade trip as a -- I guess as a kind of a
16 teacher role for the eighth graders at Edwards Middle
17 School, although my student teaching was over.

18 Q. Can I stop you?

19 A. Yes.

20 Q. Memorial Day of what year?

21 A. Of 2007.

22 Q. Okay.

23 A. And so while I was in Florida, Oconee, some
24 principals had started calling and set up the interview
25 at Walhalla High School and Seneca Middle School.

1 Q. All right. And who called you from Walhalla
2 High School?

3 A. I believe the female principal called.

4 Q. Do you know her name?

5 A. I can't recall. I think it might still be
6 E.B. Hughes, who is still there now, but I'm not
7 certain.

8 Q. This is Walhalla High School?

9 A. Yes, sir.

10 Q. All right. And did you call there first, or
11 did you get a call directly from Walhalla High School?

12 A. Walhalla called first.

13 Q. All right. Did they leave you a voice mail
14 or a message of any kind?

15 A. Yeah, but I don't remember.

16 Q. Was it a verbal or a phone communication
17 versus a written communication?

18 A. Yes. Because the interview was set up, and
19 as I said, I was in Florida. And so they set the
20 interview up with my mother because I was with the
21 field trip in Florida.

22 Q. All right. And is there any e-mail
23 confirmation of that or anything that you still have in
24 your possession or anything like that?

25 A. No, sir.

1 Q. All right. And from the other school, Seneca
2 Middle, is that what you said?

3 A. Yes, sir.

4 Q. All right. How did you get in touch with
5 Seneca Middle?

6 A. Again, they contacted and set up an interview
7 time.

8 Q. And who contacted you from Seneca Middle?

9 A. I believe the principal, Al LeRoy.

10 Q. Is he somebody that you knew prior to then?

11 A. No, sir.

12 Q. How about the principal at Walhalla --

13 A. No, sir.

14 Q. -- who may or may not have been E.B. Hughes?

15 A. No, sir.

16 Q. Okay. Not somebody that you knew or talked
17 to?

18 A. No, sir.

19 Q. All right. And after those initial contacts,
20 did you go and interview with Walhalla High School and
21 Seneca Middle?

22 A. Yes, sir.

23 Q. Which one did you do first?

24 A. Walhalla came first.

25 Q. All right. Do you remember what time frame

1 that would have been?

2 A. I don't remember the exact time, but it was
3 shortly after setting up the interview. So it would
4 have been either the rest of May, if there was any time
5 left, or early June.

6 Q. All right. And where did you -- did you go
7 to Walhalla High School for the interview?

8 A. Yes, sir.

9 Q. Who did you interview with?

10 A. E.B. Hughes and two other gentlemen, but I
11 cannot remember their names.

12 Q. And that was at the office?

13 A. Yes, sir, in a conference room.

14 Q. About how long was the interview?

15 A. It was a very long interview.

16 Q. Just the three of them, or was there anybody
17 else involved?

18 A. I believe it was just the three of them.

19 Q. Did you make any notes or anything like that
20 after the interview?

21 A. No, sir. I think I wrote them thank-yous.

22 Q. Talking a written thank you or an e-mail
23 thank you?

24 A. Just a little thank-you card.

25 Q. You wouldn't have kept a copy of that?

1 A. No, sir.

2 Q. All right. So what type of things did you
3 talk about in the interview?

4 A. They talked about they had two positions
5 open, a ninth and a tenth grade English position. And
6 they talked about what, you know, tenth grade was going
7 to be more of English lit. And they talked about what
8 type of teachers that they look for. They want
9 teachers to be part of the family. They want to make
10 sure it's a perfect fit because they like their
11 teachers to stay and their children attend their
12 schools.

13 They, again, asked questions about my
14 background, what courses I was taking. We discussed
15 that I needed to have three courses added to, you know,
16 for high school, according to the State Department.
17 And so the principal said she was going to find out
18 exactly if I -- what was the time frame I would need to
19 take those courses.

20 Q. Okay. So at that point you were not
21 certified to teach high school?

22 A. But highly qualified to.

23 Q. All right. Explain the difference.

24 A. The exams that I had taken, I took the
25 secondary and middle school exams, which made me highly

1 qualified to teach both middle level and secondary
2 English.

3 Q. Okay. But what kept you from being certified
4 then?

5 A. For them to put on my initial certificate for
6 the state of South Carolina, they were requiring me to
7 take three classes.

8 Q. Do you remember what those classes were?

9 A. I had to take the secondary reading course,
10 and one course they ended up counting for me that they
11 first said I didn't. It was an adolescent course, I
12 guess, in literature. And then it's a modern English
13 grammar.

14 Q. Okay. Tell me what was the issue with the
15 second course that didn't count but should have or
16 something like that.

17 A. Yes. And I had a letter written from
18 Dr. Medford to the Department of Education, and then
19 they credited me the course.

20 Q. Who is Dr. Medford?

21 A. She, at the time, was the MAT coordinator at
22 Clemson University. And she still is that.

23 Q. So you ended up having to take two courses
24 instead of --

25 A. Yes.

1 Q. -- the three courses?

2 A. Yes.

3 Q. All right. And what happened after the
4 interview?

5 A. Within a couple of hours, I was called and
6 offered the tenth grade position. But the principal
7 told me if I wanted the ninth grade, I could also have
8 that.

9 Q. All right. And who called you?

10 A. The principal.

11 Q. The female principal?

12 A. Yes, sir.

13 Q. All right. Who may have been E.B. Hughes?

14 A. Yes.

15 Q. All right. And then were you at home when
16 you got that call?

17 A. I believe so.

18 Q. Was anybody with you when you got that call?

19 A. I can't remember.

20 Q. On a home phone or a cell phone?

21 A. I don't recall.

22 Q. Do you have a cell phone?

23 A. I do.

24 Q. What's your cell phone number?

25 A. (864) 247-2428.

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1 Q. All right. And how long have you had that
2 cell phone number?

3 A. I've had that number I believe since 2005,
4 2006.

5 Q. Who is your service provider?

6 A. AT&T.

7 Q. And has it been AT&T since '05, '06?

8 A. Yes, sir.

9 Q. No switch in service?

10 A. No, sir.

11 Q. All right. How does AT&T bill you? Do you
12 get a monthly statement?

13 A. Yes.

14 Q. All right. Is it a detailed bill where it
15 shows who you called and who's called you, et cetera?

16 A. It's a family plan so it goes through my
17 mother, which is the main account.

18 Q. So you don't know exactly what the statement
19 looks like?

20 A. No, sir.

21 Q. All right. But you don't recall whether that
22 call from E.B. Hughes or the other female principal
23 would have come on the cell phone or house phone?

24 A. I'm sorry, I just don't remember.

25 Q. Okay. What's the -- what's the house phone

1 number?

2 A. (864)882-2485.

3 Q. And has it been that for as long as you can
4 remember?

5 A. Yes. Those were my grandparents' phone
6 number in their house.

7 Q. All right. And did you respond to the
8 communication from E.B. Hughes?

9 A. Yes, and she gave me 24 hours to decide.

10 Q. Did you ask for longer?

11 A. No. I just asked her for time to make sure.

12 Q. You ultimately did not accept the position?

13 A. That is correct.

14 Q. All right. And did you -- had you
15 interviewed with Seneca as well?

16 A. Not at that time.

17 Q. Did you go ahead an interview with Seneca?

18 A. Yes, sir.

19 Q. And who did you interview with there?

20 A. Al LeRoy and I believe an assistant
21 principal.

22 Q. Do you know who that would have been?

23 A. I cannot remember her name.

24 Q. But a she?

25 A. Yes.

1 Q. A female. All right.

2 And where was that interview?

3 A. At Seneca Middle.

4 Q. Just the two of them and you?

5 A. Yes, sir.

6 Q. About how long was that interview?

7 A. Again, it was a very long interview.

8 Q. Sort of any different in any marked way from
9 the Walhalla interview?

10 A. I believe I had to leave my portfolios
11 because Mr. LeRoy wanted to go over them some more. He
12 wanted to spend time because during the interview he
13 was questioning and was -- you know, he wanted more
14 time with the portfolio.

15 Q. All right. And what happened after your
16 interview there?

17 A. He told me that it was going to be a while
18 before I would hear from him because there was an issue
19 with another candidate who was being interviewed, that
20 he wasn't able to interview that person for a certain
21 length of time. So it would be a while before I would
22 hear from him.

23 Q. Do you know who the other candidate was?

24 A. He didn't tell me.

25 Q. Did you ask?

1 A. No, sir.

2 Q. Do you know other than from him?

3 A. No.

4 Q. All right. You did not accept that job?

5 A. When he did call to offer me the position, I
6 was at R.C. Edwards being interviewed that same day for
7 a position there.

8 Q. All right. But you were actually offered the
9 Seneca Middle position?

10 A. Technically, I was offered the Edwards
11 position before I was offered the Seneca position.

12 Q. And did you have communication with
13 Mr. LeRoy?

14 A. He actually called Edwards while I was there
15 to speak to Marilyn Raines trying to get ahold of me.

16 Q. All right. How would he have known to call
17 Marilyn Raines?

18 A. His wife had been a student teacher at
19 R.C. Edwards and had worked with Marilyn Raines and he
20 knew that that was my cooperating teacher. And when he
21 called to find me, my mother told him that I was at an
22 interview at R.C. Edwards, so he called up there.

23 Q. All right. How did you find out that he was
24 talking to Marilyn Raines?

25 A. She came back down smiling and told me and

1 the other teachers that were there working on
2 scheduling that Al LeRoy called to offer me a job, but
3 she told him that I had already committed to Edwards.

4 And he asked her, "Well, has she signed a
5 contract?"

6 And she said, "No, not yet."

7 And he said, "Well, then tell her to come by
8 and see me on her way home."

9 Q. And did you go by and see him?

10 A. I did go by later that day with my mother.

11 Q. Did your mom go with you to the Walhalla
12 interviews?

13 A. No.

14 Q. How about to the Seneca Middle School
15 interviews?

16 A. No.

17 Q. Be you swung by with your mom to -- on the
18 way to see Al LeRoy?

19 A. Yes.

20 Q. Did you talk with him at that point?

21 A. Yes, he did. He invited both of us to go
22 back into his office.

23 Q. And did you speak with him?

24 A. Yes, I did.

25 Q. And what did you speak about?

1 A. He was trying to convince me to take the
2 position. He told me about the workload I would have.
3 He told me he would never make a first year teacher be
4 a yearbook adviser. I would only be assisting. He was
5 giving all the positives and wonderfals about why I
6 should take that position. He said he could get me a
7 contract before Pickens could get me a contract.

8 Q. How did the yearbook adviser come up in that
9 conversation? Why would that have been an issue?

10 A. He was just telling me what he would have me
11 do.

12 Q. All right. Did he mention any other things
13 other than yearbook adviser that you wouldn't be asked
14 to do?

15 A. That I would be teaching, you know, I think
16 he was saying about 90 students for whole year. And I
17 would be teaching the full range.

18 Q. What was the point of reference for him to
19 say these things to you? Did you say something to him
20 first about what your responsibilities were going to be
21 at Pickens?

22 A. I don't remember that.

23 Q. Okay. Did you go to see him with the idea to
24 try to negotiate a better deal than you had at
25 R.C. Edwards?

1 A. No. I felt like since he had called and
2 asked for me to go, that I should go.

3 Q. Did you find it unusual that he brought up
4 the issues about you being a yearbook adviser and the
5 number of students?

6 A. No. He was just selling his position.

7 Q. All right. Were you to have any other
8 extracurricular duties at Seneca Middle?

9 A. He didn't tell me of any others. Just that I
10 would be assisting with the yearbook.

11 Q. Did you have any particular concerns going in
12 about being involved with the yearbook?

13 A. No.

14 Q. So then you take the position at
15 R.C. Edwards?

16 A. Yes.

17 Q. All right. And you start work there, and we
18 spent several hours on that already --

19 A. Yes, sir.

20 Q. -- right?

21 And then your employment with the Pickens
22 School District ends?

23 A. Yes.

24 Q. All right. And you had some contact with the
25 School District of Oconee County prior to your -- end

1 of your tenure at Pickens?

2 A. Yes.

3 Q. All right. And who was your first contact at
4 Oconee while you were at R.C. Edwards?

5 A. I guess Rob Rhodes, and then I can't remember
6 the lady's name who would have set up for a district
7 screening interview.

8 Q. All right. You had -- were set up for
9 another district screening interview?

10 A. Yes.

11 Q. Following your employment at Pickens?

12 A. Yes.

13 Q. All right. When would that have been? The
14 setting up part, when did that take place?

15 A. I don't recall. I'm assuming in
16 January 2009.

17 Q. All right. Did you -- the first person you
18 spoke with as an administrative assistant of some type?

19 A. Yes. I can't remember if it was through
20 e-mail or on the phone.

21 Q. All right. And what was that nature of that
22 conversation?

23 A. I believe they were having a job fair and
24 then that was canceled and so they needed to sign up
25 for a district screening interview.

1 Q. All right. And when did you find out the job
2 fair was canceled?

3 A. That, I don't remember.

4 Q. And district screening interview, did you
5 sign up for that?

6 A. Yes. She made me an appointment.

7 Q. All right. And did you keep your
8 appointment?

9 A. Yes, I did.

10 Q. All right. Did you have any communication
11 with Mr. Rhodes before the appointment?

12 A. Yes.

13 Q. What type of communication?

14 A. I had e-mailed him I believe in December, but
15 then he didn't reply until January or February, I don't
16 remember. And he wanted to make sure that I had set up
17 a district screening interview.

18 Q. Okay. Did you take anything out of the fact
19 that you didn't -- he didn't reply in January or
20 February?

21 A. No.

22 Q. Or excuse me, until January or February?

23 A. No.

24 Q. All right. And any other communication with
25 him prior to the screening?

1 A. I did run into him at the South Carolina
2 Middle School Association conference in the previous
3 January or February, March. I can't remember which. I
4 think it's March that they have the Middle School
5 Association conference in Myrtle Beach, and I was
6 presenting. And he was there with the assistant
7 principal that I interviewed with at Seneca Middle
8 School.

9 Q. Do you remember who that is now?

10 A. No, I don't remember her name.

11 Q. So you were presenting at Myrtle Beach on
12 what topic?

13 A. We were presenting on -- I believe that was
14 on high expectations and the importance of them in the
15 classroom. I was presenting with a fellow teacher that
16 I had gone through the MAT program with.

17 Q. All right. Did you have other conversations
18 with any other Oconee employees, teachers,
19 administrators at that conference?

20 A. I don't recall any.

21 Q. All right. And the nature of your
22 communication with Mr. Rhodes was just in passing, "Hi,
23 how are you doing," that sort of thing?

24 A. Yes. He asked what my position was and how I
25 was going and why didn't I want to come to Oconee. And

1 the lady had remembered me and had remembered that I
2 had taken Latin, was very impressed with how she
3 recalled things from the interview from the year
4 before.

5 Q. All right. And about how long was that
6 communication or conversation that you had with them?

7 A. Seems like ten minutes or less.

8 Q. Were there other people involved in the
9 conversation or just the two of them?

10 A. The person who had presented with me was
11 there, also.

12 Q. Do you remember who that was?

13 A. Yes. Her name is Shaneka Smalls.

14 Q. And where does she work or did she at that
15 time?

16 A. She was working at Holly Hill-Roberts Middle
17 School in Holly Hill, South Carolina.

18 Q. Did you know her prior to the conference?

19 A. Yes. As I said, we went through the MAT
20 program together.

21 Q. I got you. All right.

22 And did you have any further communications
23 with Rob Rhodes at the Myrtle Beach conference?

24 A. No, sir.

25 Q. All right. And when you get back to the

1 upstate, did you -- you had a meeting then with Rob
2 Rhodes, the screening interview or screening meeting?

3 A. In February 2009.

4 Q. All right. Was that any different than the
5 prior screening interview that you had?

6 A. Basically it was the same questions.

7 Q. Okay. Anything that you considered
8 unusual --

9 A. No, sir.

10 Q. -- during that?

11 Just the two of you in the interview again?

12 A. Yes, sir.

13 Q. Same amount of time?

14 A. I would say so. Maybe a little less. I
15 can't recall.

16 Q. Did you follow up in writing of any kind?

17 A. I may have. I don't recall.

18 Q. All right. Did you receive anything in
19 writing from Rob Rhodes or anybody else with the school
20 district at that time?

21 A. No, sir.

22 Q. All right. Prior to the end background of
23 the school year, did you have any further communication
24 with Mr. Rhodes or anybody else with the SDOC?

25 A. No, sir. Except for when Jami Verderosa had

1 called and set up an interview.

2 Q. Okay. And at what point would that have
3 been?

4 A. Again, she called during -- right after
5 Memorial Day during while I was a teacher chaperone on
6 the eight grade trip. And so, again, she had to speak
7 to my mother and set up the interview with her.

8 Q. Now, had you ever met or spoken with Jami
9 before?

10 A. No, sir.

11 Q. And can you spell her name just for the
12 record.

13 A. I believe it's J-a-m-i, and I believe her
14 last name is V-e-r-d-e-r-o-s-a.

15 Q. Did she leave any type of voice mail message
16 or anything like that or speak with your mother
17 directly, what's your understanding?

18 A. I believe she had left voice mail on my cell
19 phone and she had spoken directly with my mother.
20 Whether she left a message first, I don't know.

21 Q. And presumably you did not save the voice
22 mail --

23 A. No, sir.

24 Q. -- if she left one?

25 A. On my cell phone --

1 Q. Right.

2 A. -- I deleted the messages --

3 Q. All right.

4 A. -- when I returned.

5 Q. Have you made any attempt to recover or go
6 back and try to get messages?

7 A. No, sir.

8 Q. All right. Then you -- there's a meeting
9 scheduled then or an interview at some point?

10 A. Yes, sir.

11 Q. All right. And when would that have been?

12 A. She said she gave me the last possible
13 interview. It was on June 1st at the end of the day.

14 Q. Did you request the last possible interview?

15 A. Well, my mother did because she knew that I
16 was not one to want to leave work early.

17 Q. Okay. You mean the last interview for that
18 particular day?

19 A. No, her last interview. She said how she had
20 scheduled it, she said that was the last interview and
21 that was the latest time she could give me.

22 Q. All right. So your understanding was that of
23 all of the applicants for the job, you were going to be
24 the last one interviewed?

25 A. Correct.

1 Q. All right. As well as the last person
2 interviewed that particular day?

3 A. Yes, sir.

4 Q. All right. And do you remember what day that
5 was to be?

6 A. It was June 1st.

7 Q. Of 2009?

8 A. 2009, yes, sir.

9 Q. And what time was that interview?

10 A. I don't remember the exact time that it was
11 at the end of the school day.

12 Q. All right. You finished your full day at
13 R.C. Edwards?

14 A. Yes. I had to leave during the last period,
15 which was my planning period. I had received
16 permission from the principal to leave to go to the
17 interview.

18 Q. All right. And you testified about that last
19 time --

20 A. Yes, sir.

21 Q. -- that somebody took over your class. Do
22 you remember who that was?

23 A. I believe it was Brody Edge, but I'm not
24 certain.

25 Q. How far a drive is it from R.C. Edwards to

1 West-Oak? Is that where you had the interview?

2 A. Yes, sir.

3 Q. All right.

4 A. It would be about 14 or so miles, I believe.

5 MR. BARLOW: All right.

6 MR. CROMER: You need to take a break?

7 THE WITNESS: Soon.

8 MR. BARLOW: Take one now.

9 (A recess transpired.)

10 BY MR. BARLOW:

11 Q. Ms. Noorai, when we left off, you were on
12 your way from West-Oak Middle School -- or on your way
13 to West-Oak Middle School from R.C. Edwards.

14 A. Yes.

15 Q. Which is about 14 miles. All right.

16 And who is the first person you met with when
17 you got to West-Oak?

18 A. I'm not sure if there was a secretary. I
19 believe that their school year had ended earlier than
20 ours, so I don't believe they still had students at the
21 school. But I didn't wait long to be taken into the
22 room for an interview.

23 Q. Okay. And did you see anyone coming out of
24 an interview, or were there other people waiting to be
25 interviewed as well?

1 A. I don't recall.

2 Q. All right. And what part of the school did
3 you go to wait for the interview?

4 A. It was right there in that front reception
5 room. And I don't think I waited long.

6 Q. How long?

7 A. I can't remember.

8 Q. Less than five minutes?

9 A. I'm sure, yes.

10 Q. All right. And the first person that you met
11 there was who?

12 A. I believe was Jami Verderosa.

13 Q. All right. Now, had you met her in person
14 before?

15 A. No, sir.

16 Q. All right. You had had the initial contact
17 to set up the interview?

18 A. Yes. As I said, she set it up through my
19 mother.

20 Q. Sure.

21 A. And I had heard messages on my cell phone.

22 Q. All right. But you had not had any follow up
23 between then and the time of the interview with her?

24 A. No, sir.

25 Q. All right. So she comes to greet you, what

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1 happens next?

2 A. I believe she takes me in the room and
3 introduces the other, I guess, individuals that were
4 going to be interviewing me at the time.

5 Q. And who were they?

6 A. Both assistant principals, I believe two
7 English teachers. That's all I can recall.

8 Q. All right. You wouldn't have recorded this
9 interview?

10 A. No, sir.

11 Q. All right. And do you remember who the
12 assistant principals were, their names?

13 A. One was Dr. Wise, and I can't think of the
14 other's name.

15 Q. How about the teachers, do they know their
16 names?

17 A. I don't recall their names.

18 Q. All right. Did you -- were you familiar, had
19 you seen any of those folks before or did you know any
20 of them?

21 A. No, sir.

22 Q. All right. Prior to your interview with this
23 committee or group panel, whatever you want to call it,
24 had you had any communication with any other School
25 District of Oconee County employees about the

1 interview?

2 A. No.

3 Q. All right. No calls to say somebody on
4 the -- you know, at the district office, "What should I
5 expect in this interview, any tips, ideas?", none of
6 those communications?

7 A. No, sir.

8 Q. How about your mom, did she have any
9 communication with anyone that you know about prior to
10 that interview at West-Oak Middle?

11 A. I think she had taken a more updated resume
12 to the district office.

13 Q. Was that at your direction or how would that
14 have been initiated?

15 A. That, I don't recall.

16 Q. Do you know to whom she was taking the more
17 updated reference or resume?

18 A. It was probably for Rob Rhodes.

19 Q. Any other communication that your mom would
20 have had with anyone that you're aware of?

21 A. Not that I know of.

22 Q. All right. And you have this interview with
23 the panel and take me through the interview. Who asked
24 the first question?

25 A. I don't recall who asked the first question.

1 Q. All right. What were the topics that were
2 covered in the interview?

3 A. Everything from background, teaching,
4 experience. They were very impressed with, I guess, my
5 ability as a writing teacher and that my students had
6 won awards. And English was the subject, I believe,
7 that they identified as their most struggling subject
8 at their school. One of the assistant principals told
9 me that she was always very impressed with how students
10 from Edwards and Daniel High School were able to win
11 all these awards.

12 Q. Do you remember who said that?

13 A. I don't remember which one it was.

14 Q. It was one of the teachers, though?

15 A. One of the assistant principals.

16 Q. Okay. Were both of the assistant principals
17 female or was one male?

18 A. Both are female.

19 Q. One older or younger than the other?

20 A. I think they're about the same age.

21 Q. All right. But of the two, anything that
22 would help us identify which one it might have been?

23 A. One is African-American, and the other was
24 Caucasian.

25 Q. Which one would have made the comment

1 about --

2 A. The African-American one.

3 Q. All right. And other things that you
4 remember in particular about this interview?

5 A. It was over an hour. They were gearing me
6 towards the open eighth grade position because of my
7 experience and credentials. They insisted that I be
8 taken on a tour of the school and that way they were
9 able to look through all my materials while I was on
10 the tour. When the tour was over, they still had not
11 finished going through all my materials. I had to
12 wait.

13 Q. Do you have those materials? Do you have a
14 copy of these materials that you --

15 A. Like I said, when I've gone on interviews
16 I've added to and changed, so I don't have the
17 identical work anymore.

18 Q. Who took you on the tour?

19 A. I don't recall. I think she may have been a
20 guidance counselor. That, I don't know.

21 Q. What did the tour consist of?

22 A. She took me around the building, showed me
23 the library, all the facilities.

24 Q. Had you been to the school before?

25 A. No, sir. That was my first experience at

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1 that school.

2 Q. All right. And what was your understanding
3 of the positions that you were interviewing for?

4 A. Well, they explained that they had different
5 positions open, but they were gearing me towards the
6 eighth grade position. They showed great interest for
7 that.

8 Q. Okay. What other positions, though, besides
9 the eighth grade position?

10 A. I know they said seventh.

11 Q. All right.

12 A. And there may have even been a sixth grade.
13 That, I don't recall.

14 Q. Okay. But your understanding was that you
15 were being considered for the eighth grade position?

16 A. Yes. They had asked me what my interest
17 would be of the positions.

18 Q. And your answer was that you would have been
19 interested in the eighth grade position?

20 A. I said I was interested in any of the
21 positions. My experience as a student teacher and with
22 teaching was with eighth grade..

23 Q. I got you.

24 Did they ask you any other questions during
25 the interview that you recall?

1 A. Just about my different teaching practices
2 and units and to take them through a class. And then,
3 of course, I was also able to ask questions.

4 Q. All right. And what type of questions did
5 you ask?

6 A. I was very interested because they were the
7 technology modeling school for the district, and so I
8 asked Ms. Verderosa about that.

9 Q. What's the "technology model school" mean?

10 A. That because they were such a brand-new
11 school and all the technology that she had, that was
12 there to be used in the classrooms. Although she said
13 unfortunately, they weren't using it in the English
14 language arts classroom at that time. I can't remember
15 if it was just math and science that they were using
16 all the SMART, whatever, the SMART Boards or whatever
17 type they had.

18 Q. That was sort of the next question. What
19 types of technology were they using?

20 A. I think it was the SMART Boards or something
21 of that kind. Because I had experience using the
22 Promethean board and using SMART Boards.

23 Q. All right. And anything in the interview
24 that you considered unusual or inappropriate?

25 A. No, sir.

1 Q. And after the interview, what happened next?
2 What did you do after the interview? Did you go home
3 immediately?

4 A. I went home and changed, and then I returned
5 to R.C. Edwards.

6 Q. And what did you return to do at
7 R.C. Edwards?

8 A. Yearbook day was coming and awards night, and
9 I knew that Mary Bridges had certificates that she
10 needed me to sign. And I wanted to make sure that
11 since I did leave early, that there was nothing that I
12 needed to do. I was being conscientious.

13 Q. All right. And when would have your next
14 contact or the next time you heard something from
15 School District of Oconee County, when would that have
16 been?

17 A. This is -- Jami Verderosa called I believe on
18 Friday, June 5th 2009, in the afternoon.

19 Q. All right. Did you have any -- make any
20 attempts to communicate with her prior between June 1
21 and June 5 of '09?

22 A. I may have sent her a thank you. That, I
23 don't recall.

24 Q. Anything other than that?

25 A. No, sir.

1 Q. Okay. And what was the nature of the
2 communication on June 5th of '09?

3 A. She called -- you know, she was calling --
4 you know, she said she was going to call to give the
5 status of the job.

6 Q. All right. And this is on the cell phone or
7 the house phone?

8 A. I believe it was the house phone.

9 Q. And did you take the call at home then?

10 A. Yes.

11 Q. All right. What time of day?

12 A. I think it was around lunchtime or in the
13 afternoon. That day is a blur.

14 Q. June 5th. What day of the week would that
15 have been?

16 A. Friday, June 5th.

17 Q. So you would have been home from that day?
18 School would have ended?

19 A. My last day at R.C. Edwards was June 4th.

20 Q. Okay. And you take the call around
21 lunchtime. I'm not going to hold you to that, but you
22 think it was around the middle of the day?

23 A. I believe so.

24 Q. Okay. And what -- tell me about the call.

25 A. She just seemed somewhat, I guess,

1 uncomfortable on the phone, uneasy. It wasn't the
2 peppy voice that had left the other voice mail or that
3 I had spoken with at the interview. And she said,
4 "After checking references, I'm unable to give you a
5 job at this' time."

6 Q. Okay. Did she say anything else?

7 A. I said, "Thank you," and we hung up.

8 Q. And that was the extent of the conversation?

9 A. Yes, sir.

10 Q. Nobody said anything else other than that?

11 A. No, sir.

12 Q. All right. And what did you do after that?

13 A. Well, I really didn't do anything that day.
14 I had been, I guess, in a state of shock and over what
15 had happened the day before, so I pretty much just
16 stayed in my easy chair for the entire day.

17 Q. Had you applied anywhere other than School
18 District of Oconee County in 2009?

19 A. No, sir.

20 Q. All right. Any particular reason why?

21 A. Because I wanted to come home to my home
22 district.

23 Q. And at this point you had already made the
24 decision you weren't going back to R.C. Edwards?

25 A. I did not sign my contract.

1 Q. All right. But when did you actually decide
2 that you were not going to come back to R.C. Edwards?

3 A. When I did not sign my contract and return
4 it.

5 Q. All right. Not until then?

6 A. It was a very difficult decision that I made,
7 and it was back and forth.

8 Q. Okay. I just wanted to clarify if you had
9 made the decision, say, a week or two before --

10 A. No, sir.

11 Q. -- or something like that? All right.

12 But you had had the communication with School
13 District of Oconee County, Rob Rhodes --

14 A. Yes, sir.

15 Q. -- other folks, back in the winter; is that
16 right of '09?

17 A. They said I e-mailed him in December of 2008.

18 Q. Right.

19 A. But I didn't hear back from him until 2009.
20 I had already set up the district screening interview
21 before I heard back from him.

22 Q. All right. But at that point you were not --
23 you didn't send any applications, resumes, et cetera,
24 to other school districts?

25 A. No, sir.

1 Q. All right. And when was the next
2 communication after June 5th of 2009 that you would
3 have spoken with somebody from the School District of
4 Oconee County?

5 A. I met with Mrs. Williams, I believe,
6 October 1st.

7 Q. Okay.

8 A. And set it up with her assistant --

9 Q. All right.

10 A. -- prior to that.

11 Q. So between June 1 of -- June 5, excuse me, of
12 2009, and October 1st of 2009, you did not have any
13 communication of any kind with any School District of
14 Oconee County employee?

15 A. No. I had spoken with Fred Hamilton, who is
16 a former superintendent. And he had just, I think,
17 ended his term as an elected superintendent. And he is
18 the one that wanted me to call and set up this
19 appointment with Mrs. Williams.

20 Q. Okay. When did you speak with Mr. Hamilton?

21 A. When did I speak with him?

22 Q. Uh-huh.

23 A. Shortly before I had the appointment with
24 Mrs. Williams.

25 Q. About how long before?

1 A. I called to set up the appointment with her
2 right afterwards.

3 Q. Okay.

4 A. It would be a matter of days or a week, I
5 guess.

6 Q. So less than a week you think?

7 A. Probably, but I'm not certain. It could have
8 been more.

9 Q. All right. But around the time -- sometime
10 in the fall?

11 A. Yes, sir.

12 Q. This wasn't a communication or a conversation
13 you had with Mr. Hamilton in the spring or summer of
14 '09?

15 A. No, sir.

16 Q. All right. And was Mr. Hamilton still the
17 elected superintendent at that time, do you know?

18 A. I don't recall.

19 Q. All right. And how did you have that
20 conversation with him?

21 A. He's a family friend.

22 Q. Sure. And you talked with him before you
23 knew him and --

24 A. I had. Yeah, I had met him before.

25 Q. Okay. Is he a relative? Is he related to

1 your family?

2 A. No. His favorite teacher when he was a
3 student at Seneca High School was my great aunt, who
4 was his math teacher. And my mother was one of his
5 favorite students. He taught her three years at Seneca
6 High School.

7 Q. All right. And during the time you were at
8 Pickens School District, employed there, were you
9 having discussions with Mr. Hamilton about your
10 situation there?

11 A. No.

12 Q. Any particular reason why you didn't share
13 that with him or confide in him?

14 A. I didn't want to worry him. He has health
15 problems.

16 Q. Okay. All right. Was there any particular
17 reason that you did not talk to him about your -- the
18 West-Oak positions until the fall of '09?

19 A. Again, you know, my mother knew of his health
20 issues, and she wasn't going to bother him. It was
21 just when I realized how bad it had gotten and what had
22 occurred, that's when we contacted him.

23 Q. All right. Anything following the 6-5
24 communication with Ms. Verderosa, did you look into
25 what she was telling you on the phone about the reason

1 that you weren't hired that you've testified to?

2 A. Well, I had gotten with the South Carolina
3 Education Association, the SCEA. I had my rep. I had
4 been contacting Dr. Pew to file a grievance.

5 Q. So all that was going on during that time?

6 A. Yes.

7 Q. When was your initial contact with your SCEA
8 rep?

9 A. It would be early June. I can't recall.
10 (DEFT. EXH. 25, Affidavit, was marked for
11 identification.)

12 BY MR. BARLOW:

13 Q. Ms. Noorai, I want to show you Exhibit 25.
14 And ask you a few questions about that document. Just
15 look up when you've had a chance to review it and
16 you're done.

17 Okay. Do you recognize this document?

18 A. Yes, sir.

19 Q. Can you tell me what it is, please?

20 A. It was an affidavit that the Pickens County
21 branch of the NAACP asked me to fill out for them.

22 Q. Why would they have asked you to fill this
23 out for them?

24 A. Because the guidance counselor, Maria Thomas,
25 had asked me and Christie Hunsinger to attend, I

1 believe it was a February meeting.

2 Q. Christie Hunsinger?

3 A. Yes, H-u-n-s-i-n-g-e-r.

4 Q. All right. And Maria Thomas was who?

5 A. She was a guidance counselor at R.C. Edwards.

6 Q. The entire time that you were there?

7 A. She was hired part way through the 2007-2008
8 school year. I don't remember the exact month she was
9 hired.

10 Q. Okay. And was she still working there when
11 your employment ended?

12 A. Yes, sir.

13 Q. All right. Who is Christie Hunsinger?

14 A. She was a related arts teacher at R.C.
15 Edwards.

16 Q. And what related art did she teach?

17 A. I think it was involved with jobs and
18 careers. I'm not really certain. We never had the
19 conversation of what exactly do you teach.

20 Q. Sure. But she was there the entire time that
21 you were there?

22 A. Her first year teaching was when I was
23 student teaching, so yes.

24 Q. All right. Is she still employed there?

25 A. No.

1 Q. When did her employment end?

2 A. The same time as mine.

3 Q. Okay. Were you friendly with her?

4 A. I mean somewhat, you know. We worked
5 together. We chatted.

6 Q. Okay.

7 A. I did not hang out socially or anything.

8 Q. You anticipated my next question.

9 Did you go to school with her or anything
10 like that?

11 A. She was similar to me that she had student
12 taught at R.C. Edwards, and then was hired at R.C.
13 Edwards just as I was. And she had gone to Clemson,
14 but not the same program.

15 Q. All right. And did you go to an NAACP
16 meeting?

17 A. Yes. I believe it was on Valentine's of that
18 year.

19 Q. Of 2009 or is this 2010?

20 A. 2010, I believe.

21 Q. Okay.

22 A. I don't see the date.

23 Q. That was sort of one of the questions of why
24 I wanted to ask you about this is when would this have
25 been prepared?

1 A. It would have been prepared after I went to
2 the meeting on February, I believe it was the 14th,
3 2010.

4 Q. All right. And you make reference here the
5 last sentence above the -- did you ever sign a copy of
6 this?

7 A. I'm assuming I did sign it and mail it. They
8 said I didn't need to get it witnessed.

9 Q. All right. But you do recall signing it?

10 A. I think I did. I just, you know, can't
11 recall.

12 Q. Is there anything in here that's not correct
13 from what you're testifying to?

14 A. It seems accurate.. It's very brief. She
15 told me I did not need to be -- you know, make it long.

16 Q. All right. There's a reference in here to a
17 sex discrimination charge against Gary Culler and the
18 School District of Pickens County?

19 A. Yes.

20 Q. Did you file a charge of the U.S. Equal
21 Employment Opportunity Commission?

22 A. Yes.

23 Q. Has that charge been disposed of, or what's
24 going on? What's the status of that charge?

25 A. My attorney had requested the right-to-sue

1 letter.

2 Q. All right. And when would that have been?
3 Don't reveal any communications between you and your
4 attorney. Sometimes people volunteer those, and I'm
5 warning you not to do that.

6 A. It would have to be in the fall, I guess, of
7 2010, I believe.

8 Q. All right. Did you submit a written
9 questionnaire or anything like that to the U.S. Equal
10 Employment Opportunity Commission?

11 A. Yes, I did.

12 Q. All right. Do you have a copy of that?

13 A. No, sir.

14 Q. Did you maintain a copy of that?

15 Did you have any personal communication with
16 any investigator of the U.S. Equal Employment
17 Opportunity Commission?

18 A. The senior investigator who had taken it, and
19 then I had a phone conversation with her later telling
20 me who my assigned investigator was.

21 Q. And do you remember who that was?

22 A. The assigned investigator, I think her name
23 was Alicia Whiteside.

24 Q. Have you requested a copy of your file from
25 the Equal Employment Opportunity Commission?

1 A. I personally have not.

2/ Q. All right. Have you -- prior to this, had
3 you ever filed a charge of discrimination with the
4 Equal Employment Opportunity Commission?

5 A. No, sir.

6 Q. All right. Are you a member of the NAACP?

7 A. No, sir.

8 Q. Is Ms. Hunsinger or anyone else?

9 A. I wouldn't be -- I don't know. You would
10 have to ask them.

11 Q. All right. And so how would -- what was your
12 purpose or what was your understanding of how the NAACP
13 got involved in this particular situation?

14 A. As I said, I was asked to attend by Maria
15 Thomas.

16 Q. All right. Did you ask any questions of
17 Maria Thomas about, "Why do I need to attend?" or "Why
18 am I being asked to attend?"

19 A. I didn't. I mean, she just asked me to go
20 because of what -- I guess what experience I have, what
21 I could -- you know, if they needed questions about
22 what was going on at one of the schools in Pickens
23 County.

24 Q. All right. But did you have any discussion
25 prior to going to this meeting with Maria Thomas about

1 what was going to happen or what it was about or
2 anything like that?

3 A. No, sir.

4 Q. When was the last time you talked to Maria
5 Thomas?

6 A. I think she called me maybe a week ago. I
7 don't remember the exact date.

8 Q. Okay. Are you and Maria Thomas friends, do
9 you do things socially?

10 A. No. She lives in -- somewhere in Orangeburg
11 County. We never really did anything socially.

12 Q. Okay. And what would have been the reason
13 that she called you a week ago?

14 A. I guess just keeping in touch.

15 Q. Did you discuss your case with Maria Thomas,
16 your pending lawsuit against the two school districts
17 and several individuals?

18 A. I don't believe so in that phone
19 conversation, no.

20 Q. Have you discussed that at other points with
21 her?

22 A. Well, she knows like -- she knew I was having
23 the deposition last time in January.

24 Q. Do you communicate with Maria Thomas by
25 e-mail?

1 A. No, not really.

2 Q. No or not real really? I mean, have you
3 ever?

4 A. We may have in the past, but usually it's
5 just on the phone or with text messages.

6 Q. Do you know what her phone number is off the
7 top of your head?

8 A. No. It's in my phone.

9 Q. But you do text her from time to time?

10 A. Yeah, and she texts me. Sends me pictures,
11 you know, little smiley faces.

12 Q. All right. How about Christine Hunsinger,
13 when's the last time you talked to her?

14 Am I pronouncing the last name right?

15 A. Hunsinger.

16 Q. Hunsinger. Okay.

17 A. I haven't talked to her since sometime maybe
18 I think she -- April 2011 or something around that
19 time.

20 Q. Does she still live in the upstate?

21 A. She did at that time. I don't know where she
22 is now.

23 Q. Do you communicate with her by e-mail?

24 A. We did briefly, but I haven't, like I said,
25 had any type of communication with her since around

1 April of 2011.

2 Q. But prior to that were you communicating with
3 her by e-mail?

4 A. Maybe on one or two occasions.

5 Q. Okay.

6 A. Very rarely. It's mostly phone calls.

7 Q. Okay. So your best estimate is that this is
8 sometime in February of 2010 that you?

9 A. Following that meeting.

10 Q. All right. And was anybody else employed by
11 the School District of Pickens County that you knew of
12 in attendance at that meeting other than the people
13 you've named?

14 A. Not that I knew of.

15 Q. All right. Anybody with the School District
16 of Oconee County at -- that attended that meeting that
17 you knew of?

18 A. I have no idea.

19 MR. BARLOW: All right.

20 (DEFT. EXH. 26, Handwritten Document Titled
21 Retaliation, was marked for identification.)

22 BY MR. BARLOW:-

23 Q. Ms. Noorai, do you recognize this document?
24 You want to take a minute and look at it?

25 A. It looks like my handwriting, writing up some

1 of the retaliation.

2 Q. All right. And when would you have prepared
3 this?

4 A. I guess sometime -- I have no idea exactly
5 when I prepared this. I'm assuming it had something to
6 do with the EEOC.

7 Q. What were the basis of your EEOC charge? I
8 think we covered sex discrimination. Did you also file
9 a retaliation claim?

10 A. Yeah. It was later added. It was amended to
11 have retaliation.

12 Q. All right. Have you -- all right. But
13 you're not exactly sure the date when this was
14 prepared?

15 A. No, sir, I don't recall.

16 Q. But you believe it would have been in
17 connection with your charge of discrimination?

18 A. I'm assuming so.

19 Q. Okay. Do you remember your charge filing
20 date for the charge of discrimination?

21 A. I don't remember.

22 Q. All right. And you have not filed any type
23 of charge of discrimination or retaliation against the
24 School District of Oconee County, have you?

25 A. No, sir.

1 Q. Just Pickens School District?

2 A. No, sir.

3 Q. All right. Going back to the October 2009
4 time frame. Sorry to be jumping around, but we kind of
5 take these things as they come.

6 2009 of October time frame, you have a
7 discussion with Fred Hamilton, and he advises you,
8 what, to try to meet with Earnestine Williams?

9 A. He felt that if I explained to Earnestine I
10 guess the entire situation, she would be very
11 understanding. So that there wouldn't be any issues
12 with me seeking future employment in Oconee County.

13 Q. All right. And what was it that you shared
14 with Mr. Hamilton what's going on? What did you tell
15 him?

16 A. I pretty much told him things that had
17 occurred during the 2008-2009 school year.

18 Q. At Pickens?

19 A. Yes, sir.

20 Q. All right. What had you told Mr. Hamilton
21 about what had happened with your interview process in
22 School District of Oconee County?

23 A. I'm sure I told him about going on the
24 interview and what followed. And then knowing who had
25 received the position, that I was -- you know, that I

1 should -- that was my position until Mr. Culler had
2 been contacted.

3 Q. All right. Who received the position?

4 A. Ashley Palermo.

5 Q. All right. When you find out that Ashley
6 Palermo had received the position?

7 A. Sometime in April 2009. I mean August 2009,
8 sorry.

9 Q. Okay. August. And how did you find out?

10 A. They posted the names of the teachers.

11 Q. Posted where?

12 A. On the school Web site.

13 Q. Okay. And so you were -- what particular
14 reason were you looking at the school Web site, any
15 particular reason?

16 A. I was just looking to see exactly, you know,
17 who had gotten the position. I had discussed the job
18 interview and what followed with Dr. Medford at
19 Clemson, and she said she wanted to know, you know, who
20 received the position since I and Wanda Cody also
21 applied for a job at West-Oak and neither one of us had
22 gotten it.

23 Q. Who is Wanda Cody?

24 A. Wanda Cody was a teacher who went through the
25 MAT program with me. And she had worked, I believe, at

www.compuseripts.com

1 Anderson School District 1. And she was looking to
2 change schools and had applied for a position at
3 West-Oak Middle School the same time I had. I don't
4 know her exact date of the interview.

5 Q. So she was ELA, as well?

6 A. Yes.

7 Q. All right. Was she competing for the same
8 job as you?

9 A. I don't believe she had ever taught eighth
10 grade.

11 Q. All right. But you don't know whether she
12 was being considered for the eighth grade position?

13 A. I don't know. Her interview had to be
14 rescheduled because her mother had died. And so her
15 interview was scheduled after mine.

16 Q. All right. Would her interview have been
17 scheduled after June 5th, 2009?

18 A. I have no idea the exact date of her
19 interview.

20 Q. Have you had communications or conversations
21 with Wanda Cody about your case?

22 A. Not with my case, but we did discuss our
23 interviews.

24 Q. All right. And did you discuss Ashley
25 Palermo who had gotten the job?

1 A. I didn't discuss Ashley Palermo with her, no.

2 Q. You did not.

3 Did you know Ashley Palermo?

4 A. She had some friends in common with my
5 sister.

6 Q. All right. And did you know anything about
7 Ashley Palermo's qualifications at that time?

8 A. I knew she had just graduated from Clemson in
9 secondary education, secondary English.

10 Q. Okay. And how did you know that?

11 A. Because I knew that she had graduated. Like
12 I said, she had friends in common with my sister. She
13 had graduated in secondary certification, and she had
14 also had contacted Dr. Medford that summer telling her
15 that her school had told her she had to get middle
16 school certification right away.

17 Q. How does the certification work with eighth
18 grade?

19 A. There are exams you have to take --

20 Q. Right.

21 A. -- and courses. Depending on what courses
22 you've already taken.

23 Q. How about middle school versus secondary
24 school certification as far as eighth grade, is it
25 interchangeable or do you have to -- is your testimony

1 that you have to have a middle school certification to
2 teach eighth grade?

3 A. If you're in a setting -- with a middle
4 school setting, sixth to eighth grade, you're required
5 to have middle school certification and be highly
6 qualified.

7 Q. All right. How about having a secondary
8 certification?

9 A. That does not qualify you for eighth grade,
10 if you're at a middle school setting.

11 Q. Would it qualify you in another setting other
12 than a middle school setting? I mean, you're referring
13 to a middle school setting.

14 A. For example, if you have middle school
15 certification, you can teach, I believe, grades five
16 through nine. Five if it's at intermediate school
17 setting, or nine if nine is included with the middle
18 grades. I'm not sure how in the high school that
19 works.

20 Q. Is there any high school credit that eighth
21 graders can get in ELA?

22 A. Absolutely, but you still need to have middle
23 school certification to teach English 1, let's say, to
24 eighth graders.

25 Q. How about to teach the high school credit

1 course, do you have to have secondary certification to
2 teach that?

3 A. To teach it at a middle school?

4 Q. Yes.

5 A. No, you do not have to have it. As far as
6 my -- you know, my knowledge of it.

7 Q. Sure. Have you done research or what is the
8 basis of your knowledge of the requirements?

9 A. Just what I learned going through Clemson and
10 the MAT program and my interest from the beginning and
11 being able to teach middle school and high school.

12 Q. Okay. All right. So you find out that
13 Ashley Palermo gets the job, and who do you talk to
14 about that?

15 A. Dr. Medford.

16 Q. All right. And did you communicate with
17 Dr. Medford by e-mail about it?

18 A. I believe so.

19 Q. How about in addition to voice mail or by
20 phone?

21 A. In person.

22 Q. In person. Okay.

23 And were you attending courses at Clemson
24 during that time period?

25 A. No.

1 Q. Okay. All right. Other than Dr. Medford,
2 did you talk to anybody else about it?

3 A. Well, when I discussed it with Dr. Medford,
4 she discussed, I guess, what went on with Wanda Cody in
5 her interview. And then she had taken me to talk to
6 Wanda Cody, who was at that time working at the
7 University Center. Dr. Medford was in Greenville.

8 Q. What did Wanda Cody share with you?

9 A. Wanda Cody shared with me that she was told
10 very frankly I guess by Ms. Verderosa that they do
11 check with your former principal. And they implied to
12 her that they had already had trouble with a candidate
13 they wanted to hire but couldn't after speaking to a
14 principal.

15 Q. All right. Did Wanda Cody share anything
16 else with you related to the interview?

17 A. No.

18 Q. All right. So your testimony is that Wanda
19 Cody told you that someone from West-Oak Middle shared
20 in Wanda Cody's interview that they checked with the
21 principal and, therefore, they couldn't hire the
22 candidate they wanted?

23 A. Yes.

24 Q. All right.

25 A. And that also they always check with school

1 district -- it's county policy they always check with
2 the former principal before making hiring decisions.

3 Q. Did she say which person said that to her?

4 A. I didn't ask her. I'm assuming it was the
5 principal.

6 Q. Did you follow up with any further discussion
7 with Wanda Cody?

8 A. No, I haven't spoken to her since.

9 Q. Do you believe that you were more qualified
10 than Wanda Cody?

11 A. I guess it depends on the position. If it
12 was for an eighth grade position, I had eighth grade
13 teaching experience that she did not have. But I know
14 she was highly qualified to teach middle level.

15 Q. Would there be any other basis to believe
16 that you were more qualified than Wanda Cody for the
17 position?

18 A. I wouldn't know that.

19 Q. All right. How about Ashley Palermo, do you
20 believe that you were more qualified than her for the
21 position?

22 A. Yes.

23 Q. What is that based on?

24 A. Well, I was highly qualified to teach middle
25 school, which she was not. I had teaching experience

1 and middle school level certification.

2 Q. All right. How did you know this about
3 Ashley Palermo?

4 A. She had just graduated that May in secondary
5 education and English.

6 Q. All right. Did you have any other source of
7 knowledge about what her qualifications were?

8 A. No.

9 Q. I mean, you weren't in any sort of group
10 setting for an interview or anything like that? You
11 weren't present during her interview?

12 A. Oh, no, no, no.

13 Q. She wouldn't have been present during your
14 interview?

15 A. No, sir.

16 Q. Or Wanda Cody's or anybody else's?

17 A. No, not that I know of.

18 Q. Did you have any discussion at any point with
19 Ashley Palermo about the position?

20 A. No, sir.

21 Q. Did you attempt to have any discussion with
22 her about the position at any time?

23 A. No, sir.

24 Q. All right. Did Wanda Cody tell you anything
25 about communications she would have had with Ashley

1 Palermo?

2 A. I've never discussed Ashley Palermo with
3 Wanda.

4 Q. All right. So all you discussed with Wanda
5 was what the principal allegedly told her about the
6 candidate that they wanted?

7 A. Yes, and that they always check with the
8 former principal.

9 Q. All right. Was it your understanding that
10 the former principal would not be contacted or would be
11 contacted?

12 A. I hadn't -- I hadn't been told one or the
13 other.

14 Q. All right.

15 A. I understand it's a lot of protocol. That's
16 what Mrs. Williams told me in her meeting, that it is
17 Oconee County policy and other school districts'
18 policies to check with former principals.

19 Q. All right. As far as did you have any
20 expectations going into the interview about whether
21 they would check with the former principal or not?

22 A. It had not crossed my mind.

23 Q. It had not crossed your mind at all?

24 A. No, sir.

25 Q. Did you have some concern that Jami Verderosa

1 or somebody else would inquire as to why you wanted to
2 leave Pickens School District?

3 A. I mean, we discussed, you know, my leaving
4 and that, but she did not -- I did not know whether she
5 was going to contact the principal. I had references
6 from principals, and Mr. Culler had never observed my
7 teaching.

8 Q. All right. Did you tell her not to contact
9 the principal?

10 A. No. That never came up.

11 Q. And your basis for thinking that she
12 contacted the principal is what?

13 A. Well, she said after checking her references,
14 "I'm unable to give you a job at the time." And also
15 on June 4th, when Mr. Culler came in the room and
16 discussed with me, he implied that I did not get the
17 job.

18 Q. All right. Take me through that. So during
19 the phone conference or after the interview, you heard
20 back from Ms. Verderosa on June 5th?

21 A. Yes, sir.

22 Q. She says, "After contacting references, we
23 can't offer you the job at this time"?

24 A. Yes.

25 Q. To paraphrase.

1 A. Yes, sir.

2 Q. And the other basis for thinking that she had
3 contacted Mr. Culler is what now? Mr. Culler said
4 something to you on June 4th?

5 A. Yes. He implied that I didn't get the job.
6 He made a statement about it.

7 Q. What was that statement?

8 A. He was discussing how if I didn't write that
9 letter of resignation, that he was also unable to
10 interview for my position and all the good candidates
11 would be gone because even I had an interview for a
12 job.

13 Q. Okay. And from that you deduced that he had
14 been contacted?

15 A. Yes, from his tone.

16 Q. And any other reason to believe that he had
17 been contacted?

18 A. Not until Earnestine Williams on October 1st
19 confirmed that, yes, he had been contacted.

20 Q. All right. We'll get to that October 1st
21 meeting. But first I want to -- prior to then, any
22 other reason to think?

23 A. Also one of the assistant principals told me
24 at West-Oak that she knew Mr. Culler from the beginning
25 and that she was the first individual to recommend to

1 him to become an administrator, a principal.

2 Q. Do you remember who that was?

3 A. It was the Caucasian assistant principal, but
4 I don't remember her name.

5 Q. All right. And what were her words again?

6 A. As far as I can remember, she said that she
7 had known Mr. Culler since he was, I guess, younger and
8 was the first to recommend him to become a principal.

9 Q. Okay. So you believe that somebody must have
10 contacted him because of that?

11 A. Yes.

12 Q. All right. Any other reasons prior to or
13 around that time frame that you would have believed
14 that he had been contacted or that evidenced that in
15 your mind?

16 A. The fact that I didn't get the job. I knew
17 that they were very open about discussing the school,
18 and it was pretty obvious that I was going to be
19 offered the job. I know what a successful interview,
20 how it goes.

21 Q. Okay. You want to get up and walk around
22 again?

23 A. Probably wouldn't hurt to do that.

24 MR. BARLOW: All right. Go ahead.

25 (A recess transpired.)

1 BY MR. BARLOW:

2 Q. Okay. Let's talk about your October 1st,
3 2009, meeting with Earnestine Williams. First question
4 would be, did you have any communication with
5 Mrs. Williams prior to the meeting?

6 A. It was set up through her, I guess,
7 assistant.

8 Q. Okay. So the answer would be no, you didn't
9 talk to her at all?

10 A. No, sir.

11 Q. Had you ever met her previously?

12 A. Not that I know of.

13 Q. All right. And did you -- what did you do,
14 if anything, to prepare for your meeting with
15 Mrs. Williams?

16 A. I don't remember doing anything to prepare
17 for the meeting.

18 Q. All right. So besides Mr. Hamilton, did you
19 discuss your situation prior to the meeting with any
20 other employees or administrators of the School
21 District of Oconee County?

22 A. I did talk to Rosemary Bailes, who is on the
23 school board or Oconee County.

24 Q. When did you speak with her?

25 A. Around that same time.

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1 Q. What did you talk about with her?

2 A. The same that I discussed with Fred Hamilton
3 and with Mrs. Williams.

4 Q. Okay. Did you discuss with Mr. Hamilton that
5 you believe a bad reference from Pickens had cost you
6 the job?

7 A. Yes.

8 Q. Did you discuss that with Rosemary Bailes?

9 A. Yes.

10 Q. And what else did you discuss with Rosemary
11 Bailes?

12 A. The same thing that I discussed with
13 Mr. Hamilton. And Mr. Hamilton had said that one man
14 should not cost some young woman her livelihood.

15 Q. All right. Did Mr. Hamilton, to your
16 knowledge, ever speak with Mr. Culler directly?

17 A. Not that I know of.

18 Q. Did Ms. Bailes, did anybody report that --

19 A. Not that I know of.

20 Q. And you didn't talk to Ms. Verderosa directly
21 about whether she had talked to him or not?

22 A. No, sir.

23 Q. Any particular reason you didn't pick up the
24 phone and call her?

25 A. There wasn't a doubt in my mind that this had

1 happened. Also, when I met with Marilyn Raines that
2 summer, we had had lunch, and I had told her that
3 Mr. Culler had cost me the job. She said she knew that
4 that was going to happen, and that she was sorry that
5 all my references would be coming from Edwards since I
6 had only worked at the one school.

7 Q. All right. When did you have lunch with
8 Marilyn Raines?

9 A. At some point in that summer 2009.

10 Q. Did Marilyn Raines ever communicate to you at
11 any point that she had had communication with anyone
12 affiliated with the School District of Oconee County
13 about your candidacy?

14 A. She had talked to Al LeRoy, as we had
15 discussed earlier, back in 2007, and she had told him
16 that if I ever became available that he should snatch
17 me up based on the quality teacher that I was.

18 Q. All right. When would she have had that
19 communication with --

20 A. As I said, the day I was being interviewed at
21 Edwards and he had called to find me to offer me a job.

22 Q. So 2007?

23 A. Yes..

24 Q. All right. But Ms. Raines -- is it
25 Ms. Raines or Dr. Raines?

1 A. Ms.

2 Q. All right. Ms. Raines did not, to your
3 knowledge, have any communication with School District
4 of Oconee in 2009?

5 A. Not that I know of.

6 Q. All right. Do you know if anybody else on
7 your behalf had communications with School District of
8 Oconee County?

9 A. Janet Stein of the South Carolina Education
10 Association.

11 Q. When would that have been?

12 A. I believe in October of 2009.

13 Q. Would that have been before or after your
14 meeting with Earnestine Williams?

15 A. After.

16 Q. All right. Okay. October 1st of 2009, what
17 time was your meeting with Mrs. Williams?

18 A. I think it was scheduled around 3:00, but I
19 had gotten a call from her assistant that Mrs. Williams
20 was at a school and was coming in later.. So it was
21 sometime after 3:30 or so. I can't remember the exact
22 time.

23 Q. Call from an assistant on the house phone or
24 cell phone, or do you remember?

25 A. I think she got me on my cell phone, but I

1 think she had tried both phones.

2 Q. So you met sometime after 3:00?

3 A. Yes. I don't remember what time she told me
4 to come in, but I did come in. And I had to wait a
5 little while for Mrs. Williams to get back.

6 Q. All right. Did you take that as any
7 particular negative or positive or any way, the fact
8 that you had to wait?

9 A. I'm sure she's already busy with her job, and
10 I didn't think about it.

11 Q. All right. Did you talk with anybody that
12 worked in the human resources office when you got there
13 while you were waiting for Mrs. Williams?

14 A. I think I went up to that front desk when you
15 first walk in the district office, and I think they
16 went and told them that I was there. I don't remember
17 having any conversation with anyone till they came
18 in -- I think Mrs. Williams came and got me or the
19 assistant did after she got back.

20 Q. You don't remember who came and got you?

21 A. I can't remember that.

22 Q. All right. Where did you go after that, to
23 Mrs. Williams' office?

24 A. Yes.

25 Q. All right. And who was involved in the

1 conversation?

2 A. It was just me and Mrs. Williams.

3 Q. Just the two of you?

4 A. Yes, sir.

5 Q. Did you record it?

6 A. No, sir.

7 Q. All right. Did you attempt to record it?

8 A. No, sir.

9 Q. All right. I didn't think you had. These
10 are questions we ask.

11 How long did that meeting last?

12 A. Seems like it was an hour or more.

13 Q. Where did you go after the meeting?

14 A. I went home.

15 Q. All right. And did you stop anywhere on the
16 way home or anything like that?

17 A. Not that I remember.

18 Q. Okay. But you think it was an hour or more?
19 I was just asking some of the questions surrounding --

20 A. I believe it was. My mother had taken me.
21 She had some errands to run in Walhalla and so she had
22 left me. And she ran all her errands and she came back
23 and the school district office was then closed and she
24 had to wait until someone came in. And they let her
25 sit at a seat or a bench right there inside waiting for

1 me.

2 Q. All right. And how far is your house from
3 Walhalla?

4 A. Approximately seven miles or so, I would say.

5 Q. Okay. All right. So you go in

6 Mrs. Williams' office and --

7 MR. BARLOW: Let me just go ahead and mark
8 this.

9 (DEFT. EXH. 27, October 1, 2009, Meeting with
10 Earnestine Williams, was marked for identification.)

11 BY MR. BARLOW:

12 Q. I presented you Exhibit 27 and ask you if you
13 recognize that document.

14 A. Yes, sir, I do.

15 Q. All right. What is it?

16 A. It looks what I typed up of the conversation
17 that I had with Mrs. Williams.

18 Q. Okay. And when did you type this up?

19 A. I had written notes on other pieces of paper
20 and then later I had typed this up. I don't recall
21 when.

22 Q. All right.

23 A. But it was sometime after the December 2009
24 thing at the end.

25 Q. All right. So you would have typed this up

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1 after December 2009?

2 A. Right. But, as I said, I had taken notes
3 when I had gotten home.

4 Q. Did you keep the notes?

5 A. I don't recall.

6 Q. Have you looked to see if you might still
7 have the notes?

8 A. No, I haven't looked for them.

9 Q. Okay. Is there any reason you would not have
10 kept the notes?

11 A. No. I mean, I just don't recall.

12 Q. Have you got a special sort of place where
13 you keep all the documents and things related to your
14 case?

15 A. I have all the things that I have documented
16 and turned over the attorneys.

17 Q. All right. Had you filed a charge of
18 discrimination against Pickens by this time?

19 A. I think it was in December 2009.

20 Q. All right.

21 A. It was within the 300 days.

22 Q. Had you retained counsel at this point?

23 A. No, sir.

24 Q. When did you first retain counsel?

25 A. I'm not sure. I think we signed in the

1 summer of 2010. I don't know if it was like July or

2 August.

3 Q. Okay. Had you contacted legal counsel prior
4 to your meeting with Earnestine Williams? I'm using
5 contacted versus retained.

6 A. Right.

7 Q. I mean, did you have any discussions or
8 meetings with a lawyer before talking to Earnestine
9 Williams? And I'm not talking about with your car
10 wreck case, I'm talking about related to your --

11 A. I believe that I did, but I'm not sure.

12 Q. All right. And with whom would you have met?

13 A. I believe I had an appointment with Larry
14 Brandt, but I'm not sure exactly what the date was.

15 Q. All right. But you're thinking prior to
16 October 1, 2009?

17 A. It may be. I just don't recall.

18 Q. All right.

19 A. I would have to check.

20 Q. Would you have a record of that somewhere?

21 A. Probably on some calendar.

22 Q. Do you keep a calendar on paper, or were you
23 at this time?

24 A. Sometimes I would have, you know, jot things
25 done on just -- like on the main calendar. Now I do

1 keep a little calendar book where I write records down.

2 Q. And how long have you been keeping that?

3 A. I've been doing that since March, around
4 March 2010.

5 Q. All right. Any particular reason that you
6 started doing that in March?

7 A. I started wanting to record down all the
8 documentations, jobs I've applied for, rejections,
9 things of that nature. Appointments.

10 Q. All right. And do you keep an online
11 calendar as well --

12 A. No, sir, I do not.

13 Q. -- Outlook calendar?

14 Not picking on you, but let me finish my
15 question.

16 A. I'm sorry.

17 Q. That's all right. You've been doing pretty
18 well with that.

19 So you and Earnestine Williams are meeting
20 there, just the two of you. And let's look at your
21 statement here. About how many different notes did you
22 make or different pieces of paper went into this
23 outline?

24 A. I think I was, you know, jotting down maybe
25 on the front and back and maybe an extra piece of paper.

1 probably.

2 Q. Okay. And you would have done those at what
3 point after the meeting?

4 A. Well, not immediately following the meeting
5 because I was crying and upset, realizing, you know,
6 the situation that I was now in. Realizing that my
7 dream of being a teacher was being stolen away from me.
8 And so kind of after pulling myself back together, I
9 would say later that same -- probably that evening I
10 started jotting everything down.

11 Q. By the evening of October 1, '09?

12 A. Yes, sir.

13 Q. All right. And you didn't make any notes
14 during the meeting, I take it?

15 A. No, sir, I did not.

16 Q. Did you bring anything with you to the
17 meeting?

18 A. Yes, I did. I brought some of my ADEPT
19 evaluations and I guess maybe a portfolio. But I don't
20 remember exactly.

21 Q. Did you leave that with Mrs. Williams, or did
22 you take it with you?

23 A. No, but she did look at them.

24 Q. All right. Do you have a copy of those
25 things?

1 A. The ADEPT portfolios, yes. They are still in
2 the same --

3 Q. Why did you decide to bring those in with
4 you, what was your rationale for that?

5 A. I guess I was just showing all my evaluations
6 to show the type of quality teacher that I was and that
7 also the -- it showed that the improvement plan that
8 had been added to my spring evaluation was vague and
9 inaccurate. And, you know, of course, I did not have
10 an improvement plan, and I wanted to share that with
11 Mrs. Williams:

12 Q. What was your understanding of what the
13 purpose of this meeting with Mrs. Williams was?

14 A. I made the purpose just to kind of explain,
15 you know, my situation with her.

16 Q. All right. And who spoke first? How did the
17 meeting start out? Feel free to refer to your note if
18 you need to.

19 A. I'm sure that she introduced herself or she
20 spoke first, and then I believe that I told her how I
21 was -- you know, Fred Hamilton had wanted me to come in
22 and discuss it with her.

23 Q. All right. Is there any particular reason
24 you waited until October to have this meeting?

25 A. Well, like I said before, you know, it's not

1 that I wanted to, you know, bother anyone or especially
2 like Mr. Hamilton, he has health issues. And so my
3 mother had finally said we needed to talk to him and
4 get his perspective, and then he was the one that said
5 I should go to talk to Mrs. Williams.

6 Q. Did the family talk to him or Ms. Bailes
7 first?

8 A. I don't recall.

9 Q. All right. Okay. And let's look at the
10 statement here. Second bullet here.

11 A. Yes, sir.

12 Q. All right. Are you attempting to capture the
13 meeting chronologically with this? Is that your
14 purpose or your style of doing this?

15 A. I think it's -- maybe at first it's kind of
16 more organizing, I guess, things, you know, groupings
17 of what -- of how the conversation went.

18 Q. All right. And it says, "Mrs. Williams said
19 that she remembered my name in talking to Jami
20 Verderosa about me."

21 A. Correct.

22 Q. All right. And that's something she said to
23 you?

24 A. Yes, she did.

25 Q. Did you follow up and ask when she had talked

1 to Jami Verderosa or anything like that? Was there any
2 follow up?

3 A. She had told me that Ms. Verderosa came to
4 her, I guess while she was making the decision about
5 who to hire at West-Oak back in June 2009. And that,
6 you know, Ms. Verderosa had discussed how, you know, I
7 was the top candidate until Mr. Culler was contacted.

8 Q. All right. And your testimony is that
9 Mrs. Williams said that to you verbatim?

10 A. If not the exact words, close to it.

11 Q. Okay.

12 A. And she repeated that more than once.

13 Q. How many times would she have said that?

14 A. Several times.

15 Q. And then, again, what was it that she said
16 several times?

17 A. About how that I was the top candidate for
18 the eighth grade position until Mr. Culler was
19 contacted.

20 Q. All right. And you mentioned here that she
21 checked your references?

22 A. Mrs. Williams told me that she was doing that
23 after she got back to the office. I didn't immediately
24 go into her office. She said she had checked my
25 references before I came in, and then she did it in

1 front of me towards the end of the meeting. And she
2 said that she had looked at my references and that
3 there were no concerns. And she said actually they
4 were quite good.

5 Q. Okay. And who were your references?

6 A. Dr. Medford, Mary Bridges, and Marilyn
7 Raines. And I don't know if they had kept previous
8 references that had been filled out when I was student
9 teaching. That, I don't know.

10 Q. And what would she have been looking at to
11 find your references?

12 A. I guess she pointed to the computer screen,
13 and it had little links on it. I couldn't read it. It
14 looked like she was pulling up, clicking on a certain
15 reference and pulling it up.

16 Q. All right. But what site -- how would she
17 have accessed the references? Is this something you
18 e-mailed to her ahead of time?

19 A. They're on their system. It would be saved.
20 I think they call their system Monocular. She was
21 logged in and had the same screen the whole time I was
22 in there.

23 Q. Did you look at the screen, as well?

24 A. I saw the screen, but I couldn't read what
25 was on it from where I was sitting on the other side of

1 her desk.

2 Q. Okay. And you note here, "She did repeat
3 that my references showed 'no concerns' making it
4 extremely clear that she had never looked at my
5 references prior to my visit in October."

6 A. That's how I felt.

7 Q. That's how you felt? Did she say that?

8 A. She had just said, "I had just looked at your
9 references, and that were quite" -- you know, "no
10 concerns and quite good."

11 Q. Okay. But you don't know for a fact whether
12 she had actually looked at the references previously or
13 not?

14 MR. CROMER: Object to the form of the
15 question, but she can answer.

16 MR. BARLOW: Sure.

17 THE WITNESS: To my knowledge, no.

18 BY MR. BARLOW:

19 Q. All right. And you say the next sentence
20 here, "She implied that the comments made by Mr. Culler
21 expressed serious concerns."

22 And what do you mean by that? How did she
23 imply that?

24 A. Well, she had said that what Mr. Culler said
25 was going to stand, and that it would be always used in

1 consideration for me for any job in Ocone. And then
2 when we were discussing about substitutes, she kept
3 telling me that, you know, it was not just because I
4 had a professional certificate, she would have to
5 approve my application to become a sub. And her tone
6 and the way she discussed that made it clear it was not
7 going to be an automatic thing. Like she had concerns.

8 Q. Okay. So what exactly was the implication or
9 that she implied that the comments made by Mr. Culler?

10 A. I'm sorry, I'm confused by what you're asking
11 me.

12 Q. Maybe I should clarify it. Did she tell you
13 anything about comments made by Mr. Culler?

14 A. She said she could not recall the exact
15 comments. It was something about how I was in the
16 classroom and what kind of teacher I was, whether I was
17 a blooming, a budding teacher, of that nature. And she
18 kept reassuring me throughout the whole time that
19 Mr. Culler never told her that I was a victim of a
20 sexual assault, or didn't tell her but told West-Oak.

21 Q. Mr. Culler did or did not tell West-Oak?

22 A. Did not tell West-Oak.

23 Q. All right. And your testimony is that
24 Mrs. Williams told you that she had talked to
25 Mr. Culler?

1 A. Not she, but when Jami Verderosa came and
2 talk to her, that West-Oak had talked to Mr. Culler.
3 And she just could not recall what she was told
4 Mr. Culler said.

5 Q. All right. So you're not testifying here
6 that Earnestine Williams talked to Mr. Culler?

7 A. No.

8 Q. All right. Do you believe that Earnestine
9 Williams talked to Mr. Culler?

10 A. She may have afterwards. I don't know.

11 Q. All right. Do you have any evidence that she
12 did?

13 A. No.

14 Q. All right. At any point?

15 A. No.

16 Q. All right. But your testimony is that you
17 believe Jami Verderosa talked to Mr. Culler?

18 A. Or someone from West-Oak.

19 Q. All right. Do you believe that anyone else
20 from the district office at the School District of
21 Oconee County talked to Mr. Culler?

22 A. I'm sure they probably have, but, I mean, I
23 don't know.

24 Q. All right. But that's -- you don't know for
25 a fact either way?

1 A. No.

2 Q. Do you have any reason to believe that
3 somebody has?

4 A. It's possible. Mr. Culler, in his letter,
5 said that someone was sharing with him how I was, you
6 know, filling out confidential employment applications,
7 so ...

8 Q. All right. But you had applied to all the
9 other districts, as well?

10 A. Yes.

11 Q. And you had done that by the time you got the
12 letter from Mr. Culler that we looked at in the last
13 deposition?

14 A. Yes.

15 Q. All right. Go to the fourth bullet.

16 A. The fourth bullet.

17 Q. Right. That's when you told Mrs. Williams
18 that you had been sexually and physically assaulted by
19 a student.

20 A. Yes, sir.

21 Q. All right. And why did you decide to tell
22 that to Mrs. Williams?

23 A. I wanted her to understand, I guess, you
24 know, the situation and where I was coming from.
25 Understand why I left my job, and, you know, I felt

1 that it was something that I needed to do. And, you
2 know, Mr. Frank Hamilton told me he wanted me to tell
3 her everything.

4 Q. All right okay. What was her comment or what
5 did she say about it when you told her about that?

6 A. She was very nice about it. She said she
7 hoped that something like that would not occur in
8 Oconee County where it was covered up. She told me
9 that I needed to do whatever it took to become whole.

10 Q. All right. Those are her words --

11 A. Yes. She said "to become whole."

12 Q. -- or is this something that she's implying?

13 A. She said "to become whole."

14 Q. How about as far as the other part that you
15 said about the cover-up part of it?

16 A. She had said she hoped that that would not
17 occur in Oconee County, for a teacher to be assaulted
18 and for it to fall apart. Because she said that would
19 be her office, you know, handling that situation. And
20 she said that she wanted me to do whatever it took to
21 become whole.

22 Q. All right. These are things that she is
23 saying to you versus what you're implying from what
24 she's saying?

25 A. Well, some of the things, I can't remember

1 her exact words.

2 Q. Sure.

3 A. A lot of things in her quote she repeated
4 multiple times.

5 Q. All right. Is there anything in here that
6 you don't think is correct or that you believe should
7 be changed?

8 A. This is how I typed it. I can't think of
9 anything that needs to be changed. Do you want me to
10 read the entire thing?

11 MR. BARLOW: Sure.

12 MR. CROMER: Take your time and just look it
13 over.

14 THE WITNESS: This looks accurate.

15 BY MR. BARLOW:

16 Q. Okay. Going back to the second page here.
17 Did you -- the second bullet or actually the first
18 bullet on the second page, do you think it was unusual
19 that Mrs. Williams would discuss this with you?

20 A. Did I think this was --

21 Q. Yeah. At any point did you think it was
22 unusual that Mrs. Williams would be discussing what
23 Mr. Culler had supposedly said about you?

24 A. No. I mean, I figured, you know, I was there
25 I guess as a friend of Mr. Hamilton, and she was just

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1 being honest with me.

2 Q. Okay. And in the next bullet you talk about
3 Ashley Palermo and her certification.

4 A. Right.

5 Q. All right. Did Mrs. Williams say anything
6 about her certification at all to you about Ashley
7 Palermo?

8 A. She agreed with what I was saying.

9 Q. How do you know she agreed with what you were
10 saying?

11 A. Probably by either, you know, she didn't --
12 you know, she must have made some kind of facial
13 expression.

14 Q. Did she say, "I agree with you"?

15 A. No.

16 Q. All right. Did she say anything -- do you
17 think it was unusual that she was willing to talk to
18 you about Ashley Palermo in this meeting?

19 A. I just assumed that it was because of
20 Mr. Hamilton.

21 Q. Did you actually use the name Ashley Palermo
22 in the meeting with her?

23 A. Yes, I did.

24 Q. All right. Your testimony is that she was
25 using that name with you?

1 A. I used the name, and I don't recall if she
2 used the name.

3 Q. Right. You say, "She repeated that I had
4 been the top candidate before Mr. Culler was spoken to
5 and the other candidate must have had a better
6 reference than I had [although she had never taught
7 except as a student teacher]."

8 The brackets are what you're inserting into
9 there?

10 A. Yes, for clarification.

11 Q. And, again, did you think it was unusual that
12 Mrs. Williams was talking to you about another
13 candidate?

14 A. I don't have experience in human resources.
15 I mean, I just -- like I said before, I assumed it was
16 because of Mr. Hamilton.

17 Q. Have you ever been to a job interview before
18 where the interviewer has asked you about other
19 candidates?

20 A. This wasn't a job interview.

21 Q. You didn't think this had any bearing on your
22 future employment or possibility of future employment
23 with Oconee County, this meeting?

24 A. No. I did not consider it a job interview.

25 Q. Okay. Are you -- is it your testimony that

1 the School District of Oconee County bent the rules to
2 allow Ashley Palermo to get that job somehow?

3 A. I believe that they disqualified me as a
4 candidate based on what Mr. Culler said and then hired
5 Ashley Palermo.

6 Q. But is it your testimony that Ashley Palermo
7 was not qualified for that job?

8 A. She was not middle school certified.

9 Q. All right. So is that mean -- does that mean
10 she's not qualified to hold that job?

11 A. Not when middle school certified candidates
12 apply for it.

13 Q. All right. And so you're saying that they
14 broke the rules to give her the job?

15 A. I'm just saying based on policy,
16 Mrs. Williams had sent me later on the hiring policy,
17 and it says you always hire the most qualified
18 candidate for a position.

19 Q. All right. And what you're saying is that
20 Mrs. Williams is saying to you that the reason you
21 didn't get the job is because of what Mr. Culler said
22 about you?

23 A. Yes, sir.

24 Q. All right. Did she mention any other reasons
25 that you didn't get the job?

1 A. No, sir.

2 Q. Did you suggest any other reasons that you
3 didn't get the job at any point?

4 A. Not that I can remember.

5 Q. All right. And you showed her your ADEPT
6 evaluations, as well?

7 A. Yes.

8 Q. That's the next bullet. And why did you show
9 her that?

10 A. Because I thought that if she looked at my
11 evaluations and how I did as a teacher, you know, she
12 would be able to see the type of teacher I was. And
13 also she could see that, you know, the comments about
14 the improvement plan were, you know, added later and
15 that it was not, you know, an accurate portraying.

16 Dr. Medford had looked at them before, and
17 she had said that their vagueness, no specifics. It
18 was very clear it was undocumented that there was no
19 improvement plan that had been altered.

20 Q. Did you have any concern that you might be
21 oversharing with Mrs. Williams?

22 A. No.

23 Q. Was it your primary purpose to get ammunition
24 for your case against Pickens, or was it to get
25 employment at Ocone?

1 A. No.

2 MR. CROMER: Object to the form of the
3 question. You can answer, if you understand the
4 question.

5 MR. BARLOW: That's right.

6 THE WITNESS: At this point, I had no
7 intentions of taking any legal actions.

8 BY MR. BARLOW:

9 Q. Against whom did you not have any intentions?

10 A. Against anyone. My concern was getting my
11 teaching job and getting this taken care of.

12 Q. All right. So you thought this was the best
13 way to get a teaching job in the Oconee County School
14 District?

15 A. Mr. Hamilton told me to go and speak to Mrs.
16 Williams, who was very understanding. And she just
17 needed to know what had happened, know the whole
18 situation.

19 Q. All right. The next bullet, you say that
20 Mrs. Williams looked at Dr. Pew's letter and the other
21 documents in the black portfolio?

22 A. That's what it says.

23 Q. Including a letter from law enforcement?

24 A. Yeah. All the reports that I would have had
25 from the informant or I guess also the -- let's see,

1 the Department of Juvenile Justice in Pickens. There's
2 was a letter from there.

3 Q. All right. And you note here that
4 Mrs. Williams refused to comment on Dr. Pew's statement
5 that Mr. Culler had no contact with or gave a reference
6 to West-Oak Middle or any other school?

7 A. I mean, she saw where that was written, and I
8 had mentioned it. But she didn't make any comments
9 about that.

10 Q. What do you mean -- tell me what you mean by
11 "refuses to comment." Did you ask her?

12 A. I just know that she did not. No, I did not
13 get aggressive or ask her, question her. I just
14 said -- I pointed that that's where it says that there
15 was no contact with West-Oak or any other. And since
16 she had just been saying repeatedly that, you know,
17 Jami Verderosa came to her and said that after they had
18 contacted Mr. Culler, they weren't going to hire me.

19 Q. Okay. So that's your testimony is that you
20 didn't ask her to comment on that or show that to her
21 particularly to pull that sentence out?

22 A. I said that it was there.

23 Q. All right. Do you have any evidence that
24 Dr. Pew had had any communications with Earnestine
25 Williams at any point prior to October 2009?

1 A. I'm not sure how I would know. But with a
2 conspiracy, I'm not sure how I would know that either.

3 Q. Do you have any evidence that they had any
4 communications about you?

5 A. No, sir.

6 Q. At any point?

7 A. No, sir.

8 Q. All right. Do you have any evidence to
9 believe -- any evidence that Mrs. Williams had any
10 communication at any point with anybody from School
11 District of Pickens County about you?

12 A. I don't think I would have access with any of
13 that stuff, sir.

14 Q. Regardless of whether you have access or
15 don't have access, do you have evidence of it?

16 A. No.

17 Q. All right. And then you talked about being
18 forced to write a letter of resignation?

19 A. Yes, sir.

20 Q. All right. And why did you decide to share
21 that with Mrs. Williams?

22 A. Because I know that a letter of resignation
23 is usually a negative in someone's employment file. It
24 usually implies that someone did not fulfill their
25 obligations from their previous contract.

1 Dr. Pew was, you know, supposed to have
2 pulled that letter from my file. That letter had been
3 used when unemployment was -- had contacted me first
4 and took my statement and then contacted Pickens
5 County. They produced that letter as a negative to
6 deny me unemployment. The woman then contacted me
7 back. I took her additional documentation, dropped it
8 off at the unemployment office.

9 Q. Okay. So it was basically it's been treated
10 as a resignation, or how has it been treated?

11 A. I'm confused by what you're asking me.

12 Q. Right. As far as your status as a teacher in
13 South Carolina, is this treated -- your separation from
14 Pickens, is it treated as a resignation or a
15 termination or other?

16 A. I was offered a continuing contract, which I
17 chose not to sign. So that is a resignation.

18 Q. Okay. All right. And Mrs. Williams
19 suggested that you apply to be a substitute?

20 A. Yes.

21 Q. Did you do that at any point?

22 A. Not at that point because I was on
23 unemployment, and they wanted me to apply for full
24 positions only. Positions that I had, you know,
25 previously held.

1 Q. Did you have specific communications with the
2 unemployment office about being a substitute teacher
3 and whether you should do that or not?

4 A. They were requesting that I apply only for
5 full-time positions when I would go in. They also say
6 that they don't advise or tell you what positions to
7 apply for. They tell you how many and when.

8 Q. All right. So what is your understanding
9 that your receipt of unemployment benefits would have
10 on being a substitute teacher? Or really the converse
11 of that. Being a substitute teacher, what would that
12 do to your unemployment benefits?

13 A. I would assume that if I was making, you
14 know, it would reduce, I guess, the amount I was
15 receiving in that week if I had worked as a substitute.

16 Q. So that's why you decided not to be a
17 substitute?

18 A. Why I decided not to is just when
19 Mrs. Williams kept telling me that, again, that she
20 would have to, you know, approve my application and
21 just I guess the manner made me feel that I didn't want
22 to apply for a substitute with a professional teaching
23 certificate and not get it.

24 Q. All right. But you didn't actually try that
25 to see if you would get a substitute position?

1 A. No.

2 Q. Yet you have applied for how many jobs in the
3 School District of Oconee County?

4 A. I have not counted to be able to tell you.

5 Q. More than 20?

6 A. Probably.

7 Q. But never have applied for a sub position or
8 followed up with that?

9 A. No, sir. I did at one point, you know,
10 seeing what I needed to do later on, but ...

11 Q. Right. But never actually fulfilled the
12 requirements to be a substitute teacher?

13 A. Not in Oconee County.

14 Q. Have you done it in other counties?

15 A. I may have applied for substitute positions
16 in Pickens County a couple of times. Of course, never
17 heard back.

18 Q. All right. What time frame would you have
19 done that?

20 A. Whenever it was posted. Several times when
21 it's been posted.

22 Q. How about in other Anderson school districts
23 or Greenville?

24 A. I may have for one of the Andersons, I don't
25 remember the specifics. I may have.

1 Q. What was your understanding of what you had
2 to do to get on the sub list in Oconee?

3 A. Well, I needed to, you know, fill out an
4 application. And I needed to go have a -- I guess what
5 is it, TB test or whatever.

6 Q. All right. Did you fill out the application?

7 A. I believe that I had parts of it filled out.
8 I had to print off. It was several pages.

9 Q. How about the TB test, did you get that done?

10 A. No.

11 Q. Is there some sort of sub orientation or
12 program that you needed to go through?

13 A. I'm assuming that I think you had to submit
14 the application and the TB test first.

15 Q. All right. And the reason you have not
16 substituted besides the unemployment was because you
17 thought that you might not be allowed to sub?

18 A. Yes.

19 Q. All right. And you're basing that on what
20 Mrs. Williams implied to you?

21 A. Yes.

22 Q. All right. Is there anything specific she
23 said to you?

24 A. She just kept repeating about how she would
25 be the one -- she would have to approve my application.

1 Q. Who brought up substitute teaching?

2 A. I believe she did.

3 Q. All right. And how long was your
4 conversation, or how much of the meeting was devoted to
5 substitute teaching?

6 A. I think just very little at the end.

7 Q. Besides Mrs. Williams, have you talked to
8 anyone else in the School District of Oconee County
9 about substitute teaching?

10 A. No, sir.

11 Q. Have you attempted to contact anybody about
12 substitute teaching?

13 A. I said at one point I had contacted someone
14 about what I needed to do.

15 Q. All right. Have you had any discussions with
16 Fred Hamilton about substitute teaching?

17 A. No, sir.

18 Q. How about Rosemary Bailes?

19 A. No.

20 Q. How about anybody else on the school board?

21 A. I hadn't talked to anyone else on the school
22 board.

23 Q. How about anybody else in the administration?

24 A. No, sir, not that I recall.

25 Q. Okay. And you note in one of the later

1 bullets here, as you started to walk out the door into
2 the hallway that Mrs. Williams asked if you were a
3 friend of Fred Hamilton?

4 A. Correct.

5 Q. All right. And you hadn't talked about Fred
6 Hamilton at all in the meeting until that point?

7 A. Well, I had mentioned that Mr. Hamilton had
8 made the appointment, and her receptionist knew that
9 when I made the appointment.

10 Q. Okay. And you note that Mrs. Williams seemed
11 to like that because she was the former principal of
12 the school that you had gone to?

13 A. Yes, sir.

14 Q. All right. Is there anything Mrs. Williams
15 said -- anything else she said in that meeting that you
16 considered to be inappropriate or unprofessional or
17 offensive?

18 A. No, not that I recall.

19 Q. All right. And you would have included that
20 in here if you thought that was the case?

21 A. I'm sure I would have.

22 Q. Your attempt was to be thorough here?

23 A. Yes.

24 Q. All right. And how long did it take you to
25 put all this together?

1 A. Not that long.

2 Q. All right. And the note at the bottom here
3 is after the Christmas party?

4 A. Right.

5 Q. And you've got a statement that you attribute
6 to Fred Hamilton?

7 A. Right. He told me that over the phone. He
8 told it first to my mother, and then he told it to me
9 over the phone.

10 Q. Okay. It says your last sentence here,
11 "Mr. Hamilton had been informed about the October
12 meeting shortly after it took place, and he had been
13 given a summary of what was said by Mrs. Williams."

14 A. Yes.

15 Q. By whom?

16 A. By my mother.

17 Q. All right. Were you present when that
18 happened?

19 A. Yes.

20 Q. And was that a personal meeting or how else?

21 A. Phone call.

22 Q. Phone call.

23 Like a conference -- were you on the call or
24 just overhead it?

25 A. I just overheard it.

1 Q. Overheard your mother's part of the
2 conversation?

3 A. Yes.

4 Q. But not Mr. Hamilton's part of it?

5 A. No, sir.

6 Q. How soon after the meeting did that happen?

7 A. I think it was pretty soon afterwards, but I
8 don't recall the exact date.

9 Q. Same day?

10 A. No. As I told you, I was crying, quite upset
11 after. So, no, it was not the same day. I'm pretty
12 sure.

13 Q. Who would have seen you after the meeting?

14 A. Well, my mother, as I said, was out there
15 waiting for me.

16 Q. Did you stop on the way home or do anything
17 like that?

18 A. I don't recall.

19 Q. Okay. Did you talk to anybody else that
20 evening?

21 A. Maybe other family members, but I don't
22 recall.

23 MR. BARLOW: Okay. Lewis, can I take a
24 couple of minutes. I want to at least wrap up this
25 meeting before we break because I know she --

1 MR. CROMER: Sure. You want to take a couple
2 of minutes now?

3 MR. BARLOW: Let me do that now.

4 (A recess transpired.)

5 BY MR. BARLOW:

6 Q. All right. Ms. Noorai, anything else about
7 the October 1, 2009, meeting that you want to share?

8 A. Not at this time. But I am in a great deal
9 of pain.

10 Q. Sure. I'm sorry about that, and I don't have
11 a whole lot longer for you.

12 Do you have any evidence that Mrs. Williams
13 has spoken with -- about you to any other school
14 district in South Carolina?

15 A. Again, with the conspiracy, I wouldn't really
16 know or have access to that.

17 Q. All right. But you don't have any knowledge
18 that that has occurred?

19 A. No one has ever told me that, no.

20 Q. All right. Or any other evidence of it?

21 A. No, sir.

22 Q. All right. And you remember what the last
23 position you applied for in the School District of
24 Oconee County is?

25 A. No, I don't recall at this time.

1 Q. All right. Do you apply for every open
2 position in the school district?

3 A. That I'm qualified for.

4 Q. Have you applied for any positions for which
5 you are not qualified?

6 A. Not that I know of. I'm sure I've looked at
7 the qualifications and seem to.

8 Q. Have you applied for positions for which you
9 might consider yourself overqualified?

10 A. Yes, sir.

11 Q. What might those be?

12 A. Some classified positions.

13 Q. All right. Why did you apply for those?

14 A. Because I'm able to do the work of those
15 positions, and I thought if I can at least get my foot
16 in the door, work my way up.

17 MR. BARLOW: Okay. All right. Let's recess
18 at this point.

19 MR. CROMER: Okay.

20 MR. BARLOW: We'll finish it up sometime up
21 your way.

22 MR. CROMER: All right.

23 (Off the record.)

24 (The deposition recessed at 4:41 p.m.)

25

1 CERTIFICATE OF REPORTER.

2 I, Sheri L. Byers, Registered
3 Professional Reporter and Notary Public for the
4 State of South Carolina at Large, do hereby
certify:

5 That the foregoing deposition was
6 taken before me on the date and at the time and
7 location stated on page 1 of this transcript; that
8 the deponent was duly sworn to testify to the
9 truth, the whole truth and nothing but the truth;
10 that the testimony of the deponent and all
11 objections made at the time of the examination were
12 recorded stenographically by me and were thereafter
13 transcribed; that the foregoing deposition as typed
14 is a true, accurate and complete record of the
15 testimony of the deponent and of all objections
16 made at the time of the examination to the best of
17 my ability.

18 I further certify that I am neither
19 related to nor counsel for any party to the cause
20 pending or interested in the events thereof.

21 Witness my hand, I have hereunto
22 affixed my official seal this 23rd day of March,
23 2012, at Columbia, Richland County, South Carolina.

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Sheri L. Byers,
Registered Professional Reporter,
Notary Public
State of South Carolina at Large
My Commission expires:
January 5, 2014



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I N D E X

Page

EXAMINATION

BY MR. BARLOW

260

Certificate of Reporter

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E X H I B I T S

Defendant's

25 Affidavit

318

26 Handwritten Document Titled

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Retaliation

27 October 1, 2009, Meeting with

347

Earnestine Williams