

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM ANDERSON COUNTY
Court of Common Pleas**

The Hon. R. Scott Sprouse, Circuit Court Judge

Case No. 2018-CP-04-01127

Appellate Case No. 2020-000818

Lisa Styles,

Respondent-Appellant,

v.

Southeastern Grocers, LLC
And BI-LO, LLC.

Appellants-Respondents.

THE RECORD ON APPEAL - VOL. 3

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COUNSELS FOR APPELLANTS-RESPONDENTS

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1 BI-LO. I asked her about the statement she provided
2 and she stated that was a copy of the statement given
3 to loss prevention. She stated she had been told she
4 had to provide a statement." Is that what you said,
5 that Mr. Duncan said that you had to give a
6 statement?

7 A. Yes, sir. He did.

8 Q. And then you said, "You refused several
9 times and was told that she had to provide a
10 statement before she could leave the office. And
11 they told her to put that in the statement." Is that
12 a true statement? Did you tell that to Officer Doyle
13 or Burdette? I'm sorry. Officer Burdette?

14 A. Okay. Can you say that again?

15 Q. Sure. The next statement in that
16 paragraph reads that you: "Refused several times,
17 but was told she had to provide a statement before
18 she could leave the office. And they told her what
19 to put in the statement." Did you tell Officer
20 Burdette that?

21 A. Yes, sir, I did.

22 Q. And, again, is that what you're claiming
23 Mr. Duncan told you you had to put in the statement?

24 A. Yes, sir.

25 Q. The next sentence says, "She was then

1 told, if she paid back the 450, the police would not
2 be called." Is that a true statement?

3 A. I was told, if I recall right, that if I
4 purchased the money order that they would not call
5 the police. I agreed to purchase the money order.
6 But, of course, we all know the police, you know,
7 came.

8 Q. Okay. So based on your recollection, it
9 would appear that that information came directly from
10 you, right? You almost repeated it. You were told
11 that if you paid back the 450 the police would not be
12 called?

13 A. Yes, sir.

14 Q. And then it says, "She purchased a money
15 order for that amount there at the store and gave the
16 money order to them. She was then told the police
17 had been called."

18 A. I don't -- I don't recall when I purchased
19 the money order. I don't remember if it was before
20 the police, after -- I don't remember.

21 Q. Do you believe you told Officer Burdette
22 that it was -- that you purchased the money order
23 before the police arrived?

24 A. I don't know, sir. It's been so long. I
25 mean, this is over a year and a half ago. I --

1 Q. If you look towards the bottom, it's about
2 six lines up, we're still in Officer Burdette's
3 section. It says, "She states she told the manager
4 (Brickman) and he stated to deliver the donations and
5 he would ring it up, since she could not ring up
6 donations." Did you tell Mr. -- or Officer Burdette
7 that?

8 A. Yes, sir.

9 Q. Okay. Why couldn't you ring up donations?

10 A. Store managers only.

11 Q. Is there a policy that states that?

12 A. I don't know, sir. That's just the way
13 I've always been told to do it.

14 Q. Okay. Next sentence states, "She states
15 the incident of merchandise leaving the store, she's
16 being accused of, are those donations he stated he
17 would ring up and he told her to collect and
18 deliver." Do you see that?

19 A. (Witness peruses document.) Yes, sir.

20 Q. Did you state that to Officer Burdette, do
21 you recall?

22 A. I don't recall.

23 Q. Do you recall ever telling Officer
24 Burdette that you made lists of the items that were
25 being donated?

1 A. I don't recall.

2 Q. Would you agree that would be a pretty
3 significant fact to prove that you were authorized to
4 make the donations?

5 A. I can't answer that.

6 Q. Wouldn't you like to have that list now to
7 show us?

8 A. Yes, I would.

9 Q. So it's pretty significant, wouldn't you
10 agree?

11 MR. MURPHY: Object to the form.

12 THE WITNESS: I assume so.

13 BY MR. ROBINER:

14 Q. Okay. But you don't recall mentioning
15 those lists to Officer Burdette?

16 A. Not that -- I don't remember, sir.

17 Q. Do you remember mentioning those lists to
18 anyone --

19 A. I mentioned --

20 Q. -- on the BI-LO side?

21 A. -- it to Ronnie Duncan.

22 Q. Okay. Before the May 23 meeting?

23 A. I never knew it was an issue until the May
24 23rd meeting, sir.

25 Q. In every instance when you would put the

1 list on Mr. Brickman's desk, did you personally do it
2 or did you ever ask anybody else, can you go throw
3 this on Mr. Brickman's desk?

4 A. I feel like I personally did, but I can't
5 recall for 100 percent.

6 Q. If you keep flipping back through this
7 packet, eventually you'll come to some handwritten
8 pages that it says, "Pendleton Police Department,"
9 and then it says, "Statement Form" on it. If you
10 would let me know when you get there.

11 A. (Witness complies.) Yes, sir.

12 Q. And is it dated 5-24-2018?

13 A. It is.

14 Q. Okay. Is this your handwriting?

15 A. Yes, sir, it is.

16 Q. Okay. If you look approximately halfway
17 down the second paragraph after your name, date of
18 birth and information, it says, "So, I began
19 collecting the items over several weeks to assist in
20 making Easter baskets." You see that?

21 A. Yes, sir, I do.

22 Q. How many times did you go collect items
23 for Easter baskets?

24 A. I don't recall, sir. Because it was just
25 whenever I had a free moment. Whenever -- I mean,

1 because I still had to perform my normal job
2 functions every day. This wasn't a priority on my
3 list.

4 Q. If you look at the last sentence on that
5 page, and the sentence before you were talking about
6 Mr. Brickman. It says, "He stated he would ring them
7 up using a donation gift card." Can you explain what
8 you mean by that?

9 A. The store had been awarded for like the
10 most gift cards. The increased percentage over last
11 year's gift card sales for a certain time frame.
12 They had been awarded -- we had -- Pendleton store
13 had been awarded several hundred gift cards. And
14 Mike, Barry, and myself had decided that that's what
15 we would use those for, prior to any of this.

16 Q. Where were they gift cards to? Is it a
17 specific store? Was it a Visa gift card?

18 A. They were Visa gift cards.

19 Q. And when you say donation gift card,
20 you're referring to a Visa gift card?

21 A. Yes, sir.

22 Q. Okay. Why would you call a Visa gift card
23 a donation gift card?

24 A. Because me, Mike, and Barry had decided
25 prior that's what we were going to use those for was

1 for donations.

2 Q. Okay. Do you know how much in the way of
3 donation gift cards were available in the store at or
4 around March 2018?

5 A. No, sir, I do not.

6 Q. Where were the donation gift cards kept?

7 A. In the safe.

8 Q. Are there any records that would show how
9 much in the way of gift cards were available?

10 A. I have no idea.

11 Q. How did you know that there were donation
12 gift cards even available to use for the AIM
13 donations?

14 A. Because me, Mike, and Barry had decided
15 prior, way before this ever occurred, that that's
16 what those gift cards were going to be used for. And
17 then Mike told me verbally, when the AIM thing came
18 up, that he was going to pay for it with some of
19 those gift cards.

20 Q. Did you ever see the gift cards in the
21 safe?

22 A. Yes, sir.

23 Q. Do you know approximately how many there
24 were?

25 A. They were in an envelope, sir.

1 Q. And where did the gift cards come from?

2 A. From my understanding, they came from
3 corporate.

4 Q. If you turn to the page of your
5 handwritten statement that's marked page 3 at bottom
6 right. Do you see that?

7 A. Yes, sir.

8 Q. Okay. At the bottom of that page it
9 states, "My statement on 5-23 was made under stress
10 and duress over not being able to leave." Do you see
11 that?

12 A. Yes, I do.

13 Q. What do you mean by "duress"?

14 A. I was being held there. I asked several
15 times to leave. Couldn't even walk out of the room
16 without being escorted out of the office by somebody.
17 I was being told what to put in a statement.

18 Q. Maybe that was a bad question. What is
19 your definition of duress?

20 A. I'm under pressure. Like, I'm being -- I
21 mean, basically, what I just said. Like I'm being
22 forced to write a statement I've asked not to write
23 several times. I'm being held in a room that I've
24 asked to leave several times. I can't even leave the
25 room without being accompanied by somebody of upper

1 management.

2 Q. Somebody tell you to write that your
3 statement was made under stress and duress?

4 A. No, nobody told me to write that.

5 Q. And, again -- is that the correct spelling
6 of duress?

7 A. I have no idea.

8 Q. When did you ever hear the word duress?

9 A. I've heard it several times in my
10 lifetime.

11 Q. And it's because you were under pressure
12 and being told what to write in a statement?

13 MR. MURPHY: Object to the form.

14 THE WITNESS: Can you ask that again? I'm
15 sorry.

16 BY MR. ROBINER:

17 Q. Sure. I'm trying to understand your
18 definition of duress, as it applies to the May 23,
19 2018 meeting. And I understand from me asking you
20 additional questions that duress to you means that
21 you were under pressure and you were being told what
22 to write in a statement.

23 A. And that I cannot leave a building.

24 Q. You could not leave the building?

25 A. Without being accompanied by someone of

1 authority.

2 Q. Do you know how long you were in the
3 meeting with Mr. Duncan and Mr. Miller before you
4 wrote the statement?

5 A. It's timed, isn't it? So I would say --

6 Q. Those would be from different dates that
7 you have in front of you. Oh, other than that,
8 right?

9 A. I would say 40 minutes, roughly. I can't
10 be positive, but roughly 40 minutes.

11 Q. If you turn to the next page that's marked
12 page 4 of your handwritten statement. About
13 halfway -- a quarter of the way down it says, "We
14 then returned to the office and Ronnie said, if you
15 are willing to pay back the 450 with a money order,
16 this will all be over." Do you recall Mr. Duncan
17 saying that to you?

18 A. Yes, I do, in the very beginning.

19 Q. Okay. Was that after you came back from
20 your smoke break?

21 A. I don't recall.

22 Q. And then it says, "I agreed and purchased
23 my money order that day. Ronnie stepped outside of
24 office and then returned and informed me he called
25 the police to come out." Based on that statement, is

1 it --

2 A. I can't be positive.

3 MR. MURPHY: Just wait till he asks the
4 question.

5 THE WITNESS: I'm sorry.

6 BY MR. ROBINER:

7 Q. Based on that statement, were you
8 suggesting that you purchased the money order first
9 and then the police were called?

10 MR. MURPHY: Object to the form.

11 THE WITNESS: I can't recall the exact
12 time frame of 5-23. I'm sorry.

13 BY MR. ROBINER:

14 Q. So it's quite possible that the police
15 arrived first and then you purchased the money order?

16 A. It's possible, because I know that we made
17 the agreement that I would pay it prior to me even
18 writing the statement. So I can't be positive of the
19 time frame of the police and the money order.

20 Q. You don't recall Mr. Duncan telling you
21 that he could not accept payment until the police
22 came out and did their investigation?

23 A. No, sir.

24 Q. Is it possible that he had that discussion
25 with you?

1 A. I don't recall any of that.

2 Q. If you look at the sentence at the bottom
3 of page 4, and it's going to run into the next page,
4 it says, "The officer informed me of my rights and he
5 would contact me after to inform me when I needed to
6 turn myself in." I said, "Okay. After the officer
7 left, Ronnie took me to the service desk to purchase
8 the money order." So in that instance, are you
9 suggesting that the officer came first and the money
10 order was purchased afterwards?

11 A. According to this, it seems that way. But
12 in my mind, I cannot recall. I'm sorry.

13 Q. When Ronnie took you over to the service
14 desk, Mr. Duncan, where was he standing?

15 A. If I recall, to the left of me.

16 Q. Was he right next to you?

17 A. Very closely, if I recall, at one point.
18 But I -- I mean, it takes a minute to process a money
19 order. So I can't recall where he was the whole
20 time.

21 Q. Approximately how close would you say he
22 was standing to you? Within a foot? Two feet?

23 A. I mean, the service desk is a little area.
24 It's not big. So, yeah, within a few feet. But I
25 can't say he was standing there the whole time,

1 because I don't remember.

2 Q. And you're sure it was Mr. Duncan that
3 took you?

4 A. I am most positive, but...

5 Q. At the bottom of page 5 it states that, "I
6 was in the office with Ronnie and Ken from 12:00 p.m.
7 to 1:49 p.m. and not allowed to leave without them in
8 my presence." Do you see that?

9 A. I do.

10 Q. How did you get those time frames?

11 A. I'm not positive, sir.

12 Q. Okay. 1:49 is a pretty specific time
13 period?

14 A. It is.

15 Q. You don't have any recollection how you
16 came up with that?

17 A. I don't.

18 Q. And then the next sentence says, "I also
19 want to take a polygraph." Do you see that?

20 A. Yes, sir, I do.

21 Q. Did you ever take a polygraph test?

22 A. No, sir, I did not.

23 Q. Do you know whether the Pendleton Police
24 Department has a polygraph?

25 A. I have no idea.

1 MR. ROBINER: That's not what I'm looking
2 for. I'm sorry. It must have got put in the wrong
3 spot.

4 We are on 6?

5 THE REPORTER: (Nods head.)

6 MR. ROBINER: Can you mark that as 6,
7 please?

8 (Defendant's Exhibit No. 6 was marked for
9 identification.)

10 BY MR. ROBINER:

11 Q. Ms. Styles, I'm showing you what's marked
12 as Defendant's Exhibit 6 to your deposition today, is
13 the complaint that was filed in this action that
14 we're here for today. Ask if you can look through
15 that and tell me if you've ever seen that before.

16 A. Yes, sir, I have.

17 Q. If you turn to page 2, and specifically
18 paragraph 15, it says, "Corporate defendants then
19 coerced plaintiff to purchase a money order at the
20 store for the purported value of the donated goods
21 (450), in order to avoid her being arrested for
22 theft." Do you see that?

23 A. Yes, sir, I do.

24 Q. What did the corporate defendants do to
25 coerce you to purchase a money order?

1 A. They told me that if I purchased the money
2 order that that would keep the corps from coming and
3 me being arrested.

4 Q. Was that BI-LO or was that Southeastern
5 Grocers that said that?

6 A. That was Ronnie Duncan.

7 MR. MURPHY: Object to the form.

8 BY MR. ROBINER:

9 Q. Do you know who Ronnie works for?

10 A. I don't know. I mean -- I don't know.

11 Q. Is there a distinction between
12 Southeastern Grocers, LLC and BI-LO, LLC?

13 MR. MURPHY: Object to the form.

14 THE WITNESS: I have no idea, sir.

15 BY MR. ROBINER:

16 Q. So when you call them corporate
17 defendants, that they said these things, it's because
18 Ronnie Duncan and/or Ken Miller said them?

19 A. Yes, sir. I assume so.

20 Q. If you look at the next paragraph,
21 paragraph 16, it says, "Despite the fact the
22 defendants coerced plaintiff into purchasing the
23 money order, defendant still attempted to have
24 plaintiff arrested by filing a complaint with the
25 Pendleton Police Department more than two months

1 after Brickman claims he learned of the alleged
2 theft." Do you see that?

3 A. I do.

4 Q. Okay. And in that paragraph, are you
5 suggesting that the money order was purchased first
6 or the police were called first?

7 MR. MURPHY: Object to the form.

8 THE WITNESS: I can't really answer that,
9 because this is all kind of legal stuff and I don't
10 understand. I mean, I'm not an attorney. I don't
11 understand this stuff.

12 BY MR. ROBINER:

13 Q. Okay. But these are facts that are being
14 alleged --

15 A. Okay.

16 Q. -- by your attorney, right? And he wasn't
17 there that day?

18 A. No, he wasn't.

19 MR. MURPHY: Yeah, but your question was
20 what she was implying.

21 BY MR. ROBINER:

22 Q. Okay. What facts do you have that Michael
23 Brickman coerced you into purchasing a money order?

24 A. Mike wasn't in the room. Mike didn't
25 convince me to do anything that day.

1 Q. So Mike Brickman should not be included in
2 that sentence; is that correct?

3 MR. MURPHY: Object to the form.

4 THE WITNESS: (Witness peruses document.)
5 Okay. The way I understand this, the way I'm reading
6 this -- which of course this is legal, so I am in no
7 way an expert -- I'm reading it that it's not saying
8 that Brickman coerced me. I'm reading it as,
9 Brickman just made the claim of me doing the alleged
10 theft.

11 BY MR. ROBINER:

12 Q. Okay. Did Mr. Brickman ever say anything
13 to you about purchasing a money order?

14 A. No, sir.

15 Q. Did Mr. Miller say anything to you about
16 purchasing a money order?

17 A. No, sir, he did not.

18 Q. Okay. So only Mr. Duncan said something
19 to you about purchasing a money order?

20 A. Mr. Miller was in the room and didn't deny
21 it. So I assume --

22 MR. MURPHY: Just listen to his question.

23 THE WITNESS: Sorry.

24 BY MR. ROBINER:

25 Q. Was Mr. Duncan the only person that told

1 you you had to buy a money order?

2 A. Yes, sir, he was.

3 Q. What do you mean by, "The defendants still
4 attempted to have plaintiff arrested by filing a
5 complaint with the Pendleton Police Department"?

6 MR. MURPHY: Object to the form.

7 THE WITNESS: I'm only assuming that this
8 means that when they told me, in the beginning of the
9 conversation on 5-23, that if I did all this that I
10 would not be in trouble. And then they still tried
11 to issue a warrant for my arrest. I'm only assuming
12 that's what that means.

13 BY MR. ROBINER:

14 Q. Is it your understanding that anyone that
15 you've named as a defendant in this case contacted
16 the Pendleton Police Department, other than the day
17 of March 23rd, 2018?

18 A. I have no idea when they contacted them,
19 sir.

20 Q. Did Mr. Brickman ever enter the room when
21 you were meeting with Mr. Duncan and Mr. Miller in
22 the office on May 23rd, 2018?

23 A. No, sir. He never entered the office.

24 Q. Where did you go when you went to purchase
25 the money order?

1 A. To the service desk.

2 Q. And that was outside the office?

3 A. Yes, sir.

4 Q. Okay. Could you have just kept walking
5 towards the door, at that point?

6 MR. MURPHY: Object to the form.

7 THE WITNESS: Again, I don't know what all
8 Ronnie Duncan, as loss prevention officer, was
9 capable of doing or not doing to me. I have no idea.
10 I don't understand the scope of his job or what his
11 capabilities, as far as legally are. So, no, I did
12 not feel like I could leave.

13 BY MR. ROBINER:

14 Q. Did BI-LO have a policy with respect to
15 dealing with shoplifters in the store?

16 A. Yes, sir.

17 Q. Were you allowed to detain shoplifters?

18 A. No, sir, we were not.

19 Q. You were not allowed to chase them out of
20 the store?

21 A. At one point in my tenure with BI-LO we
22 were allowed to.

23 Q. And when was that, approximately?

24 A. A few years -- a few years back.

25 Q. Okay. So you remember BI-LO changing that

1 policy, at some point?

2 A. I remember hearing of BI-LO changing that
3 policy.

4 Q. You never received anything in writing?

5 A. Not that I recall.

6 Q. Do you have a recollection how you would
7 have heard of it?

8 A. Maybe from a store manager. I don't know.

9 MR. ROBINER: Can you mark this as 7,
10 please.

11 (Defendant's Exhibit No. 7 was marked for
12 identification.)

13 BY MR. ROBINER:

14 Q. Ms. Styles, what I'm showing you marked as
15 Plaintiff's (sic) Exhibit 7 for your deposition
16 today -- did I say Plaintiff's? If I did, I meant
17 Defendant's Exhibit 7 for your deposition today --
18 are screenshots that I'll represent are, again, from
19 the BI-LO Pendleton store CCTV system, and it shows
20 in the upper left it's on 5-23-2018, and the time is
21 12:16:49.71. Do you see that?

22 A. Yes, sir, I do.

23 Q. Okay. And is that you in the picture at
24 the bottom left?

25 A. Yes, sir, it is.

1 Q. Okay. Do you recognize the person that
2 would have been to your left, as you're walking at
3 that point in time?

4 A. That looks like Dylan Tussey.

5 Q. Okay. How about -- can you tell -- I know
6 the head is cut off to the person to the right, but
7 do you recognize who that would have been?

8 A. I can't be positive, but maybe Michael
9 Brickman. But I can't be positive.

10 Q. Do you have any reason, as you sit here
11 today, to contest that the time that's stamped on
12 this first page, 12:16:49.71 is not accurate, as to
13 the time you were called back into the meeting?

14 MR. MURPHY: Object to the form.

15 THE WITNESS: I have no idea.

16 BY MR. ROBINER:

17 Q. So it's possible that you were called back
18 at that specific time?

19 A. I don't know, sir. I don't recall.

20 Q. Well, in your statement to the police
21 department, you said you were in the meeting at noon,
22 correct?

23 A. That's what time, yes, sir, my shift
24 started.

25 Q. This appears to show that you were not

1 called back until at least 12:16. Do you have any
2 reason to suggest that your estimate of 12:00 is more
3 accurate than this estimate of 12:16?

4 MR. MURPHY: Object to the form.

5 THE WITNESS: Can you rephrase that? I'm
6 sorry.

7 BY MR. ROBINER:

8 Q. Sure. You said in your police report that
9 you were back in the meeting with Mr. Duncan and Mr.
10 Miller from 12:00 noon until 1:49 p.m. Do you
11 remember looking at that?

12 A. Yes, sir.

13 Q. Okay. And this frame that we're looking
14 at on Exhibit 7, the first page states that the time
15 is 12:16:49.71. Do you see that?

16 A. Yes, sir, I do.

17 Q. Okay. Do you have any reason to believe
18 that your statement to the police that you were in
19 the meeting at noon is more accurate than this
20 depiction that you were being called back at 12:16?

21 MR. MURPHY: Object to the form. I
22 just -- do you want to step out a second?

23 (Witness leaves the room.)

24 MR. MURPHY: I want to put on the record
25 what the objection is, so as not to suggest an answer

1 to her. For the record, she's left the office.
2 You're showing a picture here and you're saying it's
3 a representation of her being called back to the
4 office. It's a still shot, purportedly from 12:16:49
5 seconds. And that's all that that shows. So I think
6 it's unfair to her to say that this shows her being
7 called back to the office. At a certain -- again,
8 you know, we have the issue of the certain time. But
9 I ask you to just be more fair in your question. But
10 that's -- when I'm objecting for the record, that's
11 what I'm going to be objecting to. I just want to
12 say it out of the presence.

13 MR. ROBINER: Okay.

14 MR. MURPHY: Bring her back in.

15 (Witness come backs into the room.)

16 BY MR. ROBINER:

17 Q. Ms. Styles, I believe there was a question
18 pending, when you walked out of the room. I was
19 asking whether you had any reason to contest that the
20 time on the first page of Exhibit 7 is inaccurate.

21 MR. MURPHY: Object to the form.

22 THE WITNESS: No, sir.

23 BY MR. ROBINER:

24 Q. Okay. On the day of the meeting on May
25 23rd, 2018, do you recall being called to the office

1 while you were behind the -- I think you called this
2 the cash office?

3 A. Yes, sir.

4 Q. Do you recall being behind there, when
5 they called you back?

6 A. I don't recall where I was.

7 Q. Is that where you would typically start
8 your day?

9 A. No, sir. I would typically start my day
10 in the manager's office.

11 Q. Okay. Do you remember going to the
12 manager's office and people were in there, so that
13 you couldn't enter?

14 A. I was already told prior.

15 Q. You were told prior to entering that you
16 couldn't enter?

17 A. Uh-huh.

18 Q. Who told you that?

19 A. They told me that I -- let me -- I'm
20 sorry. They didn't tell me that I could not enter
21 it. But they told me that corporate people were in
22 the office, so I didn't go in there.

23 Q. Okay. After the meeting started on May
24 23, 2018, did you ever go behind this cash office
25 again?

1 A. Can you ask that again? I'm sorry.

2 Q. Sure. After the meeting started on May
3 23rd, 2018, did you have any occasion to go behind
4 the counter and enter the cash office?

5 A. I don't recall. My purse is floating
6 around here somewhere, though. I don't -- I don't
7 know when -- I don't recall when I got my purse that
8 day. Because usually I would put it in the manager's
9 office. Well, since there was people in the
10 manager's office, I had to put it in the POS room,
11 which is -- the door is not in this picture, but
12 there's a door right there (indicating). And I had
13 to put my purse in the POS office.

14 Q. And when you refer to your purse, do you
15 mean you retrieved that at the end of the meeting?

16 A. I don't recall when I retrieved it.

17 Q. When you retrieved your purse, whenever
18 that was, did somebody accompany you?

19 A. I don't recall.

20 Q. If you look at the next page, it states --
21 again, this is the statement we went over before.
22 And I believe you testified that the 12:42 p.m. on
23 there was accurate?

24 MR. MURPHY: Object to the form.

25 THE WITNESS: Yes, sir, I felt like it

1 was. On the statement?

2 BY MR. ROBINER:

3 Q. On your statement, where you handwrote in
4 12:42.

5 A. Yes, sir, I feel like it was.

6 Q. So if the first picture shows a video --
7 is a still of a video showing you getting called back
8 to the office at 12:16 and you're writing your
9 statement at 12:42, is it possible that you were only
10 in the meeting about 26 minutes, by the time you
11 wrote your statement?

12 MR. MURPHY: Object to the form.

13 THE WITNESS: I -- it's possible. I don't
14 know, sir.

15 BY MR. ROBINER:

16 Q. If you'd turn to the next page. And it
17 has a 3 at the bottom, so you can identify page 3.
18 In the upper left, the time stamp on that particular
19 screenshot is 12:56:56.19. Do you see that one?

20 A. Yes, sir.

21 Q. And is that Mr. Miller walking out to your
22 left?

23 A. It appears to be. Yes, sir.

24 Q. Okay. Do you remember exiting the office
25 around that time, 12:56 p.m. on May 23rd, 2018?

1 A. Again, everything was a blur. I don't
2 remember what time it was that I did any of this.

3 Q. Do you remember exiting the store at some
4 point during the meeting?

5 A. To go smoke. I asked to go smoke.

6 Q. And I believe I asked you this. You don't
7 recall whether you had your phone with you at that
8 time?

9 A. No, sir, I don't recall that.

10 Q. Where did you go, when you went to have
11 your cigarette?

12 A. We come out of the store, front door, you
13 can go to the left and there's a Coke machine. And
14 we usually would always smoke on the other side of
15 the Coke machine.

16 Q. So that's still considered the front of
17 the store?

18 A. Yes, sir.

19 Q. But you would go on the side of the Coke
20 machine?

21 A. Yes, sir. It's not inside the store, it's
22 outside.

23 Q. Right.

24 A. Okay.

25 Q. Yeah. Thank you for clearing that up.

1 Outside of the store, but the front facing the store,
2 so you're still looking at parking lots?

3 A. Yes, sir.

4 Q. Customers can see you smoking?

5 A. Yes, sir.

6 Q. Did Mr. Miller stand over there with you?

7 A. Within a few feet.

8 Q. Does he smoke?

9 A. No, sir, he does not. Not that I'm aware
10 of. He didn't that day.

11 Q. If you look at the next page, it appears
12 to show a time of 13:00:35.63. Does that appear to
13 be accurate about how long it would take for you to
14 have a cigarette outside? From 12:56 to 1:00 p.m.,
15 about four minutes?

16 A. Yes, sir.

17 Q. Does that sound correct about how long you
18 were outside?

19 A. I mean, that's roughly how long it would
20 take me to smoke a cigarette. So, yes, probably.

21 Q. Do you recall whether there were any other
22 breaks that day when you were meeting with Mr. Miller
23 and Mr. Duncan?

24 A. Not that I recall, no.

25 Q. Do you remember whether Mr. Miller and Mr.

1 Duncan walked in -- strike that.

2 Do you recall whether Mr. Miller walked in
3 in front of you or behind you?

4 A. I recall it being behind me, but again I'm
5 not positive of anything of that day.

6 Q. If you'd flip to the next page marked page
7 5 at the bottom. And on the left the time stamp
8 appears to be 13:10:43.20. Do you see that?

9 A. Yes, sir.

10 Q. Do you recognize the two individuals on
11 the left there in the forefront of the picture?

12 A. Mr. Brickman and the police officer.

13 Q. Is that Officer Glenn?

14 A. I'm assuming, yes, sir.

15 Q. Did -- does that refresh your recollection
16 at all as to whether he came in close to you
17 returning from a smoke break?

18 A. It does not.

19 Q. Do you have any reason, as you sit here
20 today, to dispute whether Mr. Glenn -- Officer Glenn
21 arrived at 1:06 p.m. on May 23, 2018?

22 MR. MURPHY: Object to the form.

23 THE WITNESS: I don't -- I mean, the
24 screenshot's saying what time he -- that the camera
25 caught him, but my mind does not recollect any time.

1 BY MR. ROBINER:

2 Q. Right. And I understand that. I'm not
3 asking you to trust that time. I'm asking you if you
4 have any reason to doubt that time.

5 MR. MURPHY: Object to the form.

6 THE WITNESS: Are you asking if I've ever
7 known the time on CCTV to be wrong?

8 BY MR. ROBINER:

9 Q. No. I'm asking you whether you have any
10 knowledge, any recollection of that day to say, oh,
11 it couldn't have been at 1:06 because this happened
12 or that happened.

13 A. No, sir. It was just a blur.

14 Q. So that time could be accurate?

15 A. It could be.

16 MR. MURPHY: Object to the form.

17 BY MR. ROBINER:

18 Q. If you look at the next page, the time
19 stamp is 13:14:28.48. Do you see that?

20 A. Yes, sir.

21 Q. Do you recognize that officer?

22 A. This looks like the back of officer -- I
23 want to say his last name is either David or Davis,
24 but I don't even remember him being there that day.

25 Q. Right. And just so you know, I don't

1 think he ever entered the meeting room, but he did
2 enter the store. But you appear to recognize him?

3 A. It looks -- it appears from the back, but
4 I cannot be positive without the face. It -- but the
5 body build appears to be -- I can't -- I don't know
6 if his last name is Davis or David, but that is who
7 it appears to be.

8 Q. Is he black?

9 A. The officer I'm recalling?

10 Q. Yes.

11 A. Yes.

12 Q. And he's bald?

13 A. Yes.

14 Q. Do you know whether he's still with the
15 Pendleton Police Department?

16 A. I have no idea, sir.

17 Q. And just from your testimony, I'm assuming
18 that you never met with Officer Davis or David,
19 assuming that's who it is, on that day, on May 23rd,
20 2018?

21 A. If I did, I don't recall it.

22 Q. If you turn to the next page, page 7 at
23 the bottom, is that Mr. Brickman on the right?

24 A. It appears to be, yes, sir.

25 Q. And he's speaking to that second officer,

1 whether it's David or Davis, that appears to be who
2 that is?

3 A. Yes, sir.

4 Q. Do you recall that during that time period
5 the Pendleton Police Department had another officer
6 that was black and bald and about that size?

7 A. I have no idea who was on their staff.
8 I'm sorry.

9 Q. And if that is an Officer Davis or Davies
10 or whatever his name is, do you know him in the same
11 manner as the other officers, just from him coming in
12 the store from time to time?

13 A. Yes, sir.

14 Q. And you don't know him outside of the
15 confines of BI-LO?

16 A. No, sir, I do not.

17 Q. If you look at the next page, marked page
18 8 at the bottom, and it appears to have a time stamp
19 on the left-hand side, 13:28:44.34. Do you see that?

20 A. Yes, sir, I do.

21 Q. And if you look at the very top of the
22 page, where the office is, it looks like you're
23 exiting the office, at that point, doesn't it?

24 A. I can't tell.

25 Q. There's a person entering -- exiting the

1 office?

2 A. I can't tell.

3 Q. Okay. Can you tell whether the door is
4 open?

5 A. I can tell that the door is open.

6 Q. Okay. Do you know whether this is
7 approximately what time the officers left that day?

8 A. I don't recall the time.

9 Q. Do you recall the officers meeting with
10 Mr. Brickman on the way out the door?

11 A. No, sir. I don't recall.

12 Q. And, again, if we're looking at this
13 picture on page 8 and we're viewing it from our view,
14 if you're going to the cash counter, it would be to
15 the right, correct?

16 A. Yes, sir.

17 Q. And if you're exiting the office, it would
18 be immediately to your left?

19 A. Yes, sir.

20 Q. And if you turn to the next page, page 9,
21 the time stamp is 13:28:55.66. Do you see that?

22 A. I do.

23 Q. Do you recall standing at the cash counter
24 waiting to purchase a money order and nobody was
25 there?

1 A. I don't recall.

2 Q. Do you believe this was approximately the
3 time that you went to purchase the money order?

4 A. I can't recall, sir.

5 Q. Did you ever get a receipt for the money
6 order?

7 A. I did.

8 Q. If you flip back a couple more pages,
9 you'll see a copy of the receipt for the money order.
10 You might have just skipped it. There you go.

11 A. Okay.

12 Q. Okay. If you look at the receipt on the
13 left-hand side, under the total number of items sold,
14 it says 5-23-18, and at 1:29 p.m. Do you see that?

15 A. I do.

16 Q. Okay. And it says, "Your cashier today
17 was Dylan," do you see that?

18 A. Yes, sir.

19 Q. Is Dylan the one who rang up your money
20 order on that day?

21 A. Yes, sir.

22 Q. Okay. So do you believe that time is
23 accurate, the 1:29 p.m. that's marked on the receipt
24 for the money order?

25 A. I feel like it is, yes, sir.

1 Q. Okay. So if we flip back to page 9. And
2 you're standing there, the camera is saying it's
3 approximately 1:28. That would appear to be
4 consistent with the receipt for the money order,
5 correct?

6 A. Yes, sir.

7 Q. So if you flip to the next page, does that
8 appear to be Dylan at the register?

9 A. It is Dylan.

10 Q. Did he ring up the money order from that
11 screen where he's standing on page 10?

12 A. That's where you pay for it at.

13 Q. Okay. And then it prints out somewhere
14 else?

15 A. Yes, sir.

16 Q. Okay. In this picture, where is Mr.
17 Duncan standing?

18 A. What I recall, he's right here somewhere
19 (indicating).

20 Q. And you're pointing to the bottom right --

21 A. Right in front --

22 Q. -- corner?

23 A. -- of the door of the office.

24 Q. So the office door where the meeting took
25 place is right at the bottom of this screen?

1 A. Okay. So, if -- this door, then there's a
2 wall about this wide (indicating), and then the
3 office door. Right here where this -- this is like
4 the door to enter into the cash office.

5 Q. Right.

6 A. Then there's a small wall. And then
7 directly beside it is the office. Like the win- --
8 there's a window right here (indicating), which is
9 the window to the manager's office.

10 Q. Okay. So is Mr. Duncan standing in the
11 office?

12 A. I recall him being outside of the office.

13 Q. Okay. Outside of the door frame?

14 A. Yes, sir. That's where I recall him
15 being. But I can't be positive, but I recall him
16 being right there.

17 Q. When Dylan is ringing you up, do you
18 recall having any conversations about -- with him
19 about why you're buying a money order?

20 A. No, sir, I do not recall.

21 Q. Do you recall any discussions with him?

22 A. I don't recall any -- I don't -- I mean, I
23 can't recollect anything.

24 Q. And then if you look at page 11, it looks
25 like you guys have shifted over to the left. Is that

1 where the money order would print out?

2 A. Yes, sir.

3 Q. And then the next page is the receipt that
4 we looked at. Do you recall Mr. Duncan and Mr.
5 Miller signing the stub from the money order?

6 A. Yes, sir. I do recall them writing
7 something on it.

8 Q. Did they hand you a copy of that?

9 A. Yes, sir. I feel like they did. Yes.

10 Q. If you look at the next page, it appears
11 that Dylan is handing you some papers at 1:30. Did
12 you transact any other business with Dylan on that
13 day?

14 A. Not that I recall, no, sir.

15 Q. Okay. The next page, page 14, it looks
16 like Officer Carl -- Carl Glenn is heading towards
17 the door. And it's marked as 13:31:06.26. Do you
18 see that?

19 A. Yes, sir, I do.

20 MR. MURPHY: Object to the form.

21 BY MR. ROBINER:

22 Q. Do you know whether that's approximately
23 the time that the officers left the premises that
24 day?

25 A. I don't know. I don't know when they

1 left.

2 Q. Do you have any reason to dispute that
3 that's the time that they left?

4 A. Not that I know of, no.

5 Q. And if you look at the back, the top of
6 the picture where the office is, can you tell, is the
7 door open or closed?

8 A. I can't tell, sir.

9 Q. Okay. And if you look at the last page,
10 the time stamp on there is 13:35. -- I'm sorry,
11 colon, 19.54. Do you see that? Page is marked 15 at
12 the bottom.

13 A. Yes.

14 Q. Do you recall leaving the store
15 approximately at 1:35 p.m. on May 30 -- or May 23rd,
16 2018?

17 A. I don't recall what time I left.

18 Q. Do you believe that it was within a few
19 minutes of buying the money order?

20 A. I feel like it was, because at some point
21 they asked if I had any -- if I wanted to get any of
22 my personal items. And I said, no, I just wanted to
23 leave. They could have it.

24 Q. Do you recall stopping at one of the
25 registers to hug somebody on the way out?

1 A. I don't recall. That whole day was...

2 Q. And the still shot that's depicted on page
3 15, does that appear that you're leaving for the day?

4 A. It does, yes, sir.

5 Q. For good, correct? Have you ever gone
6 back to the store since then?

7 A. I've been back once.

8 Q. And I apologize if I already asked you
9 that. Do you have any reason to dispute that you
10 were leaving the store for good that day on May 23,
11 2018 at 1:35 p.m., as depicted on page 15?

12 A. No, sir, I don't.

13 Q. If the time stamps in Exhibit 7 are
14 accurate, that would show that the police officers
15 arrived before you purchased the money order; isn't
16 that correct?

17 A. Yes.

18 Q. And, in fact, it appears there was only
19 about five minutes between you purchasing the money
20 order, before you walked out the door for the last
21 time on that day?

22 A. Yes, sir, it appears that way.

23 Q. If you can go back to -- I believe it's
24 Exhibit 6. It's the Complaint. I'd like to walk
25 through this with you. If you look at the first

1 page, under where it says the word "Plaintiff," you
2 have sued Michael Brickman, Southeastern Grocers,
3 LLC, BI-LO, LLC, Ken Miller, and Ronnie Duncan. Are
4 you aware that you sued all those entities and
5 individuals?

6 A. Yes, sir.

7 Q. Okay. What did Mr. Brickman do that
8 you're suing him for in this lawsuit?

9 MR. MURPHY: Object to the form.

10 THE WITNESS: I'm not an attorney, sir. I
11 don't know all the laws or anything like that.

12 BY MR. ROBINER:

13 Q. What did Mr. Brickman do that you feel is
14 wrong that he has caused you any damages?

15 MR. MURPHY: Object to the form.

16 THE WITNESS: Mr. Brickman knows that he
17 gave me permission to do that donation. Whether he
18 rang it up or whether he didn't ring it up, I don't
19 know. He sat in that office for three weeks watching
20 video after video trying to find something because I
21 had complained. And he felt like -- I feel like -- I
22 can't say that. I don't know how he felt about me
23 being -- but he knows -- he knew that I had
24 complained. I almost got arrested.

25 I would have had a hard time finding a job

1 and providing for my family. My name would have been
2 ruined in Anderson. He sent me into a state mentally
3 that it took me several -- several months to come out
4 of. (Witness crying.)

5 MR. MURPHY: Do you want to take another
6 break?

7 THE WITNESS: No, sir, I'm okay.

8 BY MR. ROBINER:

9 Q. When you were just referring to, "he sent
10 you in a state mentally that took you several months
11 to get out of," was that before the incident on
12 5 -- or the termination on 5-23-2018 that you are
13 referring to?

14 A. It was both.

15 Q. Okay. So, you are in a state mentally
16 earlier than the date that you were terminated?

17 A. I -- the state I was in before I was
18 terminated was -- I know this is going to sound off
19 the wall, I loved BI-LO. I loved what I did. I was
20 proud of the job that I did for that company and how
21 I represented them. To the point that I still have
22 my cashier name badge from 20 -- from when I first
23 went back to BI-LO, still to this day. He took that
24 joy of loving my job into just a job.

25 Q. And if we can break that down. It was

1 initially because of the way he treated you?

2 A. And the female -- other female staff
3 members. Watching that.

4 Q. Okay. The way that he treated you and
5 other female staff members. Was it always verbally?

6 A. Yes, sir.

7 Q. And other than reporting the way Mr.
8 Brickman treated you and other women in the store,
9 did you take any other action to get it to stop?

10 A. The action I took was going to three of my
11 superiors for help.

12 Q. Right. In addition to that?

13 A. No, sir. I felt like -- I thought that's
14 what they were there for.

15 Q. You were an at-will employee; is that
16 correct?

17 MR. MURPHY: Object to the form.

18 THE WITNESS: I don't know all the -- I
19 don't know all the ramifications of what at-will
20 employee means.

21 BY MR. ROBINER:

22 Q. Could you have quit your job at any time
23 or were you required to stay for a certain period of
24 time?

25 A. I could have quit.

1 Q. And could BI-LO or Southeastern have fired
2 you at any time?

3 MR. MURPHY: Object to the form.

4 BY MR. ROBINER:

5 Q. Or did you have a certain period of time
6 they agreed to keep you on as an employee?

7 MR. MURPHY: Object to the form.

8 THE WITNESS: I have no idea what they
9 had.

10 BY MR. ROBINER:

11 Q. Do you recall having a contract --

12 A. At one point I did -- I'm sorry.

13 MR. MURPHY: Let him finish his question.

14 BY MR. ROBINER:

15 Q. Yeah. Do you recall having a contract
16 with BI-LO, LLC?

17 MR. MURPHY: Object to the form.

18 THE WITNESS: When I first became a salary
19 manager, I recall signing a contract, yes.

20 BY MR. ROBINER:

21 Q. Do you recall what the contract stated?

22 A. No, sir. That was so far back.

23 Q. Do you recall whether the contract stated
24 that you would be employed for a certain time period?

25 A. I do not recall.

1 Q. Did you ever have an additional contract
2 with BI-LO?

3 MR. MURPHY: Object to the form.

4 THE WITNESS: I can't recall when
5 I -- there was about a year that I became a part-time
6 salary manager for BI-LO. And I cannot recall if I
7 signed a contract then or not. I can't recall.

8 BY MR. ROBINER:

9 Q. Do you recall whether you had a contract
10 for employment with Southeastern Grocers, LLC?

11 MR. MURPHY: Object to the form.

12 THE WITNESS: I do not recall.

13 BY MR. ROBINER:

14 Q. If you can turn to page 2 of your
15 Complaint, paragraph 13 reads: "After Brickman
16 learned about the complaint, he and others concocted
17 a claim that Plaintiff stole the donated
18 merchandise." Do you see that?

19 A. Yes, sir, I do.

20 Q. When did Mr. Brickman learn of the
21 complaints?

22 A. He learned that I'm -- I can't say when he
23 learned, because I don't know when he spoke to Randy
24 or Tommy or corporate. I don't know.

25 Q. Okay. If you don't know when he learned,

1 how can you say that after he learned, then he and
2 others concocted a claim?

3 MR. MURPHY: Object to the form.

4 THE WITNESS: Randy told me that he had
5 spoken, but whether that conversation took place or
6 not, I don't know. I know that Barry told Mr.
7 Brickman that we were filing a complaint against him.

8 BY MR. ROBINER:

9 Q. When did Barry tell Mr. Brickman that "we
10 were filing a complaint against him"?

11 A. I don't recall when Barry told me that.

12 Q. When you say "we," who are you referring
13 to?

14 A. When myself and the other people that
15 wrote statements.

16 Q. So were the other statements considered
17 complaints?

18 A. Yes, sir. I assume they were.

19 Q. You don't recall when Barry told you that
20 he told Mr. Brickman?

21 A. No, sir, I do not.

22 Q. But he did, in fact, tell you that he told
23 Mr. Brickman about the complaints?

24 A. Yes, sir.

25 Q. Why did he tell you that?

1 A. Because he said that he -- Barry was
2 trying to make things a little bit better in the
3 store. And he told Mr. -- he told me that he had
4 told Mr. Brickman that you need to lay off of them
5 because they are getting together and going to end up
6 filing a complaint, if you don't back up.

7 Q. Okay. Do you know approximately when this
8 was?

9 A. I do not, sir.

10 Q. What evidence do you have that Mr.
11 Brickman and others concocted a claim that plaintiff
12 stole the donated merchandise?

13 MR. MURPHY: Object to the form.

14 THE WITNESS: Well, I didn't steal it.

15 BY MR. ROBINER:

16 Q. Okay. Other than that you didn't steal
17 it, what evidence do you have that they concocted a
18 claim?

19 MR. MURPHY: Object to the form.

20 THE WITNESS: In my opinion, spending
21 hours and hours watching video, trying to find
22 something somebody is doing wrong, when that's not
23 your job. Your job is to run the grocery store.

24 BY MR. ROBINER:

25 Q. Okay. Other than Mr. Brickman watching

1 video for hours and hours, what else did he do to
2 concoct a claim against you?

3 A. I don't know.

4 Q. Do you know what videos he was watching?

5 A. I only know what I was told.

6 Q. And who told you, again?

7 A. Barry. Frances and Emily would tell me
8 that he's been hold up in there for hours watching
9 video on something.

10 Q. Did they give you any specifics, other
11 than he was watching videos on something?

12 A. Barry told me he was watching it on me,
13 but Frances and Emily did not.

14 Q. Do you know approximately when that
15 conversation took place?

16 A. I don't recall, sir.

17 Q. Did he tell you that orally or by text?

18 A. Orally.

19 Q. Were you guys in the store when that took
20 place?

21 A. Yes, sir, we were.

22 Q. Where in the store?

23 A. If I recall, we were standing in front of
24 the deli department.

25 Q. In paragraph 14 you state, "With full

1 knowledge that Plaintiff had done nothing wrong, the
2 loss prevention department brought Plaintiff in and
3 interrogated her." Do you see that?

4 A. I do see that.

5 Q. How did Mr. Duncan have full knowledge
6 that Plaintiff had done nothing wrong?

7 MR. MURPHY: I'm sorry, can you repeat the
8 question?

9 MR. ROBINER: Can you read it back?

10 (The foregoing question was read back by
11 the court reporter.)

12 MR. MURPHY: Object to form.

13 THE WITNESS: I don't know what Mr.
14 Duncan -- I mean, I can't speak for him.

15 BY MR. ROBINER:

16 Q. But in paragraph 14 you appear to be
17 alleging that you know that he had no knowledge?

18 A. I told him in the very beginning of the
19 meeting on 5-23 that those were donations. I had
20 given the list to Mr. Brickman. And he stated, "It's
21 your word against his."

22 Q. Right. So let's assume that he said that
23 to you, correct? That it's your word against him.
24 Now he's asking for your word, right? He may not
25 have full knowledge. What evidence do you have that

1 he had full knowledge?

2 MR. MURPHY: Object. Object to the form.

3 BY MR. ROBINER:

4 Q. That what Mr. Brickman told him was wrong?

5 MR. MURPHY: Same objection.

6 THE WITNESS: I don't have full knowledge
7 on that. The only thing -- the way I took that
8 comment was, basically, there's nothing we can do --
9 we're going to do about it. It's your word against
10 Mr. Brickman's. And, again, this would be, if you
11 count Mr. Miller sitting in that room, and Ronnie,
12 and Randy, and Tommy, and the lady from Jacksonville,
13 that's five people that -- this has just been
14 escalating and escalating and nothing is happening.
15 Nobody has done anything that I've -- when I've asked
16 to just transfer out of the situation. I just didn't
17 believe that they would even -- when he made that
18 statement, I didn't feel like he was going to go any
19 further.

20 BY MR. ROBINER:

21 Q. So when they are asking you about what
22 they saw on video, you determined that because your
23 complaints about Mr. Brickman had gone unanswered in
24 the past, that they would not listen to you?

25 MR. MURPHY: Object to the form.

1 THE WITNESS: Ronnie said, "It's your word
2 against his word."

3 MR. MURPHY: Can we take a break?

4 MR. ROBINER: Sure.

5 (Recess was taken from 12:37 p.m. to 12:44
6 p.m.)

7 BY MR. ROBINER:

8 Q. Ms. Styles, if you can look at page 4 of
9 your complaint. It starts with a "Wherefore" and
10 it's a claim for damages in this case for Count 1.
11 And it includes nominal or actual damages,
12 compensatory damages, special damages, and punitive
13 damages. Do you see that?

14 A. Yes, sir.

15 Q. Can you tell me what damages that you're
16 claiming that you suffered as a result of the abuse
17 of process in Count 1?

18 MR. MURPHY: Object to the form.

19 THE WITNESS: Lost wages.

20 BY MR. ROBINER:

21 Q. Is there anything else?

22 A. I'm trying to think.

23 MR. MURPHY: Object to form.

24 THE WITNESS: Sorry. I'm trying to figure
25 out a way to word it. My whole life was turned

1 upside down for months over this. (Witness crying.)
2 I couldn't sleep. I still have to drive by the
3 Pendleton BI-LO every day to get to work on my days I
4 work. And I pray that I don't get stopped at the red
5 light right in front of it. So I don't have to be
6 there any longer because it brings that day all back.

7 I loved my job there. I thought I'd
8 retire from there. I had to start a whole new
9 career, start over with all my benefits and vacation.

10 Q. Is that it? I didn't want to interrupt
11 you.

12 A. No, you're fine, sir.

13 Q. So for the lost wages, is that related to
14 the fact that you're making less now than you were
15 when you left BI-LO?

16 A. And I was out of work.

17 Q. Okay. How long were you out of work, do
18 you recall?

19 A. From May the 23rd to July the 31st.

20 Q. Did you have to see -- seek any medical
21 attention in connection with the termination from
22 BI-LO?

23 A. No, sir.

24 Q. Is it your understanding that those
25 damages that you explained just now would apply to

1 all the claims and lawsuit? In other words, I don't
2 want to make you have to keep saying it over and
3 over, if I'm going to ask you what are the damages
4 you suffered from Count II, Count III.

5 A. Yes, sir. Please don't.

6 Q. They would all be the same? They are
7 intertwined?

8 MR. MURPHY: Object.

9 BY MR. ROBINER:

10 Q. Is that a fair assessment?

11 MR. MURPHY: Object to form.

12 THE WITNESS: That's what I feel like I've
13 lost. But I don't -- I don't -- I mean, this is a
14 legal document and I don't understand it all, so I
15 can't for sure say that that's the case.

16 BY MR. ROBINER:

17 Q. Right. And I guess a better question for
18 you would be, the damages that you just explained,
19 those apply to the incident in general. Whether it's
20 called one thing by your lawyer or another, it all
21 stems from that incident being terminated and treated
22 poorly by Mr. Brickman?

23 MR. MURPHY: Object to the form.

24 THE WITNESS: I don't feel like I was just
25 treated badly by Mr. Brickman.

1 BY MR. ROBINER:

2 Q. Okay. Who else were you treated badly by,
3 other than I assume you would say Mr. Duncan, Mr.
4 Miller in the meeting?

5 A. I mean, I feel like the whole HR team,
6 period, and my superiors failed in this entire
7 situation by not addressing or working on what was
8 going on.

9 Q. Had you ever requested a store transfer
10 previously with respect to your working tenure at
11 BI-LO?

12 A. No, sir.

13 MR. ROBINER: Are we at 8? Would you mark
14 that, please?

15 (Defendant's Exhibit No. 8 was marked for
16 identification.)

17 BY MR. ROBINER:

18 Q. Ms. Styles, I'm showing you what's marked
19 as Defendant's Exhibit 8 for your deposition, which
20 is a letter on AIM letterhead that appears to be
21 addressed to Ms. Styles dated 6-8-2018. I'll ask if
22 you can take a look at that and tell me if you've
23 ever seen that before.

24 A. I have seen this, yes.

25 Q. Did you ask Ms. Cobb to write this letter?

1 A. I don't recall. They usually send a
2 letter anyways. I don't -- I don't know.

3 Q. Do you recall how you received this
4 letter, because it doesn't appear to have an address
5 on it.

6 A. I -- if I recall right, through my e-mail.

7 Q. You would still have that e-mail?

8 A. I don't know, sir.

9 Q. Do you know why this letter was written to
10 you, as opposed to BI-LO?

11 A. I would assume because after the -- I can
12 only assume this, though. After the initial
13 approval, I was her contact person.

14 Q. Did you speak to her, other than when you
15 delivered the products from BI-LO to AIM?

16 A. She shops at the store, the BI-LO
17 sometimes.

18 Q. Okay. But in connection with the
19 donations that you were her contact, did you have
20 discussions about the donations, other than when you
21 were dropping them off?

22 A. Like, what do you mean? Discussions?

23 Q. I thought the procedure was that the
24 request would come in through Mr. Brickman, he would
25 tell you, and then you would gather the items and

1 then you'd deliver them to AIM.

2 A. Yes, but remember when I said earlier,
3 if -- I had to reach out with her and make contact
4 because of allergies and age of children for the
5 baskets to be appropriate.

6 Q. Do you know whether AIM wrote a similar
7 letter to Mr. Brickman?

8 A. I have no idea.

9 Q. Do you know whether AIM ever wrote a
10 letter to BI-LO thanking them for the donations?

11 A. BI-LO usually got their newsletters.

12 Q. And then would the newsletter thank BI-LO
13 for donations?

14 A. Usually, yes, sir, in there.

15 Q. Do you have family in Anderson County?

16 A. Yes, sir, I do.

17 Q. Okay. How many family members do you have
18 that live in Anderson County? A lot?

19 A. Not a lot. But, I mean, my mom, my dad,
20 my sister.

21 Q. Did you grow up in that county?

22 A. I did.

23 Q. Were you born in that county?

24 A. I was.

25 Q. How long had your parents lived in

1 Anderson County?

2 A. My mom came to this country when she was
3 21 and settled in Anderson, so -- sorry. Trying --

4 Q. Several decades?

5 A. Trying to think of how old my mom is
6 exactly.

7 Q. What is your mom's last name?

8 A. Evans.

9 Q. What's her maiden name?

10 A. Yang.

11 Q. Is your maiden name Evans?

12 A. No, my maiden name is Gaines.

13 Q. Do you ever go by Lisa Gaines?

14 A. No. All my legal documents are Lisa
15 Styles, Lisa Marie Styles.

16 Q. When did your name change from Gaines to
17 Styles?

18 A. When I got married 2005.

19 Q. Did you ever use Gaines and Styles when
20 you're signing documents?

21 A. No, sir, I do not.

22 Q. What church do you attend?

23 A. NewSpring.

24 Q. Is that in Anderson County?

25 A. It is.

1 Q. Are you a member of any social groups in
2 Anderson County?

3 A. Currently?

4 Q. Within the last year?

5 A. No, sir.

6 Q. Okay. How about any clubs?

7 A. No, sir.

8 Q. Organizations?

9 A. No, sir.

10 Q. What was your cell phone number in May
11 2018?

12 A. 864-934-6609.

13 Q. Is that the same today?

14 A. Yes, sir, it is.

15 Q. And who's your carrier today?

16 A. AT&T.

17 Q. Is it the same in May of 2018?

18 A. Yes, sir.

19 Q. And I believe you already testified that
20 you didn't have any social interaction with Officer
21 Glenn outside of the store; is that correct?

22 A. Yes, sir, that's correct.

23 Q. How about any of his family members?

24 A. No, sir.

25 Q. Okay. And I believe it was the same for

1 Ms. Cobb. The only interaction you had with her was
2 in the store, her connection with delivering the
3 AIM's donation; is that correct?

4 A. Yes, sir.

5 Q. Okay. Do you have any social relationship
6 with any of her family members?

7 A. Not that I'm aware of, I do not.

8 Q. And I believe it was the same for Officer
9 Doyle Burdette, correct? Your only interaction was
10 through the store or if there's an incident at the
11 store?

12 A. That's correct.

13 Q. How about with any of his family members?

14 A. Other than when they shopped in the store.

15 Q. Do you know a woman named Lisa Myers
16 Burdette?

17 A. That's his wife. She shopped at BI-LO.

18 Q. Do you know her other than because she
19 shopped at BI-LO?

20 A. No, sir.

21 Q. Are you and Officer Burdette's wife
22 friends on Facebook?

23 A. We are.

24 Q. And that fostered just from seeing her in
25 the store?

1 A. Yes, sir.

2 Q. Okay. Did you ever see her in social
3 settings?

4 A. Never.

5 Q. Do you have any friends in common on
6 Facebook with Chief Burdette's wife?

7 MR. MURPHY: Object to the form.

8 THE WITNESS: I --

9 BY MR. ROBINER:

10 Q. That you're aware of?

11 A. I have no idea. I don't look to see who
12 has friends in common.

13 Q. Are you aware whether you have any other
14 of Officer Burdette's family as Facebook friends?

15 A. Not that I'm aware of, but I don't -- I
16 don't know who his family is.

17 Q. Did you ever speak to Ms. Cobb about this
18 lawsuit?

19 A. No, sir. Not about the lawsuit.

20 Q. Did you ever tell her that you were
21 terminated from BI-LO?

22 A. Yes, sir.

23 Q. Do you know approximately when you told
24 her?

25 A. I do not recall.

1 Q. Do you think it was soon after the event
2 or more recently, like this year, 2019?

3 A. I would say it was sooner after the event.

4 Q. And if you had exchanged e-mails with
5 Ms. Cobb, what e-mail would you have used?

6 A. It could have been either. I don't know
7 which one.

8 Q. Either what?

9 A. My -- the BI-LO e-mail or my other e-mail.

10 Q. What's your other e-mail?

11 A. Styleslisa@at&t.net.

12 Q. Do you still have access to that e-mail
13 today?

14 A. Yes. Wait. I'm sorry. Which one?

15 Q. The styles@lisa --

16 A. Yes.

17 Q. -- or the styleslisa@at&t.net?

18 A. Yes, sir.

19 Q. When you had mentioned your anxiety levels
20 went through the roof earlier today, have you ever
21 been diagnosed with an anxiety disorder?

22 A. No, sir, I have not.

23 Q. Other than minor traffic tickets, have you
24 ever been arrested or charged with a crime before?

25 A. No, sir.

1 Q. Have you ever been involved in a lawsuit,
2 other than this one that we're here for today?

3 A. No, sir.

4 Q. Who besides your attorney have you spoken
5 with about the events that happened at the BI-LO
6 store, other than what we've talked about today?

7 MR. MURPHY: Object to the form.

8 THE WITNESS: My mother, my father, both
9 my sisters, my husband, my in-laws, my sister-in-law,
10 and my father -- my sister-in-law and my
11 brother-in-law.

12 BY MR. ROBINER:

13 Q. Any of those people that you mentioned,
14 mom, father, sister, husband, in-laws, sister-in-law,
15 brother-in-law, any of those people attorneys?

16 A. No, sir.

17 Q. Any of them law enforcement?

18 A. Retired.

19 Q. Who is the retired one?

20 A. My father-in-law.

21 Q. Do you recall where he worked before he
22 retired?

23 A. Highway patrol.

24 Q. When you went to the Pendleton Police
25 Department on May 24th, 2018, did you have a lawyer

1 with you?

2 A. No, sir, I did not.

3 Q. Do you recall when you first retained
4 counsel in this matter?

5 A. I don't recall the exact date. Early
6 June, somewhere.

7 Q. Have you ever, at any time, taken anything
8 from BI-LO for personal use or consumption without
9 paying for it first?

10 A. No, sir. Not that I can recall.

11 Q. I want to take a quick break. I think I'm
12 done.

13 A. I didn't finish listing the people.

14 Q. Oh, okay. I'm sorry.

15 A. I don't want you to think that -- I just
16 don't want it to come up.

17 Q. No, that's fine. I appreciate you
18 speaking up.

19 MR. McCUMBER: Sorry.

20 THE WITNESS: Dana Coker.

21 BY MR. ROBINER:

22 Q. Who is Dana Coker?

23 A. She's my friend.

24 Q. She ever a BI-LO employee?

25 A. No, sir.

1 Q. Related to a BI-LO employee?

2 A. Not that I'm aware of.

3 Q. Anyone else?

4 A. Diana Harbin.

5 Q. Harvin, with a V?

6 A. Harbin, with a B. Kim Johnson. Wendy
7 Kay.

8 Q. Kay, like K-A-Y?

9 A. K-A-Y. Carole Tucker. Can Bentley.
10 Michelle Lanceley. I feel like right after it
11 happened Angela Dutton, Katie Bramlett.

12 Q. Do you know how to spell the last name?

13 A. I want to say it's B-R-A-M-L-E-T-T, but I
14 can't be positive. Richie Suttles.

15 Q. With Ds?

16 A. With Ts. I feel like that's all, but I
17 can't be 100 percent positive. But I feel like
18 that's --

19 Q. When you listed these people, did you
20 discuss the incidents at BI-LO or did you discuss the
21 lawsuit?

22 A. Just the incident. Well, now, my husband,
23 my immediate family --

24 Q. Sure.

25 A. -- are aware of the lawsuit. But the rest

1 of them, I don't -- I don't talk about it, to be
2 honest. I just -- I just need to not.

3 Q. Other than Angela Dutton and Michelle
4 Lanceley, are any of the other folks you listed out
5 associated with BI-LO in any way?

6 A. Carole Tucker.

7 Q. What was Ms. Tucker's position, if you
8 recall?

9 A. She was a salary manager at one of the
10 BI-LOs.

11 Q. Did she ever work at that Anderson or the
12 Pendleton BI-LO?

13 A. I can't answer that because Carole was
14 with BI-LO for like probably 50-something years, like
15 no joke. So I don't know if she ever -- not in my
16 time.

17 Q. Okay. That's a better --

18 A. Not in my time.

19 Q. -- question.

20 A. No, sir.

21 Q. Never overlapped?

22 A. No, sir.

23 Q. But did you work in the store with her?

24 A. No, sir. I never worked in the store with
25 Carole.

1 Q. Any store?

2 A. Any BI-LO.

3 Q. Anybody else associated with BI-LO?

4 A. Can Bentley.

5 Q. What is Can's position?

6 A. Grocery manager of the BI-LO.

7 Q. And is that the Pendleton store?

8 A. We overlapped, but it was not during this
9 time frame. But, yes, me and Mr. Bentley have worked
10 together.

11 Q. Anyone else?

12 A. Wendy Kay.

13 Q. What was her position?

14 A. It -- I think it was customer service
15 manager was her title.

16 Q. In the Pendleton store?

17 A. No, sir. Not even in this district.

18 Richie Suttles is a BI-LO. No overlap.

19 Q. Anyone else? Katie Bramlett?

20 A. She's BI-LO.

21 Q. BI-LO. Was she ever in that Pendleton
22 store?

23 A. Yes, sir.

24 Q. Do you know if she's still employed there?

25 A. I can't be positive, but I think so.

1 Q. These discussions, did they take place at
2 or around the time the incident happened or are they
3 ongoing?

4 A. I would say at or around the time.

5 MR. ROBINER: Okay. Quick break, and then
6 I think we're done.

7 (Recess was taken from 1:08 p.m. to 1:12
8 p.m.)

9 (Defendant's Exhibit No. 9 was marked for
10 identification.)

11 BY MR. ROBINER:

12 Q. Quick -- couple more questions. Other
13 than the names that you gave me of family members
14 that live in Anderson County, I think you said Evans,
15 Yang, and I don't remember the third one.

16 A. Styles.

17 Q. Styles. Are there any other -- other
18 family names of relatives that live in Anderson
19 County?

20 A. You got Gaines, right?

21 Q. Gaines. You used that name for a while,
22 correct?

23 A. That was my maiden name.

24 Q. Okay. Okay. Other than those names, any
25 other family members that live in Anderson County

1 that you think of with different last names?

2 A. Are you talking about like grandparents
3 and things?

4 Q. Yeah, let's go up to grandparents, but not
5 any further. So if there are --

6 A. Okay. So my stepdad's mother's name is
7 Bates.

8 Q. B-a-t-e-s?

9 A. Uh-huh. My mom's family is not from here.
10 I don't know about the Yangs. So I know my husband's
11 mom's maiden name.

12 Q. What is that?

13 A. Ward.

14 Q. W-A-R-D?

15 A. Uh-huh.

16 Q. Did they live in Anderson for a while, do
17 you know?

18 A. Not like -- it's Anderson County, but it's
19 not Anderson. Does that make sense? Okay. It's
20 a -- so, I know. I'm sorry. Because, like,
21 technically Pendleton is Anderson County. Belton,
22 Honea Path is Anderson County, but they are
23 Powdersville, Easley, Anderson County. So they are
24 not like in Anderson.

25 Q. Not the town Anderson?

1 A. Yes, sir.

2 MR. McCUMBER: Sorry. Just so we're
3 clear, if this case goes to a jury trial in the
4 matter, the jury is going to come from the entire
5 Anderson County surrounding area; Powdersville, all
6 the way through. So we just need to know any person
7 over the age of 18 could end up in that jury pool.
8 Because while you may love to have your aunt or
9 cousin on the jury, we'd like to know if your aunt --

10 THE WITNESS: Sure.

11 MR. McCUMBER: -- or cousin is on the jury
12 pool. So that's what he's trying to get at. So if
13 you can think of anyone else you can recall in that
14 regard --

15 MR. MURPHY: Give him everything that's in
16 Anderson County. I know what you're saying.

17 THE WITNESS: Okay.

18 MR. MURPHY: If it's considered part of
19 Anderson or not, it's countywide.

20 THE WITNESS: So, the Wards. The Wards.
21 Because that was what her maiden name was. My
22 husband's cousin's last name are Merritts.

23 Q. M-e-r-r-i-t?

24 A. T-t-s, maybe. I don't know.

25 MR. McCUMBER: It's two Ts?

1 THE WITNESS: I don't know. I can't
2 really speak to the Yang's side, because my father
3 and my mother got divorced. My stepdad raised me. I
4 never had anything to do with the Gaineses, so I
5 couldn't really tell you. I don't know anything
6 about that side. My stepdad is an Evans. His mother
7 married a Bates later in life. What about my
8 brother-in-laws? Do y'all need to know their last
9 names?

10 BY MR. ROBINER:

11 Q. Do they live in Anderson County?

12 A. They do. Bailey.

13 Q. B-a-i-l-e-y?

14 A. Uh-huh. My older sister was married to a
15 Kelly, but they are divorced. And he no longer lives
16 in Anderson County, nor his family. My recollection,
17 I can't think of anybody else.

18 Q. Okay. Ms. Styles, I'm showing you what's
19 Defendant's Exhibit 9. Appears to be an e-mail
20 exchange between you and Ms. Cobb. I ask if you can
21 look at that and tell me if you've ever seen that
22 before.

23 A. Yes, sir, I have.

24 Q. Okay. Do you know what was redacted at
25 the top of this page where the black marks are?

1 A. I do not.

2 Q. Does this appear to be a discussion where
3 you're requesting her to prepare a list of items that
4 were donated?

5 A. Yes, sir.

6 Q. Okay. And did she ever provide you with a
7 list?

8 A. Not that I can recall. No, sir.

9 Q. Okay. Did that letter that we looked at
10 earlier on the AIM letterhead, did that come after
11 you had asked for it in these e-mail exchanges, do
12 you know?

13 A. I don't know.

14 MR. ROBINER: Okay. I don't have anything
15 else.

16 MR. MURPHY: Just a couple questions.

17 EXAMINATION

18 BY MR. MURPHY:

19 Q. You were asked a number of questions about
20 whether you had a contract at different points or a
21 contract with BI-LO. Do you know under South
22 Carolina law what constitutes an employment contract?

23 A. No, sir, I do not.

24 Q. You were asked a number of questions about
25 what evidence you had to support certain statements.

1 Do you know what constitutes evidence of the various
2 claims you're making in this case?

3 MR. ROBINER: Object to the form.

4 THE WITNESS: No, sir, I don't.

5 BY MR. MURPHY:

6 Q. And, finally, you were asked questions
7 about what damages you have. Do you know under the
8 law what types of things you can claim as damages
9 under various different claims raised in your
10 lawsuit?

11 A. I have no idea, so no.

12 MR. MURPHY: I don't have any further.

13 EXAMINATION

14 BY MR. ROBINER:

15 Q. I just want to follow up on that. I
16 understand that you don't know the definition of what
17 you're entitled to as damages under the law, but
18 other than what you described for us today, are there
19 any other injuries that you would attribute to the
20 incident related to BI-LO that we discussed today?

21 MR. MURPHY: Object to the form.

22 THE WITNESS: When you say "injury," what
23 do you mean, sir?

24 BY MR. ROBINER:

25 Q. Like, where you're seeking compensation

1 because you've been injured or damaged or suffered a
2 loss.

3 MR. MURPHY: Object to the form.

4 THE WITNESS: Like, physical injury?

5 BY MR. ROBINER:

6 Q. No. If you suffered a physical injury,
7 I'd want to know that. If you're seeking
8 compensation for a physical injury, I would obviously
9 want to know that.

10 A. No, sir.

11 MR. MURPHY: Object to the form.

12 BY MR. ROBINER:

13 Q. But I'm not asking you about technical
14 requirements under the law. I'm asking for factual
15 statements as to damages or injuries that you've
16 suffered.

17 MR. MURPHY: Object to the form.

18 THE WITNESS: I don't know what all
19 damages are in -- I mean, I've never had to do a
20 lawsuit in my entire life. I have no idea. All I
21 can tell you is what I've already spoken to today is
22 that my whole entire life just got thrown up, spit
23 out, and I've had to rebuild it.

24 BY MR. ROBINER:

25 Q. And that you lost wages, right?

1 A. I did lose some wages, yes, sir.

2 MR. ROBINER: Okay. I don't have anything
3 further.

4 MR. MURPHY: Nothing further.

5 (The witness, after having been advised of
6 her right to read and sign the transcript, waives
7 that right.)

8 (Deposition was concluded at 1:20 p.m.)
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CERTIFICATE OF REPORTER

I, MARY K. STEPP, Notary Public for the State of South Carolina at Large, do hereby certify that the foregoing transcript is a true, accurate, and complete record.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 20th day of November, 2019, at Campobello, Spartanburg County, South Carolina.



Mary K. Stepp, Notary Public
My Commission Expires:
March 1, 2028

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REQUESTED INFORMATION

(No information requested.)

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South Carolina Rules of Civil Procedure

Part V. Depositions and Discovery

Court Rule 30

(e) Submission to Witness; Changes; Signing.

When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by him unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days of its submission to him, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the court holds

that the reasons given for the refusal to sign
require rejection of the deposition in whole or in
part.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

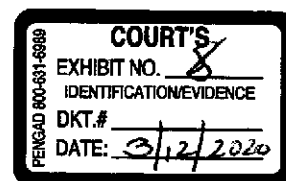
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1 STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS
2 FOR THE 10TH JUDICIAL CIRCUIT
3 COUNTY OF ANDERSON
4 LISA STYLES,
5 Plaintiff,
6 vs. CASE NO. 2018-CP-04-01127
7 MICHAEL CRAIG BRICKMAN,
8 SOUTHEASTERN GROCERS, LLC,
9 BI-LO, LLC, KEN MILLER,
10 and RONNIE DUNCAN,
11
12 **Certified Original**
13 Defendants.

14 DEPOSITION OF: OFFICER CARL ANTHONY GLENN
15 DATE: November 6, 2019
16 TIME: 2:08 p.m.
17 LOCATION: Town of Pendleton
18 Administrative Offices
19 310 Greenville Street
20 Pendleton, South Carolina
21
22 TAKEN BY: Counsel for the Defendants
23
24 REPORTED BY: Mary K. Stepp, Court Reporter
25

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17
18
19 (INDEX AT REAR OF TRANSCRIPT)

1 OFFICER CARL ANTHONY GLENN,
2 having been duly sworn, testified as follows:

3 EXAMINATION

4 BY MR. ROBINER:

5 Q. Officer Glenn, can you state your full
6 name for the record, please?

7 A. Carl Anthony Glenn. I go by Tony.

8 Q. Thank you. And have you ever been deposed
9 before?

10 A. This is my first time.

11 Q. Oh, good. I'm kind of surprised. This is
12 in connection with a lawsuit filed by Lisa Styles
13 against our clients. My name is Mitch Robiner and I
14 represent BI-LO, LLC, Southeastern Grocers, LLC, a
15 Michael Brickman, Ken Miller, and Ronnie Duncan.

16 I'm just going to ask you a series of
17 questions under oath, if you can answer them, and
18 then we'll use them in connection with our lawsuit to
19 the extent it's relevant.

20 I'm also required to tell you under South
21 Carolina law that if you have any questions regarding
22 a question that I ask, you should direct your
23 question back to me and I'll clarify any question.
24 And you can ask me as many times to restate it until
25 you feel comfortable you understand the question.

1 In addition, if we take any breaks, which
2 I hope we're going to be quick enough that we don't
3 need to, you're not allowed to discuss your testimony
4 with anybody while the deposition is pending. As
5 soon as it's concluded, you can discuss it with
6 anyone. Is that okay?

7 A. Sounds good.

8 Q. And if you could, when you give a
9 response, if you can just give an oral response so
10 it's easier for the court reporter to take it down.

11 A. Sure.

12 Q. She'll keep a written record of everything
13 that goes on today.

14 And who's your current employer?

15 A. Town of Pendleton Police Department. My
16 boss is Chief Doyle Burdette.

17 Q. How long have you been with the Pendleton
18 Police Department?

19 A. Since we started back -- we started back
20 on the road August 1st, 2016.

21 Q. Did you know Lisa Styles before you went
22 to the BI-LO store in and around May 2018?

23 A. When you say "know," do you -- can you be
24 more specific, please?

25 Q. Sure. I guess as a preliminary matter,

1 would you recognize her if you saw her on the street?

2 A. Not really.

3 Q. Okay. Did you know her as a manager of
4 the BI-LO store?

5 A. At the time of this, yes, sir.

6 Q. Okay. Did you know her socially, outside
7 of the BI-LO store?

8 A. No, sir, I did not.

9 Q. Know any of her relatives?

10 A. No, sir.

11 Q. Not that you're aware of?

12 A. Well, not that I'm aware of, yeah.

13 Q. Do you recall responding to a call to your
14 department on May 23rd, 2018?

15 A. Yes, sir, I do.

16 Q. Okay. Do you recall when the call came
17 in?

18 A. When the call came in, I don't remember
19 exactly. But it was a call through dispatch. And
20 they told me that I had -- I was dispatched to the
21 above incident location, which is the BI-LO. And it
22 was in reference to a breach of trust.

23 After arrival, I spoke with the above
24 Complainant, who was -- who was a loss prevention
25 officer, at that time. And he told me the above

1 subject had taken items from the victim, which is the
2 BI-LO, in which she was entrusted to safeguard and/or
3 sell. The subject took the items for her personal
4 use without giving any type of compensation. The
5 subject is an employee of the above victim. And all
6 before -- where I wrote, "the subject is the employee
7 of the above victim," this was all told to me by the
8 loss prevention, which I didn't write his name down,
9 but I think it was --

10 Q. Ronnie Duncan?

11 A. Sounds familiar. And after speaking with
12 the Complainant, I spoke with the victim. And I did
13 cite Miranda to the subject. Then asked the subject
14 for her personal information, i.e., name, date of
15 birth, address, phone number, et cetera. The subject
16 did admit to the act. The subject also wrote a
17 statement to the fact of her committing the act.

18 I also received printouts of the items taken
19 from the Complainant and the total amount that
20 was -- the approximate total amount that was taken
21 was \$450, and that's it for my report.

22 Q. Okay. And what you were reading or
23 referring to was out of your report; is that correct?

24 A. Yes, sir. Out of my report.

25 Q. Okay. If we can back up for a second.

1 Would there be any record showing when the call came
2 in to dispatch? Do they keep track of that?

3 A. They should keep track of it. Yes, sir.

4 Q. Do you think it would still be available
5 today, more than a year later?

6 A. That I'm aware of -- unaware of.

7 Q. Is there a dispatch in this building?

8 A. No, sir.

9 Q. Where is the dispatch located or where was
10 it, at that time?

11 A. It's located in Anderson. I don't know
12 the name. It's out there next to the airport. And
13 we have what we call small towns dispatch. And we're
14 part of -- let's see, Belton, Honea Path, Iva, a few
15 others, and us.

16 Q. Small town dispatch handles different
17 jurisdictions?

18 A. Yes, sir.

19 Q. When the call comes in, they'll serve it
20 to wherever it needs to go?

21 A. Yes, sir.

22 Q. Do you have any records where you would
23 have noted the time that you arrived at the store,
24 the time that you left the store?

25 A. No, sir. I don't. Everything I have is

1 in my report.

2 MR. ROBINER: Can you mark this as 1,
3 please?

4 (Defendant's Exhibit No. 1 was marked for
5 identification.)

6 BY MR. ROBINER:

7 Q. Officer Glenn, what I'm showing you marked
8 as Defendant's Exhibit 1 to your deposition today is
9 a Pendleton Police Department Officer Incident Report
10 for Incident No. 2018-00979. And I'll ask if you can
11 take a look at that and tell me if you've seen that
12 before.

13 A. (Witness peruses document.) Yes, sir, it
14 looks like to be my report, plus supplementals Chief
15 Burdette had written into the computer up until this
16 page here, where it states at the top right, "Page 1
17 of 3." I'm unfamiliar with this. No, excuse me,
18 this was the list given to me that evening, I
19 believe, of the items taken. But I don't recall
20 them -- recall it being this extensive. This is a
21 report that Ms. Styles had written. And this here
22 I'm unfamiliar with. This, I guess, is some type --
23 no. These may be notes. I'm not sure. I've never
24 seen this before (indicating).

25 Q. Okay. So you've never seen the entire --

1 A. No, no, I haven't seen this. This one
2 sheet so far.

3 Q. All right.

4 A. The statement I do remember Ms. Styles
5 writing. The list of items, I'm assuming that this
6 is the list of items taken. I remember seeing a
7 receipt, but I don't remember seeing an itemized list
8 written in this manner. I don't recall that. But I
9 do remember a receipt. And I believe that was given
10 to me by Mr. Brickman, the manager at that time. I'm
11 unfamiliar with this copy of a -- where it says --
12 this is Chief -- Chief's e-mails and stuff. I
13 don't -- I don't -- I don't know. I don't wander
14 into his e-mails and things. Those are his.

15 Q. So the documents that you don't recognize,
16 you wouldn't have included in that report, is that
17 accurate?

18 A. No, sir, I would not.

19 Q. Okay. If you go back to the first page,
20 who would have created this document?

21 A. This is -- if you look, this is what I
22 entered in the computer. It's the same as this
23 (indicating). The second page should be the same.
24 And third page begins "Narratives." And my narrative
25 is the first one. Everything after that is Chief

1 Burdette's.

2 Q. Okay. So up until where your narrative
3 ends, that's the only part of this report that you
4 would have entered into?

5 A. Yes, sir.

6 Q. Okay. If you look at the first page, it
7 indicates that it was assigned to Carl Glenn. Do you
8 see that? It's the -- on the right-hand column,
9 second one from the top in the first portion of the
10 report.

11 A. "Assigned to," yes, sir.

12 Q. Who would have input that information?

13 A. Dispatch. And that says to me that the
14 initial call was assigned to me.

15 Q. Okay. And if you look above that, where
16 it says "Disposition, unfounded," what does that mean
17 to you?

18 A. I'm unaware of what -- unfounded in
19 dispatch talk would be unfounded. It would be
20 nothing found in the call or in the incident to be
21 detrimental to anything.

22 Q. Okay. Do you have a specific recollection
23 of actually meeting with Ms. Styles on May 23, 2018
24 in the BI-LO store?

25 A. Say again.

1 Q. Do you have an independent recollection of
2 meeting with Ms. Styles on May 23rd, 2018?

3 A. Yes, sir. Yes, sir.

4 Q. Okay. Do you recall where you met with
5 her?

6 A. It was in the little side office there in
7 the front of the store.

8 Q. Okay. Did -- I know when you read from
9 your narrative, you stated that she had given you her
10 date of birth, name, and some of that information?

11 A. I had asked for it, yes, sir.

12 Q. Okay. Did you see a handwritten statement
13 that was provided to you, at that time?

14 (Off-record discussion.)

15 MR. ROBINER: Can you mark this as 2?

16 (Defendant's Exhibit No. 2 was marked for
17 identification.)

18 THE WITNESS: After looking this report
19 over, sir, I believe this was done on the day after
20 my incident and going out there.

21 BY MR. ROBINER:

22 Q. All right. And I appreciate that,
23 Officer. What I'm showing you marked as Exhibit 2,
24 Defendant's Exhibit 2 for purposes of the deposition
25 today, ask if you can look at that and tell me if you

1 recall seeing that handwritten statement before.

2 A. (Witness peruses document.) This one
3 looks familiar. I can't recall if it was written in
4 my presence or not.

5 Q. Do you have any recollection that that was
6 handed to you on the day that you went to BI-LO on
7 May 23rd, 2018, at any time?

8 A. It may have. I do believe it was. A copy
9 of it handed to me, yeah.

10 Q. Do you recall whether you discussed that
11 statement, as Exhibit 2, with Ms. Styles on that day?

12 A. Discussed this statement she wrote? I
13 don't believe I did discuss it with her, no.

14 Q. Okay. If we can look back at your
15 narrative in the report, either the one you brought
16 today or page 3 of the one I handed you.

17 A. (Witness complies.)

18 Q. If you look towards the bottom, the third
19 line up, sentence that starts, "The subject did admit
20 to the act." Do you see that?

21 A. Yes, sir, I see it.

22 Q. Do you recall how that was done, when she
23 admitted to the act? Was that verbally or --

24 A. That was verbally.

25 Q. Okay. And then the rest of it states,

1 "The subject also wrote a statement to the fact of
2 her committing the act"?

3 A. That was this (indicating).

4 Q. Okay. So this is the written statement
5 and then she also verbally admitted to it?

6 A. She admitted to doing it. Yes, sir.

7 Q. Do you recall any specific conversations
8 with Ms. Styles on that day?

9 A. She also said to me that the things -- she
10 admitted taking them. She admitted to giving them
11 out as donations. She said that would happen yearly
12 through BI-LO, that they would give out donations to
13 certain or different types of entities.

14 Q. Did she say she gave them all -- all the
15 products she had taken as donations or some of the
16 products?

17 A. All of them to different -- either to a
18 one specific or to others. And I don't recall the
19 names of the establishments that she give them to.

20 Q. Okay. Did you question her about the
21 statement at all, where she says only some of what
22 she took was donated? Because that would seem to
23 contradict what she -- you were just handed in
24 writing.

25 MR. MURPHY: Object to the form.

1 THE WITNESS: Excuse me?

2 MR. MURPHY: Sir, I say object to the
3 form. If you understand the question, you're free to
4 answer. The reason we do that is to preserve an
5 issue for the judge as to the question itself and
6 whether -- what the answer means. That's just
7 something for the Court to take up later. If you
8 understand the question, you can answer it.

9 THE WITNESS: Oh, I --

10 MR. MURPHY: If you need clarification --

11 THE WITNESS: I need clarification on what
12 you're talking about.

13 BY MR. ROBINER:

14 Q. If you look at the statement, I believe
15 you testified --

16 A. Yes, sir, this one here.

17 Q. You were handed Exhibit 2 on that day when
18 you went to the BI-LO store. In this statement,
19 Ms. Styles says that, "Some of what I took was
20 donated to local charity." Do you see that?

21 A. Yes, sir. I remember reading this
22 statement, but I didn't discuss it with her, no, sir.

23 Q. Okay. So -- but your recollection is when
24 you spoke with her, she said that all of what she
25 took was donated?

1 A. That I don't recollect. I'm sorry.

2 Q. Do you recall when you entered the office
3 on May 23rd, 2018, did you say anything to
4 Ms. Styles, like "Shame, shame, shame. You're a bad
5 girl"?

6 A. I remember saying "Shame, shame, shame,"
7 but I didn't say, "You're a bad girl."

8 Q. Did she respond to that, when you said
9 "Shame, shame, shame"?

10 A. Only response I received was a sad look in
11 her eyes and a slightly bowed head.

12 Q. Did Ms. Styles ever say to you that she
13 was prevented from leaving the office at any time?

14 A. I'm sorry?

15 Q. Did she ever say that she was prevented
16 from leaving the office at any time, when you were in
17 her presence?

18 A. I don't believe so.

19 Q. If she had said that the employer was
20 holding her against her will, would that have been
21 something you would have put into your narrative?

22 A. Oh, yes, sir. As far as -- yes, sir. I
23 would have put that in mine because...

24 Q. Okay. And are you aware that the next day
25 Ms. Styles came into this office and spoke with Chief

1 Doyle -- or Chief Burdette?

2 A. Not immediately, but Chief and I -- if I
3 remember correctly, Chief and I did speak of it.

4 Q. Okay. And did the Chief tell you that her
5 story had changed from what you had put in your
6 narrative?

7 A. No, sir. He didn't say anything about
8 that.

9 Q. Did he question you about the fact that
10 your narrative said that she admitted to doing the
11 acts and now she was saying she didn't do the acts?

12 MR. MURPHY: Object to the form.

13 THE WITNESS: No, he didn't mention
14 anything of that. He just spoke that she came in,
15 and they talked, and that was pretty much the size of
16 it.

17 BY MR. ROBINER:

18 Q. Were you involved in any more of the
19 investigations related to this incident?

20 A. No, sir, I was not.

21 Q. Okay. So after you returned from the
22 store that day and did your narrative, you had no
23 further involvement?

24 A. No, sir, I did not.

25 Q. And other than looking at dispatch to see

1 the time the call came in, is there any other
2 document that you can think of where we might be able
3 to pinpoint the times that you were in the store?

4 A. Well, other than showing my arrival and my
5 departure, that would probably be it, through
6 dispatch.

7 Q. Is your arrival and departure in here?

8 A. I'm looking. (Witness peruses document.)
9 No, sir, it is not. That would come in as a CAD
10 report. I believe Chief gets those daily of the
11 situations that happened the day or evening prior.

12 Q. So would your time of arriving on the
13 scene be reported back to dispatch or do they
14 write --

15 A. They would enter -- when I go what we call
16 10-23, arrived at location, they will enter that into
17 their computers. And when I go 10-8, which is back
18 on duty, they would also put that in their computers.

19 Q. Okay. And then a report would be
20 generated for the Chief, at some point?

21 A. Specifically for the chief? I would say
22 no. But a report is -- is made and Chief requests
23 it.

24 Q. Okay. So there's some record?

25 A. Yes, yes, yes.

1 MR. ROBINER: Okay. Mark this as 3,
2 please.

3 (Defendant's Exhibit No. 3 was marked for
4 identification.)

5 BY MR. ROBINER:

6 Q. Officer Glenn, I'm showing you what's been
7 marked as Defendant's Exhibit 3 for your deposition.
8 It is a screen shot from the cameras inside the
9 store. And if you look at -- in the upper left-hand
10 corner, it has a date stamp and a time stamp. And I
11 would ask if you can flip through those and
12 approximately --

13 MR. MURPHY: Do you want to remove that
14 second page?

15 MR. ROBINER: The second page?

16 THE WITNESS: The copy of the --

17 MR. ROBINER: No, it doesn't matter.

18 BY MR. ROBINER:

19 Q. There's page numbers at the bottom. If
20 you'd turn to page 5.

21 A. (Witness complies.)

22 Q. Does that appear to be you entering the
23 building on May 23rd, 2018?

24 A. That appears to be. It appears to be Mr.
25 Brickman to my left.

1 Q. Okay. And that was my next question. Do
2 you recall meeting with Mr. Brickman on that day when
3 you entered the store?

4 A. I believe so. Yes, sir.

5 Q. Okay. The time stamp up there reads 13:06
6 in military time. That would be about 1:06 p.m.?

7 A. 1:06, yes, sir.

8 MR. MURPHY: Object to form.

9 BY MR. ROBINER:

10 Q. Does that sound about right?

11 A. Yes, sir, I would say so.

12 Q. If you look at the next page, there's a
13 second officer that entered the store, according to
14 the time stamp. It was at 13:14 on the same day. Do
15 you recognize that officer?

16 A. Looks like Corporal Davis.

17 Q. Okay. And my understanding is Mr. Davis
18 never met with Ms. Styles in that --

19 A. No, he just come in to check on me.

20 Q. Okay. So was he responding to the same
21 call?

22 A. If he were, he didn't say.

23 Q. Okay.

24 A. He just came in and said, "You 10-4?" I
25 said, "I'm 10-4." And then he left. I never saw him

1 after that.

2 Q. Okay. And if you flip to the next page,
3 this is at 13:28, according to the time stamp in the
4 left corner. And it appears to me --

5 MR. MURPHY: Mine is at 13:24.

6 THE WITNESS: 13:24:31.36.

7 BY MR. ROBINER:

8 Q. I'm on page 8. Did I give you the
9 wrong --

10 A. This is 7, page 7.

11 Q. But the next page, on page 8, it appears
12 that you, Mr. Davis, and Mr. Brickman are speaking in
13 the front of the store?

14 A. Yes, sir.

15 Q. Okay. Do you remember speaking to Mr.
16 Brickman on your way out of the store?

17 A. I don't remember doing so. No, sir.

18 Q. Okay. The time stamp on there appears to
19 be 13.28:44?

20 A. Uh-huh.

21 Q. Does that seem about the time that you
22 were finished at 1:28?

23 A. I can't say one way or the other. I don't
24 remember if I was or not.

25 Q. Okay. If you could flip back a few more

1 pages.

2 A. Flip back?

3 Q. Well, to the end. I'm sorry, I thought
4 there was one of you guys -- oh, okay. Page -- it's
5 written on mine -- 14.

6 A. (Witness complies.)

7 Q. Appears that you're exiting the store in
8 that still shot, would that be accurate?

9 A. It appears that I'm walking towards the
10 exit doors, yes, sir.

11 Q. Okay. So, when you would have left the
12 store after that call and gone to your car, then you
13 would have reported that you were finished and
14 dispatch would have noted the time, is --

15 A. I would have gone 10-8, yes, sir.

16 MR. ROBINER: Since -- I don't have any
17 further questions.

18 EXAMINATION

19 BY MR. MURPHY:

20 Q. Officer, my name is Brian Murphy. We've
21 met before. I represent Ms. Styles --

22 A. Yes, sir.

23 Q. -- in the case. Mr. Brickman testified
24 yesterday that he signed some kind of paper for the
25 police during this occasion. Do you know what Mr.

1 Brickman may have signed?

2 Let me back up and ask a little more fair
3 question. Do you recall Mr. Brickman signing a paper
4 that day?

5 A. No, sir, I don't. I don't know what it
6 would be for with me. I was just there to take the
7 initial report.

8 Q. Okay. And do you know who called
9 dispatch?

10 A. No, sir, I do not. Dispatch doesn't tell
11 us who called. They will tell us, at times, who to
12 meet with once we arrive on the scene.

13 Q. And the person you met with when you
14 arrived at the scene first was Mr. Brickman?

15 A. I believe so. And he -- he showed me the
16 way back to the office back there.

17 Q. Okay. What did you and Mr. Brickman say
18 on the way to the office?

19 A. I asked him what was going on. I do
20 remember that. I vaguely remember him telling me a
21 little bit about the situation. And by that time we
22 had gotten to the office. And I believe Ms. Styles
23 was already in a chair there.

24 Q. In the office?

25 A. In the office. Yes, sir.

1 Q. Yes, sir. What did he tell you about --
2 what did Mr. Brickman tell you about the situation,
3 as you walked towards the office?

4 A. If I remember correctly, he said something
5 to the fact that he's got an employee who took some
6 stuff without authorization and that he -- that I
7 want to say that he relayed to me that corporate
8 wanted to press charges.

9 Q. Now, if you would look, again, at Exhibit
10 No. 2. You see the time is written at the bottom
11 there, I believe 12:42?

12 A. Yes, sir.

13 Q. And so that was prior to your arrival at
14 the store?

15 A. I believe so.

16 Q. And you recall Mr. Duncan being the one
17 who handed that statement to you?

18 A. Yes, sir. I believe Ms. Styles had said
19 it's the one she had written for -- I can't remember
20 if she said for Mr. Brickman or Mr. Duncan. I'm not
21 sure.

22 Q. Did anybody from the BI-LO store there
23 give you a list of items that they claimed were taken
24 by Ms. Styles?

25 A. I recall being given a copy of a receipt.

1 Q. Do you see that receipt anywhere in any of
2 the exhibits that have been handed to you today?

3 A. Exhibit 1, where it says "Southeastern
4 Grocers, page 1 of 2".

5 Q. Okay.

6 A. I remember seeing something similar to
7 this, I guess. And to flip over to the page 1
8 of -- or 1/5 --

9 Q. Okay. Just to be clear so we can identify
10 it in the record. The first document you have shows
11 a start time of 10:00:57 p.m., total scan time, 57
12 seconds. And that's page 1 of 2, correct?

13 A. Yes, sir.

14 Q. And then the next document you identified
15 has 9:56:42 p.m., total scan time 1:59. And at the
16 bottom right-hand corner, that's listed as page --

17 A. 1/5.

18 Q. -- 1 of 5. And we have 2 of 5, and we
19 have 3 of 5, right?

20 A. Yes, sir.

21 Q. You don't have 4 of 5 and 5 of 5, do you?

22 A. No, sir. There isn't in this packet.

23 Q. Did Mr. Duncan represent to you that these
24 were items that Ms. Styles had taken without paying
25 for them?

1 MR. ROBINER: Object to the form.

2 THE WITNESS: I believe so. Like I said,
3 they seem familiar, but as of right now I can't say
4 for certain these are the exact same receipts that I
5 was given.

6 BY MR. MURPHY:

7 Q. All right. Did you ever ask Mr. Duncan
8 why, if he was contending these items were taken
9 without payment, why he was showing you a receipt
10 showing payment?

11 A. I vaguely recall asking him that. And he
12 gave me an excuse of something about corporate. I
13 don't remember exactly what he said.

14 Q. He said something about corporate?

15 A. Just -- I remember him saying corporate
16 told him to do something, but I'm not -- I can't say
17 for sure what he said.

18 Q. Would you agree with me that from your
19 review of this, it indicates that these items were
20 paid for?

21 A. Yes, sir. If they -- if it showed -- let
22 me get back to the receipt portion. It says here,
23 "Debit card, 145." That tells me it was paid for.

24 Q. Okay. Did anybody from BI-LO give you any
25 documents on May 23rd that are not included in your

1 Exhibit No. 1?

2 A. Don't believe so.

3 Q. And you made a -- you discussed a document
4 on the record that I'm not -- you just have to
5 understand, I'm not trying to go over things. But
6 the way you said it, I'm not sure it's going to be
7 clear to somebody reading this which page you were
8 referring to. So I'm going to ask you to go back to
9 Exhibit No. 1 and go to that page with handwriting at
10 the top that begins with the words, "Ronnie Duncan,"
11 second line says "April 11, first contact."

12 A. Do you have a page number or --

13 Q. Well, it doesn't have page numbers.

14 A. Okay.

15 Q. It is after that, sir.

16 A. Yes, sir.

17 Q. I'll show you.

18 A. "On 5-23 at my job, Ronnie Duncan" --

19 Q. No, sir. This page (indicating). Okay.
20 Do you see the page that has handwriting on it? The
21 first line says, "RONNIE DUNCAN," in all caps. The
22 second line says, "April 11th, first contact."

23 A. Yes, sir, I see this.

24 Q. Okay. And I'm just going to ask questions
25 and make it clear in the record what your testimony

1 was as to this document. Do you know what this
2 document is?

3 A. No, sir, I do not.

4 Q. Okay. Officer, I'm happy to show you the
5 footage from that day. In fact, I think we ought to
6 look at it, about ten minutes or so of it.

7 And, Counsel, if you want to come around
8 and see what he's looking at. Let me explain to you,
9 while we're on the record, these time stamps on this
10 video are not going to correlate with the time stamps
11 on the pictures that he has shown you. So when you
12 see, for example, 17:18:35, we're in discussions
13 about why that says that. But we all agree that
14 wasn't 5:18 p.m., okay?

15 A. Okay.

16 Q. Defendants will say that is 1:18:35:24.
17 So I'm just letting you know that, so when you're
18 seeing the -- when you're seeing the times. But I
19 want you to watch this back room here (indicating).
20 And, for the record, we're looking at the files that
21 have been provided to me. And I'm looking at the
22 file name "VPD_BL-5566-ITX-1_MM_2018_05_23_16_41_40."
23 And on my copy, we're going to begin at 17:18:35.24.
24 I want you to watch the back office door here
25 (indicating).

1 (Video being played for the witness.)

2 MR. ROBINER: Object to the form.

3 BY MR. MURPHY:

4 Q. Okay. Right there (indicating). Is that
5 you by the office door?

6 A. Yes, sir. I remember -- I think this is
7 Mr. -- quality control from corporate.

8 Q. Okay.

9 A. He and I stood by the customer service
10 desk up here (indicating).

11 Q. Okay.

12 A. Don't remember what we spoke about. I
13 do -- vaguely remember him telling me, again, a
14 little bit about the situation, what the lady's name
15 was and what she -- what her position was and what
16 she had done.

17 Q. Okay. And that's you going into the
18 office?

19 A. With that -- with that gentleman, yes.

20 Q. Okay. And that's on my copy 17:19:11.53.
21 How many times did you go in and out of the office
22 when Ms. Styles was there?

23 A. I really don't remember, sir.

24 Q. All right.

25 A. I don't recall going in and out very much,

1 if at all, any.

2 Q. Okay. There you are in the office. Let
3 me speed this up a little bit.

4 (Video being played for the witness.)

5 BY MR. MURPHY:

6 Q. Now, let me just ask about this office.
7 Where -- that's a window to the office right there
8 that we're seeing movement behind; is that correct?

9 A. I don't recall --

10 Q. Okay.

11 A. -- there being any windows.

12 Q. Okay. A glass door?

13 A. No, sir. The door was solid. There may
14 have been a window in the door, but --

15 Q. Okay. Do you see the movement in the
16 office there?

17 A. I do. Yes, sir.

18 Q. Okay.

19 MR. McCUMBER: Sorry to interrupt. Just
20 for the record, Counsel is directing attention at the
21 top portion of video screen directly under the
22 letters "ITS"; is that fair.

23 BY MR. MURPHY:

24 Q. Right. And if you go back right up here,
25 we're going to watch at about...

1 (Video being played for the witness.)

2 THE WITNESS: Now, may I say something?

3 BY MR. MURPHY:

4 Q. Sure.

5 A. Those are reflections.

6 Q. Okay. Right here at 17:20:53 you see an
7 employee going up?

8 A. Going up to the window. I guess that
9 window, yes.

10 Q. Looking into the room?

11 A. It looks -- it appears that way, yes, sir.

12 Q. All right. Now, is this you walking out?

13 A. I can't really --

14 Q. Back it up a little bit. Do you see...

15 (Video being played for the witness.)

16 BY MR. MURPHY:

17 Q. Now, this is Mr. Brickman walking through
18 here, 17:20:31?

19 MR. ROBINER: Object to the form.

20 BY MR. MURPHY:

21 Q. Do you see that?

22 A. This gentleman here (indicating)?

23 Q. Yes.

24 A. Yes, sir, I did see that.

25 Q. Now, let's see this person walking through

1 here at 17:20:54 along the back wall. 17:21:07,
2 starts walking out towards the front, stops and talks
3 to somebody at 17:21:32. Can you tell me who that is
4 in the back right there speaking to somebody against
5 the window?

6 A. That doesn't --

7 Q. We'll speed it up a little bit. Is that
8 Officer Davis?

9 A. Can you back it up some, please?

10 Q. Certainly, sir.

11 A. And go slower from there.

12 Q. Here at 17:21 --

13 A. By the gate, that is -- that is Officer
14 Davis.

15 Q. Okay. So that's Officer Davis at 17:22:08
16 standing there by the windows?

17 A. Yes.

18 Q. Okay. And this is Officer Davis here at
19 17:22:35.24, sitting here by what we call floral or
20 by those red sale --

21 A. Yes, sir. That is Officer Davis.

22 Q. And that's Mr. Brickman behind him?

23 MR. ROBINER: Object to the form.

24 THE WITNESS: I can't say for sure it is.

25 I --

1 BY MR. MURPHY:

2 Q. Well, let's speed it up a little bit and
3 then see what happens.

4 (Video being played for the witness.)

5 BY MR. MURPHY:

6 Q. Now, at this point, 17:23:40, is that Mr.
7 Brickman talking to Officer Davis?

8 A. That -- it may be. Yes, sir. I can't say
9 for certain. But it appears to be that it is him.

10 Q. And then is that you coming out of the
11 office?

12 A. That's me coming out of the office, yes.

13 Q. 17:24:37. You coming out of the office
14 and you approach Officer Davis and Mr. Brickman.
15 First you stopped to talk to the cashier. Do you
16 recall why you stopped to talk?

17 A. No, sir, I don't recall.

18 Q. And then at 17:25, about 39, you come up
19 and speak with Officer Davis and Mr. Brickman,
20 correct?

21 A. I didn't speak, I just stood there.

22 Q. Okay. Let me speed it up.

23 A. If I did say anything, I don't recall what
24 I said.

25 (Video being played for the witness.)

1 BY MR. MURPHY:

2 Q. And that's where you exited about
3 17:31:05?

4 A. I believe so.

5 Q. Okay. In those six minutes or so that
6 you're standing there with Officer Davis and Mr.
7 Brickman, can you recall what was said?

8 A. No, sir, I don't. I'm sorry. I
9 think -- I think it was pretty much small talk. I
10 don't believe it was about anything about the case
11 that was there, because I don't make it a habit of
12 talking about cases to anyone other than police
13 personnel and that's pretty much it. But Mr.
14 Brickman, he -- even though he was the manager, he
15 didn't need to know what was going on, not by me
16 anyway.

17 Q. Do you recall doing paperwork at the
18 counter there at customer service and speaking with
19 Mr. Duncan after you met with --

20 A. I don't recall that. No, sir.

21 Q. Okay. So you don't recall anything said
22 between yourself and Mr. Duncan during that time?

23 A. After speaking with Ms. Styles, no, sir.
24 I don't.

25 Q. Do you recall being at the counter?

1 A. Beforehand, yes, sir.

2 Q. Beforehand. Was Mr. Brickman there, also?

3 A. For a very short time, I believe.

4 Q. Okay. Do you recall what was said by
5 anybody during that exchange?

6 A. Again, it was just -- I can't remember his
7 name. Mr. Brick- -- no, not Brickman. The other
8 guy.

9 Q. Duncan?

10 A. Duncan -- yes. Mr. Duncan. Like I said,
11 he just met me at the counter there and we just spoke
12 of Ms. Styles, what her position was, what her -- you
13 know, what she had -- according to Mr. Duncan, what
14 she had done and about the situation, that she
15 supposedly gave the stuff to donations or whatever.
16 Other than that, I'm not sure.

17 Q. Did you ever ask Mr. Brickman what he knew
18 about the donations?

19 A. I do recall asking him.

20 Q. Okay.

21 A. And he said there was no donations, if I
22 remember correctly.

23 Q. When did you ask Mr. Brickman about the
24 donations?

25 A. I honestly don't remember, sir.

1 Q. Was it during that --

2 A. It was --

3 Q. -- six minutes?

4 A. It was in the office. I do remember that.

5 There was -- Mr. Brickman was in there for a few
6 minutes, Mr. -- Mr. -- Mr. Brick- -- ah, Brickman --
7 Mr. Duncan. Let me see if I can draw this out
8 correctly. Would you like it on a separate piece of
9 paper?

10 Q. Yes, if you'd like to make a sketch.

11 A. Yes.

12 MR. MURPHY: And we'll mark it as an
13 exhibit.

14 MR. McCUMBER: Do you still have the video
15 pulled up?

16 MR. MURPHY: Say what?

17 MR. McCUMBER: Do you still have the video
18 pulled up?

19 MR. MURPHY: Yeah. I don't have that view
20 of that.

21 THE WITNESS: (Making hand drawn diagram.)
22 (Off-record discussion.)

23 THE WITNESS: Mind you, this is not going
24 to be to scale.

25 (Off-record discussion.)

1 THE WITNESS: So this is the best of my
2 recollection of where we stood. And Mr. Brickman was
3 in there for approximately five to seven minutes.
4 But he was pretty much quiet that whole time. But I
5 did ask -- I believe I did ask him, at one point in
6 there, about the donations. And at that point, he
7 didn't say anything. What he said was there was no
8 donations. And after he said that, he looked at Mr.
9 Duncan for a brief -- for a brief moment, then
10 focused back on me.

11 Q. Okay. So after he said there were no
12 donations he looked over at Mr. Duncan?

13 A. Yes, sir.

14 MR. MURPHY: Can you mark this as 3,
15 please?

16 (Off record discussion.)

17 (Plaintiff's Exhibit No. 1 was marked for
18 identification.)

19 BY MR. MURPHY:

20 Q. Did you ask Mr. Duncan whether he had
21 investigated whether, in fact, these were donations
22 for charity?

23 A. I don't recall. No, sir, I don't.

24 Q. Did you ever speak to Mr. Brickman again
25 about the issue with Lisa Styles, after you left that

1 day?

2 A. No, sir.

3 Q. Did you ever speak to Mr. Duncan again?

4 A. Not after that day. Well, I do
5 remember -- I think he was up here to speak with
6 Chief, at one time. We did have another encounter
7 after that day, but I don't believe I spoke with him
8 in depth of anything. Just more like a, "Good day.
9 How are you?" Then he went in with the Chief.

10 Q. Were you present when he spoke to the
11 Chief?

12 A. I don't believe I was. No, sir.

13 Q. Do you recall him coming to see the Chief?

14 A. That I do. Yes, sir. I do remember that.

15 Q. Did the Chief tell you why Mr. Duncan had
16 come to see him?

17 A. I don't believe so.

18 Q. Did you ever speak to the judge about
19 BI-LO's efforts to prosecute Ms. Styles?

20 A. No, sir. I never spoke with any judge.

21 Q. Do you know whether the Chief did?

22 A. I do not.

23 MR. MURPHY: I don't have anything
24 further, at this time. Thank you, Officer.

25 EXAMINATION

1 BY MR. ROBINER:

2 Q. I have a couple quick follow-up questions.

3 A. Yes, sir.

4 Q. On the day that you went to the BI-LO
5 store that we've been talking about today, May 23rd
6 2018, do you recall whether you were provided with
7 any video footage from the store?

8 A. No, sir, I was not provided any video
9 footage.

10 Q. Okay. Did Mr. Duncan give you a disk or a
11 flash drive of any type?

12 A. Not -- no, sir, he didn't.

13 Q. Okay. And then going back to the incident
14 report and the receipts that you are referring to.
15 Is it possible that you misunderstood what was trying
16 to be shown through these receipts?

17 MR. MURPHY: Object to the form.

18 THE WITNESS: No, sir. Because Mr. -- I
19 want to say Mr. Brickman said, Here's the receipts of
20 what she has taken. I'm not going to quote that, but
21 something similar to that.

22 BY MR. ROBINER:

23 Q. And as you sit here today, though, you say
24 this doesn't make sense that they would show items
25 being rung out?

1 A. What I saw the day of, I saw debit card
2 and change, I think it was a few dollars. And I
3 didn't understand why a debit card had been charged
4 and someone was wanting to press charges on items
5 that were already paid for.

6 Q. Okay. And if you look at the receipt, it
7 refers to a \$50 Lowe's card, a \$50 T.J. Maxx card.

8 A. Maybe -- yeah, here's one for 50. 15.
9 There's one, T.J. Maxx, 0. Cards, AG Everyday 6
10 -- yes, sir.

11 Q. Do you remember any discussions about gift
12 cards being an issue, as far as being taken?

13 A. Oh, no, sir. I didn't extensively look
14 over the receipts when I saw them. But, again, I
15 mean, like I said, it was either Mr. Brickman or Mr.
16 Duncan, I'm not quite sure, but they are the ones
17 that showed me the receipts.

18 Q. Is it possible they were showing you the
19 receipt to show you what Ms. Styles paid for, in
20 order to compare what was on the videotape of what
21 was not paid for?

22 MR. MURPHY: Object to the form.

23 THE WITNESS: No, sir. They said this is
24 what she had taken.

25 BY MR. ROBINER:

1 Q. And you're positive that this is the
2 receipt that they said that?

3 A. Positive, no. But like I said, they did
4 show me a receipt, in a receipt style, saying that
5 this is what she took.

6 Q. If you look at the next page from that
7 receipt, and you see that there's a totally different
8 type of printout.

9 A. Yes, sir.

10 Q. Do you understand what that represents?

11 A. No, sir, I do not.

12 Q. Did they hand you that at the same time?

13 A. No, sir. I didn't have -- this is the
14 first time seeing this.

15 MR. ROBINER: Okay. All right. I don't
16 have anything further.

17 MR. MURPHY: Thank you for your time,
18 Officer.

19 MR. ROBINER: Thank you.

20 (The witness, after having been advised of
21 his right to read and sign the transcript, waives
22 that right.)

23 (Deposition was concluded at 3:08 p.m.)
24
25

CERTIFICATE OF REPORTER

I, MARY K. STEPP, Notary Public for the State of South Carolina at Large, do hereby certify that the foregoing transcript is a true, accurate, and complete record.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 19th day of November, 2019, at Campobello, Spartanburg County, South Carolina.



Mary K. Stepp, Notary Public
My Commission Expires:
March 1, 2028

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REQUESTED INFORMATION

(No information requested.)

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South Carolina Rules of Civil Procedure

Part V. Depositions and Discovery

Court Rule 30

(e) Submission to Witness; Changes; Signing.

When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by him unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days of its submission to him, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the court holds

that the reasons given for the refusal to sign
require rejection of the deposition in whole or in
part.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.



Pendleton Police Department

Officer Incident Report for Incident # 2018-00979

Disposition: **UNFOUNDED**

Incident Date:	From 02-15-2018 10:00 pm GMT -5.00 To 05-23-2018 09:00 am GMT -5.00	Report Created:	05-23-2018 02:10 pm GMT -5.00
Incident Type:	Larceny/Theft Offenses - All Other Larceny (23H)	Reported By:	Glenn, Carl (US0118800000006V)
Origination:	Phone	Reporting Agency:	Pendleton Police Department
Current Status:	Approved, Access Level 1	Reported From:	IP ADDR 24.213.117.50
Incident Location:	7709 US-76 Pendleton, SC 29670 US	Jurisdiction:	This Jurisdiction
Incident Lex #:	IN01717E000000NL	Assigned To:	Glenn, Carl (US0118800000006V)
		Agency:	Pendleton Police Department

Jacket Notes: none.

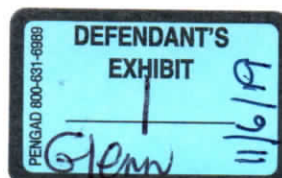
LOCATION:

Name:	Bi-Lo	Location Lex #:	LO019DWF00000008
Address:	7709 US-76 Pendleton, SC 29670 US	Units Entered:	
Latitude / Longitude:	34.6343169 / -82.7854773	Forced Entry:	No
Location Type:	Grocery/Supermarket (12)	Location Notes:	
Zone / Beat:	/		

ARRESTS / ARREST OFFENSES:

name	party type	offense code	statute	description	off status

No arrests associated with this incident.



PARTIES:

name	party type	arrested	injured	description	lex #
Bi-Lo	Victim	No	No	'C' Corporation	0
Brickman, Michael Craig	Complainant	No	No	White, M, lbs, 0' 0", DOB:	EP017F6V000001DH
Duncan, Olin Ronald	Complainant	No	No	White, M, lbs, 5' 10", DOB:	EP017F60000001AK
Styles, Lisa Marie	Suspect	No	No	White, F, 145 lbs, 5' 1", 37 (at time of incident), DOB: 08-24-1980	EP017J4W0000019I
864-934-6609 (mobile)					

VEHICLES:

No vehicles specified.

NARRATIVE:

05-23-2018 16:36:18 (GMT -5.00)

GLENN, CARL

US01188O0000006V

I was dispatched to the above IncIdent location in reference to a "Breach-of-Trust." After arrival I spoke with the above complainant #1, who is the Loss Prevention officer for the above victim. He told me the above subject had taken items from the victim inwhich she was entrusted to safeguard and/ or sell. The subject took the items for her personal use without giving any type of compensation. The subject is an employee of the above victim. After speaking with the complainant #1 I spoke with the victim. I cited "Miranda" to the subject then asked the subject for her personal information, i.e., name, d.o.b., address, phone number, etc.... The subject did admit to the act, the subject also wrote a statment to the fact of her committing the act. I also received printouts of the items taken from complainant #1. Approximate total amount of items taken \$450.00. Nothing further.

05-24-2018 15:45:07 (GMT -5.00)

BURDETTE, DOYLE

US0118AJ00000022

Ms. Styles came into the office concerning the incident which happened yesterday at Bi-Lo. I asked her about the statement she provided and she stated that was a copy of the statement given to Loss Prevention. She stated she had been told she had to provide a statement. She refused several times but was told she had to provide a statement before she could leave the office and they told her what to put in the statement. She was then told if she paid back the \$450 the police would not be called. She purchased a money order for that amount there at the store and gave the money order to them. She was then told the police had been called. I asked her to provide a statement of the incident and she did. She stated she would also take a polygraph examination if necessary. She stated she believes this incident stems from a complaint her and several others made on the current store manager (Brickman) which he was informed of. She states the store has helped AIM with charitable donations for the kids for Easter for several years. AIM came to them again this year and she informed her store manager who told her to proceed with the donations. Due to information being given back and forth between AIM and Styles there were three donations at different times. She states she told the manager (Brickman) and he stated to deliver the donations and he would ring it up since she could not ring up the donations. She states the incidents of merchandise leaving the store she is being accused of are those donations he stated he would ring up and he told her to collect and deliver. According to the Loss Prevention report he (Brickman) states he never had a conversation concerning the donations with her. I will speak with Brickman and Loss Prevention at a later date.

05-25-2018 15:37:53 (GMT -5.00)

BURDETTE, DOYLE

US0118AJ00000022

On 05/25/18 at approximately 1215 I spoke with the manager, Michael Brickman (10/25/1969) about the incident. I had a question concerning the timing of the reporting of the incident. He appeared nervous and questioned whether he was supposed to be talking to me about the incident. I explained it was part of the investigation. He suggested he should call loss prevention but then decided not to. I asked why, according to the report from loss prevention, he reported incidents which occurred in the middle of March on April 30th. He said he couldn't remember when he had called loss prevention. He told me he was going to call Ronnie Duncan with loss prevention to see if it was OK for him to speak with me and to find out when he contacted him. He contacted Duncan and then stated Duncan told him he could answer my questions and Duncan told him they had first spoken on April 11th. In regards to the question of the timing, he stated the store was supposed to get a "deep clean" of the bathrooms and when he came in the next morning he checked the camera to see if they were there the night before. He states they were not there and neither was the manager (Styles) who was supposed to be working. He states managers often have other employees close the store but they are supposed to let him know if they change their schedule. He states he began looking through other times Styles was working and that is when he found she was taking items. I then asked about donations. He stated the store did provide donations to charities. This is done with a gift card or other ways. I asked if he and Styles had discussed a donation and he stated not that he was aware of. I asked if he instructed her to take the donations to the charity and he stated he did not. I then told him that since this was developing into a case of he said/she said, would he be willing to submit to a polygraph examination. He hesitantly stated he would and then amended that by stating he would have to check with corporate but he would if it was OK with them. He stated throughout the interview he just reported the actions, he did not have anything to do with the investigation and I should speak with Duncan. I told him I appreciated him answering the questions and I would speak with Duncan.

05-25-2018 15:58:38 (GMT -5.00)

BURDETTE, DOYLE

US0118AJ00000022

On 05/25/18 at approx. 1535 I spoke with Ronnie Duncan who is the loss prevention officer who investigated the incident. He stated the date of April 30th on his statement was when he started the review. He stated he was actually contacted on April 11th. I asked if the items taken matched what would usually be for donations and he stated there was shampoo and other things. I asked if the items were for a donation and he stated the new manager (Brickman) had refused to donate this year. He stated Brickman had told them they were not doing donations. He interrupted my next question and asked if I knew that she had paid for the loss. I stated I did. I asked if he told her she must write a statement before she could leave and he stated he did not. I asked if he told her what to write and he said he told her to "put her name, address and a line stating she spoke to Ronnie Duncan concerning," and then what they had discussed. He stated she could have left at anytime. I asked if they made her pay and he stated they did not. He stated she offered to pay from the beginning. He stated she could pay the judge on the court date. He stated he did tell her before they would allow her to do PTI it has to be paid. I will contact the HR rep. Ken Miller after the holiday.

05-29-2018 15:38:18 (GMT -5.00)

BURDETTE, DOYLE

US0118AJ00000022

I contacted Miller and he returned my call on 05/29/18. I asked him about the interview and if they had told Styles she could not leave until she provided a statement. He stated they did not say that. I asked him how the amount of \$450 was reached and he stated that was an estimate agreed upon by Styles. He stated she paid the amount prior to leaving the day she was terminated. I asked if he was aware of a HR complaint by Styles against Brickman. He stated that complaint was handled by the Jacksonville office. When asked when the complaint had been presented to Jacksonville he stated he believed it was in late March or April. I asked if Brickman was aware a complaint had been lodged against him and he stated Brickman did know. I asked if there had been any other issues with Styles he was aware of during her employment and he stated none he was aware of. He further stated it was "quite a surprise" to hear the allegations against her since he had heard "only good things" about her since 2014 when he first came to the area. I also spoke with Styles and asked her to forward me the emails she had exchanged with the program director at Anderson Interfaith Ministries regarding the donations. She sent the emails which show she delivered the donation on March 28th. I also spoke with Judge Whitman regarding warrants for the Breach of Trust. He denied a warrant for Breach of Trust on the grounds there was no personal gain by Styles, stating that was one of the elements of Breach of Trust. Not only was there no personal gain but she had paid Bi-Lo \$450 and they were therefore out nothing. This case is unfounded.

SUPPLEMENTAL:

no entries.

ADMINISTRATION:

disposition	reviewed by	review date	cleared by	cleared date
Unfounded	Burdette, Doyle	05-29-2018 11:38 am GMT -5.00	Burdette, Doyle	05-29-2018 11:38 am GMT -5.00

Cover Page Printed: 07-30-2018 10:43 am GMT -5.00





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Loyalty Card History** - For AP Portal

The report was generated by Ronnie Duncan on 5/4/2018 12:04 PM.

Showing: All Transactions

If: Loyalty Card Is the Same As 044160090571 AND

Trans End Date Is Between Thu 1 Mar 2018, Mon 30 Apr 2018

Displaying top 72 results

Store No	Cashier No	Register Number	Trans No	Trans End Date	Trans Amount
5566	827958	1	205	4/29/2018 10:08:00 PM	16.85
5097	831209	10	130	4/27/2018 7:21:00 PM	86.98
5566	741074	4	255	4/27/2018 5:24:00 PM	27.90
5566	840299	3	36	4/27/2018 11:28:00 AM	7.38
5566	834272	1	151	4/26/2018 9:58:00 PM	4.92
5566	626201	31	52	4/26/2018 5:20:00 PM	1.80
5566	626201	31	25	4/26/2018 2:20:00 PM	0.95
5566	628401	2	83	4/25/2018 6:20:00 PM	57.75
5566	768523	3	86	4/25/2018 2:56:00 PM	1.36
5566	843866	4	161	4/25/2018 2:12:00 PM	0.95
5566	741074	31	62	4/23/2018 10:05:00 PM	13.63
5566	627568	31	40	4/23/2018 4:04:00 PM	0.95
5566	827958	2	77	4/22/2018 4:43:00 PM	50.25
5566	834272	1	180	4/21/2018 10:08:00 PM	6.72
5566	662497	2	78	4/21/2018 4:38:00 PM	2.83
5566	768523	4	141	4/20/2018 1:42:00 PM	0.95
5566	768523	4	63	4/20/2018 9:31:00 AM	11.18
5566	628057	1	192	4/18/2018 10:02:00 PM	40.11
5566	768523	4	149	4/18/2018 2:38:00 PM	2.75
5566	827958	1	94	4/17/2018 6:19:00 PM	3.68
5566	843866	3	62	4/17/2018 12:28:00 PM	7.86
5566	839015	3	194	4/15/2018 4:17:00 PM	27.15
5097	840858	7	132	4/15/2018 3:49:00 PM	78.59
5566	839015	3	56	4/15/2018 10:53:00 AM	3.70
5566	839015	3	47	4/15/2018 10:28:00 AM	8.71
5566	839015	1	231	4/14/2018 9:28:00 PM	10.87

5566	626201	31	73	4/14/2018 6:33:00 PM	11.52
5566	821751	1	143	4/12/2018 10:02:00 PM	18.30
5566	839015	2	173	4/12/2018 7:39:00 PM	1.80
5566	806699	1	206	4/11/2018 10:05:00 PM	18.13
5566	806699	1	188	4/11/2018 9:19:00 PM	17.46
5566	626201	31	83	4/11/2018 7:15:00 PM	3.59
5566	626201	31	69	4/10/2018 6:01:00 PM	9.93
5566	626201	31	37	4/10/2018 2:25:00 PM	7.63
5566	626201	31	19	4/10/2018 12:03:00 PM	0.66
5566	627568	31	67	4/9/2018 7:03:00 PM	17.12
5566	789255	1	152	4/5/2018 8:33:00 PM	22.23
5566	626201	31	60	4/5/2018 4:34:00 PM	1.90
5566	643065	1	142	4/4/2018 10:11:00 PM	8.27
5097	829388	9	222	4/4/2018 5:34:00 PM	81.53
5566	643065	31	61	4/4/2018 2:42:00 PM	4.27
5566	821751	2	99	4/3/2018 6:52:00 PM	24.57
5566	643065	31	67	3/30/2018 3:44:00 PM	2.85
5566	768523	4	83	3/30/2018 11:26:00 AM	3.59
5566	789199	2	114	3/29/2018 10:02:00 PM	36.04
5566	827958	1	283	3/24/2018 10:00:00 PM	98.34
5566	806699	2	153	3/23/2018 10:03:00 PM	9.94
5097	831209	8	166	3/21/2018 5:37:00 PM	83.28
5566	768523	5	37	3/20/2018 5:20:00 PM	53.64
5566	627568	31	54	3/20/2018 4:45:00 PM	0.95
5566	840299	1	26	3/20/2018 2:02:00 PM	1.66
5566	628401	2	12	3/20/2018 10:18:00 AM	1.61
5566	785091	4	47	3/19/2018 9:34:00 AM	2.46
5566	821746	1	135	3/17/2018 10:03:00 PM	141.36
5566	627568	31	27	3/16/2018 2:31:00 PM	1.80
5566	839015	1	236	3/14/2018 10:04:00 PM	19.68
5566	627568	31	59	3/13/2018 6:34:00 PM	27.92
5566	628401	2	7	3/13/2018 11:45:00 AM	2.85
5566	806699	2	190	3/11/2018 4:42:00 PM	65.21
5566	701988	31	28	3/11/2018 3:38:00 PM	13.19
5566	701988	31	1	3/11/2018 9:19:00 AM	8.30
5566	839015	1	148	3/9/2018 10:04:00 PM	10.20
5566	839015	1	100	3/9/2018 7:18:00 PM	1.90
5566	827958	1	143	3/7/2018 9:59:00 PM	37.54
5566	821746	1	65	3/4/2018 4:15:00 PM	30.95

5566	701988	31	38	3/4/2018 11:51:00 AM	0.00
5097	840858	9	202	3/3/2018 6:15:00 PM	58.39
5566	834272	1	105	3/3/2018 5:33:00 PM	3.60
5566	834272	1	101	3/3/2018 5:25:00 PM	34.71
5566	789199	4	113	3/3/2018 1:51:00 PM	3.59
5566	626201	31	90	3/1/2018 6:51:00 PM	1.80
5566	821746	4	74	3/1/2018 10:26:00 AM	4.35


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#5566 South Carolina
7709 Hwy. 76 8545467754

***** BILO *****

**** CHECKOUT TRANSACTION ****

	TWIX CARAMEL FUN SIZE 6PK	1.25
	4000046410	
	M&M MILK CHOC FUN SZ 6PK	1.25
	4000049841	
PC 0025	LOYALTY DISCOUNT	0.25-
	0300010025	
	DH CONFETTI CAKE MIX	2.89
	064420941455	
	DH PS FOR 1 CINN FR TST CK	3.49
	064420940471	
	DH PS FOR 1 CONFETTI CK	3.49
	064420942505	
	BC RAINBOW CHIP FROSTING	1.89
	1600046070	
	CM BAKE CUP WHITE MINI	2.39
	7116923832	
	SEG SWEET ICED TEA	1.29
	3825911240	
	SEG SWEET ICED TEA	1.29
	3825911240	
	MOUNT DEW 200Z NRB	1.89
	12000000131	
8940	LOWES 50 GIFT CARD	50.00
	7675008940	
8706	STARBUCKS15	15.00
	7675008706	
4641	TJMAXX50	50.00
	7675004641	
	CARDS A.C. EVERYDAY	6.69
	6898183554	
PC 0025	LOYALTY DISCOUNT	0.25-
	0300010025	
PC 9389	SA ASSOC REWARD	1.36-
	039389	
	Tax	0.61
****	BALANCE	141.36

*****3791

Swiped
Debit Card \$145.36
Change \$4.00

PLENTI CARD: 8649346609

LOYALTY CARD: 044160090571
Staff Discount

Total Loyalty Discount Amount: \$0.50

POINTS THIS VISIT: 187
BASE POINTS EARNED: 71
BONUS POINTS EARNED: 116
AVAILABLE POINTS: 2052

Start Time: 10:00:57 PM
Total Scan Time: 57 seconds
Total Tender Time: 1 minute 6 seconds
Total Time: 2 minutes 3 seconds

TOTAL NUMBER OF ITEMS SOLD = 11
 03/17/18 22:03 5566 1 135 821746

(CB) BLACKHAWK CARD ACTIVATION: APPROVED
 50.00
 Card Number: *****6369

(CB) BLACKHAWK CARD ACTIVATION: APPROVED
 15.00
 Card Number: *****3023

(CB) BLACKHAWK CARD ACTIVATION: APPROVED
 50.00
 Card Number: *****3988

All Gift Card/Wireless Sales are Final
 Not Responsible for Lost/Stolen Items

Approved activation may take 24 hours
 03/17/18 22:03:00 5566 1 135 821746

Time	Elapsed	Action	Qty	ID	Entry Mode	Amount	IV	PO	IR	Information
10:00 PM	0s									
10:03 PM	0s	Item Scan	1	4000046410	Scanned/Swiped	\$1.25				
10:03 PM	0s	Item Scan	1	4000049841	Scanned/Swiped	\$1.25				
10:03 PM	0s	Item Discount	1	0300010025	Item Code Linked	\$-0.25				Loyalty Discount / Store Coupon
10:03 PM	0s	Item Scan	1	064420941455	Scanned/Swiped	\$2.69				
10:03 PM	0s	Item Scan	1	064420940471	Scanned/Swiped	\$3.49				
10:03 PM	0s	Item Scan	1	064420942505	Scanned/Swiped	\$3.49				
10:03 PM	0s	Item Scan	1	1600046070	Scanned/Swiped	\$1.89				
10:03 PM	0s	Item Scan	1	7116923832	Scanned/Swiped	\$2.39				
10:03 PM	0s	Item Scan	1	3825911240	Scanned/Swiped	\$1.29				
10:03 PM	0s	Item Scan	1	3825911240	Scanned/Swiped	\$1.29				
10:03 PM	0s	Item Scan	1	1200000131	Scanned/Swiped	\$1.89				
10:03 PM	0s	Item Scan	1	7675008940	Scanned/Swiped	\$50.00				Misc. Sale
10:03 PM	0s	Item Scan	1	7675008706	Scanned/Swiped	\$15.00				Misc. Sale
10:03 PM	0s	Item Scan	1	7675004641	Scanned/Swiped	\$50.00				Misc. Sale
10:03 PM	0s	Item Scan	1	6898183554	Scanned/Swiped	\$6.69				
10:03 PM	0s	Item Discount	1	0300010025	Item Code Linked	\$-0.25				Loyalty Discount / Store Coupon
10:03 PM	0s	Item Discount	1	039389	Item Code Linked	\$-1.36				Loyalty Discount / Store Coupon
10:03 PM	0s	Tender	1	Acct# 5507290000003791	Scanned/Swiped	\$145.36				Debit Card Tendered CashBack \$4.00
10:03 PM	0s	Tender	1		Internal	\$-4.00				Change
10:03 PM	0s	Gift Card Purchase	nttttttt1ntttttt	076750000000000000000000000006369	Scanned/Swiped	\$0.00				
10:03 PM	0s	Gift Card Purchase	nttttttt1ntttttt	076750000000000000000000000003023	Scanned/Swiped	\$0.00				
10:03 PM	0s	Gift Card Purchase	nttttttt1ntttttt	076750000000000000000000000003988	Scanned/Swiped	\$0.00				
10:03 PM	0s									Transaction Complete


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#5566 South Carolina
7709 Hwy. 76 8646467754

***** BILO *****

** CHECKOUT TRANSACTION **

DATE OF BIRTH: Cashier Bypass

OLIVE GARDEN LT ITLN SLD DRNG	3.99
7020083811	
CHUNGS CKN EGG ROLL 4CT	3.99
1125108805	
GG BIB LIMA BEANS/BTR SAU	2.19
2000000190	
GG BIB LIMA BEANS/BTR SAU	2.19
2000000190	
SEG HASH BROWN Patties	2.00
3825910154	
CM REG NACHO LUNCHABLE	2.00
4470036035	
O M REG L'BLE PEPP PIZZA	2.00
4470002410	
O M L'BLE CHEESE PIZZA	2.00
4470002411	
BR STMFRSH CORN/BUTTER	2.89
1450002346	
CM FUN PACK CHICKEN DUNKS	2.99
4470000680	
SE GROCERS APPLE JUICE 6PK	3.69
3825910901	
EASTER EGGS BRT/PSTL 12CT	0.99
1154638441	
EASTER COLOR EGGS 6CT	0.99
1154638443	
EASTER COLOR EGGS 6CT	0.99
1154638443	
EASTER EGGS BRT/PSTL 12CT	0.99
1154638441	
ENT LB CHOCHIP MINI MUFFN	4.69
7203001353	
ENT LB CHOCHIP MINI MUFFN	4.69
7203001353	
FI COOKIN BITES CNCHY 5CT	3.79
1600010931	
KEL SPK PASTY CRIPS STRAWBERRY	2.99
3800016778	
SEG SWEET ICED TEA	1.29
3825911240	
SEG SWEET ICED TEA	1.29
3825911240	
SEG SWEET ICED TEA	1.29
3825911240	
M&M MILK CHOC FUN SZ 6PK	1.25
4000049841	
TWIX CARAMEL FUN SIZE 6PK	1.25
4000046410	
EASTER COLOR EGGS 6CT	0.99
1154638443	
EASTER COLOR EGGS 6CT	0.99
1154638443	
EASTER EGGS BRT/PSTL 12CT	0.99
1154638441	
EASTER COLOR EGGS 6CT	0.99
1154638443	
MOUNT DEW 200Z NRB	1.89
1200000131	
KEL RRT W/ M&M MINIS	2.99
3800015112	

Start Time:	9:56:42 PM
Total Scan Time:	1 minute 59 seconds
Total Tender Time:	1 minute 19 seconds
Total Time:	3 minutes 18 seconds

	NOODLE-RONI FETTUCCINE	1.25
	1530044035	
	NOODLE-RONI HAIR PARMESAN	1.25
	1530044049	
	SKITTLES FUN SIZE-EASTER	2.99
	4000006160	
	SKITTLES FUN SIZE-EASTER	2.99
	4000006160	
	3 MUSKETEERS FUN SIZE 6PK	1.25
	4000046411	
	UB READY RICE 4 CHERSE	2.29
	5480020762	
	UB READY RICE 4 CHERSE	2.29
	5480020762	
	SEC SWEET ICKD TEA	1.29
	3825911240	
	MR CLEAN LQ TROPICAL SUN 400Z	3.49
	3700099181	
	MARL MN GOLD PK	6.49
	2820000401	
RC 7873	LOYALTY DISCOUNT	1.09-
	0300027873	
	GOOD SEASON ITAL DRESSING	1.99
	4300097940	
WT	NAT BET THIN SLICED BREAST	6.89
1.15 lb. @ \$5.990		
	024041400000	
WT	NAT BET BREAST TENDERS	6.05
1.01 lb. @ \$5.990		
	024041500000	
	MOUNTAIN DEW 6 PK	3.99
	1200050408	
	FW COOKED SHRIMP 41/50	15.99
	2114003261	
	SPRITE 6 PK	3.99
	49000002470	
RC 0023	LOYALTY DISCOUNT	0.50-
	0300010023	
RC 0008	LOYALTY DISCOUNT	2.35-
	0300010008	
RC 0008	LOYALTY DISCOUNT	2.35-
	0300010008	
RC 0008	LOYALTY DISCOUNT	1.10-
	0300010008	
RC 0008	LOYALTY DISCOUNT	1.10-
	0300010008	
RC 0038	LOYALTY DISCOUNT	1.00-
	0300010038	
RC 0038	LOYALTY DISCOUNT	1.00-
	0300010038	
RC 0038	LOYALTY DISCOUNT	1.00-
	0300010038	
RC 5647	LOYALTY DISCOUNT	0.25-
	0300015647	
RC 5647	LOYALTY DISCOUNT	0.25-
	0300015647	
RC 5647	LOYALTY DISCOUNT	0.25-
	0300015647	
RC 5647	LOYALTY DISCOUNT	0.25-
	0300015647	
RC 5647	LOYALTY DISCOUNT	0.25-
	0300015647	
RC 5647	LOYALTY DISCOUNT	0.25-
	0300015647	
RC 5647	LOYALTY DISCOUNT	0.25-
	0300015647	
RC 0025	LOYALTY DISCOUNT	0.25-
	0300010025	
RC 0025	LOYALTY DISCOUNT	0.25-
	0300010025	
RC 0025	LOYALTY DISCOUNT	0.25-
	0300010025	
RC 7443	LOYALTY DISCOUNT	0.27-
	0300017443	
RC 7443	LOYALTY DISCOUNT	0.27-
	0300017443	
RC 0005	LOYALTY DISCOUNT	0.99-
	0300010005	
RC 0005	LOYALTY DISCOUNT	0.99-

0300010005
 RC 6755 LOYALTY DISCOUNT 0.99-
 0300016755
 RC 1165 LOYALTY DISCOUNT 0.58-
 0300011165
 RC 1165 LOYALTY DISCOUNT 0.51-
 0300011165
 RC 2781 LOYALTY DISCOUNT 0.65-
 0300012781
 RC 6041 LOYALTY DISCOUNT 8.00-
 0300016041
 RC 9389 5% ASSOC REWARD 4.84-
 039389
 BO Fuel Perks 0.01
 Tax 0.93
 **** BALANCE 98.34

*****3791

Swiped
 Debit Card \$98.34
 Change \$0.00

PLENTI CARD: 8649346609

LOYALTY CARD: 044160090571
 Staff Discount

Total Loyalty Discount Amount: \$27.49

POINTS THIS VISIT: 48
 BASE POINTS EARNED: 48
 BONUS POINTS EARNED: 0
 AVAILABLE POINTS: 2299

TOTAL NUMBER OF ITEMS SOLD = 46
 03/24/18 22:00 5566 1 283 827958

Time	Elapsed	Action	Qty	ID	Entry Mode	Amount	IV	PO	IR	Information
9:56 PM	0s									
10:00 PM	0s	Item Scan	1	7020083811	Scanned/Swiped	\$3.99				
10:00 PM	0s	Item Scan	1	1125108805	Scanned/Swiped	\$3.99				
10:00 PM	0s	Item Scan	1	2000000190	Scanned/Swiped	\$2.19				
10:00 PM	0s	Item Scan	1	2000000190	Scanned/Swiped	\$2.19				
10:00 PM	0s	Item Scan	1	3825910154	Scanned/Swiped	\$2.00				
10:00 PM	0s	Item Scan	1	4470036035	Scanned/Swiped	\$2.00				
10:00 PM	0s	Item Scan	1	4470002410	Scanned/Swiped	\$2.00				
10:00 PM	0s	Item Scan	1	4470002411	Scanned/Swiped	\$2.00				
10:00 PM	0s	Item Scan	1	1450002346	Scanned/Swiped	\$2.89				
10:00 PM	0s	Item Scan	1	4470000680	Scanned/Swiped	\$2.99				
10:00 PM	0s	Item Scan	1	3825910901	Scanned/Swiped	\$3.69				
10:00 PM	0s	Item Scan	1	1154638441	Scanned/Swiped	\$0.99				
10:00 PM	0s	Item Scan	1	1154638443	Scanned/Swiped	\$0.99				
10:00 PM	0s	Item Scan	1	1154638443	Scanned/Swiped	\$0.99				
10:00 PM	0s	Item Scan	1	1154638441	Scanned/Swiped	\$0.99				
10:00 PM	0s	Item Scan	1	7203001353	Scanned/Swiped	\$4.69				
10:00 PM	0s	Item Scan	1	7203001353	Scanned/Swiped	\$4.69				
10:00 PM	0s	Item Scan	1	1600010931	Scanned/Swiped	\$3.79				
10:00 PM	0s	Item Scan	1	3800016778	Scanned/Swiped	\$2.99				



PENDLETON POLICE DEPARTMENT

310 Greenville Street

Pendleton, South Carolina 29670



STATEMENT FORM

DATE: 05/24/18 TIME: 14 14

You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you can not afford an attorney one will be appointed to you by the state. Do you understand these rights as I have read them to you? Yms

Lisa Styles 8/24/1980 1011 Shennanadoah Drive Anderson
South Carolina, 29625 864-934-6609

Beginning in March of 2018 a request for donations to assist AIM a local charity began coming in as they have for about seven years. I spoke with Mike Brichman the store manager about the donations. He agreed we could ^{continue} our support of AIM. So I began collecting the items over several weeks to assist in making their easter baskets. (candy, eggs, grass, etc. (shampoo, and healthcare items.) All of this product was given to charity and not a personal items taken to my home or for my personal use. Mike asked me to deliver the items so I did. He stated he would ring them up using a donation gift card.

SIGNATURE

Lisa M Styles

pg 1



PENDLETON POLICE DEPARTMENT
310 Greenville Street
Pendleton, South Carolina 29670



STATEMENT FORM

DATE: 05/24/2018 TIME: _____

You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you can not afford an attorney one will be appointed to you by the state. Do you understand these rights as I have read them to you? _____

On 5/23 at my job Ronnie Duncan and Ken Miller called me to into the office to question me about items being taken out of the building. I stated I do not know what you are talking about. He began to tell me some items and how I was placing these items on Reg 6 or in floral. I then knew what he was talking about. I said yes those were donations. Ronnie said "yes I could tell from what it was that they were donations." He then informed that they had never been rung up. I said no not by me. Mike approved them and said he would handle. I was then informed that he was claiming this never took place. Ronnie told me I had to give a statement.

SIGNATURE _____

pg 2



PENDLETON POLICE DEPARTMENT

310 Greenville Street

Pendleton, South Carolina 29670



STATEMENT FORM

DATE: 5/24/2018 TIME: _____

You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you can not afford an attorney one will be appointed to you by the state. Do you understand these rights as I have read them to you? _____

I stated I did not want to give a statement. I repeated that several times. I was then informed I could not leave without a statement being given. So I agreed to write it. Bonnie told me to write my name address and that I had took items from Aqual and the guess amount in dollars was \$450.00. That I was willing to pay this back to the company. I also had given Bonnie information about lottery tickets that had been missing and donations going out the back door to an unauthorized charity. He stated I had to also put that in the statement. My statement on 5/23 was under stress and duress over not being able to leave. After giving my statement

SIGNATURE Aura M. Styer

pg 3



PENDLETON POLICE DEPARTMENT
310 Greenville Street
Pendleton, South Carolina 29670



STATEMENT FORM

DATE: 5/24/2018 TIME: _____

You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you can not afford an attorney one will be appointed to you by the state. Do you understand these rights as I have read them to you? _____

I asked could I ~~spoke~~ they said yes and I was escorted outside by Ken Miller. When I returned I asked if I could purchase a drink. Bonnie followed me to the register to allow me to purchase my drink. We then returned to the office and Bonnie said if you are willing to pay back the \$450 w/ a money order. This will all be over. I agreed and purchased my money order and that day. Bonnie stepped outside of office and then returned informing he had called the police to come out. The officer arrived and tried speaking to me I informed I had nothing to say. The officer informed me of my rights and he would contact me after to inform

SIGNATURE Rosa M Styl

pg 4



PENDLETON POLICE DEPARTMENT
310 Greenville Street
Pendleton, South Carolina 29670



STATEMENT FORM

DATE: 5/24/18 TIME: _____

You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to an attorney. If you can not afford an attorney one will be appointed to you by the state. Do you understand these rights as I have read them to you? _____

me when I needed to turn myself in. I said ok. After the officer left Bonnie took me to the service desk to purchase the money order and I then handed it over to him. I was asked do I have any personal items I said yes but I just want to leave. Then Miller then spoke up and informed my employment was terminated at this time. I said ok and left.

I was in the office with Bonnie and Ken from 12:00 pm to 1:49 pm and not allowed to leave without them in my presence.

I am also willing to take a polygraph to prove I did not take these items for personal gain.

SIGNATURE Rita M. Styer

pg 5

RONNIE DUNCAN
April 11th first contact
Started review on April 30

Shampoo
Groceries (Two arm fulls)

One box she kept putting Easter
stuff in.

Manager refused he told them
they were not
going to do
statement
She paid

No didn't ~~let~~ make her write

She could have left at anytime
What

No didn't make her pay

Kenn Miller - 864-286-2850

Before you do PT1 it has to
paid

Ronnie Duncan

On 4/30/18, I received a call from Store Manager, Mike Brickman informing me that he suspected his CSM was not paying for everything. Brickman stated that while viewing CCTV, he observed CSM, Lisa Styles take product from the aisle, put it in a plastic bag and place it on the floral counter. Brickman stated that Styles purchase some groceries and picked the plastic bag up on her way out to her car.

Review of CCTV on 3/17/18 at 18:15, shows Styles go to the cereal aisle and pick up several items in the cereal bar section.

At 18:16, Styles is seen carrying an arm full of product to the floral counter and sits it down.

At 21:48, Styles goes to register # and gets several empty grocery bags and carries them to the Floral counter, where she bags up the groceries put there earlier.

At 21:55, Styles goes to the HBC aisle, gets merchandise out of the red HBC tote and gets an item from the lip care section.

At 21:56, Styles brings the items to the front and puts the product into an empty grocery bag at register #5.

At 21:56, Styles places that bag on the Floral counter.

At 22:10, Styles goes through a register to purchase a few items (Note 2). She then pushes her shopping cart to the Floral counter, picks up the bags she had left sitting on the Floral counter and puts them in her buggy. Styles pushes the shopping cart toward the office, picks up an empty grocery bag and puts a greeting card in it. Styles sets the alarm and leaves the store with the shopping cart.

Review of CCTV on 3/24/18 at 20:25, shows Styles takes three items from a red tote sitting on the HBC aisle to the front end.

At 20:26, Styles puts the three green bottles in a blue plastic grocery bag at register #5. Then Styles takes the grocery bag to the Floral counter and leaves it sitting there.

At 22:00, Styles has her grocery order rang up at register #1 and pays for these groceries (Note 1).

At 22:00, Styles pushes her buggy to the Floral counter. She picks up two or three pre-packed blue grocery bags with items in them and places them in her buggy.

At 22:09, Styles pushes the buggy out the door as she is leaving for the night. Styles puts the groceries in her car.

Review of CCTV on 3/24/18 at 21:42, shows Styles picks up a large paper towel box sitting next to the last register and puts it in a shopping cart.

At 21:44, Styles pushes the cart with the box outside and places it in her car.

Regards,

Ronnie Duncan, C.O.R.C.I.

Asset Protection Specialist

Southeastern Grocers LLC

208 BI-LO Blvd, Greenville, SC 29607

C. 864.350.3063 T. 864.286.2841 F. 864.286.2883

ronnieduncan@segrocers.com

www.segrocers.com

Doyle Burdette

From: Lisa Styles <styleslisa@att.net>
Sent: Tuesday, May 29, 2018 10:55 AM
To: Doyle Burdette
Subject: Fwd: Easter Basket
Attachments: Easter Basket info.docx

Sent from my iPhone

Begin forwarded message:

From: Marla Cobb <marla.cobb@aimcharity.org>
Date: March 20, 2018 at 4:07:08 PM EDT
To: "styleslisa@att.net" <styleslisa@att.net>
Subject: Easter Basket

Lisa,

Again we can not thank you enough! We are so appreciative that you guys are taking this on. I am sending a sheet with all the info.. my numbers are below.. holler if you need anything!!!!!!

Marla Y. Cobb, WACS Program Director
Anderson Interfaith Ministries

marla.cobb@aimcharity.org
(864) 965-9084
(864) 221-8443

NAME: Mason

AGE: 4yr

GENDER: Male

FOOD ALLERGIES: None

NAME: Nolan

AGE: 4yr

GENDER: Male

FOOD ALLERGIES: None

NAME: Brynnley

AGE: 4yr

GENDER: Female

FOOD ALLERGIES: None

NAME: Raymie

AGE: 7yr

GENDER: Female

FOOD ALLERGIES: None

NAME: Holden

AGE: 4yr

GENDER: Male

FOOD ALLERGIES: None

NAME: Emerson

AGE: 1yr

GENDER: Female

FOOD ALLERGIES: None

NAME: JaCari

AGE: 4yr

GENDER: Male

FOOD ALLERGIES: None

NAME: Jordan

AGE: 2yr

GENDER: Male

FOOD ALLERGIES: None

NAME: Allie

AGE: 11yr

GENDER: Female

FOOD ALLERGIES: **Kiwi**

NAME: Chad David

AGE: 3yr

GENDER: Male

FOOD ALLERGIES: None

NAME: Emmalee

AGE: 2yr

GENDER: Female

FOOD ALLERGIES: **Lactose intolerant, allergic to peanuts, red dye and yellow dye**

NAME: Spice

AGE: 3 yr

GENDER: Female

FOOD ALLERGIES: None

NAME: Tarahji

AGE: 6yr

GENDER: Male

FOOD ALLERGIES: None

NAME: Amiya

AGE: 9yr

GENDER: Female

FOOD ALLERGIES: None

NAME: Mylashia

AGE: 7yr

GENDER: Female

FOOD ALLERGIES: None

NAME: Tybloshe

AGE: 17 yr

GENDER: Male

FOOD ALLERGIES: None

NAME: OMarien

AGE: 11yr

GENDER: Male

FOOD ALLERGIES: None

Doyle Burdette

From: Lisa Styles <styleslisa@att.net>
Sent: Tuesday, May 29, 2018 10:55 AM
To: Doyle Burdette
Subject: Fwd: Hey lady

Sent from my iPhone

Begin forwarded message:

From: Marla Cobb <marla.cobb@aimcharity.org>
Date: March 28, 2018 at 1:39:23 PM EDT
To: Lisa Styles <styleslisa@att.net>
Subject: Re: Hey lady

You can let me know what is convenient! I will be here until 5:00 this afternoon and then I pick Gray up at softball practice~ Whatever is best 😊

Marla Y. Cobb, WACS Program Director
Anderson Interfaith Ministries

marla.cobb@aimcharity.org
(864) 965-9084
(864) 221-8443

From: Lisa Styles <styleslisa@att.net>
Sent: Wednesday, March 28, 2018 12:15 PM
To: Marla Cobb
Subject: Re: Hey lady

Marla,

Hey there Marla!! Can we meet this afternoon? Do I need to bring them to AIM? If so that is fine what time should I bring them?

Thank You,
Lisa Styles
864-934-6609

Sent from my iPhone

On Mar 28, 2018, at 9:08 AM, Marla Cobb <marla.cobb@aimcharity.org> wrote:

Please let us know if there is anything we can do to assist you today. I am so appreciative that you are doing this for our children.

Marla Y. Cobb, WACS Program Director
Anderson Interfaith Ministries

marla.cobb@aimcharity.org

(864) 965-9084

(864) 221-8443



```
MR      MONEY ORDR DPT KEYNP    450.00
MR      MNEY ORD FEE DPT KNP      0.99
        TAX                      0.00
        **** BALANCE             450.99
        *****3791
AUTH #: 518840   SEQ #:314244
        DEBIT                     450.99
        CHANGE                     0.00
TOTAL NUMBER OF ITEMS SOLD =      0
06/23/18 01:29pm 5566 31 22
```

SIGN UP FOR YOUR BONUS CARD TODAY!

TELL US ABOUT YOUR SHOPPING
EXPERIENCE AND RECEIVE
\$5 OFF YOUR NEXT \$40 SHOP!

Go to www.tellbi-lo.com within the
next 72 hours and enter code
052313 556600 220311

One coupon per customer per week
Loaded to your Plenti card

La encuesta esta disponible en español



44180523556603100662497002200000

MANAGER MICHAEL BRICKMAN

STORE # 5566

7709 Hwy. 76

PENDLETON, SC

STORE (864)646-7754

CUSTOMER CARE: (800) 768-4438

THANK YOU FOR SHOPPING BI-LO

MONEY ORDER RECEIPT - NON NEGOTIABLE

Paying your bills should be fast and easy! With Western Union Payments you can pay thousands of bills*, including utility, credit cards and auto companies. To learn more, visit billpay.wu.com today.

AGT 383996 LOC 005566 DT 052318 \$450.00 4HIN9RE15010LLARS AND NO CENTS

[illegible]

* 17719342539 *

← **LOAD THIS DIRECTION, THIS SIDE UP**

I Lisa Styles, 1011 Shennandoah Drive Anderson SC, 29625
Spoke with Ronnie Duncan on 5/23/2018 concerning
incidents at the Bi-lo 5500 over the last few months.
Recently I have begun to take items from the store.
By doing this I was leaving them in fiscal and
accounting at a later time that day. This occurred on
several occasions. Some of what I took was donated
to a local charity. However it was still wrong.
I would estimate the loss to be around \$450.00
I do not have a reason this occurred other
than the store became a free for all under new
leadership. Lottery went missing and Store Manager
did not care. Donations are given to a non-
authorized charity. Cash over short is awful and
no concern from Store Manager.
I truly apologize for my wrong and I am
willing to pay this back today on 5/23/2018

Lisa Styles
5/23/2018
12:42pm

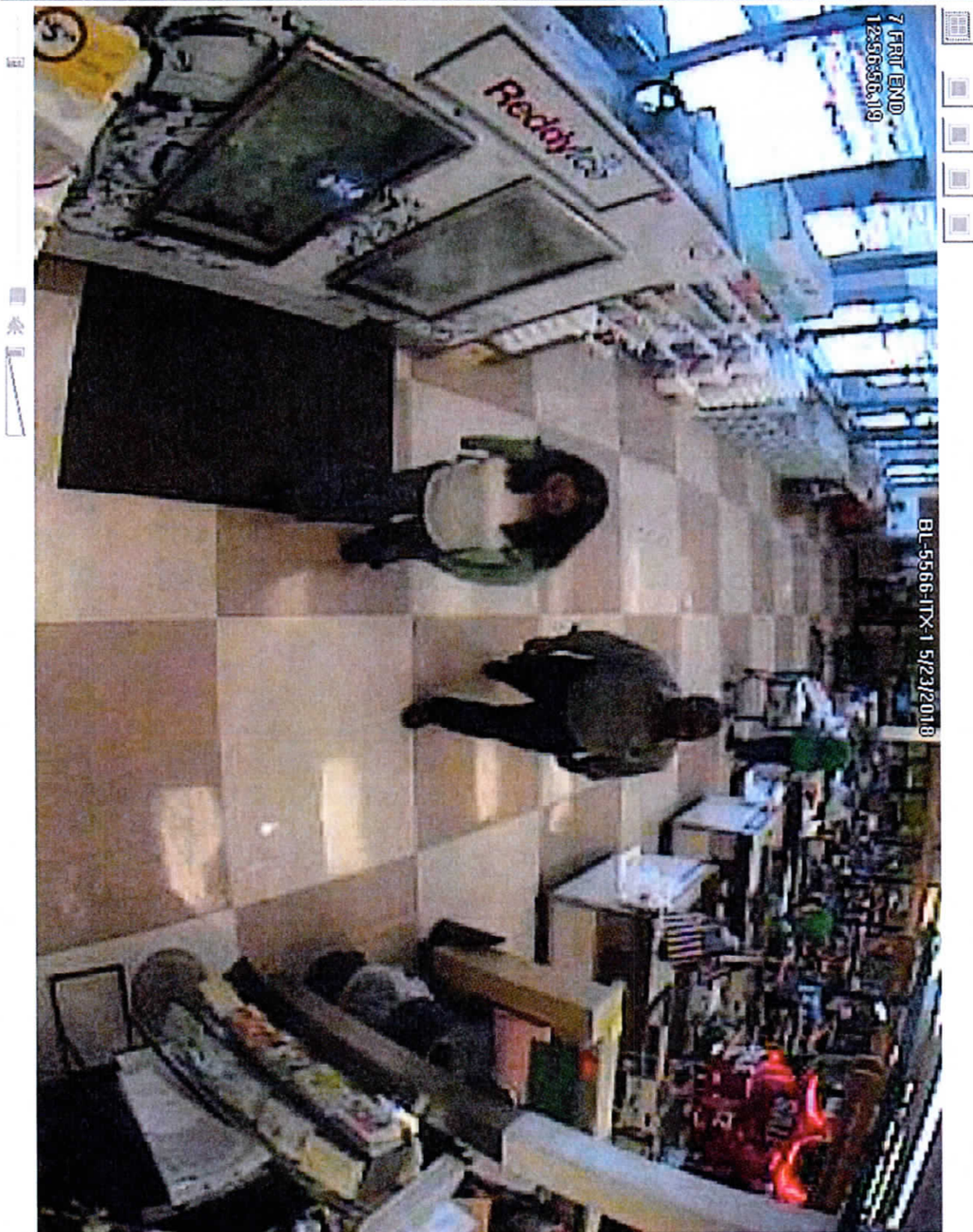


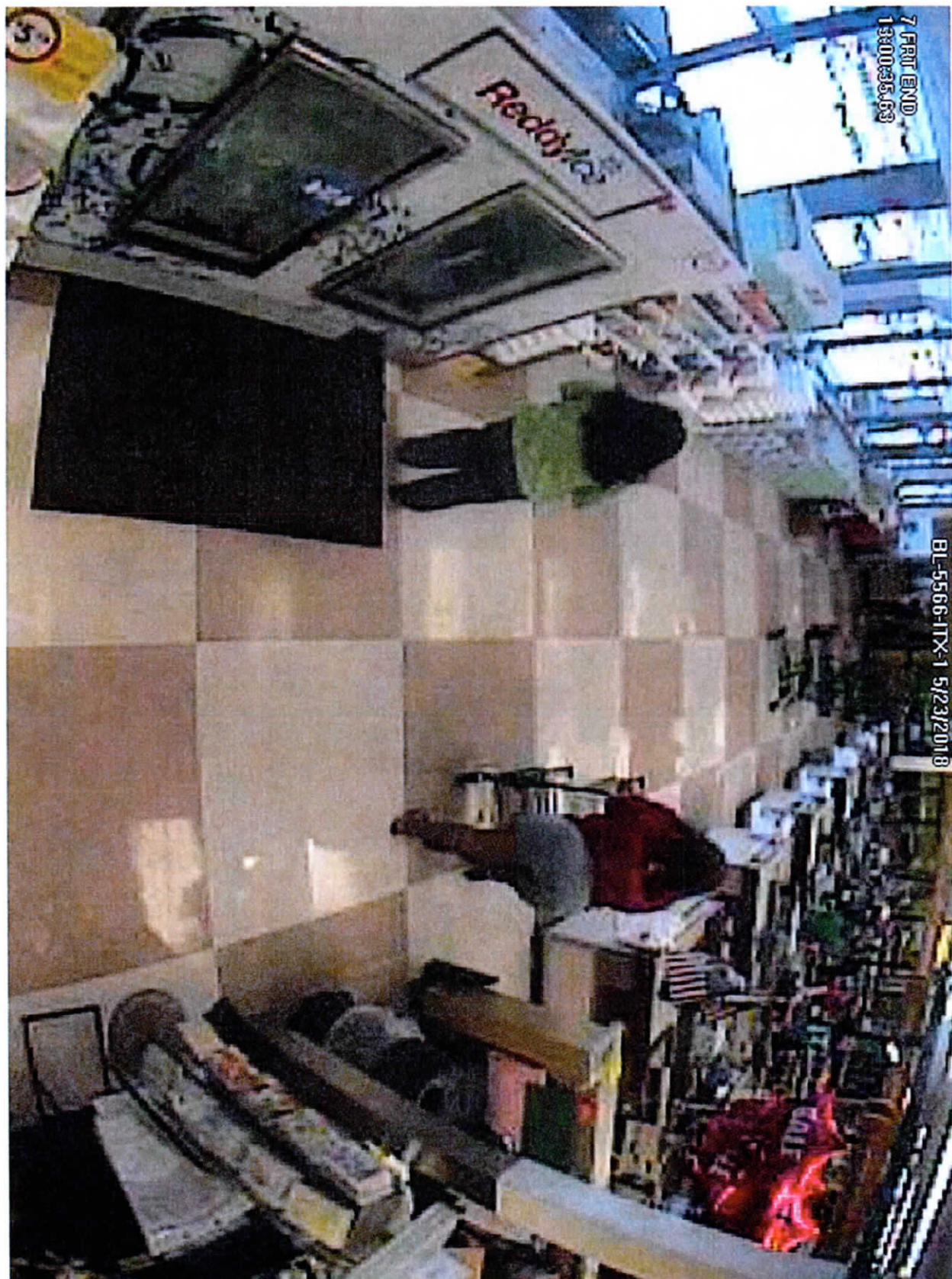
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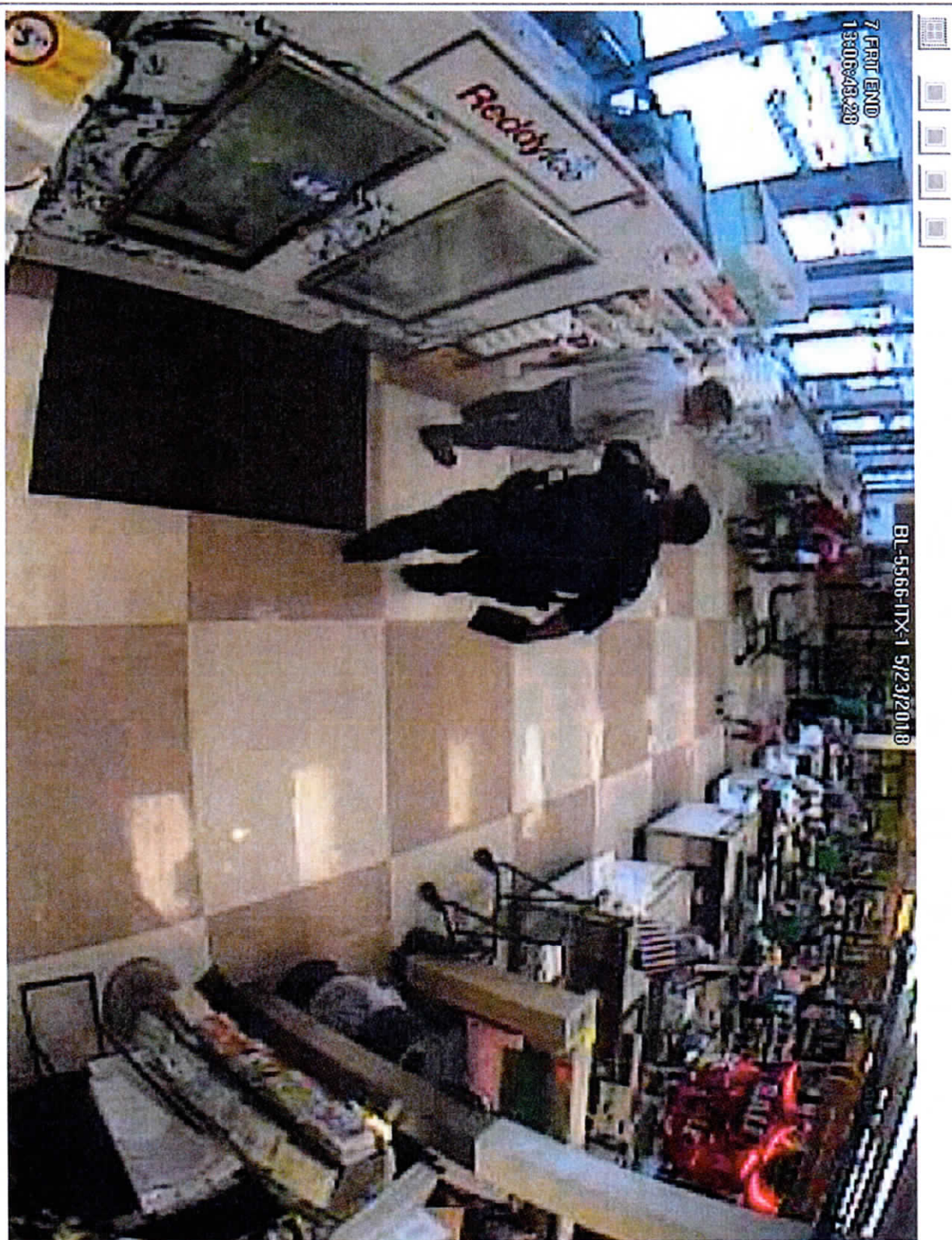
DEFENDANT'S
EXHIBIT
3
6/19/11
Stenn
PENGAUD 800-631-0388

I Lisa Styles, 1011 Sherrandoach Drive Anderson SC 29635
Spoke with Bonnie Durean on 5/23/2018 concerning
incidents at the Bi-lo 5566 over the last few months.
Recently I have begun to take items from the store.
By doing this I was leaving them in fiscal and
retiring at a later time that day. This occurred on
several occasions. Some of what I took was donated
to a local charity. However it was still wrong.
I would estimate the loss to be around \$450.00
I do not have a reason this occurred other
then the store became a free for all under new
leadership. Lottery went missing and Store Manager
did not care. Donations are given to a non-
authorized charity. Cash over short is awful and
no concern from Store Manager.
I truly apologize for my wrong and I am
willing to pay this back today on 5/23/2018

Lisa Styles
5/23/2018
12:42pm









7 FRIT END
1331428.48

BL-5566-ITX-1 5/23/2018

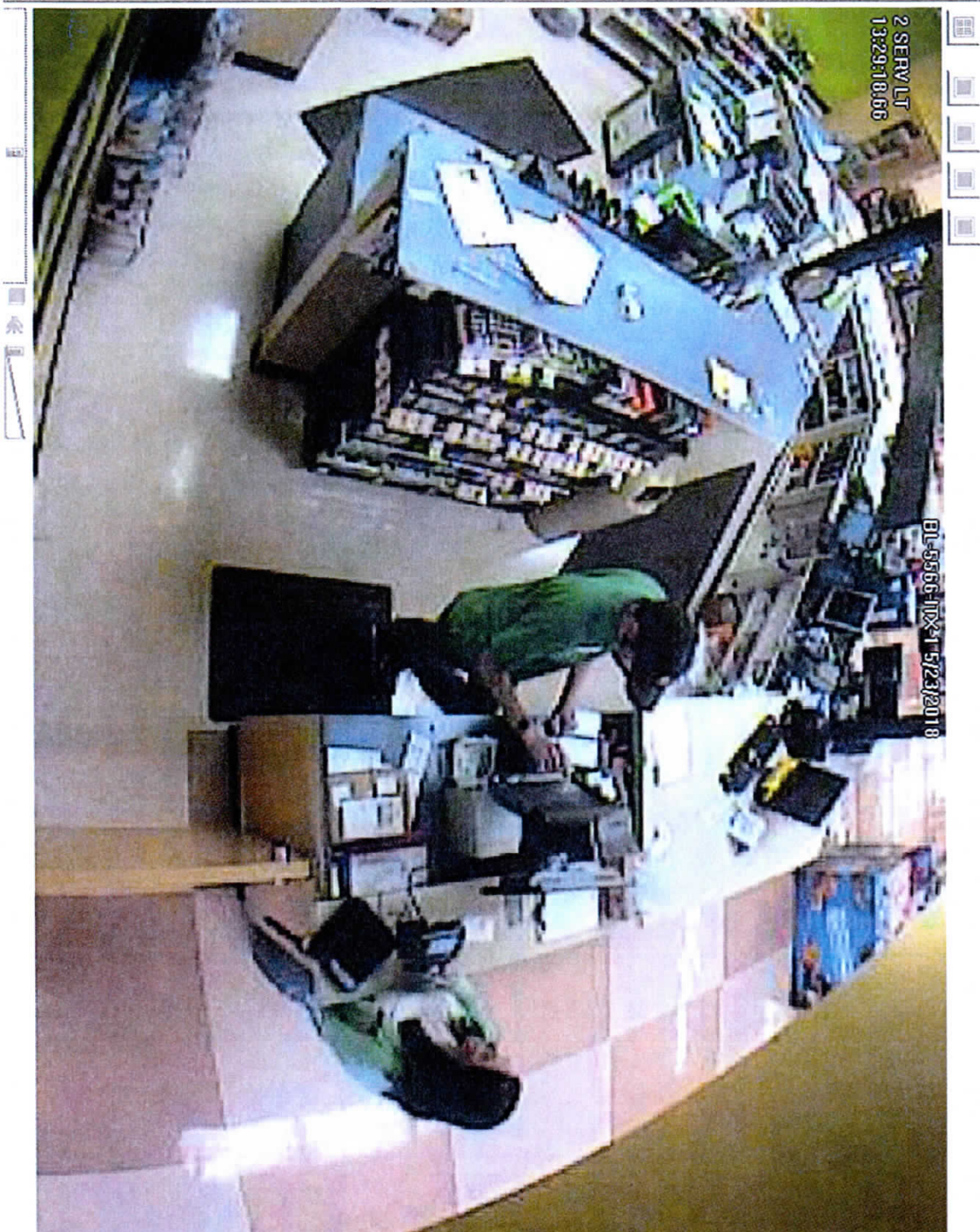


7 FRT END
13:24:30.36

BU-5566-ITX-1 5/23/2018









BI-LO

savings without sacrifice.

www.bi-lo.com

MR	MONEY ORDER DPT KEYNP	450.00
MR	MONEY ORD FEE DPT KNP	0.99
	TAX	0.00
	**** BALANCE	450.99

*****3791	
AUTH #:	518840 SEQ #:314244
DEBIT	450.99
CHANGE	0.00

TOTAL NUMBER OF ITEMS SOLD = 0
06/23/18 01:29pm 5566 31 22

YOUR CASHIER TODAY WAS DYLAN

SIGN UP FOR YOUR BONUS CARD TODAY!

TELL US ABOUT YOUR SHOPPING
EXPERIENCE AND RECEIVE
\$5 OFF YOUR NEXT \$40 SHOP!

Go to www.tellbi-lo.com within the
next 72 hours and enter code
052313 556600 220311

One coupon per customer per week
Loaded to your Penti card

La encuesta esta disponible en espanol



44180523556603100662497002200000

MANAGER MICHAEL BRICKMAN

STORE # 5566

7709 Hwy. 76

PENDLETON, SC

STORE (864) 646-7764

CUSTOMER CARE: (800) 768-4438

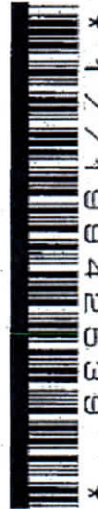
THANK YOU FOR SHOPPING BI-LO

← LOAD THIS DIRECTION, THIS SIDE UP

MONEY ORDER RECEIPT - NON NEGOTIABLE

From *APR 10 450.00* to *5/23/18* for *products*
from *BI-LO* # *5566*. *APS (R) 4/11*
Paying your bills should be fast and easy! With Western Union you
can pay thousands of billers, including utility, credit card
and auto companies. To learn more, visit billpay.wu.com today.

ACT 383996 LOC 005566 DT 052318 \$450.00 44180523556603100662497002200000

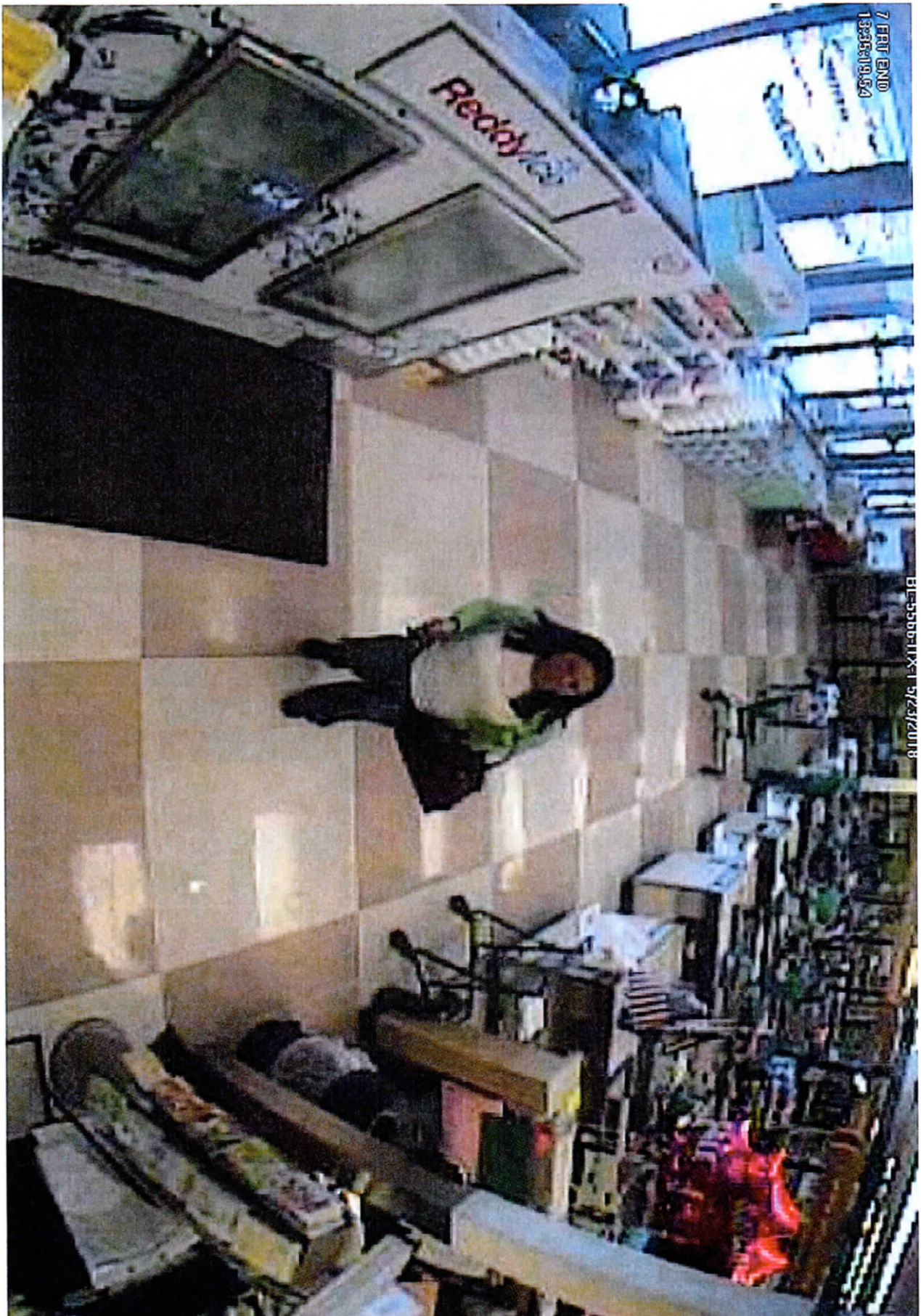


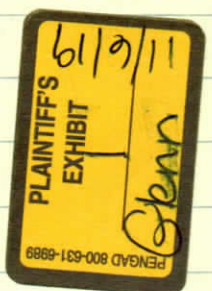
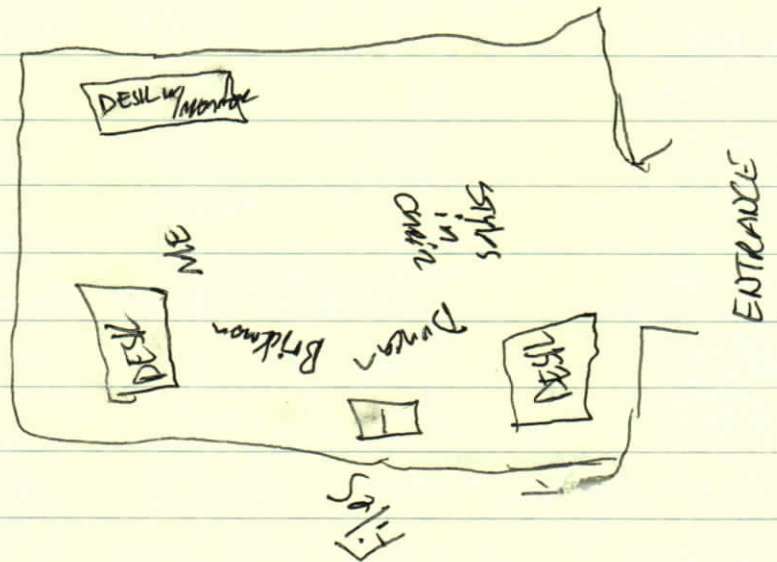
* 17719942539 *

LOAD THIS DIRECTION, THIS SIDE UP →









STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS
FOR THE 10TH JUDICIAL CIRCUIT
COUNTY OF ANDERSON

LISA STYLES,

Plaintiff,

vs.

CASE NO. 2018-CP-04-01127

MICHAEL CRAIG BRICKMAN,
SOUTHEASTERN GROCERS, LLC,
BI-LO, LLC, KEN MILLER,
and RONNIE DUNCAN,

Defendants.

DEPOSITION OF: CHIEF DOYLE BURDETTE

DATE: November 6, 2019

TIME: 3:12 p.m.

LOCATION: Town of Pendleton
Administrative Offices
310 Greenville Street
Pendleton, South Carolina

TAKEN BY: Counsel for the Defendants

REPORTED BY: Mary K. Stepp, Court Reporter

A. WILLIAM ROBERTS, JR., & ASSOCIATES

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Columbia, SC (803) 731-5224	Greenville, SC (865) 234-7030	Charlotte, NC (704) 573-3919

Asheville, NC
(828)785-5699

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APPEARANCES OF COUNSEL:

ATTORNEY FOR PLAINTIFF:

STEPHENSON & MURPHY, LLC
BRIAN P. MURPHY, ESQUIRE
207 Whitsett Street
Greenville, South Carolina 29601
864.370.9400
brian@stephensonmurphy.com

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843.577.6531
andrew@slotchiverlaw.com

and

SHANKMAN LEONE
MITCHELL ROBINER, ESQUIRE
707 N. Franklin Street
Tampa, Florida 33602
813.229.1099
mrobiner@sl.com

(INDEX AT REAR OF TRANSCRIPT)

1 CHIEF DOYLE BURDETTE,
2 having been duly sworn, testified as follows:

3 EXAMINATION

4 BY MR. ROBINER:

5 Q. Officer Burdette, can you state your full
6 name for the record?

7 A. Doyle Malvin Burdette.

8 Q. And have you ever been deposed before?

9 A. Yes.

10 Q. Okay. Approximately how many times?

11 A. Once.

12 Q. Once. Okay. This is going to be the same
13 type of format. We're here today in a case that Lisa
14 Styles filed against my clients, which includes
15 BI-LO, LLC, Southeastern Grocers, LLC, Ken Miller,
16 Ronnie Duncan, and Michael Brickman. Your testimony
17 today will be used in connection with that case.

18 I'll ask you a series of questions. If
19 there's something you don't understand, you just ask
20 me to rephrase it, I'm happy to do so. And I'll do
21 that as many times as needed. If you'd ask me to
22 rephrase them, as opposed to asking anybody else in
23 the room.

24 A. Okay.

25 Q. I appreciate that. And also during your

1 testimony, under South Carolina rules, you're not
2 allowed to talk with anybody about your testimony
3 until your deposition is concluded. You understand
4 that?

5 A. Yes, sir.

6 Q. Okay. Thank you. And who's your current
7 employer?

8 A. The Town of Pendleton.

9 Q. And how long have you been employed by the
10 Town of Pendleton?

11 A. Since 2015.

12 Q. Okay. Have you been Chief since that
13 time?

14 A. Yes, sir.

15 Q. And do you know Lisa Styles?

16 A. Yes, sir.

17 Q. How do you know Ms. Styles?

18 A. I knew her as the manager of the BI-L0 or
19 a manager.

20 Q. Did you know her outside of being a
21 manager at BI-L0?

22 A. No, sir.

23 Q. Okay. Did you know any of her family
24 members?

25 A. No, sir.

1 Q. Do you recall when Ms. Styles came into
2 the police department in and around May of 2018?

3 A. Yes, sir.

4 Q. Okay. And do you recall that that was
5 following a day when Officer Glenn had appeared at
6 the BI-L0 the day before in response to a call?

7 A. Yes, sir.

8 Q. When Ms. Styles came in that day to the
9 office, was that a planned meeting? Had she called
10 ahead?

11 A. No, sir.

12 Q. Okay. And did she speak with you or did
13 she speak with anybody else while she --

14 A. She spoke with me.

15 Q. Okay. Did she speak with any other
16 officers?

17 A. That day?

18 Q. Yes.

19 A. I'm not sure. I don't believe so.

20 Q. Do you recall, generally, what she told
21 you on that day?

22 A. Yes, sir. I have it in a report.

23 Q. And that's a narrative that's part of your
24 report?

25 A. Yes, sir.

1 Q. Okay. If you don't mind, I'm going to use
2 this exhibit, which will be included in there, just
3 so we're all talking about the same thing.

4 Mind marking that as 1, please?

5 (Defendant's Exhibit No. 1 was marked for
6 identification.)

7 BY MR. ROBINER:

8 Q. Chief Burdette, what I'm showing you
9 marked as Defendant's Exhibit 1 for purposes of your
10 deposition, it's several pages that I'll represent to
11 you are produced from the Pendleton Police Department
12 pursuant to our request for documents. And I'll ask
13 if you can flip through there and tell me if you've
14 seen that before.

15 A. Yes, sir.

16 Q. Okay. And can you tell me up in the
17 right-hand corner where it says "Disposition,
18 unfounded," what does that mean?

19 A. That means the case was unfounded.

20 Q. Okay. Does that mean that there was any
21 determination as to guilt or innocence of any of the
22 parties?

23 A. There was a determination by the judge
24 that it was presented to that the elements of the
25 crime had not been met. So we investigate criminal

1 matters. And since there was no crime, then it was
2 unfounded. That's the way we -- that's how we
3 disposed of the case through SLED.

4 Q. I'm sorry, that's how you dispose of the
5 case through?

6 A. SLED.

7 Q. SLED. What is --

8 A. In other words, the South Carolina Law
9 Enforcement Division. In other words, they monitor
10 all the cases. So there's different dispositions.
11 There's arrests of 18 and under, arrest of 18 and
12 over, administratively closed, unfounded, and
13 exceptionally cleared. That's how we clear out
14 cases.

15 Q. Okay. And what does exceptionally cleared
16 mean?

17 A. Exceptionally cleared would be if you had
18 an offender death, if you had -- the victim declined
19 to cooperate. There's other factors, but I'd have to
20 find those for you.

21 Q. Okay. No, and I appreciate that. The
22 information that was provided to the judge to make
23 the determination that the criminal elements were not
24 there, how did the judge get that information?

25 A. I spoke to the judge on the phone.

1 Q. Okay. Was the judge provided with any
2 documents?

3 A. The judge was given the report. The
4 report was read to the judge. And then as far as --
5 let's see. Her statement and my, in other words,
6 narrative where I had spoken with Mr. Duncan, Mr.
7 Brickman, and Mr. Miller.

8 Q. Okay. Were any of the witnesses put under
9 oath before you took statements from them?

10 A. No, sir.

11 Q. Okay. And when Ms. Styles provided her
12 handwritten statement, which appears in this packet,
13 do you know whether she was under oath, at that time?

14 A. We do not put people under oath. We
15 advise people of their rights to a criminal -- that
16 what they say may be used criminally.

17 Q. All right. So these are not put under
18 oath?

19 A. We do not put people under oath ever.

20 Q. Okay. So how would the judge know which
21 version of the story is true, if he'd have competing
22 witnesses and none of them are put under oath?

23 A. Well, the judge would make that
24 determination based on what was presented to him, as
25 far as the statement and as far as the report.

1 Q. Okay. So in Ms. Styles' case, one of the
2 issues was that she had repaid the \$450 in
3 merchandise that she was accused of taking from the
4 store. Do you recall that?

5 A. Yes, sir.

6 Q. Do you know how that \$450 was arrived at,
7 that valuation?

8 A. It was my understanding it was a
9 guesstimate, is the way it was put.

10 Q. Okay. So if that guesstimate was
11 inaccurate, would that mean that the entire amount
12 hasn't been repaid?

13 MR. MURPHY: Object to the form.

14 BY MR. ROBINER:

15 Q. Or perhaps it was overpaid?

16 MR. MURPHY: Object to the form.

17 THE WITNESS: I mean, I don't -- I don't
18 understand exactly what you're saying, so if you
19 could rephrase that.

20 BY MR. ROBINER:

21 Q. No. I appreciate that. My understanding
22 from reading your report is that one of the
23 contentions the judge found was that the \$450 had
24 been repaid to BI-L0. So, therefore, they were out
25 nothing. Do you recall that?

1 A. Yes, sir.

2 Q. Okay. But if the 450 is just a
3 guesstimate, how does the judge know that BI-LO's out
4 nothing?

5 MR. MURPHY: Object to the form.

6 THE WITNESS: Well, it was arrived by
7 BI-LO and Ms. Styles, according to the report.

8 BY MR. ROBINER:

9 Q. According to which report, from Officer --

10 A. According to -- no, sir. According to
11 Ms. Styles' statement, as well as -- you'll have to
12 bear with me. Okay. It was based on Ms. Styles'
13 statement. And I thought I had written it down, but
14 conversation -- I can't remember. I know I asked Mr.
15 Duncan about it.

16 Q. If you look at page 5 of 5 at the top.

17 A. Yes, sir.

18 Q. It appears that in the second sentence it
19 says, "I asked him about the interview and if they
20 told Styles she could leave" -- "she could not leave
21 until she provided a statement. He stated he did not
22 say that. I asked him how the 450 was reached. And
23 he stated that was an estimate agreed upon by
24 Styles." Is that what you were referring to?

25 A. Yes, sir.

1 Q. Okay.

2 A. I apologize. I saw that right when you
3 brought my attention to it.

4 Q. So when you say it was an estimate agreed
5 to, agreed upon by Styles, did you understand that
6 was both -- BI-LO agreed to that amount as well?

7 A. Yes, sir. Because this was told to me by
8 Mr. Miller.

9 Q. Okay. Did you ever see a list that set
10 forth everything that Ms. Styles was accused of
11 taking from the store?

12 A. I saw receipts.

13 Q. Okay. And what did you understand those
14 receipts to be?

15 A. Well, it was presented as items she had
16 taken from the store by Mr. Duncan. And by
17 Ms. Styles it was presented as items for a donation
18 to a charity.

19 Q. Okay. And in those instances, when you
20 have competing versions of the story, one says it's
21 for donations, the other says no, how do you resolve
22 that in taking that to the judge?

23 A. We tell the judge that there's -- this is
24 what was -- these are the receipts and this is what
25 they state was bought, but one is saying it's

1 donations, other saying it's stolen. I mean, we
2 don't -- this is not a normal case. You don't just
3 always take stuff like this, receipts and everything
4 else and present them. So in this case, there's
5 a -- almost a he said, she said. As I'm sure you're
6 familiar that I told Mr. Brickman, as I put in my
7 report, and asked if he would take a polygraph, which
8 Ms. Styles stated she would take.

9 Q. Do you guys have a polygraph machine?

10 A. We hire a polygraph examiner.

11 Q. Okay. A third party?

12 A. Yes, sir.

13 Q. Okay. How often do you do that?

14 A. We've done it once since I've been here.

15 Q. Okay. Didn't Mr. Brickman ultimately say
16 he would take one, as long as corporate said it was
17 okay?

18 A. He did.

19 Q. Did you administer a polygraph to him?

20 A. No, sir.

21 Q. Did you tell the judge that when Officer
22 Glenn went to the store the day before Ms. Styles
23 came in your office, that Ms. Styles admitted to
24 taking the product?

25 A. Yes, sir.

1 Q. And was the judge provided with a copy of
2 the written statement that Ms. Styles made on the day
3 that Officer Glenn went to the store?

4 A. I can't recall if he was provided with
5 that statement or if I read him that statement.

6 Q. Okay. So you believe you would have read
7 it?

8 A. If he was provided with it, he would have,
9 yes, sir. I don't know. In other words, I don't
10 know if he was provided it or if I read it to him.

11 Q. Okay. And I guess when I'm looking at all
12 of this and I'm looking at the unfounded, I'm trying
13 to get at, has there been a determination, other than
14 a judge saying based on what you told me, I don't see
15 the elements of the crime?

16 A. Right.

17 Q. Okay. You're not saying one is telling
18 the truth and one's not?

19 A. Right.

20 Q. Is there a reason why Ms. Styles was
21 charged with breach of trust, as opposed to just
22 larceny?

23 MR. MURPHY: Object to the form.

24 THE WITNESS: She was not charged.

25 BY MR. ROBINER:

1 Q. Well, or investigated for larceny versus
2 breach of trust?

3 A. Because she is in a position of trust
4 within the organization. So the report says larceny.

5 Q. Right. But when you discussed with the
6 judge about whether there could be a breach of trust
7 claim, he's going through the elements of a breach of
8 trust that no personal gain, they are out nothing,
9 correct?

10 A. Right.

11 Q. But that's not the same elements for
12 larceny, would it be?

13 A. No, sir.

14 Q. Okay. Well, if you stole a car and
15 donated it to charity, you'd still be guilty of a
16 crime?

17 A. Well, there's intent. There's an intent
18 to gain personally.

19 Q. In a larceny charge?

20 A. No, sir.

21 Q. Okay. And that's --

22 A. In a breach of trust.

23 Q. That's what I'm getting at. The elements
24 appear to be different between the two charges.

25 A. Yes, sir.

1 Q. So is there a reason why a breach of trust
2 potential case was brought to the judge, as opposed
3 to a larceny case?

4 A. Because it was not a larceny.

5 Q. Because she was an employee?

6 A. Yes, sir.

7 Q. Okay. So can an employee never be charged
8 with larceny?

9 A. I wouldn't -- that is above my
10 determination. If it's a manager or employee, it's a
11 breach of trust, is generally what we go with. So 25
12 years, I've never charged an employee with larceny.

13 Q. Okay.

14 A. It's breach of trust.

15 Q. And is that the normal course of when
16 you're investigating a charge to take it to the judge
17 first, as opposed to running it by a prosecutor and
18 saying, do we have enough here, do I need to go talk
19 to any more people?

20 A. This would have never made it to the
21 solicitor's office. This is not a felony.

22 Q. Okay. So anything under a felony goes
23 just to the judge?

24 A. Yes, sir.

25 Q. Okay.

1 A. Well, not anything under a felony goes to
2 the judge. In other words, I have to get a warrant
3 to get it all going. So you take what you've got,
4 probable cause, to the judge. And then he determines
5 whether or not there's a warrant. And then it will
6 advance after she's charged. But the judge did not
7 determine that there was probable cause for the
8 warrant.

9 Q. Based on the fact that the amounts had
10 been repaid?

11 A. That had a lot to do with it, yes, sir.

12 Q. Okay. So if she had not repaid the
13 amounts, do you think the case would have moved
14 forward?

15 A. Yes, sir.

16 MR. MURPHY: Object to the form.

17 MR. ROBINER: I don't think I have
18 anything further.

19 (Off-record discussion.)

20 MR. ROBINER: I thought of one more
21 question.

22 MR. MURPHY: Go ahead.

23 BY MR. ROBINER:

24 Q. Is there a reason why when Ms. Styles
25 comes in the second day, that from that point forward

1 that you handle the investigation, as opposed to
2 Officer Glenn who started it the day prior?

3 A. Yes, sir. Because at that time the
4 scheduling -- they were working 12-hour days, where
5 they have got the long weekend and the short weekend.
6 In other words, they might have Friday, Saturday, and
7 Sunday off, work Monday and Tuesday; Wednesday,
8 Thursday off, work Friday, Saturday, and Sunday.
9 With this being -- the investigation would go better,
10 if I just handled it because I was here every day
11 Monday through Friday.

12 Q. You can make a phone call?

13 A. Yes, I can -- and then there's not a gap.
14 If Tony handles it on Tuesday, and then he's got to
15 wait, till Wednesday and Thursday he's off, Friday he
16 comes back to start it all over again. So, it's just
17 easier for me to take it.

18 MR. ROBINER: Thank you. I appreciate
19 that.

20 THE WITNESS: Yes, sir.

21 EXAMINATION

22 BY MR. MURPHY:

23 Q. Chief, I want to clarify the answer you
24 gave a few moments ago about whether she would have
25 been charged, had she paid -- repaid the money. If

1 you'd go to Page 5 of 5 of the narratives in the
2 report.

3 A. Yes, sir.

4 Q. And starting with the fourth line up. You
5 see a sentence beginning, "He denied a warrant"?

6 A. Let me find it real quick. Yes, sir.

7 Q. Okay. States, "He," and that's reference
8 to Judge Whitman, correct?

9 A. Yes, sir.

10 Q. "He denied a warrant for breach of trust
11 on the grounds that there was no personal gain by
12 Styles, stating that was one of the elements of
13 breach of trust."

14 A. Yes, sir.

15 Q. That was a reason he gave?

16 A. Yes, sir.

17 Q. It goes on to say, "Not only was there no
18 personal gain, but she had paid BI-LO 450 and,
19 therefore, was out nothing." That's a separate
20 reason, correct?

21 A. Yes, sir.

22 Q. Okay. When Ms. Styles came in to see you
23 on the 24th, how would you describe her demeanor?

24 A. Well, she was anxious and upset.

25 Q. Did she bring anybody with her?

1 A. No, sir.

2 Q. And she'd already been advised of Miranda,
3 at that point, correct?

4 A. By Officer Glenn the day before, I'm
5 pretty sure I mentioned.

6 Q. So all the statements she made to you were
7 made voluntarily by her?

8 A. Yes, sir.

9 Q. You didn't call her in, she came in
10 voluntarily on her own --

11 A. Yes, sir.

12 Q. -- initiative, correct?

13 A. Yes, sir.

14 Q. And her offer to take a polygraph wasn't
15 something suggested by you, that's something she
16 offered up?

17 A. Correct.

18 Q. Now, I see in your narrative, you have put
19 down the encounters that you had on 5-24 -- if we can
20 go off the record for a second.

21 (Off-record discussion.)

22 MR. MURPHY: Let's go back on the record.

23 BY MR. MURPHY:

24 Q. I see in your -- in the report here
25 there's narratives from you on 5-24, and 5-25, and

1 5-29.

2 I want to first ask you about the
3 narratives on 5-25 and your discussion with Mr.
4 Brickman. And that's on the page that says on the
5 right-hand corner, "4 of 5."

6 A. Yes, sir.

7 Q. Why did you -- did you call Mr. Brickman?

8 A. I went to the store.

9 Q. You went to the store?

10 A. Yes, sir.

11 Q. Okay. And you met with Mr. Brickman at
12 the store?

13 A. Yes, sir.

14 Q. Did you meet with anybody else that day at
15 the store?

16 A. Not -- I didn't meet with them. There may
17 have been somebody else there, but I asked to see Mr.
18 Brickman. But it was him and I alone talking in the
19 office, I believe.

20 Q. Okay.

21 A. Until he called Mr. Duncan. And I can't
22 remember if I spoke to Mr. Duncan while Mr. Brickman
23 was there or not.

24 Q. So Mr. Brickman didn't come and see you,
25 like Ms. Styles came to see you?

1 A. No, sir.

2 Q. And Mr. Brickman was nervous when you were
3 speaking to him?

4 A. Yes, sir.

5 Q. Did you ask him why he appeared so
6 nervous?

7 A. I did.

8 Q. What did he say?

9 A. I mean, it was -- I didn't come right out
10 and say, you know, Why are you so nervous? It was
11 more like, "You seem awful nervous. I just want to
12 talk to you about this investigation."

13 Q. Okay. And did he seem nervous when you
14 suggested that he take a polygraph?

15 A. Oh, yes, sir.

16 Q. Did Mr. Brickman tell you that Ms. Styles
17 and other women at the store had filed complaints
18 against him?

19 A. No, sir.

20 Q. And Mr. Brickman told you he didn't have
21 anything to do with the investigation into
22 Ms. Styles?

23 A. That's correct.

24 Q. Did you at some point find out that that
25 wasn't true?

1 A. Well, I knew that he had -- in other
2 words, through my interview with him, I knew that he
3 had located video of her that he suspected she was
4 stealing. But when he said that, I took it as he
5 forwarded that information on to Mr. Duncan and,
6 therefore, he wasn't in the investigation. That's
7 the way I took it.

8 Q. Did either Mr. Brickman or Mr. Duncan lead
9 you to believe that anybody provided information in
10 this investigation, other than Mr. Brickman?

11 A. No. In other words, he was the one that
12 provided the video.

13 Q. And he's the one who provided the
14 statements that he never agreed to charitable
15 donations?

16 A. True.

17 Q. When you learned that there was a claim by
18 Ms. Styles that items were donated to charity, and
19 there was a claim by Mr. Brickman that he didn't know
20 anything about that, did you or anybody at Pendleton
21 ask who at the charity should I speak to to find out
22 which one of them is telling the truth?

23 A. Ms. Styles stated that she had e-mails
24 between the two of them, to the person at the charity
25 and herself, as far as the donations were concerned,

1 which she forwarded to me.

2 Q. Okay. So you saw that, in fact,
3 Ms. Styles did have e-mails with the charity in which
4 she donated items?

5 A. Yes, sir.

6 Q. Did you ever speak to Ms. Cobb or anybody
7 at AIM?

8 A. I can't remember if I did or not. Not
9 being in the report, I do not believe I did.

10 Q. Did you ever ask Ms. Styles for any
11 evidence or any documentation that she did not
12 provide to you?

13 A. No, sir.

14 Q. So what you had in the file was Ms. Styles
15 saying items were donated to charity, Mr. Brickman
16 saying they weren't. You had evidence from the
17 charity that they were; is that correct?

18 A. Yes, sir.

19 Q. Was any consideration given with charging
20 Mr. Brickman with a crime?

21 A. No, sir.

22 Q. Did you ever confront anybody at BI-L0
23 with the evidence Ms. Styles had that, in fact, the
24 items had been donated to AIM?

25 A. I cannot recall if I told Mr. Duncan or

1 Mr. Miller, but I don't -- I don't believe so. No,
2 sir.

3 Q. Did you tell the judge that there was
4 proof from the charity itself --

5 A. Yes, sir.

6 Q. -- that items were donated?

7 A. Yes, sir.

8 Q. And the judge has the authority to say
9 charge her with other crimes, if he doesn't think the
10 elements of breach of trust are met?

11 A. Well, of course. He's -- I mean, you say
12 he's got the authority. He would suggest that.

13 Q. Sure.

14 A. Yes, sir.

15 Q. If he -- he could say, you don't have
16 breach of trust, but you have petty larceny?

17 A. Yes.

18 Q. And he didn't say that, did he?

19 A. No, sir.

20 Q. Now, one interaction that was testified to
21 yesterday that I don't see an entry for was Mr.
22 Duncan testified that at some point he learned that
23 your department was not going to charge Ms. Styles
24 with a crime. And, in fact, she wanted to bring
25 charges against them. And so he came to see you. Do

1 you recall him coming to see you?

2 A. I don't recall Mr. Duncan coming to see
3 me. He may have. I do recall him calling me and he
4 was rather upset because she was not charged. And I
5 explained to him, the judge is who gives the warrant.
6 And the judge did not give a warrant. If you want to
7 complain, you need to take it to the judge. And I do
8 recall telling him that finding somebody -- in other
9 words, I know I asked for -- I asked if the place
10 where the interview took place was videoed, because
11 that would have helped Mr. Duncan with the -- the
12 concern was caused when Ms. Styles states that she
13 was not allowed to leave unless she was accompanied.
14 I mean, if you break into a bank and I tell you to
15 stay where you're at, don't move, and I inhibit your
16 movement, that's kidnapping. I don't let you go
17 anywhere.

18 So that caused me some concern. And I was
19 trying to get information from Mr. Duncan, and Mr.
20 Brickman, and Mr. Miller that would disprove what
21 Ms. Styles said. So, it just -- once I started
22 talking to Mr. Brickman, it led me to believe, when
23 it comes to it, after 25 years of doing this, Mr.
24 Brickman was not telling the truth and Ms. Styles
25 was. I've had very few -- I've had zero suspects who

1 request polygraph when they are guilty.

2 Q. So you asked BI-L0 for videos of the May
3 23rd encounter with Ms. Styles?

4 A. Yes.

5 Q. And they --

6 A. I asked if they recorded it. I asked if
7 they videoed it. I asked if they had anything that
8 would, in other words, lend credence to their claims
9 that she was not told that she could not leave, she
10 was not told that if she admitted to it, they
11 wouldn't call the police, she was not told that if
12 she admitted to it and paid it back, they would not
13 call the police. And the -- because that's what I
14 was trying to get at. If I can disprove what she's
15 saying, then that's no problem. A judge is going to
16 give me a warrant on that.

17 Q. You couldn't disprove what she was saying?

18 A. No, sir.

19 Q. And BI-L0 never gave you the videos from
20 May 23rd?

21 MR. ROBINER: Object to the form.

22 THE WITNESS: No, sir. In saying that, I
23 don't believe there's videos in that office.

24 BY MR. MURPHY:

25 Q. Understood. But if there's videos showing

1 Ms. Styles being escorted in and out of that room
2 when she left, with somebody else, would that not
3 corroborate her statement she was not allowed to
4 leave without somebody else with her?

5 MR. ROBINER: Object to the form.

6 THE WITNESS: Yes, sir.

7 BY MR. MURPHY:

8 Q. And they never provided you that video,
9 did they?

10 A. No, sir.

11 Q. So after Mr. Duncan learned the charges
12 were not going to be filed against Ms. Styles, he
13 kept pressing for charges to be filed, didn't he?

14 A. He -- I believe -- (Witness peruses
15 documents).

16 Q. To be clear, his phone call you're
17 receiving was after he had learned that charges
18 weren't being filed. He called you and was upset
19 about that?

20 A. Oh, yes, sir.

21 Q. So after he learned that charges weren't
22 being filed, he kept pressing for criminal action to
23 be taken against Ms. Styles?

24 A. He didn't say that he wanted criminal
25 action to be taken. He said that he was upset that

1 we didn't take criminal action. And it was more of a
2 venting that we hadn't just accepted what it was and
3 get her a warrant.

4 MR. MURPHY: I don't have anything
5 further, at this time.

6 MR. ROBINER: I have some follow up.

7 THE WITNESS: Yes, sir.

8 EXAMINATION

9 BY MR. ROBINER:

10 Q. Did BI-L0 provide you with any video
11 footage to review?

12 A. They did. They provided me with video
13 footage of her going to and from the -- I believe
14 -- I apologize. I keep looking at this -- the floral
15 aisle. And I think that's what the discussion was,
16 how she was -- how she was removing the products. I
17 do have -- I do have video of that.

18 Q. Okay. And you did review that?

19 A. Yes, sir. As part of the investigation,
20 yes, sir.

21 Q. And when you asked BI-L0 for video related
22 to the day of May 23rd, 2008 (sic), did you ask them
23 specifically did they have video inside the office or
24 did you ask him generally of the store?

25 A. I asked, do you have video or audio inside

1 the office, so that, you know, I could either hear or
2 determine what was done inside the office.

3 Q. But you didn't ask them for video
4 generally of that day, and they refuse to give it to
5 you?

6 A. No, sir.

7 MR. MURPHY: It was 2018.

8 MR. ROBINER: Yeah, May 23rd, 2018. I'm
9 sorry.

10 BY MR. ROBINER:

11 Q. You refer to that all the items were
12 donated to charity. Have you ever seen a list of
13 every item that was donated by Ms. Styles?

14 A. I've got -- let me see. I haven't seen a
15 list of every item that was donated, I believe. I've
16 got receipts from BI-LO that was supposedly what she
17 stole, but I haven't seen a list of items that were
18 donated. No, sir.

19 Q. So when Ms. Styles provided you with
20 e-mails going back and forth with charity, there was
21 never a list saying, Thank you for 20 bottles of this
22 or 15 cans of that?

23 A. No, sir.

24 Q. So how could you determine whether
25 everything that was bagged on the videos was handed

1 over to charity?

2 A. Well, I couldn't determine if everything
3 was handed over. No, sir. Because I couldn't also
4 see every item that was bagged.

5 Q. And if you could turn back -- and this
6 will be brief -- to 5 of 5 of your narrative.

7 A. Okay.

8 Q. It was the last portion of that 5-29-18
9 narrative that Mr. Murphy asked you about. "He
10 denied the bench warrant on the grounds that there
11 was no personal gain by Styles." Do you see that?

12 A. Yes, sir.

13 Q. But if we don't know whether all of the
14 donations were actually provided to charity, how do
15 we know that she didn't get any personal gain?

16 A. That's just what the judge said.

17 Q. Right. But he got the information from
18 you?

19 A. Yes, sir.

20 Q. And you would have told him that you
21 believe Styles over Brickman?

22 A. If he had asked, yes, sir.

23 MR. ROBINER: Okay. I don't have anything
24 else.

25 MR. MURPHY: Well, let me just follow up

1 on that point.

2 EXAMINATION

3 BY MR. MURPHY:

4 Q. This may be obvious, Officer, maybe it
5 isn't to everybody in the room. To charge somebody
6 with a crime, you have to have evidence they did
7 something, correct?

8 A. Yes, sir.

9 Q. You can't go to the judge and say, we
10 don't know what happened, so charge them with a crime
11 and let's see where it goes?

12 A. Yes, sir.

13 MR. MURPHY: Nothing further.

14 EXAMINATION

15 BY MR. ROBINER:

16 Q. I'm sorry, just to follow up on that. I
17 know this is the worst part about lawyers.

18 A. No, that's okay.

19 Q. To follow up on that question, that would
20 also mean that there's been no determination of guilt
21 or innocence; isn't that correct?

22 A. There's been a determination that there
23 was not enough to go to court, to give a warrant to
24 get it in the court, if that makes sense.

25 MR. ROBINER: Okay.

1 EXAMINATION

2 BY MR. MURPHY:

3 Q. What's the standard for issuing a warrant?

4 It's not guilt, is it?

5 A. It's probable cause.

6 Q. Probable cause. And that's just more than
7 likely a crime was committed?

8 A. Yes, sir.

9 Q. That's all you had to show to charge her,
10 right?

11 A. Yes, sir.

12 Q. And it wasn't there, was it?

13 A. According to the judge, it was not.

14 MR. MURPHY: Nothing further.

15 EXAMINATION

16 BY MR. ROBINER:

17 Q. Ms. Styles was never arrested, just to be
18 clear?

19 A. No, sir.

20 MR. ROBINER: Okay. I don't have anything
21 further.

22 MR. MURPHY: Thank you for your time.

23 (The witness, after having been advised of
24 his right to read and sign, waives that right.)

25 (Deposition was concluded at 3:48 p.m.)

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CERTIFICATE OF REPORTER

I, MARY K. STEPP, Notary Public for the State of South Carolina at Large, do hereby certify that the foregoing transcript is a true, accurate, and complete record.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 19th day of November, 2019, at Campobello, Spartanburg County, South Carolina.

<%21890,Signature%>

Mary K. Stepp, Notary Public
My Commission Expires:
March 1, 2028

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REQUESTED INFORMATION

(No information requested.)

E X H I B I T S

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STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS
FOR THE 10TH JUDICIAL CIRCUIT
COUNTY OF ANDERSON

LISA STYLES,

Plaintiff,

vs.

CASE NO. 2018-CP-04-01127

MICHAEL CRAIG BRICKMAN,
SOUTHEASTERN GROCERS, LLC,
BI-LO, LLC, KEN MILLER,
and RONNIE DUNCAN,

Defendants.

DEPOSITION OF: OFFICER CARL ANTHONY GLENN

DATE: November 6, 2019

TIME: 2:08 p.m.

LOCATION: Town of Pendleton
Administrative Offices
310 Greenville Street
Pendleton, South Carolina

TAKEN BY: Counsel for the Defendants

REPORTED BY: Mary K. Stepp, Court Reporter

A. WILLIAM ROBERTS, JR., & ASSOCIATES

Fast, Accurate & Friendly

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(INDEX AT REAR OF TRANSCRIPT)

1 OFFICER CARL ANTHONY GLENN,
2 having been duly sworn, testified as follows:

3 EXAMINATION

4 BY MR. ROBINER:

5 Q. Officer Glenn, can you state your full
6 name for the record, please?

7 A. Carl Anthony Glenn. I go by Tony.

8 Q. Thank you. And have you ever been deposed
9 before?

10 A. This is my first time.

11 Q. Oh, good. I'm kind of surprised. This is
12 in connection with a lawsuit filed by Lisa Styles
13 against our clients. My name is Mitch Robiner and I
14 represent BI-LO, LLC, Southeastern Grocers, LLC, a
15 Michael Brickman, Ken Miller, and Ronnie Duncan.

16 I'm just going to ask you a series of
17 questions under oath, if you can answer them, and
18 then we'll use them in connection with our lawsuit to
19 the extent it's relevant.

20 I'm also required to tell you under South
21 Carolina law that if you have any questions regarding
22 a question that I ask, you should direct your
23 question back to me and I'll clarify any question.
24 And you can ask me as many times to restate it until
25 you feel comfortable you understand the question.

1 In addition, if we take any breaks, which
2 I hope we're going to be quick enough that we don't
3 need to, you're not allowed to discuss your testimony
4 with anybody while the deposition is pending. As
5 soon as it's concluded, you can discuss it with
6 anyone. Is that okay?

7 A. Sounds good.

8 Q. And if you could, when you give a
9 response, if you can just give an oral response so
10 it's easier for the court reporter to take it down.

11 A. Sure.

12 Q. She'll keep a written record of everything
13 that goes on today.

14 And who's your current employer?

15 A. Town of Pendleton Police Department. My
16 boss is Chief Doyle Burdette.

17 Q. How long have you been with the Pendleton
18 Police Department?

19 A. Since we started back -- we started back
20 on the road August 1st, 2016.

21 Q. Did you know Lisa Styles before you went
22 to the BI-LO store in and around May 2018?

23 A. When you say "know," do you -- can you be
24 more specific, please?

25 Q. Sure. I guess as a preliminary matter,

1 would you recognize her if you saw her on the street?

2 A. Not really.

3 Q. Okay. Did you know her as a manager of
4 the BI-LO store?

5 A. At the time of this, yes, sir.

6 Q. Okay. Did you know her socially, outside
7 of the BI-LO store?

8 A. No, sir, I did not.

9 Q. Know any of her relatives?

10 A. No, sir.

11 Q. Not that you're aware of?

12 A. Well, not that I'm aware of, yeah.

13 Q. Do you recall responding to a call to your
14 department on May 23rd, 2018?

15 A. Yes, sir, I do.

16 Q. Okay. Do you recall when the call came
17 in?

18 A. When the call came in, I don't remember
19 exactly. But it was a call through dispatch. And
20 they told me that I had -- I was dispatched to the
21 above incident location, which is the BI-LO. And it
22 was in reference to a breach of trust.

23 After arrival, I spoke with the above
24 Complainant, who was -- who was a loss prevention
25 officer, at that time. And he told me the above

1 subject had taken items from the victim, which is the
2 BI-LO, in which she was entrusted to safeguard and/or
3 sell. The subject took the items for her personal
4 use without giving any type of compensation. The
5 subject is an employee of the above victim. And all
6 before -- where I wrote, "the subject is the employee
7 of the above victim," this was all told to me by the
8 loss prevention, which I didn't write his name down,
9 but I think it was --

10 Q. Ronnie Duncan?

11 A. Sounds familiar. And after speaking with
12 the Complainant, I spoke with the victim. And I did
13 cite Miranda to the subject. Then asked the subject
14 for her personal information, i.e., name, date of
15 birth, address, phone number, et cetera. The subject
16 did admit to the act. The subject also wrote a
17 statement to the fact of her committing the act.

18 I also received printouts of the items taken
19 from the Complainant and the total amount that
20 was -- the approximate total amount that was taken
21 was \$450, and that's it for my report.

22 Q. Okay. And what you were reading or
23 referring to was out of your report; is that correct?

24 A. Yes, sir. Out of my report.

25 Q. Okay. If we can back up for a second.

1 Would there be any record showing when the call came
2 in to dispatch? Do they keep track of that?

3 A. They should keep track of it. Yes, sir.

4 Q. Do you think it would still be available
5 today, more than a year later?

6 A. That I'm aware of -- unaware of.

7 Q. Is there a dispatch in this building?

8 A. No, sir.

9 Q. Where is the dispatch located or where was
10 it, at that time?

11 A. It's located in Anderson. I don't know
12 the name. It's out there next to the airport. And
13 we have what we call small towns dispatch. And we're
14 part of -- let's see, Belton, Honea Path, Iva, a few
15 others, and us.

16 Q. Small town dispatch handles different
17 jurisdictions?

18 A. Yes, sir.

19 Q. When the call comes in, they'll serve it
20 to wherever it needs to go?

21 A. Yes, sir.

22 Q. Do you have any records where you would
23 have noted the time that you arrived at the store,
24 the time that you left the store?

25 A. No, sir. I don't. Everything I have is

1 in my report.

2 MR. ROBINER: Can you mark this as 1,
3 please?

4 (Defendant's Exhibit No. 1 was marked for
5 identification.)

6 BY MR. ROBINER:

7 Q. Officer Glenn, what I'm showing you marked
8 as Defendant's Exhibit 1 to your deposition today is
9 a Pendleton Police Department Officer Incident Report
10 for Incident No. 2018-00979. And I'll ask if you can
11 take a look at that and tell me if you've seen that
12 before.

13 A. (Witness peruses document.) Yes, sir, it
14 looks like to be my report, plus supplementals Chief
15 Burdette had written into the computer up until this
16 page here, where it states at the top right, "Page 1
17 of 3." I'm unfamiliar with this. No, excuse me,
18 this was the list given to me that evening, I
19 believe, of the items taken. But I don't recall
20 them -- recall it being this extensive. This is a
21 report that Ms. Styles had written. And this here
22 I'm unfamiliar with. This, I guess, is some type --
23 no. These may be notes. I'm not sure. I've never
24 seen this before (indicating).

25 Q. Okay. So you've never seen the entire --

1 A. No, no, I haven't seen this. This one
2 sheet so far.

3 Q. All right.

4 A. The statement I do remember Ms. Styles
5 writing. The list of items, I'm assuming that this
6 is the list of items taken. I remember seeing a
7 receipt, but I don't remember seeing an itemized list
8 written in this manner. I don't recall that. But I
9 do remember a receipt. And I believe that was given
10 to me by Mr. Brickman, the manager at that time. I'm
11 unfamiliar with this copy of a -- where it says --
12 this is Chief -- Chief's e-mails and stuff. I
13 don't -- I don't -- I don't know. I don't wander
14 into his e-mails and things. Those are his.

15 Q. So the documents that you don't recognize,
16 you wouldn't have included in that report, is that
17 accurate?

18 A. No, sir, I would not.

19 Q. Okay. If you go back to the first page,
20 who would have created this document?

21 A. This is -- if you look, this is what I
22 entered in the computer. It's the same as this
23 (indicating). The second page should be the same.
24 And third page begins "Narratives." And my narrative
25 is the first one. Everything after that is Chief

1 Burdette's.

2 Q. Okay. So up until where your narrative
3 ends, that's the only part of this report that you
4 would have entered into?

5 A. Yes, sir.

6 Q. Okay. If you look at the first page, it
7 indicates that it was assigned to Carl Glenn. Do you
8 see that? It's the -- on the right-hand column,
9 second one from the top in the first portion of the
10 report.

11 A. "Assigned to," yes, sir.

12 Q. Who would have input that information?

13 A. Dispatch. And that says to me that the
14 initial call was assigned to me.

15 Q. Okay. And if you look above that, where
16 it says "Disposition, unfounded," what does that mean
17 to you?

18 A. I'm unaware of what -- unfounded in
19 dispatch talk would be unfounded. It would be
20 nothing found in the call or in the incident to be
21 detrimental to anything.

22 Q. Okay. Do you have a specific recollection
23 of actually meeting with Ms. Styles on May 23, 2018
24 in the BI-LO store?

25 A. Say again.

1 Q. Do you have an independent recollection of
2 meeting with Ms. Styles on May 23rd, 2018?

3 A. Yes, sir. Yes, sir.

4 Q. Okay. Do you recall where you met with
5 her?

6 A. It was in the little side office there in
7 the front of the store.

8 Q. Okay. Did -- I know when you read from
9 your narrative, you stated that she had given you her
10 date of birth, name, and some of that information?

11 A. I had asked for it, yes, sir.

12 Q. Okay. Did you see a handwritten statement
13 that was provided to you, at that time?

14 (Off-record discussion.)

15 MR. ROBINER: Can you mark this as 2?

16 (Defendant's Exhibit No. 2 was marked for
17 identification.)

18 THE WITNESS: After looking this report
19 over, sir, I believe this was done on the day after
20 my incident and going out there.

21 BY MR. ROBINER:

22 Q. All right. And I appreciate that,
23 Officer. What I'm showing you marked as Exhibit 2,
24 Defendant's Exhibit 2 for purposes of the deposition
25 today, ask if you can look at that and tell me if you

1 recall seeing that handwritten statement before.

2 A. (Witness peruses document.) This one
3 looks familiar. I can't recall if it was written in
4 my presence or not.

5 Q. Do you have any recollection that that was
6 handed to you on the day that you went to BI-LO on
7 May 23rd, 2018, at any time?

8 A. It may have. I do believe it was. A copy
9 of it handed to me, yeah.

10 Q. Do you recall whether you discussed that
11 statement, as Exhibit 2, with Ms. Styles on that day?

12 A. Discussed this statement she wrote? I
13 don't believe I did discuss it with her, no.

14 Q. Okay. If we can look back at your
15 narrative in the report, either the one you brought
16 today or page 3 of the one I handed you.

17 A. (Witness complies.)

18 Q. If you look towards the bottom, the third
19 line up, sentence that starts, "The subject did admit
20 to the act." Do you see that?

21 A. Yes, sir, I see it.

22 Q. Do you recall how that was done, when she
23 admitted to the act? Was that verbally or --

24 A. That was verbally.

25 Q. Okay. And then the rest of it states,

1 "The subject also wrote a statement to the fact of
2 her committing the act"?

3 A. That was this (indicating).

4 Q. Okay. So this is the written statement
5 and then she also verbally admitted to it?

6 A. She admitted to doing it. Yes, sir.

7 Q. Do you recall any specific conversations
8 with Ms. Styles on that day?

9 A. She also said to me that the things -- she
10 admitted taking them. She admitted to giving them
11 out as donations. She said that would happen yearly
12 through BI-LO, that they would give out donations to
13 certain or different types of entities.

14 Q. Did she say she gave them all -- all the
15 products she had taken as donations or some of the
16 products?

17 A. All of them to different -- either to a
18 one specific or to others. And I don't recall the
19 names of the establishments that she give them to.

20 Q. Okay. Did you question her about the
21 statement at all, where she says only some of what
22 she took was donated? Because that would seem to
23 contradict what she -- you were just handed in
24 writing.

25 MR. MURPHY: Object to the form.

1 THE WITNESS: Excuse me?

2 MR. MURPHY: Sir, I say object to the
3 form. If you understand the question, you're free to
4 answer. The reason we do that is to preserve an
5 issue for the judge as to the question itself and
6 whether -- what the answer means. That's just
7 something for the Court to take up later. If you
8 understand the question, you can answer it.

9 THE WITNESS: Oh, I --

10 MR. MURPHY: If you need clarification --

11 THE WITNESS: I need clarification on what
12 you're talking about.

13 BY MR. ROBINER:

14 Q. If you look at the statement, I believe
15 you testified --

16 A. Yes, sir, this one here.

17 Q. You were handed Exhibit 2 on that day when
18 you went to the BI-LO store. In this statement,
19 Ms. Styles says that, "Some of what I took was
20 donated to local charity." Do you see that?

21 A. Yes, sir. I remember reading this
22 statement, but I didn't discuss it with her, no, sir.

23 Q. Okay. So -- but your recollection is when
24 you spoke with her, she said that all of what she
25 took was donated?

1 A. That I don't recollect. I'm sorry.

2 Q. Do you recall when you entered the office
3 on May 23rd, 2018, did you say anything to
4 Ms. Styles, like "Shame, shame, shame. You're a bad
5 girl"?

6 A. I remember saying "Shame, shame, shame,"
7 but I didn't say, "You're a bad girl."

8 Q. Did she respond to that, when you said
9 "Shame, shame, shame"?

10 A. Only response I received was a sad look in
11 her eyes and a slightly bowed head.

12 Q. Did Ms. Styles ever say to you that she
13 was prevented from leaving the office at any time?

14 A. I'm sorry?

15 Q. Did she ever say that she was prevented
16 from leaving the office at any time, when you were in
17 her presence?

18 A. I don't believe so.

19 Q. If she had said that the employer was
20 holding her against her will, would that have been
21 something you would have put into your narrative?

22 A. Oh, yes, sir. As far as -- yes, sir. I
23 would have put that in mine because...

24 Q. Okay. And are you aware that the next day
25 Ms. Styles came into this office and spoke with Chief

1 Doyle -- or Chief Burdette?

2 A. Not immediately, but Chief and I -- if I
3 remember correctly, Chief and I did speak of it.

4 Q. Okay. And did the Chief tell you that her
5 story had changed from what you had put in your
6 narrative?

7 A. No, sir. He didn't say anything about
8 that.

9 Q. Did he question you about the fact that
10 your narrative said that she admitted to doing the
11 acts and now she was saying she didn't do the acts?

12 MR. MURPHY: Object to the form.

13 THE WITNESS: No, he didn't mention
14 anything of that. He just spoke that she came in,
15 and they talked, and that was pretty much the size of
16 it.

17 BY MR. ROBINER:

18 Q. Were you involved in any more of the
19 investigations related to this incident?

20 A. No, sir, I was not.

21 Q. Okay. So after you returned from the
22 store that day and did your narrative, you had no
23 further involvement?

24 A. No, sir, I did not.

25 Q. And other than looking at dispatch to see

1 the time the call came in, is there any other
2 document that you can think of where we might be able
3 to pinpoint the times that you were in the store?

4 A. Well, other than showing my arrival and my
5 departure, that would probably be it, through
6 dispatch.

7 Q. Is your arrival and departure in here?

8 A. I'm looking. (Witness peruses document.)
9 No, sir, it is not. That would come in as a CAD
10 report. I believe Chief gets those daily of the
11 situations that happened the day or evening prior.

12 Q. So would your time of arriving on the
13 scene be reported back to dispatch or do they
14 write --

15 A. They would enter -- when I go what we call
16 10-23, arrived at location, they will enter that into
17 their computers. And when I go 10-8, which is back
18 on duty, they would also put that in their computers.

19 Q. Okay. And then a report would be
20 generated for the Chief, at some point?

21 A. Specifically for the chief? I would say
22 no. But a report is -- is made and Chief requests
23 it.

24 Q. Okay. So there's some record?

25 A. Yes, yes, yes.

1 MR. ROBINER: Okay. Mark this as 3,
2 please.

3 (Defendant's Exhibit No. 3 was marked for
4 identification.)

5 BY MR. ROBINER:

6 Q. Officer Glenn, I'm showing you what's been
7 marked as Defendant's Exhibit 3 for your deposition.
8 It is a screen shot from the cameras inside the
9 store. And if you look at -- in the upper left-hand
10 corner, it has a date stamp and a time stamp. And I
11 would ask if you can flip through those and
12 approximately --

13 MR. MURPHY: Do you want to remove that
14 second page?

15 MR. ROBINER: The second page?

16 THE WITNESS: The copy of the --

17 MR. ROBINER: No, it doesn't matter.

18 BY MR. ROBINER:

19 Q. There's page numbers at the bottom. If
20 you'd turn to page 5.

21 A. (Witness complies.)

22 Q. Does that appear to be you entering the
23 building on May 23rd, 2018?

24 A. That appears to be. It appears to be Mr.
25 Brickman to my left.

1 Q. Okay. And that was my next question. Do
2 you recall meeting with Mr. Brickman on that day when
3 you entered the store?

4 A. I believe so. Yes, sir.

5 Q. Okay. The time stamp up there reads 13:06
6 in military time. That would be about 1:06 p.m.?

7 A. 1:06, yes, sir.

8 MR. MURPHY: Object to form.

9 BY MR. ROBINER:

10 Q. Does that sound about right?

11 A. Yes, sir, I would say so.

12 Q. If you look at the next page, there's a
13 second officer that entered the store, according to
14 the time stamp. It was at 13:14 on the same day. Do
15 you recognize that officer?

16 A. Looks like Corporal Davis.

17 Q. Okay. And my understanding is Mr. Davis
18 never met with Ms. Styles in that --

19 A. No, he just come in to check on me.

20 Q. Okay. So was he responding to the same
21 call?

22 A. If he were, he didn't say.

23 Q. Okay.

24 A. He just came in and said, "You 10-4?" I
25 said, "I'm 10-4." And then he left. I never saw him

1 after that.

2 Q. Okay. And if you flip to the next page,
3 this is at 13:28, according to the time stamp in the
4 left corner. And it appears to me --

5 MR. MURPHY: Mine is at 13:24.

6 THE WITNESS: 13:24:31.36.

7 BY MR. ROBINER:

8 Q. I'm on page 8. Did I give you the
9 wrong --

10 A. This is 7, page 7.

11 Q. But the next page, on page 8, it appears
12 that you, Mr. Davis, and Mr. Brickman are speaking in
13 the front of the store?

14 A. Yes, sir.

15 Q. Okay. Do you remember speaking to Mr.
16 Brickman on your way out of the store?

17 A. I don't remember doing so. No, sir.

18 Q. Okay. The time stamp on there appears to
19 be 13:28:44?

20 A. Uh-huh.

21 Q. Does that seem about the time that you
22 were finished at 1:28?

23 A. I can't say one way or the other. I don't
24 remember if I was or not.

25 Q. Okay. If you could flip back a few more

1 pages.

2 A. Flip back?

3 Q. Well, to the end. I'm sorry, I thought
4 there was one of you guys -- oh, okay. Page -- it's
5 written on mine -- 14.

6 A. (Witness complies.)

7 Q. Appears that you're exiting the store in
8 that still shot, would that be accurate?

9 A. It appears that I'm walking towards the
10 exit doors, yes, sir.

11 Q. Okay. So, when you would have left the
12 store after that call and gone to your car, then you
13 would have reported that you were finished and
14 dispatch would have noted the time, is --

15 A. I would have gone 10-8, yes, sir.

16 MR. ROBINER: Since -- I don't have any
17 further questions.

18 EXAMINATION

19 BY MR. MURPHY:

20 Q. Officer, my name is Brian Murphy. We've
21 met before. I represent Ms. Styles --

22 A. Yes, sir.

23 Q. -- in the case. Mr. Brickman testified
24 yesterday that he signed some kind of paper for the
25 police during this occasion. Do you know what Mr.

1 Brickman may have signed?

2 Let me back up and ask a little more fair
3 question. Do you recall Mr. Brickman signing a paper
4 that day?

5 A. No, sir, I don't. I don't know what it
6 would be for with me. I was just there to take the
7 initial report.

8 Q. Okay. And do you know who called
9 dispatch?

10 A. No, sir, I do not. Dispatch doesn't tell
11 us who called. They will tell us, at times, who to
12 meet with once we arrive on the scene.

13 Q. And the person you met with when you
14 arrived at the scene first was Mr. Brickman?

15 A. I believe so. And he -- he showed me the
16 way back to the office back there.

17 Q. Okay. What did you and Mr. Brickman say
18 on the way to the office?

19 A. I asked him what was going on. I do
20 remember that. I vaguely remember him telling me a
21 little bit about the situation. And by that time we
22 had gotten to the office. And I believe Ms. Styles
23 was already in a chair there.

24 Q. In the office?

25 A. In the office. Yes, sir.

1 Q. Yes, sir. What did he tell you about --
2 what did Mr. Brickman tell you about the situation,
3 as you walked towards the office?

4 A. If I remember correctly, he said something
5 to the fact that he's got an employee who took some
6 stuff without authorization and that he -- that I
7 want to say that he relayed to me that corporate
8 wanted to press charges.

9 Q. Now, if you would look, again, at Exhibit
10 No. 2. You see the time is written at the bottom
11 there, I believe 12:42?

12 A. Yes, sir.

13 Q. And so that was prior to your arrival at
14 the store?

15 A. I believe so.

16 Q. And you recall Mr. Duncan being the one
17 who handed that statement to you?

18 A. Yes, sir. I believe Ms. Styles had said
19 it's the one she had written for -- I can't remember
20 if she said for Mr. Brickman or Mr. Duncan. I'm not
21 sure.

22 Q. Did anybody from the BI-LO store there
23 give you a list of items that they claimed were taken
24 by Ms. Styles?

25 A. I recall being given a copy of a receipt.

1 Q. Do you see that receipt anywhere in any of
2 the exhibits that have been handed to you today?

3 A. Exhibit 1, where it says "Southeastern
4 Grocers, page 1 of 2".

5 Q. Okay.

6 A. I remember seeing something similar to
7 this, I guess. And to flip over to the page 1
8 of -- or 1/5 --

9 Q. Okay. Just to be clear so we can identify
10 it in the record. The first document you have shows
11 a start time of 10:00:57 p.m., total scan time, 57
12 seconds. And that's page 1 of 2, correct?

13 A. Yes, sir.

14 Q. And then the next document you identified
15 has 9:56:42 p.m., total scan time 1:59. And at the
16 bottom right-hand corner, that's listed as page --

17 A. 1/5.

18 Q. -- 1 of 5. And we have 2 of 5, and we
19 have 3 of 5, right?

20 A. Yes, sir.

21 Q. You don't have 4 of 5 and 5 of 5, do you?

22 A. No, sir. There isn't in this packet.

23 Q. Did Mr. Duncan represent to you that these
24 were items that Ms. Styles had taken without paying
25 for them?

1 MR. ROBINER: Object to the form.

2 THE WITNESS: I believe so. Like I said,
3 they seem familiar, but as of right now I can't say
4 for certain these are the exact same receipts that I
5 was given.

6 BY MR. MURPHY:

7 Q. All right. Did you ever ask Mr. Duncan
8 why, if he was contending these items were taken
9 without payment, why he was showing you a receipt
10 showing payment?

11 A. I vaguely recall asking him that. And he
12 gave me an excuse of something about corporate. I
13 don't remember exactly what he said.

14 Q. He said something about corporate?

15 A. Just -- I remember him saying corporate
16 told him to do something, but I'm not -- I can't say
17 for sure what he said.

18 Q. Would you agree with me that from your
19 review of this, it indicates that these items were
20 paid for?

21 A. Yes, sir. If they -- if it showed -- let
22 me get back to the receipt portion. It says here,
23 "Debit card, 145." That tells me it was paid for.

24 Q. Okay. Did anybody from BI-LO give you any
25 documents on May 23rd that are not included in your

1 Exhibit No. 1?

2 A. Don't believe so.

3 Q. And you made a -- you discussed a document
4 on the record that I'm not -- you just have to
5 understand, I'm not trying to go over things. But
6 the way you said it, I'm not sure it's going to be
7 clear to somebody reading this which page you were
8 referring to. So I'm going to ask you to go back to
9 Exhibit No. 1 and go to that page with handwriting at
10 the top that begins with the words, "Ronnie Duncan,"
11 second line says "April 11, first contact."

12 A. Do you have a page number or --

13 Q. Well, it doesn't have page numbers.

14 A. Okay.

15 Q. It is after that, sir.

16 A. Yes, sir.

17 Q. I'll show you.

18 A. "On 5-23 at my job, Ronnie Duncan" --

19 Q. No, sir. This page (indicating). Okay.
20 Do you see the page that has handwriting on it? The
21 first line says, "RONNIE DUNCAN," in all caps. The
22 second line says, "April 11th, first contact."

23 A. Yes, sir, I see this.

24 Q. Okay. And I'm just going to ask questions
25 and make it clear in the record what your testimony

1 was as to this document. Do you know what this
2 document is?

3 A. No, sir, I do not.

4 Q. Okay. Officer, I'm happy to show you the
5 footage from that day. In fact, I think we ought to
6 look at it, about ten minutes or so of it.

7 And, Counsel, if you want to come around
8 and see what he's looking at. Let me explain to you,
9 while we're on the record, these time stamps on this
10 video are not going to correlate with the time stamps
11 on the pictures that he has shown you. So when you
12 see, for example, 17:18:35, we're in discussions
13 about why that says that. But we all agree that
14 wasn't 5:18 p.m., okay?

15 A. Okay.

16 Q. Defendants will say that is 1:18:35:24.
17 So I'm just letting you know that, so when you're
18 seeing the -- when you're seeing the times. But I
19 want you to watch this back room here (indicating).
20 And, for the record, we're looking at the files that
21 have been provided to me. And I'm looking at the
22 file name "VPD_BL-5566-ITX-1_MM_2018_05_23_16_41_40."
23 And on my copy, we're going to begin at 17:18:35.24.
24 I want you to watch the back office door here
25 (indicating).

1 (Video being played for the witness.)

2 MR. ROBINER: Object to the form.

3 BY MR. MURPHY:

4 Q. Okay. Right there (indicating). Is that
5 you by the office door?

6 A. Yes, sir. I remember -- I think this is
7 Mr. -- quality control from corporate.

8 Q. Okay.

9 A. He and I stood by the customer service
10 desk up here (indicating).

11 Q. Okay.

12 A. Don't remember what we spoke about. I
13 do -- vaguely remember him telling me, again, a
14 little bit about the situation, what the lady's name
15 was and what she -- what her position was and what
16 she had done.

17 Q. Okay. And that's you going into the
18 office?

19 A. With that -- with that gentleman, yes.

20 Q. Okay. And that's on my copy 17:19:11.53.
21 How many times did you go in and out of the office
22 when Ms. Styles was there?

23 A. I really don't remember, sir.

24 Q. All right.

25 A. I don't recall going in and out very much,

1 if at all, any.

2 Q. Okay. There you are in the office. Let
3 me speed this up a little bit.

4 (Video being played for the witness.)

5 BY MR. MURPHY:

6 Q. Now, let me just ask about this office.
7 Where -- that's a window to the office right there
8 that we're seeing movement behind; is that correct?

9 A. I don't recall --

10 Q. Okay.

11 A. -- there being any windows.

12 Q. Okay. A glass door?

13 A. No, sir. The door was solid. There may
14 have been a window in the door, but --

15 Q. Okay. Do you see the movement in the
16 office there?

17 A. I do. Yes, sir.

18 Q. Okay.

19 MR. McCUMBER: Sorry to interrupt. Just
20 for the record, Counsel is directing attention at the
21 top portion of video screen directly under the
22 letters "ITS"; is that fair.

23 BY MR. MURPHY:

24 Q. Right. And if you go back right up here,
25 we're going to watch at about...

1 (Video being played for the witness.)

2 THE WITNESS: Now, may I say something?

3 BY MR. MURPHY:

4 Q. Sure.

5 A. Those are reflections.

6 Q. Okay. Right here at 17:20:53 you see an
7 employee going up?

8 A. Going up to the window. I guess that
9 window, yes.

10 Q. Looking into the room?

11 A. It looks -- it appears that way, yes, sir.

12 Q. All right. Now, is this you walking out?

13 A. I can't really --

14 Q. Back it up a little bit. Do you see...

15 (Video being played for the witness.)

16 BY MR. MURPHY:

17 Q. Now, this is Mr. Brickman walking through
18 here, 17:20:31?

19 MR. ROBINER: Object to the form.

20 BY MR. MURPHY:

21 Q. Do you see that?

22 A. This gentleman here (indicating)?

23 Q. Yes.

24 A. Yes, sir, I did see that.

25 Q. Now, let's see this person walking through

1 here at 17:20:54 along the back wall. 17:21:07,
2 starts walking out towards the front, stops and talks
3 to somebody at 17:21:32. Can you tell me who that is
4 in the back right there speaking to somebody against
5 the window?

6 A. That doesn't --

7 Q. We'll speed it up a little bit. Is that
8 Officer Davis?

9 A. Can you back it up some, please?

10 Q. Certainly, sir.

11 A. And go slower from there.

12 Q. Here at 17:21 --

13 A. By the gate, that is -- that is Officer
14 Davis.

15 Q. Okay. So that's Officer Davis at 17:22:08
16 standing there by the windows?

17 A. Yes.

18 Q. Okay. And this is Officer Davis here at
19 17:22:35.24, sitting here by what we call floral or
20 by those red sale --

21 A. Yes, sir. That is Officer Davis.

22 Q. And that's Mr. Brickman behind him?

23 MR. ROBINER: Object to the form.

24 THE WITNESS: I can't say for sure it is.

25 I --

1 BY MR. MURPHY:

2 Q. Well, let's speed it up a little bit and
3 then see what happens.

4 (Video being played for the witness.)

5 BY MR. MURPHY:

6 Q. Now, at this point, 17:23:40, is that Mr.
7 Brickman talking to Officer Davis?

8 A. That -- it may be. Yes, sir. I can't say
9 for certain. But it appears to be that it is him.

10 Q. And then is that you coming out of the
11 office?

12 A. That's me coming out of the office, yes.

13 Q. 17:24:37. You coming out of the office
14 and you approach Officer Davis and Mr. Brickman.
15 First you stopped to talk to the cashier. Do you
16 recall why you stopped to talk?

17 A. No, sir, I don't recall.

18 Q. And then at 17:25, about 39, you come up
19 and speak with Officer Davis and Mr. Brickman,
20 correct?

21 A. I didn't speak, I just stood there.

22 Q. Okay. Let me speed it up.

23 A. If I did say anything, I don't recall what
24 I said.

25 (Video being played for the witness.)

1 BY MR. MURPHY:

2 Q. And that's where you exited about
3 17:31:05?

4 A. I believe so.

5 Q. Okay. In those six minutes or so that
6 you're standing there with Officer Davis and Mr.
7 Brickman, can you recall what was said?

8 A. No, sir, I don't. I'm sorry. I
9 think -- I think it was pretty much small talk. I
10 don't believe it was about anything about the case
11 that was there, because I don't make it a habit of
12 talking about cases to anyone other than police
13 personnel and that's pretty much it. But Mr.
14 Brickman, he -- even though he was the manager, he
15 didn't need to know what was going on, not by me
16 anyway.

17 Q. Do you recall doing paperwork at the
18 counter there at customer service and speaking with
19 Mr. Duncan after you met with --

20 A. I don't recall that. No, sir.

21 Q. Okay. So you don't recall anything said
22 between yourself and Mr. Duncan during that time?

23 A. After speaking with Ms. Styles, no, sir.
24 I don't.

25 Q. Do you recall being at the counter?

1 A. Beforehand, yes, sir.

2 Q. Beforehand. Was Mr. Brickman there, also?

3 A. For a very short time, I believe.

4 Q. Okay. Do you recall what was said by
5 anybody during that exchange?

6 A. Again, it was just -- I can't remember his
7 name. Mr. Brick- -- no, not Brickman. The other
8 guy.

9 Q. Duncan?

10 A. Duncan -- yes. Mr. Duncan. Like I said,
11 he just met me at the counter there and we just spoke
12 of Ms. Styles, what her position was, what her -- you
13 know, what she had -- according to Mr. Duncan, what
14 she had done and about the situation, that she
15 supposedly gave the stuff to donations or whatever.
16 Other than that, I'm not sure.

17 Q. Did you ever ask Mr. Brickman what he knew
18 about the donations?

19 A. I do recall asking him.

20 Q. Okay.

21 A. And he said there was no donations, if I
22 remember correctly.

23 Q. When did you ask Mr. Brickman about the
24 donations?

25 A. I honestly don't remember, sir.

1 Q. Was it during that --

2 A. It was --

3 Q. -- six minutes?

4 A. It was in the office. I do remember that.
5 There was -- Mr. Brickman was in there for a few
6 minutes, Mr. -- Mr. -- Mr. Brick- -- ah, Brickman --
7 Mr. Duncan. Let me see if I can draw this out
8 correctly. Would you like it on a separate piece of
9 paper?

10 Q. Yes, if you'd like to make a sketch.

11 A. Yes.

12 MR. MURPHY: And we'll mark it as an
13 exhibit.

14 MR. McCUMBER: Do you still have the video
15 pulled up?

16 MR. MURPHY: Say what?

17 MR. McCUMBER: Do you still have the video
18 pulled up?

19 MR. MURPHY: Yeah. I don't have that view
20 of that.

21 THE WITNESS: (Making hand drawn diagram.)
22 (Off-record discussion.)

23 THE WITNESS: Mind you, this is not going
24 to be to scale.

25 (Off-record discussion.)

1 THE WITNESS: So this is the best of my
2 recollection of where we stood. And Mr. Brickman was
3 in there for approximately five to seven minutes.
4 But he was pretty much quiet that whole time. But I
5 did ask -- I believe I did ask him, at one point in
6 there, about the donations. And at that point, he
7 didn't say anything. What he said was there was no
8 donations. And after he said that, he looked at Mr.
9 Duncan for a brief -- for a brief moment, then
10 focused back on me.

11 Q. Okay. So after he said there were no
12 donations he looked over at Mr. Duncan?

13 A. Yes, sir.

14 MR. MURPHY: Can you mark this as 3,
15 please?

16 (Off record discussion.)

17 (Plaintiff's Exhibit No. 1 was marked for
18 identification.)

19 BY MR. MURPHY:

20 Q. Did you ask Mr. Duncan whether he had
21 investigated whether, in fact, these were donations
22 for charity?

23 A. I don't recall. No, sir, I don't.

24 Q. Did you ever speak to Mr. Brickman again
25 about the issue with Lisa Styles, after you left that

1 day?

2 A. No, sir.

3 Q. Did you ever speak to Mr. Duncan again?

4 A. Not after that day. Well, I do
5 remember -- I think he was up here to speak with
6 Chief, at one time. We did have another encounter
7 after that day, but I don't believe I spoke with him
8 in depth of anything. Just more like a, "Good day.
9 How are you?" Then he went in with the Chief.

10 Q. Were you present when he spoke to the
11 Chief?

12 A. I don't believe I was. No, sir.

13 Q. Do you recall him coming to see the Chief?

14 A. That I do. Yes, sir. I do remember that.

15 Q. Did the Chief tell you why Mr. Duncan had
16 come to see him?

17 A. I don't believe so.

18 Q. Did you ever speak to the judge about
19 BI-LO's efforts to prosecute Ms. Styles?

20 A. No, sir. I never spoke with any judge.

21 Q. Do you know whether the Chief did?

22 A. I do not.

23 MR. MURPHY: I don't have anything
24 further, at this time. Thank you, Officer.

25 EXAMINATION

1 BY MR. ROBINER:

2 Q. I have a couple quick follow-up questions.

3 A. Yes, sir.

4 Q. On the day that you went to the BI-LO
5 store that we've been talking about today, May 23rd
6 2018, do you recall whether you were provided with
7 any video footage from the store?

8 A. No, sir, I was not provided any video
9 footage.

10 Q. Okay. Did Mr. Duncan give you a disk or a
11 flash drive of any type?

12 A. Not -- no, sir, he didn't.

13 Q. Okay. And then going back to the incident
14 report and the receipts that you are referring to.
15 Is it possible that you misunderstood what was trying
16 to be shown through these receipts?

17 MR. MURPHY: Object to the form.

18 THE WITNESS: No, sir. Because Mr. -- I
19 want to say Mr. Brickman said, Here's the receipts of
20 what she has taken. I'm not going to quote that, but
21 something similar to that.

22 BY MR. ROBINER:

23 Q. And as you sit here today, though, you say
24 this doesn't make sense that they would show items
25 being rung out?

1 A. What I saw the day of, I saw debit card
2 and change, I think it was a few dollars. And I
3 didn't understand why a debit card had been charged
4 and someone was wanting to press charges on items
5 that were already paid for.

6 Q. Okay. And if you look at the receipt, it
7 refers to a \$50 Lowe's card, a \$50 T.J. Maxx card.

8 A. Maybe -- yeah, here's one for 50. 15.
9 There's one, T.J. Maxx, 0. Cards, AG Everyday 6
10 -- yes, sir.

11 Q. Do you remember any discussions about gift
12 cards being an issue, as far as being taken?

13 A. Oh, no, sir. I didn't extensively look
14 over the receipts when I saw them. But, again, I
15 mean, like I said, it was either Mr. Brickman or Mr.
16 Duncan, I'm not quite sure, but they are the ones
17 that showed me the receipts.

18 Q. Is it possible they were showing you the
19 receipt to show you what Ms. Styles paid for, in
20 order to compare what was on the videotape of what
21 was not paid for?

22 MR. MURPHY: Object to the form.

23 THE WITNESS: No, sir. They said this is
24 what she had taken.

25 BY MR. ROBINER:

1 Q. And you're positive that this is the
2 receipt that they said that?

3 A. Positive, no. But like I said, they did
4 show me a receipt, in a receipt style, saying that
5 this is what she took.

6 Q. If you look at the next page from that
7 receipt, and you see that there's a totally different
8 type of printout.

9 A. Yes, sir.

10 Q. Do you understand what that represents?

11 A. No, sir, I do not.

12 Q. Did they hand you that at the same time?

13 A. No, sir. I didn't have -- this is the
14 first time seeing this.

15 MR. ROBINER: Okay. All right. I don't
16 have anything further.

17 MR. MURPHY: Thank you for your time,
18 Officer.

19 MR. ROBINER: Thank you.

20 (The witness, after having been advised of
21 his right to read and sign the transcript, waives
22 that right.)

23 (Deposition was concluded at 3:08 p.m.)

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CERTIFICATE OF REPORTER

I, MARY K. STEPP, Notary Public for the State of South Carolina at Large, do hereby certify that the foregoing transcript is a true, accurate, and complete record.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 19th day of November, 2019, at Campobello, Spartanburg County, South Carolina.

<%21890,Signature%>

Mary K. Stepp, Notary Public
My Commission Expires:
March 1, 2028

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REQUESTED INFORMATION

(No information requested.)

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Exhibit 1	Police Report	8	4
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Plaintiff's Marked for Identification

Exhibit P1	Hand Drawn Diagram	36	17

1
2 **STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS**
3 **COUNTY OF ANDERSON 2018-CP-04-01127**
4

5 **Lisa Styles,**

6 **Plaintiff, 30(b)(6) Notice of Depositions**

7 **v.**

8 **Southeastern Grocers, LLC, BI-LO,**
9 **LLC, Defendant.**
10
11

12 **Deposition of**
13 **ALLISON K. FURNAS**

14 **Taken on behalf of Plaintiff**

15 **DATE TAKEN: Monday, February 24, 2020**
16 **TIME: 10:03 a.m. - 11:59 a.m.**
17 **PLACE: 1300 Riverplace Boulevard, Suite 610**
18 **Jacksonville, Florida**

19 **Examination of the witness taken before:**
20 **Daphne Avedon, RPR**
21

22 **RILEY REPORTING & ASSOCIATES, INC.**
23 **1300 Riverplace Boulevard, Suite 610**
24 **Jacksonville, Florida 32207**
25 **(904)358-1615**
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- - -

I N D E X

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- - -

1 ALLISON K. FURNAS,
2 having been produced and first duly sworn as a witness
3 on behalf of Plaintiff, and after responding, "Yes," to
4 the oath, testified as follows:

5 DIRECT EXAMINATION

6 BY MR. MURPHY:

7 Q Would you give us your full name, please.

8 A Allison K. Furnas.

9 Q That's with two Ls?

10 A Yes, and an I.

11 Q And Ms. Furnas, we ask a few background
12 questions, I think yours will be real short, before we
13 start into too much. But you're a resident of Florida;
14 correct?

15 A Yes.

16 Q Have you ever had a deposition before?

17 A No.

18 Q Okay. The rules in South Carolina are a
19 little bit different in other places, but that won't
20 bother you if you've never had one before. Forget
21 everything you saw on TV or movies or what you think a
22 deposition is going to be like, okay.

23 My point is to ask you questions that are
24 clear, not to yell and scream questions thinking you're
25 going to break down, some big admission like on TV or

1 something. That's not what happens in these.

2 I'm going to try and ask who, what, when and
3 where fact-type questions. And if it's not clear to
4 you, you don't need to think because a lawyer asks you
5 a question you have to give an answer, okay. Now, if a
6 lawyer asks a clear question, you need to give an
7 answer, yes, no, I don't know, whatever the truth may
8 be. But if it's not clear, then you can ask me to
9 clarify it and then maybe tell me what's wrong with it.

10 A Okay.

11 Q Invariably in depositions, I will mess up
12 names. I may say Brickman when I meant Brown. And
13 don't think that's any kind of trick. It's just
14 sometimes -- and you may say, "Do you mean Brown?"

15 But catch me on something like that, okay?

16 A Okay.

17 Q If you have any questions about the
18 deposition, you've got to kind of put them on the
19 record. In other words, ask them to me here, okay? We
20 don't allow private conferences with very, very few
21 exceptions. And if that's happens, then it's put on
22 the record and we walk through a process on that so
23 that can be looked at later if it needs to be.

24 However, if you need a break at any time,
25 just let us know.

1 A Okay.

2 Q While we're on the break, you can't discuss
3 your testimony or the deposition or the case with
4 anyone until it's over. Then you're free to talk to
5 Mr. Shankman and anybody at the company you want to
6 about how it went, you know, what's all this mean,
7 typical stuff people talk to their lawyers about.

8 A Okay.

9 Q That just has to wait until we're concluded
10 here.

11 MR. SHANKMAN: Wait, she can't talk to me?
12 She can't have any words with me?

13 MR. MURPHY: No. About the case or the --
14 and her testimony.

15 MR. SHANKMAN: Oh, okay. I thought that went
16 a little further than that. That's fine.

17 BY MR. MURPHY:

18 Q If at any point in time you have a question
19 about anything like that, you can ask, but I'm trying
20 to move this along so we're done by lunch.

21 A Okay.

22 Q But if we decide we have to take a lunch, of
23 course, we'll have discussions about that.

24 All right. Do you have any family in South
25 Carolina?

1 A No.

2 Q Do you have any business interests or social
3 interests in South Carolina other than through your
4 employment with Southeastern Grocers?

5 A No.

6 Q And so the record is clear, you live in the
7 Jacksonville area?

8 A Yes.

9 Q And by whom are you employed?

10 A Southeastern Grocers.

11 Q And what is your job title there?

12 A Associate relations specialist.

13 Q How long have you held that job?

14 A Just over three years.

15 Q So late 2016?

16 A January 2017.

17 Q And how long have you been employed with
18 Southeastern Grocers overall?

19 A That's the same, January 2017.

20 Q You joined them as an associate relations
21 specialist?

22 A Yes.

23 Q Have your duties as an associate relations
24 specialist changed over the years?

25 A No. We've added accommodations, like we do

1 reasonable accommodations, too, but not like the
2 investigation piece hasn't changed.

3 Q For example, somebody with a disability or
4 claiming to have a disability says they want
5 accommodations, you might work on that?

6 A Yes.

7 Q Other than that, what are your job
8 responsibilities?

9 A We investigate associate concerns. They can
10 call in through the hotline or they can share with
11 their manager who sends it up, and we'll do the
12 investigation and then make a recommendation based on
13 our findings.

14 Q And to whom do you report?

15 A Stacy Brink.

16 Q And for how long have you reported to
17 Ms. Brink?

18 A The whole time since I started.

19 Q And the services you perform for Southeastern
20 Grocers, do you perform those services for all of its
21 different brands?

22 A Yeah. I support -- yes, sorry. Yes, I
23 support all of BI-LOs and then I do a couple of the
24 districts in West Florida, so that would be some
25 Winn-Dixies. But I have worked in all of the brands,

1 such as Harveys. You know, we help other areas as
2 needed, but that's what I mainly cover.

3 Q And for the court reporter's benefit, it's
4 Harveys; right?

5 A Yes.

6 Q What did you do prior to coming to
7 Southeastern Grocers?

8 A I was human resources executive team leader
9 for Target.

10 Q How long were you with Target?

11 A Four and a half years.

12 Q Are you a member of SHRM?

13 A No.

14 Q Do you have any certifications in human
15 resource management?

16 A No.

17 Q Do you have an undergraduate degree?

18 A Yeah. I have a bachelor's degree in
19 education.

20 Q Do you have any post bachelor degree work?

21 A No.

22 Q When did you get your bachelor's degree?

23 A December of 2011, I believe, I graduated.

24 Q Since you've been employed at Southeastern
25 Grocers, have you had any training in how to conduct

1 investigations?

2 A Like with a certain -- like what do you mean?
3 By like special classes or more like training among my
4 leader talking about it?

5 Q And that's a good example of asking for
6 clarification. Let me break it down.

7 Since you've been at Southeastern Grocers,
8 have you attended any training put on by any outside
9 company or programs on how to conduct investigations?

10 A We have. We've done the -- where you get
11 the -- you know, where you call in and they do it over
12 the phone and you watch the -- I cannot think of the
13 word. Like a seminar-type thing where -- you know,
14 through -- I cannot remember the words. I'm sorry.

15 Q That's all right. Take your time.

16 A Like we haven't left the office to attend a
17 training. We've done it where we call in and
18 participate in an online training class where you call
19 in and they talk through it and they go over it, that
20 kind of investigation training.

21 Q Do you know who conducts that training?

22 A I think we've done some through -- I believe
23 we've done through some NAVEX, which is who our -- who
24 we used to do our reporting and stuff. And then I'm
25 not positive who the other ones were through, but we've

1 done a couple, a handful.

2 Q How many investigations do you believe you've
3 conducted while at Southeastern Grocers?

4 A I'm thinking about maternity leave. I would
5 say I know over a thousand. Probably between 11 and
6 1200, if I was just guessing. Maybe a little less
7 because I had maternity leave last year.

8 Q And how many of those investigations do you
9 actually go to the store?

10 A I've only gone to the store for one.

11 Q Where was that store?

12 A It was towards Orlando area, a little south
13 of us.

14 Q When was that investigation?

15 A It was -- it was last year, I think. It
16 might have been the year before, actually. I don't
17 think I was pregnant, so I want to say it might have
18 been 2018, probably.

19 Q Do you conduct any training for Southeastern
20 Grocers?

21 A Where I do the training?

22 Q Yes, ma'am.

23 A No. Other than new hirers, like when someone
24 has joined our team I've helped like train an onboard,
25 but not anything for the company.

1 Q How many associate relation specialists are
2 there at Southeastern Grocers?

3 A There's four specialists and then there's the
4 manager, Stacy.

5 Q And do those four specialists all do what you
6 do?

7 A Yes.

8 Q So you and three others?

9 A Yes.

10 Q Do you play any role in responding to charges
11 of discrimination filed with the EEOC or a state fair
12 employment practice group?

13 A Like if someone files a charge we --

14 Q No one is going to know what I meant by that
15 question. Let me try it again. Do you know what a
16 charge of discrimination is?

17 A Yes.

18 Q And do you know sometimes they're filed with
19 a state agency or sometimes they're filed with the
20 EEOC?

21 A Right.

22 Q Okay. Do you play any role in responding to
23 charges of discrimination filed with either the state
24 agency or the EEOC?

25 A So like when they come back to the company

1 and ask for like a legal hold or something like that?

2 Q Okay, that may be one area in which you get
3 involved. You make a notification of a hold, like hold
4 onto the records, that's good. But do you play any
5 role in, say, in investigating or responding to the
6 charge?

7 A Let me make sure I answer. So if they have
8 filed a charge and it's like coming back to the
9 company, I would say I wouldn't -- we wouldn't -- I
10 wouldn't think, no. If it is not -- if they were to
11 like call in a complaint and say they are being
12 discriminated against, that's something my role would
13 do. But if it's already a legal charge then, no.

14 Q For example, did you play any role in
15 responding to Ms. Styles' charge of discrimination?

16 A Like when she originally filed her complaint?

17 MR. SHANKMAN: When he's using the term
18 "charge," he's talking in the legal sense, the
19 EEOC charge or the state --

20 THE WITNESS: After she filed the charge, did
21 I conduct another investigation?

22 BY MR. MURPHY:

23 Q No, I'm not asking that necessarily, but
24 let's make sure you understand what the charge is
25 because we don't want you to guess at a question if you

1 don't know.

2 A Right.

3 Q Do you know anything about the EEOC process
4 and when people file a complaint with the EEOC or the
5 state employment agency?

6 A From my understanding, they would file it
7 with the EEOC and then they can move forward.

8 Q Do you know what that is, a charge? Because
9 I don't want to ask you questions about things you
10 don't know about, it's not fair to you.

11 A No. I would assume they're making a claim.

12 Q Okay. So whatever that is, you're not
13 involved in that process; is that fair to say?

14 A I think that's fair to say.

15 Q Okay. Have you ever been to the BI-LO store
16 in Pendleton, South Carolina?

17 A No.

18 Q Have you ever been to Pendleton, South
19 Carolina?

20 A No.

21 Q Have you ever been to Anderson County, South
22 Carolina?

23 A No.

24 Q Have you ever been to South Carolina?

25 A Maybe on like a layover on a plane. I don't

1 think I've ever visited.

2 Q Do you know Michael Brickman?

3 A No.

4 Q Have you ever met Michael Brickman in person?

5 A No.

6 Q Do you know Tommy Brown?

7 A Yes, I've met Tommy.

8 Q How many times have you met Tommy Brown?

9 A Once, I think.

10 Q Where was that?

11 A It was at a -- like a big conference thing we
12 did here in Jacksonville a couple of years ago, I
13 believe.

14 Q Is that the only time you recall meeting
15 Mr. Brown?

16 A Yes.

17 Q And how much time did you spend with
18 Mr. Brown at that conference?

19 A Just introductions. Maybe a minute, maybe,
20 saying hello and introducing ourselves.

21 Q Have you ever met Randy Ellison?

22 A No.

23 Q Have you ever dealt with Mr. Ellison?

24 A Not that I recall.

25 Q Have you ever dealt with Mr. Brown?

1 A Yes, a little bit.

2 Q In what circumstances have you dealt with
3 Mr. Brown?

4 A Via e-mail or phone a couple of times, maybe,
5 for like a random case here or there.

6 Q Have you ever met Lisa Styles?

7 A No.

8 Q Have you ever met Katie Brennan?

9 A No.

10 Q Have you ever met Lisa Fortner?

11 A No.

12 Q Have you ever met Angela Dutton?

13 A No.

14 MR. SHANKMAN: I'm going to object to the
15 form to the terms -- well, I'll object to the
16 form.

17 BY MR. MURPHY:

18 Q Have you ever met Tasha Holson?

19 A No.

20 MR. SHANKMAN: Same objection.

21 BY MR. MURPHY:

22 Q Do you know Ken Miller?

23 A Yes.

24 Q How well do you know Ken Miller?

25 A I guess I work with him a lot on a regular

1 basis, so he's a good work partner. I don't know much
2 about his personal life.

3 Q I won't ask you about that.

4 A I mean, we obviously don't work in the same
5 state so there's not a lot of face time. It's a lot of
6 phone calls and e-mail.

7 Q Do you know how many investigations you have
8 done rising out of complaints from employees at the
9 Pendleton store?

10 A No. I don't know.

11 Q Do you have any estimate?

12 A No. I would have -- I would have no idea to
13 guess.

14 Q How many complaints have you received about
15 Michael Brickman?

16 A I don't know.

17 Q Do you have any idea?

18 A No.

19 Q What is the name of the system used to
20 document complaints in your --

21 A Our program that we use?

22 Q Yes.

23 A NAVEX.

24 Q And that's N-A-V-E-X?

25 A Yes.

1 Q And what is the purpose of NAVEX?

2 A NAVEX will -- they intake the calls or the
3 e-mails that people can send in their concerns, and
4 then that's where we can also document our notes and
5 upload any attachments or anything like that.

6 Q Let me clarify with NAVEX. Is NAVEX a
7 company?

8 A It is a different company. It's a third
9 party.

10 Q And do they as a third party actually receive
11 the complaints?

12 A Yes. Like they have the call center that
13 would take in the complaint and all the details.

14 Q And then do they notify you that there has
15 been a complaint?

16 A Yes. It would then come into the system and
17 it would show up for us to see or we can self-enter a
18 complaint, like if it came up through the store or HR
19 or something like that, we can enter it to work our
20 case that way.

21 Q Was the complaint from Ms. Styles
22 self-entered?

23 A Yeah, because she went to the DM, who sent it
24 to me, so I would have entered it into the system.

25 Q When you did the investigation into

1 Ms. Styles' complaints, did you take handwritten notes?

2 A Yes.

3 Q What did you do with the handwritten notes?

4 A I typed them. And then the notes are on a
5 pad, so I don't know, they might be in the shredder.

6 It was two years ago so they've probably been shredded.

7 Q Did you look for them?

8 A No.

9 Q Where else might they be?

10 A I have some on my desk, notes.

11 Q Do you have any notes at your desk regarding
12 Ms. Styles or her complaints?

13 A Not that I'm aware of.

14 Q Do we have any documentation of your
15 discussions with any of the witnesses in Ms. Styles'
16 complaints other than what you entered into the NAVEX
17 system?

18 A No, because I attached everything or I typed
19 it in, yes, so all the notes were then put into the
20 system.

21 Q And you've reviewed those notes preparing for
22 your deposition today; correct?

23 A Yes.

24 Q Do you have any recollection of your
25 discussions with the individuals you interviewed other

1 than what's in your notes?

2 A No. No, not really. I mean, I referenced my
3 notes but -- I guess I don't know -- what recollection
4 are you wanting?

5 Q That's fair. And I'll go through them
6 specifically, if you need more clarification on that.

7 MR. MURPHY: We'll do this as Exhibit 1.

8 (Plaintiff's Exhibit No. 1 was marked
9 for identification.)

10 BY MR. MURPHY:

11 Q Ms. Furnas, I'm going to give you a set of
12 documents. And at any time I give you documents,
13 whatever time you need to review something before I ask
14 you questions, take whatever time.

15 A Okay.

16 Q So you mentioned earlier you may have to
17 refer to your notes. That's perfectly understandable
18 and there's no like time limit.

19 MR. MURPHY: Let me go off the record for
20 just one thing.

21 (Off-record discussion.)

22 BY MR. MURPHY:

23 Q Okay. Ms. Furnas, we put in front of you
24 documents that begin at Bates No. 64 and end at Bates
25 No. 86.

1 Let's focus on 64 through 75 right now. Can
2 you tell me what documents 64 through 75 are?

3 A Sixty-four is an e-mail between Lisa and
4 myself where she sent me the documents and I confirmed
5 I got them.

6 Q When you say "the documents," that's what I
7 want to clarify.

8 A The statements.

9 Q Are we talking about pages 66 through 75?
10 Are those the attachments?

11 A Sixty-five looks like it must have been one
12 of the attachments or some form of a statement because
13 it's a statement from Katie Brannan.

14 Q So 65 through 75 are the attachments to 64?

15 A But when I got them, they looked like this
16 section. Mine don't look like these.

17 Q You're referring to 76 through 86?

18 A Yeah. These look like the originals maybe.

19 Q Let's be clear. What you received in the
20 e-mail was pages 64, 65, then 76 through 86 were also
21 attached?

22 A Sixty-four and 76 look the same. It looks
23 like one is just moved over in picture form. So that's
24 probably what I got.

25 Q Let's take a look at those.

1 A Sixty-five and 76 looks like it's the picture
2 of it, so it might be the same.

3 Q So you believe what you received with the
4 e-mail from Ms. Styles are pictures of the statements
5 that are 65 through 75. In other words, you received
6 pages 76 through 86?

7 A Yes. That looks like --

8 Q Attachments?

9 A Yes, attachments, pictures of them, yes,
10 whereas these look like the originals or something.

11 Q "These" you're referring to 65 through 75?

12 A Yes.

13 Q Did you ever have a copy of the documents
14 that were 65 through 75?

15 A I have the pictures of them.

16 Q Just the pictures, the 76 through 86?

17 A Yes.

18 MR. MURPHY: Mark that as 2, please.

19 (Plaintiff's Exhibit No. 2 was marked
20 for identification.)

21 BY MR. MURPHY:

22 Q Okay. Ms. Furnas, I've given you Exhibit
23 No. 2, which is Bates stamped 230 through 263. Those
24 numbers are on the bottom in the middle.

25 And, again, take whatever time you need. But

1 my first question to you will be, when you're ready for
2 it, can you identify for me what this document is?

3 A This looks like a printout of the -- from
4 NAVEX. So I guess the whole case put into PDF form and
5 then printed.

6 Q And, again, take whatever time you need, but
7 are you aware of any information that was put into
8 NAVEX with regard to Ms. Styles' complaints other than
9 the documents that we've marked as Exhibit No. 2, which
10 are documents 230 through 263?

11 MR. SHANKMAN: Object to the form. You can
12 answer if you understand it.

13 THE WITNESS: Is there anything other than
14 this?

15 BY MR. MURPHY:

16 Q Yes, ma'am.

17 A No.

18 Q If you go to Page 2, or it's Document 231,
19 the second page of this exhibit, up at the top, do you
20 see where it says "closed"?

21 A Yes.

22 Q Is says 4/19/2018 at 4:00.

23 A Yes.

24 Q Can you tell me what that entry means?

25 A I believe that the time and date is when I

1 entered the case and put the description in, I think it
2 says "closed." I'm not positive because I don't know
3 everything about NAVEX, but I'm not positive if it was
4 closed when it was pulled because it wouldn't have been
5 closed yet.

6 Q So you don't believe the 4:00 on 4/19 relates
7 to when it was closed?

8 A No. I believe that's when the descriptor was
9 entered in, like the case was created.

10 Q Did you have discussions with anyone about
11 Ms. Styles' complaint other than the individuals who
12 are mentioned in the case file documents 230 through
13 263?

14 A Like did I talk about the case at all with
15 anybody else?

16 Q Yes, ma'am.

17 MR. SHANKMAN: During what time period,
18 counsel, because she's talked about it with me.

19 MR. MURPHY: That's fair.

20 BY MR. MURPHY:

21 Q Let me also -- you may have been prepared on
22 this, but I'm not asking you any questions about
23 discussions you had with lawyers; okay?

24 A Okay.

25 Q So the only reason I want to clarify that is

1 I've had an occasion where someone has told me, well, I
2 talked about this and this and this, and then we get to
3 who did you talk to this with, the lawyer yesterday.

4 We're not supposed to get into that. Any
5 conversation you had with a lawyer, you don't tell me
6 about, okay, and that would include Mr. Shankman,
7 anybody from his firm. Do they have in-house lawyers
8 at Southeastern Grocers?

9 A We have an attorney in the office.

10 Q If you talked to him or her, you don't have
11 to tell me about that.

12 A Okay.

13 Q But he also brought up another decent point
14 about time.

15 Let me ask, in April to May 2018 time frame,
16 did you have discussions with anybody at Southeastern
17 Grocers about Ms. Styles' complaints other than the
18 individuals who are reflected in the file marked 230
19 through 263?

20 A I most likely talked to my supervisor about
21 it, I'm sure.

22 Q And that's --

23 A Stacy Brink.

24 Q Did you document any communications with
25 Ms. Brink?

1 A No.

2 Q Did you e-mail or text Ms. Brink?

3 A No.

4 Q Do you recall anything about your discussions
5 with Ms. Brink about Ms. Styles' complaint?

6 A Not anything -- no, not anything specific
7 that I can think of.

8 Q Other than Ms. Brink, did you have any
9 discussions with anyone at Southeastern Grocers in the
10 April/May 2018 time frame about Ms. Styles' complaints
11 other than what appears in this case record marked 230
12 through 263?

13 A Nobody other than who's in here besides
14 talking to my boss.

15 Q And I've already prefaced you don't tell me
16 about any discussions with lawyers.

17 A Right.

18 Q But after the May 2018 time frame, did you
19 have any discussions with anyone at Southeastern
20 Grocers about Ms. Styles or her complaint?

21 A Just Stacy.

22 MR. SHANKMAN: Counsel, let me just get into
23 one point. After would include now?

24 MR. MURPHY: Correct.

25 MR. SHANKMAN: So if Stacy is having a

1 conversation at my direction with Allison about
2 this, there is a work product component here and
3 there's an attorney-client privilege that stems
4 through it.

5 So I think I know where you're going, as long
6 as you can clarify that, like maybe pre-lawsuit
7 but post investigation, if you could put it in
8 that window, I think -- I'm not trying to tell you
9 what to do.

10 MR. MURPHY: No, that's fair.

11 MR. SHANKMAN: I don't know if your answer
12 about Stacy was immediate or in relation to the
13 lawsuit having been filed. And I'm not asking
14 you, so I just want to bring that point up.

15 BY MR. MURPHY:

16 Q Also, let me explain, because we're not
17 trying to put you in a difficult position here. If
18 you're in a position where you don't know whether it
19 might be about the lawsuit or not, there's an exception
20 to that rule that I talked about where you can't talk
21 to anybody. You and Mr. Shankman are free to go
22 outside and you can explain to him the circumstance and
23 he can decide whether that's attorney-client privilege
24 or not. That's within the rules and that's perfectly
25 fine.

1 So if you feel like I, you know, think that
2 might have been a discussion about this or something I
3 really don't know, you can ask to talk to him and
4 that's fine because we don't want to put you in a
5 difficult position.

6 A Okay.

7 Q Let me do it -- don't tell me what was said
8 yet.

9 A Okay.

10 Q Let's put it in a time frame and maybe that
11 will help him and us put some context on it.

12 When did you have your communications with
13 Ms. Brink about Ms. Styles' complaint after May of
14 2018?

15 A Once the lawsuit came up. We didn't talk
16 about it again once it was over, if that's what you're
17 asking.

18 Q You had discussions with her?

19 A To pull the notes or whatever.

20 Q That's fine.

21 MR. SHANKMAN: Thank you.

22 BY MR. MURPHY:

23 Q And I'm going to ask you questions about your
24 discussions with the witnesses. And, again, it's
25 perfectly fine for you to look at the notes and, you

1 know, whatever you have to do before you answer a
2 question. We're not on a -- this isn't like a game of
3 chess where you've got so much time to make a move or a
4 shot clock in basketball or anything because it's
5 important that we get your answer right.

6 With regard to your conversation with Mike
7 Brickman regarding Ms. Styles, how many times did you
8 communicate with Mr. Brickman about Ms. Styles'
9 complaint?

10 A Just once.

11 Q And that was on the 24th?

12 A Well, sorry, can I clarify my answer?

13 Q Absolutely.

14 A So when I interviewed Mike Brickman, I didn't
15 say I'm interviewing regarding a complaint regarding
16 Lisa. So there was never a point where I said to Mike
17 I'm talking about a complaint Lisa made. But as far as
18 this investigation goes, I only spoke with Mike once.

19 Q Okay. You spoke to him on the 24th of 2018?

20 A Yes.

21 Q Did you tell him why you were interviewing
22 him?

23 A I talked to him about concerns that had been
24 raised from associates, but I did not tell him that
25 Lisa filed a complaint.

1 Q Do you have any recollection of anything you
2 said to Mike Brickman other than what you've documented
3 in NAVEX?

4 A No.

5 Q Do you have any recollection of anything Mike
6 Brickman said to you other than what you documented in
7 this NAVEX report?

8 MR. SHANKMAN: Object to the form.

9 THE WITNESS: No.

10 BY MR. MURPHY:

11 Q With regard to the investigation into Lisa
12 Styles' complaint, do you have any recollection of
13 anything that Mike Brickman told you other than what
14 you documented into the NAVEX system here?

15 MR. SHANKMAN: Object to the form.

16 THE WITNESS: No.

17 BY MR. MURPHY:

18 Q Let's go to Page 236, please.

19 MR. SHANKMAN: 236 of Exhibit 2; correct?

20 MR. MURPHY: Yes.

21 BY MR. MURPHY:

22 Q Do you see at the top an e-mail from
23 Mr. Ellison dated April 23rd at 2:04 p.m.?

24 A Yes.

25 Q And do you see where he discusses a written

1 documentation from around November of 2017?

2 A Yes.

3 Q Did you ever review a copy of that?

4 A No. They never sent it.

5 Q Did you ever ask them for it?

6 A I asked -- I believe I requested it, but I
7 don't know if I -- I don't think I requested it from
8 Randy because I wasn't working with Randy. I think I
9 asked Tommy if he had it, if I remember right. But I
10 think Tommy might have reached out to Randy and he sent
11 that e-mail.

12 Q Well, after you received the e-mail from
13 Mr. Ellison saying there was documentation, did you
14 ever follow up with Mr. Ellison to get a copy of it?

15 A No. I believe he said that he was going to
16 have Ken look for it, and then I don't think anybody
17 ever came up with it. I never got the copy.

18 Q Did you ever ask Ken Miller about the written
19 communication from around November of 2017?

20 A I don't remember if I talked to Ken or not.

21 Q If you spoke to Ken Miller, would you have
22 documented it in NAVEX?

23 A Possibly. If it was just a brief phone call
24 asking if he had it, I may have, I may not. I don't
25 know if I talked to Ken.

1 Q Did you ever do anything to inform yourself
2 as to the communication to his staff concerns that are
3 referred to in Mr. Ellison's e-mail of April 23rd?

4 A Are you asking if I tried to get more
5 information about it?

6 Q Yes, ma'am.

7 A I believe Mike referenced it in his
8 interview.

9 Q Can you show me where, please.

10 A On Page 261 I asked him if he received any
11 coaching or feedback, and he said that DM Randy had,
12 that he had gotten a writeup for not following up on
13 notes, second to last bullet.

14 Q Do you know anything more about the
15 November 2017 documentation, other than what
16 Mr. Brickman told you as reflected on Document No. 261?

17 A Only what Tommy referenced, the previous DM
18 told him that he had documented him and then what's in
19 my notes from Mike, that's all.

20 Q Did you ever call Randy Ellison to ask him
21 what the prior documentation was about?

22 A No.

23 Q Would you agree with me that Mr. Brickman
24 didn't give you any specifics as to what the prior
25 documentation was about?

1 A He didn't give specific details, no.

2 Q Let's go to Page 237, please.

3 Who is Cecil?

4 A Cecil is the market manager.

5 Q Do you know Cecil?

6 A No.

7 Q Did Cecil call you or did you call Cecil?

8 A I called him.

9 Q Why did you call Cecil?

10 A Because he is one of the managers that worked
11 for Mike, and the concerns that were shared were that
12 he was mistreating all of his management staff.

13 Q Do you recall anything that was said between
14 yourself and Cecil on April 23rd, 2018, other than what
15 is documented on Page 237?

16 MR. SHANKMAN: Object to the form.

17 THE WITNESS: No.

18 BY MR. MURPHY:

19 Q Let's go to Page 238, please.

20 Who is Shawn?

21 A Shawn is the produce manager.

22 Q And why did you call her?

23 A Because she was a member of management.

24 Again, management was referenced as being mistreated.

25 Q Do you recall anything that was said between

1 yourself and Shawn -- let me ask this: Did you speak
2 to Shawn on Monday April 23rd, 2018?

3 A Yes.

4 Q So when you put a date under the person's
5 name, that's the date of your interview?

6 A Yes.

7 Q The date you entered the notes into the
8 system was April 26?

9 A Yes.

10 Q Do you recall anything that was said between
11 you and Shawn on April 23rd, 2018, other than what is
12 documented on Page 238?

13 A No.

14 MR. SHANKMAN: Object to the form.

15 BY MR. MURPHY:

16 Q Let's go to Page 239.

17 And who is Barry?

18 A Store merchandising manager.

19 Q And you spoke to Barry on April 20th?

20 A Yes.

21 Q Do you recall anything that was said between
22 you or Barry other than what is documented on Document
23 239?

24 A No.

25 Q Let's go to pages 240 and to the very top of

1 241.

2 And these are your -- these are your notes
3 and your discussions with Lisa Styles?

4 A Yes.

5 Q And that discussion occurred on April 20th?

6 A Yes.

7 Q All right. In looking at NAVEX, I had one
8 question. Is there any way we can tell, for example,
9 on April 20th, looking at these records, the order in
10 which you spoke to people? In other words, can I tell
11 whether you spoke to Lisa first or Barry first by
12 looking at these records?

13 A No. I don't think so.

14 MR. SHANKMAN: Other than the dates that are
15 on there, the way the records are entered?

16 MR. MURPHY: No. My point is she has two
17 different discussions with two different people on
18 April 20, 2018, and I'm wondering if by looking at
19 NAVEX can I tell which one came first.

20 THE WITNESS: Not looking at NAVEX, I don't
21 think so. No. Actually, hold on. I think
22 they're showing up the way that we're looking at
23 them backwards, so I take that back.

24 I think you can tell because if you -- just
25 to make it easy -- if you look at 239, 240 and

1 241, lay them all out so you can see the
2 reference. The first one on 241 is Tommy.

3 Do you see what I'm talking about?

4 BY MR. MURPHY:

5 Q Yes.

6 A So he was first, and then the next one
7 entered is Lisa and then the third one entered is
8 Barry. So they are entered in the order they were
9 spoken to. So it doesn't --

10 Q Reverse chronological?

11 A Yeah. It's printing backwards, I guess. No.
12 There's not a time stamp, but that's the order they
13 were entered.

14 Q Just for reference purpose, I want to see if
15 I can put a time frame on it. If you go back to
16 Exhibit No. 1, do you see on April 20th at 9:20 a.m.
17 Lisa's e-mailing you and saying thank you for taking
18 your time to read these and for calling me today?

19 A Yes.

20 Q Does that refresh your recollection as to
21 when you might have spoken to her on the 20th?

22 A Yes. I talked to her that morning before she
23 sent the e-mail.

24 Q Do you have any idea how close in time your
25 discussion was with her to 9:21 when she sent you the

1 e-mail?

2 A I'm trying to remember, but I want to say she
3 e-mailed pretty quickly after we hung up. So I would
4 say it was all, you know, right around -- like we
5 probably hung up not long before this.

6 Q What time do you usually get to work?

7 A Between 7:00 and 7:30.

8 Q Do you know what time she usually does?

9 A I believe her schedule would have changed
10 daily.

11 Q Do you recall anything that was said between
12 yourself and Lisa Styles on April 20th other than what
13 you've documented on pages 240 and 241?

14 A No.

15 Q And we go to Page 241 and we have the entry
16 from DM Tommy, and that's Mr. Brown; correct?

17 A Correct.

18 Q And he called you on the 19th?

19 A Yes.

20 Q Do you have any recollection of anything said
21 between yourself and Mr. Brown on the 19th other than
22 what you've documented on Page 241?

23 A No.

24 Q Now, if we move on to like Page 242, is that
25 a word document that you just paste the text into?

1 A Yeah. I'm like a very thorough -- I want to
2 make sure everything gets in there. So I use one note
3 to document my stuff; so this is what it looks like on
4 one note, and then I also put it into the NAVEX notes
5 section. So it's in there twice, that's why you have
6 it twice basically.

7 Q So then the only individuals you interviewed
8 at the Pendleton store with regards to Ms. Styles'
9 complaint were managers?

10 A Yes.

11 Q Were any of the women who submitted
12 statements through Ms. Styles managers?

13 A I believe one, the deli manager wrote a
14 statement.

15 Q Ms. Dutton?

16 A Let me double check her last name. Angela
17 Dutton, yeah.

18 Q So the other three women, Ms. Brennan,
19 Ms. Fortner and Ms. Olson were employees, hourly
20 employees?

21 A I believe so, yes.

22 Q When did you conclude your investigation into
23 Ms. Styles' complaint?

24 A I wrote my final review on April 26th. So
25 that would be my assumption that's when it was

1 completed.

2 Q Did Ken Miller provide any information to you
3 regarding the investigation into Ms. Styles' complaint?

4 A I don't believe I talked to Ken because this
5 came directly from Tommy.

6 MR. MURPHY: Three.

7 (Plaintiff's Exhibit No. 3 was marked
8 for identification.)

9 BY MR. MURPHY:

10 Q Ms. Furnas, we have two different documents
11 here. Can you identify the other document?

12 A They look like they were customer complaints.

13 Q Were these ever referred to you?

14 A I don't think so because they're not on my
15 case notes.

16 Q Do you have any recollection of anybody
17 letting you know about these customer complaints?

18 A These wouldn't come to us so I wouldn't have
19 these, so, no.

20 Q I understand they're not routed to you
21 directly, but did anybody ever bring them to your
22 attention?

23 A Not that I remember.

24 MR. MURPHY: I asked you a question earlier
25 about the timing of your phone call with

1 Ms. Styles on the 20th. Let's go ahead and mark
2 this as 4.

3 (Plaintiff's Exhibit No. 4 was marked
4 for identification.)

5 BY MR. MURPHY:

6 Q I've given you a document we marked as
7 Exhibit No. 4 because I believe it includes an e-mail
8 from you that starts on Exhibit No. 1.

9 Do you see you e-mailed Ms. Styles at
10 8:51 a.m. on the 20th?

11 A Uh-huh.

12 Q Okay. Could you say yes or no for the
13 record?

14 A Yes.

15 Q Whatever your response is.

16 A Yes.

17 Q You did a whole deposition without -- I
18 should have told you that before. All answers have to
19 be oral, whatever you want them to be.

20 Looking at that time, and if we just assume
21 that's correct, roughly correct, does that give you any
22 idea of how close in time it would have been before
23 that that you spoke to Ms. Styles that morning?

24 A If I -- typically when I talk to somebody, if
25 I'm asking them to send me documentation when we're

1 done, I usually will e-mail them right away so that it
2 doesn't get forgotten. So I would assume we would have
3 just hung up if I e-mailed her at 8:51.

4 Q Do you recall about how long your
5 conversation was with Ms. Styles on the 20th?

6 A If I'm remembering correctly, I want to say
7 it was lengthy. It wasn't like brief. I want to say
8 close to an hour, I believe. Forty-five minutes to an
9 hour if I had to ...

10 Q Did Ms. Styles make any statements to you
11 during the investigation that you believe are not true?

12 A What do you mean? I think she shared her
13 concerns and the way she felt and perceived her
14 situation. I don't ...

15 Q Did she say anything factually to you that
16 you believe is not true?

17 A Let me look at her statement.

18 She at least said some things that couldn't
19 be substantiated. But are you asking me if I feel like
20 she filed it in malice with intent to be deceitful?

21 Q No. I'm simply asking did she make any
22 statements to you that you found to be factually
23 incorrect.

24 In other words, did she say something
25 happened and you don't believe it happened, or she said

1 somebody said something and you determined that, no,
2 they didn't say that? Things of that nature.

3 Did Ms. Styles say anything to you that you
4 believe was not true?

5 A So I don't -- I don't make any decisions
6 based on whether or not I believe it's true. I will
7 take what she says and I will investigate it.

8 So she made statements that I couldn't
9 validate, you know, but she didn't -- nothing she says
10 to me would I say, you know, she's lying or that's not
11 true. It's just I couldn't substantiate this was said
12 or not said. There was that.

13 Q For the record, when you're looking at her
14 statement, could you give me the page number?

15 A 243.

16 Q And we're on Exhibit No. 2.

17 A Yes. I'm looking at her -- my notes from our
18 phone conversation.

19 Q What statements are reflected on Document 243
20 that Lisa made that you said you were not able to
21 validate?

22 A Lisa talked about how the store manager said
23 that he and Barry don't have to help at the front, and
24 Barry stated that he's never been told he doesn't have
25 to help at the front.

1 Q Which bullet point are you on there?

2 A That was the third bullet point.

3 "Barry and I don't touch the front. You
4 don't get lunch, you don't get lunch."

5 Q Any other statements made by Ms. Styles that
6 you were not able to validate?

7 A Bear with me one second, let me look through.

8 MR. SHANKMAN: Object to the form.

9 MR. MURPHY: Yes. You take whatever time you
10 need.

11 MR. SHANKMAN: Did you get the objection?

12 COURT REPORTER: Yes.

13 THE WITNESS: She said Mike told Catherine
14 she was half a person. Mike denied this, so I
15 wasn't able to validate it.

16 BY MR. MURPHY:

17 Q Who is Katherine?

18 A The receiver. I think that's Katie Brannan.
19 Do you want me to go through each one?

20 Q Thank you for asking that. I want to know
21 every statement that you claim Ms. Styles made that you
22 were not able to validate.

23 A Okay. Well, Lisa says that Mike treats
24 females differently than males. I wasn't able to
25 validate that he is mistreating people based on gender.

1 Q Which bullet point are you on?

2 A The very first one. Lisa will reference how
3 he mistreats other managers, such as Barry calling them
4 incompetent, which Barry is a man.

5 Q Which bullet point are you on?

6 A It's either in her written statement or it's
7 in -- I think it's in her written statement where Lisa
8 told the deli team that her and Barry were incompetent.
9 It's on Page 246, the fifth bullet. It's kind of hard
10 to see.

11 Q If we look at Exhibit No. 1 --

12 A Okay. It's on Page 68.

13 Q Are you referring to Page 68 --

14 A Bullet 5 where Mike says that her and Barry
15 are both incompetent and can't do their jobs.

16 Also in Katie Brannan's statement, which is
17 on Page 65, she says Mike shows no respect for his
18 management or store team, which would --

19 Q Let's right now focus on Ms. Styles' --

20 A I was just saying why I said it wasn't just
21 women, like the --

22 Q You're giving me an example of why you
23 couldn't validate Ms. Styles?

24 A That's what I was referring to.

25 So Katie had referenced multiple people.

1 Q On Page 65 what in Ms. Brannan's statement do
2 you believe made it difficult for you to validate what
3 Ms. Styles said?

4 A No. I'm just saying she referenced
5 mistreatment of both genders basically. She said he
6 mistreats -- he has no respect for his management team,
7 which we know consisted of men and women, or his store
8 team, which consisted of men and women. It's towards
9 the end of the paragraph at the second to last line.

10 Q Does Ms. Brannan ever specifically mention
11 the mistreatment of any man?

12 A No. She says "management team," so that
13 consisted of men and women.

14 Q Any other statements made by Ms. Styles that
15 you believe you could not validate?

16 MR. SHANKMAN: Object to the form.

17 THE WITNESS: I believe it's the seventh
18 bullet where Lisa states that Mike tells her do
19 your job and keep your mouth shut.

20 When I questioned Mike, he denied that. And
21 that's the last bullet on Page 261.

22 But those would be the specific things I
23 would --

24 BY MR. MURPHY:

25 Q Let me go back through those. The first one

1 you mentioned was the third bullet point, and you
2 referenced the final sentence where Ms. Styles claimed
3 that Mr. Brickman said, "You're the CSM and Barry and I
4 will not touch the front, so if you don't get lunch,
5 then you don't get lunch." Do you see that?

6 A Yes.

7 Q Did you document ever asking Mr. Brickman
8 about that allegation?

9 MR. SHANKMAN: Object to the form.

10 THE WITNESS: No.

11 BY MR. MURPHY:

12 Q And Ms. Styles never told you that Barry was
13 present when Mr. Brickman made that statement to her,
14 did she?

15 A It's not written in my notes that Barry's
16 present. The way that it -- from our conversation, I
17 believe that it was presented that Barry was present,
18 but I did not write it specifically in the notes.

19 Q Let's go to the second one you mentioned, and
20 that is Katie or Katherine being called half a person.

21 Now, did you ask Ms. Styles how she knew
22 about that?

23 A I want to say she -- I believe she told me
24 Katie told her, but I didn't write it down so I can't
25 100 percent say, but I believe that's what she said.

1 Q And Ms. Brannan --

2 A Put it in her statement.

3 Q -- put it in her statement that that's what
4 he called her; right?

5 A Yes.

6 Q But you never interviewed Ms. Brannan?

7 A No.

8 Q And you didn't ask Ms. Brannan?

9 A I didn't interview her.

10 Q Did you ask any witness whether they heard
11 Mike call Katie half a person?

12 A No.

13 Q Let's go to the third one you mentioned. You
14 said that's the first bullet point on Page 243. "Mike
15 treats females different than males, Lisa got several
16 statements that she has provided" --

17 A Wait. I'm sorry, where are you at?

18 Q On Page 243. The third area you told me that
19 you're not able to validate was the first bullet point
20 where you said Mike treats females different than
21 males, Lisa got several statements that she provided.

22 Is that a reference to the statements from
23 Ms. Brannan, Ms. Fortner, Ms. Dutton and Ms. Olson?

24 A Yes.

25 Q And you would agree with me those statements

1 also repeatedly say that he treats women differently
2 than men?

3 A They have comments about women, yes, but they
4 also reference mistreating the management team or the
5 whole team.

6 Q Would you agree with me every single one of
7 those statements says he treats women more harshly or
8 differently than he treats men?

9 A Yes.

10 MR. SHANKMAN: Object to the form.

11 BY MR. MURPHY:

12 Q And you did not interview any of the women
13 that provided written statements?

14 A No.

15 Q And you didn't interview any other --

16 A I did interview Lisa, who had a written
17 statement.

18 Q Correct.

19 A Yeah.

20 Q But the other ladies, Ms. Olson, Ms. Dutton,
21 Ms. Fortner and Ms. Brannan, you never interviewed
22 them?

23 A Correct.

24 Q With regard to the allegation on Page 243 and
25 the seventh bullet point, which Ms. Styles alleged that

1 Mr. Brickman told her to do your job and keep your
2 mouth shut, did you do anything to determine whether or
3 not there were witnesses to that incident?

4 A Normally when I would do an investigation,
5 that would be a question I would have asked; and if
6 there are witnesses, I would have written it. That I
7 didn't put anybody, I'm assuming, the way I typically
8 take notes, that she told me there was not a witness.

9 Q But you didn't document --

10 A But I didn't write "no witness."

11 Q My question was: Did you do anything to
12 determine whether or not there were witnesses?

13 A I would have asked her. I asked her.

14 Q But you didn't document it?

15 A Correct. I'm going off of how I would
16 typically conduct an investigation. And when there's a
17 statement like this or a comment, "Was there any
18 witnesses," and if they said "yes," I would put who
19 they were, and if they said "no" then I would keep
20 moving.

21 Q After you concluded your investigation, did
22 you have any communications with Lisa Styles?

23 A Like as in a final follow-up from the
24 investigation or anytime after?

25 Q Anytime after.

1 A I don't believe so. I don't believe so.

2 Q Did you follow up with any of the ladies who
3 submitted written complaints, such as Ms. Brannan,
4 Ms. Fortner, Ms. Dutton or Ms. Olson?

5 A No.

6 Q Did you take any steps to ensure that none of
7 these women were retaliated against?

8 A I went over -- I believe I went over
9 retaliation with Lisa and talked about if there's any
10 concerns on how to report it and how to share your
11 concerns. And then typically I would go over
12 retaliation with the accused party and the
13 expectations.

14 Q Did you document going over retaliation with
15 Mr. Brickman?

16 A No. I don't see it in my notes.

17 Q Do you have any documentation of ever
18 discussing retaliation with Mr. Brickman?

19 A No.

20 Q So did you do anything to ensure that these
21 women would not be retaliated against?

22 MR. SHANKMAN: Object to the form.

23 THE WITNESS: Other than reviewing the
24 retaliation policies, which is something I would
25 standardly do.

1 BY MR. MURPHY:

2 Q Were you informed that Ms. Styles was
3 terminated?

4 A No.

5 Q When did you first learn that Ms. Styles had
6 been terminated?

7 A Once I was told about the lawsuit.

8 Q Don't give me the content of what you were
9 told yet. I'm just going to ask specific questions,
10 okay. So just answer them -- you've done a great job,
11 by the way, as a witness today, especially for your
12 first time of answering the questions and that's great.

13 I really want you to do it here, just so
14 Mr. Shankman and I can make sure we're not getting into
15 an area that he would rightfully expect to be
16 confidential; okay?

17 Were you told that Ms. Styles filed an EEOC
18 charge?

19 A Yes.

20 Q Do you recall when you were told that?

21 A A few months back.

22 Q Just a few months back from this deposition?

23 A Yes.

24 Q So well after a lawsuit was filed.

25 A I assume. I don't know when it was filed.

1 Q I can tell you that. That's perfectly fair
2 for you to know. The lawsuit was actually filed in
3 June of 2018.

4 A No. I think maybe January I might have --

5 Q Of this year?

6 A This year.

7 Q All right. So did anyone tell you that any
8 of the statements made by Ms. Styles were not true
9 other than Mr. Brickman?

10 MR. SHANKMAN: Object to the form.

11 THE WITNESS: If any of Lisa's statements
12 were untrue?

13 BY MR. MURPHY:

14 Q Right. What I'm asking is, I understand you
15 asked Mr. Brickman about some of the statements Lisa
16 made and he denied them. My question simply is: Is
17 there any statement Ms. Styles made to you that anyone
18 other than Mr. Brickman claimed was untrue?

19 MR. SHANKMAN: Object to the form.

20 THE WITNESS: I mean, some of it is
21 perception, you know, like Lisa stated the store
22 was having issues, morale issues where Shawn the
23 produce manager stated that they thought things
24 were going good and they thought the store manager
25 was making improvements. So I don't know if you

1 would say that is true or untrue versus opinions,
2 but those were varying.

3 BY MR. MURPHY:

4 Q And that's a very fair point on your part.
5 My question is as to any facts or occurrences or
6 statements that she said something happened.

7 You asked, for example, Mr. Brickman whether
8 he said something, and he said, "No, I didn't say
9 that."

10 A Right.

11 Q What I'm asking you is: Is there anyone
12 other than Mr. Brickman who claimed that something
13 Ms. Styles said happened didn't happen?

14 MR. SHANKMAN: Object to the form.

15 THE WITNESS: Well, I wouldn't have asked,
16 for instance, another person unless they were
17 listed as being a witness or a part of that
18 situation.

19 So if she says he told her to shut your mouth
20 but Cecil wasn't there, I wouldn't ask Cecil about
21 it. So then, no, for those situations.

22 BY MR. MURPHY:

23 Q Why didn't you go to the Pendleton store and
24 interview the employees?

25 A That's now how we conduct our investigations.

1 Q Who makes that decision that that's not how
2 you do it?

3 A I would assume the company. Since I've
4 worked there, we've done typically via phone.

5 Q You gave me one instance here in Florida
6 where you went out to a store as part of an
7 investigation; correct?

8 A Yes. It was one time. I was kind of, I
9 guess, second, like assisting with the investigation.
10 It was like partners. But, from my understanding,
11 there may have been multiple issues at that store so
12 they wanted -- I don't know. They asked, you know, if
13 we would go to be able to talk to people. It's a
14 special circumstance, I guess.

15 Q Did you ask Ms. Brink, "Can I go to Pendleton
16 and talk to these women"?

17 A No.

18 (Off-record discussion.)

19 (Recess taken from 11:47 a.m. to 11:51 a.m.)

20 MR. MURPHY: I don't have anything further at
21 this time. Dave?

22 MR. SHANKMAN: I do slightly.

23 CROSS EXAMINATION

24 BY MR. SHANKMAN:

25 Q Ms. Furnas, you were asked if you know

1 Michael Brickman.

2 A Yes.

3 Q And you said "no."

4 A Right.

5 Q The word "know" meaning k-n-o-w, knowing
6 someone, had you ever spoken to Michael Brickman?

7 A Just for the interview.

8 Q So you've actually talked with Michael
9 Brickman, you just don't know him in the more personal
10 broader sense?

11 A Right.

12 Q You were asked about complaints at the -- how
13 many complaints were at the Pendleton store previously,
14 and you said you didn't know.

15 A Right.

16 Q As you sit here today, would your
17 responsibility have -- withdraw that.

18 In 2018 when you were doing this
19 investigation as it related to Lisa Styles and
20 Mr. Brickman, do you recall any other complaints at
21 that store having occurred at that time?

22 A Not that I remember. I think Mike himself
23 referenced an issue with an associate but ...

24 Q Let me ask it this way: Would another
25 complaint in Pendleton have been brought to your

1 investigation?

2 A Yes. I would have investigated it most
3 likely. It's my area. But it doesn't stand out as a
4 massive repeat offender or multiple issues or anything
5 like that.

6 Q When you say "massive repeat offender," that
7 implies like a lesser repeat offender. But as we sit
8 here today, do you have any recollection or any reason
9 to believe there were other complaints about
10 Mr. Brickman that related to the way he treated women?

11 A No.

12 Q What about any other complaints of
13 Mr. Brickman, in terms of whether he discriminated
14 against people?

15 A No.

16 Q And if there were around that time, would you
17 have noted that in your notes?

18 MR. MURPHY: Object to the form.

19 THE WITNESS: Most likely I would have pulled
20 a past case if there were past cases.

21 BY MR. SHANKMAN:

22 Q So, in other words, if that's your territory
23 or if that's your area of responsibility, from a human
24 resources or associate relations standpoint, if anyone
25 knew about those complaints, it would have been you;

1 correct?

2 MR. MURPHY: Object to the form.

3 THE WITNESS: Yes.

4 BY MR. SHANKMAN:

5 Q There was a reference to the comment about
6 Mike referring to someone as half a person. Did you
7 ever talk to Mike about that allegation?

8 A Yes.

9 Q Mike is Brickman; right?

10 A Yes.

11 Q And did Mr. Brickman deny it or otherwise
12 explain it or both?

13 MR. MURPHY: Object to the form.

14 MR. SHANKMAN: What's the objection?

15 MR. MURPHY: Compound.

16 MR. SHANKMAN: Okay.

17 THE WITNESS: It says he denied it.

18 BY MR. SHANKMAN:

19 Q Was there ever a discussion, to your
20 recollection, about whether he explained about what
21 half a person would refer to or could refer to?

22 MR. MURPHY: Object to the form.

23 THE WITNESS: I don't remember anything.

24 MR. SHANKMAN: I don't have anything else.

25 We'll read.

REDIRECT EXAMINATION

BY MR. MURPHY:

Q Let me follow-up in response to who would know about complaints.

Mr. Ellison never told you about prior complaints he received at the store?

MR. SHANKMAN: Object to the form.

THE WITNESS: No.

BY MR. MURPHY:

Q Did Mr. Brown ever inform you of other complaints he received at the store prior to April 19th?

MR. SHANKMAN: Object to the form.

THE WITNESS: No.

BY MR. MURPHY:

Q And you never asked Ken Miller whether there were any other complaints from women at the Pendleton store, did you?

A No.

MR. MURPHY: Nothing further.

RECROSS EXAMINATION

BY MR. SHANKMAN:

Q One more follow-up.

The other complaints that I was asking you about, how would those get to you?

1 MR. MURPHY: Object to the form.

2 THE WITNESS: Through NAVEX or if someone
3 told a like manager or HR and they sent it to me.

4 BY MR. SHANKMAN:

5 Q When you say "through NAVEX," is that what's
6 tied to the associate complaint procedure?

7 A Yes, the hotline.

8 Q So if an employee has a complaint about
9 Mr. Brickman, or anyone else at the Pendleton store,
10 they're supposed to call the hotline or they're
11 supposed to file some other complaint online?

12 A They can call the hotline or they can do a
13 web form, those would go to NAVEX, or they can call
14 their HR business partner if they wanted to and they
15 would send it to me.

16 MR. SHANKMAN: Okay. Nothing further.

17 REDIRECT EXAMINATION

18 BY MR. MURPHY:

19 Q They can also go to the district manager;
20 correct?

21 A They can. They can go to any member of
22 leadership. But if their complaint was about that
23 member, they had other alternatives.

24 Q There's no requirement that they go into the
25 NAVEX system?

1 A No.

2 Q There's no requirement they call the hotline?

3 A No.

4 MR. MURPHY: Thank you. Nothing further.

5 MR. SHANKMAN: That's it. We'll read.

6 COURT REPORTER: Do you want a copy?

7 MR. SHANKMAN: If he orders, I will.

8 MR. MURPHY: I am.

9 MR. SHANKMAN: Then I'll take a copy.

10 (The witness did not waive reading and signing,
11 and the deposition was concluded at 11:59 a.m.)

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C E R T I F I C A T E O F O A T H

STATE OF FLORIDA)

COUNTY OF DUVAL)

I, Daphne Avedon, Registered Professional
Reporter, Notary Public, State of Florida, certify
that ALLISON K. FURNAS personally appeared before me
on the 24th of February 2020 and was duly sworn.

Signed this 1st day of March 2020.



Daphne Avedon, RPR
Registered Professional Reporter
Notary Public State of Florida
My Commission No. GG 354368
Expires: September 17, 2023
Personally known

OR Produced Identification X

Type of Id Produced work id

C E R T I F I C A T E**STATE OF FLORIDA)****COUNTY OF DUVAL)**

I, Daphne Avedon, Registered Professional Reporter and Notary Public in and for the State of Florida at Large, certify that I was authorized to and did stenographically report the deposition of ALLISON K. FURNAS; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 1st day of March, 2020.



Daphne Avedon, RPR

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6 March 1, 2020

7 DAVID S. SHANKMAN, Esquire
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9 707 North Franklin Street
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12 Re: Lisa Styles v.
13 Southeastern Grocers, LLC, BI-LO, LLC

14 Dear Mr. Shankman:

15 The original errata sheet along with your transcript
16 copy of the deposition of Allison K. Furnas taken in
17 the above-styled case are enclosed for her reading and
18 signing. Please forward the signed errata sheet to
19 Brian Murphy, Esquire, who has the original
20 transcript.

21 If the reading and signing has not been completed
22 within 30 days from the date of this letter, we shall
23 conclude that the reading and signing of the
24 transcript has been waived.

25 Thank you.

 Sincerely,



 Daphne Avedon

E R R A T A S H E E T

**Re: Lisa Styles, v. Southeastern Grocers, LLC,
 BI-LO, Case No. 2018-CP-04-01127**

DO NOT WRITE ON TRANSCRIPT -- ENTER CHANGES HERE

Page	Line	Change	Reason

**Under penalties of perjury, I declare that I have read
my deposition and that it is true and correct subject
to any changes in form or substance entered here.**

Date	Allison K. Furnas
dla/022420	

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STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS
FOR THE 10TH JUDICIAL CIRCUIT
COUNTY OF ANDERSON

LISA STYLES,

Plaintiff,

vs.

CASE NO. 2018-CP-04-01127

MICHAEL CRAIG BRICKMAN,
SOUTHEASTERN GROCERS, LLC,
BI-LO, LLC, KEN MILLER,
and RONNIE DUNCAN,

Defendants.

DEPOSITION OF: LISA STYLES

DATE: November 6, 2019

TIME: 9:00 a.m.

LOCATION: Derrick, Ritter, Williams
& Morris, P.A.
107 North Fairplay Street
Seneca, South Carolina

TAKEN BY: Counsel for the Defendants

REPORTED BY: Mary K. Stepp, Court Reporter

A. WILLIAM ROBERTS, JR., & ASSOCIATES

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(INDEX AT REAR OF TRANSCRIPT)

1 LISA STYLES,

2 having been duly sworn, testified as follows:

3 EXAMINATION

4 BY MR. ROBINER:

5 Q. Can you state your full name for the
6 record, please?

7 A. Lisa Marie Styles.

8 Q. Hi, Ms. Styles. My name is Mitch Robiner.
9 I represent all the defendants in this case. Have
10 you ever been deposed before?

11 A. No, sir.

12 Q. Okay. So what we're going to do is ask
13 you a series of questions under oath for purposes of
14 use in this litigation that you filed against the
15 defendants. I'm going to ask you questions. If you
16 don't understand it, ask me to rephrase it. I'll
17 rephrase it as many times as you need. If you answer
18 the question, I'm going to assume that you understood
19 it, okay?

20 A. Yes, sir.

21 Q. Under the South Carolina rules, I have to
22 tell you that once we start your deposition, which we
23 have, you're not allowed to talk to anybody about
24 your testimony until it's concluded. So even if we
25 take a break or whatever, you can't talk about the

1 testimony.

2 You can take a break whenever you want,
3 just let us know, as long as there's not a question
4 pending. If you need to take a break, just answer
5 the pending question, and then we can take a break at
6 your convenience.

7 And that is about it. At the end, you can
8 talk to your attorney about whether you want to read
9 the transcript before it's finalized or you can waive
10 your reading. It's all up to you.

11 What's your current address?

12 A. 1011 Shennandoah Drive, Anderson --

13 Q. How long -- I'm sorry.

14 A. Anderson, South Carolina 29625.

15 Q. And that's another thing I should have
16 said. If you can wait till I finish my question to
17 start your answer and I'll try my best to wait till
18 you finish your answer to start my question.

19 And who's your current employer?

20 A. Aramark.

21 Q. And how long have you have been with
22 Aramark?

23 A. A year and three months.

24 Q. And what do you do at Aramark?

25 A. I'm the assistant location manager of one

1 of their residential dining halls.

2 Q. Is that the first job that you took after
3 you left BI-L0?

4 A. Yes, sir.

5 Q. Okay. And can you just generally describe
6 your job duties with Aramark, like what you do for
7 them?

8 A. So, I -- on a daily basis, I run the
9 residential dining for food quality, taking care of
10 the students, organizing special events, manage the
11 schedule, and the labor cost.

12 Q. Okay. The Aramark where you work, is that
13 in a specific location or do they do different events
14 at different locations?

15 A. The events in my location.

16 Q. Okay. And how much do you make now with
17 Aramark?

18 A. Roughly 45,800, give or take a few
19 dollars.

20 Q. And how much did you make when you last
21 worked for BI-L0?

22 A. 49,000.

23 Q. And what was your position, when you last
24 worked with BI-L0?

25 A. Customer service manager.

1 Q. And how long had you been a customer
2 service manager for BI-LO?

3 A. Six to seven years.

4 Q. Okay. Approximately, six --

5 A. Yes, sir.

6 Q. -- to seven years?

7 A. Yes, sir.

8 Q. Okay. Was it always in that Anderson
9 store?

10 A. No, I had been in other BI-LOs.

11 Q. How long had you been with BI-LO in total
12 years?

13 A. I worked for BI-LO twice in my lifetime.
14 So I also worked for them, I want to say, but I can't
15 be positive, when I was 18, 19. Then I went back
16 probably 2010, roughly in there. And then I left
17 March -- May 23rd.

18 Q. Okay. When you came back the second time,
19 did you start out as a customer service manager?

20 A. No, sir, I did not.

21 Q. Okay. What did you start as, do you
22 recall?

23 A. Part-time cashier.

24 Q. Okay. And do you recall how long you were
25 a part-time cashier before you became a customer

1 service manager?

2 A. I can't be exact on that.

3 Q. Sure.

4 A. But I would like to say maybe nine months
5 to a year.

6 Q. Okay. With respect to the items that you
7 claim that you donated from -- that you took from
8 BI-LO and donated to Anderson Faith Ministries, are
9 you able to list out each of those items that were
10 donated?

11 A. I can't list out numbers, but I can list
12 out probably, roughly, the item. The exact item, but
13 not the exact number, no, sir.

14 Q. Okay.

15 A. I --

16 Q. Do you know how many items there were?

17 A. I do not recall, sir.

18 Q. Is there a written list anywhere that sets
19 forth every item that was donated?

20 A. I gave that list to Mike Brickman.

21 Q. Okay. When did you give that to him?

22 A. After I compiled all the donations. I
23 cannot be sure of the exact date, sir.

24 Q. Okay. Did you save a copy for yourself?

25 A. No, sir, I did not.

1 Q. Where was Mr. Brickman, when you handed
2 it -- handed the list to him?

3 A. In the manager's office.

4 Q. And was this before you took the product
5 to Anderson Interfaith Ministries or before (sic)?

6 A. It was before I took it, sir.

7 Q. Okay. So, we have some video that shows
8 you bagging some items on May 17th, 2018, and then
9 also on May 24th, 2018. Would you have given him
10 that list after those dates?

11 MR. MURPHY: Hold on a second.

12 (Mr. Murphy hands Mr. Robiner a note.)

13 MR. ROBINER: Oh, I'm sorry. Thank you.
14 Strike that question.

15 BY MR. ROBINER:

16 Q. We have some video showing you bagging
17 items at BI-LO in March -- March 17th, 2018 and then
18 again on March 24, 2018. Would you have provided Mr.
19 Brickman the list after those dates?

20 A. I can't recall.

21 Q. Okay. Approximately how many times did
22 you gather items at BI-LO for donation to Anderson
23 Interfaith Ministries?

24 A. Can I ask a question?

25 Q. You can ask me a question, if you need a

1 clarification.

2 A. Okay. Are you asking like this -- for
3 this particular -- the particular donations they
4 asked for those few months or just in my time at
5 BI-LO?

6 Q. No. Thank you. And that's a good
7 question. I'm just focusing on those months --

8 A. Okay.

9 Q. -- in March 2018.

10 A. Okay. Yes, sir. I can't be exact, but I
11 would roughly say it took me several times to get the
12 list together, all the donations together.

13 Q. Okay. Aside from the list, but actually
14 gathering?

15 A. Yes, sir, it took me several times.

16 Q. Several times?

17 A. Yes, sir.

18 Q. And that was all in March?

19 A. And then there were more donations
20 of -- I'm trying to think of the word -- GM products,
21 like shampoos, deodorants, and those kind of things
22 that happened later.

23 Q. Okay. Do you recall how much later?

24 A. No, sir, I do not.

25 Q. Okay. Do you recall -- did you ever

1 gather items from BI-L0 for Anderson Interfaith
2 Ministries in February 2018?

3 A. I don't recall.

4 Q. Okay.

5 A. I'm sorry.

6 Q. That's okay. And how about in April 2018?

7 A. Yes, but I don't recall the dates.

8 Q. This list that you gave to Mr. Brickman,
9 was it typed or handwritten?

10 A. It was handwritten.

11 Q. Okay. Did the list have the -- a bar
12 number or any way for Mr. Brickman to identify, like,
13 prices of each item?

14 A. Yes, sir. It didn't have a bar code
15 number, but it had what department it came out of,
16 how many, and the price.

17 Q. Okay. So you put the prices down?

18 A. Yes, sir.

19 Q. Anybody else see this list besides Mr.
20 Brickman?

21 A. I can't answer that. I don't know.

22 Q. Okay. I guess a better question is, do
23 you know whether anybody saw that list besides Mr.
24 Brickman?

25 A. When I handed the list, I can tell you who

1 was in the office, but I do not know if anybody else
2 looked at it.

3 Q. Okay. Who else was in the office, when
4 you handed Mr. Brickman --

5 A. Barry Parks.

6 Q. Barry Parks?

7 MR. MURPHY: Let him finish his question.

8 THE WITNESS: I'm sorry.

9 BY MR. ROBINER:

10 Q. And what was Mr. Parks' position with
11 BI-LO?

12 A. If I recall the title right, grocery
13 manager.

14 Q. Did you ever give a list detailing every
15 item that was donated to Anderson Interfaith
16 Ministries to the police?

17 A. No, sir.

18 Q. How were you able to show the Pendleton
19 Police that you donated every single item that you
20 took from BI-LO's shelves to Anderson Interfaith
21 Ministries?

22 MR. MURPHY: Object to the form. You may
23 answer. Don't worry if I do that, just...

24 THE WITNESS: I provided the e-mails from
25 where I had delivered the product, that's all I gave

1 to the police.

2 BY MR. ROBINER:

3 Q. Okay. The e-mails from Anderson
4 Interfaith Ministries?

5 A. Yes, sir.

6 Q. Those e-mails have a list of everything
7 that was donated?

8 A. I do not think that the list was detailed,
9 no, sir.

10 Q. Do you know whether the donations, such as
11 the ones to Anderson Interfaith Ministries, would be
12 written off on BI-LO's taxes?

13 A. I can't -- I don't know.

14 Q. Did you ever, while you were working for
15 BI-LO, participate in other charitable donations on
16 BI-LO's behalf?

17 A. Yes, sir.

18 Q. Okay. What type of documentation was
19 required from BI-LO to make those types of donations?

20 A. That -- I didn't do that part, sir.

21 Q. Okay. So what part would you have been
22 involved in?

23 A. I usually just collected the product.

24 Q. Okay. Can you think of another charity
25 besides Anderson Interfaith Ministries that you

1 collected product for on behalf of BI-L0?

2 A. Yes, sir.

3 Q. Okay. Can you name some of those?

4 A. The Emerson Rose Foundation.

5 Q. Do you know approximately when there would
6 have been donations to the Emerson Rose Foundation?

7 A. I cannot recall, sir.

8 Q. Do you think it was in 2018?

9 A. I can't -- I don't know the answer to
10 that, I'm sorry.

11 Q. Can you recall any other charities that
12 you were involved in collecting product for?

13 A. The Trunk or Treat for the Anderson Cancer
14 Association.

15 Q. And the Emerson Rose Foundation and Trunk
16 or Treat, were these both while you were at the
17 Anderson store?

18 A. The Pendleton store?

19 Q. The Pendleton store, sorry.

20 A. Yes, sir.

21 Q. And do you recall approximately when the
22 Trunk or Treat donations were gathered?

23 A. No, sir.

24 Q. When you would go and gather items off of
25 the shelves of BI-L0 and bag them, when did you write

1 a list between that time period or would you go back?

2 A. I would go back, sir.

3 Q. Okay. So, if we see on the video that you
4 bagged items right from the shelf and put them under
5 the counter, we would also see you on video going
6 back and writing out a list?

7 A. I usually wrote the list in the office,
8 sir, or either at the service desk.

9 Q. Okay. So, would you just remember what
10 items you put in the bag?

11 A. (Nods head.) Yes, sir.

12 Q. When you selected items off of the shelves
13 for donation, did anyone have to approve those items
14 for donation?

15 A. No, sir.

16 Q. Okay. Was there any limit to the value
17 that could be donated?

18 A. Yes, sir. Usually they would let me know
19 a limit, the store manager would.

20 Q. Okay. Do you recall what the limit was
21 for Anderson Interfaith Ministries?

22 A. I want to say it was \$500, but I can't be
23 exact.

24 Q. Okay. And who would have set that limit?

25 A. Mike Brickman set it.

1 Q. Okay. Do you know whether Mr. Brickman
2 had discretion in setting that limit or did that
3 involve the corporate office?

4 A. I don't know, sir.

5 Q. How did Mr. Brickman communicate the \$500
6 limit to you?

7 A. Verbally.

8 Q. Do you know approximately when?

9 A. No, sir, I cannot recall.

10 Q. Did BI-LO have a policy regarding
11 donations of product from shelves that you're aware
12 of?

13 MR. MURPHY: I'm sorry, could you repeat
14 the question?

15 BY MR. ROBINER:

16 Q. Yeah. Did BI-LO have a policy regarding
17 donations of product from shelves that you were aware
18 of?

19 MR. MURPHY: Object to the form.

20 THE WITNESS: Not that -- I'm not
21 positive, sir.

22 BY MR. ROBINER:

23 Q. Do you recall any policies that required
24 donations to be made in the form of gift cards?

25 A. I don't know the policy, but I have seen

1 store managers give gift cards.

2 Q. Okay. Are you aware of any records that
3 would show that BI-LO approved the items for donation
4 to Anderson Interfaith Ministries?

5 A. I never saw any, sir.

6 Q. Okay. After you provided this list to Mr.
7 Brickman, did you ever discuss the items on the list
8 with him?

9 A. No, sir.

10 Q. Okay. Did you ever total up the value of
11 the items for Mr. Brickman?

12 A. I did not.

13 Q. Okay. And is it your testimony that you
14 gave him a single list or multiple lists?

15 A. Multiple lists.

16 Q. How did you know whether you had gone over
17 the \$500 limit?

18 A. I did not know.

19 Q. How did you decide what items to retrieve
20 from the shelf to put in the bags for donation?

21 A. For the donation to AIM's, sir?

22 Q. Yes.

23 A. The first donation was for Easter baskets
24 and candy and items to fill Easter baskets.

25 Q. Okay. That was a request from AIM?

1 A. Yes, sir.

2 Q. Okay. So in that instance, you would have
3 gone and retrieved Easter baskets and candy from the
4 shelves?

5 A. Several items to fill the Easter baskets.

6 Q. What types of items?

7 A. I can't recall, sir. I know grass,
8 baskets, candy, plastic eggs. Those are some of the
9 things.

10 Q. Okay. So any cosmetic products wouldn't
11 have gone in the Easter baskets?

12 A. Some of them did, because some of the
13 children had allergies. So, like lip glosses.

14 Q. Do you know approximately how many Easter
15 baskets you put together?

16 A. I cannot recall.

17 Q. Was it more than five?

18 A. Yes, sir.

19 Q. More than ten?

20 A. I would think so, but I can't be positive.

21 Q. When you gathered items off the shelf in
22 March of 2018 for donation to AIM, where would you
23 put the items?

24 A. If I recall correctly, sometimes I would
25 put them in floral, which was right there, or on

1 Register 6, which is a register that that store
2 currently didn't use.

3 Q. Can you recall any times when you were
4 gathering items to donate to AIM that you put them in
5 a different location?

6 A. To be honest, I may have, if I was trying
7 to deal with an issue or if one of the cashiers was
8 calling or the service desk was needing help. It may
9 have just been wherever I was closest to to stop. Or
10 if the phone -- I had gotten a phone call and they
11 were paging.

12 Q. When you gathered items off the shelves of
13 BI-L0 in March of 2018 to deliver to AIM, did you
14 give Mr. Brickman an opportunity to review your list
15 before you took them to the charity?

16 A. He had the list prior to me delivering to
17 the charity. Whether he reviewed it or not, I can't
18 answer.

19 Q. Okay. So your testimony is in every
20 instance when you gathered items from BI-L0 shelves
21 and bagged them, Mr. Brickman would have had an
22 opportunity to review those items before you
23 delivered them to the charity?

24 A. Can you ask that again? I'm sorry.

25 Q. Sure. Yeah. I'm asking you whether in

1 every instance, when you gathered items from the
2 shelves at BI-LO for donation to AIM in March of
3 2018, did Mr. Brickman have an opportunity to review
4 the items that you had taken before you took them to
5 AIM?

6 A. He had the list. I can't say whether he
7 reviewed it or not.

8 Q. Okay. What if he wasn't in the store at
9 the time that you selected the items? How would you
10 get him the list, at that time?

11 A. I would leave it on his desk.

12 Q. Okay. And then if you left the list on
13 his desk and you knew he wasn't in the office, would
14 you not take the items to AIM until he had a chance
15 to review the list or would you still take them?

16 A. I don't recall.

17 Q. Did AIM ever come to the store to pick up
18 items?

19 A. Are you referring to this instance or in
20 the past?

21 Q. Let's talk about ever.

22 A. Sometimes they would come -- if we did a
23 can drive or a food drive for them, they would come
24 and pick up their product. They would send one of
25 their vans to pick it up.

1 Q. Okay. How about in connection with the
2 Easter baskets?

3 A. No, sir. We had always delivered those.

4 Q. Okay. And when you say "we," was there
5 anybody besides you that delivered them?

6 A. The past year, the 2018 year was the first
7 year I had ever delivered them.

8 Q. Okay. In years past did somebody else
9 from BI-L0 deliver them to AIM?

10 A. I can't answer that. I don't know.

11 Q. Do you belong to the AIM, I guess it's a
12 church organization?

13 A. It's a local charity. I don't know if
14 it's church affiliated or not.

15 Q. Okay. Do you have any dealings with them,
16 besides donating on behalf of BI-L0?

17 A. No, sir.

18 Q. Other than the list that you discussed
19 with me, did you keep any records that would show
20 exactly what was donated --

21 A. No.

22 Q. -- in the March 2018 time period?

23 A. No, sir, I did not.

24 Q. Do you recall taking a large box from
25 BI-L0, putting it in a shopping cart around the same

1 time period in March 2018 and taking that out to your
2 car?

3 A. I recall putting the Easter baskets and
4 eggs and candy in a large box.

5 Q. Around that time period?

6 A. Yes, sir.

7 Q. And --

8 A. But I can't recall the date.

9 Q. Would all of the Easter baskets have been
10 in that box, do you recall?

11 A. I do not.

12 Q. Other than Easter baskets, can you recall
13 anything else that may have been in that box?

14 A. There may have been some GM items inside
15 of the box, but I can't be positive.

16 Q. And when you say "GM," you mean general
17 merchandise?

18 A. Yes, sir.

19 Q. Okay. And what would be an example of
20 general merchandise?

21 A. Shampoos, lip glosses, items like that may
22 have been in there.

23 Q. And I believe you may have already
24 answered this, but do you know whether BI-LO would
25 require some records to be aware of what was being

1 donated from its shelves?

2 A. That part wasn't ever handled by me, sir.

3 Q. Okay. What about for inventory purposes?
4 Wouldn't you need to know exactly which product left
5 the shelf?

6 A. I don't know the answer to that, sir. I
7 just know that I was always directed in years
8 previous to write down GM, grocery or whatever
9 department.

10 Q. Okay. How about generally, on a
11 day-to-day basis, aside from donations, when product
12 leaves the shelf, isn't there an inventory system so
13 you know that a certain brand and certain size of
14 shampoo or hair gel was just sold, and so that you
15 would need to replenish it?

16 A. If I recall correct, there was a person
17 that would walk the store early in the morning. And
18 I can't remember their job title. But they would
19 scan the store for any low spots to bring in more
20 product.

21 Q. Okay. So they didn't tie that in to the
22 register, to your knowledge? The register would ring
23 up specific products, so that you would be able to
24 track inventory?

25 A. The register -- when I would see a report

1 in the morning, like if I opened up and I had to do
2 the paperwork in the morning, it wasn't item
3 specific. It was -- this is just an example, but
4 like grocery, \$10,000; alcohol, \$6,000. And I would
5 transfer that over to another sheet of paper. So
6 that was what had ran through the register.

7 Q. Okay. But didn't the register use like
8 UPC codes or skew codes?

9 A. Yes, sir, daily scanned.

10 Q. And what was the purpose of that?

11 A. I don't know, sir.

12 Q. When you were a customer service manager
13 at the Pendleton store, did you have to keep track of
14 lost or damaged items?

15 A. No, sir.

16 Q. Was there somebody else in the store that
17 did that?

18 A. At one point the DSD receiver would do it,
19 but over the last few years I never saw anybody do
20 it.

21 Q. What is a DSD receiver?

22 A. That would be the person that checks in
23 the vendors at the back door. Budweiser, Coke, for
24 example.

25 Q. How was Anderson Interfaith Ministries

1 selected as a chosen charity for March 2018?

2 MR. MURPHY: Object to the form.

3 THE WITNESS: From my understanding, that
4 was a conver- -- they had always been -- that
5 specific store had always supported AIM and they had
6 come and asked for the donations again, like previous
7 years.

8 BY MR. ROBINER:

9 Q. Who did they ask?

10 A. Mike Brickman.

11 Q. Do you know who asked Mr. Brickman?

12 A. No, sir, I cannot be positive.

13 Q. Did they ask in person?

14 A. I cannot be positive.

15 Q. How do you know that they asked Mr.
16 Brickman?

17 A. He told me. But he didn't tell me if they
18 asked him. He just told me the items that they were
19 requesting for donation.

20 Q. He told you the specific items they were
21 requesting?

22 A. (Nods head.) What their project was, yes,
23 sir.

24 Q. Okay. Do you know when he told you that?

25 A. I can't recall a specific date.

1 Q. Did he ever send you a text or an e-mail
2 to that effect?

3 A. No, sir.

4 Q. Anything in writing that would even
5 suggest that Mr. Brickman told you that they were
6 going to donate -- that BI-LO was going to donate to
7 AIM charity in March of 2018?

8 A. No, sir. Nothing in writing.

9 Q. Any documents that you can think of at the
10 store that would support this notion that that BI-LO
11 store agreed to donate products to AIM in March of
12 2018?

13 A. If there are documents, I never saw them.

14 Q. When you delivered the items from BI-LO to
15 AIM in March of 2018, did they give you a receipt for
16 the product?

17 A. No, sir, they did not.

18 Q. They didn't give you anything so that
19 BI-LO could write it off on their taxes?

20 A. No, sir, they did not.

21 Q. Who did you provide the items to at AIM?

22 A. There was a lady, Marla Cobb, there and
23 one other lady who I don't know her name.

24 Q. How long have you known Ms. Cobb?

25 A. When you say know, what --

1 Q. Personally? Socially?

2 A. She would shop in the Pendleton BI-LO
3 every now and then, so I saw her in there maybe five
4 years, roughly. I can't be exact.

5 Q. Okay. Did you ever do anything with her
6 socially?

7 A. No, sir.

8 Q. Okay. It was always -- excuse me, your
9 relationship with Ms. Cobb was revolving around the
10 BI-LO store or the donations to AIM?

11 A. Yes, sir.

12 Q. Did you and Mr. Brickman typically work in
13 the store during the same time?

14 A. Schedules varied. So some days we might
15 be in there, but not at the exact same time.
16 Sometimes our schedules would overlap some.

17 Q. Okay. When they would overlap, would it
18 be a few hours or multiple hours at a time?

19 A. Would just depend on whether I was working
20 a mid shift or if I was the closer.

21 Q. Okay. And then sometimes would Mr.
22 Brickman close as well?

23 A. No, sir.

24 Q. Okay. Who else would close, if you didn't
25 close?

1 A. Barry Parks.

2 Q. Anybody else?

3 A. Or supervisors.

4 Q. Who would have been a supervisor in or
5 around the March to May 2018 time period?

6 A. Emily Morgan.

7 Q. Anyone else?

8 A. Frances Chester and sometimes Mac Freeman
9 would close, if I recall correctly.

10 Q. So any of the supervisors and the managers
11 can close the store?

12 A. Yes.

13 Q. Anybody else?

14 A. No, sir.

15 Q. Okay. After you were terminated on May
16 23rd, 2018, you went to the Pendleton Police
17 Department on May 24th, 2018; is that correct?

18 A. Yes, sir.

19 Q. Okay. Do you recall telling the Pendleton
20 Police Department there were three donations you made
21 at different times?

22 A. I'm sorry, it's been so long, I don't
23 recall for sure. I don't want to be wrong.

24 Q. Before you took the items from BI-LO that
25 you had already selected off the shelves and took

1 them out the door, did you ever confirm with Mr.
2 Brickman that it was okay to deliver those items to
3 AIM?

4 A. Yes, sir.

5 Q. Okay. When did you confirm with him it
6 was okay to deliver those items?

7 A. I don't recall the date.

8 Q. Okay. In some instances, and we'll go
9 through it later, you'll see that you bag items, you
10 stick them under the shelf, and you walk out about an
11 hour later. Mr. Brickman is not in the store. How
12 would he have had a chance to confirm that it was
13 okay to take those items out of the store?

14 A. He had verbally already confirmed the
15 products for me to take, the type of product for me
16 to take.

17 Q. Up to a certain amount, correct?

18 A. Yes, sir.

19 Q. But you say you didn't know how much you
20 had already assembled?

21 A. No, sir, I didn't.

22 MR. MURPHY: Object to form.

23 BY MR. ROBINER:

24 Q. Do you recall telling the Pendleton Police
25 Department that Mr. Brickman was supposed to ring up

1 the items that you were selecting off the shelves?

2 A. Yes, sir.

3 Q. Okay. When did he have an opportunity to
4 ring up the items that you were taking off the
5 shelves?

6 A. He would have rung them up -- I don't know
7 whether he did or not, but he would have rung them up
8 based off the list that I left.

9 Q. Okay. So you're not talking about
10 actually scanning the items?

11 A. No, sir.

12 Q. Okay. So how would he input into the
13 register if it just said shampoo, \$1.59, for example?

14 A. In past, in the register system, I'd seen
15 several other managers do like -- they'll total the
16 price up and just -- this is just a hypothetical, but
17 let's just say it was \$50 for GM, they would type in
18 \$50. And there's a GM key and they would hit the GM
19 key.

20 Q. Okay. And that's what you meant by saying
21 he was going to ring them up?

22 A. Yes, sir.

23 Q. And did you ever see any evidence that Mr.
24 Brickman rung up any items that you selected for the
25 AIM charity?

1 A. No, sir, I did not.

2 Q. Anyone besides you, to your knowledge,
3 select items for donations to AIM's charities in
4 March of 2018?

5 A. Not that I'm aware of.

6 Q. Are you aware that the BI-LO store in
7 Pendleton where you worked had video cameras?

8 A. Yes, sir, I am.

9 Q. While you were working for BI-LO, did you
10 ever have an opportunity to review video footage at
11 the store for any reason?

12 A. Yes, sir.

13 Q. Did you ever rely on that video footage
14 for, say, shoplifting or personal injury claims?

15 A. If there was an injury to a customer, I
16 would download the DVD. I would download the video
17 to the DVD and send it in to loss prevention.

18 Q. Okay. While you were working for BI-LO,
19 did you ever have the police department come in and
20 request copies of video footage from the store?

21 A. Yes, sir.

22 Q. Okay. And would you typically provide
23 that to them?

24 A. Yes, sir.

25 MR. ROBINER: Can you mark this as one,

1 please?

2 (Defendant's Exhibit No. 1 was marked for
3 identification.)

4 BY MR. ROBINER:

5 Q. Ms. Styles, what I'm showing you marked as
6 Defendant's Exhibit No. 1 for today's deposition is a
7 still shot from some of the surveillance cameras from
8 the Pendleton store. And I'll ask if you'd look at
9 that. Does that look like it's a familiar frame from
10 the video system, as you remember it?

11 A. Yes, sir.

12 Q. Okay. And is it typical that it would
13 have, say, a date at the top, as is shown there,
14 3-17-2018?

15 A. Yes, sir.

16 Q. Okay. And to the left it would have a
17 time, I guess in military time?

18 A. Yes, sir.

19 Q. Okay. And is that you in the picture next
20 to the shopping cart?

21 A. It is.

22 Q. Okay. So would this be typical? It looks
23 like it's about 10:10 at night. Is that when the
24 store would typically close, around 10:00 p.m.?

25 A. Yes, sir.

1 Q. And approximately where you're standing to
2 your left is a box. Is that what you would call
3 Register 6?

4 A. That's the back of Register 6.

5 Q. Okay. That aisle, I guess, is what I was
6 referring to. Okay. And then you see the garbage
7 can in front of you, and then there's an opening just
8 past that. Is that what you're referring to as the
9 floral department?

10 A. Yes, sir.

11 Q. If you'd go to the next page. It says,
12 "10:10 p.m., 18 seconds." That's you. It looks like
13 you're entering the floral department, correct?

14 A. Yes, sir.

15 Q. Okay. And if you flip back to the next
16 page, it looks like you're grabbing two bags and
17 you're heading toward your shopping cart. At this
18 point, it would be your understanding that Mr.
19 Brickman already confirmed that those items were okay
20 to take to AIM?

21 A. They were on the list, yes, sir.

22 Q. Okay. So, you would have -- if you bagged
23 those items that day on March 17, 2018, you would
24 have made the list that day as well?

25 A. Yes, sir.

1 Q. And if Mr. Brickman wasn't there, you
2 would have put it on -- in the office?

3 A. Yes, sir.

4 Q. Where in the office?

5 A. On his desk.

6 Q. Do you know whether Mr. Brickman was in
7 the store at this -- on this day, at that late at
8 night?

9 A. I don't know, sir.

10 MR. MURPHY: Object to the form.

11 BY MR. ROBINER:

12 Q. But I believe your testimony was, you
13 typically -- he didn't close the store?

14 A. Typically, he did not. Yes, sir.

15 Q. The next page is, again, at 10:10:24.
16 You're loading that in your shopping cart. You see
17 there's other bags that are already in your cart?

18 A. Yes, sir.

19 MR. MURPHY: I'm going to just -- let's do
20 something. I don't want to suggest answers. Can we
21 put her in the hall for a second, just let me put
22 something on the record?

23 MR. ROBINER: Sure.

24 (Witness steps out of the room.)

25 MR. MURPHY: For the record, she's left

1 the room. Here's my problem. Based on what we
2 learned yesterday, you're representing these things
3 happened at certain times based on these stamps. We
4 know their time clock is not correct from what we
5 looked at yesterday. So you're prefacing all your
6 questions with time. And it's many, many hours off
7 from what we saw yesterday with regard to the May
8 23rd, so...

9 MR. ROBINER: Your videos may be off.
10 These are -- I believe these are correct times.

11 MR. MURPHY: I don't know. That has to be
12 established.

13 MR. ROBINER: Well, obviously. With any
14 document that we're going to have to introduce --

15 MR. MURPHY: But you're prefacing the
16 questions with this happened at 10:12, and we don't
17 know that.

18 MR. ROBINER: She hasn't denied it. It's
19 dark outside. There's nobody in the store.

20 MR. MURPHY: Well it's dark outside --

21 MR. ROBINER: It appears to be the store's
22 closed or closing time.

23 MR. MURPHY: Well, and I don't want to
24 belabor that position. But I'm going to have to -- I
25 think I'm going to have to preserve this, keep

1 objecting to references to the time. And -- or if
2 you would just not make reference to the time. You
3 can ask her, do you know whether she knows what time
4 that was that she left.

5 MR. ROBINER: Well, I think it's important
6 because, unfortunately on these, I didn't put page
7 numbers on it. So in order to identify the frames
8 that we're talking about, you can always object
9 whenever we submit these that you can -- you know,
10 that's not the time or you're contesting whether
11 that's the time.

12 MR. McCUMBER: Just throwing this out
13 there. It would be a simple solution to just quickly
14 write page numbers on the exhibit and then we can
15 just have a noted running objection that we don't
16 have to bring back up when she's in the room.

17 MR. MURPHY: Well, yeah, but my objection
18 is two fold. Not just preserving the issues, but
19 also having her misled that these aren't necessarily
20 the times. If she knows what the time was, that's
21 fine for you to just ask her if she knows what the
22 time was.

23 MR. ROBINER: She's testified that they
24 typically had time she's relied on, police have
25 relied on them. You can object, if you want.

1 MR. MURPHY: Okay. Well, if you want to
2 make it that way, we'll just -- I was trying to find
3 a way to keep from belaboring it. Andrew's
4 suggestion of labeling the pages is fine with me,
5 too. I think, you know, saying the second to last
6 page or the last -- or if you're using it to say the
7 frame identified here as 22:12:00.6, I don't have a
8 problem with that.

9 MR. ROBINER: To be honest, these time
10 frames are not as important, other than the fact that
11 Mr. Brickman is not in the store.

12 MR. MURPHY: I have no problem if you ask,
13 do you know when he left, do you know if Mr. Brickman
14 was in the store. I'm not trying to keep you from
15 getting that information, it's just -- as of yet, I
16 don't have confidence in these time stamps.
17 Certainly does appear to be at night. You can ask
18 her, was it at night that you did this? Do you know
19 what time it was that you took it out? And that's
20 certainly all fair game.

21 MR. ROBINER: Well, I'll tie it all into
22 the time frame.

23 MR. MURPHY: Okay. Well, just understand
24 I'm objecting to the form, if you say you'll see this
25 happened at or -- and this, you know, this shows this

1 occurred at, that's what my objection is to.

2 MR. ROBINER: No, that's fine. Thanks.

3 MR. MURPHY: Okay.

4 MR. McCUMBER: Did you guys want to number
5 the pages or not worry about it?

6 MR. ROBINER: No.

7 MR. McCUMBER: All right.

8 (Witness comes back into the room.)

9 BY MR. ROBINER:

10 Q. I don't recall if you answered my
11 question. I was asking if this was typical that you
12 would already have items in the shopping cart, when
13 you added items that you selected from the floral
14 department to remove for the day.

15 A. I don't know what's in those bags, so I
16 can't answer that, sir.

17 Q. Did you typically shop at the store for
18 personal items on days that you worked?

19 A. Yes, sir.

20 Q. If you turn to the next page, the frame is
21 marked 22:10:27.53. If you look at the top of the
22 page, it looks like the office light is still on. Do
23 you see that? At the end of the hall is the office,
24 as I understand it.

25 A. It's hard to tell, but it does look like

1 it may be on.

2 Q. Okay. And if you look at the next page,
3 it now looks like it's off.

4 A. Yes, sir.

5 Q. Do you see that?

6 A. Yes, sir. I do.

7 Q. Is that typical that you would turn the
8 office light off at the end of the day?

9 A. Yes, sir.

10 Q. So does this appear that this time frame
11 would be correct? That the last frame shows you
12 walking out with another woman at 22:14:58.52, that
13 it would be approximately 14 minutes after 10:00?

14 A. I see us walking out, but it just seems,
15 if I recall, a little early for us to be leaving.
16 And usually the bagger and the cashier are usually
17 there, also, and I don't see them. But it may
18 be -- I mean, it may just have been an odd night. I
19 don't know.

20 Q. Okay. So how long would it typically take
21 you to close down the store before you walked out on
22 a typical night?

23 A. Usually, about 25 minutes, roughly.

24 Q. Do you know the person that's walking with
25 you?

1 A. It looks to be -- but I can't be for sure
2 because the face isn't clear -- but the body frame
3 may be it's Miyosha Foster, but I can't be positive.

4 Q. Okay. If it is Miyosha Foster, what was
5 her position at the store, if you recall?

6 A. A bookkeeper.

7 Q. Would it be typical that a bookkeeper
8 would stay that late --

9 A. Yes, sir.

10 Q. -- at night? So they typically stay until
11 the store closed?

12 A. Yes, sir.

13 Q. Okay. How many bookkeepers did BI-LO have
14 in or around that time period in March 2018?

15 A. I'd say roughly, maybe six to seven.

16 Q. Okay. And to be clear in your testimony,
17 Mr. Brickman never reviewed the actual items in the
18 bags, correct? He would always rely on your list?

19 A. Yes, sir.

20 MR. ROBINER: Can you mark that as 2,
21 please?

22 (Defendant's Exhibit No. 2 was marked for
23 identification.)

24 BY MR. ROBINER:

25 Q. Ms. Styles, what I'm showing you marked as

1 Defendant's Exhibit 2, a series of screenshots that I
2 believe are in chronological order. And if you look
3 at the top, it's dated 3-24-2018. And to the left,
4 the time. The first frame is stamped 20:26 and it
5 looks like 13:40. Do you see that?

6 A. Yes, sir.

7 Q. Okay. Does this appear to be a screenshot
8 from the video footage that -- for the CT -- CCTV
9 Cameras that BI-LO had in the Pendleton store?

10 A. Yes, sir.

11 Q. And do you recognize yourself in that
12 screenshot?

13 A. Yes, sir.

14 Q. Okay. So when we're looking at you on the
15 page as we are, is the Register 6 to the right, the
16 one with the red bag at the end of the counter?

17 A. Yes, sir.

18 Q. Okay. And they go in decreasing order to
19 the left, so this would be Register 5, is that
20 correct, the one that you're facing?

21 A. Yes, sir.

22 Q. And it looks like you have some items in
23 your hand. Do you see that?

24 A. It does.

25 Q. Okay. Do you recognize those items by any

1 chance?

2 A. I don't.

3 Q. Okay. And if you flip to the next page,
4 it looks like you're bagging those items. And the
5 frame on this one reads 20:26. So assuming that is
6 correct, it would be around 8:26 in the evening --

7 A. Yes, sir.

8 Q. -- on the 24th of March?

9 A. Yes, sir.

10 Q. Do you know whether Mr. Brickman would
11 have been in the store, at that time?

12 A. I don't know.

13 Q. And so it's your testimony after you have
14 placed these in the bag, as shown in this video, then
15 you would go write down a list, correct?

16 A. Yes, sir.

17 Q. Okay. Did you write the list in the
18 manager's office as well?

19 A. I've wrote a list several places, so not
20 just solely in the manager's office.

21 Q. Okay. Was it on a 8-1/2 by 11 sheet of
22 paper or did you carry like a smaller notebook that
23 you would write the list down on?

24 A. It would just be on whatever notebook was
25 available.

1 Q. Okay. And then would you tear the sheet
2 out and leave it for Mr. Brickman or leave the entire
3 notebook?

4 A. I would usually tear the sheet out.

5 Q. Okay. And if you turn to the next page,
6 it's date-stamped or time-stamped 8:26:17. This
7 would be typical as well, is your understanding. You
8 would bag them -- at this time it's at Register 5 --
9 and then you're heading -- if you turn to the next
10 page, heading over towards floral department?

11 A. Yes, sir.

12 Q. Okay. And then you would -- where would
13 you stick them when you go into the floral
14 department?

15 A. It would just depend on what space was
16 available in the floral department.

17 Q. Okay. Do they have shelves underneath the
18 counter?

19 A. There are shelves under the counter.
20 Sometimes the counter is full of product. There's
21 shelves by the helium tank.

22 Q. Would the bags be in plain view to
23 customers that walked by?

24 A. I don't recall.

25 Q. And if you look at the frame that's -- has

1 a time stamp in the upper left, 21:42:25.30, do you
2 see that?

3 A. Yes, sir.

4 Q. Okay. And so that -- if the time stamp is
5 correct, it's approximately 9:42 p.m. And if you
6 look to the right, it looks like you're carrying a
7 large box --

8 A. Yes, sir.

9 Q. -- to put into the cart. Do you believe
10 that's the box that we were referring to earlier
11 today?

12 A. I do believe so, yes, sir.

13 Q. Okay.

14 A. But I can't be positive.

15 Q. Okay. So, if that's the box that we were
16 referring to, you think that there were Easter
17 baskets in there?

18 A. I do, yes, sir.

19 Q. Okay. Do you know how long before loading
20 the box into the cart that you would have placed the
21 Easter baskets in the box?

22 A. I can't be positive. But if I recall,
23 just because it was so long ago, that box was there
24 for a few days, if I recall correctly. But I can't
25 be positive.

1 Q. On the list that you gave Mr. Brickman,
2 would the Easter baskets themselves be listed out as
3 an item?

4 A. Yes, sir.

5 Q. Okay. And then the grass?

6 A. Yes, sir.

7 Q. And then anything that went inside of
8 them?

9 A. Yes, sir.

10 Q. Candy, lip glosses, shampoo?

11 A. Yes, sir.

12 Q. Anything else that you can recall that
13 would have been on the list?

14 A. I can't be positive, sir.

15 Q. Do you recall taking this box out to the
16 car?

17 A. Yes, sir, I do.

18 Q. Okay. And how long after you took it to
19 the car was it delivered to AIM?

20 A. I would say within 24, 48 hours.

21 Q. Okay.

22 A. Just depends on what my schedule was,
23 because I can't recall.

24 Q. Did you typically confirm with Ms. Cobb
25 that she would be available to receive the items?

1 A. Yes, sir, I did.

2 Q. And is it typical that -- if you turn to
3 the next page, the time stamp in the upper left,
4 21:42:35.54 -- that the front of that store would be
5 empty around this time at night --

6 A. That's usually --

7 Q. -- 9:42?

8 A. I'm sorry.

9 Q. That's okay.

10 A. That's usually when I can get the most
11 work done, is early in the morning or in the very
12 late in the evening. The rest of the time the store
13 was extremely busy.

14 Q. And when you would remove items from the
15 store and take them to your car for delivery was it
16 typically at night like this?

17 A. It just depends on what my shift was, sir.

18 Q. Okay. So do you have any recollection of
19 ever removing product for delivery to AIM during the
20 day?

21 A. I can't remember back that far. I'm
22 sorry.

23 Q. If you turn back a few more pages, looks
24 like you're reentering the store with the time stamp
25 in the upper left-hand corner that reads 21:47:35.11.

1 Do you see that?

2 A. Yes, sir.

3 Q. Okay. So this would -- if the time stamp
4 was correct -- be about 13 minutes before the store
5 closed?

6 A. Yes, sir.

7 Q. Okay. And you believe, at this time, you
8 had already delivered the box to your car?

9 A. I feel like I did, yes, sir. But I --

10 Q. Can you think of anywhere else you would
11 have put the box, when you removed it in a shopping
12 cart from the store?

13 A. No, sir.

14 Q. And, again, Mr. Brickman wouldn't be in
15 the store at this time, would he?

16 A. Not that I can recall.

17 Q. And if you look at the next frame, it's in
18 the upper left-hand corner, it's stamped 22:00:43.64.
19 It looks like you're walking towards the exit of the
20 store, correct? The exit would be at the bottom of
21 this page.

22 A. Uh-huh.

23 Q. And you already have items in your
24 shopping cart, correct?

25 A. Uh-huh.

1 Q. And that would typically be items that you
2 paid for for your own personal --

3 A. It looks like my groceries.

4 Q. And if you flip to the next page, it looks
5 like now you're going to floral to retrieve the bags
6 again. The office light is still on, as we looked
7 at --

8 A. Right. Yes, sir.

9 Q. -- on one of those other pages. Looks
10 like it's 10:00 at night. And then if you flip to
11 the next page, you're getting ready to add those to
12 your shopping cart with your existing bags. Do see
13 that?

14 A. Yes, sir, I do.

15 Q. And in every case that I've seen this,
16 there's never anybody else around. Is that typical
17 when you would load items up to take to AIM?

18 A. It doesn't look like there's anybody
19 around, but usually somebody is in that side office.

20 Q. When you say --

21 A. And there's usually a cashier. But they
22 are not in this screenshot.

23 Q. Okay. When you say side office, what
24 office are you referring to?

25 A. The cash office.

1 Q. What do you -- what do you mean when you
2 say the cash office?

3 A. Right in here (indicating).

4 Q. At the top of the page?

5 A. Yeah, there's -- and then usually the
6 cashiers stand at the front of their register and
7 greet the customers to say, Hey, I'm open, I can take
8 you right here.

9 Q. Is the cash office different than the
10 office where you met Ken Miller and Ronnie Duncan on
11 May 23rd, 2018?

12 A. Yes, sir, they are different.

13 Q. Okay. So the cash office is right next to
14 that office; is that correct?

15 A. Yes, sir.

16 Q. Okay. And that would be where you would
17 have gone to purchase the money order?

18 A. Yes, sir.

19 Q. Okay. So that's what you're referring to
20 as the cash office?

21 A. Yes, sir.

22 Q. Okay. Is there an actual office in there
23 or is it open air?

24 A. It's open air.

25 Q. Do you know what items were in the bags

1 when -- in this particular frame that we're looking
2 at?

3 A. I can't recall. I would assume it's GM
4 products.

5 Q. If you -- if these were GM products, would
6 you later add those to the Easter baskets that were
7 already in the box?

8 A. Yes, sir. I made the Easter baskets.

9 Q. Okay. So when they were in the box that
10 we saw in the store, they weren't assembled yet?

11 A. No, sir.

12 Q. Okay. That would just be the products
13 directly off the shelf?

14 A. Yes, sir.

15 Q. So like the Easter grass would still be in
16 its bag, for example?

17 A. Yes, sir.

18 Q. When you -- when you would assemble these
19 Easter baskets, where did you do that?

20 A. In my bottom living room.

21 MR. MURPHY: Your what living room?

22 THE WITNESS: My bottom living room at my
23 house. I assembled them.

24 BY MR. ROBINER:

25 Q. Anybody help you with that?

1 A. My daughters did.

2 Q. How many daughters do you have?

3 A. I have two.

4 Q. How old are they now?

5 A. One is 7 and one is 11.

6 Q. Do you recall when you would have provided
7 the last list to Mr. Brickman that identified items
8 that were going to AIM?

9 A. I don't recall, sir. I'm sorry.

10 Q. With respect to donations that you were
11 involved in while working for BI-L0 for other
12 charities, did you use that same procedure that you
13 would make a list of items that were being donated?

14 A. Yes, sir.

15 Q. And you'd leave those on the desk as well?

16 A. Yes, sir.

17 Q. Did you ever do that before Mr. Brickman
18 was store manager at that store?

19 A. Yes, sir.

20 Q. Okay. Who was the store manager then?

21 A. Michelle Lanceley.

22 Q. Lanceley?

23 A. Uh-huh.

24 Q. Do you know whether she's still employed
25 by BI-L0?

1 A. I think she is still employed by BI-L0.

2 Q. Do you have a recollection as to when you
3 may have last spoken with Ms. Lanceley?

4 A. I'd say roughly a few months back. Her
5 mom was diagnosed with cancer and I texted her to
6 tell her I was sorry and thinking of her.

7 Q. Other than Ms. Lanceley, can you recall
8 any other managers at BI-L0 that you would have used
9 that same process with in connection with donating to
10 charities, where you delivered a list to them?

11 A. Sure.

12 Q. Okay. Who else can you recall?

13 A. Adrian Doker.

14 Q. And was this in the same Pendleton store?

15 A. Michelle was in the Pendleton store. Mr.
16 Doker was not.

17 Q. How do you spell his last name, if you
18 know?

19 A. I think it's D-O-K-E-R.

20 Q. Do you know whether Mr. Doker is still
21 employed by BI-L0?

22 A. No, sir. I don't know.

23 Q. Okay. And which store was Mr. Doker
24 working at that you recall?

25 A. The Highway 24 BI-L0.

1 Q. Okay. Any other managers?

2 A. No, sir.

3 Q. And when you delivered lists to
4 Ms. Lanceley or Mr. Docker, did you ever make copies
5 of those lists?

6 A. No, sir, I did not.

7 MR. MURPHY: What's the first name?

8 THE WITNESS: Michelle.

9 BY MR. ROBINER:

10 Q. If you'd turn to the next page of the
11 exhibit. It's dated -- or the stamp refers -- in the
12 left-hand corner 22:09:55.43. If you look at the top
13 of that picture it looks like now the office light is
14 off?

15 A. Yes, sir.

16 Q. Do you see that? And it looks like you're
17 heading towards the door around 10:09 p.m.?

18 A. Yes, sir.

19 MR. MURPHY: Object to the form.

20 BY MR. ROBINER:

21 Q. And so, again, this would be atypical,
22 correct, if you're leaving the store now, because you
23 said it typically would take 25 minutes to close?

24 MR. MURPHY: Object to the form.

25 BY MR. ROBINER:

1 A. There's staff missing, so -- there's a
2 screenshot missing somewhere in here for the fact
3 that if I'm leaving, I have been over to the service
4 desk and set the alarm for the store and the staff is
5 waiting at the door. So there's a screenshot
6 somewhere in here that aren't here.

7 Q. Okay. But assuming that the time is
8 correct, would this be atypical?

9 A. If the bookkeeper --

10 MR. MURPHY: Just let him finish his
11 question --

12 THE WITNESS: I'm sorry.

13 MR. MURPHY: -- and then give me a minute.

14 BY MR. ROBINER:

15 Q. Assuming that the time stamp is correct,
16 that it's 10:09 p.m. or almost 10:10, this would be
17 early in your opinion to be leaving the store; is
18 that correct?

19 MR. MURPHY: Object to the form.

20 BY MR. ROBINER:

21 A. Yes, sir.

22 Q. Based on the screenshots that we've looked
23 at today where you're bagging items, you're sticking
24 them in floral, you add them to a cart when you're
25 walking out this door, if these were provided to Mr.

1 Duncan in asset protection, wouldn't it be justified
2 in coming to talk to you to ask for an explanation?

3 MR. MURPHY: Object to the form.

4 THE WITNESS: I can't answer that. I'm
5 not Mr. Duncan.

6 BY MR. ROBINER:

7 Q. Okay. If you had viewed this video and it
8 wasn't Lisa Styles in the video, but it was some
9 other team member, would you turn that over to asset
10 protection?

11 MR. MURPHY: Object to the form.

12 THE WITNESS: I can't -- I don't know,
13 sir.

14 BY MR. ROBINER:

15 Q. Did you ever have to refer any matters to
16 asset protection while you worked for BI-L0?

17 A. Of an employee? Can you --

18 Q. Let's start with anybody.

19 A. Okay.

20 Q. Have you ever had to refer any matters
21 over to asset protection while you were an employee
22 for BI-L0?

23 A. No employees. Shoplifting cases, yes.

24 Q. Okay. And approximately how many times?

25 A. Hmm. I don't know. That's a long time

1 frame to remember.

2 Q. Okay. More than once, though, I take it?

3 A. Yes. I would say so.

4 Q. And how was the shoplifting revealed to
5 you?

6 A. They would usually run out the door with
7 the beer.

8 Q. Okay. So you would observe them yourself?

9 A. Yes, sir.

10 Q. Okay. Other than running out the store
11 with a beer, did you ever have any other instances of
12 shoplifting that you can recall?

13 A. For a little while there was a meat thief
14 that was going around to all the BI-LOs and hitting
15 the BI-LOs. And any time we got them on camera, they
16 would ask us to send that over. For a little while
17 there was some pharmaceutical, not -- like not
18 prescription pharmaceuticals, but like they would
19 come and rob the cold section. There was like a
20 group of them. I do recall those instances.

21 Q. Okay. With respect to the meat thief, did
22 you observe that?

23 A. I never physically saw the meat thief, but
24 I found his buggy.

25 Q. Okay. How did you know it was his buggy?

1 He had a special one?

2 A. Well, it was like just little bit of junk
3 on top, like a bag of chips or whatever and then
4 maybe like \$500 worth of meat under it.

5 Q. Okay. When you say his buggy, was it a
6 buggy that was owned by BI-L0?

7 A. Yes, sir.

8 Q. And it --

9 A. It was BI-L0's buggy.

10 Q. But he was using it in the store?

11 A. Yes.

12 Q. Okay. And that was, I guess, his
13 procedure that he'd put chips over the top of
14 hundreds of dollars worth of meat?

15 A. Yes, sir.

16 Q. And then he would walk out the store with
17 it?

18 A. Yes, sir.

19 Q. And you viewed that on video?

20 A. No, I just found the buggy.

21 Q. Okay. So it was just one time?

22 A. Yes, sir.

23 Q. And then in that instance did asset
24 protection ask for a copy of the video for that?

25 A. No, sir.

1 Q. Okay. I misunderstood. I thought you
2 said that you would turn it over to them.

3 A. We would e-mail and then they would -- if
4 we heard from them, we would go further. Now, I
5 can't state that another manager in the store didn't
6 send the video.

7 Q. And, again, when you added some of these
8 products that you selected for AIM to your personal
9 groceries, your testimony is that you would deliver
10 them to AIM within 24 to 48 hours?

11 A. Yes.

12 Q. And I think that you testified that there
13 were some donations to AIM that weren't related to
14 the Easter baskets; is that correct?

15 A. Yes, sir.

16 Q. In this time frame, in April 2018?

17 A. Yes, sir.

18 Q. Okay. What donations were those?

19 A. If I recall correctly, it was just basic
20 healthcare products.

21 Q. Okay. Was it tied to any holiday or any
22 particular reason?

23 A. I can't state the reason. I would say
24 that the reason they needed the product is because
25 they use it for their food bank and, from my

1 understanding is, you know, those things are hard to
2 come by for lower income people, because they can't
3 be purchased on EBT. So there was a huge need for
4 that for them.

5 Q. Okay. And approximately how many times
6 did you gather those type of items for AIM in that
7 time frame?

8 A. I can't recall.

9 Q. Okay. When you were assembling those
10 types of items for donation to AIM, was that included
11 in the \$500 limit or did the limit start over?

12 A. The limit started over. That was just for
13 the Easter, from my understanding from Brickman.

14 Q. Okay. So did you have subsequent
15 conversations with Mr. Brickman about these
16 additional donations?

17 A. Yes, sir.

18 Q. Okay. And separate lists as well?

19 A. Yes, sir.

20 Q. Other than the Easter donations and the
21 donations you were just referring to, were there any
22 other times that you donated to AIM during this March
23 to May 2018 time period?

24 A. Can you ask that --

25 Q. Sure.

1 A. -- again? I'm sorry.

2 Q. Other than the products that you delivered
3 for the Easter baskets and other than the general
4 items that I believe you were just testifying to, did
5 you donate any additional items on another occasion
6 during that time period --

7 MR. MURPHY: Object to the form.

8 MR. ROBINER: -- to AIM?

9 MR. MURPHY: Object to the form.

10 THE WITNESS: I can't be positive.
11 Whatever Mike asked me to gather for them is what I
12 gathered.

13 BY MR. ROBINER:

14 Q. Okay. So Mr. Brickman was giving you
15 instructions as to what to gather?

16 A. Not like specific Lays potato chips or
17 anything like that, but shampoo, conditioner, Easter
18 baskets, grass.

19 Q. Did he tell you that in writing or
20 verbally?

21 A. Verbally.

22 Q. In every instance?

23 A. Yes, sir.

24 Q. Do you know how Mr. Brickman would have
25 learned what items were needed by AIM?

1 A. No, sir, I do not.

2 Q. Did you personally have any discussions
3 with anyone from AIM as to what types of items were
4 needed?

5 A. I have spoken with Marla Cobb.

6 Q. Before you selected items off the shelves
7 of BI-LO?

8 A. Yes, sir.

9 Q. Okay. And what did you speak to her
10 about?

11 A. How many children had allergies, the age
12 of the children.

13 Q. Anything else?

14 A. Not that I can be 100 percent in recall in
15 that time frame.

16 Q. Okay. With respect to the allergies and
17 the ages, was that in connection with the Easter
18 baskets?

19 A. Yes, sir.

20 Q. And then would you make selections based
21 on that information that you received from Ms. Cobb?

22 A. Yes, sir.

23 Q. How come initially the request would come
24 through Mr. Brickman, and then it looks like with
25 respect to items related to allergies or ages, it

1 would come through you?

2 MR. MURPHY: Object to the form.

3 THE WITNESS: The store manager has to
4 approve all donations.

5 BY MR. ROBINER:

6 Q. Okay. So, when Ms. Cobb spoke to you
7 about the number of children that had allergies and
8 their ages, did you then report that to Mr. Brickman?

9 A. No, sir, I did not. Because Mike told me
10 to reach out to Ms. Cobb and find out what her needs
11 were and to take care of them.

12 Q. And when did he tell you that?

13 A. I can't recall the exact date.

14 Q. Was it a single occasion that he told you
15 that?

16 A. I can't be positive.

17 Q. The other charities that you mentioned
18 early on in your deposition, Emerson Rose and Trunk
19 or Treat donations from BI-LO that you were involved
20 in, was that during this same time period, the March
21 2018 to May 2018?

22 A. No, sir. I would think the Trunk or Treat
23 would have been around Halloween. And if I recall
24 right, the Emerson Rose Golf Tournament is spring,
25 summer, but I can't be positive.

1 Q. Okay. Was Mr. Brickman involved with
2 either of those?

3 A. No, sir.

4 Q. Okay. So was that before he came to the
5 store in Pendleton?

6 A. Yes, sir. I feel like he was there
7 in -- for Trunk or Treat, the last one, 2017, but not
8 the years prior to 2017.

9 Q. Do you recall with respect to the Trunk or
10 Treat, did the request come in through Mr. Brickman?

11 A. I don't recall that one.

12 Q. How did you know what items to retrieve
13 for Trunk or Treat? Had you been involved with that
14 charity before?

15 A. For several years.

16 Q. And I take it that's primarily candy?

17 A. Usually apples, also.

18 Q. And is Trunk or Treat the name of the
19 charity or is that an event that a charity puts on?

20 A. It's the event. The money raised goes to
21 the Anderson Cancer Association.

22 Q. Do you recall whether there was a limit on
23 the value of the product that could be donated for
24 Trunk or Treat?

25 A. I do not recall.

1 Q. How about with respect to the Emerson Rose
2 Foundation?

3 A. I do not recall.

4 MR. MURPHY: When you get to a good
5 stopping point, can we --

6 MR. ROBINER: Yeah, we can stop right now.

7 (Recess was taken from 10:17 a.m. to 10:28
8 a.m.)

9 (Defendant's Exhibit No. 3 was marked for
10 identification.)

11 BY MR. ROBINER:

12 Q. Ms. Styles, I'm showing you what I've
13 marked as Defendant's Exhibit 3. It's a still
14 shot --

15 MR. MURPHY: Thank you.

16 BY MR. ROBINER:

17 Q. -- of some video footage that your counsel
18 produced to us. Ask you if you can look through
19 those three pages and tell me if you recognize that.

20 MR. MURPHY: Did she mark 1? So this is
21 an extra copy of 1, I guess?

22 MR. ROBINER: I got to look at the dates.

23 MR. McCUMBER: Yes, that is an extra copy
24 of 1.

25 MR. MURPHY: Okay. I just want to make

1 sure that I got into the record.

2 BY MR. ROBINER:

3 Q. Do you recognize the video that's shown in
4 those screenshots?

5 A. Yes, sir, I do.

6 Q. Okay. What's the relevancy to this case
7 of this video?

8 MR. MURPHY: Object to the form. You may
9 answer.

10 THE WITNESS: This is a video of a
11 gentleman that goes to church with Barry Parks,
12 taking product that was slotted for Our Daily Bread
13 to their church.

14 BY MR. ROBINER:

15 Q. Is Our Daily Bread the name of a program?

16 A. Yes, sir.

17 Q. Do you know the name of the church?

18 A. I do not.

19 Q. Okay. If you look at the first page, I
20 know it's hard to tell, but it appears on the video
21 that you're the person in the white shirt and the
22 gentleman that is shown on the other two pages is to
23 your left, almost leaning against what looks like
24 bottles of water or something like that. Do you
25 recall meeting with him?

1 A. He was asking to meet with Barry, yes,
2 sir.

3 Q. Okay. And if you would turn to page 2,
4 these are the items that were being donated to that
5 charity?

6 A. Yes, sir. Our Daily Bread. They were
7 supposed to go to Our Daily Bread.

8 Q. Okay. And is this person from Our Daily
9 Bread?

10 A. No, sir.

11 Q. Okay. And who is he from?

12 A. He's from Barry Parks' church.

13 Q. Do you know the name of the church?

14 A. No, sir, I do not.

15 Q. Who selected the items that are shown on
16 this second page?

17 A. The produce manager and the deli bakery
18 manager.

19 Q. Okay. Do you know who those would have
20 been, at that time?

21 A. The bakery manager would have been Angela
22 Dutton, the produce manager would have been Shawn,
23 but I don't recall her last name.

24 Q. Shawn?

25 A. Uh-huh.

1 Q. S-H-A-W-N?

2 A. I don't remember how she spells it.

3 Q. Do you know whether there were any
4 documents that would list out the items that are
5 being donated there?

6 A. I do not, sir.

7 Q. Okay. Do you know whether BI-LO tracked
8 these types of donations?

9 A. I do not, sir.

10 Q. Okay. Are these types of donations called
11 discards?

12 A. Yes, sir. If I recall right, that is what
13 they called them.

14 Q. Okay. And it's typically old product
15 that's still either safe for consumption, but the
16 store doesn't want to sell it?

17 A. Yes, sir.

18 Q. And so you -- your attorney provided this
19 because it shows a donation that was supposed to go
20 to one charity and it went to another?

21 MR. MURPHY: Object to the form.

22 THE WITNESS: I assume so, yes.

23 BY MR. ROBINER:

24 Q. Okay. Where did you get this video
25 footage from?

1 A. The camera at BI-LO.

2 Q. Okay. When did you get it?

3 A. When I worked there.

4 Q. Okay. Do you know approximately when you
5 took this?

6 A. I would say -- if I recall right, but I
7 can't be positive -- later that day or the next day.

8 Q. And do you recall how you captured the
9 video?

10 A. With my cell phone.

11 Q. Okay. Do you still have that video on
12 your cell phone?

13 A. Yes, sir, I do.

14 Q. Okay. And what was the purpose of
15 capturing on that day or the next day?

16 A. Because I had reported that those
17 donations were going out the back door.

18 Q. Okay. Who did you report that to?

19 A. I had reported it to Randy Ellison, when
20 he was our DM.

21 Q. Anyone else?

22 A. No, sir. Right -- no, sir.

23 Q. Did you mention this to Mr. Brickman?

24 A. I didn't mention it to him because I knew
25 he already knew.

1 Q. How did you know he already knew?

2 A. So the process was Our Daily Bread would
3 come in the morning and the deli bakery manager and
4 produce manager got to where they are saying, are we
5 going to deliver -- are we giving this to Our Daily
6 Bread or are we holding this back until when Barry
7 comes in.

8 Q. Okay. When you said that Our Daily Bread
9 would come in the morning, was it every morning?

10 A. If I recall right, it wasn't every other
11 morning, it was every other day, if I recall right.
12 But I can't be positive about that.

13 Q. And who would make the decisions as to
14 where the discards would be donated to?

15 A. From my understanding, but I can't be
16 positive, corporate.

17 Q. Okay. So the corporate would dictate
18 where the discards would go to?

19 A. (Nods head.)

20 Q. Is that your understanding?

21 A. From my understanding, but I can't be
22 positive.

23 Q. Okay. But the product donations that
24 we've been talking about today, your understanding is
25 Mr. Brickman would dictate where those would go to?

1 A. From my understanding, because -- and I
2 can't be positive about this, but because this is
3 product that is classified, quote, unquote, as
4 "discards", that corporate chose the charity for each
5 store, each BI-LO, that they were going to be willing
6 to give these products to.

7 Q. And your understanding is that this
8 gentleman shown on the second and third pages was
9 taking these to donate them to Barry Parks' church?

10 A. Yes, sir.

11 Q. And what was Barry Parks, his position
12 again?

13 A. If I recall his title right, it was
14 grocery manager.

15 Q. Do you know whether Mr. Parks ever had any
16 discretion as to charities which he could donate to?

17 A. I can't answer that.

18 Q. Other than the produce and the bakery
19 people that assembled the products to go to this type
20 of charity, can you recall anybody else that would
21 have been involved?

22 A. No, sir.

23 Q. Okay. And I believe you said you reported
24 this to Randy Ellison?

25 A. Yes, sir.

1 Q. Okay. Did Randy Ellison do anything about
2 this, to your knowledge?

3 A. I can't answer that. I don't know if he
4 did or not.

5 Q. But is there any follow up with you at all
6 regarding your reporting of this incident?

7 A. No, sir.

8 Q. Okay. And is it your recollection this
9 happened more than once?

10 A. Oh, yes, sir.

11 Q. Was it an ongoing thing for a long period
12 of time or was it sporadic?

13 A. It was ongoing.

14 Q. And is the reason that you reported it to
15 Mr. Ellison is that it was your understanding that
16 corporate had dictated that this would go to one
17 charity and now it was going to another?

18 A. Yes, sir.

19 Q. Okay. So some sort of policy violation?

20 A. I mean, I just didn't know, were we giving
21 it to them or were we giving it to Our Daily Bread.

22 Q. Okay. So is Our Daily Bread showing up
23 afterwards and there was no product for them?

24 A. They would show up in the morning
25 sometimes and we would -- they would tell them there

1 was no product.

2 Q. Okay. So that's what you meant when you
3 said they would hold it back for another charity?

4 A. Yes, sir.

5 Q. And when it was held back, was it always
6 for Barry Parks' church?

7 A. Yes, sir.

8 Q. I believe you said when the gentleman came
9 in on this occasion, if you look at Screenshot 1, the
10 first page, he was asking for Barry Parks; is that
11 correct?

12 A. Yes, sir.

13 Q. Was Mr. Parks there that day?

14 A. Yes, sir.

15 Q. Okay. So then did you send him to go talk
16 to Mr. Parks?

17 A. I did.

18 Q. And then other than that, did you have any
19 more involvement with this gentleman picking up the
20 product that day?

21 A. No, sir.

22 Q. Did you ever see anything in writing from
23 BI-LO corporate that stated that discards should go
24 to Our Daily Bread?

25 A. Mail would come for our -- from Our Daily

1 Bread. I don't know how the process works, but
2 apparently they had to send back to us what they gave
3 weight-wise, somehow, and they would mail the letter
4 to the store.

5 Q. And then that would be forwarded to
6 corporate?

7 A. I don't know what happened to them after
8 that.

9 Q. Do you know what was in the envelopes?

10 A. No, sir.

11 Q. So you're saying it was some type of
12 tracking as to weight that was donated?

13 A. From my understanding, but I never opened
14 the letter. And that wasn't from Mr. Brickman, that
15 was from the previous store manager that had told me
16 that's what they were.

17 Q. So did you receive some type of
18 instruction that when an envelope came in from Our
19 Daily Bread, you would just forward that to the
20 corporate office?

21 A. No, sir.

22 Q. Okay. What would you do with them?

23 A. I would just check the mail and leave it
24 on the store manager's desk.

25 MR. ROBINER: Okay. Can you mark this as

1 4, please?

2 (Defendant's Exhibit No. 4 was marked for
3 identification.)

4 BY MR. ROBINER:

5 Q. Ms. Styles, I'm showing you what's marked
6 as Defendant's Exhibit 4 for your deposition.
7 Appears to be a written statement that looks like it
8 was signed by you on 5-23-2018 at 12:42 p.m. If you
9 can take a look at that and tell me if you recall
10 seeing that.

11 A. Yes, sir.

12 Q. And is that date, the 5-23-2018, is that
13 the day that Ken Miller and Ronnie Duncan came into
14 the store to meet with you?

15 A. Yes, sir.

16 Q. Okay. And when they came into the store
17 to meet with you, do you recall what time you went
18 back to see them?

19 A. My shift started at 12:00.

20 Q. Noon?

21 A. Yes, sir.

22 Q. Okay. Do you recall whether you
23 immediately walked into the office with those
24 gentlemen?

25 A. I don't recall.

1 Q. Whenever you did first walk into the
2 office with Mr. Miller and Mr. Duncan, what did they
3 say to you?

4 A. They greeted me.

5 Q. Did they tell you why they were there?

6 A. Once I sat down, yes, sir.

7 Q. Okay. Can you describe the room? How
8 many chairs were in there? How many people were in
9 there?

10 A. Three chairs, three people.

11 Q. Okay. Where did Mr. Duncan sit?

12 A. At Mr. Brickman's desk.

13 Q. Where did Mr. Miller sit?

14 A. At Mr. Brickman's desk.

15 Q. And where did you sit?

16 A. Across from Mr. Brickman's desk.

17 Q. Okay. So who was sitting closest to the
18 door?

19 A. I was.

20 Q. After they greeted you, what did
21 they -- who did the talking, primarily?

22 A. Mr. Duncan.

23 Q. Okay. And what did he say to you?

24 A. I don't recall his exact words.

25 Q. Okay. Generally, what was the

1 conversation?

2 A. That he was there investigating me taking
3 product.

4 Q. Did he mention that they had reviewed
5 video surveillance?

6 A. Yes, sir, he did.

7 Q. Okay. Did you mention to Mr. Duncan these
8 lists that you provide to Mr. Brickman?

9 A. Yes, sir, I did.

10 Q. Okay. And what did he say about the
11 lists?

12 A. That it was his word against mine.

13 Q. That's what Mr. Duncan said?

14 A. Yes, sir.

15 Q. And with respect to this statement that I
16 handed you, why did you provide this statement?

17 A. I was told I couldn't leave.

18 Q. Who told you you couldn't leave?

19 A. Mr. Duncan.

20 Q. How was he going to stop you from leaving?

21 MR. MURPHY: Object to the form.

22 THE WITNESS: How was he not going to stop
23 me from leaving?

24 BY MR. ROBINER:

25 Q. You were sitting closest to the door,

1 correct?

2 A. He's loss prevention.

3 Q. Is he a police officer?

4 A. I don't know what authority he has, sir.

5 Q. Okay. Did he have handcuffs?

6 A. No, sir. Not that I was aware of.

7 Q. Did he have any means to physically
8 restrain you, other than his hands?

9 A. Not that I'm aware of.

10 Q. Did he ever put his hands on you?

11 A. No, sir, he didn't.

12 Q. Did Mr. Miller ever put his hands on you?

13 A. No, sir.

14 Q. So they verbally told you you couldn't
15 leave without giving a written statement?

16 A. Yes, sir.

17 Q. Okay. So then did you -- is this your
18 handwriting?

19 A. Yes, sir, it is.

20 Q. Okay. And is the information stated in
21 here correct?

22 A. No, sir, it's not.

23 Q. Okay. So your address is not 1011
24 Shennandoah Drive?

25 A. That is my address.

1 Q. So that's correct, right?

2 A. Yes.

3 Q. So the entire thing is not incorrect?

4 A. Yes, sir. You're right.

5 Q. Did they give you your address to put in
6 there?

7 A. They told me to put my name and my
8 address.

9 Q. Okay. So you came up with that on your
10 own, correct?

11 A. Yes.

12 Q. Okay. And that you spoke with Ronnie
13 Duncan on 5-23-2018?

14 A. Yes, sir.

15 Q. And that's an accurate statement, correct?

16 A. Yes, sir, it is.

17 Q. Okay. And he came in to discuss incidents
18 at BI-LO over the last few months?

19 A. That's accurate.

20 Q. Is that accurate? Okay. And in addition
21 to items that they believed you were taking from the
22 store, did they discuss any other incidents?

23 A. Can you ask that again? I'm sorry.

24 Q. Sure. In addition to coming to speak to
25 you about suspicions that you were taking items from

1 the store, did they discuss any other incidents,
2 unrelated to you taking items from the store?

3 A. Did they ask me questions or did I bring
4 up?

5 Q. Was there any discussions of anything,
6 other than you removing products?

7 A. Yes, sir.

8 Q. Okay. Do you recall discussions about an
9 issue with lottery tickets?

10 A. Yes, sir.

11 Q. Okay. Who raised that issue?

12 A. I did.

13 Q. Okay. And what did you tell them about
14 lottery tickets at store 5566?

15 A. That we were missing several thousand
16 dollars.

17 Q. Do you know whether that is, in fact,
18 true? That several thousand dollars was missing?

19 A. Over several months, they weren't in the
20 safe count. And Ronnie Duncan himself came and did
21 the safe count.

22 Q. Can you explain what you mean by the safe
23 count?

24 A. So the books that are not active are held
25 in the safe, in the cash office. Weekly, they are to

1 do inventory. The store manager and the head
2 bookkeeper are to do inventory of the lottery
3 tickets.

4 Q. Okay. That's what you were referring to
5 as cash count?

6 A. Yes.

7 Q. And those would be kept in books in a
8 safe?

9 A. Yes, sir.

10 Q. Okay. So, do you know whether thousands
11 of dollars were actually missing or whether that was
12 a bookkeeping error?

13 A. Ronnie Duncan was asked to investigate it
14 by Randy Ellison because it was continually
15 happening.

16 Q. Okay. Do you know when that investigation
17 happened?

18 A. I don't recall the day that Ronnie came
19 and did the safe count himself. No, sir.

20 Q. Do you know who reported the lottery issue
21 to Mr. Ellison?

22 A. If I recall, but I can't be positive, I
23 reported it when I came back from holiday sales.

24 Q. Would you have reported directly to Mr.
25 Ellison?

1 A. Yes, sir.

2 Q. Okay. Would that be in writing or orally?

3 A. I can't recall how -- if I -- I can't
4 recall.

5 Q. Did you ever exchange texts with Mr.
6 Ellison?

7 A. During my career with him -- as him --

8 Q. Well, within that time period?

9 A. I'm sure I did. He was my DM, at the
10 time.

11 Q. Do you still have any of those texts on
12 your phone?

13 A. No, sir.

14 Q. Did you ever exchange e-mails with Mr.
15 Ellison during that time period?

16 A. I'm sure I did, he was my DM. But I don't
17 know what the e-mails were about. I can't recall.

18 Q. In addition to the lottery and their
19 suspicions that you were taking items off the
20 shelves, were there any other issues that you recall
21 that were discussed in that meeting?

22 A. I brought up Barry taking the product out
23 the back door from Our Daily Bread to his church.

24 Q. Okay. Did they say anything about that?

25 A. Just for me to write it in my statement.

1 Q. Okay. So in your statement, when it says,
2 "Donations are given to a nonauthorized charity," is
3 that what you're referring to?

4 A. Yes, sir.

5 Q. Okay. So, in your opinion, that's a
6 correct statement as well, right?

7 A. Yes, sir, that part is.

8 Q. Okay. In addition to the nonauthorized
9 charity, the lottery tickets, and the suspicion that
10 you were taking items off the shelf, what else did
11 you guys discuss?

12 A. That I felt like this was stemming from
13 the complaints.

14 Q. What complaints are you referring to?

15 A. The complaints of treatment from
16 Mike -- about Mike Brickman.

17 Q. Okay. And did they respond to that?

18 A. Not really. No, sir. They did not.

19 Q. Why did you think that it was stemming
20 from the complaints about Mike Brickman?

21 MR. MURPHY: Object to the form.

22 BY MR. ROBINER:

23 Q. I'm sorry, let me repeat that. Why do you
24 think that this was all stemming from complaints
25 about Michael Brickman?

1 A. I had only done what I was asked by Mike
2 to donate these products. Now all of a sudden I had
3 complained to Randy Ellison, Tommy Brown, and
4 Jacksonville about the treatment that Mike had given
5 myself and several other females in the building.
6 And now I'm being -- now corporate is there, Ronnie
7 Duncan and Ken Miller.

8 Q. Okay. If we can just back up for a
9 second. You said you made complaints to Tommy Brown;
10 is that correct?

11 A. Yes, sir.

12 Q. Do you know when that complaint was made?

13 A. I don't recall the date.

14 Q. Do you know approximately?

15 A. Shortly after he took over as DM.

16 Q. And when would that have been?

17 A. I can't recall.

18 Q. How did you make them?

19 A. I would say -- if my memory recalls right,
20 February.

21 Q. How did you report your complaint to
22 Mr. Brown?

23 A. Mr. Brown had come in the store to do a DM
24 walk. And I asked for a transfer to another store.

25 Q. Okay. So that was verbally to Mr. Brown

1 when he's in the store?

2 A. Yes, sir.

3 Q. And you believe that was around February?

4 A. It was shortly after he took over for DM.
5 So, late February, early March, right in there, if I
6 can recall right. But I can't be positive.

7 Q. Any documents that might help refresh your
8 recollection of when that complaint was made?

9 A. I didn't send any e-mails to him. It was
10 just verbally.

11 Q. Was there a specific incident that made
12 you want to transfer stores?

13 A. I had been asking for a transfer. I had
14 asked Randy Ellison for a transfer prior to Tommy
15 Brown being the DM for the same treatment.

16 Q. Okay. When you asked Mr. Ellison, how did
17 you convey that request to him?

18 A. It was verbally, also.

19 Q. Was he in the store?

20 A. I don't recall.

21 Q. Do you know approximately when you would
22 have made the complaint to Mr. Ellison?

23 A. In the fall of 2017.

24 Q. Do you know when Mr. Brickman started at
25 this store?

1 A. I was out on a project when he first
2 started. I want to say it was in the summer of 2017.

3 Q. Was there a particular incident between
4 you and Mr. Brickman that facilitated your first
5 complaint to Mr. Ellison?

6 A. It was daily, every day treatment.

7 Q. And was that from right when Mr. Brickman
8 started?

9 A. No, sir. I wasn't there when Mr. Brickman
10 first started. I was out on a project.

11 Q. Okay. What type of project were you on?

12 A. I was out, at that time, on My Works
13 project was the name of it.

14 Q. Can you describe that, generally?

15 A. Sure. BI-LO had switched their scheduling
16 and their payroll system over to a new system and I
17 was pulled from the stores to train the district on
18 the new system.

19 Q. Okay. Do you recall approximately when
20 that My Works project ended?

21 A. No, sir, I don't.

22 Q. Would there be some documents that would
23 show when that project ended?

24 A. I'm sure BI-LO has them.

25 Q. Okay. And so after you returned to the

1 store from that project, at some point afterwards you
2 complained to Randy Ellison?

3 A. Yes, sir.

4 Q. And was that the first complaint about Mr.
5 Brickman?

6 A. Yes, sir.

7 Q. Okay. And then when was the next
8 complaint about Mr. Brickman?

9 A. Probably about a month, month and a half
10 after the first complaint to Randy.

11 Q. And who was that complaint to?

12 A. Randy Ellison, again. I asked for a
13 transfer. That was the first time I asked for a
14 transfer.

15 Q. Okay. And did he respond to your request?

16 A. He didn't transfer me.

17 Q. Was it Mr. Ellison's discretion to
18 transfer you?

19 A. Yes, sir, it was.

20 Q. Okay. After you complained to Mr. Ellison
21 the second time, when was the next time that you
22 complained about Mr. Brickman?

23 A. To Tommy Brown.

24 Q. Do you know when approximately you
25 complained to Tommy Brown?

1 A. Shortly after he became the DM for the
2 district.

3 Q. Okay. So he replaced Mr. Ellison?

4 A. Yes, sir, he did.

5 Q. And, again, you requested a store transfer
6 from Mr. Brown?

7 A. Yes, sir, I did.

8 Q. And did he deny that request?

9 A. I can't recall his exact wordage. It was
10 basically that he would have -- that he would look
11 into it and that the end goal wasn't for me to be
12 moved, it was for a better work environment.

13 Q. Did Mr. Brown ever respond to you
14 formally?

15 A. No, sir, he did not.

16 Q. Never received anything in writing from
17 Mr. Brown?

18 A. No, sir, I did not.

19 Q. Okay. Then did you complain to corporate
20 after that or did you complain to somebody else in
21 between Mr. Brown and corporate?

22 A. Tommy's the one that reached -- Mr. Brown
23 reached out to corporate.

24 Q. Was that as a result of your first
25 request, do you know? Or did you make a second

1 request to Mr. Brown?

2 A. That was a result of my first -- I'm
3 sorry.

4 MR. MURPHY: Go ahead.

5 THE WITNESS: That was a result of my
6 first request.

7 BY MR. ROBINER:

8 Q. Okay. So your understanding is when you
9 complained to Mr. Brown about Mr. Brickman then he
10 reached out to corporate?

11 A. Yes.

12 Q. Do you know if there's any documents that
13 would evidence the discussions between Mr. Brown and
14 corporate about your complaints?

15 A. Not that I was privy to.

16 Q. Do you know whether corporate ever did an
17 investigation as to any complaints about Mr. Brickman
18 made by you?

19 A. The lady from corporate called me and
20 asked me to get together the statements from the
21 other employees and to send them to her. Direct --
22 shortly after, she called and spoke to Barry Parks
23 and Cecil Barnes, but never called and spoke to me or
24 any of the people that had complained.

25 Q. The statements that you referred to that

1 you got from other women in the store, were those
2 written statements?

3 A. If I recall, some were written and some
4 were typed.

5 Q. Did you tell the employees that corporate
6 wanted written statements or did corporate tell them
7 and they just asked you to collect them?

8 A. Corporate told me to get them and send
9 them to them, so I told them that corporate had asked
10 for written statements, anything they wanted to say,
11 and for me to turn them in.

12 Q. Do you know approximately when that was?

13 A. I can't recall, sir. I would say early
14 April, right around there, mid April, but I can't be
15 positive.

16 Q. Do you know whether -- when Mr. Brickman
17 first provided asset protection with videotapes
18 questioning your selection of products off the shelf?

19 A. No, sir. I just know that he would lock
20 himself up in the office for, like, three weeks, his
21 whole shift.

22 Q. When you say lock himself up in the
23 office, what do you mean by that?

24 A. So me, him, and Mr. Parks shared an
25 office. And Mike would go in the office and shut the

1 door and tell us we couldn't come in. And he was
2 watching video. This went on for several weeks.

3 Q. Did he actually lock the door?

4 A. The door locks on its own, sir.

5 Q. Okay. So you have to have a key to enter
6 it?

7 A. Yes, sir.

8 Q. And you think that was about three weeks?

9 A. Over a three- or four-week time frame,
10 yes, sir.

11 Q. Did you ever ask Mr. Brickman what he was
12 doing in there?

13 A. I recall sending him a text. Yes, sir.

14 Q. Do you recall what the text said?

15 A. That if I was not doing something right,
16 for him to please let me know, I'd be happy to
17 correct it, maybe, something along those lines.

18 Q. Did he respond, do you recall?

19 A. No, sir, I don't recall.

20 Q. If you look back at your written
21 statement, which I believe is Exhibit 4, the next
22 line, you state, "Recently I had begun to take items
23 from the store," period. Is that a true statement?

24 A. I did take the donation out, yes, sir. So
25 if you're referring to it being true that way, yes, I

1 did take the donation to AIM.

2 Q. How come you didn't say donation in that
3 line?

4 A. To be honest, sir, I have never in my life
5 been in a situation like I was in that room that day.
6 My anxiety level was through the roof. I was crying.
7 I had asked to leave several times and was not
8 allowed to leave. And I just wanted to leave and get
9 on the phone or get to my husband.

10 Q. Okay. Why were you so upset, when you
11 were in the meeting with them?

12 A. I've never in my life been in trouble for
13 anything. I have always tried to do the right thing.
14 I have two people that I have worked with for several
15 years. I have employees that can see what's going on
16 from outside looking into that office. And I have
17 worked hard for that reputation as being a hard
18 worker and a supporter of my staff. I just wanted to
19 leave.

20 Q. With respect to people looking at the
21 office, is your -- did the office have blinds?

22 A. No, sir, it does not.

23 Q. Okay. So the windows are wide open, and
24 the people would see you the whole time?

25 A. Yes, sir. (Witness crying.)

1 Q. Okay. So, do you recall any of your
2 employees that would have seen you crying?

3 A. The cashier that day was Martha. I think
4 her last name is Richards. The bookkeeper.

5 Q. Do you have a name for the bookkeeper?

6 A. Dylan Tussey. (Witness crying.) Several
7 of the departments were coming up because it's a
8 small store. And, of course, rumors just were
9 spreading.

10 Q. You say departments. You're talking about
11 like produce or bakery?

12 A. Yes, sir. Produce, bakery.

13 Q. Anybody specific that you recall?

14 A. Tasha Olson.

15 Q. What department is she with?

16 A. Bakery.

17 Q. Or was she with?

18 A. Angela Dutton.

19 Q. What department is she with?

20 A. Deli.

21 Q. Anyone else?

22 A. Not that I know of, sir.

23 Q. During the meeting with Mr. Miller and Mr.
24 Duncan, when did you first believe that you were in
25 trouble?

1 A. Within the first three minutes of the
2 conversation.

3 Q. And why is that?

4 A. Because they said that they had seen me
5 taking product out of the store. And I said, it had
6 to have been those donations for AIM. And Mr.
7 Miller -- Mr. Duncan, I'm sorry, asked about the
8 donations. And that was when he told me it was his
9 word against my word.

10 Q. And you told him you had lists, right?

11 A. I did.

12 Q. You gave him lists. Did you ask him to
13 call Mr. Brickman in to discuss?

14 A. No, sir, I didn't.

15 Q. Why not?

16 A. Looking back on that day, there are a lot
17 of things I probably should have said, looking back
18 on it. But at the time, like I said, my anxiety was
19 just through the roof and I just wanted to be out of
20 the room. I wanted to be out of that store. I felt
21 claustrophobic.

22 Q. Do you know approximately how long it took
23 you to draft this written statement?

24 A. Maybe three minutes.

25 Q. Okay. Do you recall -- did you draft it

1 all in one sitting or did you stop and add additional
2 notes?

3 A. It was all in one sitting.

4 Q. If you look further down the page, it says
5 "This occurred on several occasions. Some of what I
6 took was donated to a local charity." Do you see
7 that?

8 A. I do see that.

9 Q. Okay. Why did you put "some" instead of
10 "all"?

11 A. Because that's what I was told to put.

12 Q. So at that point, they told you you
13 couldn't put "all"?

14 A. Yes.

15 Q. And what would they have done, if you had
16 put "all"?

17 MR. MURPHY: Object to form.

18 THE WITNESS: I don't know, sir. I don't
19 know what they would have done to me.

20 BY MR. ROBINER:

21 Q. Did you start to write "all" and they
22 stopped you and said, no, you have to put "some"?

23 A. I didn't even want to write it. I
24 refused. I wrote my name, my address. I was like, I
25 really don't want to write this. I just wanted to

1 leave. Well, you can't leave until you do this.
2 This is keeping you out of jail. You need to write
3 this. And at that point, I have two young kids. And
4 all I could think of was if their mother went to
5 jail, how is my husband going to explain that to them
6 that night? (Witness crying.)

7 Q. Who made the statement that this is
8 keeping you out of jail?

9 A. Mr. Duncan.

10 Q. So it was the written statement that was
11 keeping you out of jail?

12 A. And me agreeing to pay the \$450. I'm
13 sorry, can I have a break, please?

14 MR. ROBINER: Sure.

15 (Witness leaves the room crying.)

16 (Recess was taken from 11:05 a.m. to 11:12
17 a.m.)

18 BY MR. ROBINER:

19 Q. Ms. Styles, going back to your statement.
20 There's a statement in there a little bit further
21 down where we were just discussing that says,
22 "However, it was still wrong." Is it your testimony
23 that they -- Mr. Duncan told you to write that as
24 well?

25 A. I was instructed to say that I was wrong,

1 yes, sir.

2 Q. Did they instruct you to apologize as
3 well?

4 A. I don't recall. I do recall that I was
5 told to state in here that I was wrong.

6 Q. Okay. How was the amount estimated? It
7 says, "I would estimate the loss to be around 450."

8 A. They asked me to guesstimate how much
9 product and that was the estimation.

10 Q. Okay. Based on the lists?

11 A. Yes, sir.

12 Q. The next sentence or paragraph starts
13 with, "I do not have a reason this occurred, other
14 than" -- and it sounds like you get to voice your
15 complaints about the store. "It was a free-for-all
16 under new leadership, lottery went missing and store
17 management did not care." Did they dictate that to
18 you?

19 A. They just told me to state what I had told
20 them about the lottery and the donations.

21 Q. Okay. Could you not have written in here
22 that lists were provided to Mr. Brickman?

23 A. Yes, sir. I probably could have, but
24 again, my anxiety level was through the roof. And it
25 was -- I just wanted out. I was not able to leave.

1 I even asked for a break. And I couldn't even go to
2 a break by myself, like I was just now allowed to. I
3 had to be escorted for a break.

4 Q. Who escorted you?

5 A. Ken Miller.

6 Q. Did he hold your hand while you did it or
7 your arm --

8 A. No, sir --

9 Q. -- or restrain --

10 A. -- he didn't.

11 Q. When you went on a break, did you have
12 your telephone with you?

13 A. I don't recall.

14 Q. "A cash-over short is awful and no concern
15 from the store manager." That was one of your
16 complaints?

17 A. Yes, sir.

18 Q. Do you know why they would have asked you
19 to insert your complaints about the store in this
20 letter?

21 A. I have no idea what their thinking process
22 was.

23 Q. So they let you say all the things that
24 you felt were wrong about the store, but they
25 wouldn't let you say all was donated to charity, is

1 that your testimony?

2 A. To be honest, I didn't think it mattered
3 what I said in that room. Once they made the
4 comment, it's your word against his, and the fact
5 that I had complained several times and asked for a
6 store transfer due to the environment that I was
7 working in and nobody listened, and then even when we
8 reached out and Jacksonville investigated it, the
9 complaint was treatment of females. And they called
10 and didn't even speak to any us of us. They spoke to
11 two males.

12 So, did my opinion really matter in that
13 room? That's how I felt. I just wanted to go home
14 and be with my husband.

15 Q. When you were sitting in the meeting with
16 Mr. Miller and Mr. Duncan, did you know whether the
17 lists that you had given Mr. Brickman were still in
18 the store?

19 A. I had no idea, sir.

20 Q. So it's possible you might have been able
21 to find them and say, "Here are the lists. I told
22 you I gave these to him."

23 A. When I said that I gave Brickman the list,
24 Mr. Duncan's response back to me was, "It's your word
25 against his."

1 Q. Did they ask you if you had copies of the
2 list?

3 A. No, sir, they didn't.

4 Q. So they didn't know that --

5 MR. MURPHY: Object to the form.

6 BY MR. ROBINER:

7 Q. -- correct? You might have been able to
8 produce the list and say here they are?

9 MR. MURPHY: Object to the form.

10 BY MR. ROBINER:

11 A. I don't know, sir.

12 Q. But you're clear they did not ask you for
13 copies of the list?

14 A. I can't be clear about anything in
15 those -- that time frame. I'm just being honest.
16 There's nothing about this time frame that I can be
17 clear about.

18 Q. Let me go to the last sentence. It says,
19 "I truly apologize for my wrong and I'm willing to
20 pay this back on 5-23-2018." You see that?

21 A. Yes, I do.

22 Q. Did they tell you to say, "I truly
23 apologize for my wrong"?

24 A. They told me to put that I was wrong. And
25 that if I paid for it, it would keep me out of jail.

1 Q. But you had already said you were wrong up
2 above, correct?

3 A. They told me to say that I was wrong when
4 I gave the statement.

5 Q. Is the time accurate on there, 12:42 p.m.?

6 A. I feel like it is, yes, sir.

7 Q. Do you have any recollection of looking at
8 your phone, your watch or anything like that?

9 A. No, sir.

10 Q. Is there a clock in the manager's office?

11 A. No, sir, there's not.

12 Q. Do you remember a police officer from the
13 Pendleton Police Department coming into the office
14 that day?

15 A. Yes, sir, I do.

16 Q. Okay. Did you speak with him?

17 A. When he walked in, he spoke to me.

18 Q. Okay. Did you say anything to him?

19 A. Well, after he made the comment, "Shame,
20 shame, shame, you've been a bad girl," I didn't
21 really feel like I wanted to talk to him.

22 Q. Okay. So the first officer said that.
23 "Shame, shame, shame, you've been a bad girl." Is
24 that correct?

25 A. Yes, sir, that's correct.

1 Q. Did you know the officer before that day?

2 A. Yes, sir.

3 Q. How did you know him?

4 A. From being in the BI-LO in Pendleton.

5 Q. Did you have other incidents at that store
6 when that officer was involved?

7 A. Shoplifting incidents, I'm sure he came
8 out to, but I can't recall. But they would just stop
9 in.

10 Q. Like, for their own personal shopping?

11 A. I mean, sometimes, but more so. Like, if
12 they were on duty, they would just stop in. It's a
13 very small, little town.

14 Q. Do you recall the officer's name that came
15 in the office that day?

16 A. Glenn, maybe.

17 Q. Carl Glenn?

18 A. Car -- yeah, I'm sorry. Something like
19 that.

20 Q. So is that the first thing that Officer
21 Glenn says to you, "Shame, shame, shame. You've been
22 a bad girl"?

23 A. Yes. And then he spoke to Ronnie Duncan.

24 Q. In your presence?

25 A. I don't recall. I want to say it was, but

1 I can't be positive.

2 Q. When the officer made that statement to
3 you was Mr. Duncan and Mr. Miller in the room with
4 you?

5 A. Yes, sir.

6 Q. Anybody else?

7 A. No, sir.

8 Q. Was the door closed or open when he made
9 the statement?

10 A. It was closed. If I recall right, it was
11 closed.

12 Q. Do you recall the officer asking for your
13 name or date of birth or anything like that?

14 A. I do.

15 Q. Did you give that to him?

16 A. I did.

17 Q. Okay. Did you have any other discussion
18 was him?

19 A. No. He told me what was going to happen.

20 Q. Do you remember him reading your Miranda
21 rights to you?

22 A. I do recall that.

23 Q. Do you know whether he was shown a copy of
24 the statement that we've marked as Exhibit 4?

25 A. I don't know, sir.

1 Q. Did he ask you directly whether you had
2 taken items from the store without paying for them?

3 A. No, sir, he did not.

4 Q. So, in the officer's report where he says
5 that you admitted to taking items from the store,
6 that would be false?

7 A. I don't recall him ever asking me
8 anything, other than he would go to the judge, get
9 the warrant, they would call me, I would turn myself
10 in.

11 Q. Okay. Before that, do you have any
12 recollection of any discussions with him?

13 A. I don't -- I can't -- I don't know, sir.
14 I'm sorry.

15 Q. But -- and that's okay. I'm just trying
16 to be clear. Is it possible there was discussion
17 that took place between you and the officer?

18 A. When that officer showed up, again, all I
19 saw -- and I don't want to get upset again -- but all
20 I saw was my kids, how my husband was going to tell
21 my mom and my children, what my home town is going to
22 think about all this, and how I'm going to explain
23 that there is so much more to this, about all the HR
24 complaints and everything to all my friends and
25 family. (Witness crying.)

1 I really, honestly, thought when he showed
2 up I was going to jail. I don't -- I've never been
3 to jail. I don't understand how all that process
4 works. I don't know if you get out that night. Do
5 you get out two days from then? I don't understand
6 any of it. And my main concern was just, I need to
7 get out of this room. So, I mean, whatever you need
8 to say, I really wasn't even -- I had tuned it out.
9 I just needed to leave. (Witness crying.)

10 Q. During the meeting with Mr. Miller and Mr.
11 Duncan, did you ever tell them that you were
12 quitting?

13 A. No, sir, I did not.

14 Q. Are you okay to keep going or --

15 A. Yes, sir, I'm fine. I apologize.

16 Q. No, that's fine. If you need to take a
17 break, just let me know.

18 A. No, no, I'm fine.

19 Q. Do you know when Mr. -- when Officer Glenn
20 came in to talk to you, had you already paid the
21 money order to BI-L0, at that time?

22 A. If I recall, I had agreed to pay the money
23 order.

24 Q. Okay. But you hadn't physically done that
25 yet?

1 A. Not that -- not that I remember, but I
2 can't be positive.

3 Q. So, if the officer came in and then you
4 paid the money order, but you reported to police that
5 you paid the money order because they told you that
6 if you paid the money order, they wouldn't call the
7 police, that would be false?

8 MR. MURPHY: Object to the form.

9 BY MR. ROBINER:

10 A. Can you rephrase -- can you repeat that?

11 Q. Sure. And I'll make it a little more
12 simple. In your complaint that we're here on today,
13 in the police report that you made to the Pendleton
14 Police the next day --

15 A. Okay.

16 Q. -- in your EEOC complaint that you filed
17 against BI-LO, in every instance you claim that BI-LO
18 and Mr. Miller and Mr. Duncan promised they wouldn't
19 call the police if you paid them the \$450 money
20 order. And you did. And then they still called the
21 police, is that a true statement?

22 MR. MURPHY: Object to the form.

23 THE WITNESS: A lot was coming at me in
24 that short time frame. I don't know. The best way
25 to describe what was going on in that room, in my

1 recollection of everything inside that room was, when
2 a fire alarm goes off, it's fight or flight. Your
3 body just naturally goes into that, I've got to do
4 something, I've got to do something. Mine was just,
5 whatever you got to do, get out, flight. Get out.
6 Get out of this room. So it was like alarms were
7 just going off all over my body. My heart was
8 racing. I'm crying. I couldn't even think straight.
9 So I can't 100 percent be positive on that, sir.

10 BY MR. ROBINER:

11 Q. Okay. Fair enough. When Officer Glenn
12 arrived on that date, do you recall whether you asked
13 him if you could leave?

14 A. I don't recall.

15 Q. Do you know whether you told the police
16 officer, Officer Glenn, that the employer was holding
17 you against your will?

18 A. At that time, I don't know. I don't know
19 the laws for loss prevention or police. I don't
20 know. I thought they were holding me lawfully, that
21 I had to stay there because they said I had to stay
22 there. That was my loss prevention officer.

23 Q. Just to be clear, so you don't recall any
24 discussion with Officer Glenn about whether you had
25 to stay or could go?

1 A. I don't recall that. No, sir.

2 Q. Do you recall whether Officer Glenn asked
3 you if you had made a written statement?

4 A. I don't recall.

5 Q. And the next day, May 24, 2018, you go to
6 the Pendleton police station and claim that your
7 handwritten statement was false; is that correct?

8 A. Yes, sir. I did.

9 Q. Okay. Did you arrange a time to go to the
10 police station or did you just show up at your
11 convenience?

12 A. I don't recall.

13 Q. Did you speak with anybody at the
14 Pendleton Police Department before you showed up on
15 the 24th?

16 A. I can't remember.

17 Q. Do you know Officer Burdette?

18 A. Just from shopping in the store and doing
19 the same thing that the other officers do, where they
20 just do walk-throughs.

21 Q. Okay. When you appeared at the store on
22 the 24th, was Officer Burdette in the Pendleton
23 Police Department?

24 A. If I remember right, but I can't be
25 positive, I don't think he was there. I think he was

1 somewhere else and they had to call him there. And I
2 had to wait for a little bit.

3 Q. Did you call the Pendleton Police
4 Department first and ask, is it okay if you come in
5 and give a statement?

6 A. Not that I recall, no.

7 Q. Were you afraid they were going to arrest
8 you, when you walked in that day?

9 A. When I walked in, I felt like after months
10 of complaining and being truthful to all of upper
11 management of BI-LO, I felt like this was my best
12 chance for an outsider not affiliated to BI-LO to
13 hear my side and for me to provide them with the
14 information that I had. Because it just seemed like
15 the day before that nobody cared what I had to say.
16 Their minds were made up.

17 Q. Okay. My question was whether you were
18 afraid they were going to arrest you. And the reason
19 I'm asking you that is your testimony regarding the
20 day before is you were so afraid that they might
21 arrest you on the spot and what were you going to
22 tell your kids, and then -- or your husband, and the
23 next day you walk right in the police department.

24 A. I'd already spoken to my husband and my
25 mother the night before and explained to them what

1 was going on. Of course, I didn't tell my children.
2 They had already told me that they were going to call
3 me when the warrant was ready. So if I was going to
4 jail, I was going to go to jail at some point,
5 according to the other officer. I just wanted my
6 side heard. That's all I wanted. So if I went to
7 jail, I knew that it was coming. I had had time to
8 process it and speak to my family.

9 Q. Do you know whether Officer Glenn was in
10 the Pendleton Police Department when you walked in
11 that day on the 24th?

12 A. I don't recall seeing him.

13 Q. Did you ask to speak to a specific officer
14 or did you say you would speak with any officer?

15 A. I asked to speak to the Chief.

16 Q. Do you recall, at that time, how many
17 police officers that department had?

18 A. I don't know, because I don't work for
19 them. But it wasn't a lot, because it's a little
20 bitty town.

21 Q. Did you ever tell anybody at BI-L0 that
22 you were recanting your written statement?

23 A. I never spoke to Ronnie or Ken or Mr.
24 Brickman or Tommy, any of them, after I left that
25 building.

1 Q. Did you know any of the people that worked
2 in the BI-LO corporate offices?

3 A. Sure. I know some.

4 Q. Did you ever reach out to any of those
5 folks that you knew in corporate to explain what was
6 going on?

7 A. No, sir, I did not.

8 Q. Did you ever have an occasion to speak
9 with Southeastern Grocer's in-house counsel?

10 A. What is in-house counsel?

11 Q. They are in-house lawyers.

12 A. I didn't even know they had that. No,
13 sir.

14 MR. ROBINER: Can you mark this as 5,
15 please?

16 (Defendant's Exhibit No. 5 was marked for
17 identification.)

18 BY MR. ROBINER:

19 Q. Ms. Styles, what I'm showing you marked as
20 Defendant's Exhibit 5 for your deposition today is
21 marked at the top as a "Pendleton Police Department,
22 Officer Incident Report for Incident No. 2018-00979."
23 I'll ask, have you ever seen that before?

24 MR. MURPHY: What are you asking her
25 about, just the top page?

1 MR. ROBINER: I'm identifying it at the
2 top and asking if she's seen this report before.

3 MR. MURPHY: Are you referring to the
4 report as just the first page?

5 MR. ROBINER: No, the entire incident
6 report.

7 MR. MURPHY: Object to the form.

8 THE WITNESS: (Witness peruses documents.)
9 Are you talking about pages 1 through 5?

10 BY MR. ROBINER:

11 Q. I'm just asking if you've ever seen this
12 before.

13 MR. MURPHY: Object to the form.

14 BY MR. ROBINER:

15 Q. Feel free to flip through it.

16 A. I don't recall seeing the first and second
17 page, but I may have. But the third page, the fourth
18 page, and the fifth page, yes, I've seen them.

19 Q. Okay. If you turn to the third page,
20 where it says "Narrative." And then at the top it
21 says, "Glenn, Carl", do you see that?

22 A. Yes, sir, I do.

23 Q. Okay. About five lines up from the bottom
24 it states, "I cited Miranda to the subject and asked
25 the Subject for her personal information, i.e., name,

1 date of birth, address, phone number, et cetera."

2 And I believe you testified that you recall that,
3 correct?

4 A. Yes, sir. I think I do recall that, yes.

5 Q. And it says, "The subject did admit to the
6 act. The subject also wrote a statement to the fact
7 of her committing the act." Do you recall any
8 discussions with Officer Glenn regarding admitting to
9 the act?

10 A. I don't recall. No, sir.

11 MR. MURPHY: Object to form.

12 BY MR. ROBINER:

13 Q. Do you recall any discussions with Officer
14 Glenn that you wrote a statement to the fact of
15 committing the act?

16 A. I don't --

17 MR. MURPHY: Object to the form.

18 THE WITNESS: I don't recall.

19 BY MR. ROBINER:

20 Q. If you look at the next section on that
21 same page where it says, "Doyle Burdette." You see
22 that?

23 A. Yes, sir.

24 Q. It says, "Ms. Styles came into the office
25 concerning the incident which happened yesterday at

1 BI-L0. I asked her about the statement she provided
2 and she stated that was a copy of the statement given
3 to loss prevention. She stated she had been told she
4 had to provide a statement." Is that what you said,
5 that Mr. Duncan said that you had to give a
6 statement?

7 A. Yes, sir. He did.

8 Q. And then you said, "You refused several
9 times and was told that she had to provide a
10 statement before she could leave the office. And
11 they told her to put that in the statement." Is that
12 a true statement? Did you tell that to Officer Doyle
13 or Burdette? I'm sorry. Officer Burdette?

14 A. Okay. Can you say that again?

15 Q. Sure. The next statement in that
16 paragraph reads that you: "Refused several times,
17 but was told she had to provide a statement before
18 she could leave the office. And they told her what
19 to put in the statement." Did you tell Officer
20 Burdette that?

21 A. Yes, sir, I did.

22 Q. And, again, is that what you're claiming
23 Mr. Duncan told you you had to put in the statement?

24 A. Yes, sir.

25 Q. The next sentence says, "She was then

1 told, if she paid back the 450, the police would not
2 be called." Is that a true statement?

3 A. I was told, if I recall right, that if I
4 purchased the money order that they would not call
5 the police. I agreed to purchase the money order.
6 But, of course, we all know the police, you know,
7 came.

8 Q. Okay. So based on your recollection, it
9 would appear that that information came directly from
10 you, right? You almost repeated it. You were told
11 that if you paid back the 450 the police would not be
12 called?

13 A. Yes, sir.

14 Q. And then it says, "She purchased a money
15 order for that amount there at the store and gave the
16 money order to them. She was then told the police
17 had been called."

18 A. I don't -- I don't recall when I purchased
19 the money order. I don't remember if it was before
20 the police, after -- I don't remember.

21 Q. Do you believe you told Officer Burdette
22 that it was -- that you purchased the money order
23 before the police arrived?

24 A. I don't know, sir. It's been so long. I
25 mean, this is over a year and a half ago. I --

1 Q. If you look towards the bottom, it's about
2 six lines up, we're still in Officer Burdette's
3 section. It says, "She states she told the manager
4 (Brickman) and he stated to deliver the donations and
5 he would ring it up, since she could not ring up
6 donations." Did you tell Mr. -- or Officer Burdette
7 that?

8 A. Yes, sir.

9 Q. Okay. Why couldn't you ring up donations?

10 A. Store managers only.

11 Q. Is there a policy that states that?

12 A. I don't know, sir. That's just the way
13 I've always been told to do it.

14 Q. Okay. Next sentence states, "She states
15 the incident of merchandise leaving the store, she's
16 being accused of, are those donations he stated he
17 would ring up and he told her to collect and
18 deliver." Do you see that?

19 A. (Witness peruses document.) Yes, sir.

20 Q. Did you state that to Officer Burdette, do
21 you recall?

22 A. I don't recall.

23 Q. Do you recall ever telling Officer
24 Burdette that you made lists of the items that were
25 being donated?

1 A. I don't recall.

2 Q. Would you agree that would be a pretty
3 significant fact to prove that you were authorized to
4 make the donations?

5 A. I can't answer that.

6 Q. Wouldn't you like to have that list now to
7 show us?

8 A. Yes, I would.

9 Q. So it's pretty significant, wouldn't you
10 agree?

11 MR. MURPHY: Object to the form.

12 THE WITNESS: I assume so.

13 BY MR. ROBINER:

14 Q. Okay. But you don't recall mentioning
15 those lists to Officer Burdette?

16 A. Not that -- I don't remember, sir.

17 Q. Do you remember mentioning those lists to
18 anyone --

19 A. I mentioned --

20 Q. -- on the BI-LO side?

21 A. -- it to Ronnie Duncan.

22 Q. Okay. Before the May 23 meeting?

23 A. I never knew it was an issue until the May
24 23rd meeting, sir.

25 Q. In every instance when you would put the

1 list on Mr. Brickman's desk, did you personally do it
2 or did you ever ask anybody else, can you go throw
3 this on Mr. Brickman's desk?

4 A. I feel like I personally did, but I can't
5 recall for 100 percent.

6 Q. If you keep flipping back through this
7 packet, eventually you'll come to some handwritten
8 pages that it says, "Pendleton Police Department,"
9 and then it says, "Statement Form" on it. If you
10 would let me know when you get there.

11 A. (Witness complies.) Yes, sir.

12 Q. And is it dated 5-24-2018?

13 A. It is.

14 Q. Okay. Is this your handwriting?

15 A. Yes, sir, it is.

16 Q. Okay. If you look approximately halfway
17 down the second paragraph after your name, date of
18 birth and information, it says, "So, I began
19 collecting the items over several weeks to assist in
20 making Easter baskets." You see that?

21 A. Yes, sir, I do.

22 Q. How many times did you go collect items
23 for Easter baskets?

24 A. I don't recall, sir. Because it was just
25 whenever I had a free moment. Whenever -- I mean,

1 because I still had to perform my normal job
2 functions every day. This wasn't a priority on my
3 list.

4 Q. If you look at the last sentence on that
5 page, and the sentence before you were talking about
6 Mr. Brickman. It says, "He stated he would ring them
7 up using a donation gift card." Can you explain what
8 you mean by that?

9 A. The store had been awarded for like the
10 most gift cards. The increased percentage over last
11 year's gift card sales for a certain time frame.
12 They had been awarded -- we had -- Pendleton store
13 had been awarded several hundred gift cards. And
14 Mike, Barry, and myself had decided that that's what
15 we would use those for, prior to any of this.

16 Q. Where were they gift cards to? Is it a
17 specific store? Was it a Visa gift card?

18 A. They were Visa gift cards.

19 Q. And when you say donation gift card,
20 you're referring to a Visa gift card?

21 A. Yes, sir.

22 Q. Okay. Why would you call a Visa gift card
23 a donation gift card?

24 A. Because me, Mike, and Barry had decided
25 prior that's what we were going to use those for was

1 for donations.

2 Q. Okay. Do you know how much in the way of
3 donation gift cards were available in the store at or
4 around March 2018?

5 A. No, sir, I do not.

6 Q. Where were the donation gift cards kept?

7 A. In the safe.

8 Q. Are there any records that would show how
9 much in the way of gift cards were available?

10 A. I have no idea.

11 Q. How did you know that there were donation
12 gift cards even available to use for the AIM
13 donations?

14 A. Because me, Mike, and Barry had decided
15 prior, way before this ever occurred, that that's
16 what those gift cards were going to be used for. And
17 then Mike told me verbally, when the AIM thing came
18 up, that he was going to pay for it with some of
19 those gift cards.

20 Q. Did you ever see the gift cards in the
21 safe?

22 A. Yes, sir.

23 Q. Do you know approximately how many there
24 were?

25 A. They were in an envelope, sir.

1 Q. And where did the gift cards come from?

2 A. From my understanding, they came from
3 corporate.

4 Q. If you turn to the page of your
5 handwritten statement that's marked page 3 at bottom
6 right. Do you see that?

7 A. Yes, sir.

8 Q. Okay. At the bottom of that page it
9 states, "My statement on 5-23 was made under stress
10 and duress over not being able to leave." Do you see
11 that?

12 A. Yes, I do.

13 Q. What do you mean by "duress"?

14 A. I was being held there. I asked several
15 times to leave. Couldn't even walk out of the room
16 without being escorted out of the office by somebody.
17 I was being told what to put in a statement.

18 Q. Maybe that was a bad question. What is
19 your definition of duress?

20 A. I'm under pressure. Like, I'm being -- I
21 mean, basically, what I just said. Like I'm being
22 forced to write a statement I've asked not to write
23 several times. I'm being held in a room that I've
24 asked to leave several times. I can't even leave the
25 room without being accompanied by somebody of upper

1 management.

2 Q. Somebody tell you to write that your
3 statement was made under stress and duress?

4 A. No, nobody told me to write that.

5 Q. And, again -- is that the correct spelling
6 of duress?

7 A. I have no idea.

8 Q. When did you ever hear the word duress?

9 A. I've heard it several times in my
10 lifetime.

11 Q. And it's because you were under pressure
12 and being told what to write in a statement?

13 MR. MURPHY: Object to the form.

14 THE WITNESS: Can you ask that again? I'm
15 sorry.

16 BY MR. ROBINER:

17 Q. Sure. I'm trying to understand your
18 definition of duress, as it applies to the May 23,
19 2018 meeting. And I understand from me asking you
20 additional questions that duress to you means that
21 you were under pressure and you were being told what
22 to write in a statement.

23 A. And that I cannot leave a building.

24 Q. You could not leave the building?

25 A. Without being accompanied by someone of

1 authority.

2 Q. Do you know how long you were in the
3 meeting with Mr. Duncan and Mr. Miller before you
4 wrote the statement?

5 A. It's timed, isn't it? So I would say --

6 Q. Those would be from different dates that
7 you have in front of you. Oh, other than that,
8 right?

9 A. I would say 40 minutes, roughly. I can't
10 be positive, but roughly 40 minutes.

11 Q. If you turn to the next page that's marked
12 page 4 of your handwritten statement. About
13 halfway -- a quarter of the way down it says, "We
14 then returned to the office and Ronnie said, if you
15 are willing to pay back the 450 with a money order,
16 this will all be over." Do you recall Mr. Duncan
17 saying that to you?

18 A. Yes, I do, in the very beginning.

19 Q. Okay. Was that after you came back from
20 your smoke break?

21 A. I don't recall.

22 Q. And then it says, "I agreed and purchased
23 my money order that day. Ronnie stepped outside of
24 office and then returned and informed me he called
25 the police to come out." Based on that statement, is

1 it --

2 A. I can't be positive.

3 MR. MURPHY: Just wait till he asks the
4 question.

5 THE WITNESS: I'm sorry.

6 BY MR. ROBINER:

7 Q. Based on that statement, were you
8 suggesting that you purchased the money order first
9 and then the police were called?

10 MR. MURPHY: Object to the form.

11 THE WITNESS: I can't recall the exact
12 time frame of 5-23. I'm sorry.

13 BY MR. ROBINER:

14 Q. So it's quite possible that the police
15 arrived first and then you purchased the money order?

16 A. It's possible, because I know that we made
17 the agreement that I would pay it prior to me even
18 writing the statement. So I can't be positive of the
19 time frame of the police and the money order.

20 Q. You don't recall Mr. Duncan telling you
21 that he could not accept payment until the police
22 came out and did their investigation?

23 A. No, sir.

24 Q. Is it possible that he had that discussion
25 with you?

1 A. I don't recall any of that.

2 Q. If you look at the sentence at the bottom
3 of page 4, and it's going to run into the next page,
4 it says, "The officer informed me of my rights and he
5 would contact me after to inform me when I needed to
6 turn myself in." I said, "Okay. After the officer
7 left, Ronnie took me to the service desk to purchase
8 the money order." So in that instance, are you
9 suggesting that the officer came first and the money
10 order was purchased afterwards?

11 A. According to this, it seems that way. But
12 in my mind, I cannot recall. I'm sorry.

13 Q. When Ronnie took you over to the service
14 desk, Mr. Duncan, where was he standing?

15 A. If I recall, to the left of me.

16 Q. Was he right next to you?

17 A. Very closely, if I recall, at one point.
18 But I -- I mean, it takes a minute to process a money
19 order. So I can't recall where he was the whole
20 time.

21 Q. Approximately how close would you say he
22 was standing to you? Within a foot? Two feet?

23 A. I mean, the service desk is a little area.
24 It's not big. So, yeah, within a few feet. But I
25 can't say he was standing there the whole time,

1 because I don't remember.

2 Q. And you're sure it was Mr. Duncan that
3 took you?

4 A. I am most positive, but...

5 Q. At the bottom of page 5 it states that, "I
6 was in the office with Ronnie and Ken from 12:00 p.m.
7 to 1:49 p.m. and not allowed to leave without them in
8 my presence." Do you see that?

9 A. I do.

10 Q. How did you get those time frames?

11 A. I'm not positive, sir.

12 Q. Okay. 1:49 is a pretty specific time
13 period?

14 A. It is.

15 Q. You don't have any recollection how you
16 came up with that?

17 A. I don't.

18 Q. And then the next sentence says, "I also
19 want to take a polygraph." Do you see that?

20 A. Yes, sir, I do.

21 Q. Did you ever take a polygraph test?

22 A. No, sir, I did not.

23 Q. Do you know whether the Pendleton Police
24 Department has a polygraph?

25 A. I have no idea.

1 MR. ROBINER: That's not what I'm looking
2 for. I'm sorry. It must have got put in the wrong
3 spot.

4 We are on 6?

5 THE REPORTER: (Nods head.)

6 MR. ROBINER: Can you mark that as 6,
7 please?

8 (Defendant's Exhibit No. 6 was marked for
9 identification.)

10 BY MR. ROBINER:

11 Q. Ms. Styles, I'm showing you what's marked
12 as Defendant's Exhibit 6 to your deposition today, is
13 the complaint that was filed in this action that
14 we're here for today. Ask if you can look through
15 that and tell me if you've ever seen that before.

16 A. Yes, sir, I have.

17 Q. If you turn to page 2, and specifically
18 paragraph 15, it says, "Corporate defendants then
19 coerced plaintiff to purchase a money order at the
20 store for the purported value of the donated goods
21 (450), in order to avoid her being arrested for
22 theft." Do you see that?

23 A. Yes, sir, I do.

24 Q. What did the corporate defendants do to
25 coerce you to purchase a money order?

1 A. They told me that if I purchased the money
2 order that that would keep the corps from coming and
3 me being arrested.

4 Q. Was that BI-LO or was that Southeastern
5 Grocers that said that?

6 A. That was Ronnie Duncan.

7 MR. MURPHY: Object to the form.

8 BY MR. ROBINER:

9 Q. Do you know who Ronnie works for?

10 A. I don't know. I mean -- I don't know.

11 Q. Is there a distinction between
12 Southeastern Grocers, LLC and BI-LO, LLC?

13 MR. MURPHY: Object to the form.

14 THE WITNESS: I have no idea, sir.

15 BY MR. ROBINER:

16 Q. So when you call them corporate
17 defendants, that they said these things, it's because
18 Ronnie Duncan and/or Ken Miller said them?

19 A. Yes, sir. I assume so.

20 Q. If you look at the next paragraph,
21 paragraph 16, it says, "Despite the fact the
22 defendants coerced plaintiff into purchasing the
23 money order, defendant still attempted to have
24 plaintiff arrested by filing a complaint with the
25 Pendleton Police Department more than two months

1 after Brickman claims he learned of the alleged
2 theft." Do you see that?

3 A. I do.

4 Q. Okay. And in that paragraph, are you
5 suggesting that the money order was purchased first
6 or the police were called first?

7 MR. MURPHY: Object to the form.

8 THE WITNESS: I can't really answer that,
9 because this is all kind of legal stuff and I don't
10 understand. I mean, I'm not an attorney. I don't
11 understand this stuff.

12 BY MR. ROBINER:

13 Q. Okay. But these are facts that are being
14 alleged --

15 A. Okay.

16 Q. -- by your attorney, right? And he wasn't
17 there that day?

18 A. No, he wasn't.

19 MR. MURPHY: Yeah, but your question was
20 what she was implying.

21 BY MR. ROBINER:

22 Q. Okay. What facts do you have that Michael
23 Brickman coerced you into purchasing a money order?

24 A. Mike wasn't in the room. Mike didn't
25 convince me to do anything that day.

1 Q. So Mike Brickman should not be included in
2 that sentence; is that correct?

3 MR. MURPHY: Object to the form.

4 THE WITNESS: (Witness peruses document.)
5 Okay. The way I understand this, the way I'm reading
6 this -- which of course this is legal, so I am in no
7 way an expert -- I'm reading it that it's not saying
8 that Brickman coerced me. I'm reading it as,
9 Brickman just made the claim of me doing the alleged
10 theft.

11 BY MR. ROBINER:

12 Q. Okay. Did Mr. Brickman ever say anything
13 to you about purchasing a money order?

14 A. No, sir.

15 Q. Did Mr. Miller say anything to you about
16 purchasing a money order?

17 A. No, sir, he did not.

18 Q. Okay. So only Mr. Duncan said something
19 to you about purchasing a money order?

20 A. Mr. Miller was in the room and didn't deny
21 it. So I assume --

22 MR. MURPHY: Just listen to his question.

23 THE WITNESS: Sorry.

24 BY MR. ROBINER:

25 Q. Was Mr. Duncan the only person that told

1 you you had to buy a money order?

2 A. Yes, sir, he was.

3 Q. What do you mean by, "The defendants still
4 attempted to have plaintiff arrested by filing a
5 complaint with the Pendleton Police Department"?

6 MR. MURPHY: Object to the form.

7 THE WITNESS: I'm only assuming that this
8 means that when they told me, in the beginning of the
9 conversation on 5-23, that if I did all this that I
10 would not be in trouble. And then they still tried
11 to issue a warrant for my arrest. I'm only assuming
12 that's what that means.

13 BY MR. ROBINER:

14 Q. Is it your understanding that anyone that
15 you've named as a defendant in this case contacted
16 the Pendleton Police Department, other than the day
17 of March 23rd, 2018?

18 A. I have no idea when they contacted them,
19 sir.

20 Q. Did Mr. Brickman ever enter the room when
21 you were meeting with Mr. Duncan and Mr. Miller in
22 the office on May 23rd, 2018?

23 A. No, sir. He never entered the office.

24 Q. Where did you go when you went to purchase
25 the money order?

1 A. To the service desk.

2 Q. And that was outside the office?

3 A. Yes, sir.

4 Q. Okay. Could you have just kept walking
5 towards the door, at that point?

6 MR. MURPHY: Object to the form.

7 THE WITNESS: Again, I don't know what all
8 Ronnie Duncan, as loss prevention officer, was
9 capable of doing or not doing to me. I have no idea.
10 I don't understand the scope of his job or what his
11 capabilities, as far as legally are. So, no, I did
12 not feel like I could leave.

13 BY MR. ROBINER:

14 Q. Did BI-LO have a policy with respect to
15 dealing with shoplifters in the store?

16 A. Yes, sir.

17 Q. Were you allowed to detain shoplifters?

18 A. No, sir, we were not.

19 Q. You were not allowed to chase them out of
20 the store?

21 A. At one point in my tenure with BI-LO we
22 were allowed to.

23 Q. And when was that, approximately?

24 A. A few years -- a few years back.

25 Q. Okay. So you remember BI-LO changing that

1 policy, at some point?

2 A. I remember hearing of BI-LO changing that
3 policy.

4 Q. You never received anything in writing?

5 A. Not that I recall.

6 Q. Do you have a recollection how you would
7 have heard of it?

8 A. Maybe from a store manager. I don't know.

9 MR. ROBINER: Can you mark this as 7,
10 please.

11 (Defendant's Exhibit No. 7 was marked for
12 identification.)

13 BY MR. ROBINER:

14 Q. Ms. Styles, what I'm showing you marked as
15 Plaintiff's (sic) Exhibit 7 for your deposition
16 today -- did I say Plaintiff's? If I did, I meant
17 Defendant's Exhibit 7 for your deposition today --
18 are screenshots that I'll represent are, again, from
19 the BI-LO Pendleton store CCTV system, and it shows
20 in the upper left it's on 5-23-2018, and the time is
21 12:16:49.71. Do you see that?

22 A. Yes, sir, I do.

23 Q. Okay. And is that you in the picture at
24 the bottom left?

25 A. Yes, sir, it is.

1 Q. Okay. Do you recognize the person that
2 would have been to your left, as you're walking at
3 that point in time?

4 A. That looks like Dylan Tussey.

5 Q. Okay. How about -- can you tell -- I know
6 the head is cut off to the person to the right, but
7 do you recognize who that would have been?

8 A. I can't be positive, but maybe Michael
9 Brickman. But I can't be positive.

10 Q. Do you have any reason, as you sit here
11 today, to contest that the time that's stamped on
12 this first page, 12:16:49.71 is not accurate, as to
13 the time you were called back into the meeting?

14 MR. MURPHY: Object to the form.

15 THE WITNESS: I have no idea.

16 BY MR. ROBINER:

17 Q. So it's possible that you were called back
18 at that specific time?

19 A. I don't know, sir. I don't recall.

20 Q. Well, in your statement to the police
21 department, you said you were in the meeting at noon,
22 correct?

23 A. That's what time, yes, sir, my shift
24 started.

25 Q. This appears to show that you were not

1 called back until at least 12:16. Do you have any
2 reason to suggest that your estimate of 12:00 is more
3 accurate than this estimate of 12:16?

4 MR. MURPHY: Object to the form.

5 THE WITNESS: Can you rephrase that? I'm
6 sorry.

7 BY MR. ROBINER:

8 Q. Sure. You said in your police report that
9 you were back in the meeting with Mr. Duncan and Mr.
10 Miller from 12:00 noon until 1:49 p.m. Do you
11 remember looking at that?

12 A. Yes, sir.

13 Q. Okay. And this frame that we're looking
14 at on Exhibit 7, the first page states that the time
15 is 12:16:49.71. Do you see that?

16 A. Yes, sir, I do.

17 Q. Okay. Do you have any reason to believe
18 that your statement to the police that you were in
19 the meeting at noon is more accurate than this
20 depiction that you were being called back at 12:16?

21 MR. MURPHY: Object to the form. I
22 just -- do you want to step out a second?

23 (Witness leaves the room.)

24 MR. MURPHY: I want to put on the record
25 what the objection is, so as not to suggest an answer

1 to her. For the record, she's left the office.
2 You're showing a picture here and you're saying it's
3 a representation of her being called back to the
4 office. It's a still shot, purportedly from 12:16:49
5 seconds. And that's all that that shows. So I think
6 it's unfair to her to say that this shows her being
7 called back to the office. At a certain -- again,
8 you know, we have the issue of the certain time. But
9 I ask you to just be more fair in your question. But
10 that's -- when I'm objecting for the record, that's
11 what I'm going to be objecting to. I just want to
12 say it out of the presence.

13 MR. ROBINER: Okay.

14 MR. MURPHY: Bring her back in.

15 (Witness come backs into the room.)

16 BY MR. ROBINER:

17 Q. Ms. Styles, I believe there was a question
18 pending, when you walked out of the room. I was
19 asking whether you had any reason to contest that the
20 time on the first page of Exhibit 7 is inaccurate.

21 MR. MURPHY: Object to the form.

22 THE WITNESS: No, sir.

23 BY MR. ROBINER:

24 Q. Okay. On the day of the meeting on May
25 23rd, 2018, do you recall being called to the office

1 while you were behind the -- I think you called this
2 the cash office?

3 A. Yes, sir.

4 Q. Do you recall being behind there, when
5 they called you back?

6 A. I don't recall where I was.

7 Q. Is that where you would typically start
8 your day?

9 A. No, sir. I would typically start my day
10 in the manager's office.

11 Q. Okay. Do you remember going to the
12 manager's office and people were in there, so that
13 you couldn't enter?

14 A. I was already told prior.

15 Q. You were told prior to entering that you
16 couldn't enter?

17 A. Uh-huh.

18 Q. Who told you that?

19 A. They told me that I -- let me -- I'm
20 sorry. They didn't tell me that I could not enter
21 it. But they told me that corporate people were in
22 the office, so I didn't go in there.

23 Q. Okay. After the meeting started on May
24 23, 2018, did you ever go behind this cash office
25 again?

1 A. Can you ask that again? I'm sorry.

2 Q. Sure. After the meeting started on May
3 23rd, 2018, did you have any occasion to go behind
4 the counter and enter the cash office?

5 A. I don't recall. My purse is floating
6 around here somewhere, though. I don't -- I don't
7 know when -- I don't recall when I got my purse that
8 day. Because usually I would put it in the manager's
9 office. Well, since there was people in the
10 manager's office, I had to put it in the POS room,
11 which is -- the door is not in this picture, but
12 there's a door right there (indicating). And I had
13 to put my purse in the POS office.

14 Q. And when you refer to your purse, do you
15 mean you retrieved that at the end of the meeting?

16 A. I don't recall when I retrieved it.

17 Q. When you retrieved your purse, whenever
18 that was, did somebody accompany you?

19 A. I don't recall.

20 Q. If you look at the next page, it states --
21 again, this is the statement we went over before.
22 And I believe you testified that the 12:42 p.m. on
23 there was accurate?

24 MR. MURPHY: Object to the form.

25 THE WITNESS: Yes, sir, I felt like it