

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

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SC 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 SUBSTITUTED RECORD ON APPEAL – VOL. 4

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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-L0 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-LO?

7 A. Yes, sir.

8 Q. And it --

9 A. It was BI-LO'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-L0 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-L0 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-L0 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-L0?

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-L0?

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-L0. 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-L0?

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-L0 to AIM?

16 A. She shops at the store, the BI-L0
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-L0.

18 Q. Do you know her other than because she
19 shopped at BI-L0?

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-L0?

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-L0.

3 Q. Anybody else associated with BI-L0?

4 A. Can Bentley.

5 Q. What is Can's position?

6 A. Grocery manager of the BI-L0.

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-L0. No overlap.

19 Q. Anyone else? Katie Bramlett?

20 A. She's BI-L0.

21 Q. BI-L0. 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.

<%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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