

Exhibit 2

JABARI STAFFORD
STAFFORD vs GEORGE WASHINGTON UNIVERSITY

October 28, 2019

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Page 1	Page 3
<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE DISTRICT OF COLUMBIA</p> <p>3 -----X</p> <p>4 JABARI STAFFORD,)</p> <p>5 Plaintiff,)</p> <p>6 V.) Case No.</p> <p>7 THE GEORGE WASHINGTON) 1:18-CV-02789-CRC</p> <p>8 UNIVERSITY,)</p> <p>9 Defendant.)</p> <p>10 -----X Pages 1-436</p> <p>11</p> <p>12</p> <p>13</p> <p>14 VIDEOTAPED DEPOSITION OF JABARI STAFFORD</p> <p>15 Monday, October 28, 2019</p> <p>16 Washington, DC</p> <p>17</p> <p>18</p> <p>19</p> <p>20 Reported by: Sherry L. Brooks</p> <p>21 Certified LiveNote Reporter</p> <p>22 Job No. J4593803</p>	<p>1 ON BEHALF OF PLAINTIFF:</p> <p>2 Riley H. Ross, III, Esquire</p> <p>3 Mincey, Fitzpatrick, Ross, LLC</p> <p>4 Two Penn Center</p> <p>5 1500 JFK Boulevard</p> <p>6 Suite 1525</p> <p>7 Philadelphia, PA 19102</p> <p>8 (215) 587-0006</p> <p>9 E-mail: Riley@MinceyFitzRoss.com</p> <p>10</p> <p>11 ON BEHALF OF DEFENDANT:</p> <p>12 Jason C. Schwartz, Esquire</p> <p>13 Michael R. Dziuban, Esquire</p> <p>14 Gibson, Dunn & Crutcher, LLP</p> <p>15 1050 Connecticut Avenue, NW</p> <p>16 Washington, DC 20036</p> <p>17 (202) 955-8242</p> <p>18 (202) 955-8252</p> <p>19 E-mail: JSchwartz@GibsonDunn.com</p> <p>20 E-mail: MDziuban@GibsonDunn.com</p> <p>21</p> <p>22</p>
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<p>1 October 28, 2019</p> <p>2 10:09 a.m.</p> <p>3</p> <p>4</p> <p>5 Videotaped Deposition of Jabari Stafford at:</p> <p>6</p> <p>7 Gibson, Dunn & Crutcher, LLP</p> <p>8 1050 Connecticut Avenue, NW</p> <p>9 Washington, DC 20036</p> <p>10</p> <p>11 Pursuant to notice, before Sherry L. Brooks,</p> <p>12 Certified LiveNote Reporter and Notary Public, in and</p> <p>13 for the District of Columbia.</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	<p>1 APPEARANCES CONTINUED:</p> <p>2</p> <p>3 ALSO PRESENT:</p> <p>4 Noojan Ettehad, Videographer</p> <p>5 Richard A. Weitzner, Senior Counsel - GWU</p> <p>6 Thomas Stafford</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>

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<p>1 C O N T E N T S Page 5</p> <p>2 EXAMINATION OF JABARI STAFFORD PAGE</p> <p>3 BY MR. SCHWARTZ 8, 425</p> <p>4 BY MR. ROSS 373, 429</p> <p>5</p> <p>6</p> <p>7 EXHIBITS PAGE</p> <p>8 1 Memorandum Dated 9/30/14 to J. Stafford 25</p> <p>9 2 Memorandum Dated 9/14/14 to J. Stafford 31</p> <p>10 3 Memorandum Dated 1/19/15 to Greg Munoz 90</p> <p>11 4 Letter Dated 9/27/19 to Gibson Dunn 92</p> <p>12 5 Authorization - Disclose Mental Health 129</p> <p>13 Information-DC Mental Health Info Act</p> <p>14 6 Memorandum Dated 2/1/15 to Greg Munoz 143</p> <p>15 7 Memorandum Dated 9/12/16-D. MacPherson 240</p> <p>16 8 Memorandum Dated 9/29/16 - J. Stafford 251</p> <p>17 9 Unofficial Transcript of J. Stafford 290</p> <p>18 10 Letter - Members-Academic Review Comm. 290</p> <p>19 11 Various Text Messages - Light Blue 311</p> <p>20 12 Various Text Messages - Dark Blue 338</p> <p>21 13 Various Text Messages - Dark Blue 348</p> <p>22</p>	<p>1 P R O C E E D I N G S Page 7</p> <p>2 * * * * *</p> <p>3 THE VIDEOGRAPHER: Good morning. This is</p> <p>4 the video deposition of Jabari Stafford in the matter</p> <p>5 of Jabari Stafford versus George Washington</p> <p>6 University. This deposition is being held in</p> <p>7 Washington, DC on October 28th, 2019 at 10:09 a.m.</p> <p>8 My name is Noojan Ettehad and I'm the</p> <p>9 videographer. The court reporter today is Sherry</p> <p>10 Brooks.</p> <p>11 Will counsel please introduce themselves?</p> <p>12 MR. ROSS: I'm Riley Ross, counsel for</p> <p>13 Jabari Stafford.</p> <p>14 MR. SCHWARTZ: Good morning, Jason</p> <p>15 Schwartz on behalf of George Washington University.</p> <p>16 I'm with Michael Dziuban of the Gibson, Dunn firm as</p> <p>17 well, and Richard Weitzner, an attorney with the</p> <p>18 university.</p> <p>19 THE VIDEOGRAPHER: Anybody else?</p> <p>20 MR. ROSS: I'll also introduce Tom</p> <p>21 Stafford, who is the father of Jabari Stafford. He's</p> <p>22 sitting in on the deposition.</p>
<p>1 EXHIBITS CONTINUED: Page 6</p> <p>2</p> <p>3 EXHIBITS PAGE</p> <p>4 14 Memorandum Dated 2/27/17 from 358</p> <p>5 Thomas Stafford</p> <p>6</p> <p>7</p> <p>8</p> <p>9 (Exhibits attached to the transcript.)</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	<p>1 THE VIDEOGRAPHER: Thank you. The court Page 8</p> <p>2 reporter can swear the witness now.</p> <p>3 * * * * *</p> <p>4 JABARI STAFFORD</p> <p>5 was called for examination by counsel and, after</p> <p>6 having been duly sworn by the Notary, was examined</p> <p>7 and testified as follows:</p> <p>8 MR. SCHWARTZ: I just want to note for the</p> <p>9 record Mr. Ross and I discussed Mr. Tom Stafford's</p> <p>10 presence, and the university has objected.</p> <p>11 MR. SCHWARTZ: Mr. Stafford, is there</p> <p>12 something funny about that?</p> <p>13 MR. STAFFORD: You need to ask me that.</p> <p>14 I'm the one that laughed.</p> <p>15 MR. SCHWARTZ: Mr. Ross, I'd ask you to</p> <p>16 have Mr. Stafford not make comments during the</p> <p>17 deposition of Jabari Stafford.</p> <p>18 MR. ROSS: I think he understands.</p> <p>19 MR. SCHWARTZ: Thank you, Counsel.</p> <p>20 EXAMINATION BY COUNSEL FOR DEFENDANT</p> <p>21 BY MR. SCHWARTZ:</p> <p>22 Q. Mr. Stafford, good morning. As you heard,</p>

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<p style="text-align: right;">Page 9</p> <p>1 my name is Jason Schwartz. We met once before, I</p> <p>2 think, at the July 31st court hearing. I'm an</p> <p>3 attorney for the university.</p> <p>4 Today I'm going to be asking you</p> <p>5 questions. And you understand that your obligation</p> <p>6 is to answer them truthfully under oath, correct?</p> <p>7 A. Yes.</p> <p>8 Q. If I ask you a question that you don't</p> <p>9 understand, please let me know that.</p> <p>10 A. I understand.</p> <p>11 Q. Okay. And if at any point you need a</p> <p>12 break, just let me know that as well.</p> <p>13 A. I understand.</p> <p>14 Q. Mr. Stafford, would you walk me through,</p> <p>15 if you would, the schools that you attended for high</p> <p>16 school, starting with ninth grade?</p> <p>17 A. I attended Haverford School. I did a year</p> <p>18 of online school my sophomore year and I attended the</p> <p>19 Harriton High School.</p> <p>20 Q. That was for your junior and senior years?</p> <p>21 A. My junior and senior years.</p> <p>22 Q. Did you repeat the freshman year at the</p>	<p style="text-align: right;">Page 11</p> <p>1 Q. Did the Haverford school have a view about</p> <p>2 whether you needed to repeat ninth grade?</p> <p>3 A. I don't remember.</p> <p>4 Q. How did you come to identify George</p> <p>5 Washington University as a place you might want to go</p> <p>6 to college?</p> <p>7 A. It was senior year and I was looking for</p> <p>8 schools that mimicked everything that I wanted to do</p> <p>9 going forward in terms of good academics, good tennis</p> <p>10 team, and just a very good environment. And I came</p> <p>11 across the George Washington University. I did my</p> <p>12 research. That was the only school I was actually</p> <p>13 looking at and zeroed in on.</p> <p>14 Q. Was that the only college you applied to?</p> <p>15 A. Yes.</p> <p>16 Q. Now, your father had a friend named Karen</p> <p>17 Stokes, correct?</p> <p>18 A. Yes.</p> <p>19 Q. And Ms. Stokes introduced you and your</p> <p>20 father to Helen Cannaday Saulny at the George</p> <p>21 Washington University; is that correct?</p> <p>22 A. Yes.</p>
<p style="text-align: right;">Page 10</p> <p>1 Haverford school?</p> <p>2 A. I did.</p> <p>3 Q. The online high school, you didn't</p> <p>4 disclose that in your application to George</p> <p>5 Washington University, did you?</p> <p>6 A. I don't believe so.</p> <p>7 Q. Do you know why you left that off?</p> <p>8 A. I don't remember.</p> <p>9 Q. Why did you end up leaving the Haverford</p> <p>10 school to go to the online high school?</p> <p>11 A. It was sort of a mutual decision between</p> <p>12 my parents and I. I wanted to focus more on my</p> <p>13 tennis and I also wanted to be able to spend more</p> <p>14 time training as well. The online school gave me</p> <p>15 more time to do that, so we decided to do that for an</p> <p>16 entire year.</p> <p>17 Q. Why did you repeat the ninth grade?</p> <p>18 A. We decided I was -- I was too young as</p> <p>19 well for my first year of Haverford school, so it was</p> <p>20 a sort of mutual agreement between my parents and I</p> <p>21 that I should repeat and give myself a little more</p> <p>22 time for maturity reasons and just growth.</p>	<p style="text-align: right;">Page 12</p> <p>1 Q. And Ms. Saulny was a vice provost at the</p> <p>2 university?</p> <p>3 A. Yes.</p> <p>4 Q. It seemed like a pretty important position</p> <p>5 that she held there?</p> <p>6 A. Yes.</p> <p>7 Q. You met with Ms. Cannaday Saulny to</p> <p>8 discuss your potential application to the George</p> <p>9 Washington University?</p> <p>10 A. Yes.</p> <p>11 Q. Did you like her?</p> <p>12 A. Yes.</p> <p>13 Q. And in that meeting, Ms. Cannaday Saulny</p> <p>14 told you that her responsibility at George Washington</p> <p>15 University included diversity?</p> <p>16 A. I don't remember.</p> <p>17 Q. You don't remember what she was in charge</p> <p>18 of?</p> <p>19 A. I remember what she was in charge of. I</p> <p>20 know she was a vice provost. I don't recall too many</p> <p>21 of the conversations we had. I understand that she</p> <p>22 was trying to, you know, embellish the school and</p>

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<p style="text-align: right;">Page 13</p> <p>1 make the school sound, you know, very good in my</p> <p>2 eyes. That's all I remember.</p> <p>3 Q. And did you think Ms. Cannaday Saulny was</p> <p>4 sincere when she met with you to talk to you about</p> <p>5 what George Washington University would have to offer</p> <p>6 to you?</p> <p>7 A. I do believe so.</p> <p>8 Q. And she told you that if and when you came</p> <p>9 to the university she would always be available to</p> <p>10 you if you wanted to come see her, correct?</p> <p>11 A. I don't remember.</p> <p>12 Q. You don't remember her making that offer</p> <p>13 to you?</p> <p>14 A. No.</p> <p>15 Q. Are you saying she didn't or you just</p> <p>16 don't recall?</p> <p>17 A. No. I just don't recall.</p> <p>18 Q. You understood that she would be a</p> <p>19 resource for you if you needed her, right?</p> <p>20 A. Yes.</p> <p>21 Q. In addition to Ms. Cannaday Saulny, you</p> <p>22 also met with Coach Munoz during the recruitment</p>	<p style="text-align: right;">Page 15</p> <p>1 A. Yes. He was very instrumental in trying</p> <p>2 to get me to join the tennis team months before the</p> <p>3 season even ended. As soon as -- as soon as he came</p> <p>4 to our facility, our indoor tennis facility and saw</p> <p>5 me play, he wanted to recruit me as soon as possible.</p> <p>6 Q. So this is during your senior year of high</p> <p>7 school?</p> <p>8 A. Yes.</p> <p>9 Q. And when you say, "our facility," what do</p> <p>10 you mean?</p> <p>11 A. My dad has an indoor tennis facility, in</p> <p>12 which he came to and watched me play against another</p> <p>13 pro.</p> <p>14 Q. In high school, did you compete on a</p> <p>15 tennis team?</p> <p>16 A. I competed on tennis teams in certain --</p> <p>17 in certain years, yes.</p> <p>18 Q. Ninth, tenth, 11th, or 12th grade?</p> <p>19 A. Ninth grade and also my junior year.</p> <p>20 Q. And which teams were they? Let's start</p> <p>21 with ninth grade.</p> <p>22 A. The Haverford school I competed during my</p>
<p style="text-align: right;">Page 14</p> <p>1 process, correct?</p> <p>2 A. Yes.</p> <p>3 Q. He came to see you at your home in</p> <p>4 Philadelphia?</p> <p>5 A. Yes, he brought his family.</p> <p>6 Q. And your father put him up in a nice</p> <p>7 hotel?</p> <p>8 A. Yes.</p> <p>9 Q. Do you remember where he stayed?</p> <p>10 A. No.</p> <p>11 Q. Were you aware that your father had</p> <p>12 conversations with Coach Munoz about making a</p> <p>13 financial contribution to the tennis program?</p> <p>14 A. It might have been mentioned, but I don't</p> <p>15 remember.</p> <p>16 Q. What do you recall might have been</p> <p>17 mentioned?</p> <p>18 A. That possibly Greg Munoz maybe reached out</p> <p>19 to my father in terms of a financial contribution,</p> <p>20 but that's all I can recall.</p> <p>21 Q. Did Coach Munoz encourage you to attend</p> <p>22 George Washington University?</p>	<p style="text-align: right;">Page 16</p> <p>1 ninth grade year and I competed during my junior year</p> <p>2 at the Harriton High School.</p> <p>3 Q. Was there a reason you didn't compete</p> <p>4 during your senior year at Harriton?</p> <p>5 A. Because I didn't feel the need. I was</p> <p>6 already committed to George Washington and I was</p> <p>7 playing at such a high level. I played Number 1 in</p> <p>8 my junior year at Harriton. I just felt like my</p> <p>9 training needs and everything else that I was doing</p> <p>10 was just too good for what they were offering me at</p> <p>11 Harriton High School.</p> <p>12 Q. When you -- when you began your freshman</p> <p>13 year at George Washington University, you started to</p> <p>14 play on the tennis team?</p> <p>15 A. Yes.</p> <p>16 Q. And on the team there were a number of</p> <p>17 foreign players, correct?</p> <p>18 A. Yes.</p> <p>19 Q. And there were a number of players who</p> <p>20 were from the United States?</p> <p>21 A. Yes.</p> <p>22 Q. How many players were from the United</p>

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<p style="text-align: right;">Page 17</p> <p>1 States?</p> <p>2 A. There were two other players of color from</p> <p>3 the United States, along with me.</p> <p>4 Q. And so the two other players of color from</p> <p>5 the United States making three, including you, were</p> <p>6 those all of the players from the United States or</p> <p>7 were there other players from the United States who</p> <p>8 were not of color?</p> <p>9 A. No. Those were all the players from the</p> <p>10 United States.</p> <p>11 Q. Okay. And who were those three people?</p> <p>12 So you yourself --</p> <p>13 A. Myself, Darian Hashemzadeh, who was a</p> <p>14 Persian American, and Blake Morton, who is an African</p> <p>15 American.</p> <p>16 Q. And then how many players were there from</p> <p>17 outside of the United States?</p> <p>18 MR. ROSS: Just a point of reference.</p> <p>19 We're still talking about his freshman year?</p> <p>20 MR. SCHWARTZ: Yes. Thank you, Mr. Ross.</p> <p>21 A. Around six. Around six or seven. I don't</p> <p>22 recall.</p>	<p style="text-align: right;">Page 19</p> <p>1 difference" -- Oh, "What do you guys all have in</p> <p>2 common?" Sorry. And we looked perplexed. And he</p> <p>3 said: "You guys are all Americans." And he said</p> <p>4 that Americans have failed him in the past and that</p> <p>5 foreign players were significantly better and more</p> <p>6 disciplined.</p> <p>7 And he said, if you guys didn't do the</p> <p>8 right things going forward, you guys would be</p> <p>9 punished. So that added a lot of tension and stress</p> <p>10 onto the team in terms of the American players versus</p> <p>11 the foreign players.</p> <p>12 So the foreign players treated us</p> <p>13 differently because Greg Munoz would tell the foreign</p> <p>14 players to harass us and, you know, try to like mold</p> <p>15 us and all of those things the first couple weeks of</p> <p>16 my freshman year.</p> <p>17 Q. The foreign players were there on a</p> <p>18 scholarship?</p> <p>19 A. I don't believe there's any scholarships.</p> <p>20 I believe there was financial aid. I know that a lot</p> <p>21 of the players either got full financial aid or some</p> <p>22 of the players got partly (sic), you know, financial</p>
<p style="text-align: right;">Page 18</p> <p>1 BY MR. SCHWARTZ:</p> <p>2 Q. And when you say from outside of the</p> <p>3 United States, these are players who were recruited</p> <p>4 by GW to come from foreign countries and study in the</p> <p>5 U.S. and play on the tennis team?</p> <p>6 A. Yes.</p> <p>7 Q. Did you have a view about whether those</p> <p>8 players were better or worse than the players from</p> <p>9 the United States?</p> <p>10 A. No, I didn't have a view.</p> <p>11 Q. At this point in the beginning of your</p> <p>12 freshman year, was there any tension between the</p> <p>13 players who were from the United States and the</p> <p>14 players who were not from the United States?</p> <p>15 A. Yes, there was tension.</p> <p>16 Q. Can you describe that for me?</p> <p>17 A. Well, during the first week of my freshman</p> <p>18 year, Greg Munoz invited Darian Hashemzadeh, Blake</p> <p>19 Morton, and I into his office. And he told us -- he</p> <p>20 said: "What is the difference between you and the</p> <p>21 other foreign players" -- or sorry.</p> <p>22 He said something. "What's the</p>	<p style="text-align: right;">Page 20</p> <p>1 aid.</p> <p>2 Q. And you weren't offered any sort of</p> <p>3 package from the athletics department, correct?</p> <p>4 A. No.</p> <p>5 Q. Did you know -- do you know whether Coach</p> <p>6 Munoz himself would consider himself to be an</p> <p>7 American?</p> <p>8 A. Greg Munoz would consider himself to be an</p> <p>9 American, yes.</p> <p>10 Q. And do you know whether the statement he</p> <p>11 made to you about him having had more positive</p> <p>12 experiences with the discipline of the foreign</p> <p>13 players in the past -- do you know whether that was</p> <p>14 true or not?</p> <p>15 A. I don't recall. I don't think it really</p> <p>16 matters. I think to tell a new-coming player, you</p> <p>17 know, that foreign players are significantly better</p> <p>18 than you and more disciplined than you without even</p> <p>19 having to be able to experience anything, I think</p> <p>20 that's wrong and I don't think a coach should be able</p> <p>21 to do that.</p> <p>22 Q. Had you had any practices with the team by</p>

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<p style="text-align: right;">Page 21</p> <p>1 the point that he made that statement to you?</p> <p>2 A. Yes.</p> <p>3 Q. And did Coach Munoz provide you with any</p> <p>4 feedback based on his observations of you at</p> <p>5 practice?</p> <p>6 A. Not really. All I know is before, you</p> <p>7 know, I got onto the team, when he saw me play, he</p> <p>8 was blown away and he wanted to get me to come to GW</p> <p>9 immediately.</p> <p>10 Q. You're referring to when he saw you play</p> <p>11 in your father's tennis facility?</p> <p>12 A. Yes.</p> <p>13 Q. Once you had started practice at GW,</p> <p>14 though, he didn't give you any feedback about your</p> <p>15 performance?</p> <p>16 A. He didn't give us any strong feedback, no.</p> <p>17 The practices hadn't really gotten too serious yet.</p> <p>18 We were just sort of hitting around, feeling our way.</p> <p>19 Q. By the middle of September, Coach Munoz</p> <p>20 had recommended that you see a sports psychologist</p> <p>21 for anger issues on the court, hadn't he?</p> <p>22 A. By around what time?</p>	<p style="text-align: right;">Page 23</p> <p>1 Q. You'd studied French for eight years</p> <p>2 before you came to GW, correct?</p> <p>3 A. Yes, but I took off and I forgot a lot of</p> <p>4 it.</p> <p>5 Q. Your first test in your French class you</p> <p>6 got a 67, correct?</p> <p>7 A. I don't recall.</p> <p>8 Q. Do you have any reason to think that's not</p> <p>9 right?</p> <p>10 A. No.</p> <p>11 Q. If you'd studied French for eight years</p> <p>12 and you said you were doing well your freshman year,</p> <p>13 do you consider 67 to be a good grade?</p> <p>14 A. As I said before, I took off for a while.</p> <p>15 I didn't speak French for a long period of time after</p> <p>16 I had left the French school, so all of my knowledge</p> <p>17 of French was pretty much gone.</p> <p>18 Q. Sorry. Mr. Stafford, can I ask you to</p> <p>19 answer my question? Do you consider 67 to be a good</p> <p>20 grade?</p> <p>21 A. 67 is not a good grade, no.</p> <p>22 Q. You also took business administration in</p>
<p style="text-align: right;">Page 22</p> <p>1 Q. Middle of September of your freshman year.</p> <p>2 September 10, 2014, to be precise.</p> <p>3 A. Okay.</p> <p>4 Q. Is that correct?</p> <p>5 A. I don't recall.</p> <p>6 Q. Do you remember him instructing you to</p> <p>7 contact a psychologist named Amber Cargill in the</p> <p>8 university counseling center immediately?</p> <p>9 A. Yes, I do. I remember that during my</p> <p>10 spring semester.</p> <p>11 Q. Your academics in the first semester of</p> <p>12 freshman year got off to a bit of a rocky start; is</p> <p>13 that right, Mr. Stafford?</p> <p>14 MR. ROSS: Objection to the form of the</p> <p>15 question.</p> <p>16 You can answer, if you understand.</p> <p>17 A. I don't believe so. I was doing pretty</p> <p>18 fine.</p> <p>19 BY MR. SCHWARTZ:</p> <p>20 Q. Okay. So you took French your first</p> <p>21 semester of your freshman year, correct?</p> <p>22 A. Yes.</p>	<p style="text-align: right;">Page 24</p> <p>1 your first semester of your freshman year, correct?</p> <p>2 A. Yes.</p> <p>3 Q. And you did a paper about Starbucks?</p> <p>4 A. Yes.</p> <p>5 Q. You got a 4 out of 10 on that paper, 40</p> <p>6 percent?</p> <p>7 A. I don't recall.</p> <p>8 Q. Do you consider 40 percent to be a good</p> <p>9 grade?</p> <p>10 A. 40 percent is not a good grade.</p> <p>11 Q. Did you take astronomy as well?</p> <p>12 A. Yes.</p> <p>13 Q. You got a 33 out of 59 on the midterm in</p> <p>14 astronomy. Do you consider that to be a good grade?</p> <p>15 A. No, I don't.</p> <p>16 Q. Is it fair to say you didn't do very well</p> <p>17 in your first semester of your freshman year</p> <p>18 academically?</p> <p>19 MR. ROSS: Objection to the form.</p> <p>20 You can answer.</p> <p>21 A. No. I did do well. You know, you're</p> <p>22 bringing up certain grades and you're bringing up</p>

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<p style="text-align: right;">Page 25</p> <p>1 certain test scores. If you look at, for example,</p> <p>2 the average test score out of, you know, a lot of the</p> <p>3 people in terms of my astronomy class, I ended up</p> <p>4 with a pretty decent grade overall with astronomy.</p> <p>5 The tests were made to be harder than what</p> <p>6 they were actually -- the tests were made to be</p> <p>7 harder so that he could curve the grades at the end</p> <p>8 of the year.</p> <p>9 MR. SCHWARTZ: Would you mark that when</p> <p>10 you have a chance, please?</p> <p>11 (Exhibit Number 1 was marked for</p> <p>12 identification and was attached to the deposition.)</p> <p>13 BY MR. SCHWARTZ:</p> <p>14 Q. Mr. Stafford, the court reporter has just</p> <p>15 handed you what has been marked as Exhibit No. 1,</p> <p>16 which is a two-page document. I guess we printed it</p> <p>17 double-sided to be good for the environment. It's</p> <p>18 got Bates numbers, which is like the number on the</p> <p>19 bottom right-hand corner, of GWU38 and 39.</p> <p>20 It looks like it's an email chain between</p> <p>21 yourself and Amber Cargill of the university</p> <p>22 counseling center. Can you take a look at that,</p>	<p style="text-align: right;">Page 27</p> <p>1 Q. Was that true? In other words, on</p> <p>2 Wednesday, September 10th, was it true that your</p> <p>3 coach had demanded that you meet with I guess it's</p> <p>4 Dr. Cargill with the counseling center as soon as</p> <p>5 possible?</p> <p>6 A. Yes.</p> <p>7 Q. And does that help you to recall the</p> <p>8 conversation that you had with Coach Munoz where he</p> <p>9 talked to you about the need to speak with the sports</p> <p>10 counselor?</p> <p>11 A. Yes. You know, from the beginning, Coach</p> <p>12 Munoz always had this perception of me in terms of</p> <p>13 the fact that I was this angry black male, and</p> <p>14 everything that I did was embellished to the -- you</p> <p>15 know, to the maximum.</p> <p>16 You know, if -- if I were to yell out</p> <p>17 something, you know, after a missed shot, you know,</p> <p>18 he would come talk to me and scrutinize me and</p> <p>19 everything, while all the other tennis players were</p> <p>20 breaking racquets and cursing out referees.</p> <p>21 You know, everything that I was doing,</p> <p>22 which was nothing -- because if you look at all my --</p>
<p style="text-align: right;">Page 26</p> <p>1 please? And in particular if I could direct your</p> <p>2 attention to the message at the bottom of the chain.</p> <p>3 It says Wednesday, September 10, 2014 at 9:34 p.m.</p> <p>4 Do you see that at the bottom of that first page,</p> <p>5 sir?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And there you're writing to Ms.</p> <p>8 Cargo with the counseling center indicating: "My</p> <p>9 coach demanded that I meet with you as soon as</p> <p>10 possible."</p> <p>11 Do you see that?</p> <p>12 A. Yes.</p> <p>13 MR. ROSS: I'm going to ask that he -- if</p> <p>14 you've not read the whole thing to read the whole</p> <p>15 thing before answering any questions. If you've read</p> <p>16 it, that's fine. We can continue.</p> <p>17 A. I read it.</p> <p>18 BY MR. SCHWARTZ:</p> <p>19 Q. Do you see the statement I'm talking about</p> <p>20 where you write to Ms. Cargill and say: "My coach</p> <p>21 demanded that I meet with you as soon as possible"?</p> <p>22 A. Yes.</p>	<p style="text-align: right;">Page 28</p> <p>1 like, if you look at my track record, I haven't had</p> <p>2 any real -- any complaints or any, you know, real</p> <p>3 punishments in terms of warranted punishments.</p> <p>4 So everything that I was doing was</p> <p>5 embellished. So from the beginning he targeted me</p> <p>6 and from the beginning he, you know, just -- just put</p> <p>7 like a target on my head in terms of, you know, this</p> <p>8 guy needs to be -- like, this guy -- we need to sort</p> <p>9 of mold him and make him less aggressive, when I was</p> <p>10 just a regular kid coming into GW with the same</p> <p>11 problems or the same concerns that any other student</p> <p>12 would come in with.</p> <p>13 MR. ROSS: Jason, while you're pausing --</p> <p>14 I'm sorry -- what did we mark this one as?</p> <p>15 MR. SCHWARTZ: Number 1</p> <p>16 MR. ROSS: Just Stafford 1 or just 1?</p> <p>17 MR. SCHWARTZ: Stafford 1.</p> <p>18 BY MR. SCHWARTZ:</p> <p>19 Q. Mr. Stafford, in your -- sorry -- strike</p> <p>20 that.</p> <p>21 In your first semester of your freshman</p> <p>22 year, so in your math class, you got a C plus,</p>

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<p style="text-align: right;">Page 29</p> <p>1 correct?</p> <p>2 A. I don't recall.</p> <p>3 Q. You don't remember?</p> <p>4 A. No.</p> <p>5 Q. Were your grades important to you?</p> <p>6 A. My grades are always important to me, yes.</p> <p>7 Q. Do you consider a C plus to be a good</p> <p>8 grade?</p> <p>9 A. It's average. You know, it's nothing</p> <p>10 great. It's nothing horrible. It's average. It</p> <p>11 happens.</p> <p>12 Q. Is that what you were shooting for,</p> <p>13 nothing great? nothing horrible?</p> <p>14 A. No. I was shooting for the ultimate best</p> <p>15 just like my tennis, just like everything that I was</p> <p>16 doing, just like the school that I chose, how I got</p> <p>17 into GW.</p> <p>18 Q. And again, that was the only school you</p> <p>19 applied to, right?</p> <p>20 A. Once I decided on GW, that was the only</p> <p>21 school I applied to. And I realized that, you know,</p> <p>22 there was a chance that -- a high chance that I could</p>	<p style="text-align: right;">Page 31</p> <p>1 sort of come out until the end of my freshman year --</p> <p>2 or sorry -- during my freshman year.</p> <p>3 So at first, he seemed to be a decent guy</p> <p>4 due to the fact that, you know, he was very</p> <p>5 passionate about making me a part of the tennis team.</p> <p>6 MR. SCHWARTZ: Would you mark that,</p> <p>7 please?</p> <p>8 (Exhibit Number 2 was marked for</p> <p>9 identification and was attached to the deposition.)</p> <p>10 BY MR. SCHWARTZ:</p> <p>11 Q. Mr. Stafford, the court reporter has</p> <p>12 handed you what's been marked as Exhibit No. 2 to</p> <p>13 your deposition. It's a two-page email chain with a</p> <p>14 Bates No. GW14 and 15.</p> <p>15 Would you take a look at that. And in</p> <p>16 particular, I'd like to direct your attention to the</p> <p>17 message in the middle from Coach Munoz to yourself</p> <p>18 September 14 -- Sunday September 14, 8:26 p.m.</p> <p>19 Do you see that message, sir?</p> <p>20 A. Yes.</p> <p>21 Q. And do you see where Coach Munoz says:</p> <p>22 "We need to make sure you are not overdoing it and</p>
<p style="text-align: right;">Page 30</p> <p>1 get in due to Greg Munoz recruiting me and really</p> <p>2 wanting me on the team.</p> <p>3 Q. So you met with Coach Munoz before you</p> <p>4 submitted your application to the university?</p> <p>5 A. I did. I had multiple email conversations</p> <p>6 with him, multiple phone calls.</p> <p>7 Q. What were you going to do if you didn't</p> <p>8 get into GW?</p> <p>9 A. I don't know.</p> <p>10 Q. Did you have a plan B?</p> <p>11 A. Of course.</p> <p>12 Q. What was plan B?</p> <p>13 A. You know, I could have applied to another</p> <p>14 school. I could have kept my tennis career going. I</p> <p>15 could have done anything. I had options.</p> <p>16 Q. Did you like Coach Munoz?</p> <p>17 A. At first, he seemed to be a decent guy,</p> <p>18 and he was very enthusiastic about getting me into</p> <p>19 the school and allowing me to be a part of the tennis</p> <p>20 team.</p> <p>21 So a lot of the things that -- a lot of</p> <p>22 his, you know, personality characteristics didn't</p>	<p style="text-align: right;">Page 32</p> <p>1 getting your studies done"?</p> <p>2 A. Yes.</p> <p>3 Q. So is it fair to say that Coach Munoz at</p> <p>4 least appeared to be concerned for your academic</p> <p>5 progress?</p> <p>6 A. Well, he was concerned for the image of</p> <p>7 the men's tennis team. He wanted the men's tennis</p> <p>8 team to have a high GPA. So if I had a high GPA,</p> <p>9 that was ultimately going to help the entire team.</p> <p>10 Q. Do you think he had any interest in you</p> <p>11 personally, your success?</p> <p>12 A. No.</p> <p>13 Q. And what's the basis of that statement?</p> <p>14 A. I don't believe he was a genuine</p> <p>15 individual. I don't believe he was how he started</p> <p>16 off becoming (sic). I mean, you know, we didn't</p> <p>17 really know too much about Greg Munoz. You know, he</p> <p>18 had strong psychological issues, you know, drug</p> <p>19 abuse, alcohol abuse.</p> <p>20 The entire GW department knew about this</p> <p>21 guy, but they didn't do anything about it until the</p> <p>22 first week of my freshman year when he didn't show up</p>

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<p style="text-align: right;">Page 33</p> <p>1 because I think -- what happened is he got arrested</p> <p>2 that day.</p> <p>3 Sometimes he wouldn't even show up because</p> <p>4 he was passed out in his apartment. These are things</p> <p>5 that I heard. I would sometimes, you know, smell</p> <p>6 alcohol on his breath. I would suspect that, you</p> <p>7 know, he was using cocaine. There were a lot of</p> <p>8 things that we didn't know about Greg Munoz.</p> <p>9 But, you know, he put on two different</p> <p>10 masks. So how were we supposed to know who he really</p> <p>11 was?</p> <p>12 Q. Let me ask you -- you just made a</p> <p>13 statement that the entire GW department knew about</p> <p>14 his drug and alcohol abuse. What's the basis of that</p> <p>15 statement, sir? I'm sorry. Your father doesn't have</p> <p>16 the answer to that question.</p> <p>17 MR. STAFFORD: He wasn't looking at me.</p> <p>18 MR. ROSS: Do you have -- just answer the</p> <p>19 question, to the best of your ability.</p> <p>20 A. Well, there were certain people on the</p> <p>21 team that suspected that he had, you know, these</p> <p>22 issues in terms of drug abuse and alcohol abuse. My</p>	<p style="text-align: right;">Page 35</p> <p>1 that the entire department knew about Coach Munoz's</p> <p>2 drug and alcohol abuse?</p> <p>3 A. I believe he stated that there were rumors</p> <p>4 floating around. Rumors usually involve more than a</p> <p>5 couple of people.</p> <p>6 Q. Did you contact Mr. Lonergan or did he</p> <p>7 contact you?</p> <p>8 A. Mr. Lonergan contacted me.</p> <p>9 Q. And what else did Mr. Lonergan say to you?</p> <p>10 A. You know, he offered me certain advice.</p> <p>11 He offered me certain information that I was probably</p> <p>12 not privy to in the past. You know, we had -- I</p> <p>13 don't recall all the conversations we've had.</p> <p>14 Q. How many times have you spoken with Mr.</p> <p>15 Lonergan?</p> <p>16 A. A couple.</p> <p>17 Q. Does that mean two?</p> <p>18 A. No. More than two.</p> <p>19 Q. How many does it mean?</p> <p>20 A. I don't recall.</p> <p>21 Q. More than two?</p> <p>22 A. Yes, but, like, I don't recall the exact</p>
<p style="text-align: right;">Page 34</p> <p>1 conversations with Lonergan as well, you know, he</p> <p>2 suspected -- he told me, you know, certain people in</p> <p>3 the department suspected things as well. So it</p> <p>4 wasn't a secret amongst anybody.</p> <p>5 BY MR. SCHWARTZ:</p> <p>6 Q. I'm sorry. What is the basis for your</p> <p>7 view that everybody knew? Is it a conversation with</p> <p>8 Mike Lonergan or with others?</p> <p>9 A. I just -- I just told you. I just said</p> <p>10 Mike Lonergan told me, and he told me that other</p> <p>11 people in the department knew about some of the</p> <p>12 things that were going on with him. And I also heard</p> <p>13 it from some of my teammates.</p> <p>14 Q. Which teammates?</p> <p>15 A. I don't recall.</p> <p>16 Q. You don't recall any teammates who made</p> <p>17 that statement to you?</p> <p>18 A. No.</p> <p>19 Q. And when did you speak with Mike Lonergan?</p> <p>20 A. A couple months ago. I'm not sure of the</p> <p>21 exact date.</p> <p>22 Q. And during that conversation he told you</p>	<p style="text-align: right;">Page 36</p> <p>1 number.</p> <p>2 Q. More than five?</p> <p>3 A. I don't recall.</p> <p>4 Q. Could it be more than five?</p> <p>5 A. I don't know.</p> <p>6 Q. Have you communicated with Mr. Lonergan in</p> <p>7 writing?</p> <p>8 A. Yes.</p> <p>9 Q. By what means?</p> <p>10 A. Facebook message (sic).</p> <p>11 Q. Any other written communications with Mr.</p> <p>12 Lonergan, other than Facebook message (sic)?</p> <p>13 A. No.</p> <p>14 Q. And have you communicated with him orally?</p> <p>15 A. No.</p> <p>16 Q. So when you say you've had a couple but</p> <p>17 possibly more than five conversations, are you</p> <p>18 talking about Facebook Messenger or you're also</p> <p>19 talking about, like, talking to him live or on the</p> <p>20 phone or something like that?</p> <p>21 A. Facebook Messenger.</p> <p>22 Q. So you never spoke to him voice-to-voice,</p>

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<p style="text-align: right;">Page 37</p> <p>1 whether it be over the phone or in person?</p> <p>2 A. No.</p> <p>3 Q. So your only communications with Mr.</p> <p>4 Loneragan have been in writing over Facebook message</p> <p>5 (sic)?</p> <p>6 A. Yes.</p> <p>7 Q. And in at least one of those</p> <p>8 communications he conveyed to you that Coach Munoz</p> <p>9 was rumored to have a problem with drug and alcohol</p> <p>10 abuse, and lots of folks in the athletic department</p> <p>11 knew about it?</p> <p>12 A. He said there were rumors floating around</p> <p>13 that he was passed out in his apartment one day and</p> <p>14 didn't make the bus.</p> <p>15 I already knew about Greg Munoz's alcohol</p> <p>16 and drug abuse because I pulled up his criminal</p> <p>17 records. And I also matched it with -- the day he</p> <p>18 got arrested, I matched it with the one day he didn't</p> <p>19 show up for a match and everybody was trying to</p> <p>20 figure out where he was.</p> <p>21 Q. You said Mr. Loneragan offered you certain</p> <p>22 advice. What advice did he offer you?</p>	<p style="text-align: right;">Page 39</p> <p>1 a situation in which there was a dispute amongst</p> <p>2 gender pay where Patrick Nero was supposedly paying</p> <p>3 his male compatriot (sic) significantly more than his</p> <p>4 female employee.</p> <p>5 Q. Do you have any other information that Mr.</p> <p>6 Loneragan gave you?</p> <p>7 A. I don't recall.</p> <p>8 Q. Is there a reason you were reluctant to</p> <p>9 discuss your communications with Mr. Loneragan?</p> <p>10 MR. ROSS: Objection to the form of the</p> <p>11 question.</p> <p>12 A. I don't believe I was reluctant ever.</p> <p>13 BY MR. SCHWARTZ:</p> <p>14 Q. Well, just a few minutes ago you seemed</p> <p>15 quite reluctant to answer my question. You looked</p> <p>16 over at your lawyer. Is there something you're</p> <p>17 uncomfortable about about your communications with</p> <p>18 Mr. Loneragan?</p> <p>19 MR. ROSS: Objection to the form of the</p> <p>20 question. He's looking at me to ask me a question</p> <p>21 about whether or not his -- privilege is invoked. I</p> <p>22 don't think that should be interpreted as him being</p>
<p style="text-align: right;">Page 38</p> <p>1 A. I don't recall.</p> <p>2 Q. But whatever that advice is it would be</p> <p>3 reflected in those Facebook messages?</p> <p>4 A. Yes.</p> <p>5 Q. Did you preserve those?</p> <p>6 A. Yes.</p> <p>7 Q. Did you give those to your lawyer?</p> <p>8 A. Yes.</p> <p>9 Q. You said he also offered you certain</p> <p>10 information. What other information did he give you,</p> <p>11 besides this rumor?</p> <p>12 A. He offered some information about Patrick</p> <p>13 Nero. He offered information about how GW instructed</p> <p>14 the new basketball coach not to live in an all-black</p> <p>15 neighborhood. That's pretty much all I can recall.</p> <p>16 Q. What information did he give you about Mr.</p> <p>17 Nero?</p> <p>18 A. He gave me a little bit of information</p> <p>19 about -- well, obviously, he sent me the Deadspin</p> <p>20 article in which Patrick Nero was accused of sexual</p> <p>21 misconduct and inappropriate relationships.</p> <p>22 And he also talked a bit about, you know,</p>	<p style="text-align: right;">Page 40</p> <p>1 reluctant to speak.</p> <p>2 BY MR. SCHWARTZ:</p> <p>3 Q. You can go ahead and answer my question.</p> <p>4 A. There's nothing that I'm afraid of anybody</p> <p>5 knowing.</p> <p>6 Q. Did Mr. Loneragan indicate to you that he</p> <p>7 wasn't supposed to be talking to you? Is that why</p> <p>8 you're uncomfortable?</p> <p>9 MR. ROSS: Objection to the form of the</p> <p>10 question.</p> <p>11 A. Mr. Loneragan mentioned -- the last part of</p> <p>12 our conversation he mentioned that he was afraid and</p> <p>13 that -- to me, that meant that he was being</p> <p>14 threatened.</p> <p>15 BY MR. SCHWARTZ:</p> <p>16 Q. Did he tell you that he was being</p> <p>17 threatened?</p> <p>18 A. No. He said he was afraid.</p> <p>19 Q. Did he ask you to delete his</p> <p>20 communications with him?</p> <p>21 A. No.</p> <p>22 Q. Did Mr. Loneragan suggest that your lawyer</p>

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<p style="text-align: right;">Page 41</p> <p>1 contact his lawyer?</p> <p>2 A. Yes.</p> <p>3 Q. And he did that before you were</p> <p>4 represented by Mr. Ross, correct?</p> <p>5 A. I believe so.</p> <p>6 Q. And when you said you were going to pass</p> <p>7 it along to your lawyer, did you mean Kevin Hall?</p> <p>8 A. No.</p> <p>9 Q. Did you have another lawyer at the time?</p> <p>10 A. No.</p> <p>11 Q. So who did you mean?</p> <p>12 A. I was -- you know, I was in the midst of</p> <p>13 finding a lawyer as well. So sometimes when I made</p> <p>14 statements like that, I didn't actually have a</p> <p>15 lawyer. I was going to -- I was in the midst of</p> <p>16 finding one.</p> <p>17 Q. Did you ever put Kevin Hall in touch with</p> <p>18 Mike Lonergan or his lawyer?</p> <p>19 A. No.</p> <p>20 Q. In your freshman year first semester, you</p> <p>21 had an assignment where you got a 40 percent because</p> <p>22 a professor determined that it was plagiarized.</p>	<p style="text-align: right;">Page 43</p> <p>1 MR. ROSS: Objection to the form of the</p> <p>2 question.</p> <p>3 You can answer.</p> <p>4 A. You know, I -- yes. And I accepted that</p> <p>5 and I moved on and, you know, I tried not to make the</p> <p>6 same mistake again.</p> <p>7 BY MR. SCHWARTZ:</p> <p>8 Q. You knew Philippe Oudshoorn, correct?</p> <p>9 A. Yes.</p> <p>10 Q. Tell me who Mr. Oudshoorn was.</p> <p>11 A. He was the assistant -- assistant coach</p> <p>12 during my freshman year.</p> <p>13 Q. And did you ever have any issues with</p> <p>14 Coach Oudshoorn?</p> <p>15 A. I did.</p> <p>16 Q. Can you tell me about that?</p> <p>17 A. Yeah. So specific issues, you know, kind</p> <p>18 of started when we were sort of in the van coming</p> <p>19 back from a tournament in Virginia.</p> <p>20 And, you know, he went to UVA and he had</p> <p>21 this teammate called Jarmere Jenkins, who I knew</p> <p>22 personally. And he -- you know, would tell me how</p>
<p style="text-align: right;">Page 42</p> <p>1 Do you recall that?</p> <p>2 A. Yes.</p> <p>3 Q. Did you plagiarize that assignment?</p> <p>4 A. No. I mean, I made a common freshman</p> <p>5 mistake by taking certain parts of another, you know,</p> <p>6 article or whatever it was and I used it into (sic)</p> <p>7 my paper. I didn't take the entire thing and</p> <p>8 completely plagiarize it.</p> <p>9 If you look at, you know, the emails you</p> <p>10 sent, you know, I apologized, I, you know, redid it,</p> <p>11 I believe. And the whole issue was over after that.</p> <p>12 Q. Actually, the professor informed you that</p> <p>13 the document was 48 percent plagiarized as determined</p> <p>14 by a software program called SafeAssign, correct?</p> <p>15 A. Yes.</p> <p>16 Q. So when you say you've made a common</p> <p>17 freshman mistake by copying some materials, you</p> <p>18 copied almost half of the assignment, right, 48</p> <p>19 percent?</p> <p>20 A. I wasn't aware of that at the time, but</p> <p>21 that's what it ended up being, yes.</p> <p>22 Q. Wouldn't you call that plagiarizing?</p>	<p style="text-align: right;">Page 44</p> <p>1 him and his other teammates would, you know, get</p> <p>2 Jarmere Jenkins to, so-called, act white.</p> <p>3 You know, they made fun of his skin color.</p> <p>4 They called him nigger every day. They tried to get</p> <p>5 him to dress preppier. You know, they tried to mold</p> <p>6 him into their image.</p> <p>7 And, you know, he's so comfortably telling</p> <p>8 me this at the point where I was so scared if I were</p> <p>9 to, you know, sort of tell the coach this or tell any</p> <p>10 other administration this, you know, I'd be punished.</p> <p>11 So I had to just sit there and listen to it.</p> <p>12 He also engaged in heavy bullying and</p> <p>13 verbal abuse, not just with me, but, you know, with</p> <p>14 another player, Darian Hashemzadeh. He would</p> <p>15 belittle Darian Hashemzadeh. You know, he would --</p> <p>16 he would -- he would make fun of him. He would allow</p> <p>17 the other players as well to bully and not punish</p> <p>18 them.</p> <p>19 And he -- you know, he was -- he was -- he</p> <p>20 was not a good example of, you know, someone that</p> <p>21 should have been able to lead the team.</p> <p>22 Q. And you said you -- you did not complain</p>

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<p style="text-align: right;">Page 45</p> <p>1 to anyone else about this because you were scared to</p> <p>2 do so?</p> <p>3 A. I did not complain to Greg Munoz about,</p> <p>4 for example, the racism that he was talking about,</p> <p>5 because every time I complained to Greg Munoz about</p> <p>6 racism or anything of that nature, he either punished</p> <p>7 me or ignored me and threatened to kick me off the</p> <p>8 team. He would threaten to kick me off the team</p> <p>9 multiple times.</p> <p>10 Q. So prior to the time where Coach Oudshoorn</p> <p>11 had this conversation with you about his teammate at</p> <p>12 UVA, had you complained to Coach Munoz about any</p> <p>13 racism?</p> <p>14 A. Yes.</p> <p>15 Q. When was that? When was the -- let me</p> <p>16 take that question back.</p> <p>17 When was the first time that you</p> <p>18 complained to Coach Munoz about any racism?</p> <p>19 A. My freshman year.</p> <p>20 Q. When in your freshman year?</p> <p>21 A. During the first couple weeks.</p> <p>22 Q. Okay. And what happened to cause you to</p>	<p style="text-align: right;">Page 47</p> <p>1 doing. These guys are racially discriminating</p> <p>2 against me. They're plotting on my demise. They're</p> <p>3 doing all these things. Then he said: "You don't</p> <p>4 know what you're talking about."</p> <p>5 He said: "You think you're good-looking."</p> <p>6 He said: "You don't say hi to me in the morning.</p> <p>7 Racism is not an issue on this team. It's just in</p> <p>8 your mind." And then he asked me do I like Donald</p> <p>9 Trump and tried to get into a political conversation</p> <p>10 with me.</p> <p>11 Q. Okay. I want to talk to you about that,</p> <p>12 but let me -- let me just rewind in time. That's --</p> <p>13 you're talking about a conversation your sophomore</p> <p>14 year, right?</p> <p>15 A. Yes. And that's just an example of --</p> <p>16 yes.</p> <p>17 Q. I understand and I'm going to give you an</p> <p>18 opportunity to give me all of your examples. I just</p> <p>19 want to go back -- my mind works chronologically, so</p> <p>20 I want to go back to your freshman year.</p> <p>21 You said two weeks into the year was the</p> <p>22 first time you complained to Coach Munoz about racism</p>
<p style="text-align: right;">Page 46</p> <p>1 complain to Coach Munoz about racism in the first</p> <p>2 couple weeks of your freshman year?</p> <p>3 A. My teammates started sort of berating me</p> <p>4 with racial rhetoric, and they would, you know, call</p> <p>5 me out of my name multiple times. And it was getting</p> <p>6 to the point where it wasn't allowing me to focus on</p> <p>7 my tennis and it wasn't allowing me to excel on the</p> <p>8 tennis team, which was affecting my academics and</p> <p>9 affecting everything.</p> <p>10 So every time I would complain to Coach</p> <p>11 Munoz about some of these things he would tell me</p> <p>12 that I was crazy or he would threaten to kick me off</p> <p>13 the team because, you know, so-called, I didn't know</p> <p>14 what I was talking about.</p> <p>15 I remember an instance during my sophomore</p> <p>16 year before he was fired from GW. Chris Reynolds and</p> <p>17 I had got into sort of an altercation, a verbal</p> <p>18 disagreement, and he came up to me and he started</p> <p>19 yelling at me and telling me that I was doing</p> <p>20 everything wrong.</p> <p>21 And I told him -- I started telling him,</p> <p>22 you know, these (sic) are (sic) what these guys are</p>	<p style="text-align: right;">Page 48</p> <p>1 on the team; is that right?</p> <p>2 A. I don't -- you know, I'm not going to give</p> <p>3 a specific time in terms of two weeks. I -- you</p> <p>4 know, I complained to him at the beginning of my</p> <p>5 freshman year.</p> <p>6 Q. In that complaint to him at the beginning</p> <p>7 of your freshman year, was anybody else present for</p> <p>8 that conversation?</p> <p>9 A. No.</p> <p>10 Q. Was it in writing?</p> <p>11 A. No.</p> <p>12 Q. In the complaint at that time, I think you</p> <p>13 said a few minutes ago was that you were being</p> <p>14 subjected to racial rhetoric by your teammates; is</p> <p>15 that right?</p> <p>16 A. Yes. It start off -- it started off as</p> <p>17 racial rhetoric.</p> <p>18 Q. What exactly does that mean?</p> <p>19 A. Racial rhetoric includes, you know,</p> <p>20 calling me nigger, calling me monkey, asking me how</p> <p>21 does being black equate to the fact that you have</p> <p>22 money, you know, a lot of examples like that.</p>

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<p style="text-align: right;">Page 49</p> <p>1 Q. And all of those things were said to you</p> <p>2 within the very beginning of your freshman year by</p> <p>3 your teammates?</p> <p>4 A. Yes.</p> <p>5 Q. And when you reported that to Coach Munoz,</p> <p>6 did you report the content of the statements? In</p> <p>7 other words, did you say to him what you just said to</p> <p>8 me that they're calling me these words and they're</p> <p>9 making the statement about how do I have money?</p> <p>10 A. Yes.</p> <p>11 Q. You gave them those details?</p> <p>12 A. Yes.</p> <p>13 Q. And how did Coach Munoz respond?</p> <p>14 A. He ignored me and he said I didn't know</p> <p>15 what I was talking about and that racism didn't exist</p> <p>16 on this team.</p> <p>17 Q. Did you escalate that in any way to anyone</p> <p>18 above Coach Munoz?</p> <p>19 A. No, because he always would threaten that</p> <p>20 if I were to go to anybody else that he would take</p> <p>21 extreme measures and possibly kick me off the team.</p> <p>22 Q. He specifically said that to you in the</p>	<p style="text-align: right;">Page 51</p> <p>1 Q. Meaning, every other member of the team,</p> <p>2 other than yourself?</p> <p>3 A. I'll name them.</p> <p>4 Q. Sure.</p> <p>5 A. Danil Zelenkov, Cahit Kapukiran -- and</p> <p>6 this was my freshman year as well. Some people</p> <p>7 weren't there yet. Francisco Dias, in which he</p> <p>8 posted a racial meme on Facebook that said: "Watch</p> <p>9 niggalodeon" (sic) with a SpongeBob image on it.</p> <p>10 Chris Fletcher. Chris Reynolds came the</p> <p>11 first week of my freshman spring. So he wasn't there</p> <p>12 when I first got there, but he was there during the</p> <p>13 latter end of my freshman year.</p> <p>14 Who else was on the team? Christos</p> <p>15 Hadjigeorgiou, Julius Tverijonas. That's pretty much</p> <p>16 to name every single other foreign white player on</p> <p>17 the team my freshman year.</p> <p>18 Q. And each of those players individually</p> <p>19 made racially-oriented comments to you?</p> <p>20 A. Each of those players throughout my tenure</p> <p>21 at GW all made racial rhetoric or any like racial</p> <p>22 words to me, yes.</p>
<p style="text-align: right;">Page 50</p> <p>1 beginning of your freshman year that if you went to</p> <p>2 anybody else he would take you --</p> <p>3 A. Yes. He said --</p> <p>4 Q. -- he would take extreme measures and kick</p> <p>5 you off the team?</p> <p>6 MR. ROSS: You got to let him finish the</p> <p>7 question before you answer.</p> <p>8 THE WITNESS: I'm sorry.</p> <p>9 A. Yes. He said that he didn't want anybody</p> <p>10 else dealing with this besides him and that he would</p> <p>11 deal with this and that, you know, if I were to do</p> <p>12 anything out of the ordinary that he would possibly</p> <p>13 give me punishments or kick me off the team.</p> <p>14 BY MR. SCHWARTZ:</p> <p>15 Q. Did he tell you he would deal with it in</p> <p>16 some way?</p> <p>17 A. Yes. He always said, you know, I'll deal</p> <p>18 with it, but he never actually did.</p> <p>19 Q. Who were the teammates who in the</p> <p>20 beginning of your freshman year were using the, as</p> <p>21 you referred to it, racial rhetoric with you?</p> <p>22 A. All of them.</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. Okay. Let's just go through each one.</p> <p>2 Danil, what terms did he use to you that had any sort</p> <p>3 of racial component to them?</p> <p>4 A. One thing that stuck out that he said is,</p> <p>5 he said: "Were all your slaves" -- "Were all your</p> <p>6 ancestors slaves?" And he alluded to that because I</p> <p>7 was black. And you know, he would say nigga once in</p> <p>8 a while. Like, he would -- you know, he said a lot</p> <p>9 of things.</p> <p>10 Chris Reynolds was probably the worst.</p> <p>11 Chris Reynolds referred to me as an ape multiple</p> <p>12 times. He always yelled out nigger because he knew,</p> <p>13 you know, there was nothing I could do. He had a</p> <p>14 conversation with Amlan Sahoo during my junior year</p> <p>15 in which he called me a cotton-picking nigger and</p> <p>16 that I should go back to wherever I came from.</p> <p>17 It was examples like this that these guys</p> <p>18 would say, you know, that really made everything</p> <p>19 worse.</p> <p>20 Q. Cahit, did he make any racially-oriented</p> <p>21 comments?</p> <p>22 A. Yes. While I was in a room with him</p>

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<p style="text-align: right;">Page 53</p> <p>1 rooming during my freshman year, this was at a time 2 where I was coming back on to the team. So there 3 wasn't anything I could do in terms of complaining or 4 anything because Greg Munoz would threaten to kick me 5 off the team. 6 He yelled in the room nigger so loud that 7 pretty much everybody could hear it while I was 8 sitting on the bed. And I looked at him and I said: 9 "How could you say that?" And he said -- and he 10 didn't even say anything. He completely ignored me 11 and we just went on with the night. 12 Q. And when was that you were in a hotel? 13 A. Freshman year. During my freshman spring. 14 Q. Was that some sort of tournament? 15 A. The tournaments, yes. 16 Q. That was, like, over the spring break? 17 A. I believe so, yes. 18 Q. Do you remember where -- where that 19 tournament was? 20 A. No. I don't recall. 21 Q. Was that the Florida one? 22 A. I just said I don't know.</p>	<p style="text-align: right;">Page 55</p> <p>1 He'd always, you know, spew around the word nigga, 2 nigger. 3 You know, he would do it at different 4 times during my tenure. It was -- it was a -- you 5 know, it was a group effort. Everybody sort of 6 banded together and said a lot of these things. 7 Q. Chris Reynolds, I think you mentioned he 8 would refer to you as an ape? 9 A. Yes. There was one time during my 10 freshman year in which I was coming back on to the 11 team. So I was on the team, but I was off my 12 suspension. 13 And he knew how vulnerable I was, so I had 14 to play the role in terms of, you know, warming the 15 players up and being, you know, a strong supporter 16 because, you know, I was kicked off the team a couple 17 months ago. 18 So, you know, coming on to the team, I had 19 to sort of prove myself in Greg Munoz's eyes. So as 20 I was warming Chris Reynolds up and as we finished, 21 he said: "Get off the court, ape" -- or "get off the 22 court, monkey," one of those terms.</p>
<p style="text-align: right;">Page 54</p> <p>1 Q. How about Francisco Dias? You referred to 2 a racial meme that he posted? 3 A. Um-hum. 4 Q. Were there any other comments that he made 5 that had a racial component to them? 6 A. Yes. There was one that really stuck out. 7 One time during my freshman spring he was playing a 8 black tennis player and he had just won, and we were 9 all in the huddle. It was everybody on the tennis 10 team. 11 And he yelled: "Fucking porch monkey." 12 And Greg Munoz looked at me and he said: "Oh, he 13 doesn't really mean that. Don't worry." And I 14 looked at him like, What do you mean? And he just 15 said: "Just shut up. Don't worry about it." 16 Q. Chris Fletcher -- I think you hadn't 17 mentioned him yet. Did he make any comments that had 18 a racial component to them? 19 A. Yes. Chris Fletcher would, you know, call 20 certain players -- would call some of his opponents 21 who were black ape. He would join in along with the 22 racial rhetoric alongside with the other players.</p>	<p style="text-align: right;">Page 56</p> <p>1 And, you know, Greg Munoz was present. I 2 saw him. He was right there, and Greg Munoz ignored 3 it. He didn't say anything. 4 During a phone conversation, as I said 5 before, Chris Reynolds referred to me as a 6 cotton-picking nigger and to actually go back to 7 wherever I came from. 8 There was a lot of racial rhetoric in a 9 lot of the text messages that Chris Reynolds would 10 send out to the group chats. Chris Reynolds was 11 always calling me nigga, nigger especially at times 12 that I was vulnerable. 13 In terms of -- and when I talk about 14 vulnerable, I mean -- for example, when Greg Munoz 15 was present and I was in a position where if I 16 complained or if I talked about some of the 17 allegations that I would be punished. 18 Q. The comment that Reynolds made, the 19 cotton-picking comment, that was in a phone 20 conversation with you or with Amlan? 21 A. So he was on the phone with Amlan and he 22 -- due to the fact that David MacPherson was never</p>

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<p style="text-align: right;">Page 57</p> <p>1 present and he had another job somewhere else, Amlan</p> <p>2 and Chris Reynolds were sort of in charge in order to</p> <p>3 build relationships on the team and make the team,</p> <p>4 you know, have more team chemistry.</p> <p>5 So I don't know if it was Amlan that</p> <p>6 called Chris Reynolds or if Chris Reynolds called</p> <p>7 Amlan. They were talking and they were talking, you</p> <p>8 know, about, you know, bringing me back on to the</p> <p>9 team and trying to, you know, make everything okay.</p> <p>10 And I guess Chris Reynolds got mad at the</p> <p>11 end because of my -- you know, the fact that, you</p> <p>12 know, I didn't want to apologize or any of that</p> <p>13 stuff. So Chris Reynolds called me -- referred to me</p> <p>14 as a cotton-picking nigger, in which I should go back</p> <p>15 to wherever I was from.</p> <p>16 Q. He said that to Amlan?</p> <p>17 A. He said that to Amlan, yes.</p> <p>18 Q. And then Amlan relayed that to you?</p> <p>19 A. Yes.</p> <p>20 Q. And that was, I take it, at the beginning</p> <p>21 of your junior year when you were coming back on to</p> <p>22 the team with Coach MacPherson?</p>	<p style="text-align: right;">Page 59</p> <p>1 he'd take care of it --</p> <p>2 A. Sorry?</p> <p>3 Q. You said you had an early conversation</p> <p>4 with Coach Munoz where you complained to him about --</p> <p>5 A. Yes.</p> <p>6 Q. -- the racial rhetoric, and he said, "I'll</p> <p>7 take care of this."</p> <p>8 A. Yes.</p> <p>9 Q. Did you have further conversations with</p> <p>10 Coach Munoz?</p> <p>11 A. Yes. I had many conversations with Coach</p> <p>12 Munoz about a lot of different issues. Notably, one</p> <p>13 of the biggest ones was the beginning of my sophomore</p> <p>14 year when I explained to him about everything that</p> <p>15 was going on in terms of the racial discrimination,</p> <p>16 the plots on my demise, the public defamation, in</p> <p>17 which he completely relayed that and, you know, said</p> <p>18 that I don't say hi to him in the morning and I think</p> <p>19 I'm good-looking and racism is all in my head;</p> <p>20 there's no racism on this team, certain situations</p> <p>21 like that.</p> <p>22 Q. And at that time when you had that</p>
<p style="text-align: right;">Page 58</p> <p>1 A. I believe that was during my senior year.</p> <p>2 Q. Christos Hadjigeorgiou, did he make any</p> <p>3 racially-oriented comments?</p> <p>4 A. Yes. Christos Hadjigeorgiou had a strong</p> <p>5 problem with the fact that I was black and that I had</p> <p>6 some sort of financial well-being. And he would</p> <p>7 always make comments with the fact that, you know,</p> <p>8 how is he black, but how does he have money.</p> <p>9 You know, and he'd make these comments to,</p> <p>10 you know, other people. He would, you know, call me</p> <p>11 nigga. He would refer to me as nigga or nigger to</p> <p>12 other people, in which they would relay that</p> <p>13 information to me as well. Yes.</p> <p>14 Q. And how about Julius Tverijonas?</p> <p>15 A. Yes.</p> <p>16 Q. Did he make racially-oriented comments?</p> <p>17 A. Yeah. You know, he would always sort of</p> <p>18 chip in with, you know, the other teammates, you</p> <p>19 know, whether it's something that I heard. You know,</p> <p>20 it was more so with the group.</p> <p>21 Q. After your first conversation with Coach</p> <p>22 Munoz early in your freshman year where he told you</p>	<p style="text-align: right;">Page 60</p> <p>1 conversation with Coach Munoz in your sophomore year,</p> <p>2 did you consider escalating that concern to anybody</p> <p>3 above Coach Munoz?</p> <p>4 A. I didn't. And as I said before, every</p> <p>5 time I would ask to escalate that -- in terms of the</p> <p>6 fact -- right, when I first got suspended during my</p> <p>7 freshman year when my father and I had that meeting</p> <p>8 with Nicole Early and Greg Munoz, my father wanted to</p> <p>9 talk to Patrick Nero about a lot of the things that</p> <p>10 was (sic) going on.</p> <p>11 But Nicole Early and Greg Munoz said:</p> <p>12 "No, no, no, no, no, no. We're going to handle this.</p> <p>13 Like, I don't want you talking to him." So we never</p> <p>14 reached out to anybody before that. I was afraid</p> <p>15 that if I were to reach out to anybody and Greg Munoz</p> <p>16 found out that I would be kicked off the team.</p> <p>17 All I wanted to do was go over there and</p> <p>18 play tennis and focus on my academics. I didn't want</p> <p>19 to make the whole, you know, race thing a big issue</p> <p>20 because I knew how it would backlash against me.</p> <p>21 Q. Do you remember at the end of your first</p> <p>22 semester of your freshman year, so late December of</p>

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<p style="text-align: right;">Page 61</p> <p>1 2014 --</p> <p>2 A. Sorry. Can you say that again, please?</p> <p>3 Q. Sure. Do you remember at the end of your</p> <p>4 first semester of your freshman year, so like late</p> <p>5 December of 2014, Coach Munoz told you he was proud</p> <p>6 of you for surviving your first semester as a college</p> <p>7 student?</p> <p>8 A. Yes.</p> <p>9 Q. And he told you that that's often the</p> <p>10 hardest semester in college?</p> <p>11 A. Yes.</p> <p>12 Q. Did you feel good when he sent you that</p> <p>13 message?</p> <p>14 A. Yes.</p> <p>15 Q. He also told you that he was sure you were</p> <p>16 up for the challenges ahead of us (sic). Do you</p> <p>17 remember when he said that?</p> <p>18 A. Yes.</p> <p>19 Q. And did you also feel good about that?</p> <p>20 A. Yes.</p> <p>21 Q. So at some point, December of 2014, I take</p> <p>22 it you hadn't yet concluded that you thought Coach</p>	<p style="text-align: right;">Page 63</p> <p>1 Q. And remind me. What -- what was that?</p> <p>2 A. Chris Reynolds yelled at me during a</p> <p>3 volley drill and, you know, I didn't want to put up</p> <p>4 with it anymore because he had been screwing with me</p> <p>5 for the past couple weeks as soon as he got on to the</p> <p>6 team.</p> <p>7 You know, so I stopped the drill and, you</p> <p>8 know, I confronted him. And that's when he really</p> <p>9 got in my face and we were face-to-face. I don't</p> <p>10 know where it was going to go.</p> <p>11 Coach Munoz stopped it and grabbed me,</p> <p>12 forcefully grabbed me, not Chris Reynolds, forcefully</p> <p>13 grabbed me and told me that he was going to start</p> <p>14 threatening to kick -- like, to kick me off the team</p> <p>15 because I was doing everything wrong.</p> <p>16 And then that's when I started telling him</p> <p>17 about everything that was going on for the -- you</p> <p>18 know, that was -- that was not the first time, too, I</p> <p>19 told him everything that was going on.</p> <p>20 But I told him more. And that's when he</p> <p>21 listed his reasons, as I said before. Do I need to</p> <p>22 say the reasons again?</p>
<p style="text-align: right;">Page 62</p> <p>1 Munoz was a fake?</p> <p>2 A. I knew that Coach Munoz wasn't who he</p> <p>3 seemed to be the first week of freshman year when he</p> <p>4 called Darian, Blake, and I in his office and he made</p> <p>5 that statement.</p> <p>6 Now, as a freshman -- as a 19-year-old</p> <p>7 freshman kid that's coming into the university, you</p> <p>8 can't do anything about it. You can't -- what was I</p> <p>9 going to do? I had to put up with who Coach Munoz</p> <p>10 was.</p> <p>11 So, you know, what was I supposed to do?</p> <p>12 Whether Coach Munoz was a fake or not, that wasn't</p> <p>13 really anything that really mattered.</p> <p>14 Q. Do you remember in January of 2015 -- so</p> <p>15 that would be the beginning of your spring semester</p> <p>16 of your freshman year --</p> <p>17 A. Yes.</p> <p>18 Q. -- there was an occasion where Coach Munoz</p> <p>19 -- well, let me back up a second.</p> <p>20 There was an occasion where you and Chris</p> <p>21 Reynolds got into some sort of disagreement.</p> <p>22 A. Yes. That's what I talked about before.</p>	<p style="text-align: right;">Page 64</p> <p>1 Q. I'm sorry. He listed his reasons for</p> <p>2 what? I'm not quite following.</p> <p>3 A. His reasons for the fact that he was going</p> <p>4 to threaten to kick me off the team. And these</p> <p>5 reasons I remember him saying so vividly were I don't</p> <p>6 say hi to him in the morning; I think I'm</p> <p>7 good-looking, and he said that there is no racism on</p> <p>8 the team; it's all in your head.</p> <p>9 Q. That conversation was the beginning of the</p> <p>10 spring semester of your freshman year?</p> <p>11 A. Spring -- no, no, no. Spring semester of</p> <p>12 my sophomore year.</p> <p>13 Q. Okay. That's why I was confused.</p> <p>14 A. Yes.</p> <p>15 Q. So was there any sort of altercation</p> <p>16 between you and Chris Reynolds in the spring semester</p> <p>17 of your freshman year?</p> <p>18 A. Spring semester of my freshman year, yes.</p> <p>19 Yes. There was a --</p> <p>20 Q. Tell me about that.</p> <p>21 A. There was -- okay. Well, we were in the</p> <p>22 van one day coming from one of the practices. And</p>

[illegible]

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A horizontal bar chart with 20 rows. Each row consists of a black rectangular redaction bar of varying length, followed by a small, light gray rectangular area. The bars represent data points for 20 different categories, but the specific values and category names are not visible due to the redaction.

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[REDACTED]

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<div>Page 73</div> <div>[REDACTED]</div>	<div>Page 75</div> <div>[REDACTED]</div>
<div>Page 74</div> <div>[REDACTED]</div>	<div>Page 76</div> <div>[REDACTED]</div>

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Bar Index	Approximate Length (%)
1	95
2	100
3	98
4	99
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8	45
9	25
10	92
11	94
12	96
13	55
14	75
15	60
16	80
17	48
18	98
19	42
20	95
21	100
22	98

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7 THE REPORTER: Is this a good time for a

8 break?

9 MR. SCHWARTZ: Of course. Let's take a

10 few-minute break.

11 THE VIDEOGRAPHER: Going off the record at

12 11:22 a.m.

13 (A break was taken.)

14 THE VIDEOGRAPHER: Going back on the

15 record at 11:37 a.m. This marks the beginning of DVD

16 Number 2.

17 BY MR. SCHWARTZ:

18 Q. Mr. Stafford, you understand you're still

19 under oath?

20 A. I understand.

21 Q. During the break, did anybody tell you how

22 to answer my questions today?

[illegible]

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<p>Page 85</p> <p>[REDACTED]</p>	<p>Page 87</p> <p>[REDACTED]</p>
<p>Page 86</p> <p>[REDACTED]</p>	<p>Page 88</p> <p>[REDACTED]</p>

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<p>Page 89</p> <p>[REDACTED]</p>	<p>Page 91</p> <p>1 handed you what has been marked as Exhibit No. 3, 2 which is a two-page email, Bates Nos. GW2081 and 3 2082. If I could direct your attention to the main 4 email in the center of 2081 from Coach Munoz to 5 yourself, January 18, 2015, 6:46 p.m. 6 Is this the email we've been talking about 7 where Coach Munoz explains the reasons for your 8 suspension? 9 A. Yes. 10 MR. ROSS: Objection to the form of the 11 question. If you haven't taken the time to read it, 12 read the whole thing and then answer the question. 13 A. Yes. This is the email. 14 BY MR. SCHWARTZ: 15 [REDACTED]</p>
<p>Page 90</p> <p>[REDACTED]</p> <p>18 MR. SCHWARTZ: Can you please mark that? 19 (Exhibit Number 3 was marked for 20 identification and was attached to the deposition.) 21 BY MR. SCHWARTZ: 22 Q. Mr. Stafford, the court reporter has</p>	<p>Page 92</p> <p>[REDACTED]</p>

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<p>Page 93</p> <p>[REDACTED]</p>	<p>Page 95</p> <p>[REDACTED]</p>
<p>Page 94</p> <p>[REDACTED]</p>	<p>Page 96</p> <p>[REDACTED]</p>

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[REDACTED]

Page 99

[REDACTED]

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[REDACTED]

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[REDACTED]

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1 And, you know, once I finally got into the
2 fraternity, you know, I partook in the fraternity.
3 I, you know -- we did a lot of activities together.
4 But it also took, you know, a strong toll on the
5 things that I was supposed to be focusing on all
6 along, which were my tennis and my academics.

7 Q. Did you stay in the fraternity throughout
8 your entire time at the university?

9 A. I stayed in the fraternity throughout my
10 entire time. My -- you know, the time I spent in the
11 fraternity, you know, varied consistently. At first,
12 I had paid dues, paid the amount that, you know, that
13 was supposed -- that I was supposed to pay in order
14 to stay in the fraternity, but I never paid after
15 that.

16 And I sort of just remained friends and
17 associates with a lot of the guys.

18 Q. So when you stopped paying dues, you
19 weren't in the fraternity anymore, correct?

20 A. I mean, you know, a lot of -- the
21 fraternity had a lot of financial issues. So
22 technically, I was still always a part of the

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<p style="text-align: right;">Page 105</p> <p>1 fraternity, but my activity level being in the</p> <p>2 fraternity increased and decreased at certain times</p> <p>3 in my tenure.</p> <p>4 Q. So they let you be a member without paying</p> <p>5 dues? That seems weird.</p> <p>6 MR. ROSS: Objection to the form of the</p> <p>7 question.</p> <p>8 A. There are a lot of people that didn't pay</p> <p>9 dues. Sometimes you didn't even have to pay dues.</p> <p>10 BY MR. SCHWARTZ:</p> <p>11 Q. Who was the associate who told you to join</p> <p>12 a fraternity?</p> <p>13 A. I don't recall.</p> <p>14 Q. Was it a student?</p> <p>15 A. Yes.</p> <p>16 Q. So Coach Munoz didn't tell you to do that?</p> <p>17 A. I'm sorry?</p> <p>18 Q. Coach Munoz did not tell you to join the</p> <p>19 fraternity. Some other student told you to do that?</p> <p>20 A. The associate brought the idea to me in</p> <p>21 the first place, and, you know, I told my associate</p> <p>22 that I would consider it. And somehow that news got</p>	<p style="text-align: right;">Page 107</p> <p>1 So this news got back to Greg Munoz. I</p> <p>2 don't know if one of the players told him. I don't</p> <p>3 know who told him. It got back because he's the one</p> <p>4 that approached me and said in his office: "I would</p> <p>5 feel more comfortable letting you back on the team if</p> <p>6 you were to prove to me that you could get into this</p> <p>7 fraternity."</p> <p>8 Q. And you got in the fraternity?</p> <p>9 A. The first day.</p> <p>10 Q. Two days I think you said --</p> <p>11 A. Two days -- I don't -- yeah, the first --</p> <p>12 the first two days. There was a couple processes. I</p> <p>13 got in the first process.</p> <p>14 Q. And then you got back on the team?</p> <p>15 A. I didn't directly just get back on the</p> <p>16 team. I had to apologize to each and every one of my</p> <p>17 teammates. I don't know why I had to apologize. I</p> <p>18 didn't do anything wrong.</p> <p>19 And I had to -- you know, I had to send,</p> <p>20 you know, text messages, you know, to people. There</p> <p>21 were a lot of things that I had to do to get back on</p> <p>22 the team, not just prove to him that I could get into</p>
<p style="text-align: right;">Page 106</p> <p>1 back to Greg Munoz that -- "Oh, yeah, Jabari, I heard</p> <p>2 you're thinking of joining a fraternity."</p> <p>3 I told Greg Munoz that, "You know, I</p> <p>4 don't" -- "I don't really think so. You know, I kind</p> <p>5 of want to" -- "I would feel more comfortable if you"</p> <p>6 -- "I would feel more comfortable letting you back on</p> <p>7 the team if you were to prove to me that you could</p> <p>8 get in."</p> <p>9 Q. And was this associate a member of the</p> <p>10 tennis team?</p> <p>11 A. No, but there were -- there was -- pretty</p> <p>12 much in your freshman year everybody knows each</p> <p>13 other. You know, the athletes are all in the dorm</p> <p>14 together. Everybody talks. You know, it doesn't</p> <p>15 start becoming, you know, team and regular student</p> <p>16 until sort of your sophomore, junior, or senior year.</p> <p>17 So everybody knew each other. And, you</p> <p>18 know, I knew a lot of people my freshman year. So,</p> <p>19 you know, there was a lot of talk about, okay, who is</p> <p>20 joining what fraternity, you know, who is doing this;</p> <p>21 who is doing that; who's on the tennis team. You</p> <p>22 know, can we recruit athletes?</p>	<p style="text-align: right;">Page 108</p> <p>1 a fraternity.</p> <p>2 Q. Which years did you live in a residence</p> <p>3 hall on campus?</p> <p>4 A. On campus, it was my freshman year and</p> <p>5 then I moved off-campus starting my sophomore year.</p> <p>6 Q. That was against the rules, right?</p> <p>7 A. No.</p> <p>8 Q. You were allowed to move off-campus? You</p> <p>9 weren't supposed to live in university housing?</p> <p>10 A. If I, you know, provided them the right</p> <p>11 documents, which I don't recall what I had to provide</p> <p>12 them, it was not against the rules. There were other</p> <p>13 -- plenty of other students that did that. I wasn't</p> <p>14 just the sole one that did that.</p> <p>15 And if it was against the rules, you know,</p> <p>16 why wasn't it never really brought to my attention or</p> <p>17 why was I never punished for it?</p> <p>18 Q. Do you recall whether you did provide the</p> <p>19 appropriate documents?</p> <p>20 A. I don't recall.</p> <p>21 Q. Your freshman year you did live on campus?</p> <p>22 A. Yes.</p>

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<p style="text-align: right;">Page 109</p> <p>1 Q. Which residence hall did you live in?</p> <p>2 A. Potomac Hall.</p> <p>3 Q. Did any of the other team members --</p> <p>4 tennis team members live in Potomac Hall?</p> <p>5 A. Yes. I roomed with Christos Hadjigeorgiou</p> <p>6 and there were others that lived in the building as</p> <p>7 well, yes.</p> <p>8 Q. Did Christos make any racially-oriented</p> <p>9 comments while you were rooming together?</p> <p>10 A. Towards -- towards -- we were -- Christos</p> <p>11 and I were good friends for a couple of weeks -- I</p> <p>12 would say not a couple of weeks, maybe a couple</p> <p>13 months. Maybe two to three months.</p> <p>14 A lot of the other teammates were</p> <p>15 together. I believe there were other teammates</p> <p>16 rooming together. And even if they didn't room</p> <p>17 together, they were always together.</p> <p>18 And Christos had no clue about any team</p> <p>19 culture or any team environment. He was new coming</p> <p>20 in just like me, so we spent most of the time</p> <p>21 together, whether we went out. It was just me and</p> <p>22 him, for the most part. We didn't -- we didn't spend</p>	<p style="text-align: right;">Page 111</p> <p>1 would describe me.</p> <p>2 Q. Who was the other student athlete who</p> <p>3 reported that comment to you?</p> <p>4 A. Wills Tutecky and Amlan Sahoo, and Darian</p> <p>5 Hashemzadeh would report some of these things to me.</p> <p>6 Q. Who specifically reported the comment you</p> <p>7 just relayed about you having money?</p> <p>8 A. Certain -- actually, certain students.</p> <p>9 Like, there was a girl that lived in the dorm room</p> <p>10 all the way at the end. I don't recall her name.</p> <p>11 She actually said that he said something like that</p> <p>12 during my freshman year spring.</p> <p>13 Q. So it wasn't Wills or Amlan or anybody</p> <p>14 else on the team, it was this girl whose name you</p> <p>15 can't recall?</p> <p>16 A. Well, see. That's the thing. That's what</p> <p>17 we're -- we're talking about my freshman year.</p> <p>18 At other, like, parts of my tenure during</p> <p>19 my tenure at GW, yes. He did mention to Amlan and</p> <p>20 Wills Tutecky, How is he a nigger and how does he</p> <p>21 have money?</p> <p>22 But there was an instance my freshman year</p>
<p style="text-align: right;">Page 110</p> <p>1 that much time with the team.</p> <p>2 When he started hanging out with the team</p> <p>3 more and more and when he started being around the</p> <p>4 team, that's when he started becoming more and more</p> <p>5 influenced, and that's when they started alienating</p> <p>6 him from me.</p> <p>7 That was -- and towards, I would say, the</p> <p>8 end of my freshman fall is when Christos and I</p> <p>9 started really not getting along. And all throughout</p> <p>10 sort of my freshman spring is when I started hearing</p> <p>11 all of the racial rhetoric that I was hearing from</p> <p>12 him, whether it was around me -- it wasn't -- with</p> <p>13 Christos, it wasn't always to me because we were</p> <p>14 living together.</p> <p>15 It was around me. It was where I could</p> <p>16 hear it and it was also about me telling other -- you</p> <p>17 know, telling other students or telling other</p> <p>18 teammates, you know, about some of the stuff.</p> <p>19 Like, for example, like, you know, why is</p> <p>20 he a nigger and he has money? That's what he said,</p> <p>21 and that's what another student athlete told me. You</p> <p>22 know, certain things like this is, you know, how he</p>	<p style="text-align: right;">Page 112</p> <p>1 in which that girl told me that, you know, Christos</p> <p>2 is jealous of you. You know, Christos is saying that</p> <p>3 -- how do you have money and how you were a nigger.</p> <p>4 But there were different, you know, times</p> <p>5 that he said that phrase in particular or, you know</p> <p>6 -- that phrase, yes.</p> <p>7 Q. In the Potomac residence hall you had a</p> <p>8 resident advisor, correct?</p> <p>9 A. A resident advisor?</p> <p>10 Q. A more senior student who was available to</p> <p>11 speak with the students and help enforce the rules.</p> <p>12 A. Yes.</p> <p>13 Q. There was also a resident director who was</p> <p>14 in charge of all of Potomac Hall, correct?</p> <p>15 A. I believe so, yes.</p> <p>16 Q. Did you ever complain to either of those</p> <p>17 two people about any racial mistreatment by your</p> <p>18 roommate or any other team members?</p> <p>19 A. No. Why would I complain to them about</p> <p>20 it?</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p>

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

16 Q. After you were suspended, you had a

17 meeting to discuss your suspension with Coach Munoz

18 and Nicole Early, correct?

19 A. Yes.

20 Q. Nicole Early was an assistant athletics

21 director?

22 A. Yes, was.

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1 Q. And you understood that Nicole Early was

2 the administrator responsible for the tennis team,

3 correct?

4 A. Yes, she was. Yes.

5 Q. You keep emphasizing the word "was." Is

6 there a reason you keep saying that?

7 A. She's not there anymore.

8 Q. I see. And at the time that she met with

9 you, she was an assistant athletics director

10 responsible for the tennis team, correct?

11 A. Yes.

12 Q. And in that meeting you never told Nicole

13 Early that you felt like you were experiencing any

14 racial mistreatment on the team, did you?

15 A. That's not true.

16 Q. What did you tell Nicole Early about

17 racial mistreatment on the team in January of 2015?

18 A. I mean, my father and I talked about all

19 these things. And when my father tried to speak to

20 Patrick Nero due to the fact that -- Nicole Early and

21 -- you made the face.

22 Q. I did because I wanted you to answer my

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1 question about the meeting with Nicole Early, not

2 about some requested meeting with Patrick Nero.

3 (Simultaneously speaking addressed by the

4 reporter.)

5 BY MR. SCHWARTZ:

6 Q. Can you tell me about your January 2015,

7 so spring semester, freshman year, meeting that you

8 had with Coach Munoz and Nicole Early?

9 A. Yes. Coach Nero highlighted all of the

10 things that I was dealing with -- or sorry -- you

11 know, that I got suspended for. And, you know, we

12 also talked about, you know, my father and I raised

13 concerns of, you know, racial mistreatment and

14 hostility and, you know, a lot of the things that was

15 (sic), you know, going on with the tennis team.

16 And they sort of ignored our requests and,

17 you know, my father, you know, tried to talk to --

18 tried to reach out to Patrick Nero, in which Nicole

19 Early said -- you know, in which Nicole and Greg

20 said, "No, no, no. You're not going to talk to him,

21 you know; you're going to handle these things with

22 us." So that was the basis of it, yes.

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1 And, you know, we were also very

2 respectful and very understanding of, you know, the

3 suspension, even though we didn't think it was

4 warranted.

5 And we, you know, agreed that, you know, I

6 needed to do what Greg Munoz wanted me to do in order

7 to stay on the team because there wasn't anybody we

8 could really complain to, you know, other than, you

9 know, the same people that were covering a lot of

10 things up.

11 Q. What specifically did you tell -- and I'll

12 ask you about your father in a minute.

13 What specifically did you, Jabari, tell

14 Nicole Early and Coach Munoz in that January 2015

15 meeting about race?

16 A. You know, basically a lot of the racial

17 rhetoric that was going on, you know, the names, the

18 harassment, the hostility, you know, I talked about,

19 you know, a couple of things that were -- that --

20 that -- that definitely were bothering me.

21 And, you know, as always, they ignored and

22 they didn't, you know, deal with those issues

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<p style="text-align: right;">Page 121</p> <p>1 accordingly.</p> <p>2 Q. What specifically do you remember telling</p> <p>3 Nicole Early about those racial issues?</p> <p>4 A. I mean, I basically just told her that --</p> <p>5 you know, that there were (sic) a lot of name-calling</p> <p>6 in terms of, you know, race -- like, racial</p> <p>7 name-calling.</p> <p>8 There was, you know, some instances where,</p> <p>9 you know, they would just, you know, refer to me as</p> <p>10 -- you know, like, they were just -- a lot of</p> <p>11 basically racial rhetoric.</p> <p>12 I can't sit here and recall every single</p> <p>13 thing that I told her. But it was the basis of, you</p> <p>14 know, racial rhetoric and racial names. And that was</p> <p>15 -- that was still at the beginning of my entire GW</p> <p>16 tenure.</p> <p>17 So a lot of the -- a lot of the things</p> <p>18 hadn't heated up and boiled up yet to the point where</p> <p>19 it was just something I couldn't handle anymore.</p> <p>20 Q. And what did your father tell Ms. Early</p> <p>21 and Coach Munoz in that meeting?</p> <p>22 A. I don't remember.</p>	<p style="text-align: right;">Page 123</p> <p>1 that all the issues going forward will be dealt with</p> <p>2 between Greg Munoz and Nicole Early.</p> <p>3 Q. Did Ms. Early make you -- remind you of</p> <p>4 the student grievance procedures that were available</p> <p>5 to you?</p> <p>6 A. I don't remember. I don't recall.</p> <p>7 Q. Did you ever -- well, let me step back for</p> <p>8 a second.</p> <p>9 You were aware that there was a process</p> <p>10 that GW had where you could make a complaint about</p> <p>11 discrimination to the Office of the Dean of Students,</p> <p>12 correct?</p> <p>13 A. Yes.</p> <p>14 Q. Did you ever use that process?</p> <p>15 A. I did not because every time I wanted to</p> <p>16 sort of allege certain things and reach out to</p> <p>17 certain individuals, you know, to hear my complaints,</p> <p>18 Greg Munoz threatened me and threatened to kick me</p> <p>19 off the team.</p> <p>20 Every time -- you know, I didn't want to</p> <p>21 focus, you know -- and also, too, while I was at GW,</p> <p>22 you know, especially my freshman year, I came there</p>
<p style="text-align: right;">Page 122</p> <p>1 Q. You don't remember what he said?</p> <p>2 A. I don't remember.</p> <p>3 Q. You don't remember anything he said?</p> <p>4 A. I don't really remember. The only -- you</p> <p>5 know, the only thing I really remember is, you know,</p> <p>6 what I talked about. I believe, you know, the stuff</p> <p>7 that he was talking about was similar to what I was</p> <p>8 talking about, but I couldn't sit here and tell you</p> <p>9 the exact things that he was talking about. No. I</p> <p>10 don't remember.</p> <p>11 Q. Do you remember anything that Nicole Early</p> <p>12 said in the meeting?</p> <p>13 A. Nicole Early was just pretty much agreeing</p> <p>14 with Greg Munoz, you know, the same guy that was</p> <p>15 experiencing so many of his, you know, demons and</p> <p>16 issues in his personal life, including, you know,</p> <p>17 drug abuse and alcohol abuse, pretty much, you know,</p> <p>18 just agreeing with the guy.</p> <p>19 And you know, pretty much just, you know,</p> <p>20 letting me know that my punishment was warranted and</p> <p>21 that, you know, I needed to follow Greg Munoz's</p> <p>22 guidelines in order to get back on to the team and</p>	<p style="text-align: right;">Page 124</p> <p>1 to play tennis and I came there to get a degree.</p> <p>2 You know, the basis of my, you know, year</p> <p>3 wasn't to put so much emphasis into, you know,</p> <p>4 bringing up race with, you know, the higher-ups. I</p> <p>5 wanted to just focus on what I was doing.</p> <p>6 And, you know, I always thought hopefully,</p> <p>7 you know, it will all boil down. You know it will</p> <p>8 all get better. And that was my mindset, you know,</p> <p>9 throughout my freshman year a lot, and I dealt with a</p> <p>10 lot of things.</p> <p>11 And I was -- I was scared that if I were</p> <p>12 to reach out he would find out and he would kick me</p> <p>13 off the team because he always told me, you know,</p> <p>14 there isn't any racism on the team; it's all in your</p> <p>15 head, you know; just shut up and deal with it.</p> <p>16 So, you know, I didn't want to make that</p> <p>17 the basis of my freshman year. I wanted to do</p> <p>18 everything I could to survive on the team and to just</p> <p>19 play tennis or -- and focus on my academics.</p> <p>20 Q. And there was no point whether during your</p> <p>21 freshman year or your sophomore year or your junior</p> <p>22 year or your senior year -- there was no point at all</p>

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<p style="text-align: right;">Page 125</p> <p>1 during your tenure at GW that you made a complaint</p> <p>2 through the grievance procedure in the Dean of</p> <p>3 Students office, correct?</p> <p>4 A. I did not make a complaint through the</p> <p>5 grievance procedure. I made a multitude of</p> <p>6 complaints to, you know, many officials in the</p> <p>7 athletic department.</p> <p>8 But I didn't make a complaint through the</p> <p>9 grievance procedures because I was -- as I said</p> <p>10 before, I was afraid that if I were to take it up</p> <p>11 with any higher-ups, you know, it would cause big</p> <p>12 problems and it would, you know -- it wouldn't -- it</p> <p>13 wouldn't, you know, bode well with me going into the</p> <p>14 future with my tennis.</p> <p>15 Q. You know, in this meeting with Coach Munoz</p> <p>16 and Nicole Early, Coach Munoz didn't threaten you</p> <p>17 that if you escalated your concerns he would throw</p> <p>18 you off the team, did he?</p> <p>19 A. No. He did this through certain times</p> <p>20 throughout my freshman year before that.</p> <p>21 Q. Got it. But he didn't do it in front of</p> <p>22 Nicole Early, did he?</p>	<p style="text-align: right;">Page 127</p> <p>1 people of color at, you know, GW during my tenure at</p> <p>2 GW -- it's not a coincidence that we all experience</p> <p>3 different issues. You know, as you see in a lot of</p> <p>4 those statements, it's not -- it's not a coincidence.</p> <p>5 It's not a coincidence that none of the</p> <p>6 other players -- the former players, you know, had</p> <p>7 these similar issues happen to them.</p> <p>8 Q. Was Nicole Early the perpetrator of any</p> <p>9 racial issues, as far as you know?</p> <p>10 A. Nicole Early was the perpetrator of a lot</p> <p>11 of racial issues because there was one instance where</p> <p>12 [REDACTED] sat in her office and told her about a</p> <p>13 lot of the issues that I was facing in terms of</p> <p>14 racial discrimination. And she looked at him and she</p> <p>15 said: "How does that relate to you?"</p> <p>16 Basically, she was, you know, accepting</p> <p>17 these things that were going on. But it didn't, you</p> <p>18 know, matter because, you know, he wasn't -- he's a</p> <p>19 person of color, but he's not black, so it doesn't</p> <p>20 relate to him.</p> <p>21 She was a perpetrator on a lot of these</p> <p>22 issues because of how she handled, for example,</p>
<p style="text-align: right;">Page 126</p> <p>1 A. No, he didn't do that in front of Nicole</p> <p>2 Early.</p> <p>3 Q. And Nicole Early didn't threaten you, did</p> <p>4 she?</p> <p>5 A. No.</p> <p>6 Q. You're aware that Nicole Early is married</p> <p>7 to an African American man, correct?</p> <p>8 A. That doesn't have any -- that's not</p> <p>9 relevant at all because you're --</p> <p>10 Q. Can I just ask you to answer my question?</p> <p>11 A. No. I am aware, and that's doesn't --</p> <p>12 that's not relevant at all because who you are</p> <p>13 attracted to sexually doesn't change how you view a</p> <p>14 certain race.</p> <p>15 Q. Do you believe that Nicole Early is a</p> <p>16 racist?</p> <p>17 A. Based on -- based on her actions and based</p> <p>18 on how she handled my situation, yes, I do believe</p> <p>19 so.</p> <p>20 Q. So you believe she has an animus against</p> <p>21 persons of your race?</p> <p>22 A. Well, it's not a coincidence that all the</p>	<p style="text-align: right;">Page 128</p> <p>1 [REDACTED] assault case, how she ignored it.</p> <p>2 Q. Did Nicole Early ever say or do anything</p> <p>3 that indicated to you that she had an animus against</p> <p>4 African Americans?</p> <p>5 A. No. Everything was done behind closed</p> <p>6 doors. As you can see, her discreet emails with</p> <p>7 coaches, you know, trying to boot me off the team</p> <p>8 before even asking me what my status is or anything</p> <p>9 like that.</p> <p>10 Q. Sorry. Let me just ask my question again.</p> <p>11 I'm not asking whether it was done in front of you or</p> <p>12 not.</p> <p>13 To your knowledge, did Nicole Early ever</p> <p>14 do anything that you believe reflects a racial animus</p> <p>15 against African Americans?</p> <p>16 A. Yes, I do.</p> <p>17 Q. And tell me what those things are.</p> <p>18 A. Number 1, by turning a blind eye to</p> <p>19 everything that I was alleging and to everything that</p> <p>20 others were alleging.</p> <p>21 I do believe that if you are turning a</p> <p>22 blind eye and you're an official and you're there to</p>

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Page 131

Government	Percentage
Current government	85%
Previous government	15%

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Category	Value (Estimated %)
1	95
2	98
3	15
4	25
5	85
6	35
7	92
8	88
9	98
10	98
11	20
12	90
13	100
14	100
15	85
16	88
17	95
18	88
19	80
20	15
21	90
22	85

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Page 143

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

18 MR. SCHWARTZ: Would you mark that,

19 please?

20 (Exhibit Number 6 was marked for

21 identification and was attached to the deposition.)

22 BY MR. SCHWARTZ:

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1 Q. Mr. Stafford, the court reporter has
2 handed you what has been marked as Exhibit No. 6,
3 which is a one-page email with a Bates No. GW2084.
4 It starts with a message at the bottom from you to
5 Coach Munoz February 1st, 2015 at 6:19 p.m.
6 And then there's a back-and-forth exchange
7 between you and Coach Munoz that continues towards
8 the top of the page.
9 Can you go ahead and just read that,
10 please?

11 A. "Hey, Coach, not sure if you got my text
12 message because my phone is having problems. Just
13 wanted to say, again, I apologize for my past
14 behavior, and I think my time away from the team has
15 allowed me to think about how detrimental it is to
16 the organization as a whole.
17 "I've taken proactive measures in assuring
18 that I will return to the team, whenever that may be,
19 a fully positive and unselfish teammate. Seeing a
20 psychologist is one of many steps I'm taking in order
21 to improve my emotional and mental state.
22 "I'm excited for the rest of the season in

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1 hopes that I can possibly be a contributor on and off
2 the court. Good luck with the season. That's all I
3 wanted to say. Thanks."

4 Q. Now, this note that you sent on February
5 1st, you worked back and forth with your father to
6 draft it. You went through several iterations of it,
7 correct?

8 A. Um-hum -- yes.

9 Q. And in none of those drafts did you
10 mention any sort of racial mistreatment, did you?

11 A. To Greg Munoz?

12 Q. In the draft note you were going to send
13 to Greg Munoz.

14 A. Oh, absolutely not. Why would I mention
15 any type of racism or anything controversial when I'm
16 trying to get back on to the team? That's
17 impossible.

18 Q. And in this note, this final note, Exhibit
19 6 that you sent to Coach Munoz, you don't mention
20 anything about racism, do you?

21 A. Absolutely not. If I had mentioned
22 anything about racism, I was going to be kicked off

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1 the team for sure. I was trying to do everything to
2 survive and just to be on the team. Why would I
3 mention anything about racism, the same thing that
4 he's telling me not to talk about?

5 Q. Now, February of '15 your father says to
6 you: "The greatest pimp in the world is someone who
7 can lie and bullshit everyone, except hisself." What
8 did he mean by that?

9 MR. ROSS: Objection to the form of the
10 question.

11 A. Sorry. Can you say that again?

12 BY MR. SCHWARTZ:

13 Q. Sure. Your father wrote to you on
14 February 4th, 2015 saying: "The greatest pimp in the
15 world is someone who can lie and bullshit everyone,
16 except hisself."

17 MR. ROSS: Again, objection to the form of
18 the question. It calls for speculation.

19 You can answer.

20 BY MR. SCHWARTZ:

21 Q. What did you understand that message to be
22 communicating to you?

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1 A. Basically, it means that, you know, you
2 have to be truthful with yourself and you can't lie
3 to yourself and you can't bullshit yourself. And
4 that -- that's basically what it means.

5 Q. Were you bullshitting other people?

6 A. No.

7 Q. So why does it say, "Someone who can lie
8 and bullshit everyone, except himself" (sic)?

9 MR. ROSS: Objection to the form of the
10 question.

11 A. Because it's comparing sort of that you
12 can lie and bullshit everybody but yourself and you
13 can think that, you know, you're bullshitting
14 everybody, but really you're bullshitting yourself.

15 So if you don't bullshit yourself, everything that
16 comes out of your mouth is going to be truthful.

17 BY MR. SCHWARTZ:

18 Q. Now, after you were reinstated to the
19 team, you were asked to assist your teammates in
20 warming up for matches, correct?

21 A. Well, I wasn't part of the lineup. So
22 they wanted me to take a very supportive role, which

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1 would, you know, be warming them up before the
2 matches, cheering very loudly for them. Greg Munoz
3 wanted me to taunt other opponents while my teammates
4 were playing, a lot of these things, yes.

5 Q. And warming up with your other teammates,
6 that's pretty standard, right?

7 A. Yeah. It's pretty standard, yeah, when
8 you're not playing. Yes.

9 Q. And I don't know. I've been to many
10 little league games. Standing on the sidelines and
11 cheering for your team, that's a pretty standard
12 expectation, isn't it, for a good teammate?

13 MR. ROSS: Objection to the form of the
14 question.

15 You can answer.

16 A. Yeah.

17 BY MR. SCHWARTZ:

18 Q. Now, in the spring semester of your
19 freshman year, you struggled academically, correct?

20 A. Yes.

21 Q. You many times missed your study hall
22 hours?

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<p style="text-align: right;">Page 149</p> <p>1 A. I don't remember.</p> <p>2 Q. Now, you had an academic counselor in the</p> <p>3 athletic department, Ellen Carter Woodbridge,</p> <p>4 correct?</p> <p>5 A. Yes.</p> <p>6 Q. And she was -- her job was to help you</p> <p>7 succeed academically, correct?</p> <p>8 A. Yeah. She was appointed -- you know,</p> <p>9 everybody is appointed to an academic advisor when</p> <p>10 they first get to the school.</p> <p>11 Q. All the student athletes?</p> <p>12 A. All the student athletes. And, you know,</p> <p>13 if you get a certain grade point average, you can --</p> <p>14 everybody -- you know, everybody pretty much has an</p> <p>15 academic advisor throughout their tenure. It's</p> <p>16 really how much they use them. That's their</p> <p>17 decision.</p> <p>18 Q. Did you feel like Ms. Carter Woodbridge</p> <p>19 was helpful to you?</p> <p>20 A. She was helpful in certain aspects, yes.</p> <p>21 Q. Did she have any sort of racial animus</p> <p>22 against you?</p>	<p style="text-align: right;">Page 151</p> <p>1 is -- as I said before, this is consistent with so</p> <p>2 many other people. If you look at her emails with so</p> <p>3 many other athletes, you know, she's constantly</p> <p>4 getting on everybody for, did you hand this in; did</p> <p>5 you turn this in; did you meet with this person?</p> <p>6 This is -- you know, sometimes there's a</p> <p>7 conflict of schedule and, you know, you don't -- you</p> <p>8 don't meet certain requirements, you know, you don't</p> <p>9 go to certain study halls. It's not the -- you know,</p> <p>10 it's not a big deal.</p> <p>11 Q. Now, Ms. Carter Woodbridge told you that</p> <p>12 you should start earlier on longer term assignments,</p> <p>13 correct?</p> <p>14 A. That I should --</p> <p>15 Q. That you should start earlier when you got</p> <p>16 a longer term assignment; in other words, don't wait</p> <p>17 until the last minute.</p> <p>18 A. Yes.</p> <p>19 Q. And you didn't follow her advice, did you?</p> <p>20 A. So are you talking about getting extra</p> <p>21 time?</p> <p>22 Q. No. I'm talking about when you have an</p>
<p style="text-align: right;">Page 150</p> <p>1 A. No.</p> <p>2 Q. Now, isn't it true that you acknowledged</p> <p>3 to Ms. Carter Woodbridge that you actually weren't</p> <p>4 taking full advantage of the services that were</p> <p>5 offered to support you?</p> <p>6 A. I don't remember.</p> <p>7 Q. Well, you missed meetings, correct?</p> <p>8 A. I don't remember.</p> <p>9 Q. You missed study halls, correct?</p> <p>10 A. You know, I don't remember. Study halls</p> <p>11 and, you know, those things -- those are -- those are</p> <p>12 very consistent with a lot of people. You know, a</p> <p>13 lot of people miss study halls. You know, it's not a</p> <p>14 big deal. It's not the end of the world.</p> <p>15 Q. You missed study halls, correct?</p> <p>16 A. I don't remember. I might have.</p> <p>17 Q. You were supposed to fill out a to-do list</p> <p>18 with your assignments and bring it to meetings with</p> <p>19 Ms. Carter Woodbridge, correct?</p> <p>20 A. Most likely.</p> <p>21 Q. You neglected to do that, right?</p> <p>22 A. It's not that I neglected. You know, this</p>	<p style="text-align: right;">Page 152</p> <p>1 assignment that is due sometime into the future, she</p> <p>2 told you, Well put it down on your to-do list and</p> <p>3 start on it early so you have plenty of time to get</p> <p>4 it done without rushing at the last minute.</p> <p>5 A. She probably said that, yes.</p> <p>6 Q. And you didn't follow her advice, correct?</p> <p>7 A. You know, I followed her advice to the --</p> <p>8 like, the best I could with especially everything</p> <p>9 that was occurring to me on the tennis team.</p> <p>10 Q. Now, you had a business administration</p> <p>11 class that second half of your freshman year,</p> <p>12 correct?</p> <p>13 A. Yes.</p> <p>14 Q. You got a 14 out of 25 on a quiz in</p> <p>15 February in that course?</p> <p>16 A. I don't remember.</p> <p>17 Q. Do you consider that to be a good grade?</p> <p>18 MR. ROSS: Objection to the form of the</p> <p>19 question.</p> <p>20 A. 14 out of 25 is not a good grade, no.</p> <p>21 BY MR. SCHWARTZ:</p> <p>22 Q. Now, you also were counseled because you</p>

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<p style="text-align: right;">Page 153</p> <p>1 were not paying attention in class, not 2 participating, either sleeping, not engaged in the 3 discussion, or on your phone or computer. 4 Do you remember getting that feedback? 5 MR. ROSS: Objection to the form. Can you 6 give a time frame? 7 MR. SCHWARTZ: Sure. This is in February 8 of 2015. 9 MR. ROSS: And this is from -- we're still 10 talking about -- 11 MR. SCHWARTZ: Counsel. Would you let the 12 witness answer the question, please? 13 MR. ROSS: No. I want a frame of 14 reference. Are we talking -- you're asking -- he's 15 giving you feedback. I'm asking from who. Are we 16 still talking about Ms. Woodbridge? 17 BY MR. SCHWARTZ: 18 Q. Mr. Stafford, do you recall receiving 19 feedback that you were not paying attention enough in 20 class? 21 A. I don't remember, but, you know, that's -- 22 that's possible because, you know, everything that</p>	<p style="text-align: right;">Page 155</p> <p>1 Do you recall that? 2 A. I believe so. I took a lot of business 3 classes. I don't recall every single one directly. 4 Q. And do you recall Ms. Meadows saying to 5 you: I would suggest you show more concern for your 6 grades throughout the entire semester instead of at 7 the end of the semester? 8 A. I don't really remember, but that's very 9 possible. Again, due to everything on the tennis 10 team intensifying and my ability not to be able to 11 focus in the classroom. 12 Q. And do you recall Ms. Meadows telling you 13 in May of 2015, there were multiple times when you 14 were not participating, either sleeping, not engaging 15 in class discussion, or on your phone/computer? 16 A. I don't completely recall, but that is 17 possible, again, due to the fact that I was 18 experiencing so many issues that were not allowing me 19 to focus completely in the classrooms. 20 Q. You mentioned, by the way, that you had 21 many options instead of going to GW. Did you ever 22 consider leaving GW during your freshman year?</p>
<p style="text-align: right;">Page 154</p> <p>1 was going on on the tennis team was heating up and 2 was intensifying at that -- at that time the most. 3 I couldn't even focus -- I couldn't 4 sometimes even focus in class because of all the 5 things that I was experiencing on the tennis court. 6 So if I was occupied or if I was -- you know, if I 7 wasn't completely present mentally, you know, I was 8 trying to deal with the issues that were going on 9 outside the classroom. 10 Q. Do you recall a professor named Sara 11 (phonetic) Meadows? 12 A. It sounds familiar. I don't recall all my 13 professors. 14 Q. Do you remember Ms. Meadows telling you 15 that it would be better if you didn't only focus on 16 your grades at the end of the semester? 17 A. You have to give me more information. I'm 18 not -- I don't recall completely. 19 Q. Sure. Actually, I apologize. She was not 20 a professor. She was your undergraduate student 21 experience advisor. I think that was a class you 22 took in the school of business.</p>	<p style="text-align: right;">Page 156</p> <p>1 A. You know, I -- I -- it was never a big 2 decision. But I always, you know, had thoughts of 3 not being in an environment that discriminated 4 against me on a daily basis. You know, that 5 definitely crossed my mind a couple of times. 6 But my focus was always to stay at GW 7 because of the school itself. You know, I enjoyed 8 the city. I enjoyed -- you know, I always wanted to, 9 you know, just focus on my tennis, you know, focus on 10 my academics and, you know, one day get my degree. 11 So it wasn't -- you know, obviously, it 12 popped in my head. You know, I think it would pop in 13 everybody's head if they were, you know, being 14 racially discriminated on an everyday basis and 15 having plots on their demise. 16 Q. Now, the end of your spring semester of 17 your freshman year, you had a GPA that was between 18 2.0 and a 2.25 and you got an academic warning 19 letter. 20 Do you recall that? 21 A. I do. 22 Q. And Ms. Ellen Carter Woodbridge also spoke</p>

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<p style="text-align: right;">Page 157</p> <p>1 to you and told you you'd likely be put on academic 2 probation or suspended? 3 A. Yes. 4 Q. And Ms. Carter Woodbridge also spoke to 5 you about whether you might need assistance from the 6 disability services office for some sort of eye 7 condition? 8 A. I believe so. 9 Q. Do you have some sort of eye condition 10 that impacts your academic performance, Mr. Stafford? 11 A. No. We -- my mother actually set up 12 appointments, you know -- my mother has always set up 13 different appointments to make sure, you know, I'm 14 fully there mentally in terms of just, you know, 15 being able -- you know, just making sure that I'm 16 good in every single area. 17 And eye therapy was something that we did 18 sometimes, and, you know, there wasn't any real 19 issues with any eye problems I was having. I was 20 never having any eye problems. This was just sort of 21 consistent -- I was just a regular person, a regular 22 kid with the same issues as anybody else, but it</p>	<p style="text-align: right;">Page 159</p> <p>1 lot of these things that matched up to my academic 2 success. When my -- when I'm alleging, you know, 3 most of the things that are happening to me, my 4 academics are dropping. But when I'm not alleging so 5 many things, my academics are not amazing, but 6 they're okay. You know, it's decent. 7 So I hadn't really reached out to anybody 8 else besides, I would say, Ellen Woodbridge and maybe 9 a couple other academic advisors because I knew when 10 the tennis team situation were to calm down a little 11 bit I would be able to focus more. 12 Q. Was (sic) the racial issues that you said 13 you were experiencing on the tennis team, was that a 14 reason why you didn't show up for study hours? 15 MR. ROSS: Objection to the form of the 16 question. 17 A. You keep bringing up study hours. Study 18 hours is not, you know, a huge deal. As I said 19 before, there were so many other student athletes 20 that didn't show up to study hours, didn't show up to 21 meetings. You know, I wasn't the only one. 22 You know, I'm not going to sit here and</p>
<p style="text-align: right;">Page 158</p> <p>1 wasn't even an issue. 2 Q. So you never asked for help from the 3 disability services office as Ms. Carter Woodbridge 4 had suggested? 5 A. I don't recall. 6 Q. At this point, the end of your freshman 7 year, you have poor grades and you're on academic 8 warning, correct? 9 A. Um-hum -- yes. 10 Q. Did you reach out to anybody for 11 assistance with your academics? 12 A. I believe the only conversations I had 13 were with Ellen Woodbridge and maybe -- and I don't 14 really remember, but maybe some other academic 15 advisors because I had had talks with, you know, 16 different academic advisors throughout my tenure, but 17 Ellen Woodbridge was my main academic advisor. 18 So, you know, what I thought was there 19 wasn't really anything wrong with my academics. It 20 was the fact that I was experiencing so much hatred 21 on the tennis team. 22 So there's a timeline when I'm alleging a</p>	<p style="text-align: right;">Page 160</p> <p>1 say I was a complete angel during my freshman year. 2 I was a regular kid that had regular issues but that 3 was also being discriminated against on an everyday 4 basis. 5 BY MR. SCHWARTZ: 6 Q. Did the discrimination cause you to copy 7 48 percent of your assignment that you got 8 disciplined for plagiarism? 9 A. That was just a rookie mistake. I 10 accepted whatever punishment they gave me. You know, 11 I'm not the first to partly plagiarize an essay and 12 I'm definitely not going to be the last. 13 I don't think that -- I don't think, you 14 know, the fact that I got caught plagiarizing 48 15 percent of an essay takes away from any of the racism 16 and any of the hostility and any of the defamation 17 that I was enduring on a regular day basis. 18 Q. Now, you didn't just plagiarize once, 19 right? You got in trouble again June 8th of 2015 for 20 plagiarizing and you blamed your father, right? 21 MR. ROSS: Objection to the form of the 22 question.</p>

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<p style="text-align: right;">Page 161</p> <p>1 A. I did not -- I'd like to see the email or 2 the messenger (sic). 3 BY MR. SCHWARTZ: 4 Q. You don't recall being disciplined and 5 accepting responsibility for a second instance of 6 plagiarism in June of 2015? 7 A. Yes, I do remember. 8 Q. And do you remember explaining to the 9 academic dishonesty office that your father had 10 helped you with the assignment? In fact, quote, I 11 worked with my father on my journals, and he provided 12 a lot of input, end quote? 13 A. Yes. I remember, yes. 14 Q. So were you trying to say it wasn't my 15 plagiarism; it was Dad's? 16 A. No. I was saying that, you know, my 17 father and I had worked on an assignment that I was 18 trying to do very well on and, you know, maybe he, 19 you know, got some information from another source 20 without knowing fully, you know, of what he was 21 getting himself into. And, you know, it was -- it 22 was a mistake.</p>	<p style="text-align: right;">Page 163</p> <p>1 THE VIDEOGRAPHER: Going back the record 2 at 1:46 p.m. This marks the beginning of DVD Number 3 3. 4 EXAMINATION BY COUNSEL FOR DEFENDANT 5 CONTINUED 6 BY MR. SCHWARTZ: 7 Q. All right. Welcome back, Mr. Stafford. 8 You understand you're still under oath? 9 A. I understand. 10 Q. Did you discuss your testimony with 11 anybody during the break? 12 A. No. 13 Q. The -- we talked about your freshman year 14 this morning. Were there any other incidents during 15 your freshman year that you believe had a racial 16 component to them that we haven't discussed? 17 A. Besides just the everyday racial rhetoric 18 that I was subjected to and specific instances with 19 each and every one of my teammates, I don't really 20 recall. I'm sure there were more, but I'd have to 21 think about it more. 22 Q. Well, you've spent a lot of time thinking</p>
<p style="text-align: right;">Page 162</p> <p>1 At the same time, if you look at all these 2 things, you know, I accepted responsibility and I 3 moved on with it. That, again, I will say doesn't 4 take away from any of the issues that I was enduring 5 on an everyday basis. 6 Q. That was the second time you plagiarized, 7 right? 8 A. Yes. 9 MR. SCHWARTZ: Why don't we break there? 10 I think Nick is about out of tape. 11 THE VIDEOGRAPHER: Going off the record at 12 1:02 p.m. This marks the end of DVD Number 2. 13 (Whereupon, at 1:02 p.m., a 14 luncheon recess was taken.) 15 - - - 16 AFTERNOON SESSION 17 (1:46 p.m.) 18 Whereupon, 19 JABARI STAFFORD 20 was called for continued examination, and having been 21 previously duly sworn was examined and testified 22 further as follows:</p>	<p style="text-align: right;">Page 164</p> <p>1 about it in preparation for this deposition, right? 2 A. Yeah. 3 Q. You've done everything you could to 4 refresh your recollection about what happened during 5 your college years? 6 A. Yes. 7 Q. You mentioned before the break that there 8 were periods of time where you felt like your 9 academic performance was better because things were 10 better for you on the team; is that right? 11 A. Before what break? 12 Q. Before we took the lunch break, you said 13 to me earlier today that you thought there were 14 periods of time where your academic performance was 15 better because things were better for you on the 16 team. 17 Did I understand you correctly to say 18 that? 19 A. Basically, what I meant by that was when I 20 was sort of distanced from a lot of these things that 21 were happening or distancing myself from a lot of 22 these things that were happening and I wasn't -- for</p>

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<p style="text-align: right;">Page 165</p> <p>1 example, one semester, I wasn't even on the team. My</p> <p>2 academics did get better.</p> <p>3 Q. Which semester are you referring to there?</p> <p>4 A. That I wasn't on the team?</p> <p>5 Q. Right.</p> <p>6 A. Well, it was my -- it was the first</p> <p>7 semester of my junior year that I was officially on</p> <p>8 the team, but I wasn't allowed to come to practices.</p> <p>9 But I was officially on the team, in which I was told</p> <p>10 by Helen Saulny and Ed Scott.</p> <p>11 Q. And we'll get up to your junior year a</p> <p>12 little later. So let me ask you: Were there any</p> <p>13 other periods of time where you felt like your</p> <p>14 academic performance was better because things were</p> <p>15 better for you on the team?</p> <p>16 A. Better on the team -- that's very vague.</p> <p>17 What do you mean by that?</p> <p>18 Q. Well, I'm just trying to understand the</p> <p>19 statement that you made. I think -- and correct me</p> <p>20 if I've got this wrong. I thought that you told me</p> <p>21 before we took the break that there were points in</p> <p>22 time during your college career where you felt like</p>	<p style="text-align: right;">Page 167</p> <p>1 sort of away from the team chemistry and team</p> <p>2 culture, I was doing better academically and I was in</p> <p>3 a better mental state.</p> <p>4 Q. And what periods of time was that?</p> <p>5 A. I believe my sophomore year I was playing</p> <p>6 good tennis as well during the beginning parts of my</p> <p>7 sophomore year. When I was away from the team my</p> <p>8 junior year, I was -- my grade point average went up</p> <p>9 and I was feeling, you know, better mentally.</p> <p>10 But if you compare that to, you know, the</p> <p>11 end of my freshman year or, for example, the</p> <p>12 beginning of my senior year when I was alleging, you</p> <p>13 know, all of the plots of conspiracy, all the plots</p> <p>14 of them trying to get me kicked off the team, racial</p> <p>15 discrimination, that's when you saw my grades</p> <p>16 decline.</p> <p>17 Q. Okay. The beginning of your sophomore</p> <p>18 year -- as I understand it, at the beginning of each</p> <p>19 school year, there's a mandatory meeting for all the</p> <p>20 student athletes where they go over, like, the NCAA</p> <p>21 rules and things like that, right?</p> <p>22 A. Yes.</p>
<p style="text-align: right;">Page 166</p> <p>1 you were doing better academically and that you</p> <p>2 associated that with periods of time where things</p> <p>3 were not as bad for you on the team.</p> <p>4 A. Yes. So when I was very entrenched in,</p> <p>5 like, the team culture, for example, my freshman year</p> <p>6 and I had to do all of these things in order to get</p> <p>7 myself back on to the team and I had to, you know,</p> <p>8 endure the racial discrimination and the hostility</p> <p>9 that I was enduring on an everyday basis, my grades</p> <p>10 dropped.</p> <p>11 But, for example, when I came in my</p> <p>12 sophomore year and -- I tried to stay away from -- I</p> <p>13 pretty much tried to stay away from everybody. I</p> <p>14 distanced myself completely.</p> <p>15 If I was going to be suspended or kicked</p> <p>16 off the team, I was going to sort of dare Greg Munoz</p> <p>17 or anybody to give me a reason for my suspension. So</p> <p>18 in terms of the fact that, like -- you know, if I'm</p> <p>19 distancing myself from the team in terms of outside</p> <p>20 team activities, they can't kick me off the team for</p> <p>21 that.</p> <p>22 So when I was doing that and when I was</p>	<p style="text-align: right;">Page 168</p> <p>1 Q. And Chandra Bierwirth, she's the head of</p> <p>2 compliance in the athletics department. She's in</p> <p>3 charge of that?</p> <p>4 A. Yes.</p> <p>5 Q. The beginning of your sophomore year you</p> <p>6 didn't go to that meeting, right?</p> <p>7 A. No, and I didn't go to that meeting</p> <p>8 because of travel restrictions. I was in Europe</p> <p>9 playing professional tournaments in which Greg Munoz</p> <p>10 had advised me to.</p> <p>11 And that was -- you know, there was</p> <p>12 nothing wrong with that because there were multiple</p> <p>13 times when other students on the team, you know,</p> <p>14 weren't able to attend certain meetings, like,</p> <p>15 beginning-of-the-year meetings and all of that stuff</p> <p>16 because, you know, they were coming from where they</p> <p>17 were coming from, or they couldn't afford certain</p> <p>18 plane tickets to get back to DC.</p> <p>19 So I wasn't the first person to miss, you</p> <p>20 know, or not be able to get back in time, but, you</p> <p>21 know, for some reason, this wasn't rescheduled. You</p> <p>22 know, every time they were able to miss certain</p>

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<p style="text-align: right;">Page 169</p> <p>1 things, you know, they were able -- you know, it was</p> <p>2 able to be rescheduled and able to -- they were able</p> <p>3 to have certain accommodations.</p> <p>4 Q. So who else missed the mandatory meeting</p> <p>5 at the beginning of your sophomore year?</p> <p>6 A. Nobody. I don't -- I mean, from what I</p> <p>7 recall, I don't think anybody did.</p> <p>8 Q. Did anyone else miss the mandatory NCAA</p> <p>9 meeting with Chandra Bierwirth any other year that</p> <p>10 you were at school, freshman, junior, or senior?</p> <p>11 A. I don't -- I don't -- I don't know.</p> <p>12 Q. Now. When you were in Europe, you could</p> <p>13 obviously afford to get plane tickets back to the</p> <p>14 United States to make this meeting, right?</p> <p>15 A. Yes, I could.</p> <p>16 Q. What tournament were you playing in?</p> <p>17 A. I was playing in a professional tournament</p> <p>18 in Switzerland, and I was also doing a lot of</p> <p>19 training in France.</p> <p>20 Q. Did you get -- was your absence from the</p> <p>21 NCAA meeting excused by Ms. Bierwirth</p> <p>22 A. When was the NCAA meeting?</p>	<p style="text-align: right;">Page 171</p> <p>1 undefeated that weekend. And when I had won the</p> <p>2 final point, I celebrated. You know, I said, Let's</p> <p>3 go, you know, something that all tennis players do.</p> <p>4 It wasn't anything disrespectful. It was -- it was</p> <p>5 just a regular celebration.</p> <p>6 And then Torrie Browning came up to me,</p> <p>7 and she said: "Really, Jabari?" And I looked at her</p> <p>8 like, What did I do wrong? After that happened, we</p> <p>9 got into a huddle and Rafael Aita, who was the</p> <p>10 assistant coach, told me that everybody on the team,</p> <p>11 including Torrie Browning, wanted me to lose.</p> <p>12 And I had brought up the fact that, what</p> <p>13 about Chris Reynolds, you know, he's yelling</p> <p>14 obscenities such as, you know, cocksucker, faggot,</p> <p>15 you know, all of these horrible words and, you know,</p> <p>16 nobody is doing anything about it.</p> <p>17 And then they said that they punished him.</p> <p>18 Well, there was no punishment. And they got into a</p> <p>19 huddle, and, as I said before, they said they all</p> <p>20 wanted me to lose. And I actually saw everybody on</p> <p>21 the sideline cheering against me while I was playing</p> <p>22 the match.</p>
<p style="text-align: right;">Page 170</p> <p>1 Q. The beginning of your sophomore year, the</p> <p>2 meeting we were just talking about, the one that</p> <p>3 happens at the beginning of every year for all the</p> <p>4 athletes.</p> <p>5 A. Okay. And you asked?</p> <p>6 Q. Did Ms. Bierwirth excuse your absence? In</p> <p>7 other words, did she say, It's okay that you missed</p> <p>8 the meeting; you can stay in Europe?</p> <p>9 A. I don't believe so.</p> <p>10 Q. And did Coach Munoz authorize you to miss</p> <p>11 Ms. Bierwirth's meeting?</p> <p>12 A. No, he didn't.</p> <p>13 Q. Now, in the fall of your sophomore year,</p> <p>14 there was a tournament where you celebrated after you</p> <p>15 won a match and Coach Torrie Browning counseled you</p> <p>16 about that; is that correct?</p> <p>17 A. Yes. So what happened was I celebrated.</p> <p>18 But during that match, I was hearing from Chris</p> <p>19 Reynolds on the other court cocksucker, and he was</p> <p>20 yelling faggot and he was yelling all of these</p> <p>21 obscenities.</p> <p>22 And I was the only player to have went</p>	<p style="text-align: right;">Page 172</p> <p>1 And that was actually motivation for me to</p> <p>2 end up winning the match. And that's why I</p> <p>3 celebrated so much because not only did the other</p> <p>4 team want me to lose, but my team and my coaches</p> <p>5 wanted me to lose as well.</p> <p>6 Q. The behavior that you talked about with</p> <p>7 Mr. Reynolds, the coaches told you that he was</p> <p>8 disciplined?</p> <p>9 A. Yes. I think Torrie Browning said, Yeah,</p> <p>10 you know, like, you know, I would handle it. You</p> <p>11 know, I did do something to -- I did do something. I</p> <p>12 don't know when she said that. I don't know if that</p> <p>13 came out in one of the documents reviewed or</p> <p>14 something, but that's what she stated and she didn't</p> <p>15 do anything to punish him.</p> <p>16 Q. Do you know, one way or the other, whether</p> <p>17 Coach Browning ever spoke with Mr. Reynolds about</p> <p>18 that incident?</p> <p>19 A. I don't know in totality, but as I --</p> <p>20 like, as far as I'm concerned, in that huddle, I was</p> <p>21 the only one that was punished. I was the only one</p> <p>22 that was scrutinized. Every single person in that</p>

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<p style="text-align: right;">Page 173</p> <p>1 group said something negative. It wasn't</p> <p>2 constructive criticism. It was negative about my</p> <p>3 performance and how I acted on the court.</p> <p>4 Q. They thought you were too emotional on the</p> <p>5 court?</p> <p>6 A. Well, they thought that, for example, my</p> <p>7 celebration was too much, when all I said was:</p> <p>8 "Let's go."</p> <p>9 Q. Had you been emotional during the match</p> <p>10 itself?</p> <p>11 MR. ROSS: Objection to the form of the</p> <p>12 question.</p> <p>13 A. No. I had not been emotional. It was the</p> <p>14 last match. Everybody was like cheering. Everybody</p> <p>15 was on the sidelines. You know, the only people that</p> <p>16 were getting emotional really was my teammates and</p> <p>17 the other team. You know, I was just playing my</p> <p>18 match.</p> <p>19 Now, being emotional in a match, that's --</p> <p>20 that's -- that's up for -- you know, like, anybody</p> <p>21 can interpret it a different way.</p> <p>22 BY MR. SCHWARTZ:</p>	<p style="text-align: right;">Page 175</p> <p>1 Reynolds during the huddle.</p> <p>2 Q. Now, you previously told both of the</p> <p>3 psychologists that you have anger control issues on</p> <p>4 the court, correct?</p> <p>5 A. Yes.</p> <p>6 Q. Did you -- is it possible that you</p> <p>7 displayed anger on the court during this tournament?</p> <p>8 MR. ROSS: Objection to the form of the</p> <p>9 question.</p> <p>10 You can answer.</p> <p>11 A. You know, I want to make this very broad</p> <p>12 as in -- when you're -- every tennis player</p> <p>13 experiences some sort of emotional feelings on the</p> <p>14 court, whether that may be shouting out after a</p> <p>15 point, whether that may be breaking a racquet, you</p> <p>16 know, whether that may be in Chris Reynolds's</p> <p>17 instance, you know, telling the whole world,</p> <p>18 cocksucker and faggot.</p> <p>19 You know, I had never disrespected anybody</p> <p>20 and I had never done anything that constituted</p> <p>21 anything violent or, you know, disrespectful.</p> <p>22 If maybe I said, Let's go, you know, more</p>
<p style="text-align: right;">Page 174</p> <p>1 Q. So they might have perceived you to be</p> <p>2 emotional, even though you didn't perceive yourself</p> <p>3 that way?</p> <p>4 A. I don't -- I don't -- I don't believe that</p> <p>5 they interpreted it as emotional. I just believe</p> <p>6 that, you know, they had a view of who I was and they</p> <p>7 saw me as an angry black male, and they took that and</p> <p>8 they ran with that.</p> <p>9 And you know, I know there was a lot of</p> <p>10 jealousy that weekend because I was the only one that</p> <p>11 won that weekend. So, you know, they wanted to take</p> <p>12 anything they could in order to diminish my victory</p> <p>13 and my win.</p> <p>14 And, you know, my win, my undefeated</p> <p>15 record, was not celebrated either. You know, it was</p> <p>16 heavily criticized after the match.</p> <p>17 Q. Do you have any way of knowing, one way or</p> <p>18 the other, whether Mr. Reynolds was disciplined</p> <p>19 outside of the huddle that you participated in?</p> <p>20 A. I have no clue. All I know is that during</p> <p>21 the huddle I was the only one that was disciplined.</p> <p>22 Torrie Browning did not have any words for Chris</p>	<p style="text-align: right;">Page 176</p> <p>1 than once rubbed someone the wrong way, I don't know,</p> <p>2 but there's no record of me doing anything that was</p> <p>3 bad that weekend.</p> <p>4 BY MR. SCHWARTZ:</p> <p>5 Q. Where would there be such a record?</p> <p>6 A. Exactly.</p> <p>7 Q. I guess I don't understand your comment.</p> <p>8 I mean, does someone keep a record of everybody's</p> <p>9 behavior during a tennis tournament?</p> <p>10 A. Well, usually, you know, some people would</p> <p>11 jot down certain things or email, you know, the head</p> <p>12 coach and be like, you know, this is what happened.</p> <p>13 I mean, like -- I ke there -- or disciplinary</p> <p>14 warnings, for example. You know, there's none of</p> <p>15 that. That's what I'm talking about.</p> <p>16 Q. And Mr. Reynolds when he was engaged in</p> <p>17 that name-calling, was he speaking to his opponent?</p> <p>18 A. How would I know when he was on a court</p> <p>19 completely behind me and he was just yelling these</p> <p>20 things out in the open? Do you think I had the</p> <p>21 ability to look back and see if he was yelling</p> <p>22 directly at the opponent? I don't believe so.</p>

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<p style="text-align: right;">Page 177</p> <p>1 All I believe is -- all I know is that I</p> <p>2 heard it because he was saying it so loud the entire</p> <p>3 school could hear him, cocksucker and faggot. So</p> <p>4 maybe you'd have to ask him that.</p> <p>5 Q. Mr. Stafford, let me just ask you to</p> <p>6 answer my questions. Okay? Sarcasm really isn't</p> <p>7 called for in this environment.</p> <p>8 MR. ROSS: I object to the form. He was</p> <p>9 answering your question. You asked if he knew it,</p> <p>10 who he was yelling at, and he answered the question.</p> <p>11 He couldn't -- he wasn't in a position to know who he</p> <p>12 was yelling at, he just heard it.</p> <p>13 THE WITNESS: Well, just like he told me,</p> <p>14 how --</p> <p>15 MR. ROSS: Jabari, that's it.</p> <p>16 BY MR. SCHWARTZ:</p> <p>17 Q. Mr. Stafford, you continued to have</p> <p>18 academic struggles in your sophomore year; is that</p> <p>19 correct?</p> <p>20 A. Nothing major, no. I didn't have that</p> <p>21 many academic struggles.</p> <p>22 Q. No? Do you remember a Professor Presser</p>	<p style="text-align: right;">Page 179</p> <p>1 know, some of the courses I was taking, you know,</p> <p>2 were not, you know, the easiest courses. You know,</p> <p>3 just -- you know, there's many students, even</p> <p>4 students that excel in that, you know, field that</p> <p>5 they might get a low grade.</p> <p>6 You know, sometimes the professors make</p> <p>7 the tests super hard so that he can round up, you</p> <p>8 know, the grade at the end of the year. You know,</p> <p>9 bringing up certain test scores, I don't know how</p> <p>10 that's sort of relevant to any of this.</p> <p>11 Q. Mr. Stafford, let me just ask you to</p> <p>12 answer my question. Do you consider a 73 percent to</p> <p>13 be a good grade?</p> <p>14 A. I personally don't know in this instance</p> <p>15 because I know that, for example, some of the tests</p> <p>16 that the professors made were very, very hard. And</p> <p>17 they were meant for everybody -- like, sometimes</p> <p>18 they're meant -- sometimes the professors know that</p> <p>19 everybody isn't going to do well.</p> <p>20 So for me to sit here and say, oh, 73 is</p> <p>21 not a good grade; it's a good grade, I don't know</p> <p>22 because I don't remember how that professor</p>
<p style="text-align: right;">Page 178</p> <p>1 concerned that you had already missed a week of class</p> <p>2 and were missing assignments at the very beginning of</p> <p>3 your sophomore year?</p> <p>4 A. Yeah. You know, I wasn't -- I was,</p> <p>5 obviously, still in Europe. I believe so.</p> <p>6 Q. It didn't occur to you maybe you should</p> <p>7 get back for school?</p> <p>8 A. You know, I was trying my best. You know,</p> <p>9 this is --</p> <p>10 Q. Were there no flights?</p> <p>11 MR. ROSS: Objection to the form. Will</p> <p>12 you let him answer the question?</p> <p>13 A. I don't totally recall the entire</p> <p>14 situation. All I know is that I was -- I wasn't able</p> <p>15 to get back in time accordingly to school. But, you</p> <p>16 know, I ended up, you know, dealing with it the best</p> <p>17 way I could, and it was fine.</p> <p>18 BY MR. SCHWARTZ:</p> <p>19 Q. So once you got back to school in October,</p> <p>20 you got a 73 percent on a statistics quiz. Do you</p> <p>21 consider that to be a good grade?</p> <p>22 A. Statistics is a very tough course. You</p>	<p style="text-align: right;">Page 180</p> <p>1 structured the class and I don't know how that</p> <p>2 curriculum was structured. I don't remember.</p> <p>3 Q. So you got a 6.5 out of 10 on your first</p> <p>4 business administration test. 65 percent, is that a</p> <p>5 good grade?</p> <p>6 MR. ROSS: Objection to the form of the</p> <p>7 question.</p> <p>8 BY MR. SCHWARTZ:</p> <p>9 Q. You just don't know?</p> <p>10 A. I -- you know, I really don't know.</p> <p>11 Q. Okay.</p> <p>12 A. You know, this is why I told you, you</p> <p>13 know, recently every class is structured a different</p> <p>14 way. So I don't really know like whether 6.5 out of</p> <p>15 10 is a good grade in this class or not.</p> <p>16 Q. Okay. So you got a 62 percent on your</p> <p>17 economics mid-term. Is 62 percent a good grade or</p> <p>18 you don't know?</p> <p>19 MR. ROSS: Objection to the form of the</p> <p>20 question.</p> <p>21 A. You know, if you look at 62 percent, you</p> <p>22 know, it's not a good grade. Now, at the same time I</p>

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<p style="text-align: right;">Page 181</p> <p>1 will say I don't know how the class was structured.</p> <p>2 I don't know if the test was structured for everybody</p> <p>3 to not really do well and if it was going to be</p> <p>4 curved at the end of the year. I'm not sure.</p> <p>5 BY MR. SCHWARTZ:</p> <p>6 Q. So you got a 53 percent on your next</p> <p>7 statistics quiz. Is that a good grade?</p> <p>8 MR. ROSS: Objection to the form of the</p> <p>9 question.</p> <p>10 A. I have the same response.</p> <p>11 BY MR. SCHWARTZ:</p> <p>12 Q. You don't know?</p> <p>13 A. I have the same response.</p> <p>14 Q. So you got a 60 percent on your statistics</p> <p>15 homework. Is that a good grade?</p> <p>16 MR. ROSS: Objection to the form of the</p> <p>17 question.</p> <p>18 A. All I know is, you know, the assignments</p> <p>19 were very tough. And I'm not sure if, you know, the</p> <p>20 -- I'm not sure if the curriculum was made in order</p> <p>21 to, you know, not do well because I know a lot of the</p> <p>22 times, you know, the professor rounded up at the end</p>	<p style="text-align: right;">Page 183</p> <p>1 BY MR. SCHWARTZ:</p> <p>2 Q. November of 2015 you went to the Dominican</p> <p>3 Republic over Thanksgiving?</p> <p>4 A. I did go to the Dominican Republic for a</p> <p>5 tournament.</p> <p>6 Q. And you missed an assignment for Professor</p> <p>7 Hacht (phonetic)?</p> <p>8 A. I don't remember.</p> <p>9 Q. Do you remember that before you traveled</p> <p>10 for the tennis team you were supposed to fill out a</p> <p>11 form and alert your professors in advance?</p> <p>12 A. Yeah. And, you know, as I -- I'll say</p> <p>13 this 100 times, so many other student athletes this</p> <p>14 was a problem because they wouldn't fill the -- you</p> <p>15 know, fill these things out because they either</p> <p>16 forgot or they couldn't.</p> <p>17 This wasn't just indigenous to me. This</p> <p>18 was, you know, something that was very, very common.</p> <p>19 So if I failed to fill it out, you know, that's just</p> <p>20 something that happened.</p> <p>21 Q. Now, in your sophomore year, Nicole Early</p> <p>22 would check in with you, from time to time, to see</p>
<p style="text-align: right;">Page 182</p> <p>1 of the year. That's the same answer I have with all</p> <p>2 of these questions.</p> <p>3 BY MR. SCHWARTZ:</p> <p>4 Q. And do you remember you took</p> <p>5 communications at the beginning of your sophomore</p> <p>6 year, right?</p> <p>7 A. Yes, I believe so.</p> <p>8 Q. You got a 36 percent on your critique of a</p> <p>9 scholarly essay. Did you think that was a good</p> <p>10 grade, 36 percent?</p> <p>11 A. I'm not very sure. You know, I know --</p> <p>12 you know, can you tell me what was my end of the year</p> <p>13 grade?</p> <p>14 Q. Sure. We can take a look at that. Why</p> <p>15 don't we return to your -- we'll return to your</p> <p>16 transcript later.</p> <p>17 Now, you missed an assignment over</p> <p>18 Thanksgiving because you were in the Dominican</p> <p>19 Republic, is that right, for Professor Hacht</p> <p>20 (phonetic)?</p> <p>21 MR. ROSS: Are we talking sophomore?</p> <p>22 MR. SCHWARTZ: Yes.</p>	<p style="text-align: right;">Page 184</p> <p>1 how you were doing, correct?</p> <p>2 MR. ROSS: Objection to the form of the</p> <p>3 question.</p> <p>4 A. Sophomore year, I believe so. That's when</p> <p>5 we started having -- that's when we were at the</p> <p>6 height of our conversations when I was complaining.</p> <p>7 BY MR. SCHWARTZ:</p> <p>8 Q. And did you tell Ms. Early that you felt</p> <p>9 like you were experiencing racial mistreatment on the</p> <p>10 tennis team during your sophomore year?</p> <p>11 A. Yes.</p> <p>12 Q. Now, somewhere in the middle of your</p> <p>13 sophomore year Mr. Munoz left and Torrie Browning</p> <p>14 became the acting head coach or interim head coach of</p> <p>15 the men's program, correct?</p> <p>16 A. Sorry. What did you say?</p> <p>17 Q. I said somewhere in your sophomore year</p> <p>18 Mr. Munoz left --</p> <p>19 A. Got fired, yeah.</p> <p>20 Q. -- and Ms. Browning became the interim</p> <p>21 head coach?</p> <p>22 A. Yes. After Coach Munoz was fired,</p>

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<p style="text-align: right;">Page 185</p> <p>1 Browning did step in as the head coach because they</p> <p>2 didn't have anybody because Munoz's departure was so</p> <p>3 sudden.</p> <p>4 Q. You were so emphatic in using the word</p> <p>5 "fired." What's the basis for your information that</p> <p>6 Coach Munoz was fired?</p> <p>7 A. Well, I knew he was -- he had gotten</p> <p>8 arrested, and I knew he was having multiple drug and</p> <p>9 alcohol issues, drug distribution, drug usage. You</p> <p>10 know, I heard rumors of him fighting cops while he</p> <p>11 was drunk.</p> <p>12 So -- and a lot of these things were</p> <p>13 happening right when, you know, he got -- he departed</p> <p>14 -- he departed. It's not a coincidence, so I'm very</p> <p>15 emphatic in, you know, those details being told</p> <p>16 because I think that's important. He didn't just</p> <p>17 leave.</p> <p>18 Q. And the source of that information for you</p> <p>19 is Mr. Loneragan?</p> <p>20 MR. ROSS: Objection to the form of the</p> <p>21 question.</p> <p>22 A. You know, Mr. Munoz's criminal records and</p>	<p style="text-align: right;">Page 187</p> <p>1 suspicions and I always heard rumors of his</p> <p>2 recklessness.</p> <p>3 Q. But you don't remember who shared any of</p> <p>4 those rumors with you, other than Mr. Loneragan?</p> <p>5 A. These were rumors that were thrown around</p> <p>6 by certain teammates. Even the white foreign</p> <p>7 teammates knew what was going on. They talked about</p> <p>8 it sometimes. I as well had my suspicions, you know.</p> <p>9 I believe I told Darian one day that I</p> <p>10 suspected that Greg Munoz was on cocaine, but --</p> <p>11 yeah.</p> <p>12 Q. Why did you think that?</p> <p>13 A. Well, have you ever seen somebody on</p> <p>14 cocaine? Greg Munoz's behavior was very, very</p> <p>15 similar. He was very jittery, very antsy, very quick</p> <p>16 to respond to certain things. And when I heard the</p> <p>17 rumors, it pretty much confirmed it.</p> <p>18 Now, I don't know exactly what it was, you</p> <p>19 know. That's just a suspicion I had. Looking at his</p> <p>20 criminal record, I don't know exactly what happened.</p> <p>21 All I know is that -- I'm just telling you my</p> <p>22 suspicions. Now whether my suspicions were right or</p>
<p style="text-align: right;">Page 186</p> <p>1 also multiple rumors that I heard.</p> <p>2 BY MR. SCHWARTZ:</p> <p>3 Q. But you can't remember who told you the</p> <p>4 rumors, other than Mr. Loneragan?</p> <p>5 A. Mr. Loneragan told me about Greg Munoz</p> <p>6 passing out in his apartment and not being able to</p> <p>7 make -- make the bus one day. I heard it from --</p> <p>8 there was a lot of rumors around just the tennis team</p> <p>9 and -- you know, whether Greg Munoz was reckless in</p> <p>10 his, you know, own personal life, but -- yeah.</p> <p>11 Q. And you said you heard he was distributing</p> <p>12 drugs. Where did you hear that?</p> <p>13 A. You know, I just heard this around --</p> <p>14 around the tennis team. I heard he was using drugs.</p> <p>15 I heard he was very reckless with alcohol abuse, and</p> <p>16 then the criminal record sort of confirmed it.</p> <p>17 Q. When did you look up his criminal record?</p> <p>18 A. I don't remember.</p> <p>19 Q. Was that while you were a student or</p> <p>20 afterwards?</p> <p>21 A. When I looked up his criminal record, it</p> <p>22 was after I was a student, but I always had my</p>	<p style="text-align: right;">Page 188</p> <p>1 wrong, you know, that's just a suspicion.</p> <p>2 Q. Did you report those suspicions to anyone</p> <p>3 at the university?</p> <p>4 A. I mean, going off of suspicion would I</p> <p>5 report that to anybody in the university possibly</p> <p>6 with Greg Munoz finding out when I was at the height</p> <p>7 of all the things that were going on with Greg</p> <p>8 Munoz's constant threats of kicking me off the team?</p> <p>9 Absolutely not. That would be foolish.</p> <p>10 Q. Now, Mr. Stafford, you were aware that the</p> <p>11 university maintained a police department, correct?</p> <p>12 A. I was aware, yes.</p> <p>13 Q. Did you ever make any reports to the</p> <p>14 university police department about any of the things</p> <p>15 that you were concerned about with the tennis team?</p> <p>16 A. No.</p> <p>17 Q. Did you ever make any reports to the</p> <p>18 police department about any matter while you were a</p> <p>19 student?</p> <p>20 A. No, I did not.</p> <p>21 Q. Okay. Did you have any reason to believe</p> <p>22 that the university police department would not fully</p>

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1 enforce the law?

2 A. Well, after -- you know, after hearing of

3 what [REDACTED] went through with his assault and

4 how, you know, it was covered up and it was not dealt

5 with properly, why would I have any reason to go to

6 the police department?

7 Q. Well, we'll talk about that in a minute.

8 But let me just ask you: Everything that you learned

9 about Mr. [REDACTED] that was after you were no longer a

10 student, correct?

11 A. Yes.

12 Q. So at the time that you were a student,

13 did you have any information that led you to believe

14 that the university police department would not

15 respond reasonably to a complaint if you made one?

16 A. You know, I believe -- I believe they

17 would have responded, but going to the police

18 department was at the bottom of my list. At the same

19 time I told you guys 100 times that I was just trying

20 to survive on the tennis team and I wasn't trying to

21 make it a huge issue.

22 If news got back out to Greg Munoz or

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1 anybody that I was reporting him to the police

2 department, that would have been catastrophic for me.

3 Q. Now, Mr. Munoz left. Ms. Browning took

4 over. Did you have a view about Ms. Browning --

5 well, just in general, did you have any views about

6 Ms. Browning?

7 MR. ROSS: Objection to the form of the

8 question.

9 A. Ms. Browning -- Torrie Browning, I knew

10 that she was heavily influenced under Greg Munoz, and

11 I knew that she one day wanted to be a head coach.

12 I never really had any real interaction

13 with her, like, you know, real interaction with her.

14 You know, I had no problem with her, you know, before

15 -- before dealing with her. Yeah.

16 BY MR. SCHWARTZ:

17 Q. Did there come a time when you did have a

18 problem with her?

19 A. I did have a -- yes.

20 Q. Okay. When did that occur?

21 A. Well, it occurred when she became the head

22 coach of the men's tennis team. And this is when I

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1 started to exhibit very, very good tennis on the

2 tennis court. I started beating a lot of my

3 teammates in practice matches. She would see.

4 I started -- you know, I was playing well

5 during my sophomore fall semester. And, you know,

6 when it came to practice matches and competing for a

7 lineup spot, you know, I proved myself well because I

8 beat -- there was one day where I beat Chris Reynolds

9 and Christos both in one day.

10 And I was under the assumption that that

11 would be something that they would really look at and

12 use in order to determine a lineup situation. Once

13 the season came, I never played.

14 And, you know, it was -- it was very

15 apparent that she had -- I don't know exactly what it

16 was, you know, whether it was jealousy, whether it

17 was, you know, things she followed under Greg, what

18 Greg told her. She definitely did have a certain

19 agenda when it came to me.

20 Q. Why do you think she might have been

21 jealous of you?

22 A. Well, also, too, to fast-forward into like

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1 my junior year with Wills Tutecky, Wills Tutecky told

2 me recently that he saw Torrie Browning while I was

3 playing a practice match cheering alongside the

4 women's team when I would miss a point.

5 And Wills Tutecky, you know, heard some of

6 the conversation. It was all negative about me.

7 And, you know, it's certain instances like this that,

8 you know, further made up in my mind how she felt

9 about me, and especially a lot of the reasons that

10 she highlighted in the meeting when she said: "The

11 reason I'm not giving you playing time is because you

12 hit the ball too hard."

13 That was the stupidest thing that I've

14 ever heard in my life. And coming from a coach

15 that's supposed to have experience with technically

16 professional players -- you know, I've worked with

17 all types of coaches from all types of backgrounds,

18 the best coaches in the world -- I've never heard a

19 type of criticism like that in my life.

20 So to come from a college coach that is in

21 charge of a group of, you know, pretty good players

22 to hear that, I knew that there was a strong -- that

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<p style="text-align: right;">Page 193</p> <p>1 there was something there.</p> <p>2 And when she talked about sort of, you</p> <p>3 know, I'm not -- you know, she never mentioned</p> <p>4 anything about my skill. And when I had</p> <p>5 conversations with Nicole Early, when it was just me</p> <p>6 and Nicole Early, I told Nicole Early about, you</p> <p>7 know, how well I was exceeding (sic). And, you know,</p> <p>8 I even showed her my record as well.</p> <p>9 And she sat in the office -- I remember.</p> <p>10 It was just me and her -- and she said: "Yeah, this</p> <p>11 is very odd. You know, I don't understand why, you</p> <p>12 know, she's not giving you playing time." So yes.</p> <p>13 Q. That was -- that was a long answer, but I</p> <p>14 don't think you ever answered my question, which is:</p> <p>15 Why did you think that Coach Browning was jealous of</p> <p>16 you?</p> <p>17 A. I said -- well, if you remember, I said</p> <p>18 maybe it was jealousy.</p> <p>19 Q. What might she have been jealous of, Mr.</p> <p>20 Stafford?</p> <p>21 A. Well, you know, I was a very good player.</p> <p>22 You know, she knew my story based on what type of</p>	<p style="text-align: right;">Page 195</p> <p>1 playing ability; whether, you know, she was never</p> <p>2 able to get to the level she wanted to get to when</p> <p>3 she was younger; whether it was my wealth; whether it</p> <p>4 was my -- who my father was; whether it was, you</p> <p>5 know, whatever.</p> <p>6 I can't tell you exactly what it is. You</p> <p>7 know, I can't tell you exactly the answer. I'm just</p> <p>8 suspecting, you know, certain things. That's why I</p> <p>9 said, maybe it was jealousy. Maybe it was this;</p> <p>10 maybe it was that. But it was definitely some --</p> <p>11 certain things.</p> <p>12 Q. Now, during the time -- let me just back</p> <p>13 up for a second.</p> <p>14 During the time when Coach Munoz was still</p> <p>15 there, you mentioned one of the reasons you didn't</p> <p>16 complain to higher officials, the university police,</p> <p>17 the dean of students, anybody else, was because you</p> <p>18 were concerned about Coach Munoz's reaction.</p> <p>19 Did you ever consider making an anonymous</p> <p>20 complaint?</p> <p>21 A. Why would I do that?</p> <p>22 Q. After Coach Munoz left, did you consider</p>
<p style="text-align: right;">Page 194</p> <p>1 environment I come from. She had dealt with other</p> <p>2 previous people that I know in her former job.</p> <p>3 She -- you know, she -- she had a clue of</p> <p>4 I ke who I was. And I don't think she ever warmed</p> <p>5 herself up to me as much because I wasn't, you know,</p> <p>6 the stereotypical black male that goes into that</p> <p>7 environment and, you know, kisses everybody's ass and</p> <p>8 you know, puts up with the racism that they were</p> <p>9 throwing at me.</p> <p>10 And I think that's what she was sort of</p> <p>11 used to, and that's what -- that's who she was based</p> <p>12 on the incident freshman year in which Francisco Dias</p> <p>13 ever so casually said, "Fucking porch monkey" right</p> <p>14 in front of her. And she looked at me and she looked</p> <p>15 down, and she didn't say anything to reprimand him.</p> <p>16 Q. So I'm afraid you're still not answering</p> <p>17 my question. You mentioned the word "jealousy." Did</p> <p>18 you think she was jealous of your wealth?</p> <p>19 A. I believe she was jealous of a culmination</p> <p>20 of things, whether it was --</p> <p>21 Q. What was that?</p> <p>22 A. -- whether it was my -- whether it was my</p>	<p style="text-align: right;">Page 196</p> <p>1 making a complaint at that time since he was no</p> <p>2 longer there to retaliate against you?</p> <p>3 A. Make any complaint against him while he</p> <p>4 was no longer there?</p> <p>5 Q. Making a complaint about the atmosphere on</p> <p>6 the team once Coach Browning took over. Munoz isn't</p> <p>7 there anymore. He's the guy who you said threatened</p> <p>8 you.</p> <p>9 A. I made complaints to Nicole Early during</p> <p>10 my sophomore year, the same person who instructed me,</p> <p>11 you know, that it was odd that I wasn't receiving any</p> <p>12 playing time.</p> <p>13 And I told her about the racial culture on</p> <p>14 the team and I told her about all the racism that I</p> <p>15 was experiencing. And, you know, she alerted me that</p> <p>16 a new coach is coming the next year and that it will</p> <p>17 be completely different and that you will be able to</p> <p>18 have a clean slate.</p> <p>19 Q. At that point were you satisfied with Ms.</p> <p>20 Early's response?</p> <p>21 A. I was satisfied because I thought that the</p> <p>22 racial culture was going to change, and I thought</p>

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<p style="text-align: right;">Page 197</p> <p>1 that I was going to be able to focus solely on tennis</p> <p>2 and solely on my academics.</p> <p>3 Q. Did you consider at that point in your</p> <p>4 sophomore year escalating your concerns above Ms.</p> <p>5 Early in any way?</p> <p>6 A. No, because every time I complained to</p> <p>7 Greg Munoz or every time I complained to Nicole</p> <p>8 Early, they didn't want me to complain any higher.</p> <p>9 They said: "No. We're going to handle it." And I</p> <p>10 was afraid that if I were to complain higher that I</p> <p>11 would be reprimanded or I would be punished.</p> <p>12 Q. Now I'm asking you about the period of</p> <p>13 time after Munoz had left. Is there a reason you</p> <p>14 didn't escalate your concerns at that time?</p> <p>15 MR. ROSS: Objection to the form of the</p> <p>16 question. I think he's answered that he did escalate</p> <p>17 it.</p> <p>18 BY MR. SCHWARTZ:</p> <p>19 Q. So spring of your sophomore year, is there</p> <p>20 a reason you didn't escalate your concerns at that</p> <p>21 time? Munoz is gone.</p> <p>22 MR. ROSS: Objection to the form of the</p>	<p style="text-align: right;">Page 199</p> <p>1 The conversation I had with her and Nicole</p> <p>2 Early, that's a conversation I had. But I -- I</p> <p>3 usually didn't try to go straight to Browning because</p> <p>4 Browning was always sort of reprimanding me and</p> <p>5 yelling at me and punishing me for things that, you</p> <p>6 know, were so minor.</p> <p>7 Q. So you didn't complain to Coach Browning</p> <p>8 specifically about racial mistreatment by your</p> <p>9 teammates?</p> <p>10 A. I don't -- I don't really remember. I</p> <p>11 don't remember any conversations that I had with</p> <p>12 Coach Browning about that.</p> <p>13 Q. There was a comment that you alleged that</p> <p>14 Coach Munoz made about you being recruited to the</p> <p>15 team and you being the token black kid,</p> <p>16 quote/unquote. Do you recall that?</p> <p>17 A. Actually, the fitness trainer who I was</p> <p>18 working with, he told me when I was working with him</p> <p>19 that him and Coach Munoz were in his office and that</p> <p>20 he -- that Coach Munoz was telling him that: "Hey, I</p> <p>21 got this black kid. You know, he's" -- "you know,</p> <p>22 he's our token black kid."</p>
<p style="text-align: right;">Page 198</p> <p>1 question.</p> <p>2 A. Munoz is gone, but the culture is still</p> <p>3 there in terms of the teammates and also Browning,</p> <p>4 who basically went by what Munoz was doing in terms</p> <p>5 of, you know, keeping me out of the lineup, not doing</p> <p>6 anything when I would complain about, you know, some</p> <p>7 of the things that were going on on the tennis team.</p> <p>8 Just because Munoz wasn't there doesn't</p> <p>9 mean the culture changed. Nicole Early was still</p> <p>10 there. Patrick Nero was still there. Everybody was</p> <p>11 there. The fact that Greg Munoz who was GW (sic) did</p> <p>12 not (sic) leave, you know, that doesn't change</p> <p>13 anything.</p> <p>14 BY MR. SCHWARTZ:</p> <p>15 Q. Did you ever complain to Coach Browning</p> <p>16 that you thought your teammates were treating you in</p> <p>17 a discriminatory way based on your race?</p> <p>18 A. I didn't complain -- I complained about</p> <p>19 the hostility. I knew that she wasn't really someone</p> <p>20 -- I knew she didn't like me, for whatever reason,</p> <p>21 from the beginning. So I didn't have many</p> <p>22 conversations with her.</p>	<p style="text-align: right;">Page 200</p> <p>1 And the guy told me about that during one</p> <p>2 of our sessions, and that's how I got that</p> <p>3 information.</p> <p>4 Q. Who was the trainer who told you that?</p> <p>5 A. I don't remember his name.</p> <p>6 Q. When did he relay that comment to you?</p> <p>7 A. Sophomore year. I worked with many, many</p> <p>8 trainers, many people. I don't really remember</p> <p>9 everybody's name.</p> <p>10 Q. And did you report that comment to</p> <p>11 anybody?</p> <p>12 A. No, I didn't report that comment to</p> <p>13 anybody.</p> <p>14 Q. Was he saying that Coach Munoz was happy</p> <p>15 or unhappy to have recruited you?</p> <p>16 A. It seemed like he was sort of making it a</p> <p>17 laughingstock matter. He was sort of grinning and</p> <p>18 trying to be sarcastic. He told me he was trying to</p> <p>19 be sarcastic about it, saying -- I mean, when you</p> <p>20 say, "token black kid," you know, that's not a</p> <p>21 positive thing.</p> <p>22 That's something -- that's a term that's</p>

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<p style="text-align: right;">Page 201</p> <p>1 used to diminish somebody.</p> <p>2 Q. Do you remember anything about that</p> <p>3 trainer that would help us to identify who that was?</p> <p>4 A. I'd have to look through my phone. But</p> <p>5 why is his name relevant?</p> <p>6 Q. I'll just ask you to answer my question.</p> <p>7 A. I mean, I --</p> <p>8 Q. Do you have his name in your phone?</p> <p>9 A. I believe so.</p> <p>10 Q. Do you have text messages you've exchanged</p> <p>11 with him?</p> <p>12 A. No -- well, not right now. I mean, you</p> <p>13 know, I've texted him and contacted him in order to</p> <p>14 -- you know, let's set up training; let's do this;</p> <p>15 let's do that. I don't -- I don't have those text</p> <p>16 messages anymore.</p> <p>17 Q. Have you been in contact with him about</p> <p>18 this case?</p> <p>19 A. I -- you know, I believe I reached out to</p> <p>20 him once, you know, because he did tell me that. He</p> <p>21 did tell me the conversation that he had with Greg</p> <p>22 Munoz. And I wanted him to confirm that and I wanted</p>	<p style="text-align: right;">Page 203</p> <p>1 I was a little bit disappointed because I</p> <p>2 wanted to be recognized more for my effort on the</p> <p>3 tennis court and the fact that I was playing very</p> <p>4 good tennis, but I accepted that.</p> <p>5 So he told me: "Hey, Jabari, you're</p> <p>6 playing Number 3 doubles." He had never instructed</p> <p>7 me that Torrie Browning had not signed off on it.</p> <p>8 You know, I wasn't going to say, Hey, did Torrie</p> <p>9 Browning say it was okay? No. This is an assistant</p> <p>10 coach, a respectable position. He's supposed to</p> <p>11 relay me proper information that's correct.</p> <p>12 Q. So your testimony is you didn't know that</p> <p>13 he didn't have the authority to do that?</p> <p>14 A. You know, I -- I wasn't completely aware.</p> <p>15 You know, I -- I trusted his -- I trusted him, you</p> <p>16 know, saying that -- I trusted what he said. You</p> <p>17 know, he was the assistant coach.</p> <p>18 Now, whether he had the power to make that</p> <p>19 decision on his own, I didn't know. He never told me</p> <p>20 that he made the decision without -- I don't believe</p> <p>21 he told me he made the decision without Torrie</p> <p>22 Browning.</p>
<p style="text-align: right;">Page 202</p> <p>1 him to, you know, talk about his conversations with</p> <p>2 him.</p> <p>3 Q. And what did he say?</p> <p>4 A. He wasn't interested. He didn't want to</p> <p>5 get himself involved in this matter.</p> <p>6 Q. The spring of your sophomore year the team</p> <p>7 traveled to a tournament over spring break, I think,</p> <p>8 at UC Irvine, California?</p> <p>9 A. Yes.</p> <p>10 Q. Do you recall that you had a conversation</p> <p>11 with Rafael Aita?</p> <p>12 A. Yes.</p> <p>13 Q. He was an assistant coach?</p> <p>14 A. Yes.</p> <p>15 Q. And at the time you had the conversation,</p> <p>16 you knew that only the head coach could create the</p> <p>17 lineup, correct?</p> <p>18 A. I did not know because he's the one that</p> <p>19 night that told me: "Hey, Jabari, we love the fact</p> <p>20 that you've been supportive of the team so much.</p> <p>21 We're going to allow you to play Number 3 doubles"</p> <p>22 the next day.</p>	<p style="text-align: right;">Page 204</p> <p>1 Q. Did there come a time when you realized</p> <p>2 that he did not have the authority to make that</p> <p>3 decision?</p> <p>4 A. In the huddle the next day. Torrie</p> <p>5 Browning did not -- did not check off on it, and she</p> <p>6 announced a lineup that was different than what</p> <p>7 Rafael Aita told me. And I was perplexed, and Rafael</p> <p>8 in the huddle gave me a long apology.</p> <p>9 Q. And you came to understand that he didn't</p> <p>10 have the authority to set the lineup, correct --</p> <p>11 A. Yes.</p> <p>12 Q. -- that only the head coach could do that?</p> <p>13 A. Yes.</p> <p>14 Q. And in fact, you came to the belief that</p> <p>15 Rafael Aita had mishandled his position and breached</p> <p>16 the necessary policies, correct?</p> <p>17 A. Yes. I mean, if -- if you don't have the</p> <p>18 power to determine lineup positions and if you made a</p> <p>19 decision without Torrie Browning and you told me</p> <p>20 about that, then that's a problem.</p> <p>21 Q. You were angry that you didn't get to be</p> <p>22 in the lineup at that tournament, correct?</p>

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1 A. I was very disappointed and I was very
2 saddened because I was excited the whole night after
3 Rafael told me that I was going to be playing.
4 Q. Did you confront Rafael afterwards and
5 say, Why did you tell me something you didn't have
6 authority to do?
7 A. I was demoralized at that point. I had
8 not played in a single tournament the entire year.
9 When they told me that I wasn't going to be able to
10 play, I was completely demoralized. I lost all hope.
11 I was -- all my confidence had gone down. You know,
12 this was coming from a guy who was playing very good
13 tennis as well.
14 So after he told me that, I just
15 completely shut down mentally and I just went into my
16 shell. There was nothing I could do. Everybody from
17 the coaching staff to Nicole Early to, you know, my
18 teammates made it just a hostile environment where I
19 was just -- I was -- I was silenced.
20 Q. Well, actually, you had a meeting as soon
21 as you got back with Nicole Early and Coach Browning,
22 right?

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1 A. Yes. I was -- what I mean by I was
2 demoralized and I shut down is, after he told me
3 that, I had to sit in on the match while they were
4 playing.
5 Q. Well, doesn't everybody who is on the team
6 have to sit in, whether they're playing or not?
7 A. Yeah, obviously. But when you're told
8 that you're not playing and then you knew that you
9 were playing the whole -- like, you thought that you
10 were playing the entire night and then you're told
11 you're not playing, as soon as they told me I wasn't
12 playing, they went right on the court and starting
13 warming up with the opponents.
14 I was demoralized. So when I got back, I
15 decided to try to get to the root of the issue.
16 Q. And you had a meeting with Nicole Early
17 and Coach Browning, right?
18 A. Yes.
19 Q. And Coach Browning explained her reasons
20 to you of why she didn't put you in the lineup?
21 A. Yes. That's when she stated that I hit
22 the ball too hard and I wasn't disciplined.

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1 Q. And you weren't disciplined?
2 A. She said something like -- along the lines
3 of I wasn't disciplined, which, you know, I didn't
4 really understand. That's what -- yeah, that's
5 literally what she said.
6 Q. So she made those critiques of your play,
7 that you hit the ball too hard and you weren't
8 disciplined. That was her explanation in the
9 meeting?
10 A. Those are the things that she said, yes.
11 Q. And you didn't understand them?
12 A. It's not that I didn't understand them.
13 It's just how stupid they sounded. They were -- they
14 were insane. I mean, that's -- you look -- you talk
15 to any respectable head coach or any respectable
16 coach anywhere, and they're not going to give you a
17 type of criticism like that.
18 If someone hits the ball too hard, they're
19 going to say, Well, maybe you need to learn how to
20 control a little better. Maybe you need -- but we
21 can still work with it. Hitting the ball too hard is
22 a positive. Being able to hit the ball hard is a

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1 good thing. That power is important in tennis.
2 You can't tell me I hit the ball too hard,
3 that's why you're not allowing me to be in the
4 lineup. Okay. I'm hitting the ball too hard, but
5 I'm still winning my matches. I came into my
6 sophomore year with doubles points -- professional
7 doubles points, something that a lot of other student
8 athletes didn't have.
9 So the basis for these decisions that she
10 made were completely ridiculous.
11 Q. Did you tell Coach Browning that you
12 thought her criticism was stupid, insane, and
13 completely ridiculous?
14 A. Well, in the meeting I was very, very
15 perplexed and I was very confused. And, you know, I
16 kept asking her, you know, like -- I was just -- you
17 know, I was very confused.
18 And Nicole Early -- you know, obviously,
19 she won't admit this, but -- she was very confused as
20 well. She would, you know, often ask Torrie
21 Browning, Yeah, what do you mean by this; what do you
22 mean by that?

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<p style="text-align: right;">Page 209</p> <p>1 But, you know, I wouldn't say that I was,</p> <p>2 you know, telling someone that has complete authority</p> <p>3 and power over me that, you know, her criticisms of</p> <p>4 me were stupid. I think at the same time that would</p> <p>5 be stupid because that would threaten my position on</p> <p>6 the team.</p> <p>7 Q. Did you complain to Coach Browning that</p> <p>8 you thought that the reason you weren't getting</p> <p>9 playing time was because of your race?</p> <p>10 A. Because of my race?</p> <p>11 Q. Yes.</p> <p>12 A. I brought up in the meeting to Nicole</p> <p>13 Early that -- you know, I highlighted a lot of</p> <p>14 differences between me and my other teammates and</p> <p>15 that not just, you know, now but before, you know,</p> <p>16 with the whole environment that was controlled by</p> <p>17 Greg Munoz that, you know, because I was black, you</p> <p>18 know, I was looked at in a different light and I was</p> <p>19 able to get away with certain things -- or I wasn't</p> <p>20 able to get away with certain things that other</p> <p>21 student athletes were able to get away with and that</p> <p>22 I was heavily criticized and scrutinized for doing</p>	<p style="text-align: right;">Page 211</p> <p>1 of these meetings took place after the spring break</p> <p>2 tennis tournament in California where you were</p> <p>3 disappointed that you didn't get to play?</p> <p>4 A. I don't remember. I do believe -- I think</p> <p>5 the meeting with Nicole and Torrie was after, but I'm</p> <p>6 not sure exactly of the timeline. I don't really</p> <p>7 remember if it was before or after.</p> <p>8 Q. Well, it must have been after if you were</p> <p>9 talking to Torrie about why she didn't play you,</p> <p>10 right?</p> <p>11 A. Okay. Well, if -- if -- you know, Torrie</p> <p>12 Browning and Nicole Early, maybe that was after. I'm</p> <p>13 not sure what, you know, Nicole and I -- when that</p> <p>14 meeting was.</p> <p>15 Q. Got it. And so privately with Nicole</p> <p>16 without Torrie you're talking about a culture that</p> <p>17 you thought was existing under Munoz?</p> <p>18 A. What do you mean by that?</p> <p>19 Q. Well, in other words, I'm just repeating</p> <p>20 back what you just said to me a minute ago, right?</p> <p>21 You said that you had a conversation with Nicole</p> <p>22 Early where you said under Munoz there was an</p>
<p style="text-align: right;">Page 210</p> <p>1 the most minutia of things.</p> <p>2 That was definitely a topic of</p> <p>3 conversation I had with Nicole Early. You know, as I</p> <p>4 said before, I tried to stay away from a lot of</p> <p>5 things when it came from head coaches because I knew</p> <p>6 head coaches have a lot of power, and they have a lot</p> <p>7 of -- they have all the power when it comes to making</p> <p>8 a lineup.</p> <p>9 And my only goal coming to George</p> <p>10 Washington University was being a good tennis player,</p> <p>11 which means playing in the lineup or, you know, just</p> <p>12 having a healthy tennis life and also focusing on my</p> <p>13 academics.</p> <p>14 Q. So when you say you said to Nicole Early</p> <p>15 concerns about the environment that Munoz created but</p> <p>16 you didn't say those to Coach Browning, was this in</p> <p>17 the same meeting or do you mean you separately talked</p> <p>18 to Nicole Early?</p> <p>19 A. We had -- we had two different meetings.</p> <p>20 We had a meeting with Nicole -- I had a meeting with</p> <p>21 Nicole and I had a meeting with Nicole and Torrie.</p> <p>22 Q. I see. And so in the meeting -- and both</p>	<p style="text-align: right;">Page 212</p> <p>1 environment where you weren't able to get away with</p> <p>2 as much as other teammates were able to get away</p> <p>3 with.</p> <p>4 A. Yeah, and that, you know, as, you know, I</p> <p>5 was -- I was forced to endure and deal with the</p> <p>6 racial rhetoric and the racial discrimination and</p> <p>7 everything else happening to me without saying</p> <p>8 anything about it.</p> <p>9 And that was the environment that Munoz</p> <p>10 created. And just because Munoz left, that</p> <p>11 environment didn't dissipate in any way. It probably</p> <p>12 intensified because they felt they were able to do</p> <p>13 more now without proper leadership.</p> <p>14 Q. And you never raised that with Browning,</p> <p>15 who was the new leader?</p> <p>16 A. Browning was heavily -- she -- her and</p> <p>17 Munoz were very close, and her -- you know, every</p> <p>18 time -- there were certain times, you know, when I</p> <p>19 would have conversations with Munoz in his office and</p> <p>20 Browning would be there sometimes.</p> <p>21 And you know, she would agree with Munoz</p> <p>22 and, you know, she would -- you know, she would just,</p>

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<p style="text-align: right;">Page 213</p> <p>1 you know, follow along with everything that he was</p> <p>2 saying.</p> <p>3 You know, this sort of relates to another</p> <p>4 student of color my freshman year who had a meeting</p> <p>5 with Torrie Browning and Greg Munoz in which they</p> <p>6 tried to humiliate him and force him to cry because</p> <p>7 he wasn't going to be on the team anymore, and this</p> <p>8 was both of them.</p> <p>9 So, you know, I knew that Greg Munoz and</p> <p>10 Torrie Browning were very close. And because I</p> <p>11 didn't trust Greg or I was afraid of reaching out to</p> <p>12 Greg, you know, based on my allegations, I didn't</p> <p>13 trust that Torrie Browning was going to respond to</p> <p>14 them considerably and, you know, deal with them to</p> <p>15 the best of my -- like, deal with them accordingly.</p> <p>16 Q. Who was the student who Torrie Browning</p> <p>17 and Coach Munoz met with during your freshman year?</p> <p>18 A. Blake Morton.</p> <p>19 Q. Torrie Browning is African American,</p> <p>20 right?</p> <p>21 A. Yes, she is.</p> <p>22 Q. Do you have any reason to believe she has</p>	<p style="text-align: right;">Page 215</p> <p>1 actively doing it, you're still -- you know, you're</p> <p>2 still involved in the situation.</p> <p>3 Torrie Browning was involved in this</p> <p>4 environment of racism, and she didn't speak out or</p> <p>5 she didn't do anything to help it. She just made it</p> <p>6 worse. Her being black doesn't really mean anything.</p> <p>7 Whether she's --</p> <p>8 Q. You didn't think she -- go ahead.</p> <p>9 A. Whether she's -- you know, she was</p> <p>10 involved in the environment. You know, she did</p> <p>11 nothing to help it, so she was a part of it.</p> <p>12 Q. Do you recall that you had an economics</p> <p>13 class in the spring of your sophomore year with</p> <p>14 Professor John Volpe?</p> <p>15 A. I don't remember.</p> <p>16 Q. You don't remember taking economics?</p> <p>17 A. Economics -- I don't remember the -- I</p> <p>18 don't remember the teacher, what he looked like, or</p> <p>19 any of that stuff.</p> <p>20 Q. Do you remember the TA was Rafael Lopez</p> <p>21 Monti?</p> <p>22 A. No. I don't remember.</p>
<p style="text-align: right;">Page 214</p> <p>1 an animus against you based on your race?</p> <p>2 MR. SCHWARTZ: Counsel, can you tell Mr.</p> <p>3 Stafford that reactions are not appropriate? It's</p> <p>4 not appropriate to be laughing or reacting to my</p> <p>5 questions.</p> <p>6 MR. STAFFORD: I was coughing.</p> <p>7 BY MR. SCHWARTZ:</p> <p>8 Q. You can go ahead and answer, Mr. Stafford.</p> <p>9 A. Can you answer the question -- can you ask</p> <p>10 the question again, please?</p> <p>11 Q. So the question is: Do you believe that</p> <p>12 Ms. Browning has an animus against you based on your</p> <p>13 race?</p> <p>14 A. I do believe that, you know, she was a</p> <p>15 part of a culture and a group of individuals that</p> <p>16 racially discriminated against me and did nothing</p> <p>17 about it. And I felt like, you know, whether, you</p> <p>18 know, she was doing it directly or whether she was</p> <p>19 not that doesn't really matter.</p> <p>20 As I said with Nicole Early, you know, if</p> <p>21 you, for example, turn a blind eye to a lot of the</p> <p>22 things that I was experiencing but you're not</p>	<p style="text-align: right;">Page 216</p> <p>1 Q. Do you remember that the TA sent you a</p> <p>2 note saying it appears that you've come into the</p> <p>3 section a couple minutes after you start the class,</p> <p>4 you sign the attendance sheet, and you immediately</p> <p>5 leave and that this has happened repeatedly?</p> <p>6 A. You know -- what year was this?</p> <p>7 Q. That was in the spring of your sophomore</p> <p>8 year.</p> <p>9 A. You know, as I said before, I'm not the</p> <p>10 first student and I'm not the last, you know, to miss</p> <p>11 certain classes and, you know, maybe not sit in on a</p> <p>12 certain class because maybe I have certain</p> <p>13 obligations.</p> <p>14 I was so entrenched with, you know, the</p> <p>15 things I was experiencing on the tennis team and so</p> <p>16 demoralized on an everyday basis that, you know,</p> <p>17 sometimes I couldn't, you know, sit in on classes</p> <p>18 that I didn't feel were -- you know, that I had to</p> <p>19 completely be at, you know, all the time because I</p> <p>20 was dealing with all of these things.</p> <p>21 Now, you know, as I said before and as I</p> <p>22 said -- I'll say this 100 times, signing -- signing</p>

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<p style="text-align: right;">Page 217</p> <p>1 into a class, not (sic) being out of class is not 2 just indigenous to me. Everybody has done it. 3 Everybody continues to do it. It's happened 100 4 times with everybody else. 5 Q. So you think that's appropriate to sign in 6 and then leave, so to leave the impression that you 7 actually attended when you didn't? 8 A. No. I don't believe that's an -- 9 inappropriate. And as I said before, I wasn't an 10 angel and I wasn't, you know -- you know, I made 11 certain mistakes. But sometimes I couldn't even 12 focus, and sometimes I couldn't, you know, sit in on 13 something where I clearly had so many other things on 14 my mind. 15 MR. ROSS: Can I -- just to be clear, it 16 sounded like you said you don't think it was 17 inappropriate. Is that what you meant to say or you 18 don't think it was appropriate? 19 A. No. I don't believe it was the best thing 20 to do. I don't believe it was, you know, the best 21 thing to do in that situation. But, you know, when 22 dealing with the things that I was dealing with, it</p>	<p style="text-align: right;">Page 219</p> <p>1 you to sit in on somebody calling you nigger every 2 day or someone calling you ape every day and telling 3 you, Hey, go see a psychologist; strengthen your 4 mind. 5 I mean, it's still going to happen. 6 They're still going to call you these words. They're 7 still going to, you know, actively plot on your 8 demise. So you can be the strongest person possible. 9 That doesn't neglect (sic) from the situation I'm 10 experiencing. 11 Q. Well, you also didn't take any steps to 12 address their behavior, right? Like, you didn't 13 complain to the dean of students, use the grievance 14 procedure, go to the police department, anything like 15 that. 16 MR. ROSS: Objection to the form of the 17 question. He's testified repeatedly about what he 18 did and who he talked to. 19 BY MR. SCHWARTZ: 20 Q. You can answer my question. You didn't do 21 any of those things, did you, Mr. Stafford? 22 A. As I said before, when I were (sic) to</p>
<p style="text-align: right;">Page 218</p> <p>1 was more so about surviving. 2 So I didn't always make the best 3 decisions, but at the same time, that's not something 4 that only Jabari Stafford has done. That has 5 happened with so many other students, so many other 6 student athletes. 7 BY MR. SCHWARTZ: 8 Q. If you were experiencing such distress 9 that you couldn't concentrate on class, did you 10 consider going back to see any sort of counselor or 11 did you still not believe in mental health treatment 12 at that time? 13 A. I didn't believe in mental health 14 treatment because the mental health wasn't coming 15 from -- the things that I was experiencing wasn't 16 coming from me. They were coming from everyday 17 racism, everyday humiliation, everyday embarrassment, 18 everyday hostility, everyday tormenting. 19 When you -- you know, I could try to 20 strengthen my mind as well as possible. Was that 21 going to stop all of the things that I was 22 experiencing? Absolutely not. That's like telling</p>	<p style="text-align: right;">Page 220</p> <p>1 complain to the proper officials such as 2 administrators, coaches, they threatened to kick me 3 off the team and they also ignored a lot of my 4 requests, to the point where I had given up and I had 5 lost hope in anybody being able to do anything to 6 help my situation. 7 As I said before, I didn't want to make 8 this whole thing the main focus. I just wanted it to 9 stop. I just wanted everybody to stop doing what 10 they were doing in terms of harassing me, in terms of 11 racially discriminating against me, and I just wanted 12 to focus on my tennis and focus on my academics. 13 Q. Now, in the spring semester of your 14 sophomore year, there was a tournament against 15 Duquesne that took place on the GW Mount Vernon 16 campus, correct? 17 A. When was that? 18 Q. In the spring of your sophomore year. 19 April of 2016, to be precise. There was a tournament 20 against Duquesne University that took place at the 21 Mount Vernon campus of GW. Do you recall that? 22 A. I believe so, yes.</p>

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<p style="text-align: right;">Page 221</p> <p>1 Q. And you left in the middle of the</p> <p>2 tournament? You weren't in the lineup?</p> <p>3 A. I wasn't in the lineup.</p> <p>4 Q. Do you recall leaving in the middle of the</p> <p>5 tournament and going to the Foggy Bottom campus?</p> <p>6 A. I don't recall. Maybe I was in the</p> <p>7 bathroom. I don't really recall at that point.</p> <p>8 Q. Maybe you were in the bathroom? So you</p> <p>9 would have gone from the Mount Vernon campus all the</p> <p>10 way to the Smith Center to go to the bathroom?</p> <p>11 A. I don't -- I don't recall where I went,</p> <p>12 but what I remember is, though, that I was present</p> <p>13 during the match. I was present during the huddle.</p> <p>14 I was present during the end of the match. That's</p> <p>15 all I remember.</p> <p>16 Q. But do you recall leaving in the middle of</p> <p>17 the match and going to the Foggy Bottom campus?</p> <p>18 A. I don't recall.</p> <p>19 Q. Is it possible that you did that?</p> <p>20 A. I don't -- I don't -- I don't remember.</p> <p>21 Q. Okay. Do you remember being seen at the</p> <p>22 Foggy Bottom campus by one of the assistant coaches</p>	<p style="text-align: right;">Page 223</p> <p>1 precise --</p> <p>2 MR. SCHWARTZ: No, I can't.</p> <p>3 BY MR. SCHWARTZ:</p> <p>4 Q. You can go ahead and answer my question.</p> <p>5 MR. ROSS: Well, then I'm going to clarify</p> <p>6 this because you're asking in the spring did he stop</p> <p>7 going to events. Is that the question?</p> <p>8 MR. SCHWARTZ: That is the question.</p> <p>9 A. I believe I sent Torrie Browning a message</p> <p>10 saying I was injured, and she sent a text -- I</p> <p>11 believe she sent something back saying okay and</p> <p>12 whatever. I couldn't practice. I couldn't do</p> <p>13 fitness because I was injured. I had gotten a lot of</p> <p>14 therapy during that time.</p> <p>15 I had seen the sports medicine (sic) and,</p> <p>16 you know, that sort of extended into the end of the</p> <p>17 year.</p> <p>18 BY MR. SCHWARTZ:</p> <p>19 Q. When you say "therapy," you're referring</p> <p>20 to physical therapy, right?</p> <p>21 A. Physical therapy.</p> <p>22 Q. Right, because you didn't believe in</p>
<p style="text-align: right;">Page 222</p> <p>1 of the women's team, Dominica Kanikova (phonetic)?</p> <p>2 A. I don't remember.</p> <p>3 Q. Do you remember getting --</p> <p>4 A. I don't even really know who she is.</p> <p>5 Q. Do you remember getting a text from Coach</p> <p>6 Browning saying: "Where are you?"</p> <p>7 A. I don't remember.</p> <p>8 Q. You don't remember any of this?</p> <p>9 A. I don't remember too many of these</p> <p>10 instances because there were many matches that</p> <p>11 happened and there were many things that went on</p> <p>12 during these matches. So for me to recall everything</p> <p>13 that happened during these matches, I can't -- I</p> <p>14 can't tell you that.</p> <p>15 Q. Did you have permission from Coach</p> <p>16 Browning to leave the match at Mt. Vernon and go back</p> <p>17 to the Foggy Bottom campus?</p> <p>18 A. No, I did not have permission.</p> <p>19 Q. Now in the spring of your sophomore year,</p> <p>20 you stopped going to team events, correct?</p> <p>21 MR. ROSS: Objection to the form of the</p> <p>22 question. You said the spring. Can you give more</p>	<p style="text-align: right;">Page 224</p> <p>1 mental therapy?</p> <p>2 MR. ROSS: Objection to the form of the</p> <p>3 question.</p> <p>4 A. It was physical therapy.</p> <p>5 BY MR. SCHWARTZ:</p> <p>6 Q. And with whom did you receive the physical</p> <p>7 therapy?</p> <p>8 A. A masseuse that was regularly coming to my</p> <p>9 apartment.</p> <p>10 Q. What was the name of the masseuse who</p> <p>11 regularly came to your apartment?</p> <p>12 A. I'd rather not say it.</p> <p>13 Q. I'm afraid you have to.</p> <p>14 MR. ROSS: If you know the answer, give</p> <p>15 the answer.</p> <p>16 A. Darlene.</p> <p>17 BY MR. SCHWARTZ:</p> <p>18 Q. Where did you locate Darlene?</p> <p>19 A. My father is the one that researched her.</p> <p>20 I don't --</p> <p>21 MR. SCHWARTZ: Counsel, again, I'm going</p> <p>22 to ask that Mr. Stafford stop laughing, making facial</p>

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<p style="text-align: right;">Page 225</p> <p>1 expressions and reacting to the questions. Do we</p> <p>2 need to call the judge about this?</p> <p>3 MR. ROSS: If you want to call him, you</p> <p>4 can call him.</p> <p>5 MR. SCHWARTZ: It's totally inappropriate,</p> <p>6 Counsel. Would you counsel your client to behave</p> <p>7 himself in the deposition?</p> <p>8 MR. ROSS: Ask your next question.</p> <p>9 BY MR. SCHWARTZ:</p> <p>10 Q. Mr. Stafford, what was Darlene's last</p> <p>11 name?</p> <p>12 A. I don't know. I just referred to her as</p> <p>13 Darlene. That was the only name in my text, Darlene.</p> <p>14 Q. And your father found her for you?</p> <p>15 A. I believe so, yes.</p> <p>16 Q. How did you reach Darlene?</p> <p>17 A. By phone.</p> <p>18 Q. Did you pay her in cash?</p> <p>19 A. I'm not sure. My father made all the</p> <p>20 payments.</p> <p>21 Q. Was there a health care provider involved</p> <p>22 in these home massages?</p>	<p style="text-align: right;">Page 227</p> <p>1 specifically did not affect my -- me being at any</p> <p>2 team events, no.</p> <p>3 Q. Did your injury prevent you from sitting</p> <p>4 on the sidelines and cheering for your teammates?</p> <p>5 A. My injuries did not prevent me from being</p> <p>6 on the sidelines, no. Now, this is not the same</p> <p>7 thing that, you know, Torrie and Nicole had</p> <p>8 instructed me to do.</p> <p>9 They -- you know, Nicole Early, you know,</p> <p>10 told me, Hey, you can just sort of sit out the rest</p> <p>11 of the year and just focus on your academics and wait</p> <p>12 for the next coach.</p> <p>13 I, you know, was injured so I didn't show</p> <p>14 up to a lot of events that were happening. I just</p> <p>15 couldn't.</p> <p>16 Q. You couldn't?</p> <p>17 A. Yeah. I was injured, so I -- I wouldn't</p> <p>18 show up to any of the events.</p> <p>19 Q. Did your injury prevent you from going to</p> <p>20 the Atlantic 10 Conference championship to cheer for</p> <p>21 your teammates?</p> <p>22 A. No.</p>
<p style="text-align: right;">Page 226</p> <p>1 A. No.</p> <p>2 Q. And because you were having home massages</p> <p>3 with Darlene, you were unable to attend any tennis</p> <p>4 events?</p> <p>5 A. Well, when you're injured, the next step</p> <p>6 to trying to heal your injuries is to have therapy.</p> <p>7 They were just sort of a step into rehabilitating</p> <p>8 myself.</p> <p>9 Q. Did that prevent you from being on the</p> <p>10 sidelines at any of the matches?</p> <p>11 A. You know, I told Torrie Browning: "Hey,</p> <p>12 Torrie, you know, I can't show up to any of the</p> <p>13 practices. I can't show up to any of the matches.</p> <p>14 You know, I'm injured."</p> <p>15 Nicole Early had instructed me to just,</p> <p>16 you know, sit it out and focus on your academics and</p> <p>17 get ready for the next semester with David MacPherson</p> <p>18 coming into the program.</p> <p>19 Q. Mr. Stafford, I'm going to have to ask you</p> <p>20 again to answer my specific question. Did the home</p> <p>21 massages prevent you from attending any team events?</p> <p>22 A. The home massages? The home massages</p>	<p style="text-align: right;">Page 228</p> <p>1 Q. So when you said you couldn't, that's</p> <p>2 actually not true, right? You could have. You just</p> <p>3 chose not to?</p> <p>4 A. When Nicole Early had instructed me to</p> <p>5 just take the year, you know, like not -- just focus</p> <p>6 on your academics, wait it out, and wait for the next</p> <p>7 coach to get here.</p> <p>8 Q. So Nicole Early told you specifically not</p> <p>9 to attend and cheer for your teammates?</p> <p>10 A. No, she didn't. She said to wait the year</p> <p>11 out. She said, you know -- when I told her, you</p> <p>12 know, do I have to show up to, you know, like some of</p> <p>13 the events; you know, I'm injured, you know, she</p> <p>14 said, "No. No. That's fine. You can just wait the</p> <p>15 year out and you can just wait on the arrival of our</p> <p>16 new coach, David MacPherson."</p> <p>17 Q. Did you ask Nicole specifically whether</p> <p>18 you were supposed to attend the tournaments to cheer</p> <p>19 for your teammates?</p> <p>20 A. Yes.</p> <p>21 Q. And she said you didn't have to?</p> <p>22 A. She said, I didn't -- she said -- you</p>

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<p style="text-align: right;">Page 229</p> <p>1 know, as I said before, she said just to wait the 2 year out. She said -- you know, I asked her -- "I'm 3 injured. You know, do I have to, you know, be here? 4 Do I have to be here?" She was like: "No. No. You 5 don't have to do that. Just wait the year out. Just 6 get ready for the next coach to come," which was Dave 7 MacPherson. 8 Q. And did you discuss specifically with 9 Nicole the Atlantic 10 tournament? 10 A. No -- well, wait the -- that was -- we 11 were gearing up for the Atlantic 10 tournament. That 12 was, you know, part of the conversation. 13 Q. And did you discuss with Coach Browning 14 that you weren't planning to come to the Atlantic 10 15 tournament? 16 A. No. 17 Q. How long did you see Darlene for? 18 A. All throughout my -- I would say starting 19 maybe my sophomore year all the way throughout my 20 senior year. I don't know if it was the start of my 21 sophomore -- yeah, it was my sophomore year, the 22 first -- second semester when -- when the injury</p>	<p style="text-align: right;">Page 231</p> <p>1 Q. Did you report your hip or wrist injuries 2 to any of the trainers or staff in the athletics 3 department? 4 A. I don't recall. I mean, I think I, you 5 know, might have seen one of them for, you know, some 6 of these injuries, but I really don't remember. I 7 was -- I was in and out of the athletic department -- 8 the sports medicine center throughout my tenure at 9 different periods of time. 10 I can't, you know, sit here and tell you 11 the exact injury I had that I went to see them with 12 or -- I just don't remember. 13 Q. The -- between your sophomore year and 14 your junior year, what did you do over that summer 15 with respect to tennis? 16 A. Sophomore year and my junior year -- oh, I 17 was training -- I believe I was training at Boca 18 Raton Resort in Florida. 19 Q. The beginning of your junior year you also 20 didn't show up for the mandatory NCAA meeting with 21 Ms. Bierwirth, correct? 22 A. Yeah. I never received the proper text</p>
<p style="text-align: right;">Page 230</p> <p>1 started happening. 2 Q. What was the injury that you had? 3 A. I had hip injuries. I had wrist injuries. 4 You know, as athletes, we have different ailments all 5 the time. 6 Q. What specific injuries did you have in the 7 spring semester of your sophomore year that prevented 8 you from playing tennis? 9 A. I just told you. It was a -- from what I 10 remember, it was hip injuries and wrist injuries. 11 Q. And were those diagnosed by a health care 12 professional? 13 A. No. They don't necessarily need to be 14 diagnosed by a health care professional. You don't 15 always have to -- you know, you can -- with injuries, 16 you can treat injuries and deal with injuries in a 17 more natural way. 18 You know, I don't really believe in, you 19 know, taking too many pills or, you know, going 20 through those means as much as, you know, sometimes 21 -- a lot of times just dealing with them in a more 22 natural manner.</p>	<p style="text-align: right;">Page 232</p> <p>1 that they sent, you know, out to the students before 2 attending some of these meetings. And, you know, 3 when I called MacPherson, he had told me that, you 4 know, you can try out and that you weren't on the 5 team and that, you know, I was already replaced. 6 Q. Were you excited about Coach MacPherson? 7 A. Initially, I was excited about Coach 8 MacPherson because of the experience he brought in 9 terms of working with professional players, and I was 10 also under the assumption that the team culture was 11 going to drastically change off of what Nicole Early 12 had assured me. 13 Q. And you understand Coach MacPherson 14 actually instructed all the players that they should 15 welcome you back warmly as a member of the team, 16 correct? 17 A. When was that? 18 Q. When you came back to the team in the fall 19 of your junior year after the tryout. 20 A. Yes. I remember a text in which I had 21 received where he said, Jabari was not officially 22 taken off the team. He was genial and he was</p>

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<p style="text-align: right;">Page 233</p> <p>1 respectful today. I have heard all of you guys'</p> <p>2 opinions, you know.</p> <p>3 And then he mentions, you know, you guys</p> <p>4 have to welcome him on to the -- I don't know the</p> <p>5 exact wording, but that's when he said, you know,</p> <p>6 I've heard you guys' opinions, you know, which means</p> <p>7 -- you know what that means -- and let's welcome him</p> <p>8 on to the team or something like that.</p> <p>9 Well, you know, he welcomed me on to the</p> <p>10 team when I was also technically still officially on</p> <p>11 the team, in which Helen Saulny and Ed Scott had</p> <p>12 instructed me that I was unofficially taken off the</p> <p>13 team, that I was technically officially on the team,</p> <p>14 and that, you know, the means in which they took me</p> <p>15 off the team was wrong.</p> <p>16 Q. That's because Coach Browning hadn't</p> <p>17 filled out any sort of form?</p> <p>18 A. It was along the lines of that. Wills</p> <p>19 Tutecky recently told me that he heard a conversation</p> <p>20 with, I believe -- whether it was Rafael Aita and</p> <p>21 maybe Torrie Browning and maybe another player. I'd</p> <p>22 have to -- I'm not quite sure.</p>	<p style="text-align: right;">Page 235</p> <p>1 Q. And you cancelled it at the last minute</p> <p>2 saying you had a back injury?</p> <p>3 A. Yes.</p> <p>4 Q. Now, do you recall at the time of the</p> <p>5 skills assessment when you said you had your back</p> <p>6 injury you were playing tennis at the College Park</p> <p>7 tennis center?</p> <p>8 A. Yes.</p> <p>9 Q. How were you managing to play tennis</p> <p>10 there?</p> <p>11 A. Well, you know, there's certain levels in</p> <p>12 tennis. There's certain things that you can do,</p> <p>13 whether you're competing, whether you're just hitting</p> <p>14 around. I was always dealing with certain injuries,</p> <p>15 but my limitations on the tennis court always</p> <p>16 differed.</p> <p>17 So, for example, you know, whether I could</p> <p>18 play a full match one day or whether I could just hit</p> <p>19 a couple of balls, you know, I was always, you know,</p> <p>20 trying to rehabilitate myself and, you know, manage</p> <p>21 my tennis the best -- the best way possible.</p> <p>22 I knew that also, too, I was hitting in</p>
<p style="text-align: right;">Page 234</p> <p>1 He said something along the lines of that.</p> <p>2 And he said that they were going back and forth and</p> <p>3 they were agitated because they didn't fill out the</p> <p>4 proper paperwork or go through the right procedures</p> <p>5 in order to release me from the team. And Wills</p> <p>6 Tutecky told me that he heard that conversation.</p> <p>7 Q. I'm sorry. Who was having that</p> <p>8 conversation that he says he overheard?</p> <p>9 A. I believe -- I would have to look at his</p> <p>10 statement again, but I believe it was Rafael Aita.</p> <p>11 And you know, whether it was Rafael Aita and Torrie</p> <p>12 Browning or whether it was Rafael Aita and Fernando</p> <p>13 Sala, I'm not quite sure. I would have to look at</p> <p>14 the statement again.</p> <p>15 Q. Now, you were given an opportunity to</p> <p>16 perform a skills assessment for Coach MacPherson when</p> <p>17 he took over in the fall of your junior year,</p> <p>18 correct?</p> <p>19 A. Yes.</p> <p>20 Q. And that skills assessment was originally</p> <p>21 scheduled to take place in October, correct?</p> <p>22 A. Yes.</p>	<p style="text-align: right;">Page 236</p> <p>1 front of a coach that had seen all types of</p> <p>2 professional levels. And, you know, due to the fact</p> <p>3 that they unofficially took me off the team, I knew</p> <p>4 that the stakes were a little bit higher and that I</p> <p>5 had to perform a lot better.</p> <p>6 So I decided to take a little bit more</p> <p>7 time so I wouldn't screw up my tryout, even though I</p> <p>8 wasn't officially taken off the team, so that, you</p> <p>9 know, when I hit in front of him I would, you know,</p> <p>10 do the -- do the best I could. He -- he was very</p> <p>11 impressed with how I played and, you know, that's how</p> <p>12 it went.</p> <p>13 Q. And he invited you on to the team?</p> <p>14 A. Well, he didn't invite me on to the team.</p> <p>15 He had to put me back on to the team because I wasn't</p> <p>16 officially taken off the team.</p> <p>17 Q. So you felt like it didn't matter how you</p> <p>18 performed; he had no choice; he'd have to put you on,</p> <p>19 even if you were terrible?</p> <p>20 A. No. I felt like it mattered. But, you</p> <p>21 know, GW had broke so many rules at that point. I</p> <p>22 didn't know how it could -- like what direction it</p>

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<p style="text-align: right;">Page 237</p> <p>1 could go. So, you know, I tried to -- what you try</p> <p>2 to do in, like, these situations is you try to give</p> <p>3 them no room to ever judge anything.</p> <p>4 So what I wanted to do was I wanted to</p> <p>5 make my tryout the best tryout possible so there</p> <p>6 wasn't any -- you know, anything for anybody to say,</p> <p>7 oh, he's not good enough or, oh, he's not performing</p> <p>8 as well as he -- as he could.</p> <p>9 But that also doesn't negate from the fact</p> <p>10 that I was officially -- unofficially taken off the</p> <p>11 team and my departure was wrongful.</p> <p>12 Q. And the basis for that is you believe you</p> <p>13 were supposed to have been given some sort of form or</p> <p>14 some kind of form was supposed to be filled out?</p> <p>15 A. Well, you know, if you're on the team, I</p> <p>16 believe you're supposed to -- you know, you're not</p> <p>17 supposed to answer a phone call in which one of the</p> <p>18 players on the roster, you know, calls you and tell</p> <p>19 him that he can try out the next season.</p> <p>20 If I'm -- if I'm on the team, you're</p> <p>21 supposed to say, This is what -- this is what you</p> <p>22 have to do. This is when practice is, blah, blah,</p>	<p style="text-align: right;">Page 239</p> <p>1 Q. And do you recall that in neither the</p> <p>2 drafts, nor the final did you mention anything about</p> <p>3 racial mistreatment on the team? Did you?</p> <p>4 A. You know, I'll say this again for the</p> <p>5 100th time, I knew that there were certain plots to</p> <p>6 get me kicked off the team. I knew -- I looked at</p> <p>7 when I got back on the team and when I was trying to</p> <p>8 get back on the team that certain things weren't</p> <p>9 adding up.</p> <p>10 I knew that, you know, it was strange how</p> <p>11 when I called Nicole Early she acted like she had no</p> <p>12 clue what was going on.</p> <p>13 So I'm not going to -- or I wasn't going</p> <p>14 to bring up the one issue in which I got punished for</p> <p>15 the most to a new coach trying to get back on to the</p> <p>16 team. That was the one thing that was not going to</p> <p>17 allow me to get on the team because the culture was</p> <p>18 still the same.</p> <p>19 Q. Let me just ask you to answer my question,</p> <p>20 which was a very simple one. In your -- and I'll</p> <p>21 take it in pieces.</p> <p>22 In your final note to Coach MacPherson,</p>
<p style="text-align: right;">Page 238</p> <p>1 blah, blah, blah, blah, blah.</p> <p>2 He had instructed me that there were two</p> <p>3 new players that had replaced him -- replaced me and</p> <p>4 that he was only going with seven players. He told</p> <p>5 me that I could try out next season. So in no way</p> <p>6 possible was he even considering me even being on the</p> <p>7 team.</p> <p>8 My name was still on the roster on the</p> <p>9 website. How does that make any sense? If my name</p> <p>10 is still on the roster on the website, I'm not</p> <p>11 officially -- unofficially -- I'm unofficially taken</p> <p>12 off the team. There's some things that don't add up</p> <p>13 in that situation.</p> <p>14 Q. Do you recall that in September of your</p> <p>15 junior year you and your dad worked together to</p> <p>16 compose a note to Coach MacPherson about your desire</p> <p>17 to be on the team --</p> <p>18 A. Yes.</p> <p>19 Q. -- and you went back and forth with some</p> <p>20 drafts of that note between you and your father?</p> <p>21 A. We probably, you know, had some drafts,</p> <p>22 yes.</p>	<p style="text-align: right;">Page 240</p> <p>1 you did not mention race, correct?</p> <p>2 A. Absolutely not, no.</p> <p>3 Q. You did not mention it?</p> <p>4 A. I did not mention it, no.</p> <p>5 Q. In all of the drafts that you and your</p> <p>6 father circulated back and forth you also did not</p> <p>7 mention race, correct?</p> <p>8 A. I did not mention it, no.</p> <p>9 MR. SCHWARTZ: Would you please mark that?</p> <p>10 (Exh bit Number 7 was marked for</p> <p>11 identification and was attached to the deposition.)</p> <p>12 BY MR. SCHWARTZ:</p> <p>13 Q. Mr. Stafford, the court reporter has</p> <p>14 handed you what's been marked as Exhibit No. 7, which</p> <p>15 is a two-page email that you produced to us. So it</p> <p>16 doesn't have any Bates numbers on it, but it's got</p> <p>17 page 1 at the bottom and page 2 at the bottom of the</p> <p>18 other side.</p> <p>19 It looks like it's an email from you to</p> <p>20 [REDACTED] dated September 12, 2016 at 6:41</p> <p>21 p.m.</p> <p>22 MR. ROSS: I'm sorry. Can I ask -- you</p>

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<p style="text-align: right;">Page 241</p> <p>1 said that we produced this?</p> <p>2 MR. SCHWARTZ: Yeah. I think this came</p> <p>3 from you.</p> <p>4 MR. ROSS: What I gave you doesn't have</p> <p>5 Bates stamps?</p> <p>6 MR. SCHWARTZ: No, I don't think so.</p> <p>7 MR. DZIUBAN: We'll check.</p> <p>8 MR. ROSS: Yeah, please do. It definitely</p> <p>9 should.</p> <p>10 BY MR. SCHWARTZ:</p> <p>11 Q. Okay. Is this the email, Mr. Stafford,</p> <p>12 that you sent to Coach MacPherson at the beginning of</p> <p>13 your junior year expressing your desire to be on the</p> <p>14 team?</p> <p>15 A. Yes.</p> <p>16 Q. And if you'd take a minute to read it, I</p> <p>17 want to ask you a couple of questions about some of</p> <p>18 the things you said in here.</p> <p>19 A. I've already read it.</p> <p>20 Q. Okay. Terrific, thank you. So you begin</p> <p>21 by telling him you're interested in being a part of</p> <p>22 the team this year. That was correct, right? You</p>	<p style="text-align: right;">Page 243</p> <p>1 issues because that's when they were attacking me</p> <p>2 more.</p> <p>3 With MacPherson and coming back on to the</p> <p>4 team, I tried to word this in the most sort of safest</p> <p>5 way possible, that I could talk about -- you know, I</p> <p>6 could kind of code some of the things I was</p> <p>7 experiencing on the tennis team in terms of racism,</p> <p>8 but I wouldn't, you know, directly say that because I</p> <p>9 didn't know how he was going to take it.</p> <p>10 And I knew that David MacPherson --</p> <p>11 ultimately, it's not just David MacPherson. David</p> <p>12 MacPherson is GW. And complaining to, you know, the</p> <p>13 same officials on an everyday basis who were GW, you</p> <p>14 know, I knew that that wasn't going to bode well for</p> <p>15 me.</p> <p>16 So I tried to put this letter in the</p> <p>17 safest way possible so it could look like, you know,</p> <p>18 that I -- you know, yeah. I tried to put it in as</p> <p>19 safe a way possible.</p> <p>20 Q. In the next sentence, you indicate:</p> <p>21 "However, I believe throughout these two years I've</p> <p>22 grown and matured tremendously." Was that a true</p>
<p style="text-align: right;">Page 242</p> <p>1 did, in fact, want to be on the tennis team in your</p> <p>2 junior year?</p> <p>3 A. Obviously, yeah.</p> <p>4 Q. Now, about halfway down that first page,</p> <p>5 you refer to struggles, primarily in your freshman</p> <p>6 year, with coaches and team environments.</p> <p>7 Do you see that?</p> <p>8 A. Can you give me the first --</p> <p>9 Q. Sure. So there's a sentence that begins,</p> <p>10 "Due to the fact that I can be introverted at times."</p> <p>11 A. Yes. I can see that.</p> <p>12 Q. Okay. Was that true? In other words, did</p> <p>13 you believe that you had had struggles primarily in</p> <p>14 your freshman year with coaches and team environments</p> <p>15 due to the fact that you can be introverted at times?</p> <p>16 A. So basically, what I meant by that was</p> <p>17 when I -- you know, introverted means, you know, to</p> <p>18 yourself and sort of distancing yourself from</p> <p>19 everybody else.</p> <p>20 I distanced myself from a lot of people, a</p> <p>21 lot of individuals, on the tennis team and coaching</p> <p>22 staff included and that actually brought me more</p>	<p style="text-align: right;">Page 244</p> <p>1 statement?</p> <p>2 A. Well, I mean, you know, any student that</p> <p>3 attends college throughout the years they're going to</p> <p>4 grow and they're going to learn and they're going to</p> <p>5 experience and they're going to, you know, hopefully</p> <p>6 be better people. That's, I think, pretty consistent</p> <p>7 with everybody.</p> <p>8 Q. Let me ask you to turn to the top of page</p> <p>9 2. It's on the flip side of this document. Can you</p> <p>10 read that first sentence that begins, "My father"?</p> <p>11 A. "My father has rarely ever contacted the</p> <p>12 coaches before and has mostly been out of the picture</p> <p>13 compared to other parents."</p> <p>14 Q. Was that a truthful statement?</p> <p>15 A. Yes, this was a truthful statement because</p> <p>16 a lot of parents -- some of the parents were always</p> <p>17 at matches, always bugging, you know, certain coaches</p> <p>18 about playing time, you know, this and that.</p> <p>19 My father has, for the most part, mostly</p> <p>20 stayed out of the picture. He hasn't really, you</p> <p>21 know, bugged -- he didn't bug any of the officials,</p> <p>22 you know, on an everyday basis. You know, he was</p>

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<p style="text-align: right;">Page 245</p> <p>1 mostly out of the picture.</p> <p>2 Q. Can you go ahead and read the very next</p> <p>3 sentence?</p> <p>4 A. "Whatever little concerns my father</p> <p>5 addresses here and there are completely separate from</p> <p>6 how I go about things in my everyday life and also</p> <p>7 separate from my personality."</p> <p>8 Q. So again, was that a truthful statement?</p> <p>9 A. Well, you know, throughout my tenure at</p> <p>10 GW, my father has, you know, always sort of been a</p> <p>11 talking point. You know, Greg Munoz, you know, had</p> <p>12 his opinions about my father. My teammates have had</p> <p>13 their opinions about my father, and you know, people</p> <p>14 in the administration have had, you know, certain</p> <p>15 opinions about my father.</p> <p>16 And basically what I was saying was, you</p> <p>17 know, if my father is -- whatever my father is doing,</p> <p>18 that's completely separate from how I go about doing</p> <p>19 things.</p> <p>20 And you know, whatever concerns he has in</p> <p>21 terms of whether, you know, it would be about racism,</p> <p>22 whether it would be about hostility, whether it would</p>	<p style="text-align: right;">Page 247</p> <p>1 befuddled because I had always dealt with everybody</p> <p>2 in a professional way and just to, you know, compile</p> <p>3 (sic) this essay -- this email and send it to him,</p> <p>4 you know, I thought that was a very professional</p> <p>5 thing to do.</p> <p>6 So, you know, that's a statement that he</p> <p>7 made towards me. That's not a statement that, you</p> <p>8 know, I compiled myself.</p> <p>9 BY MR. SCHWARTZ:</p> <p>10 Q. But again, what you're communicating to</p> <p>11 him, you go on then to talk about how your father</p> <p>12 doesn't speak for you and his little concerns are not</p> <p>13 yours.</p> <p>14 Is the point of what you're trying to tell</p> <p>15 him that you speak for yourself, just those next two</p> <p>16 sentences that we just looked at?</p> <p>17 MR. ROSS: It's the point of those two</p> <p>18 sentences or are you still talking about the boys and</p> <p>19 men?</p> <p>20 MR. SCHWARTZ: The boys to men.</p> <p>21 A. So ask your question again.</p> <p>22 BY MR. SCHWARTZ:</p>
<p style="text-align: right;">Page 246</p> <p>1 be about anything, you know, I wanted to make the</p> <p>2 focus that, you know, I am willing to endure this --</p> <p>3 the things that were happening to me on a daily basis</p> <p>4 and I'm willing to put that behind me and try to</p> <p>5 start fresh and try to start new.</p> <p>6 Q. And if you turn back to the first page for</p> <p>7 a second, there's a sentence that begins at the very</p> <p>8 bottom of that page, "To be quite clear as well."</p> <p>9 Can you read that, too?</p> <p>10 A. "To be quite clear as well, I understand</p> <p>11 that it's not a boys' team, but a man's team."</p> <p>12 Q. Is it fair to say that what you're</p> <p>13 expressing there -- and then you go on to talk about</p> <p>14 your father -- is that you understand you're supposed</p> <p>15 to speak for yourself and that your father doesn't</p> <p>16 speak for you?</p> <p>17 MR. ROSS: Objection to the form of the</p> <p>18 question.</p> <p>19 You can answer.</p> <p>20 A. Well, on the phone he had told me, "This</p> <p>21 is not a boys' team. This is a man's team." And you</p> <p>22 know, when I heard that, you know, I was a little bit</p>	<p style="text-align: right;">Page 248</p> <p>1 Q. Sure. I gather that what you are trying</p> <p>2 to say here -- and tell me if I'm misunderstanding</p> <p>3 this -- is -- where you say, "To be quite clear, I</p> <p>4 understand that it's not a boys' team, but a man's</p> <p>5 team. My father has rarely ever contacted the</p> <p>6 coaches before and has mostly been out of the picture</p> <p>7 compared to other parents. Whatever little concerns</p> <p>8 he addresses here and there are completely separate</p> <p>9 from how I go about things in my everyday life and</p> <p>10 also separate from my personality" -- what I take</p> <p>11 from that, among other things, is you're trying to</p> <p>12 say my father doesn't speak for me; I understand; I'm</p> <p>13 a grown-up.</p> <p>14 Is that what you're trying to tell the</p> <p>15 coach?</p> <p>16 A. Not at all. I'm basically just saying,</p> <p>17 you know, my father has, you know, reached out to</p> <p>18 certain officials, you know, on a couple occasions.</p> <p>19 And I've always been sort of -- I've always been</p> <p>20 willing to sort of, you know, endure these things</p> <p>21 that were happening and not, you know, always speak</p> <p>22 out about these things.</p>

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<p style="text-align: right;">Page 249</p> <p>1 And, you know, my dad wasn't in that</p> <p>2 situation. And when I, you know, told him about a</p> <p>3 lot of these things that were going on, you know,</p> <p>4 these things really hurt him and these things really</p> <p>5 affected him.</p> <p>6 So, you know, whether he's come -- you</p> <p>7 know, come up to the school and has tried to contact</p> <p>8 the head of the school, you know, certain situations</p> <p>9 like that, you know, he's spoken up when, for</p> <p>10 example, you know, I haven't contacted the head of</p> <p>11 the school.</p> <p>12 So basically what I was trying to tell</p> <p>13 MacPherson was, you know, I understand you might have</p> <p>14 -- you know, whether you have an opinion about my</p> <p>15 father or whether whoever has an opinion about my</p> <p>16 father, but -- you know, him and I are separate and I</p> <p>17 shouldn't be judged from his actions, even though,</p> <p>18 you know, his actions are in my best interests.</p> <p>19 And I know that, you know, everybody, you</p> <p>20 know, had a problem with my father, you know, because</p> <p>21 his financial status would always come up with him</p> <p>22 being black and, you know, they -- they judged him on</p>	<p style="text-align: right;">Page 251</p> <p>1 MR. SCHWARTZ: 392.</p> <p>2 MR. ROSS: Got it. Thanks.</p> <p>3 MR. SCHWARTZ: You're welcome. Let's take</p> <p>4 a break.</p> <p>5 THE VIDEOGRAPHER: Going off the record at</p> <p>6 3:13 p.m. This marks the end of DVD Number 3.</p> <p>7 (A break was taken.)</p> <p>8 THE VIDEOGRAPHER: Going back on the</p> <p>9 record at 3:34 p.m. This marks the beginning of DVD</p> <p>10 Number 4.</p> <p>11 BY MR. SCHWARTZ:</p> <p>12 Q. Mr. Stafford, did you discuss how you</p> <p>13 should answer my questions with anybody during the</p> <p>14 break?</p> <p>15 A. No.</p> <p>16 MR. SCHWARTZ: Would you please mark that?</p> <p>17 (Exhibit Number 8 was marked for</p> <p>18 identification and was attached to the deposition.)</p> <p>19 BY MR. SCHWARTZ:</p> <p>20 Q. Mr. Stafford, the court reporter has</p> <p>21 handed you what has been marked as Exhibit No. 8.</p> <p>22 It's an email exchange between yourself and Edward</p>
<p style="text-align: right;">Page 250</p> <p>1 that a lot.</p> <p>2 So, you know, I knew there was not just a</p> <p>3 battle that I had to go through with this</p> <p>4 environment. There was a battle that he had to go</p> <p>5 through in which he was not even really directly</p> <p>6 correlated with the environment. It was a lot of</p> <p>7 perception and it was a lot of talk.</p> <p>8 Q. And he helped you write this, right? Your</p> <p>9 father helped you write this note?</p> <p>10 A. I believe so.</p> <p>11 MR. SCHWARTZ: By the way, Mr. Ross, I</p> <p>12 apologize. The Bates number for this document is</p> <p>13 GWU392. I'm not sure why it didn't print on here.</p> <p>14 But just so we have a clear record, this is Exhibit</p> <p>15 No. 7.</p> <p>16 MR. ROSS: 7 or 8?</p> <p>17 MR. SCHWARTZ: 7, I believe.</p> <p>18 MR. ROSS: 7? Oh, because we didn't mark</p> <p>19 the complaint?</p> <p>20 MR. SCHWARTZ: Correct. You got it.</p> <p>21 MR. ROSS: All right. All right. Give me</p> <p>22 the number again, please.</p>	<p style="text-align: right;">Page 252</p> <p>1 Scott with Bates Nos. GW413 all the way through 416.</p> <p>2 Take a look at that, and then I want to</p> <p>3 ask you some questions about it. It's probably</p> <p>4 easiest to start from the back.</p> <p>5 A. Go ahead.</p> <p>6 Q. Do you remember having this email exchange</p> <p>7 with Mr. Scott?</p> <p>8 A. Yes.</p> <p>9 Q. And Mr. Scott was the senior associate</p> <p>10 athletics director?</p> <p>11 A. I believe so.</p> <p>12 Q. Had you met him before this email</p> <p>13 exchange?</p> <p>14 A. No.</p> <p>15 Q. Do you know Mr. Scott to be an African</p> <p>16 American?</p> <p>17 A. Yes.</p> <p>18 Q. Had you previously communicated with Mr.</p> <p>19 Scott in any way about your situation on the tennis</p> <p>20 team?</p> <p>21 A. Sorry. Can you ask that again?</p> <p>22 Q. Had you previous to this email in Exhibit</p>

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1 No. 8 communicated -- previous to this email in
 2 Exhibit No. 8, had you communicated with Mr. Scott in
 3 any way about your situation on the tennis team?
 4 A. Well, this is stemming from a meeting I
 5 had with him -- with him, Helen Saulny, and my
 6 father.
 7 Q. I think that meeting may have happened
 8 after this email. Are you sure the meeting was
 9 before this email?
 10 A. I mean, I think that this email was after
 11 because it talks about Coach MacPherson providing me
 12 a skills assessment.
 13 Q. So you think this happened after you and
 14 your father met with Mr. Scott and Ms. Cannaday
 15 Saulny?
 16 A. I believe so.
 17 Q. One reason I think you might be mistaken
 18 is if you look on page 415, you see where he says:
 19 "Please feel free to share this email with your
 20 father at your discretion. I understand he would
 21 like to meet with me." That kind of suggests he
 22 hadn't yet met with him.

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1 A. Oh, okay. I'm sorry. I didn't remember.
 2 Yeah. I believe my father had reached out to --
 3 initially, he tried to reach out to the head of the
 4 school, and I believe that he got a call from Helen
 5 Saulny who he knew personally.
 6 And Helen Saulny was the one that
 7 constructed this meeting between Ed Scott, Helen
 8 Saulny, and my father and I.
 9 Q. Got it. Okay. And I'll talk to you about
 10 that meeting in a second. I just want to finish
 11 asking you about this email exchange in Exhibit 8.
 12 So it looks like, if I'm reading this
 13 correctly at the bottom of 414, the first email in
 14 the chain, Monday, September 26th, at 5:33, Mr. Scott
 15 is writing to you, Jabari, confirming receipt of the
 16 email that you had sent to Coach MacPherson, the one
 17 we looked at in Exhibit 7; is that right?
 18 A. And say that again, please.
 19 Q. So it looks like you wrote to MacPherson
 20 in Exhibit 7 --
 21 A. Yes.
 22 Q. -- which was on September 12th. And then

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1 on September 26th, Ed Scott is writing to you saying:
 2 "I'm confirming your receipt of the email you sent to
 3 MacPherson expressing interest in being on The George
 4 Washington University tennis team."
 5 A. Yes. I believe I sent that email -- this
 6 was -- I don't know the time period exactly. But,
 7 you know, after I had the phone call with him, I
 8 wanted to send him a follow-up email because the
 9 phone call was a bit -- you know, I was a little bit
 10 distressed when I called him because he had told me
 11 that I was not off the team, and I was -- or not on
 12 the team and I was very, very frustrated.
 13 So I decided to compile this email and
 14 send it to him.
 15 Q. And just so that our record is clear,
 16 you're talking about a phone call with Coach
 17 MacPherson. And then you compiled the email that is
 18 marked Exhibit 7 and sent it to MacPherson?
 19 A. Yes. I had a phone call with MacPherson.
 20 Q. Got it. And then you send MacPherson the
 21 Exhibit 7 email?
 22 A. Yes.

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1 Q. And then after that you got the Exhibit 8
 2 email back from Ed Scott, who says, "I've got the
 3 note you sent to MacPherson"?
 4 A. Yes. That makes sense.
 5 Q. Okay. Now, do you see the third paragraph
 6 down on page 415, Mr. Scott says: "Additionally,
 7 it's been brought to my attention that your father
 8 has raised concerns about your experience while
 9 participating on the tennis team."
 10 Do you see that?
 11 A. Yes.
 12 Q. And here Mr. Scott provides you with
 13 information about the university student grievance
 14 procedures, correct?
 15 A. Yes.
 16 Q. And he says, among other things, you can
 17 use them if you feel like you've been discriminated
 18 against on the basis of your race?
 19 A. Yes.
 20 Q. And we talked about this earlier in your
 21 deposition. You were aware that the university had a
 22 grievance procedure through the Office of the Dean of

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<p style="text-align: right;">Page 257</p> <p>1 Students, correct?</p> <p>2 A. Yeah -- yes.</p> <p>3 Q. And after you got this note from Mr. Scott</p> <p>4 giving you a link, right, to the grievance procedure,</p> <p>5 did you use it?</p> <p>6 A. I did not use it, no.</p> <p>7 Q. Why not?</p> <p>8 A. As I said -- as I said before, I didn't</p> <p>9 want to make my racial experience the main focus</p> <p>10 especially with me getting back on to the team</p> <p>11 because I didn't know how it would backfire on me and</p> <p>12 I didn't want -- and I didn't know what type of</p> <p>13 individual Coach MacPherson was.</p> <p>14 Based on my experiences with Greg Munoz</p> <p>15 and many other officials, every time that I brought</p> <p>16 up racism or every time that I brought up any type of</p> <p>17 hostility and defamation of character, they -- they</p> <p>18 either reprimanded me, they punished me, or they</p> <p>19 threatened to kick me off the team.</p> <p>20 Coming on to the -- you know, me trying to</p> <p>21 get back on to the team, I knew that it was a very</p> <p>22 delicate situation. So I didn't want to make the</p>	<p style="text-align: right;">Page 259</p> <p>1 Q. -- the one who said, If you ever need me,</p> <p>2 I'm here for you?</p> <p>3 A. I believe so, yes.</p> <p>4 Q. And between the start of your freshman</p> <p>5 year and the beginning of your junior year, really</p> <p>6 October of your junior when you had this meeting, you</p> <p>7 had never contacted Ms. Cannaday Saulny, correct?</p> <p>8 A. I never contacted her, no. No. I never</p> <p>9 contacted her.</p> <p>10 Q. Now, when you had this meeting in Ms.</p> <p>11 Cannaday Saulny's office, she listened to you and</p> <p>12 your father and Mr. Scott listened to you and your</p> <p>13 father, correct?</p> <p>14 A. Yes.</p> <p>15 Q. And Mr. Scott had already arranged for you</p> <p>16 to have a tryout with Coach MacPherson, correct?</p> <p>17 A. After he had told me that I was</p> <p>18 unofficially taken off the team and that he didn't</p> <p>19 understand the situation and that certain things</p> <p>20 weren't adding up in terms of my departure from the</p> <p>21 team. So mind you, Ed Scott and Helen Saulny work</p> <p>22 for the school -- or worked for the school at that</p>
<p style="text-align: right;">Page 258</p> <p>1 whole race issue a big deal when going through the</p> <p>2 grievance procedures.</p> <p>3 Now, you know, we did have many, many,</p> <p>4 many conversations about it when I talked to Helen</p> <p>5 Saulny and Ed Scott in person, and I told them about</p> <p>6 every single little incident and issue that had been</p> <p>7 happening in which they were mortified and very</p> <p>8 surprised.</p> <p>9 Q. And in the in-person meeting -- that was a</p> <p>10 meeting with Helen Cannaday Saulny, Ed Scott,</p> <p>11 yourself, and your father, correct?</p> <p>12 A. Yes.</p> <p>13 Q. And that took place at Ms. Cannaday</p> <p>14 Saulny's office?</p> <p>15 A. Yes.</p> <p>16 Q. And again, she was a vice provost of the</p> <p>17 university?</p> <p>18 A. Yes.</p> <p>19 Q. And she's the same Helen Cannaday Saulny</p> <p>20 who you met way back when when you were considering</p> <p>21 applying to GW, right --</p> <p>22 A. Yes.</p>	<p style="text-align: right;">Page 260</p> <p>1 time.</p> <p>2 They were, obviously, going to do</p> <p>3 everything in the school's best interest. So their</p> <p>4 next step was to set up a tryout between -- you know,</p> <p>5 set up a tryout in front of David MacPherson sometime</p> <p>6 in, I would say, October.</p> <p>7 Q. And in addition to setting up the tryout,</p> <p>8 they told you in the meeting when you expressed your</p> <p>9 concerns about the team that if you wanted to pursue</p> <p>10 that you should use the student grievance procedure,</p> <p>11 correct?</p> <p>12 A. They outlined, you know, certain things</p> <p>13 such as the grievance procedure that I could go</p> <p>14 through, yes.</p> <p>15 Q. And again, you didn't use it at that time,</p> <p>16 correct?</p> <p>17 A. I didn't use it because I was afraid that</p> <p>18 it was going to cause backlash especially dealing</p> <p>19 with the new coach because the only thing that I was</p> <p>20 trying to do was get back on to the team. And</p> <p>21 whatever means I had to get back on the team, I was</p> <p>22 willing to do.</p>

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<p style="text-align: right;">Page 261</p> <p>1 And if I had to stay silent about certain</p> <p>2 types of racism to the new coach because I didn't</p> <p>3 know how he would take it because I knew how Greg</p> <p>4 Munoz took it, I was, you know, willing to do that.</p> <p>5 I was willing to just put up with it.</p> <p>6 Q. Did you ever report to Coach MacPherson</p> <p>7 that you thought there was a conspiracy among the</p> <p>8 other players to try to get you off the team?</p> <p>9 A. Multiple times, and there were actually</p> <p>10 multiple times when Amlan Sahoo would report to him.</p> <p>11 There are multiple times when Wills Tutecky would</p> <p>12 report to him.</p> <p>13 There's even an instance where Amlan Sahoo</p> <p>14 and I were in his office one day telling him about</p> <p>15 the fact that these guys were trying to record me and</p> <p>16 these guys were trying to antagonize me to get me</p> <p>17 kicked off the team.</p> <p>18 Wills Tutecky and Amlan have multiple text</p> <p>19 messages and images that show that these guys are</p> <p>20 conspiring against me in trying to plot on my demise.</p> <p>21 We sat in MacPherson's office, and</p> <p>22 MacPherson sort of brushed by the issue and acted</p>	<p style="text-align: right;">Page 263</p> <p>1 my race. But most of, like, my allegations and most</p> <p>2 of the context that I was speaking in was about</p> <p>3 racism. You know, I'm not going to -- you know, I</p> <p>4 didn't say, oh, they were conspiring against me</p> <p>5 because I was black.</p> <p>6 No. All the allegations, my whole</p> <p>7 context, was about race. And it just so happened</p> <p>8 that plotting on my demise in terms of trying to</p> <p>9 record me and all of these things happened alongside</p> <p>10 with that. So it was definitely a motivator and it</p> <p>11 was a factor.</p> <p>12 Q. Did you tell the coach you thought racism</p> <p>13 was at play --</p> <p>14 A. Yes.</p> <p>15 Q. -- Coach MacPherson?</p> <p>16 A. Yes, and Wills Tutecky and Amlan Sahoo did</p> <p>17 the same thing as well.</p> <p>18 Q. Who was present when you told Coach</p> <p>19 MacPherson that you thought it was racism?</p> <p>20 A. I mean, I would tell him directly. Amlan</p> <p>21 Sahoo and I would tell him in his office that one</p> <p>22 time. We -- we had a conversation with him. I'm</p>
<p style="text-align: right;">Page 262</p> <p>1 like, you know, we didn't know what we were talking</p> <p>2 about. And he said, you know, just focus on what</p> <p>3 you're doing.</p> <p>4 I would have conversations with him over</p> <p>5 the phone sometimes about this. You know, I had</p> <p>6 conversations in his office.</p> <p>7 Other guys on the team such as Wills</p> <p>8 Tutecky and Amlan Sahoo would report on this stuff</p> <p>9 for me because, you know, they believed that maybe,</p> <p>10 you know, they could help my situation.</p> <p>11 David MacPherson turned a blind eye to</p> <p>12 every single situation, and also he was only there</p> <p>13 about 30 percent of the time. So he wasn't able to</p> <p>14 even deal with any of the situations at hand, in</p> <p>15 which he left most of his duties to Chris Reynolds,</p> <p>16 who was the Number 1 person that I was really</p> <p>17 complaining about the whole time, and also not just</p> <p>18 me, other players as well.</p> <p>19 Q. Did you -- did you ever tell Coach</p> <p>20 MacPherson that you thought this conspiracy was as a</p> <p>21 result of your race?</p> <p>22 A. You know, I didn't link the conspiracy to</p>	<p style="text-align: right;">Page 264</p> <p>1 sure Wills Tutecky -- he told me he had his private</p> <p>2 conversations with Coach MacPherson. MacPherson was</p> <p>3 very well aware of it.</p> <p>4 Q. Did you go back to Helen Cannaday Saulny</p> <p>5 and tell her, Hey, I think there's a racist</p> <p>6 conspiracy to get me kicked off the team?</p> <p>7 A. This conspiracy was happening for a while.</p> <p>8 Now, it started to intensify as I got older and as --</p> <p>9 I ke, you know, as I became a junior.</p> <p>10 But this racial conspiracy or, you know,</p> <p>11 this whole conspiracy, you know, this happened</p> <p>12 throughout my entire tenure at GW. So yes, I did</p> <p>13 tell her about the plots of -- you know, the plots of</p> <p>14 conspiracy in which they would all conspire against</p> <p>15 me to try and plot on my demise.</p> <p>16 Q. You told her that in that October 2016</p> <p>17 meeting where your father was present?</p> <p>18 A. Yes.</p> <p>19 Q. And that's when she told you, use the</p> <p>20 student grievance procedure?</p> <p>21 A. What do you mean?</p> <p>22 Q. That's when she told you, If you want to</p>

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<p style="text-align: right;">Page 265</p> <p>1 pursue this, you should use the student grievance</p> <p>2 procedure, correct? That's what Ms. Cannaday Saulny</p> <p>3 told you in the meeting.</p> <p>4 A. Directly after that?</p> <p>5 Q. No. No. No. She told you in the meeting</p> <p>6 that the way to pursue this is to use the student</p> <p>7 grievance procedure, right?</p> <p>8 A. You know, that was one of the things she</p> <p>9 outlined at the very end of the meeting and, you</p> <p>10 know, that's what Ed Scott, you know, sent to me by</p> <p>11 email. But, you know, during the meeting, they were</p> <p>12 mostly just spending their time just being mortified</p> <p>13 and very surprised at a lot of the things that were</p> <p>14 going on.</p> <p>15 They believed that, you know, under, you</p> <p>16 know, MacPherson's leadership, you know, things might</p> <p>17 change because of, you know, the fact that, you know,</p> <p>18 MacPherson is there now. You know, that's what they</p> <p>19 were told by, you know -- you know, I don't know</p> <p>20 exactly, but I'm sure, you know, they were told that</p> <p>21 by, you know, other tennis officials that knew what</p> <p>22 was going on.</p>	<p style="text-align: right;">Page 267</p> <p>1 A. No. I didn't go back to Ed Scott either.</p> <p>2 You know, there -- you know, Ed Scott is the same</p> <p>3 person, you know, that told me that I was</p> <p>4 unofficially taken off the team, but at the same time</p> <p>5 sets up a tryout for me. That doesn't really make</p> <p>6 any sense.</p> <p>7 You know, why is my name on the roster and</p> <p>8 why am I unofficially taken off the team, but you're</p> <p>9 setting up a tryout? So, you know, I didn't talk to</p> <p>10 these individuals because, you know, there was a lot</p> <p>11 of things that didn't really add up in that</p> <p>12 situation, and I had to sort of take it or leave it.</p> <p>13 You know, I had to sort of just grin and</p> <p>14 bear it and just sort of like, you know, try to</p> <p>15 survive and do whatever I could to get back on to the</p> <p>16 team.</p> <p>17 Q. Was there a point in the spring of your</p> <p>18 junior year where you had food poisoning?</p> <p>19 A. Yes. I got food poisoning, yeah.</p> <p>20 Q. In the spring of your junior year, did you</p> <p>21 have some sort of incident with Fernando?</p> <p>22 A. Yes.</p>
<p style="text-align: right;">Page 266</p> <p>1 Because Helen Saulny and Ed Scott -- I</p> <p>2 don't know Ed Scott's role too much, but Helen Saulny</p> <p>3 was not very -- she didn't know too much about what</p> <p>4 was going on on the tennis team. You know, she's a</p> <p>5 vice provost. You know, she's not directly</p> <p>6 correlated to the tennis team.</p> <p>7 So -- and what was your question?</p> <p>8 Q. My question was: You had said that the</p> <p>9 conspiracy continued and that you reported it to</p> <p>10 Coach MacPherson at least on this one occasion with</p> <p>11 Amlan Sahoo in his office.</p> <p>12 A. Yes.</p> <p>13 Q. And I asked you did you ever go back to</p> <p>14 Vice Provost Cannaday Saulny, Hey, there's this</p> <p>15 conspiracy that's continuing under Coach MacPherson?</p> <p>16 Did you go back to her after that initial meeting?</p> <p>17 A. Oh, I did not go back to her, but she was</p> <p>18 very well aware of it when I told her in the meeting.</p> <p>19 Q. And did you ever go back to assistant</p> <p>20 athletic director Ed Scott after that meeting to say,</p> <p>21 Hey, this conspiracy is continuing under Coach</p> <p>22 MacPherson?</p>	<p style="text-align: right;">Page 268</p> <p>1 Q. What happened with Fernando that spring?</p> <p>2 A. Now talk about that a little bit more.</p> <p>3 Q. Well, do you recall any incident that you</p> <p>4 had with Fernando?</p> <p>5 A. Well, yeah. I recall a couple of</p> <p>6 incidents, but if you could detail that a little bit</p> <p>7 better.</p> <p>8 Q. Okay. Tell me what you remember from that</p> <p>9 spring.</p> <p>10 A. No. I'd much prefer you to tell me the</p> <p>11 exact incident that happened.</p> <p>12 Q. With all due respect, I get to ask the</p> <p>13 questions and you answer them.</p> <p>14 A. Well, I'm not quite sure --</p> <p>15 Q. So tell me what incidents you recall.</p> <p>16 A. -- what type of incident that you're</p> <p>17 referring to.</p> <p>18 MR. ROSS: He's now just asking you to</p> <p>19 tell him about any incidents you had with Fernando.</p> <p>20 BY MR. SCHWARTZ:</p> <p>21 Q. In the spring of 2017, the spring of your</p> <p>22 junior year, do you recall any incidents with</p>

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<p style="text-align: right;">Page 269</p> <p>1 Fernando?</p> <p>2 A. Yes. I do recall this one incident where</p> <p>3 we were, you know, competing for practice matches</p> <p>4 and, you know, I was on the court warming up and</p> <p>5 Fernando was about 15 to 20 minutes late. I'm not</p> <p>6 sure how late he was. You know, about 20 minutes</p> <p>7 late, I would say.</p> <p>8 And he starts coming on to the court. As</p> <p>9 he coming on to the court, he's cracking jokes and</p> <p>10 trying to taunt me before we're playing. And, you</p> <p>11 know, I'm focused. I don't want to really deal with</p> <p>12 that.</p> <p>13 So I tell Rafael Aita, you know, tell him to</p> <p>14 stop; you know, like, I don't want to hear this, you</p> <p>15 know, while we're playing. Rafael Aita, you know,</p> <p>16 sort of just tells me to shut up, you know, just</p> <p>17 ignore it.</p> <p>18 So as we're -- as we start playing during</p> <p>19 the match, Fernando, you know, is constantly taunting</p> <p>20 me yelling as I'm about to hit the ball, you know,</p> <p>21 just saying sly remarks under his breath. And I</p> <p>22 called Rafael Aita over, and, you know, I'm saying,</p>	<p style="text-align: right;">Page 271</p> <p>1 because I guess he was, you know, tending to whatever</p> <p>2 he was doing in Miami.</p> <p>3 So I get on the phone and, you know, I'm</p> <p>4 telling him about all of these things that are</p> <p>5 happening: These guys are plotting against me; these</p> <p>6 guys are, you know, taunting me; these guys are</p> <p>7 racially discriminating against me. You know, I'm</p> <p>8 telling him about everything that's going on, you</p> <p>9 know, for the -- you know, and this is nothing new</p> <p>10 that he's hearing.</p> <p>11 And he just -- you know, I don't remember</p> <p>12 exactly everything that he said, but he told me that</p> <p>13 both parties would be dealt with. I think maybe he</p> <p>14 sent an email saying something like that. I'm not</p> <p>15 quite sure of the exact context and the exact words.</p> <p>16 I get a, I guess, text message or email --</p> <p>17 I'm not sure how I received it -- the next day</p> <p>18 telling me that I'm suspended. Fernando wasn't</p> <p>19 suspended. And how do you suspend somebody when</p> <p>20 you're not even there?</p> <p>21 You are leaving the team up to the same</p> <p>22 guys that I am actively complaining against on a</p>
<p style="text-align: right;">Page 270</p> <p>1 Rafa (phonetic), you know, can you tell him to stop;</p> <p>2 you know, this is really throwing me off my game.</p> <p>3 So Rafa (phonetic), you know, tells me to</p> <p>4 shut up and just deal with it. This -- you know,</p> <p>5 this continues to happen. He keeps doing it with</p> <p>6 Rafael Aita present on the court, and I end up</p> <p>7 losing.</p> <p>8 You know, I yell at Rafa (phonetic). And</p> <p>9 this is how I yelled at Rafa (phonetic), I said:</p> <p>10 "How could you let this happen? You know, this guy</p> <p>11 has been doing all of these things."</p> <p>12 And then I guess Rafa (phonetic) took that</p> <p>13 as controversial and negative, so he decides to call</p> <p>14 Coach MacPherson, the same coach who isn't even there</p> <p>15 as well. I believe he was in Miami. That's what I</p> <p>16 heard from another teammate of mine.</p> <p>17 I don't know exactly where he was, but I</p> <p>18 heard he was in Miami. And MacPherson -- so, you</p> <p>19 know, we're done practice and I'm going back on the</p> <p>20 vex (sic), which is the bus, and I'm going back to my</p> <p>21 apartment and I get a call from MacPherson.</p> <p>22 You know, he took forever to call me</p>	<p style="text-align: right;">Page 272</p> <p>1 daily -- on an everyday basis.</p> <p>2 So I don't believe that was warranted. I</p> <p>3 believe that -- you know, the fact that I'm the only</p> <p>4 one that got suspended when I was just trying to</p> <p>5 focus on what I was doing and I was getting taunted</p> <p>6 was completely unwarranted. And that's the extent to</p> <p>7 one of the incidents I had with Fernando.</p> <p>8 Q. Do you remember any other incidents in the</p> <p>9 spring of your junior year with Fernando?</p> <p>10 A. You know, Fernando was very just -- he was</p> <p>11 just very instrumental in making a lot of racist</p> <p>12 comments about my skin tone.</p> <p>13 You know, he made racist comments about my</p> <p>14 skin tone. He would, you know, always equate, you</p> <p>15 know, how was I rich with, you know, the fact that I</p> <p>16 was black. You know, a lot of different things.</p> <p>17 He'd always ask me about, you know, my</p> <p>18 financial situation. He tried to -- you know, it was</p> <p>19 a multitude of things, but I would say that was</p> <p>20 probably the biggest incident that I had with</p> <p>21 Fernando.</p> <p>22 Q. Now, Mr. Stafford, you mentioned a number</p>

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1 of inappropriate comments that were made on a team
2 group chat, including both racially-oriented comments
3 and then some comments about Jewish people.
4 Do you remember that?
5 A. Yes.
6 Q. That group chat, was Coach MacPherson a
7 part of the group?
8 A. I don't believe so.
9 Q. It was just students on the team, right?
10 A. I believe so.
11 Q. And did you report the inappropriate group
12 chats to anybody at the university?
13 A. No, I did not report them at that time. A
14 lot of these group chats also and a lot of the things
15 that they were saying were things said behind my
16 back. A lot of the plots were behind my back, you
17 know, I didn't have complete knowledge of.
18 A lot of the racial rhetoric was behind my
19 back. But, you know, Wills Tutecky and Amlan Sahoo
20 who were usually a part of it always made it clear to
21 me that I was the target because, you know, that's
22 who they were referring to.

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1 Q. The -- we'll move to your senior year, but
2 let me just ask you: Is there anything else that
3 stands out for you in your junior year where you
4 thought there were any racial incidents?
5 A. I'd have to sit here and try to remember.
6 It's a lot of things we covered, so -- yeah. You
7 know, actually, I do remember.
8 In the van, Dennis Afanasev was always
9 yelling out nigger and nigga in the van with Damian
10 Farinola, who was assistant coach at the time -- or
11 Rafael Aita during my junior year, but also during my
12 senior year, Damian Farinola -- you know, they were
13 always present. They would always yell out
14 obscenities like that.
15 They were always -- you know, for example,
16 when we -- you know, we'd practice sometimes at
17 Southeast Tennis Center, which is in a predominantly
18 black area. You know, they'd always make jokes like,
19 you know, yeah, you know, black -- they're black like
20 Jabari or, you know, like, Jabari belongs in this
21 neighborhood, you know, things like that.
22 You know, in the van rides, you know,

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1 people were always, you know, yelling out racial
2 rhetoric. They knew that I couldn't do anything
3 about it because Damian Farinola or Rafael Aita were
4 in the van and they were going to reprimand me if I
5 were to confront them, just like I was reprimanded
6 when I confronted Chris Reynolds my freshman year.
7 You know, during practice, you know, they
8 -- you know, it was taunting going on. You know, I
9 was being plotted against. The guys would try to get
10 Wills Tutecky and Amlan Sahoo, you know, up to, you
11 know, try and record me to get me kicked off the
12 team.
13 They would always, you know -- you know,
14 it was -- it was -- it was many, many different
15 incidents on pretty much an everyday basis, you know,
16 that happened.
17 Q. Did they ever record you, by the way?
18 A. I don't know.
19 Q. Did you ever hear that they had done so?
20 A. I don't know. It was -- it was -- you
21 know, whether they were trying to record me, whether
22 they were trying to get a text message, whether they

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1 were trying to -- I don't know. You know, I'm not
2 quite sure to the extent of that because, you know,
3 those are things that they did.
4 Q. Did you ever record anybody?
5 A. I don't believe so.
6 Q. When Dennis was speaking in the van, were
7 you all listening to rap music in the van?
8 A. Yeah. Sometimes we would listen to rap
9 music, and sometimes he would yell out -- you know,
10 when like, for example, nigga came, he would yell out
11 nigga right in my ear. But, you know, this wasn't
12 just when rap music, you know, came up.
13 This was, you know, everyday conversation.
14 He was pretty much obsessed with me. All he would
15 ta k about was, you know, money and being black. And
16 he would always -- you know, he was obsessed with the
17 word nigga and nigger.
18 You know, he was -- he was -- you know,
19 that was -- that was everything that he was really
20 ta king about, you know, like during those van rides.
21 Q. In your senior year, you were only in the
22 university for the fall semester, correct?

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<p style="text-align: right;">Page 277</p> <p>1 A. Yes.</p> <p>2 Q. And then you were academically suspended?</p> <p>3 A. Yes.</p> <p>4 Q. So in the -- in the fall semester, this, I</p> <p>5 think, is when Amlan passed along to you the comment</p> <p>6 that he said Chris Reynolds made?</p> <p>7 A. Yes.</p> <p>8 Q. And that was the telephone call you told</p> <p>9 me about earlier, right?</p> <p>10 A. Yes.</p> <p>11 Q. Were there -- were there other incidents</p> <p>12 that you can recall from that fall semester of your</p> <p>13 senior year?</p> <p>14 A. Amlan and Wills were telling me that the</p> <p>15 whole recording plots were intensifying. I had had a</p> <p>16 conversation with the whole team, I think, the end of</p> <p>17 my junior year about, you know: "Hey, guys, I want</p> <p>18 you guys to stop defaming me around campus. I want</p> <p>19 you guys to stop with the racism. I want you guys to</p> <p>20 stop with the taunting.</p> <p>21 "I want you guys to stop with all this</p> <p>22 stuff and, you know, let's be men and let's just try</p>	<p style="text-align: right;">Page 279</p> <p>1 tennis courts?</p> <p>2 A. Yes.</p> <p>3 Q. Tell me about that.</p> <p>4 A. So an employee of GW, you know, who</p> <p>5 handles the local lessons, you know, with anybody who</p> <p>6 isn't a part of the tennis team -- you know, he's</p> <p>7 sort of the head of that, he -- my family had come</p> <p>8 down for a weekend.</p> <p>9 And my sister is a professional tennis</p> <p>10 player as well. So my sister and I were, you know,</p> <p>11 getting ready to hit. And I was on the court and I</p> <p>12 think, you know, my family was still, you know,</p> <p>13 coming up the stairs. And anybody who is on the</p> <p>14 tennis team has full access to the courts at all</p> <p>15 times.</p> <p>16 You know, they don't have to ask</p> <p>17 permission. They can use the courts whenever. So as</p> <p>18 I was on the court, I'm not sure what the -- what the</p> <p>19 guy's name is, so I'll just refer to him as I'm going</p> <p>20 to refer to him.</p> <p>21 He -- as my father and my mother and my</p> <p>22 sister, I believe, started coming on to the courts,</p>
<p style="text-align: right;">Page 278</p> <p>1 to have a good senior year." So, you know, going</p> <p>2 into my senior year, Wills Tutecky and Amlan had told</p> <p>3 me that these guys were still being put up to the</p> <p>4 task of trying to plot on my demise and that they</p> <p>5 were trying to use Wills Tutecky and Amlan Sahoo to</p> <p>6 help them with that.</p> <p>7 And they used these guys because, you</p> <p>8 know, they thought that they could sort of control</p> <p>9 them a little bit more than they were able to control</p> <p>10 me. And, you know, the plots were intensifying, the</p> <p>11 racism on court was intensifying.</p> <p>12 Wills Tutecky can even attest to that,</p> <p>13 that David MacPherson one day, because I guess he was</p> <p>14 put under a lot of pressure because I had told him</p> <p>15 about a lot of this stuff -- Dennis was, you know,</p> <p>16 taunting me on court.</p> <p>17 You know, he had to tell Dennis, you know,</p> <p>18 Stop doing that; stop doing that. You know, a lot of</p> <p>19 these things were intensifying, and I wasn't able to</p> <p>20 focus on any other areas in my life. So -- yeah.</p> <p>21 Q. Was there an incident that happened</p> <p>22 involving your family and an employee of GW at the</p>	<p style="text-align: right;">Page 280</p> <p>1 he had said -- he -- you know, he approached them.</p> <p>2 And he had said, Hey, you know, like, Do you guys</p> <p>3 need help? And my father looked, you know,</p> <p>4 distraught like, you know, you clearly -- he's seen</p> <p>5 us before, too. You know, he knew exactly who we</p> <p>6 were.</p> <p>7 And you know, my father, you know, sort of</p> <p>8 just seemed, you know -- he just sort of like, you</p> <p>9 know, left the guy, you know, tried to like, you</p> <p>10 know, just walk away because the guy was being very</p> <p>11 forceful in his interactions in terms of, you know,</p> <p>12 trying to figure out why we were there and, you know,</p> <p>13 what we were doing.</p> <p>14 So as my father was leaving, I think he</p> <p>15 said something to my father like, you know, Now I</p> <p>16 know why Jabari is the way that he is. And, you</p> <p>17 know, that struck a nerve, you know, obviously, in my</p> <p>18 father.</p> <p>19 And, you know, the guy's voice, you know,</p> <p>20 started to increase and, you know, he started to get</p> <p>21 very physical. And, you know, my father -- you know,</p> <p>22 I had to sort of hold my father back, too, because,</p>

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<p style="text-align: right;">Page 281</p> <p>1 you know, he was just trying to defend himself and</p> <p>2 defend his family.</p> <p>3 So the guy took out his phone and started</p> <p>4 recording us and, you know, trying to incriminate us,</p> <p>5 you know, in some sort of way. And, you know, I</p> <p>6 broke it up, you know. And I just said, You know,</p> <p>7 let's go our merry way and, you know, let's just not</p> <p>8 deal with it.</p> <p>9 And then we -- I think my father reached</p> <p>10 out to MacPherson. And MacPherson said something</p> <p>11 like, you know, I'll handle it. And I never really</p> <p>12 had any -- the guy sort of stayed away from me and my</p> <p>13 family for the rest of the time that I was at GW.</p> <p>14 Q. In the fall of your senior year, so your</p> <p>15 last semester at school, you had an academic success</p> <p>16 coach named Alejandra Leon Saavedra.</p> <p>17 Do you remember her?</p> <p>18 A. Yeah.</p> <p>19 Q. And you were supposed to have a mandatory</p> <p>20 minimum of three meetings with her that semester, but</p> <p>21 you didn't meet with her. Do you recall that?</p> <p>22 A. I think I did. I think I did meet with</p>	<p style="text-align: right;">Page 283</p> <p>1 A. Yeah. I mean, I acknowledged that, you</p> <p>2 know, I was missing, you know, some classes due to</p> <p>3 the fact that, you know, I -- I really couldn't focus</p> <p>4 in class anymore, because at that point, my senior</p> <p>5 year, everything had intensified so much that I was</p> <p>6 -- I couldn't focus and I, you know, wanted to spend</p> <p>7 time thinking about, you know, how I was going to be</p> <p>8 able to cope with the things that were happening.</p> <p>9 So sometimes, you know, I couldn't attend</p> <p>10 class regularly. You know, there were multiple</p> <p>11 students in the university and multiple students, you</p> <p>12 know, all throughout athletics that, you know, did</p> <p>13 the same thing. It wasn't just me.</p> <p>14 And, you know, I was very candid with</p> <p>15 them. And I told them, you know, I need help and I</p> <p>16 do believe that, you know I tried my hardest, you</p> <p>17 know, to try to turn it around.</p> <p>18 I know that I ended -- I didn't end up</p> <p>19 with, you know, a good grade. But, you know, I spent</p> <p>20 a lot of money on tutoring and I spent a lot of --</p> <p>21 you know, I had conversations with him, you know,</p> <p>22 trying to allow him to help me.</p>
<p style="text-align: right;">Page 282</p> <p>1 her.</p> <p>2 Q. Did you meet with her three times as you</p> <p>3 were required to?</p> <p>4 A. I don't recall. But I do believe having</p> <p>5 -- I do believe having a couple meetings with her.</p> <p>6 Now, I'm not quite sure, like, the amount, but I do</p> <p>7 believe seeing her. I do believe seeing her, yes.</p> <p>8 Q. Do you recall that final semester you had</p> <p>9 a finance course with a Professor Henderson?</p> <p>10 A. Yeah, yeah, which was very hard.</p> <p>11 Q. And do you remember that he told you that</p> <p>12 one of the reasons for your poor grade was that</p> <p>13 you're missing class regularly?</p> <p>14 A. Yes.</p> <p>15 Q. He also noted a similar pattern to what we</p> <p>16 talked about earlier that you didn't reach out until</p> <p>17 the end of the semester and you hadn't gotten help</p> <p>18 from his teaching assistant earlier in the semester.</p> <p>19 MR. ROSS: Objection to the form of the</p> <p>20 question.</p> <p>21 BY MR. SCHWARTZ:</p> <p>22 Q. Do you remember that?</p>	<p style="text-align: right;">Page 284</p> <p>1 Q. Did you ever report to Professor Henderson</p> <p>2 that you were suffering from any kind of racism?</p> <p>3 A. Henderson?</p> <p>4 Q. Yes.</p> <p>5 A. My finance teacher?</p> <p>6 Q. Yes.</p> <p>7 A. I don't believe so.</p> <p>8 Q. Did you ever report to any of your</p> <p>9 professors that a reason for your poor academic</p> <p>10 performance was racism?</p> <p>11 A. Professors, I don't believe so.</p> <p>12 Q. How about any of your academic counselors?</p> <p>13 A. I had -- you know, I remember -- I</p> <p>14 remember a conversation I had with Helen -- Ellen in</p> <p>15 which I was telling her about a lot of the things</p> <p>16 that were going on with the tennis team and how that</p> <p>17 was really affecting me.</p> <p>18 I'm not quite sure -- you know, and she</p> <p>19 was very -- she was very aware, too, of a lot of the</p> <p>20 problems that I was experiencing on the tennis team.</p> <p>21 I'm sure she got two sides of the story,</p> <p>22 you know, one from me and one from the people who</p>

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<p style="text-align: right;">Page 285</p> <p>1 were discriminating against me. But she was aware of</p> <p>2 things that were going on.</p> <p>3 Now, you know, I just sort of -- I just --</p> <p>4 you know, sometimes I felt so alone and sometimes I</p> <p>5 had no hope where, you know, I looked at her -- you</p> <p>6 know, she was my academic advisor. I did confide in</p> <p>7 her, you know, at various times because she was, from</p> <p>8 what she appeared, a nice lady.</p> <p>9 Q. How about Ms. Saavedra? Did you ever --</p> <p>10 your academics success coach. Did you ever tell her</p> <p>11 that you thought your academic problems were the</p> <p>12 result of racism?</p> <p>13 A. I don't believe so and I don't even think</p> <p>14 she knew about any of the stuff that was going on.</p> <p>15 Q. And you had an academic counselor in the</p> <p>16 business school, a Nicole Anderson, correct?</p> <p>17 A. Nicole Anderson, yes.</p> <p>18 Q. Did you ever report any racism to Ms.</p> <p>19 Anderson?</p> <p>20 A. I don't believe so. I don't know why I</p> <p>21 would report to Nicole Anderson.</p> <p>22 Q. Now, in your fall semester of your senior</p>	<p style="text-align: right;">Page 287</p> <p>1 help with a lot of the finance problems that were on</p> <p>2 some of my homework, and I used some of those answers</p> <p>3 and just sort of -- yeah. I did.</p> <p>4 Q. So you paid this online service to do your</p> <p>5 finance homework problems for you, correct?</p> <p>6 A. Yes.</p> <p>7 Q. Did you consider that to be academic</p> <p>8 dishonesty?</p> <p>9 A. Yes. But, you know, at the same time as</p> <p>10 I, you know, admit to that, you know, that's not just</p> <p>11 indigenous to me. You know, a lot of people were</p> <p>12 using that method. I was referred by (sic) him to</p> <p>13 (sic) someone else.</p> <p>14 Q. Who referred you to this person who did</p> <p>15 your homework for a fee?</p> <p>16 A. I'm not quite sure. I don't really</p> <p>17 remember.</p> <p>18 Q. Did you use a service to do your homework</p> <p>19 in any other class?</p> <p>20 A. I don't remember. I don't believe so.</p> <p>21 Q. You don't remember?</p> <p>22 MR. ROSS: Objection. Asked and answered.</p>
<p style="text-align: right;">Page 286</p> <p>1 year, your last semester at school, you told Ms.</p> <p>2 Saavedra that you had a medical emergency that kept</p> <p>3 you out of Washington, DC in October.</p> <p>4 Do you recall that?</p> <p>5 A. I don't -- I don't remember exactly what</p> <p>6 it was. If you have -- if you have more details on</p> <p>7 that.</p> <p>8 Q. You don't recall any sort of medical</p> <p>9 emergency in October of 2017?</p> <p>10 A. I'm not saying that I didn't have it. I'm</p> <p>11 just saying I don't remember exactly what it was.</p> <p>12 You know, I had -- you know, I'm a professional</p> <p>13 athlete. I have, you know -- I have different things</p> <p>14 at different times and, you know, it varies.</p> <p>15 Q. Who is JavierArguello@FinEdconcierge</p> <p>16 (sic)?</p> <p>17 A. I'm not quite sure. Do you have any more</p> <p>18 information on him?</p> <p>19 Q. Sure. Did you use a service over the</p> <p>20 Internet where you sent finance problems to somebody</p> <p>21 and they solved them for you, problem sets?</p> <p>22 A. Yes, I do believe so. I definitely had</p>	<p style="text-align: right;">Page 288</p> <p>1 You can answer, though.</p> <p>2 A. I don't really remember. I don't think</p> <p>3 so. For me to recount every single thing that, you</p> <p>4 know, happened with my academics, I honestly don't</p> <p>5 remember everything.</p> <p>6 BY MR. SCHWARTZ:</p> <p>7 Q. Well, we talked about two instances of</p> <p>8 academic dishonesty, plagiarism earlier in your</p> <p>9 college career and we talked about paying</p> <p>10 FinEdconcierge (sic) to do your finance homework.</p> <p>11 Are there other instances of academic</p> <p>12 dishonesty that you recall?</p> <p>13 A. Well, I don't believe so. And the reason</p> <p>14 why I had to pay, you know, FinEd to do my finance</p> <p>15 homework was because finance had become such a burden</p> <p>16 on me, along with all the, you know, issues that I</p> <p>17 was dealing with on the tennis team.</p> <p>18 So, you know, I didn't have much time to</p> <p>19 catch up. And the only way that I was going to be</p> <p>20 able to, you know, somewhat pass my course, which I</p> <p>21 thought I did maybe with I ke a D -- you know, I was</p> <p>22 on the verge of failing -- was to get a little bit of</p>

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<p style="text-align: right;">Page 289</p> <p>1 help.</p> <p>2 You know, I was virtually unable to do any</p> <p>3 homework assignment because I was subjected to so</p> <p>4 many things on an everyday basis that were messing</p> <p>5 with my focus and not allowing me to, you know,</p> <p>6 properly deal with my academics.</p> <p>7 Q. Who paid for the service to do your</p> <p>8 homework for you? Was that you or your father?</p> <p>9 A. No. I paid.</p> <p>10 Q. Where did you get the money from?</p> <p>11 A. You know, I get -- sometimes, you know, my</p> <p>12 father sent me money just like any parent would for</p> <p>13 their students -- or their kids at college.</p> <p>14 Q. Do you recall in your fall semester of</p> <p>15 your senior year you had a business administration</p> <p>16 class with a Professor Radin?</p> <p>17 A. When was that?</p> <p>18 Q. In the last semester you were at GW, the</p> <p>19 fall of your senior year. It was a female, Professor</p> <p>20 Radin.</p> <p>21 A. Female, Professor Radin? You know,</p> <p>22 probably. I don't remember exactly, you know, who</p>	<p style="text-align: right;">Page 291</p> <p>1 deposition, which has Bates Nos. GW3237 and 3238.</p> <p>2 This is an unofficial copy of your university</p> <p>3 transcript.</p> <p>4 Do you recognize this?</p> <p>5 A. Yes.</p> <p>6 Q. And are these, in fact, the grades that</p> <p>7 you earned at the George Washington University?</p> <p>8 A. I believe so.</p> <p>9 Q. Mr. Stafford, the court reporter has</p> <p>10 handed you what has been marked as Exhibit 10 to your</p> <p>11 deposition, which is a two-page letter with Bates</p> <p>12 Nos. GW745 and 746.</p> <p>13 I understand this to be your appeal of</p> <p>14 your academic suspension. Is that what this is?</p> <p>15 A. Yes.</p> <p>16 Q. And is there anywhere in this letter where</p> <p>17 you mention racism?</p> <p>18 A. No. Ellen Woodbridge instructed me not to</p> <p>19 talk about those issues.</p> <p>20 Q. Tell me about that conversation where</p> <p>21 Ellen supposedly gave you that instruction.</p> <p>22 A. So when we were compiling the appeal</p>
<p style="text-align: right;">Page 290</p> <p>1 she was, but --</p> <p>2 Q. Do you remember her telling you after you</p> <p>3 got an F on an assignment in her class that she</p> <p>4 thought it had a lot to do with the amount of time</p> <p>5 you spent on your cell phone in class?</p> <p>6 A. You know, probably, most likely. I'm not,</p> <p>7 you know, the first student or individual to be on</p> <p>8 their cell phone in class. And, you know, I believe</p> <p>9 I accepted that and I, you know, tried my best to</p> <p>10 help my grades.</p> <p>11 MR. SCHWARTZ: Why don't we take a break</p> <p>12 there for a minute?</p> <p>13 THE VIDEOGRAPHER: Going off the record at</p> <p>14 4:18 p.m.</p> <p>15 (A break was taken.)</p> <p>16 (Exhibit Numbers 9 and 10 were marked for</p> <p>17 identification and were attached to the deposition.)</p> <p>18 THE VIDEOGRAPHER: Going back on the</p> <p>19 record at 4:46 p.m.</p> <p>20 BY MR. SCHWARTZ:</p> <p>21 Q. Mr. Stafford, the court reporter has</p> <p>22 handed you what has been marked as Exhibit 9 to your</p>	<p style="text-align: right;">Page 292</p> <p>1 letter, myself, Ellen -- and my mother was present as</p> <p>2 well -- we were trying to put myself in the best</p> <p>3 possible situation to get me back into the school.</p> <p>4 And, you know, I was telling Ellen, Ellen</p> <p>5 -- or Ms. Woodbridge: "You know, these things have</p> <p>6 been going on; you know, they're doing this; they're</p> <p>7 doing that. You know, I think this is important.</p> <p>8 This has been, like, the main problems, you know,</p> <p>9 that I've been experiencing.</p> <p>10 "You know, I haven't really been</p> <p>11 experiencing too many other things. Can we put this</p> <p>12 in the appeal letter?"</p> <p>13 She was very insistent on not putting that</p> <p>14 stuff in the appeal letter. She instructed my mother</p> <p>15 and I not to put any of those things in.</p> <p>16 So, you know, an academic advisor that I</p> <p>17 was entrusted with -- you know, I trusted her. She</p> <p>18 was pretty much the sole person that was helping me</p> <p>19 at that point and that was, you know, trying to get</p> <p>20 me back into the school.</p> <p>21 So I took her advice. And we did our</p> <p>22 research into a lot of different reasons of academic</p>

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<p style="text-align: right;">Page 293</p> <p>1 failure online. We researched, you know, what to do 2 when you get academically suspended and how to put 3 together a good appeal letter. 4 And she -- and we agreed on a couple 5 different things. And one of the things that I know 6 that you're going to zero in on is -- well, sorry. 7 We agreed on a couple different things. 8 But a lot of this -- you know, a lot of 9 the stuff that was said in here didn't reflect what I 10 actually went through at GW because she instructed me 11 not to talk about that. 12 Q. What were the two things you agreed that 13 you would focus on? 14 A. Basically, she instructed me to take as 15 much responsibility as possible and that throwing 16 blame in certain areas was not going to get me back 17 into the school. So we pretty much took every 18 section and part of, you know, what -- you know, my 19 -- my college career, in terms of the academics and 20 the tennis and everything, and, you know, I sort of 21 just took responsibility for each and every issue. 22 Q. I know you said a moment ago that there</p>	<p style="text-align: right;">Page 295</p> <p>1 Q. She told you to highly exaggerate? 2 A. She told me to take full responsibility of 3 everything, which meant to sort of exaggerate in a 4 way in terms of, you know, this is all my fault; you 5 know, this is -- you know, I take responsibility for 6 this. That's what I mean by exaggerating. 7 Q. And to be clear, you're testifying under 8 oath that she instructed you not to mention racism 9 anywhere in this appeal? 10 A. Yes. She instructed me not to mention any 11 of the stuff that I was experiencing on the team. I 12 told her about it. I told her about everything that 13 was going on. I told her that I want to put it in 14 because I felt like it was a central aspect of -- of 15 what was going on, and she told me not to put that in 16 there. 17 Q. And when you say stuff you experienced on 18 the team, you specifically told her that you felt 19 like you were being racially discriminated -- 20 (Simultaneously speaking addressed by the 21 reporter.) 22 MR. ROSS: You got to let him finish his</p>
<p style="text-align: right;">Page 294</p> <p>1 was something you thought I would certainly zero in 2 on. What was that? 3 A. You know, there are a couple of things 4 that I feel like, you know, you would have zeroed in 5 on, but I'm not quite sure exactly what it would be. 6 I changed my mind. 7 Q. What are those couple of things that you 8 had in mind? 9 A. You know, I'm not sure, you know, based on 10 -- I mean, you -- based on what's in the appeal 11 letter. 12 Q. Was what you wrote in the appeal letter 13 truthful? 14 A. You know, a lot of the things were, I 15 would say, exaggerated in terms of, you know, trying 16 to, you know -- the whole aspect of taking 17 responsibility for my actions and not trying to put 18 blame on anything else. 19 So, you know, it's not that anything 20 wasn't truthful, you know, in the appeal letter, but 21 it was highly exaggerated due to Ms. Woodbridge -- 22 Ms. Woodbridge's advice.</p>	<p style="text-align: right;">Page 296</p> <p>1 question. 2 BY MR. SCHWARTZ: 3 Q. You specifically told her that you felt 4 you were being racially discriminated against by your 5 teammates; is that correct? 6 A. Yes, racially discriminated against. I 7 was being plotted against. I was being taunted. I 8 was being humiliated. I was being, you know, 9 verbally abused by teammates and coaches. That -- 10 you know, these are some of the things that I had 11 mentioned to her. 12 Q. And this is in your meeting to discuss the 13 academic appeal with Ms. Carter Woodbridge and your 14 mom? 15 A. Yes, because I believe that was the sole 16 -- like, those were some of the sole issues that led 17 to everything that happened. 18 Q. And you specifically told her that those 19 issues that you were encountering on the team were 20 related to your race in your view? 21 A. Well, I told her about racial 22 discrimination and racial rhetoric that I was facing.</p>

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<p style="text-align: right;">Page 297</p> <p>1 So obviously, these things were motivated by race.</p> <p>2 Q. Did you and your mom consider ignoring Ms.</p> <p>3 Carter Woodbridge's advice and just putting in the</p> <p>4 appeal whatever you wanted to put in the appeal?</p> <p>5 A. Why would we ignore somebody that was</p> <p>6 appointed to us in which, you know, I didn't have</p> <p>7 much choice in too many other people to trust?</p> <p>8 An academic advisor that I've worked with</p> <p>9 since freshman year who, you know, has helped me with</p> <p>10 various things, why would I not take her advice when</p> <p>11 I was under the impression that she had my best</p> <p>12 interests at heart.</p> <p>13 Q. In the -- in the second paragraph, you</p> <p>14 say: "It is clear that it takes a lot more effort</p> <p>15 and time management on my part in order to excel in</p> <p>16 this area."</p> <p>17 Was that a truthful statement? Did you</p> <p>18 believe that to be true?</p> <p>19 A. Is this the front of the page or the back?</p> <p>20 Q. Yeah, in the second full paragraph of your</p> <p>21 letter where it says, "Based on the last two</p> <p>22 semesters that I've completed, but had many struggles</p>	<p style="text-align: right;">Page 299</p> <p>1 you were offered. Was that also a truthful statement</p> <p>2 that you didn't take advantage of all the academic</p> <p>3 assistance that you were offered?</p> <p>4 A. Well, that was something Ellen had</p> <p>5 instructed me to put in because, you know, during</p> <p>6 certain times throughout my tenure, she had told me</p> <p>7 about taking advantage of certain, you know, academic</p> <p>8 offerings and, you know, I had not properly taken,</p> <p>9 you know, advantage of them, you know, along with so</p> <p>10 many other students.</p> <p>11 And I never really thought that, you know,</p> <p>12 I had myself any real academic struggles. I felt</p> <p>13 like, you know, a lot of it was -- contributed to the</p> <p>14 mental trauma and the racism that I was experiencing</p> <p>15 on the tennis team.</p> <p>16 So I didn't take part in a lot of the</p> <p>17 academic offerings because I was more concerned with</p> <p>18 trying to clear up the situation on the tennis team</p> <p>19 and deal with it the best way possible. And then</p> <p>20 once I knew that I could do that, I felt I ke, you</p> <p>21 know, everything else would clear up in my life.</p> <p>22 Now, if -- you know, taking advantage of</p>
<p style="text-align: right;">Page 298</p> <p>1 with, it is clear that it takes a lot more effort and</p> <p>2 time management on my part in order to excel in this</p> <p>3 area."</p> <p>4 Was that a truthful statement?</p> <p>5 A. I will read this.</p> <p>6 Q. Sure.</p> <p>7 A. So what's your question?</p> <p>8 Q. Was that a truthful statement, that it was</p> <p>9 clear to you that it takes a lot more effort and time</p> <p>10 management on your part in order to excel?</p> <p>11 A. You know, it was sort of a -- I mean, it</p> <p>12 was a statement based on -- anybody that's dealing</p> <p>13 with academic decline, you know, obviously, you know,</p> <p>14 it's usually attributed to more -- more effort and</p> <p>15 time management.</p> <p>16 You know, I wanted to be very broad in</p> <p>17 some of, you know, the parts in this appeal. But,</p> <p>18 you know, that's not just with me. That's just with</p> <p>19 -- that's with, you know, so many other people. So</p> <p>20 yes, it was truthful.</p> <p>21 Q. And the next sentence you refer to not</p> <p>22 taking advantage of all the academic assistance that</p>	<p style="text-align: right;">Page 300</p> <p>1 academic offerings -- other academic offerings while</p> <p>2 I'm being discriminated against, that doesn't take</p> <p>3 away, you know, everything that I was going through</p> <p>4 on an everyday basis.</p> <p>5 You know, that's like, you know, similar</p> <p>6 to what you said about the psychologist -- you know,</p> <p>7 why didn't I go back to the psychologist?</p> <p>8 Well, you know, it doesn't stop, you know,</p> <p>9 a lot of the racism and a lot of the harassment that</p> <p>10 I was enduring on a regular everyday basis. So, you</p> <p>11 know, strengthening my mind is not going to stop this</p> <p>12 stuff. Taking advantage of these academic offerings</p> <p>13 wasn't going to stop my situations on the tennis</p> <p>14 team.</p> <p>15 Q. In the last paragraph on that first page,</p> <p>16 you say: "Another reason why I haven't achieved the</p> <p>17 academic success I've always wanted to attain is</p> <p>18 because of how poorly I've handled being a student</p> <p>19 athlete."</p> <p>20 Was that a true statement?</p> <p>21 A. That was a statement that, you know,</p> <p>22 obviously, Ellen had instructed me to talk about.</p>

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<p style="text-align: right;">Page 301</p> <p>1 You know, with these statements, we wanted -- the</p> <p>2 whole consensus was to, you know, as I said before,</p> <p>3 take as much responsibility as possible. Now --</p> <p>4 Q. Mr. Stafford, I hate to interrupt you, but</p> <p>5 you're giving these long -- paragraph long answers to</p> <p>6 my questions, and I'd just ask you to answer my</p> <p>7 question.</p> <p>8 Was it or was it not a truthful statement</p> <p>9 that you felt like your (sic) reason you hadn't</p> <p>10 achieved academic success was, "because of how poorly</p> <p>11 I've handled being a student athlete"?</p> <p>12 Is that true or not true?</p> <p>13 MR. ROSS: And I'm going to object. He's</p> <p>14 answering the question. Just because it's not the</p> <p>15 answer you want doesn't mean he's not answering the</p> <p>16 question, but he is answering the question.</p> <p>17 BY MR. SCHWARTZ:</p> <p>18 Q. Will you go ahead and answer my question?</p> <p>19 Is that true or not true?</p> <p>20 A. So can you ask the question again?</p> <p>21 Q. Sure. Was it a truthful statement when</p> <p>22 you said, quote, another reason why I haven't</p>	<p style="text-align: right;">Page 303</p> <p>1 testified that they were not his words.</p> <p>2 MR. SCHWARTZ: Mr. Ross, it's not for you</p> <p>3 to testify.</p> <p>4 BY MR. SCHWARTZ:</p> <p>5 Q. Can you just answer the question?</p> <p>6 MR. ROSS: I'm not testifying. I'm</p> <p>7 repeating -- I'm clarifying the record based on the</p> <p>8 sentence -- the questions that you're asking him.</p> <p>9 (Simultaneously speaking addressed by the</p> <p>10 reporter.)</p> <p>11 BY MR. SCHWARTZ:</p> <p>12 Q. Is that sentence truthful or not?</p> <p>13 A. Well, I've already told you multiple times</p> <p>14 that I was taking a lot of advice from Ellen</p> <p>15 Woodbridge.</p> <p>16 Q. I understand what you're telling me about</p> <p>17 Ms. Woodbridge's advice. I'm asking you a different</p> <p>18 question. Is the sentence true?</p> <p>19 A. Well, you know, a lot of the -- a lot of</p> <p>20 the things that are in this appeal were -- I was</p> <p>21 helped by Ellen Woodbridge.</p> <p>22 Q. I understand. You've said that multiple</p>
<p style="text-align: right;">Page 302</p> <p>1 achieved the academic success I've always wanted to</p> <p>2 attain is because of how poorly I've handled being a</p> <p>3 student athlete?</p> <p>4 A. As I said before, Ellen Woodbridge and I</p> <p>5 came to a consensus that we would take complete</p> <p>6 responsibility for everything that I was -- for</p> <p>7 everything in this appeal and that I wouldn't put</p> <p>8 blame on anybody or anyone.</p> <p>9 That's what she instructed me to do, and I</p> <p>10 took her advice.</p> <p>11 Q. Is it a truthful statement, Mr. Stafford?</p> <p>12 A. Can you -- what -- what's the --</p> <p>13 Q. Is there something about those --</p> <p>14 A. What's the sentence again?</p> <p>15 Q. It's the first sentence of the last</p> <p>16 paragraph on the first page. These are your words,</p> <p>17 page 745.</p> <p>18 A. Yes.</p> <p>19 Q. Is that a true statement?</p> <p>20 A. That isn't --</p> <p>21 MR. ROSS: I'm going to object to the</p> <p>22 characterization of it being his words because he has</p>	<p style="text-align: right;">Page 304</p> <p>1 times. Is the sentence true?</p> <p>2 A. You know, I've already told you that Ellen</p> <p>3 Woodbridge was the one that helped me write, for</p> <p>4 example, this sentence as well.</p> <p>5 Q. Is the sentence true?</p> <p>6 A. Well, you know, I can't tell you whether</p> <p>7 it's true or not because I was -- I was forced to --</p> <p>8 I was really forced to write this.</p> <p>9 Q. So you don't know if it's true or not?</p> <p>10 A. Well, whether it's true or not doesn't</p> <p>11 really matter because I was sort of aided into taking</p> <p>12 full responsibility for everything that I was doing</p> <p>13 and writing this.</p> <p>14 Q. I'm sorry. I'm not asking you whether you</p> <p>15 think it matters. I'm asking you whether it's true.</p> <p>16 It's a simple question, Mr. Stafford. Is the</p> <p>17 sentence true?</p> <p>18 A. Well, you know, I wasn't the best, you</p> <p>19 know, student in some ways and especially with</p> <p>20 everything that was going on. So we decided to take,</p> <p>21 you know -- you know, the way I managed being a</p> <p>22 student athlete, and we decided to -- I decided to</p>

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<p style="text-align: right;">Page 305</p> <p>1 take full responsibility based on the advice that</p> <p>2 Ellen Carter Woodbridge gave me. So --</p> <p>3 Q. Is the sentence true?</p> <p>4 A. Based on the -- based on the advice she</p> <p>5 gave me, you know, I don't -- I don't -- it's -- it</p> <p>6 wasn't really my words. It wasn't really, you know,</p> <p>7 anything that I thought of at the beginning.</p> <p>8 Q. Is it true?</p> <p>9 A. You keep asking me the same question, and</p> <p>10 I'm answering you.</p> <p>11 Q. Because you're not answering it.</p> <p>12 A. No. I'm answering your question, just not</p> <p>13 the way you want me to answer it.</p> <p>14 Q. No. I think you're not answering it at</p> <p>15 all. Is it your view that the sentence is true or</p> <p>16 false?</p> <p>17 MR. ROSS: Jabari, just read the sentence</p> <p>18 and answer if you think that's the reason why. Just</p> <p>19 read the sentence.</p> <p>20 A. "Another reason why I haven't achieved the</p> <p>21 academic success I've always wanted to attain is</p> <p>22 because of how poorly I've handled being a student</p>	<p style="text-align: right;">Page 307</p> <p>1 A. No. I -- well, yeah. We had multiple</p> <p>2 drafts of this statement.</p> <p>3 Q. Did any of your drafts contain any</p> <p>4 complaints about racial mistreatment?</p> <p>5 A. No. They didn't because --</p> <p>6 Q. I'm sorry. I just -- I didn't ask you</p> <p>7 why.</p> <p>8 A. No. No. No. No. No. I'm going to say</p> <p>9 this --</p> <p>10 Q. Mr. Stafford, can you please answer only</p> <p>11 my question? Okay.</p> <p>12 A. I didn't answer you.</p> <p>13 Q. Did any of your drafts contain a statement</p> <p>14 about racial mistreatment? I didn't ask you why. I</p> <p>15 just asked you whether they did or they didn't.</p> <p>16 A. No, they didn't --</p> <p>17 Q. Thank you.</p> <p>18 A. -- because she had instructed me not to</p> <p>19 put that before.</p> <p>20 Q. Did you write Exhibit No. 10? Are these</p> <p>21 your words? Did you compose this document?</p> <p>22 MR. ROSS: Objection to the form of the</p>
<p style="text-align: right;">Page 306</p> <p>1 athlete."</p> <p>2 Now, I don't believe that is completely</p> <p>3 true because, you know, I do -- Number 1, I do accept</p> <p>4 responsibility for the fact that I wasn't a perfect</p> <p>5 student athlete, and I think a lot of people weren't</p> <p>6 perfect student athletes.</p> <p>7 But I also know that Ellen Woodbridge had</p> <p>8 instructed me to take full responsibility for some of</p> <p>9 these things and not touch on the tennis thing, so</p> <p>10 that's why I put it in there.</p> <p>11 BY MR. SCHWARTZ:</p> <p>12 Q. Did Ellen give you that instruction in</p> <p>13 writing, by the way?</p> <p>14 A. Why would she give me that instruction in</p> <p>15 writing when we were meeting in person? Do you think</p> <p>16 she's going to write certain things --</p> <p>17 Q. I'm sorry. Can you just answer my</p> <p>18 question as opposed to asking me questions? Did she</p> <p>19 or did she not give you the instruction in writing?</p> <p>20 A. No, she didn't.</p> <p>21 Q. Did you provide her with a draft of this</p> <p>22 statement that she edited?</p>	<p style="text-align: right;">Page 308</p> <p>1 question.</p> <p>2 BY MR. SCHWARTZ:</p> <p>3 Q. Exhibit No. 10.</p> <p>4 MR. ROSS: I'm going to ask you to</p> <p>5 rephrase the question because there's a couple</p> <p>6 different questions within that.</p> <p>7 BY MR. SCHWARTZ:</p> <p>8 Q. Did you compose this letter, Exhibit No.</p> <p>9 10?</p> <p>10 A. With the help of Ellen Woodbridge.</p> <p>11 Q. Who was the principal person to write</p> <p>12 this--you? Ellen Woodbridge? your mom? somebody else?</p> <p>13 A. Every single paragraph, every single</p> <p>14 sentence was carefully looked over by Ellen</p> <p>15 Woodbridge. I would sometimes write it with her.</p> <p>16 Q. Was that done in person in her office?</p> <p>17 A. Yes.</p> <p>18 Q. Was your mom there?</p> <p>19 A. I don't really remember. I believe she</p> <p>20 was at some meetings. I'm not -- I don't really</p> <p>21 remember how many and how often she came, but I do</p> <p>22 believe she was present at some -- at certain times.</p>

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1 Q. You were contacting a number of your
2 former teammates to provide you with written
3 statements in advance of a hearing we had with the
4 court on July 31st.
5 Do you remember that?
6 A. Written statements, yes.
7 Q. And you were collecting them because I
8 guess at the time you had a view that perhaps you
9 could present them at the July 31st hearing; is that
10 right?
11 A. You know, I'm very new in this whole
12 process and, you know, I didn't have complete
13 knowledge of everything that was going on. So I
14 wanted to get them as soon as possible. I wanted to
15 be ready, so I wasn't really -- you know, I was just
16 trying to -- I was just trying to be prepared.
17 That's it.
18 Q. One of the people that you communicated
19 with about those statements was Wills Tutecky,
20 correct?
21 A. Yes.
22 Q. You asked Mr. Tutecky to provide you with

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1 a statement in support of your case?
2 A. Yes.
3 Q. Did you tell Mr. Tutecky that if he
4 provided you with a statement that was helpful and
5 you won your case you would take him on a VIP trip to
6 New York?
7 A. No. Wills Tutecky knew that I was playing
8 a main draw match in Cancun, which is a tennis
9 tournament. And basically I was saying, you know,
10 you've been a strong supporter of me overall. You
11 know, I appreciate, you know, all the help that
12 you've given to me in the case as well.
13 You know, when I'm successful and when I'm
14 doing all of these things, you know -- and we joke
15 around. You know, I said, I'm going to, you know,
16 give you, you know, a VIP weekend. You know, this is
17 just -- we've been long-term friends. You know, this
18 is just, you know, fun rhetoric between two friends.
19 Q. Now, you also told Mr. Tutecky that you
20 were hoping that when you were successful in this
21 case you would get a bag, correct?
22 A. I don't believe -- I mean, I don't believe

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1 I was referring to this case.
2 Q. No? You weren't referring to receiving a
3 bag of money when you win the case?
4 A. No. I was referring to sort of my career
5 in general.
6 Q. Okay. Let's -- let's take a look.
7 MR. SCHWARTZ: Would you mark that,
8 please?
9 A. By the way when I'm talking about a bag
10 and when I'm talking about all these things, you
11 know, this is slang talk that Wills and I exhibit all
12 the time and that we've exhibited, you know, during
13 our tenure at GW.
14 (Exhibit Number 11 was marked for
15 identification and was attached to the deposition.)
16 BY MR. SCHWARTZ:
17 Q. Mr. Stafford, the court reporter has
18 handed you what has been marked as Exhibit No. 11 to
19 your deposition, which is an excerpt from a document
20 you all produced at Bates No. Stafford 2101. These
21 are some text exchanges that you had with Mr.
22 Tutecky.

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1 I'd like to direct your attention to some
2 of these.
3 A. Yep.
4 Q. If you'd take a look at line number 6438,
5 which is -- it looks like about one, two, three pages
6 back.
7 Do you see that?
8 A. Yes.
9 Q. It looks like that's a message -- first of
10 all, owner [REDACTED] that's you, right?
11 A. That's me.
12 Q. Okay. So it looks like that's a message
13 from you to Wills Tutecky. And do you see where you
14 tell him: "Let me send you the main things needed to
15 be talked about"?
16 A. Yeah.
17 Q. You're talking about the topics you wanted
18 him to cover in his statement, correct?
19 A. Yeah. You know, the topics I wanted him
20 to cover in his statement because he wasn't
21 completely aware of exactly what the lawsuit entailed
22 and, you know, the things that were important and the

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<p style="text-align: right;">Page 313</p> <p>1 things that I wanted to zero in on.</p> <p>2 Q. And if you jump down a couple of lines to</p> <p>3 6441, you actually then do give him a list of four</p> <p>4 things you'd like him to cover in his statement,</p> <p>5 correct?</p> <p>6 A. Yeah, because these are the things that</p> <p>7 he's told me about and these are the things that he's</p> <p>8 reached out to me through the phone about as well.</p> <p>9 He talked to me, you know, about the meeting with</p> <p>10 Nicole, the conservation (sic) that he was enduring,</p> <p>11 all of these things.</p> <p>12 Q. And at 6442, you ask him to speak from a</p> <p>13 -- I'm sorry -- he says he will speak from the</p> <p>14 light-skinned perspective.</p> <p>15 A. Yeah.</p> <p>16 Q. And then in the next message in 6443 --</p> <p>17 MR. ROSS: I'm going to object to the</p> <p>18 characterization of that. You said that, "he will</p> <p>19 speak." It just simply says speak from the</p> <p>20 light-skinned --</p> <p>21 BY MR. SCHWARTZ:</p> <p>22 Q. "Speak from the light-skinned</p>	<p style="text-align: right;">Page 315</p> <p>1 just need a small statement so I can have it going</p> <p>2 into my conference on the 31st." Again, that's a</p> <p>3 reference to your conference with the United States</p> <p>4 District Court?</p> <p>5 A. Yeah. I mean, at that time, you know, I</p> <p>6 didn't have too much knowledge and -- of what was</p> <p>7 going on. This is a -- you know, the first time I've</p> <p>8 ever been to something like this. I didn't know if,</p> <p>9 you know, these things were going to be important. I</p> <p>10 didn't know if I needed these things, so I wanted to</p> <p>11 be prepared. That's just --</p> <p>12 Q. And if you turn a couple pages to 6466,</p> <p>13 right in the middle of that page -- let me know when</p> <p>14 you're there.</p> <p>15 A. Yes.</p> <p>16 Q. Here's a message from you to Wills:</p> <p>17 "Appreciate all your help, Bro." I take it there</p> <p>18 you're thanking him for the statement?</p> <p>19 A. Just thanking him for everything, you</p> <p>20 know, the support, you know, the information that</p> <p>21 he's giving me with this case that I wasn't privy of,</p> <p>22 the support, you know, with my tennis, you know, the</p>
<p style="text-align: right;">Page 314</p> <p>1 perspective." And then at 6443, you say: "Let's</p> <p>2 start with that." Why are you asking him to start</p> <p>3 with speaking from the light-skinned perspective?</p> <p>4 A. You know, Wills and I have a very comedic</p> <p>5 relationship. And, you know, the whole light-skinned</p> <p>6 perspective, you know, he's always sort of trying to</p> <p>7 figure out what he has. He knows he's a person of</p> <p>8 color, but he doesn't really know, you know, whether</p> <p>9 he's -- like what he is exactly.</p> <p>10 And that sort of stems from, you know, a</p> <p>11 joke we have where, you know, he was somewhere out</p> <p>12 one night and a girl had thought he was a</p> <p>13 light-skinned black guy. And we've always just sort</p> <p>14 of joked around with that, you know, always.</p> <p>15 So you know, when I'm talking to him about</p> <p>16 a lot of these things, you know, we're always -- even</p> <p>17 though, you know, it's about the case, you know,</p> <p>18 we're always talking in sort of a very relaxed,</p> <p>19 comedic way. And, you know, that was -- there was</p> <p>20 nothing really behind that. It was just, you know,</p> <p>21 something that was a joke.</p> <p>22 Q. And at 6446, you indicate to Wills: "I</p>	<p style="text-align: right;">Page 316</p> <p>1 kind words, just everything.</p> <p>2 Q. In the message right above that at 6465,</p> <p>3 you're specifically talking about the statement,</p> <p>4 right, "You don't need to make it super lengthy, just</p> <p>5 solid"?</p> <p>6 A. Yes.</p> <p>7 Q. And then after you thank him for his help,</p> <p>8 if you go down to 6468, "Trust, when I'm successful,</p> <p>9 you will E rewarded." I take it that's a typo.</p> <p>10 Should it be "be" rewarded?</p> <p>11 A. Yeah. Yeah. And, you know, I've had</p> <p>12 talks with, you know, Wills about, you know, possibly</p> <p>13 bringing him on my team in terms of my tennis team,</p> <p>14 you know, as an assistant coach or a coach. I've had</p> <p>15 talks with Wills about bringing him on my team, you</p> <p>16 know, as like -- you know, just someone on the part</p> <p>17 of my team.</p> <p>18 And with all the support that, you know,</p> <p>19 he's given me and especially when he sent me that</p> <p>20 statement, that was sort of a culmination of just</p> <p>21 sort of, you know, everything that he's done for me.</p> <p>22 And, you know, I just -- when you're</p>

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<p style="text-align: right;">Page 317</p> <p>1 talking to a friend, you know, you say something</p> <p>2 like, you know, trust, when I'm rewarded -- you know,</p> <p>3 trust when I'm successful you will be rewarded.</p> <p>4 That's, you know -- it's very vague. It's just</p> <p>5 successful in life.</p> <p>6 Q. And would you turn a couple pages forward</p> <p>7 to 6499? It's at the top of the page. Are you</p> <p>8 there?</p> <p>9 A. Yeah.</p> <p>10 Q. You see this is a message from Wills to</p> <p>11 you where he says: "I even exaggerated all the</p> <p>12 racism, and I spoke from the light-skinned</p> <p>13 perspective." Is that true that Wills had</p> <p>14 exaggerated the racism?</p> <p>15 MR. ROSS: Objection to the form of the</p> <p>16 question.</p> <p>17 A. You know, I'm not sure. You know, you'd</p> <p>18 have to ask him. But, you know, everything that, you</p> <p>19 know, he talked about in his statement he could</p> <p>20 prove. And when he talked about the light-skinned</p> <p>21 perspective, you know, obviously, I told you in the</p> <p>22 beginning that that was a joke that, you know, a long</p>	<p style="text-align: right;">Page 319</p> <p>1 that, "I even exaggerated all the racism, and I spoke</p> <p>2 from the light-skinned perspective," he then says,</p> <p>3 "Just like you said."</p> <p>4 Did you tell Wills that he should</p> <p>5 exaggerate all the racism and speak from a</p> <p>6 light-skinned perspective?</p> <p>7 A. You know, I don't believe I did. I just</p> <p>8 said, You know, Wills, you know, don't sugarcoat the</p> <p>9 racism. Like, you know, talk about that stuff. You</p> <p>10 know, talk about the things you endured. Because he</p> <p>11 was never subjected to racism -- that's what he told</p> <p>12 me, he was never subjected to racism until he got to</p> <p>13 GW.</p> <p>14 So, you know, I told him, you know, Wills,</p> <p>15 you know, like, don't shy away from talking about the</p> <p>16 racism and don't shy away from, you know, talking</p> <p>17 about all these things that happened to you. This is</p> <p>18 important.</p> <p>19 Q. Now, at 6503, there's a message from you</p> <p>20 to Wills. And we referred to this before we looked</p> <p>21 at the text where you say, "When I'm successful with</p> <p>22 this, I got you with a weekend in New York;</p>
<p style="text-align: right;">Page 318</p> <p>1 -- a long-term joke that, you know, him and I have.</p> <p>2 You know, when he talks about racism, it's</p> <p>3 -- you know, it's sort of funny with us because, as I</p> <p>4 said before, he's a person of color, but he's not</p> <p>5 black.</p> <p>6 BY MR. SCHWARTZ:</p> <p>7 Q. And I appreciate that.</p> <p>8 MR. ROSS: I'm sorry. Can you let him</p> <p>9 finish answering the question, please?</p> <p>10 MR. SCHWARTZ: I think he finished</p> <p>11 answering a few sentences ago.</p> <p>12 MR. ROSS: He did not finish answering.</p> <p>13 You asked him what he meant by that, and he's</p> <p>14 explaining. You asked him if he exaggerated it, and</p> <p>15 he's explaining what he took it to mean, which is --</p> <p>16 BY MR. SCHWARTZ:</p> <p>17 Q. Is there anything else you have to add to</p> <p>18 that, Mr. Stafford?</p> <p>19 A. Well, I don't really remember what I was</p> <p>20 saying because you cut me off.</p> <p>21 Q. Okay. Let me ask you -- if you look at</p> <p>22 6500, the very next line, after Wills reports to you</p>	<p style="text-align: right;">Page 320</p> <p>1 everything paid for, VIP, everything."</p> <p>2 Now, when you say, "with this," that's in</p> <p>3 reference to the lawsuit, right?</p> <p>4 A. Not necessarily, because, you know, I've</p> <p>5 been pursuing a tennis career alongside, you know,</p> <p>6 this lawsuit. Now, when I -- you know, as I said</p> <p>7 before, when I'm talking about when I'm successful,</p> <p>8 I'm talking about a culmination of when everything,</p> <p>9 all of this is over with.</p> <p>10 You know, I never, you know, mentioned it.</p> <p>11 You know, this is -- you know, I've been playing</p> <p>12 professional tournaments, you know, even while I've</p> <p>13 been, you know, doing this lawsuit.</p> <p>14 Q. Now, if you go down a few lines, 6505,</p> <p>15 Wills makes a reference to [REDACTED]. And he says: "By</p> <p>16 the way this" and then he says, "N-I-G-G-A, [REDACTED],</p> <p>17 still hasn't picked up or hit me up."</p> <p>18 That's a reference to [REDACTED] by his race in</p> <p>19 some way?</p> <p>20 A. No. That's just me and Wills, you know,</p> <p>21 casually talking how we talk, and it has nothing to</p> <p>22 do with [REDACTED]. You know, it's just a -- it's just a</p>

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<p style="text-align: right;">Page 321</p> <p>1 casual conversation.</p> <p>2 Q. You didn't find it offensive?</p> <p>3 A. Why would I find it offensive?</p> <p>4 Q. Now, he's trying to reach [REDACTED] because</p> <p>5 you want a statement from [REDACTED], correct? That's</p> <p>6 what Wills is trying to help you with?</p> <p>7 A. Yeah. This is before [REDACTED] did send me a</p> <p>8 statement, I believe.</p> <p>9 Q. And then you see you send a message at</p> <p>10 6508 to Wills where you say: "Dude probably OD'ed</p> <p>11 off porn." Is that a reference to [REDACTED]?</p> <p>12 A. Yeah. It's probably just a joke, yeah.</p> <p>13 Q. Is [REDACTED] a fan of pornography?</p> <p>14 A. How am I supposed to know?</p> <p>15 Q. You don't know?</p> <p>16 A. I mean, I don't know what the guy does in</p> <p>17 his free time.</p> <p>18 Q. Okay. If you go down to 6511, where you</p> <p>19 refer to "the [REDACTED] cuisine section." [REDACTED] is</p> <p>20 [REDACTED], correct?</p> <p>21 A. Yeah.</p> <p>22 Q. Is that a racial reference to [REDACTED] that</p>	<p style="text-align: right;">Page 323</p> <p>1 going to be legends"? Do you see that, 6546, where</p> <p>2 Wills says, "We're going to be legends?"</p> <p>3 A. Yeah, I see it.</p> <p>4 Q. And then you respond at 6547, "Higher</p> <p>5 ranking lawsuit." You're saying you're going to be</p> <p>6 legends from the lawsuit?</p> <p>7 A. I have no clue. I don't even know what</p> <p>8 context that was in.</p> <p>9 MR. ROSS: If you need to take time to</p> <p>10 look at the text before that, take it. Read that for</p> <p>11 the context.</p> <p>12 A. Yes. So what's your question?</p> <p>13 BY MR. SCHWARTZ:</p> <p>14 Q. That was -- you're making a statement that</p> <p>15 you were going to be legends because of the lawsuit?</p> <p>16 A. No. I'm not quite sure. I mean, with</p> <p>17 everything that I was experiencing, that was just</p> <p>18 sort of, I guess, you know, just a -- so that came</p> <p>19 from him and -- okay. He said, "We're going to be</p> <p>20 legends."</p> <p>21 Q. Right. And then you replied and mentioned</p> <p>22 the lawsuit.</p>
<p style="text-align: right;">Page 322</p> <p>1 he would look for his porn in the [REDACTED] cuisine</p> <p>2 section?</p> <p>3 A. You know, I guess it was just, you know,</p> <p>4 sort of a funny joke between, you know, Wills and I.</p> <p>5 You know, there's a difference between racially</p> <p>6 discriminating against somebody and there's a</p> <p>7 difference between, you know, making jokes.</p> <p>8 During that time, [REDACTED] and I had a, you</p> <p>9 know, relationship that was fine. I had a</p> <p>10 relationship with Wills that was fine. So when we</p> <p>11 use, you know, these terms, they're not out of any</p> <p>12 malice. They're just, you know, playful terms.</p> <p>13 Nobody is offended.</p> <p>14 Q. Does [REDACTED] know you told him that you said</p> <p>15 he picks his porn in the [REDACTED] cuisine section?</p> <p>16 A. You know, I don't -- I really don't know.</p> <p>17 [REDACTED] and I have made racial jokes to each other, you</p> <p>18 know, all the time. You know, we joke around about</p> <p>19 that stuff. There's no -- you know, there's no</p> <p>20 malice in joking around with your friends.</p> <p>21 Q. If you would turn to 6546, a couple pages</p> <p>22 forward, do you see where Wills says to you, "We're</p>	<p style="text-align: right;">Page 324</p> <p>1 A. Yeah. So what's the -- what's the</p> <p>2 problem?</p> <p>3 Q. Why don't you forward to 6563, if you</p> <p>4 would, the bottom of that page. 6563, it's at the</p> <p>5 bottom of the page.</p> <p>6 Do you see that?</p> <p>7 MR. ROSS: Did you say 6563?</p> <p>8 MR. SCHWARTZ: Yes, sir, 6563.</p> <p>9 MR. ROSS: At the very bottom.</p> <p>10 A. Okay.</p> <p>11 BY MR. SCHWARTZ:</p> <p>12 Q. Do you see there's a message from you to</p> <p>13 Wills where you tell him, "Message [REDACTED]"?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Now, let me ask you to go to the</p> <p>16 very next entry at the top of the next page, 6564.</p> <p>17 And it looks like you're continuing your instructions</p> <p>18 to Wills. You say: "And say this"?</p> <p>19 A. Yeah.</p> <p>20 Q. And then at 6565 you tell him to say,</p> <p>21 quote, Why haven't you sent your statement to Jabari,</p> <p>22 end quote?</p>

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1 A. Yes.

2 Q. Okay. So here you're asking Wills to

3 follow up with [REDACTED] about the statement for the

4 court?

5 A. Yes, because [REDACTED] had told me that he was

6 going to send a statement. But he started not

7 responding and he started not answering his phone,

8 and I realized how important his statement was going

9 to be.

10 So I know Wills, you know, was close to

11 [REDACTED] or maybe [REDACTED] felt more comfortable around

12 Wills. So I just had Wills -- you know, I want you

13 to say this, you know, I want you to word it this way

14 and I want you to, you know, reach out to [REDACTED] and

15 ask him what's going on.

16 Q. Now, let's take a look at 6585. Do you

17 see that --

18 A. Wait. Hold on.

19 Q. -- 6585?

20 A. Yeah. I heard you.

21 A. Yep.

22 Q. Do you see that one? It looks like,

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1 again, you're instructing Wills to send this message

2 to [REDACTED] quote, [REDACTED] you will be subpoenaed within

3 the next few days or couple weeks. Your story is

4 also going to be in the WS, along with your name, end

5 quote?

6 A. Um-hum -- yes.

7 Q. Did you mean The Washington Post, by the

8 way?

9 A. Yes.

10 Q. Then Wills responds: "This is good." And

11 you respond at 6587 with another quote of what he

12 should say to [REDACTED]: "You should probably contact

13 Jabari because he's trying to help you and to (sic)

14 this the right way"?

15 A. Yeah, "to do this the right way." Yes.

16 Q. Okay. And do you know if Mr. Tutecky sent

17 that message at your request to Mr. Sahoo?

18 A. I'm not sure.

19 Q. If you could turn to page 6622, please,

20 you see at 6622 you're instructing Mr. Tutecky to

21 contact [REDACTED] again. "Tell [REDACTED] this as well."

22 Do you see that?

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1 A. Yes.

2 Q. And then at 6623 quote, Jabari, has

3 received over 20 pieces of key evidence from you. He

4 has your police reports. If you try to be

5 untruthful, he will present that information,

6 unquote?

7 A. Yes.

8 Q. So again, this is all part of an effort to

9 get Mr. [REDACTED] to give you a statement?

10 A. No. It's -- you know, I had started, you

11 know, getting the -- you know [REDACTED] was not

12 answering his phone and Wills had instructed me that,

13 you know, [REDACTED] was still sort of talking to the

14 opposition.

15 And, you know, based on everything that

16 [REDACTED] sent me, you know, I was, you know, getting a

17 little concerned whether he was relaying information,

18 you know, elsewhere. So, you know, he sent me, you

19 know, many documents, many documents that contained

20 what happened to him when he was sexually assaulted,

21 many documents that contained, you know, all the --

22 all the problems that he's endured.

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1 So, you know, it was basically just, you

2 know, to tell [REDACTED] Hey [REDACTED] you know, if you're

3 going to be untruthful or, you know, if you're going

4 to try to, you know, play both sides, you know, you

5 need to remember that you sent me all of this

6 information.

7 And this could be a major problem if you

8 try and deviate from, you know, the energy that

9 you've given me.

10 Q. Who is the opposition that you were afraid

11 he was talking to?

12 A. Well, Wills, you know, told me, you know,

13 he was talking to multiple former teammates. I

14 didn't know -- I didn't know the extent to the

15 opposition. I didn't know whether that was, okay, he

16 was talking to you guys, whether he was talking to,

17 you know, GW officials.

18 You know, I don't -- I don't know. You

19 know, sometimes he wouldn't answer his phone, and he

20 gave Wills that impression. So once Wills relayed

21 that information to me, you know, I wanted to do

22 everything in my power to sort of just let [REDACTED] know

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<p style="text-align: right;">Page 329</p> <p>1 that, you know, that you've sent me this information; 2 now you can't go back on it. 3 Q. Let me ask you to go to 6658. Do you see 4 that, 6658? 5 A. Okay. Yeah. 6 Q. And there's a message from you to Mr. 7 Tutecky. It looks like, again, you're instructing 8 him about what he should say to [REDACTED] "Tell him 9 you're pissed and you're not going to talk to him 10 anymore if he doesn't contact me." That's about 11 [REDACTED]? 12 A. Yeah. 13 Q. And the next message from you to Mr. 14 Tutecky at 6659, "I just need this fuck to contact 15 me." Those were your words about what you wanted Mr. 16 Tutecky to convey to Mr [REDACTED]? 17 A. Yeah. You know, this is right before I 18 believe, you know, he sent me this statement. And, 19 you know, I -- I wanted a statement -- you know, I 20 wanted the statement. 21 I knew how instrumental it was. So, you 22 know, I was basically just telling Wills, you know,</p>	<p style="text-align: right;">Page 331</p> <p>1 So, you know, I just wanted to get the 2 statement, get it over with, and, you know, not 3 really have to deal with his flakiness as much. 4 Q. Would you turn to 6671, please, Mr. 5 Stafford? 6 A. Yes. 7 Q. Okay. This is a message from you to Mr. 8 Tutecky again. We talked a little bit about this 9 before we had the exhibit in front of us. You said: 10 "I told you when I get that bag," and then it 11 continues at 6672, "I'd split it with you." That's a 12 reference to a bag of money, right? 13 A. Well, yeah, that's a reference to a bag of 14 money, you know, when I get -- when I'm successful, 15 whether that would be, you know, tenniswise or, you 16 know, whatever we're doing because we always wanted 17 to do something together, whether that be, you know, 18 a tennis team or a -- you know, anything together. 19 Q. And the context here, if you go back to 20 the bottom of the prior page, is you're still having 21 a text conversation with him about getting the 22 statement from [REDACTED] right?</p>
<p style="text-align: right;">Page 330</p> <p>1 if you -- you know, [REDACTED] you know, can be very 2 sensitive sometimes. 3 You know, if he -- you know, if he keeps 4 playing around with this, you know, just don't talk 5 to him. And yeah, eventually, [REDACTED] did send me the 6 statement. 7 Q. And again, did -- the same issue that 8 you're frustrated about, I guess, at 6660, where you 9 say: "I need his fucking statement"? 10 A. You know, I needed his statement at that 11 time. 12 Q. And that's because at that time you 13 thought you needed it for the July 31st hearing with 14 Judge Cooper? 15 A. Well, you know, not necessarily. It 16 wasn't so much for -- for that. You know, obviously, 17 I told you before I didn't have much knowledge of 18 this -- you know, this whole situation, but I knew 19 the more and more I -- what's the word? -- the more 20 and more I delayed, you know, the harder it was going 21 -- the harder it was going to be in order to get this 22 statement from [REDACTED].</p>	<p style="text-align: right;">Page 332</p> <p>1 A. What -- what -- 2 Q. So like if you go to -- I don't know -- 3 6665, for example -- 4 A. Yeah. 5 Q. -- "I got you, just how we started from 6 day 1." He's saying that he will call you at 4. "Of 7 course, Dog." This is where you're -- and then you 8 say, "Thank you, my guy." You're thanking him for 9 helping you to get in touch with [REDACTED] to get his 10 statement, right? 11 A. Yeah. 12 Q. And then immediately thereafter you tell 13 him that when you get your bag you're going to split 14 it with him, correct? 15 A. Where is that again? 16 Q. At 6671 and 6672. 17 A. 6671, yeah, but, you know, this is -- this 18 can be interpreted many different ways. I didn't 19 exactly say what the bag was. I told you before 20 that, you know, this lawsuit has been very long and 21 I've also been dealing with trying to become a 22 professional tennis player.</p>

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<p style="text-align: right;">Page 333</p> <p>1 So along with everything that he's done</p> <p>2 for me, you know, I always wanted to sort of show my</p> <p>3 appreciation to him and, you know, keep it going.</p> <p>4 So, you know, that doesn't have anything -- you know,</p> <p>5 that's -- that's not talking about anything, you</p> <p>6 know, super specific.</p> <p>7 Q. And then it looks like if you go</p> <p>8 immediately down from there he actually was</p> <p>9 successful. He got [REDACTED] to call you. You have a</p> <p>10 missed call from [REDACTED] Wills says: "He's calling</p> <p>11 you now;" is that right?</p> <p>12 A. What are you asking?</p> <p>13 Q. Yes. That's what happened immediately</p> <p>14 thereafter, right?</p> <p>15 A. No. I'm saying, What are you asking?</p> <p>16 Q. Is that what happened, [REDACTED] tried to call</p> <p>17 you, and Will said, "Yeah, he's calling you now"? Am</p> <p>18 I reading that correctly, if you take a look at 6674,</p> <p>19 6675?</p> <p>20 A. I don't -- did he try to call me?</p> <p>21 Q. Yeah. So if you look at 6674, it looks</p> <p>22 like you had a missed call from [REDACTED] and</p>	<p style="text-align: right;">Page 335</p> <p>1 train with me when he got out of the school. And he</p> <p>2 did actually come to Philadelphia for a couple of</p> <p>3 days to train with me.</p> <p>4 And basically, I was telling him that, you</p> <p>5 know -- you know, him avoiding my calls and, you</p> <p>6 know, him being flaky and, you know, him being, you</p> <p>7 know, sketchy was, you know, completely disrespectful</p> <p>8 to me, you know, due to the amount of time and advice</p> <p>9 that I've given him throughout the years especially</p> <p>10 when everybody was making a fool out of him at GW.</p> <p>11 And that, you know, I expected nothing but</p> <p>12 honesty when he would -- you know, if he were to</p> <p>13 continue dealing with me. And, you know, I just laid</p> <p>14 this out to him and [REDACTED] you know, took full</p> <p>15 responsibility and he understood and, you know, that</p> <p>16 was the end of it.</p> <p>17 Q. So you told him if he expected to train</p> <p>18 with you in Philadelphia then he would have to</p> <p>19 provide you with the statement?</p> <p>20 A. No. I -- I said -- I said he would have</p> <p>21 to just be forthright with me going forward and that</p> <p>22 he couldn't sort of bullshit -- bullshit me anymore.</p>
<p style="text-align: right;">Page 334</p> <p>1 right afterwards Wills texts you, "He's calling you</p> <p>2 now."</p> <p>3 A. Okay.</p> <p>4 Q. And then at 6676 you missed another call</p> <p>5 from [REDACTED]</p> <p>6 Do you see that?</p> <p>7 A. Okay.</p> <p>8 Q. Now, if you look at 6681, the top of the</p> <p>9 next page, Wills is asking you what did -- where he</p> <p>10 says "[REDACTED]" I take it that's a reference to [REDACTED]</p> <p>11 [REDACTED] --</p> <p>12 A. Yeah.</p> <p>13 Q. -- what did [REDACTED] say? And then if you go</p> <p>14 down a couple of messages there, 6683, you say:</p> <p>15 "LOL. I'll tell you about it." That's laugh out</p> <p>16 loud, right?</p> <p>17 A. Yeah.</p> <p>18 Q. And then you say: "I ripped in" at 6684.</p> <p>19 Did you rip in to Mr. [REDACTED] when he called you?</p> <p>20 A. Yeah. I told him that, you know, that,</p> <p>21 you know, [REDACTED] you know, always calls me for advice</p> <p>22 or always called me for advice and he wanted to also</p>	<p style="text-align: right;">Page 336</p> <p>1 Q. And by that, you were referring</p> <p>2 specifically to the statement you wanted him to</p> <p>3 provide for the court, correct?</p> <p>4 A. Well, you know, this was a culmination of</p> <p>5 a lot of things, the fact that he wasn't answering</p> <p>6 his phone and also the fact that, yes -- you know, he</p> <p>7 had told me that he was going to send me the</p> <p>8 statement and he didn't end up sending me the</p> <p>9 statement until, you know, a while later.</p> <p>10 Q. Could you go forward to 6703 for me,</p> <p>11 please?</p> <p>12 MR. ROSS: What's the number?</p> <p>13 MR. SCHWARTZ: 6703.</p> <p>14 BY MR. SCHWARTZ:</p> <p>15 Q. It's the second one from the bottom on the</p> <p>16 page that it's on.</p> <p>17 A. Yes.</p> <p>18 Q. Okay. So at 6703, it looks like there's a</p> <p>19 message from you to Mr. Tutecky: "Brother, we got to</p> <p>20 work on that thing today quickly." The thing is Mr.</p> <p>21 Tutecky's statement, correct?</p> <p>22 A. I believe so, yes.</p>

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1 Q. And then if you go over to 6707, and do
2 you see you say to Mr. Tutecky, "Just a couple quick
3 adjustments"?

4 A. Yeah.

5 Q. You gave him some edits to his statement?

6 A. You know, I told him about certain things
7 that I want to focus on, which was, you know, a lot
8 of the racism, some of the meetings that he's had
9 with certain officials alleging a lot of this stuff.

10 And you know, I -- I -- I didn't, you
11 know, sort of edit any of the stuff that he had. I
12 just sort of, you know, told him what's important and
13 what's not important.

14 Q. Well, you went back and forth with several
15 drafts, right?

16 A. He sent me a couple drafts, yes.

17 Q. And you gave him comments on the drafts,
18 right?

19 A. Yeah. I told him, you know, what works
20 and what doesn't work.

21 Q. And he made --

22 A. Now, the -- you know, he had the final

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1 approval when signing off on the drafts. He didn't,
2 you know, put anything in there that, you know, he
3 wouldn't be able to sit here today and, you know, say
4 that that was his words.

5 MR. SCHWARTZ: Would you mark that,
6 please?

7 (Exhibit Number 12 was marked for
8 identification and was attached to the deposition.)

9 BY MR. SCHWARTZ:

10 Q. Mr. Stafford, the court reporter has
11 handed you what has been marked as Exhibit No. 12.
12 This is a further excerpt from the document that you
13 produced to us at Bates No. --

14 MR. ROSS: 2101.

15 BY MR. SCHWARTZ:

16 Q. -- 2101.

17 MR. SCHWARTZ: Thank you, Mr. Ross.

18 BY MR. SCHWARTZ:

19 Q. And these are some text exchanges that you
20 had with Mr. Sahoo. I'd like to direct your
21 attention first to 6299, which is the fourth line
22 down on the first page of Exhibit 12.

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1 A. Yeah.

2 Q. Do you see this is a WhatsApp text
3 exchange you had with Mr. [REDACTED] "Yo, [REDACTED] I'm
4 glad we cleared up everything yesterday, but please,
5 for the love of everything and for the 100th time,
6 stop being sneaky and stop lying to me about things
7 that are going on. We work well when we're in
8 agreement with each other. Just be 100 with me. I
9 don't care what comes up. I got you."

10 Do you recall sending that message to Mr.
11 [REDACTED]?

12 A. Yes.

13 Q. And what were you trying to communicate to
14 him there?

15 A. You know, he -- he -- we were talking
16 about training together and playing professional
17 tournaments together and, you know, splitting
18 finances, you know, just trying to make everything
19 easier along with our road to becoming professional
20 tennis players.

21 And he was always sort of, you know,
22 sometimes being sneaky and not, you know, forthright

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1 with the fact that sometimes he had certain classes
2 at GW that he still had to make up for before he got
3 his degree.

4 And you know, I was expecting him, I
5 believe, at a certain date. And, you know, it was
6 always -- he always sort of had an excuse about it.

7 And I, you know -- I found out that I guess it was,
8 you know, because of academic reasons.

9 So, you know, I -- you know, this is
10 someone that I've been talking to for a long time
11 about, you know, playing professional tennis together
12 as well.

13 So I sent him that message, you know, just
14 as reaffirmation that, you know, I wasn't -- you
15 know, he always thought I was mad at him. I wasn't
16 mad at him. You know, it was just going forward, you
17 know, just by keeping it 100 and being -- as being
18 completely honest, you know, just be completely
19 honest with me going forward.

20 And when we're in agreement, when we're in
21 cahoots in terms of, like, when we're, you know, on
22 the same page, we work better together.

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1 Q. And you're telling him that you're hoping
2 to work together on tennis and provide him with
3 financial support?

4 A. No. Like, for example, when you're --
5 when on the tennis tour, sometimes you travel with
6 somebody and, you know, you split costs. You know,
7 you might split a hotel room. It just makes
8 everything a lot easier. You know, it makes it more
9 -- you can stay out there longer because, you know,
10 finances aren't now a big worry.

11 Q. And so you would help him to make sure his
12 finances weren't a big worry?

13 A. We would just split it half-and-half. So
14 if we were to stay in a hotel room, we would split
15 that. That's pretty much it. Nobody was paying for
16 any type -- or we would split our training in half in
17 terms of, you know, if you were working with a coach.
18 That's it.

19 You know, nobody was providing any type of
20 financial support. I wasn't providing any type of
21 financial support to him. He wasn't providing any
22 type of financial support to me.

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1 Q. Now, at the same time you're still
2 pressing him because you feel like he's avoiding you
3 and not giving you the statement in the lawsuit,
4 right?

5 A. Yeah. I mean, at multiple times, you
6 know, he would sort of just not answer his phone or
7 just go silent. And, you know, when he told me on
8 the phone or text message that, "Yeah, Bro, I'm
9 working on it, I'm working on it," he would not do it
10 or not finish it at least.

11 Q. And if you go ahead to 6379 -- I'm sorry
12 -- 6377, it looks like here's a message from Wills
13 telling you he's going to get you his statement
14 perhaps. "Bro, I'm going to need a bit more time"?

15 A. It was Wills statement, I believe.

16 MR. ROSS: What number are we at? I'm
17 sorry.

18 MR. SCHWARTZ: 6377.

19 MR. ROSS: Thank you.

20 BY MR. SCHWARTZ:

21 Q. And then if you go down to 6379, it looks
22 like now you're exchanging WhatsApp messages with

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1 [REDACTED] And you say: "Okay, Dude. I'm going to have
2 to subpoena you. I will have my lawyer find your
3 address." Is that because he wasn't providing you a
4 statement?

5 A. Yeah. I mean, he wasn't providing me a
6 statement. He had provided me, you know, emails
7 talking about his sexual assault and some of the
8 things that was happening, but he hadn't provided me
9 a formal statement.

10 And I knew that was something that, you
11 know, I really relied on. So I said, Okay, Dude, you
12 know, if you don't do this, you know, I'm going to
13 have to go ahead with this.

14 Q. And then in the next message at 6380, you
15 say: "I'm sending subpoenas next week anyway." He
16 still hadn't given you the statement?

17 A. I'm not sure. I mean, you know, at the
18 same time, I didn't have much knowledge of the whole
19 subpoena arena and everything that was going on.
20 But, you know, there's been a lot of times when, you
21 know, I thought we were doing something but it wasn't
22 time to do it yet. You know, it's just regular, you

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1 know, things.

2 Q. Now, you say, "I will have" -- back at
3 6379, "I will have my lawyer find your address." At
4 that point who are you referring to? Who is your
5 lawyer on July 7th, 2019?

6 A. When was this?

7 Q. July 7, 2019.

8 A. July 7th. I didn't have a lawyer. I was,
9 you know, probably referring to, you know, just
10 myself, just people I was, you know, working with.

11 Q. And now, if you go down to the bottom of
12 that page -- well, I'm sorry. Let me pause for a
13 second. When you say, "people I was working with,"
14 what people are those?

15 A. You know, like whether I was working with
16 a paralegal or, you know -- yeah. That's pretty much
17 it.

18 Q. Is that Kevin Hall?

19 A. Yes.

20 Q. Were there any other people you were
21 working with?

22 A. No.

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1 Q. If you go down to 6384, there's a WhatsApp
2 message from you to Mr. [REDACTED] right at the bottom of
3 that page. "I just don't understand why it's, like,
4 always something. Just send me it and you won't have
5 to hear anything else from me."
6 A. Yeah.
7 Q. Again, "send me it," you're talking about
8 his statement, right?
9 A. Yeah. I'm talking about his statement.
10 Q. If you turn forward a couple of pages to
11 6421, you see there's a message there where you say
12 to Mr. Sahoo: "Actually, never mind. Expect a
13 subpoena?"
14 A. Yes.
15 Q. Again, I take it at that point he still
16 hasn't sent you his statement?
17 A. He still hasn't sent me the statement.
18 Q. And then the next message, 6422, you say
19 to Mr. [REDACTED], "I have evidence against you, by the
20 way."
21 A. Yes.
22 Q. What are you referring to there?

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1 A. Yeah. And this is -- Wills Tutecky had
2 told me that the reason why [REDACTED] is being a little
3 bit silent is because, you know, there's a chance
4 that, you know, he's talking to other people.
5 You know, I didn't know exactly what was
6 going on. So basically, when I said I have evidence
7 against you, I'm basically saying, you know, [REDACTED]
8 you sent me this information when you got sexually
9 assaulted, and you sent multiple statements through
10 email to me.
11 You've also had, you know, my father write
12 a statement to a -- you know, one of the -- I believe
13 -- I'm not sure whether it was the GW police denying
14 that, you know, he played a role in the situation
15 that happened with [REDACTED]
16 So, you know, I didn't -- I didn't really
17 know where [REDACTED] was coming from, and I didn't know
18 what he was doing. So I was basically just alerting
19 him that, you know, [REDACTED] you sent me all this
20 stuff. You can't, you know, go back on it now and
21 you can't -- you know, you can't do anything to me.
22 Q. And he eventually did send you a

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1 statement, correct?
2 A. Yeah. He sent me a full-length statement
3 that, you know, he's always been really working on.
4 Q. And you gave him comments on that?
5 A. I probably did. I probably told him that,
6 you know, some of the things in the statement were
7 good, but, you know, at the same time everything that
8 he put in the statement he signed off on and
9 everything in the statement is coming from his words.
10 So, you know, I never, you know, told him
11 to put anything untruthful in there or anything of
12 that matter.
13 Q. Now, you asked him to send it to Adam
14 Kilgore at the Washington Post also, right?
15 A. Yes.
16 MR. ROSS: Do you need a break? Are you
17 all right?
18 THE WITNESS: No. I'm good.
19 THE VIDEOGRAPHER: Actually, I need to
20 change the DVD in about ten minutes.
21 MR. SCHWARTZ: Okay. Yeah. Let's take
22 the ten and then we'll change, if that's okay.

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1 Thanks.
2 THE VIDEOGRAPHER: Okay.
3 MR. SCHWARTZ: Would you mark that,
4 please?
5 (Exhibit Number 13 was marked for
6 identification and was attached to the deposition.)
7 BY MR. SCHWARTZ:
8 Q. Mr. Stafford, the court reporter has
9 handed you what's been marked as Exhibit 13, which is
10 another excerpt from your text communications that
11 you produced at Bates No. 2101. These are some
12 messages largely with Blake Morton.
13 Do you -- if you would go to 6247 for me,
14 please.
15 A. Yes.
16 Q. Do you see that's a message from you to
17 Mr. Morton where you say, "Send me your number. We
18 should talk over the phone so there's no trail."
19 A. Yes.
20 Q. Why did you not want to leave a trail of
21 your communications with Mr. Morton?
22 A. Well, I mean, everything that I told Blake

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<p style="text-align: right;">Page 349</p> <p>1 was relative to the case and, you know, what I was 2 originally suing for. You know, a lot of this stuff 3 that he told me I didn't want him to, you know, send 4 it over text message. I wanted it to be in a formal 5 statement if he were to tell me anything. 6 And obviously, too, you know, I was 7 informed, you know, to watch what I say over text 8 message. So, you know, basically I was just calling 9 him to sort of give him an overview of, you know, 10 everything that I was suing for in terms of, you 11 know, the GW Hatchet and, you know, everything that 12 was going on with that and, you know, if he would be 13 interested in providing me a statement and, you know, 14 sort of talking about his experience at GW as well. 15 Q. Now, this is in March of 2013, March 5th 16 specifically when you say, "We should talk over the 17 phone so there's no trail." You said you were 18 informed that you should do that, not leave a trail. 19 Who gave you that advice in March of 2019? 20 MR. ROSS: Objection -- no. I'll withdraw 21 the objection. 22 BY MR. SCHWARTZ:</p>	<p style="text-align: right;">Page 351</p> <p>1 testimony.) 2 BY MR. SCHWARTZ: 3 Q. Mr. Stafford, could you go ahead and 4 answer that question? 5 A. Yes, Kevin Hall and my father. 6 Q. Kevin Hall was the paralegal you were 7 working with? 8 A. Yes. 9 Q. And why did Mr. Hall tell you not to leave 10 a paper trail? 11 MR. ROSS: Objection to the form of the 12 question. 13 A. You know, he realized that a lot of things 14 were going to be used against me, and that was just, 15 you know, I believe standard advice, you know, you 16 would give to any friend or any person you're working 17 with. 18 BY MR. SCHWARTZ: 19 Q. And your father also gave you that advice? 20 A. Yes. 21 Q. Did he explain why he thought you should 22 not leave a paper trail?</p>
<p style="text-align: right;">Page 350</p> <p>1 Q. Who gave you that -- 2 MR. ROSS: Well, actually, no. Let me -- 3 let me -- let me confer with him. 4 MR. SCHWARTZ: Sure. I take it you're 5 conferring about whether there's a privilege you want 6 to assert? 7 MR. ROSS: Yeah. 8 MR. SCHWARTZ: Okay. Let's go off the 9 record. 10 MR. ROSS: The way you're asking it, I 11 definitely have to. 12 MR. SCHWARTZ: I understand. 13 THE VIDEOGRAPHER: Going off the record at 14 5:48 p.m. 15 (A break was taken.) 16 THE VIDEOGRAPHER: Going back on the 17 record at 5:52 p.m. This marks the beginning of DVD 18 Number 5. 19 R. SCHWARTZ: Can you read back the last 20 question and answer? I'm sorry. I can't get this 21 thing to work. 22 (The reporter read back the requested</p>	<p style="text-align: right;">Page 352</p> <p>1 A. I mean, he's had a lot of experience with 2 matters like this as well, so he's always been 3 instrumental in sort of just telling me and helping 4 me understand how important it is not to, you know, 5 say certain things or not say certain things. 6 Q. Or at least not in writing? 7 A. At least not in writing, yes. 8 Q. Have you ever been involved in any other 9 lawsuit before, other than this one? 10 A. No. 11 Q. Have you ever been involved in any 12 criminal proceedings? 13 A. No. 14 Q. If you'd go to line 6311 back in Exhibit 15 13 for me, please, I think that's a message from you 16 to Mr. Morton. Do you see that, 6311, "Hey, man, 17 hope you haven't forgotten about your formal 18 statement"? 19 A. Yes. 20 Q. And that's -- again, you're asking him to 21 provide a statement in this case? 22 A. Yeah.</p>

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<p style="text-align: right;">Page 353</p> <p>1 Q. The next line down, 6312, "It doesn't have 2 to be perfect. We can go over it, if need be"? 3 A. Yes. 4 Q. And again, you gave Mr. Morton feedback 5 about his draft statement, correct? 6 A. Yeah. Yeah. 7 Q. And in fact, if you go down to 6318, 8 there's a message from you to Mr. Morton. It's at 9 the top of the page, 6318. Do you see that long 10 message? It looks like you just read his draft and 11 you're giving him feedback about it; is that correct? 12 A. 6318? 13 Q. Yes, sir. 14 MR. ROSS: I think you got the wrong one. 15 BY MR. SCHWARTZ: 16 Q. It's Exhibit 13. It's a short one. This 17 one is only three pages double-sided. 18 A. Yeah. 19 Q. If you go to 6318, do you see that message 20 from you to Mr. Morton? 21 A. Yep. 22 Q. "Yo, Blake, I just read the document"?</p>	<p style="text-align: right;">Page 355</p> <p>1 about hostility and humiliation, and I didn't know 2 if, you know, he had experienced some racism and that 3 he, you know, was hesitant to talk about it in this 4 statement. 5 So I sort of just, you know, instructed 6 him, Hey, man, you know, don't hold back on any 7 racism that you might have experienced. You know, 8 that's important. You should put that in the 9 statement. 10 Q. And if you would turn ahead to 6343, 11 please, Mr. Stafford do you see there's a message 12 there at 6343? Again, this one is from Blake Morton 13 to yourself? 14 A. Yeah. 15 Q. He says: "I'll revise it as best as I 16 can." Again, what he's talking about by "it" is the 17 statement, right? 18 A. Oh, 6343? 19 Q. Yes, sir. 20 A. Yes. 21 Q. When he says "it," he's talking about 22 revising the statement, correct?</p>
<p style="text-align: right;">Page 354</p> <p>1 A. Um-hum. 2 Q. I take it the document is his draft 3 statement? 4 A. Yes. 5 Q. And then you gave him some feedback here? 6 A. Yes. 7 Q. And you tell him you want him to -- "If 8 you could also maybe talk about any, quote, racism, 9 unquote, you experienced"? 10 A. Um-hum. 11 Q. And then you go on to talk about any 12 instances of real racism. This is all feedback 13 you're giving him about what you want him to add to 14 his statement? 15 A. Yes. You know, I read the statement and, 16 you know, I -- you know, this -- I don't -- I don't 17 -- I didn't think that he had much experience when it 18 came to writing statements. So, you know, I don't 19 know if he left certain things out. You know, I 20 don't know if he didn't expand on certain things. 21 So I know he didn't talk about too much 22 racism in the statement. You know, it was more so</p>	<p style="text-align: right;">Page 356</p> <p>1 A. Yes. 2 Q. And then he says he might want to call 3 you. Did you actually speak by phone about his draft 4 statement? 5 A. I do think so. Yeah. I think we've had 6 certain conversations over the phone. 7 Q. Again, because the advice you were getting 8 at the time from Mr. Hall and your father was better 9 to keep things oral and not in writing? 10 A. Well, not necessarily because you see that 11 I did text him. But you know, there are so many 12 things that, you know, we were sort of talking about 13 in terms of, you know, his statement in terms of, you 14 know, what actually happened to him as well because I 15 never really talked to Blake that much. 16 So, you know, he spent a little bit of 17 time sort of telling me about his experience. So I 18 felt like it was, you know, the fastest way for him 19 to, you know, tell me about a lot of things, and the 20 best way to get my point across was over a phone 21 call. 22 Q. And if you would turn ahead to 6582,</p>

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<p style="text-align: right;">Page 357</p> <p>1 please, sir.</p> <p>2 A. Okay.</p> <p>3 Q. It looks like that's a message from you to</p> <p>4 Mr. Morton, "Hit me up as soon as possible when you</p> <p>5 get a chance." And then 6583, you say, "Very</p> <p>6 important." I take it you're asking him to call you;</p> <p>7 is that correct?</p> <p>8 A. Hit me up, like anything, call, text.</p> <p>9 Q. And then if you go down to 6626 on the</p> <p>10 next page, message from you to Mr. Morton again: "We</p> <p>11 need to talk. It's important." What was so</p> <p>12 important that you needed to get ahold of him?</p> <p>13 A. I don't really remember. Let me look at</p> <p>14 the date.</p> <p>15 Q. Sure.</p> <p>16 A. So this is 6626. This is October, so this</p> <p>17 is --</p> <p>18 MR. ROSS: I think it's July.</p> <p>19 A. Oh, sorry -- July.</p> <p>20 BY MR. SCHWARTZ:</p> <p>21 Q. Yep, July 16th.</p> <p>22 A. I don't -- I don't remember. I've had a</p>	<p style="text-align: right;">Page 359</p> <p>1 221. I'd like to direct your attention to the bottom</p> <p>2 of 220 carrying on to 221.</p> <p>3 There's an email from your father to Coach</p> <p>4 MacPherson, February 27, 2017 at 10:56 a.m.</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. Have you seen this email before?</p> <p>8 A. Yes.</p> <p>9 Q. And you see where your father is giving a</p> <p>10 shout out to Coach MacPherson and thanking him for</p> <p>11 helping you feel good about yourself and enjoying</p> <p>12 tennis?</p> <p>13 A. Yes.</p> <p>14 Q. And do you see how your father indicates:</p> <p>15 "I talk to him on a regular basis, and all he talks</p> <p>16 about is what a positive influence you have been in</p> <p>17 such a short time on his attitude and approach to</p> <p>18 learning how to correctly play the game of tennis."</p> <p>19 Does that accurately summarize what you</p> <p>20 told your father about working with Coach MacPherson?</p> <p>21 A. Well, this was at the beginning of the</p> <p>22 year when I had just got back on the team and I had</p>
<p style="text-align: right;">Page 358</p> <p>1 couple conversations with Blake Morton.</p> <p>2 Q. Do you recall having a very important</p> <p>3 conversation with him that had something to do with</p> <p>4 this case in July before your hearing?</p> <p>5 A. I honestly don't remember. Everything was</p> <p>6 over a call, so I don't remember every little detail</p> <p>7 that we talked about.</p> <p>8 MR. SCHWARTZ: Would you please mark that?</p> <p>9 (Exhibit Number 14 was marked for</p> <p>10 identification and was attached to the deposition.)</p> <p>11 MR. ROSS: Can we take a break so he can</p> <p>12 use the bathroom?</p> <p>13 MR. SCHWARTZ: Of course.</p> <p>14 THE VIDEOGRAPHER: Going off the record at</p> <p>15 18:01 (sic) p.m.</p> <p>16 (A break was taken.)</p> <p>17 THE VIDEOGRAPHER: Going back on the</p> <p>18 record at 6:12.</p> <p>19 BY MR. SCHWARTZ:</p> <p>20 Q. Mr. Stafford, you have in front of you</p> <p>21 what the court reporter has marked as Exhibit No. 14</p> <p>22 to your deposition with Bates Nos. Stafford 220 and</p>	<p style="text-align: right;">Page 360</p> <p>1 started, you know, practicing with the team and also</p> <p>2 getting ready to start my season.</p> <p>3 And the interactions with Coach MacPherson</p> <p>4 at the beginning were pretty positive due to the fact</p> <p>5 that, you know, when he was present at that time he</p> <p>6 was a good tennis coach, and we did have good</p> <p>7 chemistry at that time.</p> <p>8 But, you know, that was at the very</p> <p>9 beginning of the year.</p> <p>10 Q. Well, it's February 27th. That's two</p> <p>11 months into the calendar year, right?</p> <p>12 A. Yes. So that's -- that's still sort of</p> <p>13 the early stages of this spring season.</p> <p>14 Q. And then do you see how your father at the</p> <p>15 top of the next page says: "I must tell you how</p> <p>16 refreshing it is for me to know it's finally just</p> <p>17 about tennis"?</p> <p>18 A. Yes.</p> <p>19 Q. Did you agree with that, that it was</p> <p>20 finally just about tennis?</p> <p>21 A. For a short while, you know, due to a lot</p> <p>22 of the stuff not really boiling up and, you know, the</p>

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<p style="text-align: right;">Page 361</p> <p>1 fact that I wasn't privy to a lot of things that were</p> <p>2 happening behind my back, I thought, you know, it</p> <p>3 was, you know, starting to just be about my tennis</p> <p>4 because MacPherson did take a liking to my tennis</p> <p>5 game.</p> <p>6 He thought I had a lot of potential, that</p> <p>7 I could hone in into being a top 20 professional</p> <p>8 tennis player. And when my dad said, "I must tell</p> <p>9 you how refreshing it is for me to know that it's</p> <p>10 finally just about tennis," he's really referring to,</p> <p>11 I'm glad that Jabari is not being racially</p> <p>12 discriminated against and humiliated and targeted on</p> <p>13 an everyday basis.</p> <p>14 Q. Earlier, we looked at some text messages</p> <p>15 where you told Mr. [REDACTED] that you were going to</p> <p>16 subpoena him if he didn't provide the statement that</p> <p>17 you wanted.</p> <p>18 Do you remember that?</p> <p>19 A. Yes.</p> <p>20 Q. Did anybody give you advice that you</p> <p>21 should send that kind of message to Mr. [REDACTED] or did</p> <p>22 you come up with that on your own?</p>	<p style="text-align: right;">Page 363</p> <p>1 at the amount on the email. I believe we agreed on</p> <p>2 an amount through email.</p> <p>3 BY MR. SCHWARTZ:</p> <p>4 Q. Other than Mr. Lonergan, have you been in</p> <p>5 touch with anyone else who was formally employed by</p> <p>6 the university?</p> <p>7 A. Have I been touch with anybody? No. I</p> <p>8 don't believe so.</p> <p>9 Q. Have you been in touch with any current</p> <p>10 employees of the university?</p> <p>11 A. Sorry -- sorry. I have been in touch with</p> <p>12 former employees. I was in touch -- I've been in</p> <p>13 touch with Anthony Lee, who was the volunteer</p> <p>14 assistant coach my freshman year. I did forget about</p> <p>15 that. I'm sorry. What's your next question?</p> <p>16 Q. Are there any current university employees</p> <p>17 who you've been in touch with?</p> <p>18 A. Who I've been in touch with? Me</p> <p>19 personally, no.</p> <p>20 Q. Has anybody on your behalf contacted any</p> <p>21 current employees of the university?</p> <p>22 MR. ROSS: Objection to the form of the</p>
<p style="text-align: right;">Page 362</p> <p>1 A. I came up with that on my own.</p> <p>2 Q. Mr. Hall didn't suggest that?</p> <p>3 A. No, he did not suggest that.</p> <p>4 Q. And your father didn't suggest that?</p> <p>5 A. No.</p> <p>6 Q. And how did you know about subpoenas?</p> <p>7 A. You know, I had been in the process for a</p> <p>8 couple months. You know, that's definitely a topic</p> <p>9 of conversation that came up very often. You know,</p> <p>10 whether I -- whether I had the extensive knowledge of</p> <p>11 subpoenas, that's, you know, another issue. But, you</p> <p>12 know, it's definitely something I've heard before.</p> <p>13 Q. Did you subpoena Mr. [REDACTED]?</p> <p>14 A. No.</p> <p>15 Q. And before you hired Mr. Ross, did you</p> <p>16 send a subpoena to anyone?</p> <p>17 A. No.</p> <p>18 Q. How much did you pay Kevin Hall for his</p> <p>19 services in this case?</p> <p>20 MR. ROSS: Objection to the form of the</p> <p>21 question.</p> <p>22 A. I don't really remember. I'd have to look</p>	<p style="text-align: right;">Page 364</p> <p>1 question.</p> <p>2 A. I'm -- I'm not quite sure.</p> <p>3 BY MR. SCHWARTZ:</p> <p>4 Q. You don't know?</p> <p>5 A. No. I don't know everything my lawyer</p> <p>6 does.</p> <p>7 Q. Mr. Stafford, do you recall on Facebook</p> <p>8 you referred to your teammate Darian -- and pardon my</p> <p>9 language, but you referred to him as a pussy? Do you</p> <p>10 recall doing that?</p> <p>11 A. Yeah.</p> <p>12 Q. And do you recall Coach Munoz telling you</p> <p>13 that that was not appropriate?</p> <p>14 A. Yeah.</p> <p>15 Q. Did you think it was appropriate?</p> <p>16 A. You know, it was just a joke between me</p> <p>17 and him. Darian and I were -- we were very close my</p> <p>18 freshman and spring year -- sorry -- my freshman fall</p> <p>19 and spring years at GW. We roomed together a lot</p> <p>20 when we would travel -- when we would travel, so we</p> <p>21 always had a joking nature.</p> <p>22 Q. Do you recall sending a message to</p>

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<p style="text-align: right;">Page 365</p> <p>1 Christos Hadjigeorgiou saying that you were, "going 2 to have as good as a possible ass time, man, and that 3 there were so many bitches in DC"? 4 A. You know, that's just a -- that's just a 5 standard, you know, text that, you know, a kid 6 that's, you know, gearing up for college would sort 7 of send, you know, to another person. You know, I 8 was young. You know, I was excited. You know, it 9 was just, you know, just showing my excitement. 10 Q. Did you think that was respectful of women 11 to refer to them as bitches? 12 A. Well, I mean, you know, there's never been 13 any instances where I've disrespected women or, you 14 know, anything has come out or any -- you know, like, 15 anything has come out. If you -- you know, I -- that 16 had nothing to do with, you know, whether I have 17 respect towards women or not. 18 I believe that that's just something 19 that's very common amongst every, you know, college 20 person, you know, when they're, you know, excited 21 and, you know, ready to go out and experience 22 college.</p>	<p style="text-align: right;">Page 367</p> <p>1 You went to ninth grade twice? 2 A. Yeah. I repeated ninth grade. 3 Q. And both times you got Cs, ninth grade 4 part 1 and ninth grade part 2? 5 A. Yes. 6 Q. Did you consider those to be good grades? 7 A. You know, it's not fantastic. It's not 8 horrible. It's average. 9 Q. And in online school your sophomore year 10 you got one C? 11 A. Okay. 12 Q. Do you consider that to be a good grade? 13 A. It's not the best. It's not the worst. 14 It's average. I mean, obviously, that wasn't a 15 factor in me getting into George Washington 16 University. 17 Q. In your junior year, you had four Cs, 18 correct? 19 A. I don't really completely remember, but, 20 you know, that's -- that's possible. 21 Q. Did you think that was a good academic 22 performance?</p>
<p style="text-align: right;">Page 366</p> <p>1 You know, that's just a term -- you know, 2 especially, you know, I like hip-hop as well. You 3 know, that's a term, you know, you use, you know, as, 4 you know, slang. It's just -- it has nothing to do 5 with a certain type of respect you have for a woman. 6 Q. Would you refer to Coach Browning as a 7 bitch? 8 MR. ROSS: Objection to the form of the 9 question. 10 A. What do you mean by that? 11 BY MR. SCHWARTZ: 12 Q. Have you ever referred to Coach Browning 13 as a bitch? 14 A. I don't remember. 15 Q. It's possible that you've done that? 16 A. You know, I don't -- I honestly don't 17 remember. 18 Q. In high school, you struggled 19 academically, correct? 20 A. Where did I struggle academically in high 21 school? 22 Q. Well, you repeated ninth grade, correct?</p>	<p style="text-align: right;">Page 368</p> <p>1 A. It's not fantastic. It's not the worst, 2 but, you know, it's what it is. 3 Q. And your senior year you had a D in 4 Phys-ed and a C. Did you consider that to be good 5 academic performance? 6 A. You know, I don't believe so. I think I 7 did very well my senior year because I was accepted 8 into George Washington University pretty early. My 9 SAT scores were up to par, and Greg Munoz was very 10 excited about having me on to the team. 11 Q. Why do you think you got into GW? Was it 12 because of all those Cs and that strong academic 13 performance? 14 MR. ROSS: Objection to the form of the 15 question. Calls for speculation. 16 A. You know, a lot of different individuals 17 were impressed by me, you know, the fact that I was a 18 very good tennis player, the fact that my grades were 19 decent, and the fact that I had decent SAT scores. 20 You know, I had a very good impression on the people 21 that I talked to at the beginning. You know, Helen 22 Saulny was included.</p>

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<p style="text-align: right;">Page 369</p> <p>1 So, you know, those were some of the most</p> <p>2 instrumental parts or reasons why I got into GW in</p> <p>3 the first place, I believe.</p> <p>4 BY MR. SCHWARTZ:</p> <p>5 Q. You don't think your academic performance</p> <p>6 in high school was strong, do you?</p> <p>7 MR. ROSS: Objection to the form of the</p> <p>8 question.</p> <p>9 A. My academic, you know, performance wasn't</p> <p>10 -- it wasn't -- you know, strong in whose eyes? You</p> <p>11 know, that's -- that's up for interpretation. I</p> <p>12 don't -- you know, it didn't -- it didn't stop me</p> <p>13 from getting into George Washington.</p> <p>14 BY MR. SCHWARTZ:</p> <p>15 Q. Did you think your performance was strong</p> <p>16 in your own eyes?</p> <p>17 MR. ROSS: Objection. And Jason, we are</p> <p>18 now in the sixth hour, and these are questions that</p> <p>19 you've already asked him about before. And so can we</p> <p>20 move it along? I've got questions for him as well.</p> <p>21 MR. SCHWARTZ: I appreciate your</p> <p>22 objection.</p>	<p style="text-align: right;">Page 371</p> <p>1 to it -- you know, testimony with an expert coming on</p> <p>2 board, we can properly calculate the damages that I</p> <p>3 lost -- or that I'm seeking for relative to</p> <p>4 everything that I lost when it comes to my tennis</p> <p>5 career.</p> <p>6 Q. So it's your tuition and some loss that an</p> <p>7 expert will help you figure out having to do with</p> <p>8 your tennis career. Is there anything else you're</p> <p>9 seeking in this lawsuit?</p> <p>10 A. Pretty much everything that I said.</p> <p>11 Q. And is it your view that today you would</p> <p>12 be more economically successful in your tennis career</p> <p>13 had you not gone to GW?</p> <p>14 A. I believe that had I not endured the</p> <p>15 racial discrimination, the public humiliation, the</p> <p>16 public defamation, the constant plots of conspiracy,</p> <p>17 the -- my coaches turning a blind eye to everything,</p> <p>18 which stunted me, I do believe that without all of</p> <p>19 these things I would be further off in my tennis</p> <p>20 career than I would be had I had a healthy career at</p> <p>21 GW where, you know, people were treating me with</p> <p>22 respect and I was given the same opportunities as</p>
<p style="text-align: right;">Page 370</p> <p>1 BY MR. SCHWARTZ:</p> <p>2 Q. You can go ahead and answer my question.</p> <p>3 A. What was your question?</p> <p>4 MR. SCHWARTZ: Can you go ahead and read</p> <p>5 that back, please?</p> <p>6 (The reporter read back the question.)</p> <p>7 A. When?</p> <p>8 BY MR. SCHWARTZ:</p> <p>9 Q. In high school.</p> <p>10 A. Overall, in high school, I thought it was,</p> <p>11 you know -- I thought it was okay. I thought it was</p> <p>12 decent. You know, it definitely didn't stop me from</p> <p>13 getting into George Washington.</p> <p>14 Q. Mr. Stafford, what are the damages that</p> <p>15 you're seeking in this case?</p> <p>16 A. Well, in the first place, I mean, I'm</p> <p>17 looking for all my tuition back based on, you know,</p> <p>18 everything that I endured at GW. I really lost</p> <p>19 everything, rather than gained anything.</p> <p>20 So I'm looking for -- I'm looking for my</p> <p>21 tuition back and, you know, with an expert -- you</p> <p>22 know, through an expert -- I'm not sure how you refer</p>	<p style="text-align: right;">Page 372</p> <p>1 everybody else.</p> <p>2 Q. Are you aware of any players who graduated</p> <p>3 from GW around the same time that you were there who</p> <p>4 are making big money in tennis?</p> <p>5 A. Can you ask that again, please?</p> <p>6 Q. Sure. Are you aware of any players who</p> <p>7 graduated GW around the same time that you were there</p> <p>8 who are making big money in tennis?</p> <p>9 A. Nobody is making big money in tennis from</p> <p>10 GW right now.</p> <p>11 Q. Why is that?</p> <p>12 MR. ROSS: Objection to the form of the</p> <p>13 question.</p> <p>14 A. Because you have to be a certain level in</p> <p>15 order to make so-called big money in tennis.</p> <p>16 BY MR. SCHWARTZ:</p> <p>17 Q. Okay.</p> <p>18 A. They're not at that level yet, and I don't</p> <p>19 -- you know, they're not at that level right now.</p> <p>20 MR. SCHWARTZ: Okay. Can we go off the</p> <p>21 record for a second?</p> <p>22 THE VIDEOGRAPHER: Going off the record at</p>

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<p style="text-align: right;">Page 373</p> <p>1 18:26 (sic).</p> <p>2 (A break was taken.)</p> <p>3 THE VIDEOGRAPHER: Going back on the</p> <p>4 record.</p> <p>5 MR. SCHWARTZ: I'm going to reserve the</p> <p>6 rest of my time for recross in the event there's</p> <p>7 anything I want to follow up on from your questions,</p> <p>8 Mr. Ross.</p> <p>9 MR. ROSS: Okay. Thank you.</p> <p>10 EXAMINATION BY COUNSEL FOR PLAINTIFF</p> <p>11 BY MR. ROSS:</p> <p>12 Q. All right. Mr. Stafford -- Jabari, I've</p> <p>13 got some questions for you. I'm probably just going</p> <p>14 to go in order that they were addressed, so I may be</p> <p>15 referring back to some of those exhibits.</p> <p>16 But I want to start off with your arrival</p> <p>17 to GW. Were you -- you stated, I believe, that you</p> <p>18 were recruited by Coach Munoz; is that right?</p> <p>19 A. I was recruited, yes.</p> <p>20 Q. Okay. And he -- when is the first time</p> <p>21 that you met him?</p> <p>22 A. A couple months before I arrived at GW, so</p>	<p style="text-align: right;">Page 375</p> <p>1 And within that first day, you know, he</p> <p>2 was very excited about the possibility that I was</p> <p>3 going to be on the team, and we ended up having</p> <p>4 dinner that night or the next day.</p> <p>5 And he was basically recruiting me the</p> <p>6 whole weekend and just telling me -- asking me about</p> <p>7 certain things and, you know, asking me, you know,</p> <p>8 what my interests are and asking me in terms of, you</p> <p>9 know, what other schools are you looking at.</p> <p>10 And you know, I told him, you know, I was,</p> <p>11 you know, very interested in GW and that I would</p> <p>12 strongly consider it.</p> <p>13 Q. When you -- I want to -- and I'm going to</p> <p>14 be jumping around. Like I said, I just kind of want</p> <p>15 to follow up on a few things.</p> <p>16 I want you to look at Stafford -- what was</p> <p>17 previously marked as Stafford 3. So in your pile,</p> <p>18 it's going to be Exhibit 3. So the top of it says</p> <p>19 from Nicole Early, Monday, January 19th to Greg</p> <p>20 Munoz. It's just a one-page document. Let me do</p> <p>21 this --</p> <p>22 A. I got it.</p>
<p style="text-align: right;">Page 374</p> <p>1 this was towards the latter part -- latter end of my</p> <p>2 senior year.</p> <p>3 Q. Okay. And --</p> <p>4 A. No -- sorry -- the beginning of my senior</p> <p>5 year.</p> <p>6 Q. And where did you meet him?</p> <p>7 A. The first time we met was, you know, I</p> <p>8 compiled a video of me playing tennis. And we met in</p> <p>9 his office to talk about, you know, possible, you</p> <p>10 know, recruiting and, you know, my possible interest</p> <p>11 on the team.</p> <p>12 Q. And you talked earlier about --</p> <p>13 A. I was with my father as well.</p> <p>14 Q. Okay. You talked earlier about him coming</p> <p>15 to visit the tennis center that your father owns; is</p> <p>16 that correct?</p> <p>17 A. Yes.</p> <p>18 Q. Tell me about that.</p> <p>19 A. You know, we set up a -- I believe it was</p> <p>20 a weekend visit in which my father put him in a hotel</p> <p>21 and he would, you know, watch me play against one of</p> <p>22 the pros there.</p>	<p style="text-align: right;">Page 376</p> <p>1 Q. All right. But it's going to make it a</p> <p>2 lot easier if we put these in order now so we can go</p> <p>3 through them.</p> <p>4 A. That's fine. I think I'm cool.</p> <p>5 Q. All right. In that email, Stafford 3,</p> <p>6 that is when Munoz is sending you an email letting</p> <p>7 you know that you've been suspended, correct?</p> <p>8 A. Yes.</p> <p>9 Q. He said that this is actually "based on</p> <p>10 your behavior over both semesters."</p> <p>11 Do you see where it says that?</p> <p>12 A. Yes.</p> <p>13 Q. So this is being sent on January 18th,</p> <p>14 2015. So that's only a few weeks into your second</p> <p>15 semester; is that right?</p> <p>16 A. Yes.</p> <p>17 Q. And he references an incident involving</p> <p>18 the volunteer assistant coach in the men's tennis,</p> <p>19 Anthony, right?</p> <p>20 A. Yes.</p> <p>21 Q. Can you tell us about that incident?</p> <p>22 A. There was, you know, one time when I</p>

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<p style="text-align: right;">Page 377</p> <p>1 believe one of the women's matches was happening, I</p> <p>2 think, and I left my phone in the building. And you</p> <p>3 know, as they were closing up -- you know, the</p> <p>4 building was closed up.</p> <p>5 And, you know, I guess I had a bad</p> <p>6 practice because I feel like -- I think that was one</p> <p>7 of the practices that, you know, Greg Munoz was</p> <p>8 really giving me slack (sic) about my behavior and</p> <p>9 all of that stuff.</p> <p>10 So I was deeply distressed, you know,</p> <p>11 especially when I lost my phone in the building. So,</p> <p>12 you know, I was banging on the door, you know, just</p> <p>13 trying to see if anybody was in there.</p> <p>14 And Anthony Lee was, you know, in the</p> <p>15 building. And, you know, Anthony Lee said, you know,</p> <p>16 you don't have to bang on the door anymore, you know,</p> <p>17 I'll let you in. So I ended up getting my phone and</p> <p>18 that was it.</p> <p>19 Later, you know, as of recent, you know,</p> <p>20 he's debunked the entire situation and said that it</p> <p>21 was all a big, you know, misunderstanding and that,</p> <p>22 you know, I wasn't being disrespectful.</p>	<p style="text-align: right;">Page 379</p> <p>1 Q. Yes, during your freshman year.</p> <p>2 A. Yes.</p> <p>3 Q. And there was a possibility that you were</p> <p>4 going to be suspended from the business school; is</p> <p>5 that correct?</p> <p>6 A. Yes.</p> <p>7 Q. And you -- did you work with an academic</p> <p>8 advisor with regards to that possible suspension?</p> <p>9 A. Yes. I was in -- you know, I was having a</p> <p>10 lot of talks with Ellen Woodbridge --</p> <p>11 Q. Okay.</p> <p>12 A. -- and she was helping me, you know, get</p> <p>13 my situation back together. And also I think she</p> <p>14 recommended that I take some classes during the</p> <p>15 summer. I believe I took two online classes. I'm</p> <p>16 not quite sure.</p> <p>17 Q. Well, didn't you -- wasn't there a</p> <p>18 decision made for (sic) the business school regarding</p> <p>19 a suspension that you had to appeal your freshman</p> <p>20 year?</p> <p>21 MR. SCHWARTZ: Objection. Leading.</p> <p>22 A. I don't -- I don't believe so.</p>
<p style="text-align: right;">Page 378</p> <p>1 Q. When you said "he," who is he?</p> <p>2 A. Anthony Lee.</p> <p>3 Q. He debunked it?</p> <p>4 A. Yeah, Anthony Lee debunked it.</p> <p>5 Q. Did he give you a statement to that</p> <p>6 effect?</p> <p>7 A. Yes, he did.</p> <p>8 Q. Did you force him to write the statement?</p> <p>9 A. I did not force him to write that</p> <p>10 statement. He voluntarily -- not voluntarily, like</p> <p>11 he -- I asked him if he would, you know, speak on</p> <p>12 that, and he said that he would.</p> <p>13 Q. Did you tell him to lie in that statement?</p> <p>14 A. No.</p> <p>15 Q. Okay. I want to now go to what's been</p> <p>16 previously marked as Stafford 4. And actually,</p> <p>17 before I go on to that one, that fall semester -- I'm</p> <p>18 sorry -- not the fall semester -- but that spring</p> <p>19 semester was the semester that you -- after that</p> <p>20 semester you went on academic probation, is that</p> <p>21 right, or at least for --</p> <p>22 A. During my freshman year?</p>	<p style="text-align: right;">Page 380</p> <p>1 BY MR. ROSS:</p> <p>2 Q. Okay.</p> <p>3 A. I believe the only appeal came at the end</p> <p>4 of my -- at the end of -- sorry -- at the end of my</p> <p>5 senior fall semester in which I had to appeal.</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 Q. Okay. So is it fair to say then that this</p>

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<p style="text-align: right;">Page 381</p> <p>1 report does not reflect some of the discrimination</p> <p>2 that you experienced at George Washington University?</p> <p>3 A. Yes.</p> <p>4 MR. SCHWARTZ: Objection. Leading.</p> <p>5 BY MR. ROSS:</p> <p>6 Q. What was your answer to that?</p> <p>7 A. Yes.</p> <p>8 Q. You were asked before if you were aware</p> <p>9 that Nicole Early's husband was African American.</p> <p>10 Do you remember that?</p> <p>11 A. Yes, I remember that.</p> <p>12 Q. Does her husband being African American in</p> <p>13 any way change your opinion about whether or not she</p> <p>14 did not intervene or did not do anything about the</p> <p>15 discrimination occurring against you?</p> <p>16 MR. SCHWARTZ: Objection. Leading and</p> <p>17 asked and answered.</p> <p>18 A. No, because as I said before, you know,</p> <p>19 who you are involved -- who you're attracted to</p> <p>20 sexually has no -- it's completely irrelevant from</p> <p>21 whether you're a racist or not.</p> <p>22 So you know, just the fact that she was,</p>	<p style="text-align: right;">Page 383</p> <p>1 A. Yes. There were -- you know, there were</p> <p>2 various times. There were various times with Chris</p> <p>3 Reynolds. There was (sic) various times with</p> <p>4 Fernando. There were various times with Dennis</p> <p>5 Afanasev who would prode (sic) me constantly by</p> <p>6 making statements about, you know, me being black and</p> <p>7 me having money or, you know, sort of just, you know,</p> <p>8 throwing around the word nigga and nigger around me</p> <p>9 and to my face.</p> <p>10 There were many times throughout my tenure</p> <p>11 that I had to just walk away from these things</p> <p>12 because I knew if I were to retaliate that that was</p> <p>13 going to be the end of my time on the tennis team.</p> <p>14 Q. While we're hearing that word "nigga" that</p> <p>15 was pointed out as being said, I think, at least one</p> <p>16 time in the text messages with you and Wills, is</p> <p>17 there a difference in when Wills uses that word in</p> <p>18 the text message as opposed to when you were just</p> <p>19 referencing it being said by others?</p> <p>20 A. Well, there's a strong difference because,</p> <p>21 Number 1, Wills is a person of color and Wills is</p> <p>22 someone that I confide in heavily, and he's a friend</p>
<p style="text-align: right;">Page 382</p> <p>1 you know, having sex with a black guy, that doesn't</p> <p>2 change the fact that she was a part of a, you know,</p> <p>3 very hostile environment in which she turned a blind</p> <p>4 eye to, you know, my racist -- my allegations of</p> <p>5 racism and hostility multiple times.</p> <p>6 BY MR. ROSS:</p> <p>7 Q. Well, she wasn't just having sex with him.</p> <p>8 She's married to him, right?</p> <p>9 A. Exactly.</p> <p>10 Q. Does that change anything?</p> <p>11 A. I mean, that -- that's -- you know, that's</p> <p>12 that's -- I don't believe that changes anything.</p> <p>13 That just means, you know, she was -- you know, she</p> <p>14 liked him so much that she had to marry him.</p> <p>15 Q. With regards to -- was there an incident</p> <p>16 in which -- I think you were asked questions before</p> <p>17 or at least you testified before that you never had a</p> <p>18 physical altercation with anyone at GW, correct?</p> <p>19 A. Yeah.</p> <p>20 Q. Was there ever any incidences in which you</p> <p>21 found that you had to walk away to keep from a fight</p> <p>22 happening?</p>	<p style="text-align: right;">Page 384</p> <p>1 of mine and he's a big supporter of mine.</p> <p>2 So when he uses it, it is sort of a term</p> <p>3 of -- you know, it's just -- you know, it's more so a</p> <p>4 term of endearment in terms of, you know, he's just</p> <p>5 trying to ingratiate himself, you know, to me and,</p> <p>6 you know, for us to really, you know, understand each</p> <p>7 other a little bit better.</p> <p>8 But when, you know, my teammates are</p> <p>9 calling me nigga and nigger, you know, there's a</p> <p>10 malicious intent behind it. And, you know, it's to</p> <p>11 diminish me and berate me and act hostile towards me.</p> <p>12 Q. Has Wills ever shouted it in your ear?</p> <p>13 A. In what type of way?</p> <p>14 Q. I think you made reference to one of the</p> <p>15 tennis players doing that, saying it in your ear, the</p> <p>16 word nigga?</p> <p>17 A. No. He's never prodded me with the word</p> <p>18 nigga. He's never antagonized me with the word nigga</p> <p>19 or nigger or any other racial rhetoric.</p> <p>20 Q. Has he said it louder during a rap song?</p> <p>21 When that word would come up in a rap song, would he</p> <p>22 emphasize it? Did you ever hear Wills do that?</p>

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What does

Response	Percentage
U.S. should do more to protect the environment	85%
U.S. should not do more to protect the environment	15%

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Page 389
[REDACTED]

Page 391
[REDACTED]

Page 390
[REDACTED]

Page 392
[REDACTED]
19 Q. I'm going to jump ahead now to your
20 sophomore year. You testified before about an
21 incident where you were -- where you had celebrated
22 after a win.

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<p style="text-align: right;">Page 393</p> <p>1 Do you remember that?</p> <p>2 A. I do remember that.</p> <p>3 Q. And that was with Coach Browning?</p> <p>4 A. Yes.</p> <p>5 Q. When you celebrated, did you use any curse</p> <p>6 words?</p> <p>7 A. No. I said, "Let's go."</p> <p>8 Q. And you also testified about Chris</p> <p>9 Reynolds during that same match screaming out words;</p> <p>10 is that right?</p> <p>11 A. Yes.</p> <p>12 Q. Did -- were you admonished in front of</p> <p>13 others by Browning at that time?</p> <p>14 A. In the huddle, yes.</p> <p>15 Q. Was Chris Reynolds admonished in front of</p> <p>16 others by Browning at that time?</p> <p>17 MR. SCHWARTZ: Objection. Asked and</p> <p>18 answered.</p> <p>19 A. No. He was actually -- Chris Reynolds</p> <p>20 actually took part in what everybody else was saying</p> <p>21 in terms of, you know, the harsh criticisms after the</p> <p>22 match.</p>	<p style="text-align: right;">Page 395</p> <p>1 Q. What stats? What do you mean by that?</p> <p>2 Can you explain that?</p> <p>3 A. So, you know, my sophomore year I was</p> <p>4 playing very good tennis. And as I said before,</p> <p>5 during that weekend I was the only one to go</p> <p>6 undefeated. So I had a pretty good fall record.</p> <p>7 And I also played professional tournaments</p> <p>8 going into my sophomore year. And I had, you know,</p> <p>9 accumulated some doubles points. That is, you know,</p> <p>10 a feat that, you know, a lot of people aren't able to</p> <p>11 accomplish, especially on the team.</p> <p>12 So, you know, all the stats were there. I</p> <p>13 was playing good tennis. You know, I was doing well.</p> <p>14 I was winning all of my practice -- I was winning a</p> <p>15 lot of my practice matches, in which Torrie Browning</p> <p>16 and Rafael Aita, you know, would be present there to</p> <p>17 see it.</p> <p>18 And -- I'm sorry. What was your question</p> <p>19 again?</p> <p>20 Q. I was asking what stats you showed her.</p> <p>21 A. Oh, what stats I showed her. And</p> <p>22 basically, I showed her, you know, my professional</p>
<p style="text-align: right;">Page 394</p> <p>1 And then I brought up in the huddle -- I</p> <p>2 looked at Torrie Browning, and I said, "Torrie, you</p> <p>3 know, what about Chris Reynolds who is yelling</p> <p>4 cocksucker and faggot?" She said: "Yeah, you know,</p> <p>5 he will be dealt with."</p> <p>6 And then that conversation was over. And</p> <p>7 everybody just started, you know, railing out on me,</p> <p>8 talking about, you know, my performance, talking</p> <p>9 about all of these things. Chris Reynolds was one of</p> <p>10 them, and Torrie Browning let Chris Reynolds do that.</p> <p>11 BY MR. ROSS:</p> <p>12 Q. After that, you had a meeting with Nicole</p> <p>13 Early; is that right?</p> <p>14 A. Are you saying directly after that or --</p> <p>15 Q. Just sometime after that incident.</p> <p>16 A. Yes. Sometime after that, yes.</p> <p>17 Q. And then you testified earlier that you</p> <p>18 had shown her some of your stats; is that right?</p> <p>19 MR. SCHWARTZ: Objection. Misstates the</p> <p>20 testimony. Leading.</p> <p>21 A. Yes.</p> <p>22 BY MR. ROSS:</p>	<p style="text-align: right;">Page 396</p> <p>1 stats and I showed her also my record, you know, that</p> <p>2 went along with the fall semester of my sophomore</p> <p>3 year.</p> <p>4 Q. You just mentioned professional doubles</p> <p>5 points or doubles points. What are those?</p> <p>6 A. Basically, I got into the semi-finals of a</p> <p>7 professional 25,000 (sic) tournament. And, you know,</p> <p>8 that's something that not a lot of, you know,</p> <p>9 athletes, you know, tennis players can do. And that</p> <p>10 was a big accomplishment. And I ended up getting</p> <p>11 doubles points, which means, you know, a ranking,</p> <p>12 which accumulated from getting to the semi-finals.</p> <p>13 Q. Was anyone else on the GW tennis team</p> <p>14 professionally ranked at the time?</p> <p>15 A. You know, there were -- there were very</p> <p>16 few others that had, you know, played professional</p> <p>17 tournaments. There were maybe two that, you know,</p> <p>18 maybe had ranking points before they came to GW, but</p> <p>19 most of the players -- a lot of the players weren't</p> <p>20 professionally ranked.</p> <p>21 Q. For that semester that you got the doubles</p> <p>22 points, did anyone else on the GW tennis team get</p>

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<p style="text-align: right;">Page 397</p> <p>1 professional points?</p> <p>2 A. I believe most -- so did any -- did any of</p> <p>3 the athletes have a current professional ranking? Is</p> <p>4 that what you're asking? Because the ranking</p> <p>5 dissipates after a while. It goes away.</p> <p>6 Q. Okay. So I guess what I'm asking is: You</p> <p>7 accumulated those points during your sophomore</p> <p>8 semester, right?</p> <p>9 A. Freshman summer when I played the</p> <p>10 tournaments, yes.</p> <p>11 Q. Okay. Going into your sophomore year, did</p> <p>12 anyone else accumulate professional points over the</p> <p>13 summer, if you know?</p> <p>14 A. I don't believe so. If they did, it was</p> <p>15 very, very few players.</p> <p>16 Q. Okay.</p> <p>17 A. But I don't -- I don't believe so.</p> <p>18 Q. What was Ms. Early's response, if</p> <p>19 anything, to your -- to your statistics that you</p> <p>20 showed her?</p> <p>21 A. Well, I remember so vividly. I was</p> <p>22 sitting in her office and, you know, we were going</p>	<p style="text-align: right;">Page 399</p> <p>1 the things that these guys -- or sorry -- not seen,</p> <p>2 but heard a lot of the things that these guys have</p> <p>3 said around me.</p> <p>4 You know, Greg Munoz, you know, alerted</p> <p>5 her about a lot of the things that were happening.</p> <p>6 She was very aware of a lot of the racial</p> <p>7 discrimination that I was facing on an everyday</p> <p>8 basis.</p> <p>9 BY MR. ROSS:</p> <p>10 Q. You also talked about the time that you</p> <p>11 were told that you were going to play in a -- you</p> <p>12 were going to play in a tournament and then were told</p> <p>13 that Coach Browning was going to redo the lineup.</p> <p>14 Do you remember that?</p> <p>15 A. Yes, I do remember that.</p> <p>16 Q. Up until that time, how long had it been</p> <p>17 since you played in a tournament for -- at the GW</p> <p>18 tennis -- a member of the tennis team?</p> <p>19 A. I hadn't played in a tournament since my</p> <p>20 fall semester, and that's when everybody is supposed</p> <p>21 to play in a tournament because there's an individual</p> <p>22 season and then there's a team season.</p>
<p style="text-align: right;">Page 398</p> <p>1 over these stats. And, you know, she was looking at</p> <p>2 some of the things that were going on. And she was</p> <p>3 saying, you know, This doesn't add up; you know, this</p> <p>4 doesn't make any sense; you know, you should be</p> <p>5 playing.</p> <p>6 Because I was showing her my stats and I</p> <p>7 was showing her everything I accomplished. And you</p> <p>8 know, she wanted to actually get a meeting with</p> <p>9 Torrie Browning to talk about, you know, a lot of</p> <p>10 these things that were happening and a lot of the</p> <p>11 things that, in her own words, she said didn't add</p> <p>12 up.</p> <p>13 Q. You were asked if you had ever complained</p> <p>14 to Browning about racial discrimination. Did Ms.</p> <p>15 Browning ever witness any racial discrimination</p> <p>16 against you?</p> <p>17 MR. SCHWARTZ: Objection. Asked and</p> <p>18 answered.</p> <p>19 A. Torrie Browning, yeah. She knew -- she</p> <p>20 knew everything that was going on in terms of me on a</p> <p>21 racial level. She did. She's heard it, you know, in</p> <p>22 person. She's, you know, seen a lot of, you know,</p>	<p style="text-align: right;">Page 400</p> <p>1 Everybody is supposed to compete in the</p> <p>2 individual season. But during the team season,</p> <p>3 there's only six spots, so only six players are able</p> <p>4 to compete in the lineup. The last time I played in</p> <p>5 a tournament or any type of match was during the</p> <p>6 fall.</p> <p>7 Q. So how many months before are we talking?</p> <p>8 A. We're talking -- the California trip. I'd</p> <p>9 say about five or six, you know, based on, you know,</p> <p>10 the fact that the fall season ends pretty early. So</p> <p>11 you give that about two months and a little bit into</p> <p>12 the spring semester in which the California trip was</p> <p>13 held.</p> <p>14 So what is that, you know, two to three</p> <p>15 months. So I would say around five to six months.</p> <p>16 Q. What did it mean to you when you thought</p> <p>17 that you were going to be playing in that tournament?</p> <p>18 MR. SCHWARTZ: Objection. Asked and</p> <p>19 answered.</p> <p>20 A. You know, I was excited. You know, I had</p> <p>21 not played in a match since I had competed in the</p> <p>22 fall. You know, I felt like, you know, it was</p>

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<p style="text-align: right;">Page 401</p> <p>1 definitely an opportunity to show my skills for the</p> <p>2 first time since, you know, I had played. And, you</p> <p>3 know, I was excited to compete.</p> <p>4 BY MR. ROSS:</p> <p>5 Q. Okay. I'm going to move ahead to the --</p> <p>6 when you returned to GW in the fall of your sophomore</p> <p>7 year, I believe. We're talking --</p> <p>8 A. Sophomore, yes.</p> <p>9 Q. -- 2000 -- that would be 2016?</p> <p>10 A. Yes.</p> <p>11 Q. Is that the semester that you were -- you</p> <p>12 came back and found out --</p> <p>13 MR. SCHWARTZ: You're talking about his</p> <p>14 junior year, right?</p> <p>15 MR. ROSS: I'm sorry?</p> <p>16 MR. SCHWARTZ: You're talking about his</p> <p>17 junior year, right? I think we just finished talking</p> <p>18 about the sophomore year. Now you're talking about</p> <p>19 fall of '16 --</p> <p>20 MR. ROSS: No. Then maybe I'm not moving</p> <p>21 ahead. I want to -- no. I understand I'm moving</p> <p>22 ahead.</p>	<p style="text-align: right;">Page 403</p> <p>1 When I had complained to him that I was</p> <p>2 still on the team and that my name was on the roster,</p> <p>3 he said, You know, I don't know. I don't have</p> <p>4 anything to do with that; you know, try to contact</p> <p>5 Nicole Early or someone like that.</p> <p>6 BY MR. ROSS:</p> <p>7 Q. Let's look at Stafford 7. That's the</p> <p>8 email that you had sent to Coach MacPherson.</p> <p>9 Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. In the middle towards the bottom do you</p> <p>12 see where you say, "I've had my difficulties with</p> <p>13 Greg Munoz and Torrie Browning over the past two</p> <p>14 years and you've probably heard some negative things</p> <p>15 here and there about the type of person I am"?</p> <p>16 Do you see that?</p> <p>17 A. Yes, I do.</p> <p>18 Q. What did you mean when you wrote that?</p> <p>19 A. I know that, you know, coming into GW that</p> <p>20 based on my teammates and based on, you know, all the</p> <p>21 coaches that, you know, there was probably a negative</p> <p>22 perception about me in their eyes and also, you know,</p>
<p style="text-align: right;">Page 402</p> <p>1 BY MR. ROSS:</p> <p>2 Q. I want to talk about the semester that you</p> <p>3 -- that -- when Coach MacPherson began. That was the</p> <p>4 beginning of what semester for you, what year, your</p> <p>5 sophomore year?</p> <p>6 A. So when I got back on to the team?</p> <p>7 Q. Yes -- no. No, you're right. It is your</p> <p>8 junior year. When you -- when you came to GW and</p> <p>9 were told that you were not on the team, that's the</p> <p>10 time period.</p> <p>11 A. That was going into my junior year.</p> <p>12 Q. That was the fall of your junior year?</p> <p>13 A. The fall of my junior year.</p> <p>14 Q. Were you ever told a reason that you were</p> <p>15 removed from the team?</p> <p>16 MR. SCHWARTZ: Objection. Asked and</p> <p>17 answered.</p> <p>18 A. I was never told a reason. When I called</p> <p>19 David MacPherson up, the only conversation he had</p> <p>20 with me is the fact that he alerted me that he was</p> <p>21 only going with seven players and that I could try</p> <p>22 out next semester or next year.</p>	<p style="text-align: right;">Page 404</p> <p>1 based on what they've told him.</p> <p>2 And you know, I realize that he never --</p> <p>3 you know, he didn't ever get the chance to, you know,</p> <p>4 hear me and figure out what type of, you know, guy I</p> <p>5 was.</p> <p>6 So I realized that, you know, based on all</p> <p>7 of the negative things that, you know, these guys</p> <p>8 were talking about when it came to me, you know, I</p> <p>9 realized that his opinion, you know, of me would</p> <p>10 obviously be, you know, based on, you know, their</p> <p>11 opinions.</p> <p>12 So, you know, I sort of wanted to, you</p> <p>13 know, reach out to him and just say, you know, I know</p> <p>14 these guys are probably, you know, talking negatively</p> <p>15 about me, but, you know, allow me to sort of, you</p> <p>16 know, show you who I am and give you who -- just, you</p> <p>17 know, like, show you my character.</p> <p>18 Q. Your difficulties with Greg Munoz, did</p> <p>19 they involve -- when you're saying here, "I've had my</p> <p>20 difficulties with Greg Munoz," were you referring to</p> <p>21 discrimination?</p> <p>22 MR. SCHWARTZ: Objection. Leading.</p>

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<p style="text-align: right;">Page 405</p> <p>1 A. I was.</p> <p>2 BY MR. ROSS:</p> <p>3 Q. What about with Torrie Browning?</p> <p>4 MR. ROSS: Objection. Leading.</p> <p>5 A. Yes, I was.</p> <p>6 BY MR. ROSS:</p> <p>7 Q. The letter goes on, and you were asked</p> <p>8 questions about what you meant when you discussed</p> <p>9 your father and the differences in them. And during</p> <p>10 that portion I believe that your testimony was with</p> <p>11 regards to how people felt about your father.</p> <p>12 Do you remember that?</p> <p>13 A. Yes.</p> <p>14 Q. Do you have an opinion about what people</p> <p>15 felt about your father and/or why?</p> <p>16 MR. SCHWARTZ: Objection. Asked and</p> <p>17 answered. Lack of foundation.</p> <p>18 A. Sorry. Can you ask that again, please?</p> <p>19 BY MR. ROSS:</p> <p>20 Q. Let me try it this way. Do you -- were</p> <p>21 you -- were you featured in an article in Sports</p> <p>22 Illustrated before?</p>	<p style="text-align: right;">Page 407</p> <p>1 I knew that, you know, coming in that that</p> <p>2 article was going to be definitely a factor and an</p> <p>3 influencer in the type of opinions that these guys</p> <p>4 were going to form of me.</p> <p>5 Q. When you say that that was brought up by</p> <p>6 Greg Munoz, in what fashion?</p> <p>7 A. Well, you know, like at the beginning of</p> <p>8 the year, you know, like him and Francisco Dias,</p> <p>9 like, they both asked me about it. You know, they</p> <p>10 both just -- you know, what is this about? And you</p> <p>11 know, I didn't really want to talk too much into it</p> <p>12 because I knew, you know, the controversy that, you</p> <p>13 know, that they would, you know, attribute to that</p> <p>14 and how it would surround it.</p> <p>15 But, you know, I sort of just, you know,</p> <p>16 said, you know, that's -- it is what it is.</p> <p>17 Q. You then had a meeting --</p> <p>18 A. Also too -- sorry. You know, it wasn't</p> <p>19 just brought up, too, during my freshman year. It</p> <p>20 was brought up through my entire tenure as well with</p> <p>21 Amlan Sahoo actually -- Amlan Sahoo actually asked --</p> <p>22 in one instance, he asked Christos what he thought</p>
<p style="text-align: right;">Page 406</p> <p>1 A. I was.</p> <p>2 MR. SCHWARTZ: Objection. Beyond the</p> <p>3 scope.</p> <p>4 BY MR. ROSS:</p> <p>5 Q. And when was that?</p> <p>6 A. Sorry?</p> <p>7 Q. When was that?</p> <p>8 A. I was about 11 years old.</p> <p>9 Q. And what was the article about?</p> <p>10 A. It was, you know, mostly about, you know</p> <p>11 -- you know, it's obviously up to, you know,</p> <p>12 different types of interpretation.</p> <p>13 But I believe, you know, it was mostly</p> <p>14 about, you know, my -- my -- my father, you know,</p> <p>15 having two young, you know, black kids and, you know,</p> <p>16 trying to provide the best, you know, opportunities</p> <p>17 for them in the tennis world and, you know, spending</p> <p>18 (sic) no expense in order to do that.</p> <p>19 You know, that article was actually</p> <p>20 brought up in my face a lot by Greg Munoz, by</p> <p>21 Francisco Dias. I knew, you know, some of my</p> <p>22 teammates would talk about it behind my back.</p>	<p style="text-align: right;">Page 408</p> <p>1 about the article and what it was.</p> <p>2 And basically Christos Hadjigeorgiou, you</p> <p>3 know, said in a very cold, you know, blunt way, you</p> <p>4 know, It just talks about how, you know, he's a</p> <p>5 nigger and he's -- and he's rich.</p> <p>6 And, you know, that's pretty much all --</p> <p>7 that's how he left it, and Amlan Sahoo told me this.</p> <p>8 So I knew it was, you know, always sort of going to</p> <p>9 be held against me in whatever aspect. So, you know,</p> <p>10 I tried to make the best out of it and just focus on,</p> <p>11 you know, other things.</p> <p>12 Q. You talked also about your meeting with Ed</p> <p>13 Scott and with Helen Saulny. Did you tell them about</p> <p>14 the discrimination and harassment that you'd</p> <p>15 experienced at George Washington during that meeting?</p> <p>16 A. I did.</p> <p>17 Q. What did you tell them?</p> <p>18 MR. SCHWARTZ: Objection. Asked and</p> <p>19 answered.</p> <p>20 A. I told them about all the racism that I</p> <p>21 was experiencing, whether that came from racial</p> <p>22 rhetoric, whether that came from denying the</p>

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<p style="text-align: right;">Page 409</p> <p>1 opportunities because of my skin color.</p> <p>2 I told them of all the plots of conspiracy</p> <p>3 that they were, you know, trying to throw my way. I</p> <p>4 told them of, you know, how the team was actively</p> <p>5 trying to publicly defame me, you know, spreading</p> <p>6 rumors with the women's team as well.</p> <p>7 You know, Greg Munoz, Torrie Browning, you</p> <p>8 know, different officials would also go along with</p> <p>9 the women's team and try to defame me with the</p> <p>10 women's team, in which the women's team would have a</p> <p>11 negative perception of me. So it was really, you</p> <p>12 know, the men's team and the women's team that were</p> <p>13 having all of these opinions of me.</p> <p>14 You know, I was -- I told them that I was</p> <p>15 being taunted during practice matches and that I was</p> <p>16 being taunted, you know, when -- just, you know, when</p> <p>17 we were practicing. I told them about, you know,</p> <p>18 that I was being verbally abused, you know, by, you</p> <p>19 know, so many people.</p> <p>20 You know, I told them basically everything</p> <p>21 that, you know, I experienced throughout my tenure at</p> <p>22 GW before that meeting.</p>	<p style="text-align: right;">Page 411</p> <p>1 which I told them.</p> <p>2 BY MR. ROSS:</p> <p>3 Q. And what was their response?</p> <p>4 A. You know, the whole time that I was</p> <p>5 telling them these things they were just listening.</p> <p>6 They were appalled. They were very surprised. You</p> <p>7 know, I saw the look on their faces. They weren't</p> <p>8 really speaking much. I was mostly speaking and I</p> <p>9 was just going off about, you know, everything that I</p> <p>10 was experiencing.</p> <p>11 Q. Did they -- when you left the meeting, did</p> <p>12 you believe that something was going to be done by</p> <p>13 them?</p> <p>14 A. You know, I -- I -- I hoped for the best.</p> <p>15 You know, I didn't know exactly what was going to be</p> <p>16 done. You know, when they told me that they were</p> <p>17 going to set up a tryout, you know, I wasn't too</p> <p>18 happy about that due to the fact that they had</p> <p>19 already told me that I was unofficially taken off the</p> <p>20 team and that I was still officially on the team.</p> <p>21 But you know, at that point I didn't</p> <p>22 really have much option. So I just took what they</p>
<p style="text-align: right;">Page 410</p> <p>1 BY MR. ROSS:</p> <p>2 Q. And did you tell them that you had</p> <p>3 reported -- for instance, you gave the example of --</p> <p>4 in the van when Chris Reynolds said something to you</p> <p>5 and you took it to Munoz and his response -- you</p> <p>6 testified to that.</p> <p>7 Did you report that to Scott and Saulny?</p> <p>8 A. I did tell them that.</p> <p>9 MR. SCHWARTZ: Objection. Leading.</p> <p>10 A. I did do that because I remember I would</p> <p>11 tell them about certain instances in which, you know,</p> <p>12 I found were very important.</p> <p>13 And, you know, if you look at my complaint</p> <p>14 as well, I highlighted a lot of these instances. And</p> <p>15 that was one of the instances that, you know, I</p> <p>16 highlighted in the meeting that I thought was, you</p> <p>17 know, pretty important because, you know, it</p> <p>18 basically shows that, you know, someone is sending</p> <p>19 racial rhetoric my way, along with a GW official</p> <p>20 hearing it and reprimanding me when I'm confronting</p> <p>21 the same person who is doing that.</p> <p>22 So I thought that was very important, in</p>	<p style="text-align: right;">Page 412</p> <p>1 gave me and I tried to, you know, go about it, you</p> <p>2 know, in the most discreet, you know, best way -- and</p> <p>3 safest way possible as well.</p> <p>4 Q. You then talked -- you also testified</p> <p>5 about the appeal and the appeal letter that was</p> <p>6 written. And had Ellen Woodbridge ever helped you</p> <p>7 through -- or actually, I think I may have asked you</p> <p>8 about this with regards to your freshman year and</p> <p>9 academic probation.</p> <p>10 A. Yes.</p> <p>11 Q. Did -- was Ellen Woodbridge involved</p> <p>12 there?</p> <p>13 A. In trying to get me on the right track,</p> <p>14 yes.</p> <p>15 Q. And did she offer you advice then?</p> <p>16 A. Yes. I believe she -- yeah. She -- Ellen</p> <p>17 Woodbridge was, you know, offering me advice all</p> <p>18 throughout my tenure at GW.</p> <p>19 Q. Okay. You had testified that Ellen had --</p> <p>20 you had told Ellen about the things that had been</p> <p>21 happening with you on the tennis team; is that right?</p> <p>22 MR. SCHWARTZ: Objection. Leading. Asked</p>

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<p style="text-align: right;">Page 413</p> <p>1 and answered.</p> <p>2 A. Yes.</p> <p>3 BY MR. ROSS:</p> <p>4 Q. Did -- was that the -- did you tell her</p> <p>5 about it during this time that you were writing your</p> <p>6 appeal letter?</p> <p>7 MR. SCHWARTZ: Objection. Asked and</p> <p>8 answered.</p> <p>9 A. I told her about it on two separate</p> <p>10 occasions. You know, I had briefly talked about it</p> <p>11 with her, I believe, during -- I don't remember</p> <p>12 whether it was my freshman or, you know, sophomore</p> <p>13 years when I was experiencing a lot of the things.</p> <p>14 I remember I was in her office in which,</p> <p>15 you know, I came in very demoralized because of the</p> <p>16 things that were happening. And, you know, I had</p> <p>17 nobody to talk to, so she was one of the only people</p> <p>18 I could talk to at that time.</p> <p>19 During my suspension appeal letter, like</p> <p>20 during that time, I had told her about, you know, a</p> <p>21 lot of the stuff that was going on because I wanted</p> <p>22 to put that in my appeal letter, but she had</p>	<p style="text-align: right;">Page 415</p> <p>1 one of the first list of text messages -- and have</p> <p>2 you flip to 6546 where you were asked some questions</p> <p>3 about that. Let me know when you're there.</p> <p>4 A. I'm there.</p> <p>5 Q. If you look up above at 6541, it says --</p> <p>6 you say: "Bro, have you ever thought about doing a</p> <p>7 documentary?" What are you referring to there?</p> <p>8 A. You know, I -- I've always talked about</p> <p>9 doing a documentary sort of on my come up in the</p> <p>10 tennis world, you know, especially highlighting a lot</p> <p>11 of the struggles and the victories that I'm having,</p> <p>12 you know, on a professional level, you know, on my</p> <p>13 ascension to, you know, being a top professional</p> <p>14 player.</p> <p>15 So, you know, I always thought, you know,</p> <p>16 a documentary would be something that would be very</p> <p>17 interesting and fun to do just to highlight, you</p> <p>18 know, my road to, you know, the top.</p> <p>19 Q. Do you consider yourself to be close</p> <p>20 friends with Wills?</p> <p>21 A. Yes.</p> <p>22 Q. Do you consider yourself to be close</p>
<p style="text-align: right;">Page 414</p> <p>1 instructed me that -- to not -- not to do that.</p> <p>2 BY MR. ROSS:</p> <p>3 Q. How did you find out that you were</p> <p>4 suspended academically?</p> <p>5 A. Academically, like, suspended, you know,</p> <p>6 where -- in which I had to write the appeal letter?</p> <p>7 Q. Yes.</p> <p>8 A. Through email.</p> <p>9 Q. And were you surprised -- what was your</p> <p>10 response to getting that?</p> <p>11 A. I was pretty much demoralized at that</p> <p>12 point.</p> <p>13 Q. Had you been told that you were going to</p> <p>14 be suspended?</p> <p>15 A. Could you --</p> <p>16 Q. Before you received the email, had anyone</p> <p>17 told you that this was going to happen?</p> <p>18 A. They -- you know, they told me that</p> <p>19 obviously it was a possibility. But everyone around</p> <p>20 me believed that, you know, I had a strong case and</p> <p>21 that they could help me get back into the school.</p> <p>22 Q. I want to look at Stafford 11 -- it's like</p>	<p style="text-align: right;">Page 416</p> <p>1 friends with Amlan?</p> <p>2 A. Yes.</p> <p>3 Q. Did you -- in your statements you</p> <p>4 testified or were asked a lot of questions about</p> <p>5 talking to Wills about getting a statement from him.</p> <p>6 Did you ever ask him to lie?</p> <p>7 A. No.</p> <p>8 MR. SCHWARTZ: Objection. Leading. Asked</p> <p>9 and answered.</p> <p>10 A. No. I never asked him to lie.</p> <p>11 BY MR. ROSS:</p> <p>12 Q. Did you -- and with regards to -- I</p> <p>13 believe you testified he did more than one statement;</p> <p>14 is that right?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Did you ever ask him to lie with</p> <p>17 regards to the second statement?</p> <p>18 A. No.</p> <p>19 Q. And for [REDACTED] did you ever ask him to lie</p> <p>20 in a statement?</p> <p>21 A. No.</p> <p>22 Q. Let's go to Stafford 12. Look at 6422.</p>

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<p style="text-align: right;">Page 417</p> <p>1 You were asked about this text that says: "I have 2 evidence against you, by the way." Were you 3 attempting to blackmail [REDACTED] there? 4 A. No. I was basically just letting him know 5 that, you know, the information that he sent me that 6 I have it in my possession. And, you know, if he's 7 -- you know, I didn't know what his angle was and I 8 didn't know what he was looking to do. 9 So I just said, you know, whatever you're 10 trying to do, if you are trying to do anything, you 11 know, this -- you know, you sent me information based 12 on, you know, your sexual assault and also, you know, 13 everything that was going on with you. You can't 14 sort of -- you can't go back on this. 15 This is what you sent me. This is what I 16 have in my possession. You know, I don't know what 17 you're trying to do, so, you know, just understand 18 that this is what I have. 19 Q. What was the sexual assault that you're 20 referring to? 21 A. [REDACTED] had called me up and told me that he 22 had -- you know, there was one instance where he was</p>	<p style="text-align: right;">Page 419</p> <p>1 Blake. Did you ever ask Blake to lie regarding 2 giving you a statement? 3 A. I did not. 4 Q. There's also testimony about you were 5 advised not to leave a trail -- or actually a text 6 message where you said, Don't leave a trail. 7 A. Yes. 8 Q. Was your goal to have a phone conversation 9 so you could lie? 10 MR. SCHWARTZ: Objection. Leading. 11 A. No. My -- that was not the main reason -- 12 that was not the reason why I called him. I called 13 him because it was going to be quicker if I were to 14 talk to him on the phone. 15 And I also -- you know, at that point, you 16 know, at the same time, you know, I didn't know what 17 was going to get out and what wasn't going to get 18 out. I didn't know if, you know, I could discuss the 19 case to the extent. 20 You know, I knew, you know, he probably 21 read -- you know, he probably would have read the GW 22 Hatchet. You know, I didn't know how much</p>
<p style="text-align: right;">Page 418</p> <p>1 in his hotel room and [REDACTED] had been walking 2 around naked, and [REDACTED] slapped his genitals 3 on [REDACTED] face and also wiped excretion on his face. 4 There was another instance in where [REDACTED] 5 [REDACTED] and the team were at a restaurant in which 6 [REDACTED] told me. And [REDACTED] told me that [REDACTED] 7 [REDACTED] you know, was attempting to shove cones up 8 his anus. 9 You know, there were a lot of instances -- 10 there was one instance where he was at -- where he 11 told me he was at the Trump tennis center and 12 supposedly [REDACTED] had physically assaulted 13 him, slapped him. 14 And, you know, [REDACTED] told me that as he 15 was calling the police, Damian Farinola and, you 16 know, I think, Christos and, you know, someone else 17 -- I don't really remember who -- took the phone away 18 from him and stopped him from calling anybody. 19 So he told me all of these incidents that 20 happened. He was very hesitant at first, but that's 21 what he told me. 22 Q. Okay. There was some testimony about</p>	<p style="text-align: right;">Page 420</p> <p>1 information he had, so I sort of wanted to give him 2 an introduction into what was going on and what I was 3 asking of him at that time. 4 BY MR. ROSS: 5 Q. You testified before that Nicole Early had 6 told you during your meeting with her to wait for the 7 new coach? 8 A. Yes. 9 Q. Okay. And what did you take that to mean? 10 A. She basically said that I didn't need to 11 show up to any activities or anything at the end of 12 the year and that -- you know, I told her, you know, 13 my situation, that I was injured and that I wanted to 14 really focus on my economics. 15 And I also told her about all the things 16 that were happening on the tennis team in terms of, 17 you know, the racial discrimination, the public 18 defamation of character, the plots, you know, 19 everything that was going on. 20 So, you know, she took all of this 21 information and said -- you know, I was like, Yeah, 22 you know, do I need to show up. And she was like,</p>

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<p style="text-align: right;">Page 421</p> <p>1 No, you don't need to show up. You can just wait for 2 the new coach to come. 3 So, you know, under my impression, I'm 4 waiting for, you know, a better situation. I'm 5 waiting for David MacPherson to finally arrive so, 6 you know, all of these things can stop happening. 7 Q. Were you hoping that those things would 8 stop happening when he arrived? 9 A. I was hoping that these things would stop 10 happening. And I was very excited, too, that, you 11 know, he was bringing some sort of professional 12 experience alongside with him. 13 Q. Did you -- when he began there, did you 14 feel like that those things were -- what you were 15 hoping for was coming to fruition? 16 A. Yes. Initially, you know, he knew a lot 17 of things that were going -- that happened with me. 18 He had gotten a lot of opinion -- you know, 19 information from the tennis guys, and he had gotten a 20 lot of information from me. 21 So he was trying his best within, you 22 know, the first little period of time to, you know,</p>	<p style="text-align: right;">Page 423</p> <p>1 coach, you know, can hopefully change the culture and 2 change a lot of the things that were happening 3 around. 4 So I did relay that to my father because I 5 was excited about that. But obviously, you know, he 6 didn't hold that up for the rest of the time being. 7 Q. And with Stafford Number 14, there's an 8 email there on February 27th where your father is 9 writing to Coach MacPherson. And he says, "I must 10 tell you how refreshing it is for me to know it's 11 finally just about tennis." 12 What did you take that to mean? 13 MR. SCHWARTZ: Objection. Asked and 14 answered. 15 A. When my father is talking about it's just 16 about -- you know, it's refreshing that it's just 17 about tennis, he's talking about that, you know, his 18 son doesn't have to -- his son can just focus on 19 tennis and not have to focus on being racially 20 harassed and discriminated against and, you know, 21 going through the hostility that I was going through. 22 R. ROSS: Okay.</p>
<p style="text-align: right;">Page 422</p> <p>1 make it look like, you know, he was concerned and 2 make it look like, you know, I was going to be able 3 to have, you know, sort of a safe environment there. 4 You know, that dissipated when he started 5 not showing up and, you know, when he started leaving 6 the team to the same people that I was, you know, 7 actively complaining about on an everyday basis. 8 Q. When he first -- when you're talking about 9 the time when it was -- when he first got there and 10 you thought that it was coming to fruition, did you 11 share that information -- that feeling with your 12 father? 13 A. Yes. You know, I told my father that, you 14 know, I think this situation, you know, is a good 15 situation. I liked how he was working alongside with 16 me in terms of my tennis. You know, he had -- you 17 know, he had very high hopes with me in terms of my 18 tennis. 19 You know, he told me that I could be a top 20 20 professional. He told me that I had dangerous 21 potential. You know, he said all of these things. 22 So, you know, I'm thinking that, okay, you know, this</p>	<p style="text-align: right;">Page 424</p> <p>1 THE REPORTER: Excuse me. I need to take 2 a break. 3 THE VIDEOGRAPHER: Going off the record at 4 7:17 p.m. 5 (A break was taken.) 6 THE VIDEOGRAPHER: Going back on the 7 record. 8 BY MR. ROSS: 9 Q. So Jabari, with regards to the 10 discrimination, harassment you're saying you're 11 testifying to -- that you've testified to, you were 12 there until you were suspended. 13 If all of that was going on, why not just 14 leave? 15 MR. SCHWARTZ: Objection. Asked and 16 answered. 17 A. You know, my ultimate goal was to go to 18 George Washington University, get a degree, be on a 19 tennis team, have a successful tennis career. 20 A lot of times I thought that things were 21 going to get better and, you know, a lot of times, 22 you know, certain officials would tell me things</p>

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1 would get better, but they never ended up getting
2 better.
3 You know, I didn't want to leave, too,
4 because I wanted to prove something to myself and I
5 wanted to prove something to my family and, you know,
6 everyone around me that, you know, I could, you know,
7 stay at GW and finish out strong and, you know, just
8 obtain, you know, everything that I was -- you know,
9 I went there in the first place for.
10 MR. ROSS: Okay. That's all I have.
11 EXAMINATION BY COUNSEL FOR DEFENDANT
12 BY MR. SCHWARTZ:
13 Q. Mr. Stafford, would you look at Exhibit
14 No. 7, please, sir? This is the note that you sent
15 to Coach MacPherson on September 12th, 2016.
16 Do you have that in front of you?
17 A. Yes, I do.
18 Q. Now, you told Mr. Ross that somehow in
19 this note there was a reference to discrimination,
20 but you told me that you deliberately did not mention
21 discrimination in this note.
22 So is there a reference to discrimination

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1 in here somewhere?
2 A. Well, there's not a reference to
3 discrimination in this note, but the basis of the --
4 where is the sentence? -- where is the sentence? --
5 with Greg Munoz and Torrie Browning -- oh, I was --
6 I've had my difficulties with Greg Munoz and Torrie
7 Browning.
8 So the basis of my difficulties did entail
9 discrimination, but I wasn't going to reach out to a
10 coach and talk about discrimination when, you know,
11 that's something that I've always been, you know,
12 threatened with and punished with when I did bring up
13 those allegations.
14 Q. So to be clear, there's no reference in
15 Exhibit 7 from which Coach MacPherson could have
16 concluded you were complaining about discrimination?
17 A. Not through here, no.
18 Q. Did you ever make any written complaint of
19 discrimination to anybody before you filed your
20 lawsuit?
21 A. I don't believe I did.
22 Q. And you never complained to the student

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1 grievance procedure, correct?
2 A. No, I didn't.
3 Q. Now, you also testified that Coach
4 Browning was very aware of discrimination against
5 you, and you were asked how you knew about that. And
6 you said Coach Munoz told her.
7 Were you present for a conversation
8 between Munoz and Browning where he told her about
9 discrimination against you?
10 A. Well, I mean, what I meant by that was,
11 you know, in certain situations when she was present
12 and the whole team was present and Greg Munoz was
13 present, she was there and she knew about a lot of
14 things that were going on, and she didn't say
15 anything about it.
16 For example, when Francisco Dias yelled
17 out, you know, fucking porch monkey, she was there,
18 you know, in situations like that. So she was very
19 well aware of the racism that was going on on the
20 team when I was there.
21 Q. Let me ask you -- if you would, can you
22 turn to Exhibit 12? It's one of those collections of

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1 your text messages. And if you would be kind enough
2 to please turn to line 6422. This is where you send
3 a WhatsApp message to Mr. [REDACTED] saying, "I have
4 evidence against you, by the way."
5 Do you recall we talked about that?
6 A. Yeah. We already talked about that.
7 Q. Right. And Mr. Ross asked you what you
8 meant by that. He said, "You didn't mean to
9 blackmail him, did you?" And you said no.
10 Did -- the evidence that you had was
11 evidence that Mr. [REDACTED] had provided you about
12 various alleged assaults by Mr. [REDACTED] correct?
13 A. Yes.
14 Q. Well, I'm confused. Why would evidence
15 about something that [REDACTED] did to [REDACTED] these
16 assaults of [REDACTED] -- why would that be evidence
17 against [REDACTED]? That doesn't make any sense if he was
18 the victim.
19 A. Well, you know, that's why, you know, I
20 said in the beginning that Wills had instructed me
21 that [REDACTED] had been talking to various players
22 on the tennis team. So I didn't know what type of

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<p style="text-align: right;">Page 429</p> <p>1 information that [REDACTED] was relaying to them, and I</p> <p>2 also didn't know the extent to the people that, you</p> <p>3 know, [REDACTED] was possibly talking to.</p> <p>4 So, you know, by me saying, "I have</p> <p>5 evidence against you," that's basically me saying,</p> <p>6 you know, you cannot switch sides and you cannot</p> <p>7 switch up now on the stuff that you sent me.</p> <p>8 So, you know, if I present this wherever</p> <p>9 I'm going to present it, you know, it's going to look</p> <p>10 very bad on your part because I would say, Why did</p> <p>11 you send me this in the first place.</p> <p>12 MR. SCHWARTZ: Thank you. That's all I</p> <p>13 have.</p> <p>14 MR. ROSS: I have recross.</p> <p>15 EXAMINATION BY COUNSEL FOR PLAINTIFF</p> <p>16 BY MR. ROSS:</p> <p>17 Q. On that same subject, when you said if you</p> <p>18 switch up, what do you mean by that?</p> <p>19 A. Basically, you know, if he starts to --</p> <p>20 you know, if he would start to lie about some of the</p> <p>21 things that happened to him, if he, you know, just</p> <p>22 started, you know, sort of discounting some of the</p>	<p style="text-align: right;">Page 431</p> <p>1 for your time.</p> <p>2 THE REPORTER: You're welcome.</p> <p>3 MR. ROSS: Thank you. Nice to meet you.</p> <p>4 THE REPORTER: Would you like a copy, Mr.</p> <p>5 Ross?</p> <p>6 MR. ROSS: Yes.</p> <p>7 THE REPORTER: And reading and signing?</p> <p>8 MR. ROSS: Yes.</p> <p>9 MR. SCHWARTZ: Could we get a rough?</p> <p>10 THE REPORTER: Yes.</p> <p>11 (Signature having not been waived, the</p> <p>12 videotaped deposition of Jabari Stafford concluded at</p> <p>13 7:31 p.m.)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>
<p style="text-align: right;">Page 430</p> <p>1 things that happened to him and becoming influenced</p> <p>2 by the opposition. That's what I meant by that.</p> <p>3 Q. So you were telling him that if he were to</p> <p>4 say something different than what he told you you had</p> <p>5 evidence about what he told you?</p> <p>6 (Simultaneously speaking.)</p> <p>7 MR. SCHWARTZ: Objection. Leading. I</p> <p>8 think that was an entire answer that you just</p> <p>9 provided to the witness.</p> <p>10 A. Yes. Basically, you know, if he were to</p> <p>11 tell something else to another person or another</p> <p>12 side, that would be different than what he originally</p> <p>13 sent me. Yes.</p> <p>14 MR. ROSS: Thank you.</p> <p>15 MR. SCHWARTZ: Thank you for your work</p> <p>16 today.</p> <p>17 THE REPORTER: You're welcome.</p> <p>18 MR. SCHWARTZ: Thank you, Nick.</p> <p>19 THE VIDEOGRAPHER: Sure. Going off the</p> <p>20 record at 7:31 p.m. This marks the end of DVD Number</p> <p>21 5. This also marks the end of the deposition.</p> <p>22 MR. STAFFORD: Ms. Brooks, thanks so much</p>	<p style="text-align: right;">Page 432</p> <p>1 CERTIFICATE OF NOTARY PUBLIC</p> <p>2 I, SHERRY L. BROOKS, a Notary Public in</p> <p>3 and for the DISTRICT OF COLUMBIA, before whom the</p> <p>4 foregoing deposition was taken, do hereby certify</p> <p>5 that the witness whose testimony appears in the</p> <p>6 foregoing deposition was duly sworn by me; that the</p> <p>7 testimony of said witness was taken by me in</p> <p>8 shorthand at the time and place mentioned in the</p> <p>9 caption hereof and thereafter transcribed by me; that</p> <p>10 said deposition is a true record of the testimony</p> <p>11 given by said witness; that I am neither counsel for,</p> <p>12 related to, nor employed by any of the parties to the</p> <p>13 action in which this deposition was taken; and</p> <p>14 further, that I am not a relative or employee of any</p> <p>15 counsel or attorney employed by the parties hereto,</p> <p>16 nor financially or otherwise interested in the</p> <p>17 outcome of this action. <i>Sherry L. Brooks</i></p> <p>18</p> <p>19 SHERRY L. BROOKS</p> <p>20 Notary Public in and for</p> <p>21 DISTRICT OF COLUMBIA</p> <p>22 My commission expires: November 14, 2020</p>

JABARI STAFFORD
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1 ACKNOWLEDGMENT OF DEPONENT

2

3 ASSIGNMENT NO.: J4593803

4 CASE CAPTION JABARI STAFFORD - V -

THE GEORGE WASHINGTON UNIVERSITY

5

6 DEPONENT: JABARI STAFFORD

7

8 DECLARATION UNDER PENALTY OF PERJURY

9 I declare under penalty of perjury that I

10 have read the entire transcript of my Deposition

11 taken in the captioned matter or the same has been

12 read to me, and the same is true and accurate, save

13 and except for changes and/or corrections, if any, as

14 indicated by me on the DEPOSITION ERRATA SHEET

15 hereof, with the understanding that I offer these

16 changes as if still under oath.

17 Signed on the ____ day of _____, 20__.

18 _____

19 Witness Name

20

21

22

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1 DEPOSITION ERRATA SHEET

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21 SIGNATURE _____ DATE _____

22 Witness Name _____

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22 Witness Name _____

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22 Witness Name _____