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1 STATE OF MICHIGAN
2 IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE
3
4 DANNY L. SNYDER and
5 DORIS JEAN SNYDER,
6 Plaintiffs,
7 -vs- No. 03-308134-CZ
8 HON. Michael F. Sapala
9 CITY OF ROMULUS,
10 a municipal corporation,
11 Defendant.
12 _____/

13
14 The deposition of MAYOR ALAN LAMBERT,
15 taken in the above-entitled cause, before Caron P.
16 Cebulak, Court Reporter, RPR, CSR-3225 and Notary
17 Public for the County of Wayne, Michigan, at 535
18 Griswold Street, Suite 2400, in the City of Detroit,
19 Michigan, on October 1, 2003, commencing at or about
20 the hour of 9:00 o'clock a.m.

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23
24
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1 APPEARANCES:

2 Jamil Akhtar

3 Akhtar, Sucher & Ebel

4 91 E. Maple Road

5 Troy, MI 48083

6 (248) 528-0863

7 Appearing on behalf of the Plaintiffs

8

9 Michael D. Weaver

10 Plunkett & Cooney

11 38505 Woodward Avenue

12 Suite 2000

13 Bloomfield Hills, MI 48304

14 (248) 901-4025

15 Appearing on behalf of the Defendant

16

17 ALSO PRESENT:

18 Danny and Doris Jean Snyder

19 Chief Charles Kirby

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1	I N D E X	
2		P A G E
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4	Examination by MR. AKHTAR	4
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7	E X H I B I T S	
8		M A R K E D
9		F O R
10		I D E N T I F I C A T I O N
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12 None offered.

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1 MAYOR ALAN LAMBERT,
2 having first been duly sworn, was examined and
3 testified on his oath as follows:

4 MR. AKHTAR: Is it A-L-A-N?

5 A. A-L-A-N, correct.

6 MR. AKHTAR: Let the record reflect this is the
7 deposition of Mayor Alan Lambert, is being taken
8 pursuant to notice and in accordance with the Michigan
9 Court Rules.

10 Mayor, during the course of your deposition, I'll
11 be asking you certain questions and I request that you
12 verbalize your answers. By that I mean you don't nod
13 your head or say uh-huh, all right?

14 A. All right.

15 MR. AKHTAR: Also if I ask you a question that you
16 don't understand it or you want me to restate it or
17 rephrase it, please stop and ask me to do so, otherwise
18 I will assume that the answer you gave was in full and
19 complete knowledge of the question asked, fair enough?

20 A. Fair.

21 EXAMINATION BY MR. AKHTAR:

22 Q. For the record, your name, please?

23 A. Alan Lambert.

24 Q. Excuse me, I will have water.

25 How old are you?

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- 1 A. 48.
- 2 Q. Can you tell us your educational background?
- 3 A. Completed 12th grade.
- 4 Q. High school?
- 5 A. Correct.
- 6 Q. In Romulus or someplace else?
- 7 A. Romulus.
- 8 Q. And when was that?
- 9 A. '73.
- 10 Q. And will you detail your employment history starting
- 11 with your current job and going backwards?
- 12 A. Mayor, police officer, Romulus.
- 13 Q. When were you Mayor?
- 14 A. Got elected in '90 -- no, it was 2001, November.
- 15 Q. 11-1 you took office?
- 16 A. 11-13.
- 17 Q. And what is the term, how many years?
- 18 A. Four years.
- 19 Q. And prior to Mayor?
- 20 A. I worked for the police department. My hire date was
- 21 1-18 of '88.
- 22 Q. And so you were with the department for approximately
- 23 12 years?
- 24 A. Yeah, roughly.
- 25 Q. And what was the highest rank you obtained?

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- 1 A. Patrolman.
- 2 Q. What police academy did you go to?
- 3 A. Detroit.
- 4 Q. Any other formal in-service training of more than a
- 5 day?
- 6 A. Several.
- 7 Q. What were they in?
- 8 A. All kinds of different liaison schools for a week,
- 9 different police trainings, several different classes
- 10 over the years.
- 11 Q. Did any of them deal with employee relations?
- 12 A. I guess in some ways they would have.
- 13 Q. Prior to being a police officer, what was your
- 14 position?
- 15 A. Worked for General Motors.
- 16 Q. Which plant?
- 17 A. Detroit Diesel it was at the time.
- 18 Q. And that was in Romulus?
- 19 A. Correct.
- 20 Q. From when to when?
- 21 A. I believe from '76 to '86.
- 22 Q. And if I recall right, you also were in an elected
- 23 position as councilman?
- 24 A. I was councilman from '81 through '88, or up to '88.
- 25 Q. When you were on council, did you hold any position

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- 1 such as president of the council, the secretary?
- 2 A. No, just councilperson.
- 3 Q. Now, when you became Mayor in November of 19, of 2001,
- 4 did you order the Chief of Police to do a
- 5 reorganization of the department?
- 6 A. Not when, no, I don't think when I was elected I
- 7 didn't. I had him make some moves, but there was no
- 8 reorganization at that time.
- 9 Q. When did you first instruct the Chief to start doing
- 10 reorganization plans?
- 11 MR. WEAVER: Let me interpose an objection. The
- 12 hypothetical assumes that he did in fact instruct the
- 13 Chief to do so. But with that objection, you can
- 14 answer, sir.
- 15 A. Sometime probably around early spring. I would say
- 16 March maybe, yeah, maybe March.
- 17 Q. (BY MR. AKHTAR): Of 2002?
- 18 A. I believe so.
- 19 Q. What were your instructions to him?
- 20 A. To see where we could get some cost savings to get some
- 21 monies for the fire department.
- 22 Q. And what were you trying to achieve in the fire
- 23 department?
- 24 A. To make it a bigger fire department. Our volunteer
- 25 fire system wasn't working any more. We couldn't

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- 1 depend on volunteers, so I wanted to go full-time.
- 2 Q. When you took over as Mayor, how many full-time and how
3 many volunteers did you have in the fire department?
- 4 A. We had eight full-time and they were working Monday
5 through Thursday.
- 6 Q. How many part-time?
- 7 A. I don't know the number.
- 8 Q. Approximately. Over 20?
- 9 A. Probably around 20. I couldn't tell you really.
- 10 Q. And what was your goal as far as staffing the fire
11 department?
- 12 A. To at least double the size of the current full-timers.
- 13 Q. To approximately 16?
- 14 A. Yeah.
- 15 Q. Now, I read someplace that the full-timers were all
16 command officers when you took over?
- 17 MR. WEAVER: Are you talking about the fire
18 department?
- 19 MR. AKHTAR: Excuse me one second.
20 (Discussion off the record.)
- 21 Q. (BY MR. AKHTAR): It was my understanding, after
22 reading some material, that the full-timers were all
23 command officers in the fire department, is that
24 correct, either sergeants or lieutenants?
- 25 A. On the full-time?

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1 Q. Yes.

2 A. No, not to my understanding. They were just fire
3 fighters.

4 Q. What was the command structure at the fire department
5 when you took over?

6 A. We had a chief, a deputy chief and volunteer fire
7 fighters and eight full-timers.

8 Q. Were the chief and fire chief full-time or part-time?

9 A. The chief was full-time.

10 Q. And who was that?

11 A. Dave Allison.

12 Q. Is he still there?

13 A. Yes, he is.

14 Q. And the deputy chief was part-time?

15 A. Yeah, he's part-time.

16 Q. Same person there?

17 A. Yeah, same guy.

18 Q. What's his name?

19 A. Pesnie, I think it's P-E-S -- do you know how to spell
20 his name?

21 MR. WEAVER: The Chief can't --

22 Q. (BY MR. AKHTAR): We'll go with P-E-S-N-I-E.

23 A. I think. I never see the guy. I think I met him once
24 and I have only seen him once or twice over the last
25 couple of years.

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- 1 Q. Have you been able to staff up the fire department?
2 A. Yes, we have.
3 Q. How many full-timers do you have now?
4 A. 16, actually 15 and we're in the process of hiring the
5 16th.
6 Q. How many fire stations do you have?
7 A. Four.
8 Q. Are the fire fighters represented?
9 A. Yes, they are.
10 Q. Now, what was the approximate cost of bringing on these
11 additional eight fire fighters?
12 A. Well, I don't have those figures with me. We figured
13 in the beginning it was going to cost somewhere in the
14 area of \$750,000 to do what we wanted to do, 700, 750.
15 Q. Would that be just for manpower or would it be
16 manpower --
17 A. Manpower and equipment.
18 Q. And were you looking at the police department to come
19 up with that amount of money?
20 A. We were looking everywhere to come up with the money.
21 Q. Besides the police department, where else did you find
22 money?
23 A. Well, I don't think we found any anywhere and that's
24 why we basically had to get it from the police
25 department. It was the biggest department with the

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1 biggest budget. That's why we had to take it from
2 there.

3 Q. In approximately March of 2002, what instruction did
4 you give the Chief as far as the reorganization plan
5 goes?

6 A. Just to look and see what was available and what he
7 could do to restructure, get us the money basically and
8 still have an operating, functioning police department.

9 Q. And when did you start looking at this early buyout on
10 the pension plan? When did you start meeting with your
11 personnel director, your finance director and so forth?

12 A. I think it's probably about a month later. I really
13 don't recall, but I know it was sometime in that period
14 after I talked to them, probably 30 days later after we
15 initially talked.

16 Q. Who came up with the idea of the early buyout?

17 A. I believe it was Chief Kirby and Debbie Hoffman, the
18 finance director.

19 Q. H-A-U-F-M-A-N?

20 A. Yeah, M-A-N.

21 Q. And how did they present it to you, was it by way of a
22 written memorandum, a sit down meeting, what?

23 A. Yeah, they just brought it to my office. It was a memo
24 and they brought it to me showing they were going to do
25 something like six command officers, four patrol

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1 officers, they broke it down and showed me what they
2 were going to do.

3 Q. Did they have costs associated with that?

4 A. Yeah, they did, but I don't remember what it was
5 exactly -- the cost and there was some money we could
6 use.

7 Q. Do you know when the cost of, the request for a cost
8 breakdown was sent to the actuaries?

9 A. No, I don't remember that. Those two basically were
10 the ones that were doing most of the work. I obviously
11 had other things I was doing at the time. I was
12 relying on them to put it together.

13 Q. So your instructions were meet with the actuaries,
14 figure out what the cost was and get it back to me?

15 A. Right.

16 Q. Do you know when that information came back to you?

17 A. No, I don't remember.

18 Q. Was the reorganization plan that you were reviewing at
19 the time predicated upon the implementation of the
20 early retirement and buyouts?

21 A. I don't understand the question.

22 Q. Sure. You instructed the Chief sometime in March to
23 start doing a reorganization?

24 A. Right.

25 Q. Shortly thereafter, within a month, he comes back to

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1 you with Debbie Hoffman and says here's an idea, if we
2 get the command officers to retire, we can save the
3 money and here's a reorganization plan on how we save
4 the money?

5 MR. WEAVER: Let me interpose an objection. That
6 mischaracterizes the prior testimony. I think he said
7 there were six command and four patrol. But with that
8 objection noted, you can answer.

9 A. That's what there was, yeah. Yeah, pretty much that's
10 what they came and said. In fact, they talked about
11 what kind of offer we could make the command officers
12 where it would make it worth their while to take a
13 buyout and everybody should be happy.

14 Q. (BY MR. AKHTAR): Now, at the time you were also in
15 protracted contract negotiations with the command
16 officers, is that correct?

17 A. Yes, we were.

18 Q. When you took over the office, the contract had expired
19 and negotiations were ongoing?

20 A. Correct.

21 Q. And at some point in time, Mr. Guzall was involved or
22 I'm sorry, what is his name?

23 MR. WEAVER: Ray Guzall, G-U-Z-A-L-L.

24 Q. (BY MR. AKHTAR): And Guzall worked for Seifman's
25 office?

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1 A. Yeah, they're our legal counsel, correct.

2 Q. And they picked up the negotiations during this period
3 of time?

4 A. Right, I mean they were negotiating.

5 Q. When you decided to go with the early retirement, did
6 you also run it by your attorneys that were involved in
7 contract negotiations at the time?

8 MR. WEAVER: Well, let me interpose an objection.
9 I think you are infringing upon attorney client
10 privilege. I don't think he can answer that question
11 without waiving that privilege and I'm going to tell
12 you that you need not answer that question. Any
13 communication between you and your attorneys is
14 privileged.

15 Q. (BY MR. AKHTAR): Did you rely upon the Chief to
16 communicate with the union as it relates to contract
17 matters?

18 A. Well, I was obviously relying on the Chief to put this
19 all together so, yeah, do whatever it was going to take
20 to put it together.

21 Q. Now, it's my understanding that this early retirement
22 offer was made outside of the spectrum of the
23 collective bargaining negotiations that were ongoing,
24 this was not put to the union as part of a bargaining
25 strategy, is that correct?

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- 1 MR. WEAVER: Objection to foundation. To the
2 extent you know, go ahead and answer.
- 3 A. To be honest with you, I'm not sure.
- 4 Q. (BY MR. AKHTAR): You are aware that the --
- 5 A. Only because I wasn't involved in the negotiation and I
6 wasn't involved initially with the numbers, they just
7 came to me for approval. So I really didn't have much
8 to do with that at all.
- 9 Q. Was it your understanding that this early buyout would
10 be placed on the table as part of the collective
11 bargaining process that was ongoing at the time?
- 12 A. No, I didn't know either way.
- 13 Q. You weren't informed?
- 14 A. No.
- 15 Q. When was the decision made to go ahead and implement
16 this early retirement?
- 17 A. I really don't recall. A couple months after, you
18 know, it originally was brought up I imagine, so if it
19 was March, April, May, sometime around May maybe.
- 20 Q. So as of May, give or take, a decision had been made to
21 offer the command officers this early buyout?
- 22 A. Correct.
- 23 Q. Did you have any meetings with the council on an
24 individual basis to alert either the council president
25 or members of the council that you were going to be

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- 1 bringing this package to them for approval?
- 2 A. I believe we met, I think at a council meeting. I
- 3 mentioned to them what was going on and what we were
- 4 trying to put together, just to make them aware.
- 5 Q. The only council meetings that I have been provided
- 6 with are July 1st, 2002 and at that meeting the council
- 7 ratified the proposal?
- 8 A. Okay.
- 9 Q. Are you saying that there was perhaps a meeting before
- 10 that?
- 11 A. I really don't remember. Yeah, I'm not sure. I'm not
- 12 sure.
- 13 Q. What were the savings that you were able to derive from
- 14 this early retirement package?
- 15 A. I think it was around 700,000 that we talked about. I
- 16 believe that was the number.
- 17 Q. So it's your understanding that the changes in the
- 18 pension system that were offered to the command
- 19 officers in the Romulus Police Department would save
- 20 you approximately \$700,000?
- 21 A. To the people that were offered this retirement
- 22 package.
- 23 Q. Do you recall what the annual cost of providing this
- 24 one time only retirement package was to the city?
- 25 A. No.

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1 Q. Did you see any documents, either actuary reports or
2 reports from Miss Hoffman as to what it's going to cost
3 the city on an annualized basis?

4 A. I probably did, but I don't recall, to be honest. I'm
5 trying to remember. This has been a long time.
6 There's been a lot going on since, so.

7 Q. I want to show you, we're not going to mark these
8 exhibits, but I'm going to refer to them as either
9 Defendant 1, 2, 3 or 4 or Plaintiff's 1, 2, 3 and 4.
10 They're all Bate stamped in the right hand corner for
11 identification. I want to show you what was identified
12 as --

13 A. I forgot my glasses.

14 Q. -- as employer document number 1. Have you seen this
15 document before?

16 A. I believe I have. I really don't recall, but.

17 Q. Now, you worked with all of these people for
18 approximately 12 years?

19 A. Yes.

20 Q. Starting with Barnes and going down, did Barnes
21 take the early retirement?

22 A. Yes.

23 Q. Did Booker take the early retirement?

24 A. No.

25 Q. Did Champagne take the early retirement?

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- 1 A. No.
- 2 Q. Did Cozzaglio?
- 3 A. No, he didn't.
- 4 MR. WEAVER: C-0-Z-Z-A-G-L-I-0.
- 5 Q. Early?
- 6 A. Yes.
- 7 Q. Huggins?
- 8 A. Yes.
- 9 Q. Keefer?
- 10 A. No.
- 11 Q. Leacher?
- 12 A. No.
- 13 Q. Malaniak?
- 14 A. Yes.
- 15 Q. Myers?
- 16 A. Yes.
- 17 Q. Ondejko?
- 18 A. Yes.
- 19 Q. Painter?
- 20 A. Yes.
- 21 Q. Poe?
- 22 A. Yes.
- 23 Q. Rafalski?
- 24 A. Yes.
- 25 Q. Semrau?

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- 1 A. No.
- 2 Q. Snyder?
- 3 A. Yes.
- 4 Q. Wedesky?
- 5 A. Yes.
- 6 Q. Now, explain to me, first column is the name of the
7 individual, the second column is their rank as of
8 January 1st, 2002, is that correct?
- 9 A. Uh-huh.
- 10 Q. The third column is their date of hire?
- 11 A. Right.
- 12 Q. The fourth column is number of years vested?
- 13 A. Right.
- 14 Q. Now, does that mean vested in the pension system?
- 15 A. I would imagine.
- 16 MR. WEAVER: Did you say a pension system or the
17 pension system.
- 18 Q. (BY MR. AKHTAR): The pension system?
- 19 A. A pension system.
- 20 Q. Did you have more than one pension system?
- 21 A. We did.
- 22 Q. Do you know which of the officers were under the old
23 City of Romulus pension plan?
- 24 A. I know Poe was for sure. I couldn't speak about
25 anybody else, I'm not sure. But I know Poe was under

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- 1 the city plan, not MERS.
- 2 Q. Was he allowed to buy into the MERS plan for the
3 purpose of the early retirement?
- 4 A. Yes, he was, at the last minute.
- 5 Q. What does seniority in grade mean?
- 6 A. I don't know. I don't know what in grade means.
- 7 Q. In the military it normally means the date of your last
8 promotion. Is that your understanding?
- 9 A. I'm not sure, I don't deal with this. I don't know
10 what in grade means. First time I have seen that or I
11 have paid attention to it.
- 12 Q. Next I want to show you what's identified as employer
13 number 2. Have you seen this before?
- 14 A. I'm trying to think if I have or not. I just have, I
15 believe I probably have seen it.
- 16 Q. Will you turn to page 5 and on the bottom right hand
17 corner, do you see that?
- 18 MR. WEAVER: Next page, next.
- 19 Q. (BY MR. AKHTAR): Who established the window period of
20 July 1st, 2002 through September 30th, 2002?
- 21 A. I'm not sure. I'm not sure if it was MERS or I really
22 don't know. I knew of the window, but I'm not sure how
23 the time frame got put together.
- 24 Q. Who presented the proposal to the council?
- 25 A. Finance department and the Police Chief.

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- 1 Q. Miss Hoffman and Chief Kirby?
2 A. Correct.
3 Q. They made the actual presentation?
4 A. Uh-huh.
5 Q. Are those meetings recorded in any way?
6 A. Sure.
7 Q. How are they recorded, video, audio?
8 A. Video.
9 Q. Are they broadcast to the public?
10 A. Yeah, they are unless it was done under executive
11 session, but honestly, I don't remember if it was or
12 not. And it might have been, but that was the only
13 case it wasn't recorded, if it was an executive
14 session.
15 Q. Why would it be done in executive session if it wasn't
16 part of contract bargaining?
17 A. Well, maybe because you're talking about personnel,
18 personnel matters can't be talked about in front of the
19 public.
20 Q. They can't?
21 A. They can't. Individual personnel matters can't, to my
22 knowledge, no, you can't.
23 Q. Are the council meetings broadcast to the public?
24 A. Yes, they are.
25 Q. Who maintains the video, the local cable company?

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- 1 A. The city does.
- 2 Q. On page 5 under window period in the box it says:
- 3 Benefits three percent dash 80 max. Do you know what
- 4 that means?
- 5 A. 3.0 80 percent max? You get 80 percent, you max out at
- 6 80 percent, I imagine.
- 7 Q. Do you know what the three percent is?
- 8 A. Do I --
- 9 Q. Is that the multiplier?
- 10 A. That's the multiplier.
- 11 Q. Do you know what FAC3 means?
- 12 A. Yes.
- 13 Q. What does that mean?
- 14 A. That's what you base it on, three years.
- 15 Q. What about the E2?
- 16 A. COLA.
- 17 Q. Cost of living for retirees?
- 18 A. Uh-huh.
- 19 Q. Yes?
- 20 A. Correct.
- 21 Q. Now, as Mayor, are you still under the police
- 22 department pension?
- 23 A. Yes, I am.
- 24 Q. You're not under the Romulus plan?
- 25 A. No. I'm in MERS.

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1 Q. Now, going on to the next page, page 6 under column 7?

2 A. Okay.

3 Q. It has amortization of increase in PVFB. Do you know
4 what PVFB means?

5 A. No, I don't know what it means.

6 Q. Did you ever hear the term present value of future
7 benefits?

8 A. Yeah, I think I have heard that.

9 It's a perfect example why a mayor doesn't get
10 involved in stuff. That's why you have finance people
11 and people with more knowledge do.

12 Q. Do you know what this early retirement was going to
13 cost the city on an annual basis, how much more a year
14 in pension contributions?

15 MR. WEAVER: It's been asked and answered. If you
16 can answer it again, sure.

17 A. Right.

18 Q. (BY MR. AKHTAR): Does reviewing this document help
19 you?

20 A. No, it really doesn't.

21 Q. Do you understand that the seventh column means that
22 the added cost to the city is \$164,146 per year?

23 MR. WEAVER: Let me object to the extent the
24 hypothetical assumes facts not in evidence and I object
25 to foundation. You can go ahead and answer to the

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1 extent you know.

2 A. Looking at this really doesn't mean much to me. I know
3 we had a total cost somewhere what we were saving and I
4 don't see that.

5 Q. (BY MR. AKHTAR): I want to show you what's identified
6 as employer's 15. Have you seen this document before?

7 A. I believe I have.

8 Q. Now, on the third column some people have no purchase
9 and some have eight months, like Early \$22,000. Does
10 that mean in order to purchase eight months, to get to
11 the maximum pension benefit, it would cost him \$22,000?

12 A. I imagine that's what those numbers are, sure.

13 Q. And Painter would have to come up with \$62,000?

14 A. Correct.

15 Q. And Poe would have to come up with \$106,000?

16 A. Correct.

17 Q. Was everybody allowed to purchase up to the maximum to
18 get up to 80 percent?

19 A. I'm not sure, to be honest with you.

20 Q. Who is Barb Fitzgerald

21 A. Personnel director.

22 Q. For the City of Romulus?

23 A. Correct.

24 Q. Is she still employed?

25 A. Yes, she is.

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- 1 Q. And Debra Hoffman is still employed?
2 A. Yes, she is.
3 Q. Show you what's identified as employer's 8. Now, this
4 is marked as Exhibit A to some document. Do you know
5 what this was attached to?
6 A. No.
7 Q. Have you seen this document before?
8 A. I believe I have, yes. Yeah, that's a savings from the
9 reorganization. I have seen this.
10 Q. And this was the money that you were, that was to be
11 used to hire the eight additional fire fighters,
12 correct?
13 A. Well, to work with the fire department, correct.
14 Q. So you were to make a budgetary transfer from the
15 police department to the fire department to hire these
16 eight people and buy the equipment?
17 A. Yes.
18 Q. Now, you were going to lose three executive
19 lieutenants?
20 A. Right.
21 Q. And that would be all of the executive lieutenants you
22 had, correct?
23 A. Correct.
24 Q. And you were going to lose three sergeants?
25 A. Right.

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- 1 Q. And four police officers -- and it's my understanding
2 you had four officers off on medical leave at that
3 time, is that correct?
- 4 A. I don't recall really. I know we had some off and a
5 couple of spots, I think, that we just hadn't filled.
- 6 Q. And then you have net reduction in compensated
7 absences. What does that mean?
- 8 A. I don't have a clue.
- 9 Q. Who prepared this document, do you know?
- 10 A. Must have been Debbie Hoffman, finance director.
- 11 Q. This doesn't have the added \$15,000 salary that went to
12 the Chief when he became Director of Public Safety,
13 does it?
- 14 A. I don't see that here.
- 15 Q. But he got a \$12,000 kick in pay, is that correct?
- 16 A. That's correct.
- 17 Q. When you add his fringe benefits on, which amounts to
18 be 25 percent, that kicked it up to around 15, 16,000?
- 19 A. Okay.
- 20 Q. Okay. That's not listed on here, is it?
- 21 A. No. I don't know if it had been done at that point
22 yet. Maybe it had, I am not sure.
- 23 Q. Do you know where the money came from to give him the
24 additional salary when he became director?
- 25 A. No, I don't recall. Finance director would know.

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1 Q. Debbie Hoffman?

2 A. Correct.

3 These glasses are strong.

4 Q. I want to show you what's marked as employer's 10.

5 A. Okay.

6 Q. Who prepares the draft resolutions for items on the
7 agenda for the council?

8 A. I think, I don't know, maybe Debbie did, or maybe
9 Debbie gives the paperwork to the clerk and they do
10 them.

11 Q. Who is the clerk of the commission?

12 A. We have a city clerk, that's who would do it. That's
13 Linda Choate.

14 Good question. I'm not really sure how it works.

15 I never deal with that aspect.

16 Q. How do you spell Choate?

17 A. C-H-O-A-T-E.

18 Q. And you believe there may have been an executive
19 session before the regular council meeting?

20 A. If we were discussing personnel issues, that probably
21 would have been the case, sure.

22 Q. But you agree this was not part of the collective
23 bargaining that was ongoing with the command officers
24 at the time?

25 A. No. I was unaware of that. I didn't say one way or

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- 1 the other because I really don't know.
- 2 Q. Who would know, the Chief?
- 3 A. Attorney, maybe. He was the one negotiating.
- 4 Q. I show you document 171, plaintiff's 171.
- 5 A. Okay.
- 6 Q. Did you approve this reorganization plan?
- 7 A. To be honest with you, I don't recall.
- 8 Q. It provides --
- 9 A. I haven't seen it.
- 10 Q. Before Chief Kirby could put this memo out advising
- 11 these members of the department of the reorganization
- 12 of the department, would he first have to clear it
- 13 through you?
- 14 A. You know what, I must have.
- 15 Q. Why do you say that?
- 16 A. Well, obviously if it got to this point, it had to go
- 17 through me.
- 18 Q. So sometime prior to May 16th you signed off on this?
- 19 A. Yes.
- 20 Q. And when was this reorganization to go into effect?
- 21 A. I don't know.
- 22 Q. Do you agree with the first paragraph, that the savings
- 23 was to be used for the purpose, the basic needs in
- 24 personnel and in equipment to provide additional fire
- 25 fighting and ambulance transport services?

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1 A. Yes.

2 Q. Did you campaign on the proposition that if elected,
3 you would beef up the fire department?

4 A. Yeah, it was a campaign issue.

5 Q. Now, did you instruct Chief Kirby to eliminate the
6 executive lieutenant positions or was that his
7 recommendation to you?

8 A. He came up with all of the restructuring. It was not
9 my idea of doing that, other than to find monies and
10 ways to move it around.

11 Q. Now, on page 172, which is the second page of the
12 document you have in front of you, it states that under
13 personnel considerations, the reorganization will
14 follow Article VI, that's Roman numeral VI, in all
15 cases of officers being demoted to a lower rank. What
16 does that mean?

17 A. I don't know. I don't know.

18 Q. Does that make reference to the contract?

19 A. I don't know what it's making reference to.

20 Q. The second point under personnel considerations:

21 Lieutenants will receive the current salary of
22 executive lieutenant. Sergeant will continue to
23 receive the same salary. What does that mean?

24 A. I believe the lieutenants were going to get paid the
25 same amount of money because they were doing the same

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1 amount of work as the executive lieutenants were doing.

2 That's the way I understood it.

3 Q. So, after the reorganization, any lieutenant that was
4 left, if they were previously just a lieutenant, they
5 would get a pay increase?

6 A. If their job assignments were jumped up to what the
7 executive lieutenants were doing.

8 MR. WEAVER: Let me interpose an objection to the
9 foundation. But you have answered and the answer is on
10 the record.

11 Q. (BY MR. AKHTAR): And if an executive lieutenant got
12 demoted down to a lieutenant position, they would keep
13 their salary?

14 A. Correct. That's the way I understood it.

15 Q. Under no circumstances would an executive lieutenant's
16 salary be cut?

17 A. No.

18 Q. That was your understanding?

19 A. No. Just the title, not the salary.

20 Q. Did this reorganization plan actually go into effect?

21 A. One did. I'm not sure if this is the one that did.

22 Q. It states in paragraph 3: Lieutenants will not
23 maintain take home department vehicles. Was that
24 placed into effect or is that ongoing as of today?

25 A. I'm not sure. I don't know who takes care of that.

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- 1 Q. The fourth paragraph states: The ability of shift
2 lieutenants and sergeants to double pass days will be
3 discontinued. What does that mean?
- 4 A. I don't know. I imagine the sergeants and lieutenants
5 couldn't have the same day off on the weekend. One had
6 to be there. Right, well, it says that.
- 7 Q. Were any of these changes, they have to be bargained
8 with the union?
- 9 A. I don't know, I don't deal with that part of it.
- 10 Q. Was reorganization of the department, did you consider
11 that to be a mandatory subject of bargaining with the
12 command officers?
- 13 MR. WEAVER: If you know.
- 14 A. No, I didn't -- I wasn't even thinking about that. I
15 was just thinking about a restructuring of the police
16 department. I didn't put it together with the union
17 negotiations, I didn't have anything to do with those,
18 so I didn't think one way or the other. I told them to
19 reorganize and that was that.
- 20 Q. (BY MR. AKHTAR): So do I understand your position that
21 if any of the reorganization changes required
22 bargaining, you would leave it up to the Chief?
- 23 A. Well, the people that do that stuff. It certainly
24 wasn't me.
- 25 Q. You set policy, don't you?

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1 A. I set policy they bring before me. I look at something
2 before it would go to council for approval, but I don't
3 negotiate it.

4 Q. Now, I'll show you what's marked as plaintiff's exhibit
5 177.

6 A. Okay.

7 Q. Isn't it true, it's about this time that you finally
8 got the cost associated with the early buyout?

9 A. I don't recall, but that's possible.

10 Q. And the October 1st date for the implementation of the
11 reorganization just happens to coincide with the
12 closing of the window for the early retirement?

13 A. Okay.

14 Q. When was the window for the early retirement
15 established?

16 A. I'm thinking back, maybe it was in July. It went from
17 July to October.

18 Q. I understand that. But when did you decide a window
19 would be opened on July 1st and closed on September
20 30th?

21 A. I don't know.

22 MR. WEAVER: Let me just object to the extent that
23 it assumes he decided that, but to the extent you can
24 answer, Mayor, go ahead.

25 A. I didn't and I don't recall. I wasn't the one that

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- 1 came up with the dates.
- 2 Q. (BY MR. AKHTAR): Who came up with the dates and times?
- 3 A. I'm not sure. I said earlier, I don't know if MERS
- 4 came up with that window or the finance and Chief came
- 5 up with that. I'm not sure. I just know there was a
- 6 window placed there.
- 7 Q. If the window was discretionary within the City of
- 8 Romulus, would it have to be approved by you before it
- 9 could be implemented?
- 10 MR. WEAVER: Object to the extent that it assumes
- 11 the window is discretionary. To the extent you can
- 12 answer, go ahead.
- 13 A. Yeah, I'm not sure.
- 14 Q. (BY MR. AKHTAR): Yeah, you're not sure as to what?
- 15 A. Repeat the question again.
- 16 Q. Sure. Assuming that the window period is
- 17 discretionary, that MERS had nothing to do with it?
- 18 A. Okay.
- 19 Q. If the Chief and the personnel department decided that
- 20 the window would be July 1st to September 30th, could
- 21 they unilaterally implement that without taking it to
- 22 you and getting you to sign off on it?
- 23 A. I don't know if I really had to sign off on it, but I
- 24 imagine they'd have to brought it to me.
- 25 Q. And if you said no, it wouldn't go?

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- 1 A. Yeah, probably not.
- 2 Q. So, is it safe to assume that they brought it to you
3 and you said yes, go with it?
- 4 A. Right. Safe to say that, I imagine.
5 I have to excuse myself and use the restroom.
6 (Off the record.)
- 7 Q. (BY MR. AKHTAR): I want to show you page 250.
8 MR. WEAVER: Mine or yours?
- 9 Q. (BY MR. AKHTAR): Plaintiff's 250.
10 Do you recall receiving this letter?
- 11 A. I don't remember.
- 12 Q. Do you recall that the union was demanding to bargain?
- 13 A. I remember hearing something about that, yes.
- 14 Q. Who did you hear it from?
- 15 A. Probably the Chief.
- 16 Q. And did you give the Chief any instructions?
- 17 A. No, I didn't instruct him, just told him to proceed, do
18 what he had to do.
- 19 Q. Were you under the impression that if a person didn't
20 take an early retirement, that they would not get
21 demoted, did you tell the officers that?
- 22 A. Did I tell them what, I'm sorry?
- 23 Q. That if they didn't take the early retirement, that
24 they would not get demoted?
- 25 A. I think I tried to stay out of it as much as possible.

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1 The way I understood it, I didn't think anybody was
2 going to get demoted, if it worked out the way they had
3 come up with the plan.

4 Q. So, those who didn't take the early retirement, they
5 would not get demoted?

6 A. Right.

7 Q. Was the first time you found out that officers were
8 going to get demoted when I showed you this document
9 today?

10 A. No, I had remembered -- let me think about this for a
11 second. I remember hearing people at the police
12 department complain they were going to be demoted. The
13 Chief was telling me differently, that they weren't
14 going to be demoted, unless nobody took the deal.

15 Q. So as long as some of the people took the deal, then
16 there would be no demotions?

17 A. Wouldn't have to be, that was my understanding.

18 Q. I want to show you our page 260 through 264. Let's see
19 if I have a date on this article.

20 MR. WEAVER: I don't think any of them are dated,
21 any of the newspaper articles. You have got the
22 originals, maybe they are.

23 Q. (BY MR. AKHTAR): Do you recall reading an article in
24 the local newspaper that quoted you as saying -- and
25 I'm looking at page 262, "They are getting a great

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1 retirement package, if they don't want it, they don't
2 have to take it, said Lambert. He also indicated that
3 he believes after 25 years officers are burned out and
4 looking forward to retirement".

5 MR. WEAVER: Wait until I find it and read it.

6 MR. AKHTAR: Page 262 paragraph 4.

7 A. Right here. They didn't agree -- if they don't want
8 it, they don't have to take it said Lambert. I
9 remember saying that part. And as far as this is not
10 what was stated, he also indicated that he believes
11 that after 25 years, officers are burned out and
12 looking forward to retirement.

13 That was never said by me. We were there, Brenda
14 said to me, do you feel after 25 years these guys may
15 feel a little burned out. I said well, I can
16 guarantee after 12 years, I felt a bit burned out
17 myself. But I never said that I believe after 25 years
18 these guys are burned out. It was a question asked by
19 her. I said I felt a little burned out after 12, I
20 said who knows how people feel, different people feel
21 different ways, but no, I never said that. But I did
22 say that they are getting a great retirement package,
23 if they don't want it, they don't have to take it and
24 that was basically it. They had a choice.

25 Q. (BY MR. AKHTAR): Well, in Dan Snyder's case it was

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1 either take the retirement or be demoted, isn't that
2 correct?

3 MR. WEAVER: Let me interpose an objection because
4 I think it mischaracterizes what was going on. The
5 position was eliminated, but with that said, Mayor, you
6 can you answer to the best of your ability.

7 A. Yeah. As far as my belief about Dan Snyder, if he
8 would not have taken this, he would have been knocked
9 down from executive lieutenant to lieutenant, but he
10 would have kept his same pay. So it really wouldn't
11 have affected him, other than not having an executive
12 before lieutenant. That's the way I understood it.

13 Q. (BY MR. AKHTAR): He would have lost his car?

14 A. I'm not sure about the car, but I know he wouldn't have
15 lost any money.

16 Q. Would he have stayed in the detective bureau or would
17 he have been a shift lieutenant?

18 A. I can't speak to that.

19 Q. Under the reorganization plan, would there still be a
20 lieutenant in the detective bureau?

21 A. I don't recall if there would have been or not.

22 Q. I want to show you plaintiff's page 270. This is a
23 letter to the editor.

24 MR. WEAVER: Let me back up. Did you ever find a
25 date on this page 260 to 262?

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1 MR. AKHTAR: I believe it's August 5th.

2 Q. (BY MR. AKHTAR): Is this a letter you sent to the
3 editor --

4 A. Yes.

5 Q. -- local newspaper?

6 A. Yes, it is.

7 Q. On page 272 -- sorry for the poor quality here.

8 A. 272?

9 Q. Right. It states: Finally I must take personal
10 exception to the assertion that I made any derog --
11 declarative, I believe it's statements?

12 A. Yeah, that officers with 25 years of service were
13 burned out.

14 MR. WEAVER: Says August 15th article.

15 A. I can't read the rest.

16 Q. (BY MR. AKHTAR): Statement attributed to me appeared
17 in the August 15th article?

18 A. Which was the last paper we just looked at.

19 Q. And you then stated, next paragraph: I did in point of
20 fact say that officers who had served the 25 years may
21 feel burned out.

22 So the difference between you and the newspaper
23 reporter is that you said they may feel burned out and
24 she said that they are burned out?

25 A. I said you feel after 25 years burned out and that's

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1 when I said 12 years I feel a bit burned out and some
2 may feel burned out. That's what was said, may feel
3 burned out.

4 Q. Why didn't you offer this early retirement package to
5 the patrol officers, the senior patrol officers?

6 A. I don't know why it wasn't offered to them.

7 Q. Well, wouldn't it make sense?

8 A. They didn't have enough time, obviously to be able to
9 get a retirement system, I believe.

10 Q. Well --

11 A. A lot of the patrol people have a lot less time than
12 the command people.

13 Q. Well, as a point in fact, weren't there nine of them
14 that were in the same position as the other officers?

15 A. I can't speak to that. I wasn't the one who put
16 together who was going to get asked and who wasn't.

17 Q. Didn't it ever occur to you that this should be offered
18 to the police officers also, those who are senior?

19 A. No, it really didn't because I thought the people who I
20 had in charge knew what they were doing and were doing
21 a good job.

22 I was running the city and I didn't have time to
23 be concerned about only the police department. As you
24 all know, there are a lot of other things to running
25 the city than worrying about one department. That's

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1 why I put my faith in my department heads and my
2 finance director to do the right thing.

3 Q. So if they did the wrong thing, you washed your hands
4 of it?

5 A. No.

6 MR. WEAVER: Let me object, it's argumentative and
7 it mischaracterizes his testimony.

8 Q. (BY MR. AKHTAR): As you sit here today, you have no
9 explanation as to why the patrol officers union or
10 patrol officers were not provided this same pension
11 opportunity?

12 A. No.

13 Q. Do you know how many are within four years of
14 retirement as of July 1st, 2002?

15 A. No, I don't. Probably three or four, I would imagine.

16 Q. And had they taken an early retirement, would that have
17 in fact saved the city some money?

18 A. I don't know. I haven't looked at the numbers. I
19 couldn't tell you.

20 Q. But the Chief never presented you with any type of
21 reorganization plan that included an early buyout for
22 the patrol officers?

23 A. No, no, he didn't.

24 Q. Do you recall having discussions with him about the
25 four officers who were off on long term leave because

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1 of illness eliminating their positions?

2 A. Yes, I do.

3 Q. And that in fact was the four positions?

4 A. Right, that we spoke about earlier, right.

5 Q. So by the time the reorganization plan went into
6 effect, even though you had a full budget, full
7 compliment of budgeted positions, you were still down
8 four by these officers being off on long term leave?

9 A. Yeah, I believe so.

10 MR. AKHTAR: Let's take a moment and I will talk
11 to my clients.

12 (Discussion off the record.)

13 Q. (BY MR. AKHTAR): Mayor, one thing that has been
14 puzzling me is why wouldn't you lay off from the bottom
15 and demote the more senior officers back into the
16 bargaining unit? If you had to eliminate eight
17 positions, why not cut off eight police officers and
18 then demote the sergeants and lieutenants back down,
19 why would you destroy your officer core?

20 A. My thinking is why would you want to demote people if
21 you don't have to, that was the biggest yelling I was
22 getting. I had people calling saying why would you
23 want to demote people, and I mentioned it to the Chief
24 and that's why he said let us work on it.

25 As far as laying off, we thought we were giving a

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1 great deal to the people that had been there the
2 longest, and that were ready to retire anyway. A lot of
3 these guys just were in a year, two years away from
4 retiring. We figured if we give them a good enough
5 deal, we rewarded them really by giving them this kind
6 of a deal and we wouldn't have to worry about taking
7 cops off the street or demoting anybody, that was my
8 feel.

9 Q. Now, after October 1st, it's my understanding you hired
10 police officers, is that correct?

11 A. A couple, yeah.

12 Q. How many have you hired?

13 A. Two. I think two.

14 Q. Has the number of police officers gone up -- the
15 reorganization plan called for a set number of
16 employees by classification, is that correct?

17 A. Right.

18 Q. After the reorganization plan went into effect on
19 October 1st, did you increase the number of police
20 officer --

21 A. No.

22 Q. -- positions in the department?

23 A. No, we didn't. We just filled some vacancies that were
24 there. Some people that left on medical and some other
25 things, so our numbers actually went down. They never

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1 increased.

2 Q. There was some -- how many people, how many police
3 officers did you hire between July 1st and -- November
4 1st, 2001 and July 1st, 2002, how many police officers
5 had you hired?

6 A. I don't remember.

7 Q. More than one?

8 A. Oh, yeah.

9 Q. And if the reorganization plan went forward and you
10 took the traditional step of laying off people, those
11 people that were just hired would have been laid off?

12 A. Yeah, sure.

13 Q. At the time, there was an Officer Landry who was dating
14 your daughter, correct?

15 A. Correct, my stepdaughter.

16 Q. And he was hired in under your administration?

17 A. That's correct.

18 Q. One of the ways of not having to lay him off was to
19 come up with this reorganization plan that got rid of
20 the more senior people on the top, that way it would
21 eliminate the need to layoff people?

22 A. That's not why it was set up the way it was. As I
23 said, it was set up as a reward to the people that had
24 been there longest that were ready to leave anyway.

25 This was just one try at making this work out. If that

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1 wouldn't have worked out, we wouldn't have got the
2 amount of people, we would have gone to the next step.
3 At that point there might had to been layoffs but who
4 knows, it never came to that. But it wasn't set up for
5 any specific reason not to layoff from the bottom.

6 Q. Did you ever meet with the representatives of the
7 command officers to see if this is what they wanted?

8 A. I had talked to a couple of them, yes.

9 Q. Who had you talked to?

10 A. Dan, very shortly at city hall one day. I just talked
11 to him for a few minutes.

12 Q. Were you aware that the Chief ordered Dan not to go,
13 during your administration, that he was not allowed to
14 go to the city hall?

15 A. Yes, I recall that.

16 Q. And why was that?

17 A. Because there was a conversation with my assistant.

18 Q. Betsy?

19 A. Betsy who felt kind of threatened by what Lieutenant
20 Snyder and at that point I believe Sergeant Keefer had
21 said to her, she felt kind of threatened.

22 Q. What did they allegedly say?

23 A. I don't know what was allegedly said but I know it
24 concerned her. She talked to the Chief and at that
25 time it was decided they probably shouldn't be coming

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1 over there upsetting people.

2 Q. Were any memorandums generated on this?

3 A. I'm not sure, but I imagine there probably was.

4 Q. Who would have generated the memorandums?

5 A. Would have been the Chief.

6 Q. What about Betsy, would she write a report?

7 A. I have no idea. She dealt with the Chief on it.

8 Q. So you think that there's a memorandum that was
9 prepared by the Chief?

10 A. As far as them not coming over, there would had to
11 been.

12 Q. Were you at all concerned that you were losing all of
13 this experience in your command staff by this early
14 retirement, what was your concern?

15 A. I really didn't have any. I knew we had people in the
16 department for several years that would be able to step
17 up and fill the spot.

18 Q. So you didn't have any concern about the loss of all
19 this experience?

20 A. Not really. I mean, I thought there could be some
21 issues about the learning process, but that's normal,
22 so no, not really. I knew eventually everything would
23 be back to normal.

24 Q. Are you aware that MERS allows for a six month window
25 for early retirement?

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- 1 A. No.
- 2 Q. If you were made aware of that, would you have expanded
- 3 the window to six months?
- 4 A. That's hard to say. I didn't know you could.
- 5 Q. Chief didn't tell you?
- 6 A. I don't recall.
- 7 Q. Debbie Hoffman didn't tell you that there was a six
- 8 month window?
- 9 A. No, not that I remember.
- 10 Q. But if you went past six months, you wouldn't have been
- 11 able to implement your reorganization, is that correct?
- 12 A. See, I don't remember that.
- 13 Q. When did you start hiring the additional fire fighters?
- 14 A. I don't know, several months ago.
- 15 Q. Did you do it in the year 2002?
- 16 A. I think we might have hired one or two, maybe not, not
- 17 until after the first of the year, maybe 2003.
- 18 Q. Your fiscal year is November 1st through October 31st?
- 19 A. July.
- 20 Q. July to July?
- 21 A. Uh-huh.
- 22 Q. So when you became Mayor, you adopted a budget that had
- 23 already been approved?
- 24 A. We approved a budget.
- 25 Q. Now, did you have to submit the 2002 budget?

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1 A. Yes.

2 Q. To the council for approval?

3 A. Uh-huh.

4 Q. Tell me how that budgetary process works. When did you
5 submit your first budget to the council?

6 A. In the spring of 2002.

7 Q. Did that budget have the reorganization built into it?

8 A. I really don't recall if it did or not, you know, I
9 don't recall. Yeah, I think it might have.

10 Q. Do you recall when you started the budget process, were
11 you actually sending your proposed budget over to the
12 council?

13 A. Yeah, right around spring, April, May. It was voted on
14 in June.

15 Q. So somebody would still have that budget proposal, is
16 that correct?

17 A. Sure. It should be somewhere.

18 Q. So it's your understanding that the reorganization
19 proposed by the Chief was submitted to the city council
20 as part of your budget request in April or May of 2002?

21 MR. WEAVER: Let me object. It mischaracterizes
22 his testimony. He said it might have.

23 A. Yeah, I'm unsure.

24 Q. (BY MR. AKHTAR): Well, do you believe that would be
25 relevant in this lawsuit for us to know if your

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1 projections for the reorganization of the police
2 department was submitted to the city council?

3 MR. WEAVER: Let me object to the extent it calls
4 for a legal conclusion. This gentleman has not been
5 identified as a lawyer who can determine what is
6 relevant under the Michigan Rules of Evidence so.

7 Q. (BY MR. AKHTAR): Do you believe that -- let me put it
8 this way: It's your understanding that the
9 reorganization plan could have been included, could
10 have been included as part of the budget you submitted
11 to the city council?

12 A. I don't recall, but it's possible.

13 Q. It's possible. And the only way we'd know that is by
14 looking at it, is that correct?

15 A. Correct.

16 Q. After July 1st when the budget went into affect and
17 through June 30th of this year, did you go back to the
18 city council and ask them to amend the budget for the
19 police department?

20 A. I don't recall. If we had to.

21 Q. Was the reorganization of the police department part of
22 budget deliberations, as far as you can recall, which
23 took place in the spring of 2002?

24 A. Yeah, I just don't recall.

25 Q. Do you meet with the council on the budget or does your

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1 finance director?

2 A. Finance does. I do on the last meeting, but I don't
3 recall that conversation.

4 Q. Okay. So Debbie Hoffman would have all those
5 documents?

6 A. Yes.

7 Q. So if I want to take her deposition, ask her to bring
8 the budget proposals, she would have it?

9 A. Correct.

10 Q. You would agree that the reorganization of the police
11 department, if it was submitted as part of your budget
12 request, would have to be approved by you at least a
13 month or two prior to it going to the city council?

14 MR. WEAVER: Hypothetical assumes facts not in
15 evidence. To the extent you can say, I think it's been
16 asked and answered when he approved any plan, but to
17 the extent you can answer again, please, Mayor, go
18 ahead.

19 A. Yeah, if it was done before. It might have been
20 brought to them after.

21 Q. (BY MR. AKHTAR): But you defer to Debbie Hoffman on
22 that?

23 A. Correct.

24 Q. And as far as you know, she has all the documents?

25 A. Yes, she does. She should have, sure. She has all the

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1 budgets.

2 MR. WEAVER: All the budgets were presented
3 through our discovery.

4 MR. AKHTAR: But you refused to give me the budget
5 that was submitted to the council for their approval by
6 the Mayor. All you gave me is approved budgets and
7 that's not what I asked for.

8 MR. WEAVER: I think that is what you asked for.

9 MR. AKHTAR: No, number 14.

10 MR. WEAVER: You did not ask for the budgets in
11 your discovery requests?

12 MR. AKHTAR: I asked for the budgets, yes. What I
13 asked for --

14 MR. WEAVER: I think we objected to any request
15 for proposed budgets.

16 With that said, we provided probably in excess of
17 2000 pages of documents, so.

18 MR. AKHTAR: Number 15 states: Provide plaintiff
19 a copy of the proposed budgets submitted to the Romulus
20 City Council for the years 2001, 2, 3.

21 I have nothing else.

22 MR. WEAVER: Okay. Nothing else for you, Mayor.

23 (The deposition was concluded at 10:30 a.m.

24 Signature of the witness was not requested by
25 counsel for the respective parties hereto.)

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1 CERTIFICATE OF NOTARY
2 STATE OF MICHIGAN)
3) SS
4 COUNTY OF WAYNE)
5

6 I, Caron P. Cebulak, a Notary Public in and for
7 the above county and state, do hereby certify that the
8 above deposition was taken before me at the time and
9 place hereinbefore set forth; that the witness was by
10 me first duly sworn to testify to the truth, and
11 nothing but the truth; that the foregoing questions
12 asked and answers made by the witness were duly
13 recorded stenographically and reduced to computer
14 transcription; that this a true, full and correct
15 transcript of my stenographic notes so taken; and that
16 I am not related to, nor of counsel to either party nor
17 interested in the event of this cause.
18

19
20 _____
21 Caron P. Cebulak, RPR, CSR-3225
22 Notary Public
23 Wayne County, Michigan

24 My commission expires:
25 July 27, 2005

