

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN DOE MC-1,
Plaintiff,
-vs- Case No. 2:20-CV-10568
THE UNIVERSITY OF MICHIGAN AND THE
REGENTS OF THE UNIVERSITY OF
MICHIGAN (official capacity only),
Defendants.

VIDEOTAPED DEPOSITION
CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER
VIA ZOOM VIDEOCONFERENCE

DEPONENT: THOMAS EASTHOPE - VOLUME 2
DATE: Tuesday, August 4, 2020
TIME: 10:00 a.m.
LOCATION: VIA ZOOM VIDEOCONFERENCE
REPORTER: Karen Fortna, CRR/RMR/RPR/CSR-5067
VIDEO: Jesse Ellis
JOB NO: 12026

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WITNESS

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EXHIBITS

EXHIBIT	DESCRIPTION	PAGE
Exhibit 20	1-7-81 document, Bates No.	248
	MC000063	
Exhibit A	1-10-1980 memorandum, Bates	291
	No. UM000795	
Exhibit B	8-28-81 document, Bates Nos.	313
	UM220-221	
Exhibit C	11-12-18 officer narrative,	297
	Bates No. UM127	

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Tuesday, August 4, 2020
Via Zoom videoconference
10:00 a.m.

* * *

(All participants appearing via Zoom videoconference.)

VIDEOGRAPHER: Good morning. We are now on the record. The time is now 10:00 a.m. on August 4, 2020. This begins the videotaped deposition of Thomas Easthope, taken in the matter of John Doe MC-1 versus the University of Michigan, et al, filed in the US District Court, Eastern District of Michigan, Southern Division, case number of which is 20-CV-10568.

My name is Jesse Ellis; I am your remote videographer for today. The court reporter is Karen Fortna. We are both representing Fortz Legal Support.

As a courtesy, will everyone who is not speaking please mute your audio, and please remember to unmute your audio when you are ready to speak.

Counsel, will you please state your name and whom you represent, after which the court reporter will swear in the witness.

MR. MULVIHILL: Sure. Dennis Mulvihill

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on behalf of Charles Christian, plaintiff.

MR. SHEA: David Shea and Mike Cox for the MC plaintiffs.

MR. ESTEY: Steve Estey for EV plaintiffs.

MR. FLOOD: Morning. Todd Flood for the TF plaintiffs.

MS. MARTIN: Annika Martin, interim class counsel.

MR. KALAS: William Kalas, interim class counsel.

MR. GREWAL: Good morning. Mick Grewal on the GL plaintiffs.

MR. WRIGHT: Michael Wright on behalf of Chuck Christian.

MS. PARKER: Is that all the plaintiffs?

MS. MARTIN: I believe Lori Kier is also on. She's also with interim class counsel.

MS. KIER: That's correct. Thank you, Annika.

MR. WRIGHT: I believe Richard Schulte is on also on behalf of Chuck Christian.

MR. SCHULTE: Thanks, Mike.

MS. PARKER: Okay. Then for the defendants, this is Stephanie Parker; and Jenn

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1 Weizenecker and Tim Fiorta are with me from Jones
2 Day. And I would also like to introduce to
3 everyone Derrick Parker. Derrick is also present
4 with me today. He's a summer associate here and
5 he's a student at Harvard Law School, so please
6 welcome him. Thank you.
7 MS. BELVEAL: Good morning. This is
8 Jennifer Belveal and Maxwell Czerniawski from Foley
9 & Lardner on behalf of the witness, Mr. Easthope.
10 * * * *
11 THOMAS EASTHOPE,
12 having first been duly sworn, was examined and
13 testified as follows:
14 THE REPORTER: All right. Dennis, all
15 yours.
16 MS. PARKER: No, actually I need to put
17 on the confidentiality I mentioned.
18 THE REPORTER: I'm sorry.
19 MS. PARKER: Thank you.
20 This deposition is proceeding as
21 confidential under the Court's protective order,
22 dated July 9, 2020, ECF No. 73.
23 There are two main groups of attorneys
24 that may access confidential information, including
25 this deposition: One, those attorneys that have

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1 MS. BELVEAL: Actually, Dennis before you
2 get started -- this is Jennifer Belveal. The
3 witness, Mr. Easthope, has a clarification he would
4 like to make before we get started this morning.
5 Mr. Easthope?
6 THE WITNESS: Yes. I had an opportunity
7 to read the transcript since it was published and
8 there was one part in there that I want to make
9 clear. It says in there, I believe, I didn't
10 broadcast it. That doesn't mean I didn't tell
11 Henry. I told Henry, but I guess it could have
12 been interpreted that I didn't tell anyone, and I
13 didn't want that to go down because that would not
14 be true.
15 MR. MULVIHILL: Okay. Mr. Easthope,
16 before -- it's now 10:06.
17 CONTINUED EXAMINATION
18 BY MR. MULVIHILL:
19 Q. Before we left off, we were just starting to talk
20 about Detective West's November 6th, 2018, visit to
21 your home and the notes and the statements he
22 gathered from you, which is Exhibit 1, Bates stamp
23 page 118.
24 When he came to visit you in November of
25 2018, the allegations against Dr. Anderson had not

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1 filed lawsuits that are part of the master class
2 before Judge Roberts; and two, those attorneys that
3 have not filed lawsuits, but represent alleged
4 victims with claims related to the master case.
5 For an attorney who has filed a lawsuit,
6 paragraph 15 of the protective order requires the
7 attorney to sign the confidentiality acknowledgment
8 attached as Exhibit A to the protective order. For
9 an attorney who has not filed a lawsuit, the
10 attorney must comply with paragraph 11(m) of the
11 protective order. 11(m)'s requirements include
12 filing an appearance in the master case, signing
13 the confidentiality acknowledgment attached as
14 Exhibit A to the protective order, submitting a
15 declaration stating that the attorney represents
16 alleged victims with claims related to the case,
17 and agrees to be bound by the terms of the
18 protective order and the Court's stipulation order
19 entered June 10th, 2020, and confirming that no
20 party objects to the attorney receiving
21 confidential information.
22 Any attorney who is not permitted to
23 access confidential information may not participate
24 in today's deposition and must disconnect from the
25 video conference immediately. Thank you.

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1 yet been made public, correct?
2 A. I don't know that.
3 Q. Well, there weren't -- there weren't any articles
4 in the newspaper talking about this at that point,
5 correct?
6 A. Not that I was aware of.
7 Q. Okay. And you weren't aware of, prior to Detective
8 West coming to your house, any investigation that
9 the university was conducting with respect to Mr.
10 -- Dr. Anderson, correct?
11 A. That's correct.
12 Q. And at that point, the university had not been
13 blamed publicly for Dr. Anderson's abuse of
14 students, correct, at least that you're aware of?
15 A. Pardon me? I wasn't aware.
16 Q. Right; that's what I'm saying.
17 So you weren't aware that in November of
18 2018 when Detective West came to your house that
19 anybody was blaming the university for
20 Dr. Anderson's abuse, correct?
21 A. Yes; that's correct.
22 Q. Okay. And nor were you aware of anyone blaming you
23 for Dr. Anderson's abuse, correct?
24 A. Correct.
25 Q. Okay. All right. You had said previously that

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1 Dr. Anderson hadn't denied the allegations when you
2 spoke to him and you took that as an admission of
3 his guilt; is that right?
4 A. That's correct.
5 Q. Okay. Anderson didn't fight back at all, he didn't
6 say, "Hey, wait a minute, Mr. Easthope, you're
7 wrong; I didn't abuse anybody," he didn't say
8 anything like that, did he?
9 A. I can't remember.
10 Q. Okay. He didn't demand a hearing where he could
11 medically justify his abuse to save his job from
12 your firing him?
13 A. No, not to my memory.
14 Q. Okay. And you can -- and so in your mind then, you
15 were confident that Dr. Anderson was abusing
16 students at the University of Michigan?
17 A. Yes, I was.
18 Q. Okay. Mr. Toy, if you go -- if we can put up
19 page 118, please, Jessie. The middle paragraph.
20 I just want to read you one sentence from that
21 paragraph that begins with, "Easthope said..."
22 And it says, "Toy relayed that he had several
23 people that were in the gay community that told him
24 they were assaulted by Dr. Anderson."
25 Now that's what you told to Detective

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1 by Dr. Anderson, correct?
2 A. I did not know that at the time, but somewhere
3 recently in this testimony or something, I found
4 out that Jim had also accused him of doing that.
5 Q. Okay. But at the time in 2018 when you spoke to
6 Detective West, you weren't aware of that, correct?
7 A. I was not aware of that.
8 Q. And more importantly, at the time when Mr. Toy
9 came to you immediately before you fired
10 Dr. Anderson, you weren't aware that Mr. Toy had
11 been abused, correct?
12 A. That is correct.
13 Q. Okay. So you actually didn't have any first-hand
14 knowledge of Dr. Anderson's abuse; you were relying
15 on Mr. Toy's description of that abuse with several
16 other people in order to fire him, correct?
17 A. Yes, that's probably correct.
18 Q. All right. And you had not spoken to any sex abuse
19 victims that Mr. Toy mentioned prior to firing
20 Dr. Anderson, correct?
21 A. No, I did not.
22 Q. Okay. The paragraph right above the one we just
23 looked at has a sentence where Detective West
24 quotes you. It says, "I told him that we were" --
25 meaning Detective West told you that they were --

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1 West, correct?
2 A. I don't remember exactly what I said, but --
3 Q. Well, that's why notes are taken, right; that's why
4 reports are made? Nobody has the memory of every
5 absolutely everything; you would agree with that,
6 correct?
7 A. I agree with that.
8 Q. Okay. So at least what Detective West wrote here,
9 he said, "Easthope said he remembers Jim Toy, a
10 local activist, approaching him back in the" --
11 "40-50 years ago and telling him about Anderson.
12 Toy relayed that he had several people that were in
13 the gay community that told him they were assaulted
14 by Anderson."
15 Do you remember saying that to Detective
16 West?
17 A. I don't remember those exact words, but I know that
18 it was communicated to a number of people. I have
19 no -- I can't remember that.
20 Q. Okay. But at least what you told Detective West or
21 what Detective West wrote down was that there were
22 several members of the gay community who had been
23 assaulted by Dr. Anderson, correct?
24 A. I believe that to be correct.
25 Q. Okay. And Mr. Toy himself had not been assaulted

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1 "investigating improper behavior involving
2 Dr. Anderson and a patient, and he replied" --
3 meaning you -- "I bet there are over 100 people
4 that could be on that list."
5 All right. So Detective West quoted you
6 directly. Do you see that?
7 A. Yep.
8 Q. Okay. Doesn't that tell us, Mr. Easthope, that you
9 were actually aware of more victims of sexual abuse
10 than what Jim Toy told you when he came to meet
11 with you, because he told you there were several
12 and you told Detective West you bet there were more
13 than a hundred?
14 MS. PARKER: Objection. Objection.
15 Calls for speculation. Leading.
16 MR. MULVIHILL: Go ahead, Mr. Easthope.
17 THE WITNESS: I can't remember exactly
18 the series of events, so anything I'd say would be
19 speculation.
20 BY MR. MULVIHILL:
21 Q. I'm not asking you to speculate, Mr. Easthope, I'm
22 asking you to tell us -- we have a quote here from
23 you that Detective West wrote down saying that you
24 bet there were more than 100 people who could be on
25 that list who were victimized by Anderson; you see

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1 that, correct?
2 A. I see that.
3 Q. And you also told Detective West that Mr. Toy only
4 told you there were several victims. So can we not
5 conclude from those two statements that you were
6 aware of more victims of sexual abuse at the
7 University of Michigan other than what Jim Toy told
8 you right before you fired Anderson?
9 MS. PARKER: Same objection.
10 THE WITNESS: No, I don't have a good
11 memory of what -- so I'm reluctant to respond to
12 that because I can't remember, but that number,
13 100, was me saying something like, you know, I
14 don't know how long it's been going on, but Jim Toy
15 thought enough about it that he was abusing gay
16 students, it had to be a larger number than one.
17 BY MR. MULVIHILL:
18 Q. Wasn't it difficult for you to end Dr. Anderson's
19 career at the University of Michigan by firing him
20 based solely on secondhand information without ever
21 talking to a victim?
22 A. When you fire anybody, it's difficult. It's -- you
23 know, it's not -- it's not something you do every
24 day.
25 Q. Well, you accused Dr. Anderson of pretty serious

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1 objections.
2 MR. MULVIHILL: Go ahead, Mr. Easthope.
3 THE WITNESS: What do you want me to
4 answer?
5 MR. MULVIHILL: Don't you think that's a
6 reasonable construction of what you told Detective
7 West?
8 THE WITNESS: Which --
9 MS. PARKER: Same objection.
10 MR. MULVIHILL: That we can conclude that
11 you were aware of more victims other than what Jim
12 Toy told you about.
13 THE WITNESS: You know, no, I have no
14 memory of what you're alluding to, so I can't
15 answer that.
16 BY MR. MULVIHILL:
17 Q. Okay. I know you have no memory of it and I
18 understand that. The question, though, is, if you
19 were aware of more than 100 victims and Jim Toy
20 only told you of several, can we not then conclude
21 that you had to be aware of more victims than what
22 Jim Toy disclosed to you right before you fired
23 Anderson?
24 MS. MARTIN: Objection.
25 MS. PARKER: Objection. Calls for

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1 misconduct by sexually assaulting students,
2 correct?
3 A. Correct.
4 Q. Okay. And you knew that Jim Toy was credible,
5 correct?
6 A. I do; I did.
7 Q. But didn't you also know that there were other
8 students who had complained of abuse other than
9 those mentioned by Jim Toy, which is why what Jim
10 Toy said to you confirmed in your own mind that
11 Dr. Anderson was doing what he said he was doing?
12 A. No, I don't know -- I -- if I did, I can't
13 remember.
14 Q. Okay. So would you agree with me -- forget --
15 setting aside your memory for a second, would you
16 agree with me that as a reasonable construction of
17 what you told Detective West, that you were aware
18 of more victims than what Mr. Toy had disclosed to
19 you because you told Detective West there were more
20 than 100 and Toy only told you there were several?
21 MS. MARTIN: Objection. Form.
22 MS. PARKER: Objection. Calls for
23 speculation.
24 THE REPORTER: Guys, if I can't see you,
25 you're going to have to tell me who is saying the

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1 speculation. At this point it's argumentative and
2 it's been asked and answered.
3 MR. MULVIHILL: Go ahead.
4 THE WITNESS: That would cause me to
5 speculate and I can't speculate on that.
6 BY MR. MULVIHILL:
7 Q. Okay. The -- your wife worked at the University of
8 Michigan, correct; Donna Winkelman?
9 A. Yes, but I was not married to Donna Winkelman
10 during that period of time. I was married to Mary
11 Easthope, who worked in the graduate school, at
12 that time and I didn't know Donna Winkelman from
13 Adam.
14 Q. When did you get married to Donna Winkelman?
15 A. In 1989 or '90.
16 Q. And when did you leave the university?
17 A. In 1989, I believe.
18 Q. Okay. So when this information was being presented
19 to you by Detective Toy -- pardon me -- by Jim Toy
20 in 1980, you didn't even know Donna Winkelman at
21 that time, correct?
22 A. That is -- that is correct.
23 Q. Okay. If you look at the first paragraph of your
24 statement on page 118, it says, "Winkelman said she
25 was aware of the information about Anderson and it

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1 has bothered her husband and he talked to her about
2 it on different occasions." Do you see that?
3 A. My eyes --
4 Q. First paragraph under --
5 A. My eyes are not as good as yours, but yeah, that's
6 probably a statement. You're asking me to remember
7 things that are very difficult for me to remember
8 and I don't want to wing it, so, you know, I'm
9 going to have to say I don't remember, and, you
10 know, that's a sincere don't remember.
11 Q. I'm actually not asking you to remember anything;
12 I'm only asking you questions.
13 So with respect to your wife's statement
14 to Detective West in November of 2018, she said --
15 "Winkelman said that she was aware of the
16 information about Anderson and it has bothered her
17 husband" -- meaning you -- "and he talked about it
18 to her on different occasions." Do you see that?
19 A. Yep.
20 MS. BELVEAL: Mr. Easthope, I caution
21 you, as you respond to any questions regarding
22 this, not to reveal conversations that might be
23 covered between you and your wife by the spousal
24 privilege, so again --
25 MR. MULVIHILL: There is no spousal

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1 Q. But if you had said it, it would have had to have
2 been in the 1990s and 2000s because you didn't even
3 know Donna Winkelman until about 1989, correct?
4 A. Nineteen what?
5 Q. 1989.
6 A. I married her in '89. I think we began seeing one
7 another in '85 or '86, somewhere like that.
8 Q. Okay. When did you get divorced from Mary Louise?
9 A. Mary Louise?
10 Q. Mary Louise Anderson was your first wife?
11 A. There's no Mary Louise Anderson.
12 Q. That's what the police report says.
13 A. No. That police report is wrong then because her
14 name was not Anderson --
15 Q. What was her first name?
16 A. -- and it wasn't Mary Louise.
17 Q. What was her first name, your first wife?
18 A. Mary.
19 Q. And when did you get divorced from her?
20 A. I don't remember the exact date, but it was in that
21 time period '85 to '88, somewhere like that.
22 Q. Okay.
23 A. It takes a long time to go through a divorce when
24 you have --
25 Q. You mentioned --

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1 privilege if she said it to an officer.
2 MS. BELVEAL: Correct, but she has --
3 BY MR. MULVIHILL:
4 Q. So Mr. Easthope, with respect to what your wife
5 told Detective West, that means that you have
6 spoken to your wife on multiple occasions --
7 because it's plural there, on different
8 occasions -- about Anderson over the years,
9 correct?
10 A. You're expanding what was probably a -- probably a
11 conversation. I don't want to speculate, but when
12 this Nassar thing came up, I think I may have said,
13 you know, we had to get rid of Bob Anderson because
14 of that.
15 Q. Well, you mentioned --
16 A. That's speculation on my part and I shouldn't do
17 that because I don't remember.
18 Q. Okay. You mentioned that with respect to your
19 daughter, which we'll get to in just a second with
20 respect to Nassar, but your wife said on different
21 occasions, plural, that you had spoken to her that
22 Anderson's behavior had bothered you over the
23 years, correct?
24 A. I don't remember that, but, you know, if you said
25 it, I said it, but I don't remember --

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1 A. -- you know, negotiations and stuff.
2 Q. You mentioned Dr. Nassar just a second ago and you
3 had said previously in this deposition that you and
4 your daughter spoke about Anderson in the context
5 of Dr. Nassar; do you remember that?
6 A. Yeah, but I don't remember the explicit thing, but
7 I do remember that she was working in the Health
8 Service and Nassar was a big subject for a long
9 time --
10 Q. Sure.
11 A. -- and I'm sure that the subject came up and I
12 said, "Yes, well" --
13 Q. You had said previously that, "We had an occasion
14 like that with Anderson," when she was talking to
15 you about Nassar. You said that in the first part
16 of the deposition. Do you remember reading that?
17 A. No, but I assume that you have it written down
18 there somewhere.
19 Q. And you know that with respect to the allegations
20 against Dr. Nassar, there were more than 300
21 victims who have come forward, correct?
22 A. I did not know that.
23 Q. Okay. But to compare what Nassar did at Michigan
24 State with what Anderson did at Michigan, were you
25 comparing -- what were you comparing; you were

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1 comparing the number of victims, the damage that
2 was caused? Why did you say that?
3 A. I didn't do any comparisons. Where did you get
4 comparisons?
5 Q. Well, you used -- pardon me. You used the word
6 "like." "We had an occasion like that with
7 Anderson," so you were the one that made the
8 comparison, Mr. Easthope.
9 A. Well, "like" and "comparison" is not -- you know, I
10 mean you're really making a fine distinction there
11 that I don't think I would do. I recognized that
12 sexual improprieties were the heart of that Nassar
13 thing and I thought that sexual improprieties were
14 the thing with Anderson. That's about as far as
15 I'm willing to say that I remember.
16 Q. Okay. Did you talk to anybody in the Health
17 Service about Dr. Anderson's abuse at all, either
18 before or after firing him?
19 A. When Cy Briefer came, I did discuss with Cy.
20 Q. When did Cy Briefer come?
21 A. I think Cy came in '81 or '82. You know, I can't
22 be specific because I can't remember.
23 Q. But before firing Anderson, you didn't speak to
24 anybody in the Health Services, correct?
25 A. That is correct.

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1 Q. The licensing agency.
2 A. No.
3 Q. Did you report Dr. Anderson to the state licensing
4 agency?
5 A. No, I did not.
6 Q. Did you talk to the medical school at all about
7 Dr. Anderson's abuse of students in the examination
8 room?
9 A. I don't remember if I talked to anybody over there.
10 I just -- you know, it's a long, long time ago and
11 I can't remember everybody I spoke to, but --
12 Q. Did you tell anybody in the athletic department
13 about Anderson's abuse of students in the exam
14 room?
15 A. No.
16 Q. By the way, were you aware of any complaints within
17 the athletic department before Jim Toy came to you
18 about Anderson abusing students?
19 A. No, that was news to me, as a matter of fact, that
20 he had been abusing athletes. What I thought was
21 that he was abusing vulnerable students who
22 couldn't, you know, fight back because they would
23 have to come out, and at that point it wasn't one
24 of the more acceptable things in our society --
25 Q. Sure, but --

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1 Q. Did you ask Health Services at any time to do an
2 investigation into the full extent of
3 Dr. Anderson's abuse on campus?
4 A. No, I can't remember if I did that or not.
5 Q. Did you ask the university police department to do
6 an investigation of the full extent of
7 Dr. Anderson's abuse on campus?
8 A. You know, I can't remember.
9 Q. Did you ask the Ann Arbor police to do an
10 investigation of the full extent of Anderson's
11 abuse on campus?
12 A. I can't remember, but it seems to me that -- I
13 can't remember.
14 Q. Okay. Did you ask Washtenaw County to do an
15 investigation into the full extent of Anderson's
16 abuse on campus?
17 A. No.
18 Q. Did you talk to the state medical board licensing
19 agency for doctors, the Licensing & Regulatory
20 Affairs Division of the State of Michigan, about
21 Dr. Anderson at all?
22 A. No.
23 Q. Did you ask them to do an investigation of
24 Dr. Anderson?
25 A. Ask whom?

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1 A. -- so I didn't even know about the athletic thing
2 until this thing just came up recently.
3 Q. Okay. That's why one conducts an investigation
4 when allegations like this are brought forward
5 because you don't know the full extent of it,
6 correct?
7 MS. PARKER: Objection. I'm sorry.
8 Objection. Speculative.
9 MR. MULVIHILL: Go ahead.
10 THE WITNESS: You know, I can't answer
11 that because I don't know.
12 BY MR. MULVIHILL:
13 Q. Well, there would have been no way for you to know
14 unless you did an investigation or the victims came
15 forward directly to you, correct?
16 MS. MARTIN: Objection. Form.
17 THE WITNESS: You're asking me to make a
18 judgment about something that happened 40 years ago
19 and it's very difficult for me to respond in an
20 honest and accurate way and so I really don't
21 remember the details of a lot of these questions
22 you're asking me.
23 BY MR. MULVIHILL:
24 Q. Did you tell any students on campus in any way,
25 whether they were gay students or straight

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1 students, about Dr. Anderson's abuse of students in
2 the examination room?
3 A. I have no recollection of that.
4 Q. All right. Last -- in the 20 minutes we had last
5 time, I asked you if you had seen any paperwork
6 implementing your firing of Dr. Anderson and you
7 said you had not. Has that changed in the week
8 since we last spoke; have you seen any paperwork
9 showing your implementation of the firing of
10 Dr. Anderson?
11 A. What does that mean?
12 Q. Well, any documentation of any kind that says
13 Dr. Anderson was fired from the University of
14 Michigan in 1979 or 1980.
15 A. I have no recollection of that.
16 Q. Well, what I'm asking is, in the last week, have
17 you seen any paperwork demonstrating that you
18 actually fired Dr. Anderson?
19 A. I don't think so, but you're asking me a question
20 that --
21 MR. MULVIHILL: Mr. Easthope, I don't
22 have very much time, so I don't need your
23 commentary on the questions. Please just answer
24 my question and then I can go to the next one,
25 okay?

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1 still answering.
2 MR. MULVIHILL: Stop talking, Stephanie.
3 Go ahead.
4 THE WITNESS: I've answered as far as I'm
5 concerned.
6 MR. MULVIHILL: Is what?
7 THE WITNESS: Say the question again.
8 BY MR. MULVIHILL:
9 Q. Did you tell Dr. Davol that the reason Dr. Anderson
10 was fired is because he was having -- he was
11 sexually assaulting students in the examination
12 rooms?
13 A. I can't remember whether I did or I didn't.
14 Q. Did you tell her why her boss was suddenly her
15 subordinate?
16 MS. MARTIN: Objection. Asked and
17 answered.
18 THE WITNESS: As I just told you, I have
19 no memory of it, so --
20 BY MR. MULVIHILL:
21 Q. Okay. Did you tell her to make sure that
22 Dr. Anderson doesn't go into an examination room
23 with another student again?
24 A. As I said, I have -- I have no recollection of
25 conversations at that time.

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1 MS. PARKER: If you'll let the witness
2 finish his answer rather than cut him off after --
3 MR. MULVIHILL: He can finish his answer,
4 but I don't need running commentary on my
5 questions.
6 BY MR. MULVIHILL:
7 Q. Did Dr. Anna Davol take over as interim director
8 for the Health Services when Dr. Anderson was
9 fired?
10 A. Yes.
11 Q. Okay. Was she in the Health Services and was just
12 immediately sort of appointed interim director or
13 did she come from outside the university?
14 A. She was in the Health Service.
15 Q. Okay. And so she was promoted to interim director;
16 is that right?
17 A. Yeah, that's my --
18 Q. Did you tell Dr. Davol why Dr. Anderson was fired,
19 because of having sexual assault with students in
20 the examination room?
21 A. You know what, I can't remember either --
22 Q. Did you -- I'm sorry, I didn't mean --
23 MS. PARKER: Objection. I think the
24 witness is still answering. You're cutting him
25 off. I'm sorry. I can see on the screen he's

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1 Q. Did you tell her that she needed to protect
2 students from Dr. Anderson as she was now the
3 director of the Health Services?
4 A. As I just said, I have no memory of any
5 conversations I had about that.
6 Q. Okay. Did you tell her that Dr. Anderson was no
7 longer allowed in the Health Services?
8 A. I don't know; I can't remember.
9 Q. What office was responsible for issuing paychecks
10 back in 1979 and 1980; is that office of the
11 controller?
12 A. What do you mean, paychecks? You mean who issued
13 university paychecks?
14 Q. Yes.
15 A. I assume that it was the finance department in the
16 university. It's a very large and complex
17 organization and I think that payroll came from
18 payroll people, but I have no -- I don't want to
19 speculate about how that happened and who did what
20 to whom because paychecks arrived and I had no
21 reason to question where it came from just so long
22 as it got there.
23 Q. Did you reach out to anybody in payroll or finance
24 to let them know that Dr. Anderson was fired and
25 they should stop issuing checks to him?

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1 A. I have -- I have no recollection of that at all.
2 Q. Do you know what office was in charge of benefits
3 at the university; was it the same thing, payroll,
4 finance?
5 A. It's a large -- in my memory now is that that was a
6 large organization and it's compartmentalized in
7 many, many different ways, payroll is only one part
8 of that, so, you know, I don't want to speculate,
9 okay? You told me not to.
10 Q. Okay. Did you reach out to anybody in the benefits
11 section of the university, wherever that was, to
12 tell them that Dr. Anderson was no longer employed,
13 you had fired him, and he shouldn't be receiving
14 any benefits from the university?
15 A. I did not.
16 Q. Did you take his keys that he had to the health
17 center when you fired him?
18 A. I can't remember, but I don't think I would have.
19 Q. We were provided Dr. Anderson's personnel file by
20 the University of Michigan, and were you aware that
21 there is nothing in that personnel file that says
22 he was actually fired from the university?
23 A. I am unaware of that.
24 Q. Assuming that to be true, would you agree then that
25 it's more likely than not that you actually didn't

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1 Henry?
2 A. That's an interesting question. When the detective
3 and I spoke, I mentioned to him that I had spoken
4 to Henry on my way out, and I don't -- I don't want
5 to -- I don't want to say things that I can't
6 remember, but my method of operation, especially
7 with a matter that seriousness, I would have said
8 something to Henry because he was --
9 Q. Right. So there's -- I appreciate that.
10 So it seems to me there's a difference
11 between, on a matter that serious, you would have
12 said something to Henry and you actually have a
13 memory of saying something to Henry. Do you have a
14 memory of saying something to Henry?
15 A. Yes.
16 Q. And what did you say to Henry?
17 A. That's the issue. I have -- I can't remember the
18 words or -- I'm sure before I went across that
19 campus, I had -- Henry knew what I was doing.
20 Q. If you don't remember the words you spoke to Henry,
21 how do you know he knew what you were doing?
22 A. Well, how do I -- you know, that's a tough
23 question. I don't know.
24 Q. So you told Henry then, I guess, that you were
25 firing Dr. Anderson or did you tell him after the

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1 fire Dr. Anderson in 1979 or 1980?
2 MS. PARKER: Objection. Calls for
3 speculation.
4 THE WITNESS: No, that -- I was just
5 going to say, I can't comment on that because I
6 don't know.
7 BY MR. MULVIHILL:
8 Q. Did you also know that there wasn't a word in his
9 personnel file about his sexual assault of students
10 on campus? Did you know that?
11 A. No.
12 Q. So is it fair to say then, Mr. Easthope, if you
13 fired Dr. Anderson as you claim, you didn't tell a
14 soul and you didn't do anything to effectuate that
15 firing?
16 A. As I mentioned when we started, my modus operandi
17 at the university in the office of Student Affairs
18 was matters of that significance, I always
19 discussed with Henry. He was the vice president
20 and it would have had to have been -- come through
21 him anyway, but I -- that's all I can tell you.
22 Q. Well, you said on multiple occasions in that first
23 deposition you don't remember telling it to Henry,
24 so what changed between last week and this week
25 that now suddenly you have a memory of telling

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1 fact that you had already fired Dr. Anderson?
2 MS. PARKER: Objection. Calls for
3 speculation.
4 MR. MULVIHILL: Go ahead.
5 THE WITNESS: This was not after the
6 fact.
7 BY MR. MULVIHILL:
8 Q. So you told him before that you were going to go
9 over and fire Dr. Anderson?
10 A. That's correct. I -- you're putting words into my
11 mouth of my conversation with Henry and I can't
12 remember that that's exactly how the conversation
13 took place.
14 Q. Well, all right. That's a fair -- that's fair.
15 Let me try it again.
16 I don't mean to be putting words in your
17 mouth, but the substance of what you told Henry --
18 whatever words you chose, you chose at the time --
19 but the substance of what you told Henry is you
20 were going to fire Dr. Anderson because he had
21 been abusing students in the examination room,
22 correct?
23 MS. PARKER: Objection. Calls for
24 speculation.
25 MR. MULVIHILL: Go ahead.

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1 THE WITNESS: You know, I can't -- I
2 can't absolutely tell you without any question.
3 Remember, this is a long, long time ago and trying
4 to remember detail is very difficult, and so --
5 MR. MULVIHILL: I get that, but I --
6 THE WITNESS: -- I'm doing my best.
7 MR. MULVIHILL: Okay. I understand that,
8 Mr. Easthope.
9 BY MR. MULVIHILL:
10 Q. And this part of the conversation started with the
11 fact that we have Dr. Anderson's entire personnel
12 file and there is no mention in there of any kind
13 that he was fired or that he had assaulted
14 students. Do you know why that might be?
15 A. No, I don't.
16 MS. PARKER: Calls for speculation.
17 BY MR. MULVIHILL:
18 Q. So let's go back to your conversation with Henry a
19 second. Break it down. Did you tell Henry you
20 were going to fire Dr. Anderson?
21 A. The specifics of that conversation, I can't -- I
22 can't testify to because it's a long time ago and
23 the specific words would be very difficult for me
24 and I would -- that would be speculation.
25 Q. Okay. I appreciate the fact that you can't

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1 this point.
2 THE WITNESS: I wish I could remember and
3 then I would answer you. I can't remember exactly
4 how that transpired.
5 MR. MULVIHILL: That's fine.
6 BY MR. MULVIHILL:
7 Q. So as you sit -- and did you tell the president of
8 the university?
9 A. Did I what?
10 Q. I'm sorry.
11 Henry's boss was the president of the
12 university, correct?
13 A. That is correct.
14 Q. Okay. So you were one person removed from the
15 president through Henry; I think you said that in
16 your prior testimony, correct?
17 A. Yeah, that sounds awful important.
18 Q. All right. So in terms of the structure, the sort
19 of chain of command at the university, the only
20 people who could have overruled your decision from
21 a student health perspective would have been Henry
22 or the president of the university, correct?
23 A. That sounds logical.
24 Q. Okay. You remember Mr. Cox showing you a number
25 of dep -- pardon me -- a number of exhibits, a

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1 remember the specific words, and I'm not asking for
2 the specific words, I'm just asking for --
3 A. I thought you were.
4 Q. -- the substance of the conversation.
5 Did you tell Henry before you left to go
6 fire Dr. Anderson that you were going to fire
7 Dr. Anderson?
8 A. Yes.
9 Q. Okay. And did you also tell him that the reason
10 you were firing Dr. Anderson was because of his
11 sexual assault of students in the examination
12 rooms?
13 A. My memory is very dim on that, and the words that
14 passed between us, it would be speculation for me
15 to try and tell you what I think I said.
16 Q. Well, again, Mr. Easthope, I'm not asking for the
17 exact words. I appreciate that you can't remember
18 the exact words, but I'm just trying to get the
19 substance of what you told Henry.
20 In substance, did you tell Henry that the
21 reason you were firing Anderson was because
22 Anderson had been sexually assaulting students in
23 the examination room?
24 MS. PARKER: Objection. Calls for
25 speculation. Asked and answered. Argumentative at

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1 number of documents showing that Dr. Anderson
2 remained on campus and in the Health Services for
3 all of 1980 and 1981; do you remember that from
4 last week?
5 A. Yeah, I -- specific documents, I don't, but I
6 remember there were documents that he showed us
7 that I --
8 Q. Okay. Does that help -- I guess my question is,
9 does that help refresh your recollection that
10 Dr. Anderson actually was not fired from the
11 university?
12 A. I wish that -- I wish that it did, but that's the
13 speculation again. You know, the documents are
14 there. You know, can I testify to anything about
15 them? No, I can't.
16 Q. Okay.
17 A. I certainly hadn't seen them.
18 Q. Okay. So you don't remember if you told Henry the
19 reason why you fired Dr. Anderson?
20 MS. BELVEAL: Excuse me, Dennis.
21 Mr. Easthope would like to take a break.
22 MR. MULVIHILL: Oh, yeah. That's fine.
23 Okay.
24 THE WITNESS: I'll be right back.
25 MR. MULVIHILL: That's fine.

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1 VIDEOGRAPHER: We are now going off the
 2 record at 10:40 a.m.
 3 (Whereupon a break was taken
 4 from 10:40 a.m. to 10:45 a.m.)
 5 VIDEOGRAPHER: We are now back on the
 6 record at 10:45 a.m.
 7 MR. MULVIHILL: Mr. Easthope --
 8 THE WITNESS: Who am I talking to?
 9 MR. MULVIHILL: It's Dennis again. Up
 10 here.
 11 THE WITNESS: Okay. Okay.
 12 BY MR. MULVIHILL:
 13 Q. So I think what you were saying before we took the
 14 break is you're pretty confident you remember
 15 telling Henry you were going to go fire
 16 Dr. Anderson, correct?
 17 A. Yeah, that's what I said, yes.
 18 Q. Okay. And what it seems to me you're less
 19 confident on -- but I want to make sure I
 20 understand what you're telling me completely -- is
 21 if you told him the reason you were firing
 22 Dr. Anderson?
 23 A. I don't remember specifically, but it seems logical
 24 to me that I would have told the story and where I
 25 got the information.

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1 correct?
 2 A. That's correct.
 3 MS. PARKER: Same objection.
 4 BY MR. MULVIHILL:
 5 Q. Okay. So what -- as I mentioned to you a minute
 6 ago, Mr. Easthope, there seems to be a bit of a
 7 disconnect here between your memory of actually
 8 firing Dr. Anderson in 1979 -- because we know he
 9 stayed at the university until 2003 -- and the
 10 documents which show he stayed that long, and I see
 11 two possibilities for the discrepancy and I want to
 12 go over those with you.
 13 The first is that you fired Dr. Anderson
 14 for sexually assaulting students in the examination
 15 room and that firing was actually overruled by
 16 Vice President Henry Johnson or the president of
 17 the university, or you actually never fired
 18 Dr. Anderson and you just demoted him from being
 19 director of the Health Services to senior physician
 20 at Health Services; do you understand that, that
 21 those are the two possibilities?
 22 A. I understand what you just said.
 23 Q. Okay. Which do you think it is?
 24 A. I fired Bob Anderson.
 25 Q. What's that?

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1 Q. The story that Jim Toy told you?
 2 A. That's correct.
 3 Q. Okay. And so although you don't remember
 4 specifically, that is something you likely would
 5 have done at the time; is that fair?
 6 A. What -- what are you referring to, what I would
 7 have done?
 8 Q. In terms of telling Henry, your boss --
 9 A. I told Henry.
 10 Q. -- why you were firing Dr. Anderson.
 11 A. I told Henry.
 12 Q. Why you were firing Dr. Anderson?
 13 A. Of course.
 14 Q. Okay. So Henry then knew, because you told him,
 15 that Dr. Anderson had been abusing -- sexually
 16 abusing students, correct?
 17 MS. PARKER: Objection. Calls for
 18 speculation.
 19 MR. MULVIHILL: Go ahead.
 20 THE WITNESS: Ask that question again
 21 because I'm not quite sure.
 22 MR. MULVIHILL: Sure.
 23 BY MR. MULVIHILL:
 24 Q. Henry would have known, because you told him, that
 25 Dr. Anderson was sexually assaulting students,

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1 A. I fired Bob Anderson; I know that. That --
 2 Q. So then the only logical conclusion is that that
 3 decision was overruled either by Henry or the
 4 president of the university, correct?
 5 MS. PARKER: Objection. Calls for
 6 speculation.
 7 THE WITNESS: Well, I don't know that. I
 8 can't answer that because I don't know.
 9 BY MR. MULVIHILL:
 10 Q. Well, we know that Bob Anderson actually never left
 11 the University of Michigan, right?
 12 A. I know that now.
 13 Q. Right. And we actually have documents showing that
 14 you knew that in real time, in 1980 and 1981; do
 15 you remember seeing those?
 16 A. No. I saw some documents, but I have no memory of
 17 that. I wish that I did because it would make me
 18 feel a lot better.
 19 Q. Well, but that's why -- that's why universities
 20 keep documents, right, because nobody can remember
 21 everything, so sometimes we have to refer to the
 22 documents when our memories fail us, true?
 23 A. Yeah, generally I'd agree with you. Just like
 24 lawyers do.
 25 Q. Of course. I've got plenty of documents in front

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1 of me so I can remember what I'm supposed to ask
2 you.
3 A. I wish I had a document which tells me how I should
4 answer you.
5 Q. So the reality of the situation here is,
6 Mr. Easthope, though, if you fired him, you have no
7 recollection of telling anybody that you actually
8 fired him, true, other than Henry, what you just
9 told me?
10 A. That's -- yes, that's -- I can't answer that
11 because I don't remember telling anybody else, but
12 that --
13 Q. Okay. So -- but we know that he wasn't actually
14 fired from the university, so isn't the only
15 logical conclusion that we can draw from your
16 testimony here is that your decision to fire
17 Dr. Anderson was overruled by Henry Johnson or the
18 president of the university?
19 MS. MARTIN: Objection. Form.
20 MS. PARKER: Objection. Calls for
21 speculation. Argumentative.
22 THE WITNESS: I can't answer that because
23 I don't know.
24 BY MR. MULVIHILL:
25 Q. Well, how else is it that if you fired somebody in

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1 me that he remained on campus for 23 more years,
2 correct?
3 A. I have found that out.
4 Q. Okay. So either way, whether you're mistaken in
5 your memory of firing him or your effort to fire
6 him was overruled by someone else, either way,
7 the University of Michigan failed in its duty to
8 protect students from a known sexual abuser,
9 Dr. Anderson, by leaving him on campus, correct?
10 MS. PARKER: Objection. Calls for
11 speculation. Argumentative.
12 THE WITNESS: That's -- I can't answer
13 that question. You know, I don't have the
14 knowledge to understand all that stuff. You're
15 asking me to make a judgment about something that
16 I'm incapable of making that judgment.
17 BY MR. MULVIHILL:
18 Q. Well, you made a judgment in 1979 to fire
19 Dr. Anderson because he was sexually --
20 A. I did.
21 Q. -- assaulting students, correct?
22 A. I did.
23 Q. And you knew he was a danger to students, correct?
24 A. I did.
25 Q. Okay. And so if he remained on campus with access

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1 your position that that firing actually didn't go
2 forward?
3 MS. PARKER: Same objection.
4 THE WITNESS: I don't know.
5 BY MR. MULVIHILL:
6 Q. No one -- no one below you in Student Life had the
7 ability to overrule your decision, correct?
8 A. That's probably correct.
9 Q. And nobody at the Health Services -- Anna Davol
10 didn't have the ability to overrule your decision
11 to fire Dr. Anderson, correct?
12 A. That's correct.
13 Q. Okay. So there were only two people on campus --
14 you told us that a minute ago. There were only two
15 people on campus that had the authority to overrule
16 that decision to fire Dr. Anderson: One was your
17 immediate superior, Henry Johnson, vice president,
18 and the other was the president of the university,
19 correct?
20 A. You know, it appears that way. I don't know what
21 influences or what happened. If I knew that, I
22 would feel real good about it.
23 Q. Well, let's talk about how you feel here. The
24 reality of the situation here is, despite your
25 attempt to fire Dr. Anderson, you would agree with

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1 to more students, the University of Michigan,
2 whoever it may be at the university, failed in its
3 duty to protect students from a known sexual
4 abuser, correct?
5 MS. PARKER: Objection. Calls for
6 speculation. Argumentative.
7 THE WITNESS: You're asking me questions
8 I don't know the answer to. You know, I don't
9 know. I wish I knew. I have no memory, and that
10 bothers the hell out of me.
11 BY MR. MULVIHILL:
12 Q. Well, I understand you don't recall the exact
13 mechanism of how Anderson stayed on campus, and I'm
14 not asking that. What I'm asking is, the fact that
15 he did remain on campus shows that the university
16 failed to protect the students from his abusive and
17 assaultive ways, correct?
18 MS. BELVEAL: Objection. Asked and
19 answered. Badgering the witness.
20 THE WITNESS: You know what, I can't
21 really answer that question because I don't -- I
22 don't have enough facts that I was involved in or
23 somebody else was involved in. I don't want to
24 speculate about what other people thought or what
25 other people were doing. That's -- I can't go

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1 there.

2 BY MR. MULVIHILL:

3 Q. If it's true, hypothetically, Mr. Easthope, that

4 you only demoted Dr. Anderson from his directorship

5 and put him as a senior physician in the Health

6 Services, that would have put more students in

7 danger from Dr. Anderson's abusive ways, correct?

8 MS. PARKER: Objection. Calls for

9 speculation.

10 THE WITNESS: You know what --

11 MR. MULVIHILL: I mean, that's why you

12 fired him, right?

13 MS. PARKER: Same objection.

14 THE WITNESS: Why did I fire him?

15 BY MR. MULVIHILL:

16 Q. You fired him because he was a danger to students;

17 he was sexually assaulting students in the

18 examination room, correct?

19 A. Yes.

20 Q. So if you had demoted him from director and just

21 made him senior physician and allowed him -- this

22 is hypothetically -- and allowed him to continue to

23 see students, you were putting students' safety in

24 jeopardy, correct?

25 MS. PARKER: Objection. Calls for

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1 THE WITNESS: That would be -- I really

2 don't know how to answer that question because --

3 that's a tough one for me. I try and be as honest

4 and straight-forward as I can, and I can't -- I

5 don't have good memories of some of that stuff. So

6 you ask a question, if it doesn't resonate with me,

7 I'm afraid to answer because I don't want to say

8 something that's not true.

9 BY MR. MULVIHILL:

10 Q. I understand that. And let me explain myself here

11 because I don't think we're communicating very

12 well. I'm asking you a hypothetical question,

13 okay, so I'm not asking you to agree with the facts

14 of the question. It's a hypothetical question,

15 okay?

16 So hypothetically, assuming you demoted

17 Dr. Anderson rather than firing him and left him in

18 the Health Services, that put more students at risk

19 because you left a known sexual abuser in the

20 Health Services, true?

21 MS. PARKER: Objection. Calls for

22 speculation.

23 THE WITNESS: I can't really answer that

24 because I don't think I would have consciously

25 allowed that.

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1 speculation.

2 THE WITNESS: I don't want to speculate

3 on that because you're leading me down an avenue

4 that I don't know, so if I answer that question,

5 I'm guessing.

6 BY MR. MULVIHILL:

7 Q. Okay. This is a hypothetical question because I

8 understand your memory isn't accurate about

9 this.

10 A. Thank you.

11 Q. Hypothetically -- hypothetically, if you had

12 demoted Dr. Anderson and allowed him to remain at

13 the Health Services seeing students, you are

14 potentially putting the safety of more students in

15 jeopardy because he was a known sexual abuser,

16 correct? Hypothetically.

17 MS. PARKER: Objection. Speculation.

18 THE WITNESS: Restate that again, will

19 you, please?

20 MR. MULVIHILL: Yeah. Karen, could you

21 read that back, please?

22 THE REPORTER: Sure.

23 (Whereupon the question was read

24 back by the court reporter.)

25 MS. PARKER: Same objection.

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1 BY MR. MULVIHILL:

2 Q. I understand that you didn't intend for that to

3 happen, but looking at the documents -- and we know

4 Dr. Anderson's history from his personnel file --

5 that's, in fact, exactly what did happen, isn't it,

6 whether you intended it or not?

7 MS. MARTIN: Objection. Form.

8 Argumentative.

9 MS. PARKER: Same objection.

10 THE WITNESS: You're asking me questions

11 that make me make a decision that I'm incapable of

12 making because I don't have enough information or I

13 don't -- my memory is not good enough to honestly

14 and accurately respond to some of your questions.

15 It's not that I'm trying to avoid them; it's just

16 that I want to be honest with you.

17 BY MR. MULVIHILL:

18 Q. How many people had you fired for sexual abuse on

19 campus other than Dr. Anderson?

20 A. None.

21 Q. Were there policies and procedures at the

22 university that you were supposed to follow with

23 respect to reporting, how you report and to whom

24 after you learned Dr. Anderson was sexually

25 assaulting students?

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1 A. I am unaware of that.
2 Q. Unaware of it meaning you just don't remember or
3 you don't know if there were any policies or what?
4 A. Either one.
5 Q. What are you unaware of?
6 A. Either one.
7 Q. So as you sit here today, you have no idea whether
8 there were any policies or procedures in place as
9 to how and to whom you were to report sexual
10 assault on campus?
11 A. I have either forgotten or was unaware of it.
12 Q. Okay. Jim Toy was an employee of the university
13 when he came to speak to you about Dr. Anderson,
14 correct?
15 A. That's correct.
16 Q. And you were vice president of Student Life; is
17 that accurate?
18 A. I was the assistant vice president.
19 Q. I'm sorry.
20 A. Of Student Services.
21 Q. Student Services. Thank you. And I apologize.
22 A. That's all right. It's a long time ago. I've
23 almost forgotten myself.
24 Q. Well, it was only a week ago for me, so I have no
25 excuse.

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1 MR. MULVIHILL: Wrong. Go ahead.
2 THE WITNESS: I have -- I have no
3 remembrance of that.
4 BY MR. MULVIHILL:
5 Q. Do you remember writing a report about your firing
6 of Dr. Anderson at all?
7 A. No.
8 MR. MULVIHILL: Okay. Let's go to
9 Exhibit 20, if we could, please, Jesse. And if you
10 could make that available for everybody through the
11 URL.
12 VIDEOGRAPHER: Give me one second here.
13 (Marked for identification:
14 Deposition Exhibit No. 20.)
15 BY MR. MULVIHILL:
16 Q. Do you see this document, Mr. Easthope?
17 A. I see the document, yes.
18 Q. Okay. It's dated January 7, 1981, and it has the
19 signatures of Robert Anderson, Keith Moree and
20 James Toy on that; do you see that?
21 A. I see that.
22 Q. And it says, "I have voluntarily agreed that a tape
23 recording be made of our conversation on January 7,
24 1981. I understand that no part of the contents of
25 the tape will be released to any person other than

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1 So you were assistant vice president of
2 Student Services. Was Jim Toy's department within
3 Student Services?
4 A. Yes.
5 Q. So in a sense, you were his boss, maybe up the
6 chain of command?
7 A. Yeah, he reported to somebody in Student Programs.
8 He was the gay advocate. I recall the gay
9 advocate.
10 Q. And was Jim Toy about your age?
11 A. I think Jim Toy is probably -- I'm 87. I think Jim
12 probably would be 90, 91 now.
13 Q. Okay.
14 A. That's a guess, I'm guessing, but he was older than
15 me.
16 Q. And was Dr. Anderson also about your age or was he
17 a couple years older, too?
18 A. Boy, that's a good question. I can't answer that
19 because I don't remember.
20 Q. Okay. Do you recall telling anybody other than
21 Henry Johnson on campus that Dr. Anderson was
22 abusing students in the -- sexually abusing
23 students in the examination room? Anybody at all?
24 MS. PARKER: Objection. States facts not
25 in evidence.

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1 the undersigned without the written consent of all
2 persons undersigned." Do you see that?
3 A. Yep.
4 Q. Do you have any knowledge of what that conversation
5 was between Keith Moree and Dr. Anderson and James
6 Toy?
7 A. I have -- I have no knowledge of that that I can
8 remember.
9 Q. Did you ever see a secrecy agreement like that in
10 your years at the University of Michigan?
11 A. Never.
12 Q. Do you have any knowledge as to whether
13 Dr. Anderson wanted his conversation with James Toy
14 and Keith Moree to be secret?
15 A. No, I have no memory of this or -- this is the
16 first time I ever saw this.
17 MR. MULVIHILL: Okay. You can take that
18 down. Thank you.
19 BY MR. MULVIHILL:
20 Q. Mr. Easthope, you knew in the 1970s and 1980s that
21 being a victim of sexual assault could cause severe
22 emotional damage, correct?
23 A. I do; I did, yes.
24 Q. Okay. And you knew that sexual abuse is trauma,
25 correct?

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1 A. That's my understanding, yes.
2 Q. Okay. And that you know that sexual abuse and
3 trauma can interfere with normal healthy
4 relationship development, correct?
5 MS. PARKER: Objection.
6 THE WITNESS: Yes.
7 MR. MULVIHILL: I'm sorry, yes?
8 THE WITNESS: It's my -- it's my --
9 within my ability to understand things, I would say
10 yes.
11 BY MR. MULVIHILL:
12 Q. Right. And that's all I'm asking, within your
13 ability to understand things.
14 And sexual abuse and trauma can interfere
15 with someone's academic ability, their ability to
16 study and focus and those types of things, correct?
17 A. I'm not a psychiatrist or a psychologist, so you
18 would have to ask someone more knowledgeable about
19 that than me.
20 Q. Okay. Did you agree that being a victim of sexual
21 abuse and trauma can be ruinous for the victim?
22 A. Not having known people personally that have had
23 that experience, I can't really say one way or the
24 other.
25 Q. You just don't know?

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1 people to have dominion over other people, and
2 that's very difficult, you know. If you were a
3 young athlete and you wanted to perform and you
4 didn't get" -- "didn't want to get yourself in
5 trouble with anybody, and it's hard -- it would be
6 hard to know that you got yourself in trouble
7 because some guy was screwing around with you.
8 That's a heavy question. I don't know how to
9 answer it. I can tell you how I would feel, but
10 I'm not 100 athletes that have their scholarships
11 on the line if they reported somebody who was
12 revered by their coaches. So it's a tough
13 question."
14 Do you remember that now?
15 A. Yes.
16 MS. PARKER: You failed to read my
17 objection.
18 MR. MULVIHILL: Yes, I did.
19 BY MR. MULVIHILL:
20 Q. So Dr. Anderson had that power, I think is what you
21 were saying; he had that dominion over students, is
22 that what you were meaning?
23 MS. PARKER: Objection. Calls for
24 speculation.
25 THE WITNESS: Yeah, I was just going to

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1 A. I don't.
2 Q. Okay. One of the last questions Mr. Cox asked you
3 was who was at fault for Dr. Anderson remaining on
4 campus, and you had talked about maybe it was
5 society that allows one person to have dominion
6 over others; do you remember that?
7 A. No, I guess I don't because there was an awful lot
8 of questions you guys have been throwing at me and
9 it's very difficult to categorize every question
10 that's been asked.
11 Q. Right.
12 A. Tell me more about that question.
13 Q. Okay. I'm going to read it to you and I'm going to
14 read you the answer if I could. It's on page 171
15 of the deposition. 170 and 171.
16 170, starting at line 18:
17 Question: "So sir, who was at fault here
18 for the hundreds of athletes who were victimized by
19 Dr. Anderson; is it U of M, is it you, is it lack
20 of policy, is it particular UM officers, who is at
21 fault?"
22 You say, "That's a tough question."
23 And Mr. Cox says, "That's why I asked it."
24 And you say this: "Our society is
25 complicit in that, our society that allows certain

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1 say, I can't speculate what power he had over
2 anybody or what power he didn't have over anybody.
3 BY MR. MULVIHILL:
4 Q. Well, you had said earlier that he was an
5 authoritarian; do you remember that, that
6 Dr. Anderson was authoritarian?
7 A. I don't want to be cynical here, but do you know
8 any doctor who isn't?
9 Q. Well, okay. Let's restrict ourselves to
10 Dr. Anderson. You said he was an authoritarian.
11 Do you remember that?
12 A. No, I don't remember it, but...
13 Q. Okay. Well, I want you to assume you said that in
14 the first part of this deposition, that he was an
15 authoritarian. But the fact of the matter is,
16 Mr. Easthope, is that the university gave you and
17 Henry Johnson power and authority over
18 Dr. Anderson, correct?
19 A. That would be a normal organizational --
20 Q. So the University of Michigan gave you authority
21 over Dr. Anderson, correct?
22 A. That's -- yes, I could answer yes to that.
23 Q. And you had the ability, and so did Henry, to
24 remove, punish, discipline Dr. Anderson as you saw
25 fit, correct?

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1 A. We would have to have some reason; we couldn't just
2 arbitrarily.
3 Q. Of course.
4 And in this case, the reason was -- the
5 reason you fired Dr. Anderson was because of sexual
6 abuse, and that was certainly a legitimate reason
7 to fire him, correct?
8 A. That's correct.
9 Q. Okay. So if you fired him, but he remained on
10 campus for the next 23 years, isn't the only
11 conclusion we can draw that one of your superiors
12 overruled your effort to get rid of Dr. Anderson?
13 MS. PARKER: Objection. Calls for
14 speculation.
15 THE WITNESS: Yeah, I don't know -- what
16 happened after, you know, I fired him, I don't
17 know. I wish I did. I didn't know anything until
18 the detective came to talk to me.
19 BY MR. MULVIHILL:
20 Q. Well, knowing the structure of the university and
21 the chain of command, that is the only rationale
22 that makes any sense, isn't it?
23 MS. PARKER: Same objection.
24 THE WITNESS: You know, you're asking me
25 to make a judgment about how the university

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1 THE WITNESS: Yeah, that's a tough thing
2 to answer because I don't -- that would be
3 speculation for me to say what do I think happened.
4 I don't know and I -- unfortunately, my memory
5 doesn't go back that far to be able to tell you
6 something without, you know, without any doubt.
7 I can't do that because it's a long history, long
8 time ago, and I don't want to say things that I
9 can't in any way justify.
10 BY MR. MULVIHILL:
11 Q. Well, your memory actually goes back further than
12 that. If we use Dr. Anderson's firing as the
13 demarcation point, you have a pretty strong memory
14 of Jim Toy coming to talk to you?
15 A. I do.
16 Q. You have a pretty strong memory of firing
17 Dr. Anderson, but at that moment that's when your
18 memory goes blank. You have no memory of
19 Dr. Anderson thereafter. You recognize that's what
20 you've been telling us for two days?
21 MS. PARKER: Objection. Argumentative.
22 MR. MULVIHILL: Correct?
23 THE WITNESS: I'm more than happy to
24 answer that.
25 MR. MULVIHILL: Yeah.

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1 operates and --
2 MR. MULVIHILL: Yes. You worked at the
3 university.
4 THE WITNESS: Yeah, but, you know, I
5 worked in Student Services, I didn't work in the
6 policy planning of the university, I worked in a
7 line organization that had functions. I didn't get
8 involved in that kind of philosophy.
9 BY MR. MULVIHILL:
10 Q. Okay. It is your testimony here that you fired
11 Dr. Anderson; you've been very clear about that,
12 correct?
13 A. Yes.
14 Q. It is also undeniable that Dr. Anderson never left
15 the University of Michigan; you agree with that,
16 correct?
17 A. I now -- that has been pointed out to me in the
18 recent past, but I didn't know that for 40 years.
19 Q. I understand that.
20 So given that, isn't the only possibility
21 is that your decision to fire him was overruled by
22 one of your superiors?
23 MS. PARKER: Objection. Calls for
24 speculation. Asked and answered. It's
25 argumentative at this point.

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1 THE WITNESS: These are very, very, very
2 significant things in my life. I'm sure that you
3 can remember some things from a long, long time ago
4 that you can't put into a context, but you remember
5 an event. I don't know if I make myself clear, but
6 there's significant events in my life that I
7 remember, but I don't remember context or the day
8 or the year even, but I remember the event. I'm
9 sure you've had that and I'm sure that occurs in
10 your life, too.
11 BY MR. MULVIHILL:
12 Q. So it was a significant event for you to fire
13 Dr. Anderson, but at that point your memory sort of
14 fades as to whether you even ever saw him again for
15 the next ten years that you remained on campus,
16 correct?
17 A. Yeah, I don't -- yes, I don't have any memory of
18 it.
19 Q. Is -- do you feel guilty at all about what happened
20 to the students after you fired Dr. Anderson?
21 MS. PARKER: Objection. Improper
22 question. Argumentative.
23 THE WITNESS: My feelings about the
24 students -- I can't answer that because it was so
25 long ago. I remember being offended that someone

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1 would take advantage of vulnerable students; that's
2 what I remember.
3 BY MR. MULVIHILL:
4 Q. And you were doing your best to try to protect
5 those students?
6 A. That was my thought.
7 MR. MULVIHILL: Okay. Thank you,
8 Mr. Easthope. I appreciate your time and patience.
9 I don't have any other questions.
10 THE WITNESS: Thank you, Mr. Mulvihill,
11 for putting up with me.
12 MS. PARKER: I have a question, Dennis.
13 You showed Exhibit 20. We need -- what is that?
14 We need to get that.
15 MR. MULVIHILL: Yeah. It should be on
16 the URL, but we can certainly get it to you. It's
17 January 7, 1981, the secrecy agreement involving
18 Anderson, Moree and Toy.
19 THE WITNESS: Wow. That's interesting.
20 Who are those people? Okay.
21 MS. BELVEAL: No.
22 MS. PARKER: Thank you.
23 MS. BELVEAL: And I'm sorry, who is
24 questioning next? I'm just wondering if now is a
25 good time for a break.

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1 turn now to ask you some questions, all right?
2 THE WITNESS: Sure.
3 EXAMINATION
4 BY MS. PARKER:
5 Q. Okay. Now Mr. Easthope, you and I have never met
6 before right now, correct?
7 A. That's absolutely correct.
8 Q. And we've never spoken on the telephone?
9 A. Nope.
10 Q. And my law firm's name is Jones Day. Now you've
11 never talked to any lawyers from Jones Day,
12 correct?
13 A. That is absolutely correct.
14 Q. All right. Now you've done a really good job of
15 telling us when you could not remember something
16 versus when you have a specific memory, and so I
17 have some questions I need to ask you and I'm going
18 to ask you the same kind of ground rules. I'm not
19 asking you to speculate; I just want to ask you
20 about what you specifically remember, okay?
21 A. Okay.
22 Q. All right. So I want to start by asking you a few
23 background questions. Now do I have this right,
24 you were born in Michigan in 1933?
25 A. That's correct. Detroit.

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1 MR. MULVIHILL: We can take a break.
2 MS. BELVEAL: Who will be questioning
3 next?
4 MR. MULVIHILL: I think Stephanie,
5 right?
6 MS. PARKER: Okay.
7 MS. BELVEAL: Let's take -- a ten-minute
8 break, okay?
9 MR. SHEA: How are we for time?
10 VIDEOGRAPHER: Can I go ahead and go off
11 the record?
12 MR. MULVIHILL: Yes.
13 VIDEOGRAPHER: We're now going off the
14 record at 11:14 a.m.
15 (Whereupon a break was taken
16 from 11:14 a.m. to 11:27 a.m.)
17 VIDEOGRAPHER: We are now back on the
18 record at 11:27.
19 MS. PARKER: Good morning, Mr. Easthope.
20 THE WITNESS: Good morning.
21 MS. PARKER: Good morning. My name
22 Stephanie Parker.
23 THE WITNESS: Hello, Stephanie.
24 MS. PARKER: Hello. I represent the
25 university and the Board of Regents and it's my

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1 Q. And so as of today, you're 87 years old?
2 A. As of June 1st.
3 Q. Okay. Congratulations for that.
4 A. Thank you.
5 Q. And you started working at the University of
6 Michigan in 1970?
7 A. I believe that's true, yes.
8 Q. Now when you started working at the university in
9 1970, Dr. Anderson was already at the university;
10 is that correct?
11 A. I believe that probably is, although I can't
12 absolutely testify to that. I didn't know who was
13 working at the university at that point when I
14 first started because my scope of my business
15 wasn't making sure I knew who everybody was.
16 Q. But you're not the person who hired Dr. Anderson,
17 though, correct?
18 A. That's correct.
19 Q. Okay. Now when you started, your title was
20 assistant to the vice president; do I have that
21 right?
22 A. That's correct.
23 Q. Okay. And then you were promoted to assistant vice
24 president for Student Services, correct?
25 A. That's correct.

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1 Q. And that promotion happened in 1972?
2 A. If you say so. You know, those dates are a
3 little -- I didn't keep track of.
4 Q. All right. Does it sound about right?
5 A. Yeah, it does sound about right.
6 Q. Okay. And then your boss was Henry Johnson; do I
7 have that right?
8 A. Yeah, Bob Knauss had just left and Henry was
9 appointed vice president and he asked me to stay on
10 and I stayed on.
11 Q. And his title was -- Mr. Johnson's title was vice
12 president for Student Services, correct?
13 A. Yes.
14 Q. And so if you'll tell us, what was your job
15 description as the assistant vice president for
16 Student Services?
17 A. Mostly budgetary, managerial duties to prepare the
18 budget, to make sure that we were within budget, to
19 take on new tasks that came up. That's about it.
20 Q. Okay. Would you describe your job as hectic or
21 busy?
22 MS. MARTIN: Objection.
23 THE WITNESS: Pardon? Say that again.
24 BY MS. PARKER:
25 Q. Would you describe your job as hectic or busy?

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1 conferences with the students. And it's funny, but
2 I have a memory that I offered them pizza and they
3 left. They were -- you know, there were all kinds
4 of things.
5 We started -- the regents gave us the
6 Michigan Union during that period of time and that
7 took an awful lot of my time arranging to have it
8 updated, hiring staff, that kind of stuff, so it
9 was a busy period of my life, I must say, in
10 addition to having six kids at home.
11 Q. Now you worked at University of Michigan until
12 1987; do I have that date correct?
13 A. What? I'm sorry.
14 Q. You worked there at the university until 1987; is
15 that correct?
16 A. Well, that -- if you have that. I would have
17 thought it was '88, but...
18 Q. Okay. So it's been over 30 years since you were at
19 the university; is that correct?
20 A. Yes.
21 Q. And after you left, whether it was in '87 or '88,
22 after you left the university, is it fair to say
23 that you did not keep up with Dr. Anderson or
24 Dr. Anderson's relationship with the university?
25 MS. MARTIN: Objection. Vague.

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1 A. I was pretty busy.
2 Q. All right. And did you have a lot of paperwork in
3 your job?
4 A. My memory of it is that it came in kind of bunches
5 and there wouldn't be any, depending upon what kind
6 of effort I was involved in at the moment.
7 Q. Now when you were asked questions last week, you
8 talked about protests by students, and I believe
9 you said student disruption while you were there.
10 Can you tell us a little bit about that?
11 A. Well, remember I'm going back a long, long time,
12 but some of it sticks out in my mind. The federal
13 government -- I think it was the CIA -- was having
14 interviews on campus at Career Planning and
15 Placement, and that engendered a large group of
16 students who were protesting their visit there and
17 they went up and tried to disrupt the office of
18 Career Planning and Placement. I, along with some
19 of the local sheriffs and police, did our best to
20 quell that. That's one.
21 The other one was there was a Hispanic
22 student organization -- I can't remember the name
23 of it now. They sat in on Fleming's office and
24 Robert asked me if I could come over and see what I
25 could do, and so I went over, and we had some

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1 THE WITNESS: That's correct.
2 BY MS. PARKER:
3 Q. And are you aware that Dr. Anderson passed away in
4 2008?
5 A. Somebody -- you know, I wasn't, and I just --
6 somebody showed me -- I don't know if it was during
7 this thing -- the obituary. I'm sorry, for
8 whatever reason, I didn't see it, and I -- that's
9 all I can tell you. I saw it when this case
10 started up because somebody published it, but I
11 don't know how I missed that, frankly.
12 Q. But you know today that Dr. Anderson has passed
13 away, correct?
14 A. Today?
15 Q. Yeah. You know that today; you know he's not
16 alive?
17 A. Yes, I -- yes, I know that.
18 Q. Now I would like to ask you about your wife, Donna
19 Winkelman. And you told us last week that she
20 worked at the University of Michigan; is that
21 correct?
22 A. Yes, she did, but I think I misspoke there. I
23 conflated what she did when she left the university
24 with what she did at the university. When she was
25 at the university, she was in Career Planning and

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1 Placement, and she did -- she was helping -- I
2 don't want to be quoted on this, but I think she
3 was dealing with graduate students who were looking
4 for careers, so she was a career counselor there.
5 She subsequently left the university -- I
6 can't remember exactly when -- but she went to work
7 at a company and she became an HR specialist, and I
8 believe she did that for the next 20 years.
9 Q. And Ms. Winkelman is also a graduate of the
10 University of Michigan; is that correct?
11 A. That's my understanding.
12 Q. Yes. She has a bachelor's degree from the
13 University of Michigan?
14 A. I think that's probably -- yes, yeah, I think she's
15 mentioned that.
16 Q. Now while you were working at the university, would
17 it be correct to say that you cared about the
18 students who were there?
19 MS. MARTIN: Objection. Leading.
20 THE WITNESS: I sure did.
21 BY MS. PARKER:
22 Q. And at the time you were working at the university,
23 would it be fair to say that you wanted the
24 university to be a safe place?
25 MS. MARTIN: Objection.

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1 Health?
2 A. Yes, she's an industrial toxicologist.
3 Q. Now -- and then another daughter, Mary, currently
4 is director of Wolverine Wellness at the University
5 Health Services; is that correct?
6 A. Mary Jo, yeah.
7 Q. Mary Jo. Okay. And she currently works at the
8 university as the director of Wolverine Wellness?
9 A. That's my understanding.
10 Q. Okay. And were you pleased that your children went
11 to the University of Michigan?
12 MS. MARTIN: Objection. Leading.
13 THE WITNESS: Of course I was pleased
14 that they went to the University of Michigan.
15 BY MS. PARKER:
16 Q. Were you concerned about your children not being
17 safe by going to the University of Michigan?
18 MS. MARTIN: Objection. Leading.
19 THE WITNESS: No, that -- I don't think
20 I -- I guess I never thought about it that way,
21 their safety or not. I didn't -- that wasn't an
22 issue as far as I was concerned for them.
23 BY MS. PARKER:
24 Q. So I want to go back in time at the University of
25 Michigan while you worked there, okay?

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1 THE WITNESS: Of course, yes.
2 BY MS. PARKER:
3 Q. And now do I understand correctly, your children
4 also went to the University of Michigan for school?
5 A. Well, three of them did and three of them went
6 other places.
7 Q. Okay. So let me see if I've got this right. You
8 have a son named Thomas who graduated from the
9 University of Michigan while you were still working
10 there, correct?
11 A. That is correct.
12 Q. Okay. And he got a bachelor's degree in economics?
13 A. Yes.
14 Q. Okay. And then you have a son named Joseph who
15 also graduated from the University of Michigan,
16 right?
17 A. Yes, yes.
18 Q. Okay. And your son Joseph works there now as a
19 business systems analyst; is that correct?
20 A. I don't know his exact title, but that sounds
21 correct.
22 Q. Okay. And then your daughter Tracy also went to
23 the University of Michigan?
24 A. Picked up a couple degrees, I think.
25 Q. Okay. She got a master's from the School of Public

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1 A. Good.
2 Q. All right. So while you were working at the
3 University of Michigan, did students come to you in
4 Student Services with a variety of issues?
5 MS. MARTIN: Objection.
6 THE WITNESS: Yes.
7 BY MS. PARKER:
8 Q. And did students ask you, you know, in Student
9 Services for help if they were having problems?
10 MS. MARTIN: Objection.
11 THE WITNESS: If you don't mind, I would
12 like to explain that.
13 MS. PARKER: Please.
14 THE WITNESS: My interactions were mostly
15 with student leaders, the student government people
16 and the university activities center people. They
17 were mostly related to their functions in their
18 positions, and so, you know, they would come and
19 sit in my office and want to know da, da, da, and
20 that's about what I can tell you. Most of my
21 interactions were student -- in the student
22 leadership category at the university.
23 BY MS. PARKER:
24 Q. So is this correct, then, that student leaders
25 would come to you if they had issues or problems

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1 and talk to you about that?
2 A. That's pushing you a little --
3 THE REPORTER: Annika, we're not hearing
4 you.
5 (Technical interruption.)
6 ((Discussion off the written record.)
7 MS. PARKER: I can start again. Let's
8 start the question over, okay?
9 BY MS. PARKER:
10 Q. So did student leaders come to you and meet with
11 you in your position there at the university in
12 Student Services?
13 MS. MARTIN: Objection.
14 THE WITNESS: Yeah, my office was open to
15 the student leaders and they knew it and each new
16 student government people would introduce
17 themselves and the new university activities center
18 people would introduce themselves, yeah, that's --
19 you know, as to the specifics of what went on, I
20 can't remember that.
21 BY MS. PARKER:
22 Q. And what kind of things did Student Services do
23 back when you worked there to make sure that
24 students had a safe environment at the university?
25 A. I thought we had staffed the offices with people

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1 THE WITNESS: I don't remember a written
2 rule at that moment in time, but there could have
3 been one, but it certainly was against, you know,
4 common decency.
5 BY MS. PARKER:
6 Q. Right. And sexual abuse was not permitted at the
7 University of Michigan, correct?
8 MS. MARTIN: Objection. Assumes facts
9 not in evidence.
10 THE WITNESS: Correct.
11 BY MS. PARKER:
12 Q. And sexual abuse is not something that you would
13 have condoned, correct?
14 A. That's correct.
15 Q. Okay. And that applies to all of the doctors who
16 worked at the University of Michigan?
17 A. Well, I can't speak for them --
18 MS. MARTIN: Speculation.
19 THE WITNESS: -- but one would expect
20 that.
21 BY MS. PARKER:
22 Q. And if Dr. Anderson had sexually harassed students,
23 that would also have been against school policy,
24 correct?
25 A. Oh, yes.

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1 who were concerned about student wellness and
2 student participation, and that was our function to
3 service the students, what their needs were that
4 were not absolutely academic.
5 Q. How many employees did you have in Student Services
6 when you were in charge of that group?
7 A. A guesstimate -- I think you could find out the
8 exact number -- but it was somewhere around 15 or
9 1,600 employees.
10 Q. And did all 15 or 16 [sic] of the employees have
11 the same goal of making sure the students had a
12 productive, healthy, safe environment in which to
13 study?
14 MR. MULVIHILL: Objection. Speculation.
15 THE WITNESS: I would like to think that
16 they did, but that's a tough question and I don't
17 know what was in the hearts and minds of all of
18 them.
19 (Technical interruption.)
20 ((Discussion off the written record.)
21 BY MS. PARKER:
22 Q. Now if Dr. Anderson had sexually abused students,
23 that would have been against the school rules,
24 correct?
25 MS. MARTIN: Objection to form.

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1 MS. MARTIN: Assumes facts not in
2 evidence. Speculation.
3 BY MS. PARKER:
4 Q. Now when you were asked questions last week, you
5 said that there was a sexual harassment policy at
6 the University of Michigan and I want to ask you
7 about that. Do you remember that the policy was
8 that no member of the university community may
9 sexually harass another? Does that sound about
10 right to you?
11 MS. MARTIN: Objection. Mischaracterizes
12 prior testimony.
13 THE WITNESS: You know, my memory of that
14 is almost negative. I don't want to comment on it
15 because I don't remember.
16 MS. PARKER: Well, do you remember --
17 THE WITNESS: I would tell you if I -- if
18 I had a memory of that, I would tell you; I just
19 don't have a memory of that.
20 BY MS. PARKER:
21 Q. Well, do you recall this, that the university's
22 policy against sexual abuse and sexual harassment
23 applied to all employees of the university?
24 MS. MARTIN: Objection. Leading.
25 Assumes facts not in evidence.

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1 THE WITNESS: I'm sure that it did, but,
2 you know, I can't -- was that a written? Do you
3 have something that says that was a written policy?
4 BY MS. PARKER:
5 Q. Well, I'm just asking you what you recall and my
6 question -- if I can go back.
7 Here's my question: You said you
8 remembered that there was a policy, okay? My
9 question is, do you recall one way or another that
10 the policy applied to all employees at the
11 university?
12 A. I don't have any memory of that, so I can't answer
13 that.
14 Q. Okay. Now in terms of putting on training about
15 sexual harassment, sexual abuse policies, was human
16 resources the group that would have done that?
17 A. You mean university human resources?
18 Q. Yes, sir.
19 A. You know, I don't know how that broke down. It
20 just -- I don't have any knowledge or remembrance
21 of who was assigned what on that. I'm sorry, I
22 just can't answer that.
23 Q. That's fine.
24 Do you remember that there were trainings
25 that were put on, you just don't remember who did

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1 male students were welcomed in the university
2 community, correct?
3 A. I'm sure that was included in his job description.
4 I can't testify absolutely to the words, but he was
5 going to be an advocate for gay students.
6 Q. Okay. Would you describe the University of
7 Michigan as being ahead of its time by having that
8 type of advocacy position for gay males?
9 A. That's an interesting question. I never -- I guess
10 I never thought of it from whether we were ahead or
11 behind or something like that. It just seemed at
12 the time that there was a necessary thing because
13 as you will recall, the gay movement was just in
14 its infancy then and I think that somebody thought
15 that that was an important thing to make sure that
16 we were covered.
17 Q. And you personally supported Jim Toy in his role
18 and tried to help him do his job?
19 A. I do, I did, I still do.
20 Q. And your decision to fire Dr. Anderson was based on
21 your conversation with Jim Toy; is that correct?
22 A. That is correct.
23 Q. Okay. And Jim Toy was the first person who ever
24 told you anything about Dr. Anderson abusing
25 people; is that correct?

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1 it?
2 A. I don't remember that at all, honest to --
3 Q. Do you remember the University of Michigan had a
4 task force on sexual harassment?
5 A. When?
6 Q. 1980.
7 A. I have no remembrance of that at all. 1980?
8 Q. I'm sorry?
9 A. I'm just going with my mind. In 1980, I don't have
10 any remembrance of that.
11 Q. Okay. Now do I have this right, that Community
12 Services was one of the departments within Student
13 Services?
14 A. That's correct.
15 Q. Okay. And Community Services had a number of
16 people who helped different populations within the
17 student group; is that right?
18 A. That's correct.
19 Q. Okay. And Jim Toy worked in Community Services?
20 A. Yes.
21 Q. Okay. And I believe I have this right, but let me
22 ask you. Jim Toy's position was to be an advocate
23 for gay males on campus?
24 A. That's what we called him, the gay advocate.
25 Q. And his -- Jim Toy's role was to make sure that gay

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1 A. To my memory, that is correct.
2 Q. Okay. And as I understand it, to your memory, what
3 Jim Toy told you about Dr. Anderson was that
4 Dr. Anderson was fooling around with boys; is that
5 right?
6 A. Yeah, I interpreted that --
7 MR. MULVIHILL: Objection.
8 THE WITNESS: -- that he was abusing a
9 very vulnerable population that didn't have a
10 voice, couldn't come out and have a voice. That is
11 what particularly bothered me.
12 BY MS. PARKER:
13 Q. And I believe you said that it really just tore you
14 up that Dr. Anderson would be abusing a vulnerable
15 population of gay males?
16 A. Of course. It really did. Somebody with a trust,
17 you know, violated -- that really angered me.
18 Q. Now when Jim Toy came to you and told you about
19 Dr. Anderson, he only talked to you about
20 Dr. Anderson's abuse of gay male students, correct?
21 A. That is correct.
22 Q. Okay. And Jim Toy did not tell you about
23 Dr. Anderson abusing any other groups of students,
24 correct?
25 A. Not to my knowledge, no; I don't think he said a

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1 word about anything else.
2 Q. Okay. Jim Toy did not talk to you about whether
3 Dr. Anderson had abused any females; is that
4 correct?
5 A. No, I think I've said what Jim Toy said to me,
6 and --
7 Q. Right.
8 A. -- I don't think he mentioned women at all, but he
9 just talked about gay students, so I don't know
10 whether there were women involved or not. My
11 suspicion is that it was gay males.
12 Q. Okay. And what you knew back at that point in time
13 from Jim Toy -- I'm sorry. Let me strike that.
14 Let me start over, okay?
15 What you knew at that point in time about
16 Dr. Anderson abusing students was based entirely on
17 what Jim Toy told you; is that correct?
18 A. Yes, that's correct.
19 Q. Okay. Now as I understand it, this conversation
20 that you had with Jim Toy about Dr. Anderson took
21 place about 40 years ago; is that right?
22 A. Yeah, you probably recall better than I. I think
23 so.
24 Q. Okay. And would it be fair to say that you don't
25 remember all of the specifics of your conversation

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1 students Dr. Anderson had abused, correct?
2 A. That's correct.
3 Q. Okay. And you trusted Jim Toy, you trusted what he
4 told you about Dr. Anderson, correct?
5 A. Completely.
6 Q. And you did not speak directly with any of the
7 students that Jim Toy told you about, correct?
8 A. To the best of my knowledge, I don't remember.
9 Q. Okay. And I believe you said you didn't talk to
10 the students because Jim Toy told you they wanted
11 to stay anonymous?
12 A. That's not true.
13 Q. Okay. Why did you not talk to the students?
14 A. That's a tough question, to ask me that. I don't
15 know exactly and I would have to speculate on why
16 and I don't want to speculate about that. I don't
17 remember.
18 Q. Let me see if I can refresh your recollection from
19 your deposition last week.
20 A. Okay.
21 Q. You were asked some questions, and you said, "In
22 retrospect, maybe I should have, but at the time,
23 it was an embarrassment to me, it was an
24 embarrassment to the abused students."
25 Does that refresh your recollection as to

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1 with Jim Toy about Dr. Anderson since it was 40
2 years ago?
3 A. That's probably true. You know, the significant
4 thing I remember; whether there was anything else,
5 you know, got lost in my memory somewhere.
6 Q. Okay. Let me ask you some follow-up questions
7 then.
8 A. Okay.
9 Q. Did Jim Toy give you the names of the students who
10 told him about Dr. Anderson?
11 A. He did not.
12 Q. Okay. Did Jim Toy give you a number to describe
13 the number of students that he understood
14 Dr. Anderson had abused?
15 A. No, but when he said "boys," I assumed that it was
16 more than one and probably multiple.
17 Q. Okay. Well, just in terms of what you actually
18 remember about what Jim Toy told you, in terms of
19 the number of students that Jim Toy was telling you
20 Dr. Anderson had abused, am I correct, he did not
21 give you a number, he just used the word "boys,"
22 plural?
23 A. That is correct.
24 Q. Okay. Now when you fired Dr. Anderson, at that
25 point in time you still did not know how many

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1 why you didn't talk to the students?
2 A. No, but I have a bad habit of speculating about
3 things that I have no business speculating on.
4 Q. Well, is it correct that none of the students who
5 were abused, none of the gay males who were abused,
6 came directly to you; instead, Jim Toy is the one
7 who came to you on their behalf?
8 MS. MARTIN: Objection.
9 THE WITNESS: That is correct.
10 BY MS. PARKER:
11 Q. And at no point in time has any student come to you
12 and told you why they personally did not report
13 abuse by Dr. Anderson; is that correct?
14 MS. MARTIN: Objection.
15 THE WITNESS: That's correct. I have no
16 memory of a student coming to me in that regard.
17 BY MS. PARKER:
18 Q. Now after you had this conversation when Jim Toy
19 came to talk to you about Dr. Anderson, about how
20 long was it that you waited before you actually
21 went to see Dr. Anderson and you fired him?
22 A. That would require speculation on my part. I can't
23 remember. If I had to guess, it would be very
24 soon, but I can't tell you that it was the next day
25 or -- that just is not part of my memory.

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1 Q. And looking at the interview notes when you were
2 interviewed by Detective West, as I understand it,
3 you told Dr. Anderson, you told him, you told
4 Dr. Anderson, and I'm going to use your words, that
5 you were "not gonna put up with that shit." Do you
6 remember that?
7 A. Yeah, and I also remember -- those were very
8 significant words at that time in my life, and I
9 was talking to somebody who was a doctor, and I was
10 stunned that, you know, a person that we relied on
11 would do what he did. That really -- that's the
12 significant memory I have.
13 Q. And you also have a significant memory that you
14 fired Dr. Anderson?
15 A. Yes, ma'am.
16 Q. Okay. And I believe -- again, I'm going to try to
17 use your words here -- you told him to, "Get outta
18 here," is that right?
19 A. Well, I don't know if the phraseology is important
20 to you, I think I said, "Hey, man, you're outta
21 here."
22 Q. Okay. "Hey, man, you're outta here," is that
23 right?
24 A. I can't be precise with the words, that was a long
25 time ago, but I did tell him, "You're outta here."

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1 A. I have no recollection of that. I'm not saying it
2 didn't happen; I just don't have any recollection
3 of that.
4 Q. Well, do you think any of your employees would have
5 thought Dr. Anderson's abuse was all right?
6 A. Oh, no, I don't -- I don't think that for one
7 second.
8 Q. Now after you went to see Dr. Anderson and you
9 confronted him, was it your belief that he was
10 going to leave the university?
11 A. That was my belief, yes.
12 Q. Okay. And did you actually see him leave?
13 A. You mean physically?
14 Q. Right.
15 A. No. Are you familiar with the geography of the
16 Health Service versus where the Michigan Union was?
17 Q. No.
18 A. We were across campus and Health Service is a big
19 building right by the dent school, so the question
20 I don't understand. I mean, my office was across
21 campus.
22 Q. So let me see if I've got this right. Student
23 Services was in the Michigan Union building?
24 A. Yes, ma'am.
25 Q. And Health Services was in a -- where Dr. Anderson

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1 Q. So did you have any tolerance at all for
2 Dr. Anderson's abusing the gay male students as
3 reported to you by Jim Toy?
4 A. Could you repeat the first part of that?
5 Q. Sure.
6 So I'm asking you about Dr. Anderson's
7 abuse of the gay male students that was reported to
8 you by Jim Toy. My question is, did you have any
9 tolerance for Dr. Anderson's abuse?
10 A. No, ma'am.
11 Q. And when you were asked questions in your
12 deposition last week, you said that when Jim Toy
13 told you about Dr. Anderson, the phrase you used
14 was, "That doesn't go here at the University of
15 Michigan." What do you mean by that?
16 A. The University of Michigan would not condone that
17 kind of behavior. As a university, I believe I
18 stated that -- I state that today. That kind of
19 behavior is not acceptable at the University of
20 Michigan. It wasn't when I was there and I believe
21 that today.
22 Q. Did any of your fellow employees or any of your
23 supervisors at any point in time ever tell you that
24 they thought Dr. Anderson's inappropriate behavior
25 was okay?

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1 was in a different building?
2 A. Health Services building. It's still there, right
3 next to the dent school.
4 Q. And the athletic department was in still a
5 different building as well?
6 A. Yeah, that took over the southern part of Ann
7 Arbor.
8 Q. Okay. So Dr. Anderson's office was not in the same
9 building as your office, correct?
10 A. That is correct.
11 Q. Now you told us last week that you walked -- when
12 you went to fire Dr. Anderson, you walked from your
13 office over to his office; do you remember that?
14 A. Yes, that's one of the things I do remember.
15 Q. Okay.
16 A. I don't know the significance of it, but I do
17 remember that.
18 Q. Okay. And so on that walk from your office over to
19 Dr. Anderson's office, is that a busy area where
20 students and faculty and everybody walked? Is that
21 like a public area?
22 A. Yeah. Are you familiar with the university?
23 Q. I'm not familiar with that area.
24 A. Well, there's a place in the middle of the
25 university called the diag. I walked across the

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1 diag. Now that's a lounging place, it's where
2 students are gathered, there was the big steps of
3 the library there -- the undergraduate library is
4 there -- and you would always see, you know, a lot
5 of students hanging around there because that was a
6 meeting place in the middle of campus between
7 classes and things like that.
8 Q. All right.
9 A. Does that help you?
10 Q. I'm sorry?
11 A. I said does that help you?
12 Q. Thank you.
13 So at the time that you fired
14 Dr. Anderson, would it be accurate to say that
15 there were thousands of employees at the University
16 of Michigan?
17 A. Thousands of employees at --
18 Q. Yes, sir.
19 A. I would -- yes, I think you could -- I think I
20 could agree to that, sure. It's a big university.
21 MS. PARKER: So I have a question, if I
22 could, for you and your lawyers. I've got that
23 it's 12:06. Is this a good -- I'm about to get
24 into a new category. Is this a good place to take
25 lunch or would you like for me to go forward and

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1 Q. Okay. Now a little over a year ago, actually back
2 in 2018, do you remember that -- 2018. Do you
3 remember that Detective West came to visit you?
4 A. I remember a detective came to visit me, yes.
5 Q. Okay. And do you remember that that was Detective
6 West?
7 A. I believe it has been pointed that out to me. You
8 know, would I have kept his name in my bank of
9 memory? I'm not sure, but subsequently I have
10 learned that that was Detective West.
11 Q. And when the detective came to visit you there in
12 2018, he told you that Dr. Anderson had actually
13 continued working at the university after you had
14 confronted him. Do you remember Detective West
15 telling you that?
16 A. I do indeed.
17 Q. Okay. And when Detective West told you that
18 information, that was the first time that you had
19 heard that Dr. Anderson had still been at the
20 university after you fired him; is that right?
21 A. That is absolutely true.
22 Q. Okay. And it upset you when you found out from
23 Detective West that Dr. Anderson had continued
24 working at the school; is that right?
25 A. It certainly did.

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1 take a lunch break a little while afterwards or
2 what is your preference?
3 THE WITNESS: How much time does she
4 have? How much time do you need?
5 MS. BELVEAL: Stephanie, he's asking how
6 much longer you think you have in questioning.
7 MS. PARKER: I have awhile. I have over
8 an hour.
9 MS. BELVEAL: That's what I thought.
10 Let's go ahead and take a lunch break now.
11 THE WITNESS: Okay.
12 MS. PARKER: Okay. All right. Thank
13 you.
14 VIDEOGRAPHER: We are now going off the
15 record at 12:07 p.m.
16 (Whereupon a break was taken
17 from 12:07 p.m. to 12:35 p.m.)
18 VIDEOGRAPHER: We are now back on the
19 record at 12:35 p.m.
20 BY MS. PARKER:
21 Q. Mr. Easthope, I have some additional questions now
22 after the break.
23 A. Okay.
24 Q. You ready?
25 A. I'm as ready as I'm going to be.

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1 Q. And Detective West said in his report that you were
2 visibly shaken when he gave you that information;
3 do you remember that?
4 A. I do.
5 Q. Is that -- is that an accurate description of how
6 you reacted when Detective West told you that
7 Dr. Anderson had continued working at the
8 university?
9 A. That was a stunning revelation and it really
10 affected me a great deal. You know, even though it
11 happened so long ago, it just -- I don't know how I
12 missed it.
13 Q. Now when you were at the university, the Student
14 Services department where you worked was separate
15 from the athletic department, correct?
16 A. Oh, yes.
17 Q. And so your work and your authority was within the
18 Student Services department; is that correct?
19 A. That is correct.
20 Q. Okay. And you did not have authority over the
21 separate athletic department, right?
22 A. No, I did not.
23 Q. Okay. And so in terms of hiring and firing within
24 the athletic department, would it be correct to say
25 that you did not have any authority with respect to

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1 those issues?
2 A. That would be correct.
3 Q. All right. Did you have any role in moving
4 Dr. Anderson to the athletic department?
5 A. No.
6 Q. Okay. And did you even know that he was in the
7 athletic department until Detective West told you
8 that information a little over a year ago?
9 A. That's my remembrance, yeah. You know, after I
10 left the university, I wasn't close to what was
11 going on in the university, and then I went off to
12 the Peace Corps and I was gone out of the country,
13 so the local news didn't -- I didn't keep up with
14 the local news at all.
15 Q. And so you were -- I'm sorry, I didn't mean to
16 interrupt.
17 A. I'm sorry, too. Go ahead.
18 Q. So you were in Student Services and Henry Johnson
19 was also in Student Services, correct?
20 A. Yes.
21 Q. All right. Henry Johnson was also not in the
22 athletic department, correct?
23 A. That is correct.
24 Q. And did Henry Johnson have any authority to hire
25 and fire within the athletic department?

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1 about it, please.
2 THE WITNESS: Okay.
3 MS. PARKER: All right. Can you see
4 that, Mr. Easthope?
5 THE WITNESS: Yep, I can see it.
6 MR. SHEA: Let me just object. Is there
7 a Bates number to this?
8 MS. PARKER: I thought I said it. 795.
9 MR. SHEA: Thank you.
10 MS. PARKER: Got it?
11 MR. SHEA: Yes.
12 BY MS. PARKER:
13 Q. All right. So Mr. Easthope, you were shown this
14 memo last week and you understand this is a memo
15 that is not from you, correct?
16 A. Not from what?
17 Q. This memo was not written by you, correct?
18 A. It wasn't written by me at all. It was -- the
19 thing down in the corner is Henry Johnson and Doris
20 Goodwin. That was his secretary.
21 Q. Okay. So it says up at the top that this is a memo
22 from Henry Johnson, vice president for Student
23 Services; do you see that?
24 A. Yep.
25 Q. Okay. Now I believe that you testified last week

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1 A. No, I -- no, he didn't have any authority to hire
2 and fire anybody in the athletic department.
3 Q. Okay. And you were asked last week some questions
4 about the relationship between Dr. Anderson and the
5 athletic department, so I want to follow up on
6 that, okay?
7 A. Sure.
8 Q. So I'm asking now about Dr. Anderson and the
9 athletic department, okay?
10 A. Whatever.
11 Q. All right. Is it correct that you have no
12 knowledge at all about whether or any type of
13 relationship between Dr. Anderson and the athletic
14 department?
15 A. That's a correct statement.
16 Q. Okay. And so you have never spoken with anyone in
17 the athletic department about Dr. Anderson,
18 correct?
19 A. That's correct.
20 (Marked for identification:
21 Deposition Exhibit No. A.)
22 MS. PARKER: Okay. If we could pull up
23 Defendants' Exhibit A. And it's Bates No. 795.
24 So Mr. Easthope, I have a document we're
25 going to put on the screen and I want to ask you

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1 that within Student Services, Henry Johnson is the
2 person who took the lead on raises and promotions,
3 correct?
4 A. Yeah, that's the job description of the vice
5 president.
6 Q. Okay. And so would it be fair to say that Henry
7 Johnson had more authority than you did when it
8 came to hiring and firing within Student Services?
9 A. I would say that's true.
10 Q. Okay. And that included the Health Services, the
11 Student Health Services portion of Student
12 Services?
13 A. Yes.
14 Q. And this memo that's up on the screen is not
15 addressed to you, correct?
16 A. It doesn't look like it, does it?
17 Q. It says "Health Service" -- it says, "To: Health
18 Service Department Heads," do you see that?
19 A. Yep.
20 Q. Okay.
21 A. I see that.
22 Q. And you don't remember -- I'm sorry.
23 A. I see it.
24 Q. Okay. And you don't remember ever seeing this memo
25 until it was shown to you by the plaintiff lawyers

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1 last week; is that correct?
2 A. That is correct.
3 Q. Okay. And there is nothing at all in this letter
4 about any alleged misconduct or abuse by
5 Dr. Anderson; is that correct?
6 A. That's what I read. I don't see it in the letter.
7 MS. PARKER: Okay. All right. You can
8 take that down. Thank you, Mr. Ellis. Thank you.
9 BY MS. PARKER:
10 Q. Now going back to the point in time when Jim Toy
11 came to you to tell you about Dr. Anderson, your
12 title at that time was assistant vice president of
13 Student Services; is that right?
14 A. Yeah, I don't think I was promoted until --
15 associate until '82 or somewhere around there.
16 I can't remember exactly.
17 Q. Okay. If your employment records showed that you
18 were -- you became the associate vice president in
19 July 1980, would that refresh your recollection?
20 A. That would be -- yeah, you know, I couldn't swear
21 to it one way or the other. That's a long time ago
22 and a lot of water has come under the dam since
23 then, but if that's what is quoted, I guess that's
24 true.
25 Q. Okay. But in any event, at the point in time when

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1 written record about what you said.
2 You said, "I would venture to say -- and
3 that's probably not a good idea, to venture to say
4 something I'm not sure of -- but I'm pretty sure I
5 told Henry." Do you remember that testimony?
6 A. No, but if it's recorded, I probably did say that.
7 Q. Okay. So would you agree that it's probably not a
8 good idea to venture to say something you're not
9 sure of?
10 A. It's probably a great idea.
11 Q. Okay. So I want to see if I can clarify what your
12 actual specific recollection is about Henry
13 Johnson. And I want to ask you again -- I'm not
14 asking you to speculate; I'm asking you only about
15 what you actually remember, okay?
16 So as I understand, at the beginning of
17 your deposition today when you wanted to clarify
18 things, that you said you do actually remember
19 having a discussion with Henry Johnson about
20 Dr. Anderson -- about your firing Dr. Anderson.
21 Now is that right, do you have a specific
22 recollection of that?
23 A. I know I told Henry about Anderson and that is a
24 clear memory. The actual words, they get lost in
25 history, but I know I told him.

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1 Jim Toy talked to you, came to you about
2 Dr. Anderson, you were the assistant vice
3 president, right?
4 A. I believe that to be true.
5 Q. Okay. All right. And Henry Johnson was the vice
6 president of Student Services, correct; that was
7 his title?
8 A. Yes.
9 Q. Now last week in your deposition when you were
10 asked a number of questions, I tried to make notes
11 about some of the comments you made and I want to
12 ask you about those, okay?
13 You said that your memory about the
14 situation with Dr. Anderson was sketchy, and that's
15 the word you used; is that accurate?
16 A. I think that -- yeah, I think that's accurate. I
17 can't remember a lot of detail if that's what
18 you're implying, yes, that's...
19 Q. And you said last week that you couldn't answer
20 some questions about the details about Dr. Anderson
21 because you just didn't remember, but you wish you
22 could. Is that still your testimony?
23 A. Yeah; what I don't remember, I don't remember.
24 Q. Right. And then you were asked one question -- and
25 I'm going to read back exactly what's in the

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1 Q. Okay. And in terms of what you actually
2 specifically remember telling Henry Johnson, am I
3 correct that you just don't remember one way or the
4 other what you told Mr. Johnson about why
5 Dr. Anderson was being fired or what Jim Toy told
6 you about Dr. Anderson; that you don't -- am I
7 correct, you do not have a specific recollection of
8 that part of the conversation?
9 MR. MULVIHILL: Objection.
10 THE WITNESS: Yeah, yeah, you're asking
11 me detail and I can't go there because I don't
12 remember the detail.
13 MS. PARKER: All right. Thank you.
14 So I want to pull up a different document
15 now. And so Mr. Ellis, if you could pull up
16 Defendants' Exhibit C, like cat. And that's Bates
17 No. 127.
18 (Marked for identification:
19 Deposition Exhibit No. C.)
20 BY MS. PARKER:
21 Q. All right. So what's on the screen there is one of
22 the pages from Detective West's report and it's
23 Bates No. 127 for the record.
24 So Mr. Easthope, can you see that?
25 A. Yep.

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1 Q. Okay. So I'm going to represent to you that these
2 are Dr. -- I'm sorry -- these are Detective West's
3 notes about his interview with Henry Johnson.
4 So it says there, if you look at what's in
5 yellow, what's highlighted there, it says, "Johnson
6 did not know of any problems with Dr. Anderson
7 while he was at Health Services. Johnson said that
8 sometimes people at his level are isolated from
9 problems that may occur. He said he did not
10 remember Tom Easthope ever telling him about
11 problems with Dr. Anderson."
12 So is this information -- is Detective
13 West's report there that's on the screen correct in
14 terms of what you can specifically remember about
15 what you did or did not tell Mr. Johnson about why
16 you fired Dr. Anderson?
17 MR. MULVIHILL: Object to form.
18 THE WITNESS: What are you asking me?
19 Can I verify something? Is that what you're asking
20 me?
21 MS. PARKER: Well, yes, sir.
22 BY MS. PARKER:
23 Q. So if you look at what's in yellow there. So
24 Detective West interviewed Mr. Johnson and he wrote
25 up notes about his interview, so that's what's on

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1 all agree to, the document speaks for itself. It
2 doesn't say anything other than that --
3 THE REPORTER: I'm sorry, is this
4 Mr. Shea?
5 MR. FLOOD: No, this is Todd Flood. I
6 don't know where Annika is. She's not on right
7 now, but I'm standing in for that objection.
8 MR. MULVIHILL: Yeah. And this is
9 Dennis. I'm going to object on behalf of Chuck
10 Christian that this is a statement from someone
11 other than the witness, so -- it's a statement from
12 Henry Johnson, not Tom Easthope, so object to the
13 form.
14 BY MS. PARKER:
15 Q. So Mr. Easthope, you understand this is a statement
16 from Mr. Johnson, correct, to Detective West?
17 A. That's what it says. That's what it says.
18 Q. Okay. So I want to ask you if you agree with what
19 Detective West said Mr. Johnson told him that
20 Mr. Johnson didn't know -- I'm sorry?
21 A. I can't verify or deny. I don't know anything
22 about it.
23 Q. Okay. Thank you.
24 Now you did not tell any of your superiors
25 about Dr. -- let me strike that.

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1 the screen, okay?
2 A. I see what's on the screen.
3 Q. All right. And so if you look at the part that's
4 highlighted, Detective West wrote that Henry
5 Johnson told him, Detective West, that he did not
6 know of any problems with Dr. Anderson and he does
7 not remember you, Mr. Easthope, ever telling him
8 about problems with Dr. Anderson.
9 So I just want to make sure that we're all
10 on the same -- we're all kind of singing off the
11 same sheet of music. You ever heard that saying?
12 A. Well, I think so, but that's a long time ago, too.
13 Q. Okay. Well, all right. So I just want to make
14 sure that this is correct, that you do not -- that
15 the information that's on the screen is correct, to
16 the best of your knowledge, in terms of what you
17 actually specifically remember about what you did
18 or did not tell Henry Johnson about why you fired
19 Dr. Anderson.
20 MR. MULVIHILL: Object to form.
21 MR. FLOOD: This is Todd Flood. I have
22 to stand in and object on that. The document
23 speaks for itself, one; two, it's a
24 mischaracterization of what has already been said
25 earlier; and three, it's a statement that we can

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1 Is this correct, you do not have a
2 specific recollection of telling any of your
3 superiors about what Jim Toy told you about
4 Dr. Anderson; is that right?
5 MR. MULVIHILL: Objection.
6 MR. FLOOD: Objection. This is Todd
7 Flood. He's already been through this twice, one;
8 and the second objection is, that's speculation.
9 He said he already gave you the answer and he can't
10 remember.
11 MR. SHEA: And this is Dave Shea. I'll
12 object as well because he started this examination
13 with a correction of the record to say specifically
14 that he told Henry Johnson about Dr. Anderson.
15 MR. FLOOD: I thought she was speaking of
16 Toy. I apologize.
17 MS. PARKER: All right. Mr. Easthope, I
18 bet you forgot my question after all that.
19 THE WITNESS: I bet I did do.
20 BY MS. PARKER:
21 Q. So let me ask you again. Is this correct, that you
22 do not have a specific, firm recollection of
23 telling anyone in the athletic department about
24 what Jim Toy told you about Dr. Anderson abusing
25 gay male students; is that correct?

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1 MR. FLOOD: Objection. Leading. You're
2 leading the witness, Stephanie. It's not your --
3 you're leading the witness.
4 THE WITNESS: I had nothing to do with
5 the athletic department, so that's an easy question
6 to answer. I didn't.
7 MS. PARKER: Thank you. Thank you.
8 BY MS. PARKER:
9 Q. Do you have a specific and firm recollection, not
10 speculating, but do you have a firm, specific
11 recollection that you ever told anyone at the
12 university about what Jim Toy told you about
13 Dr. Anderson abusing gay male students?
14 MR. FLOOD: Again, he started off the
15 deposition today with clarification. You're
16 misleading the facts that have already been put.
17 He said he told, already, Henry in the very
18 beginning.
19 MR. SHEA: And this is Dave Shea. He
20 also said that he told Cy Briefer, so this is asked
21 and answered.
22 MS. PARKER: Mr. Easthope, do you
23 remember my question?
24 THE WITNESS: Well, I don't know if
25 somebody answered it, so why don't we try again.

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1 knocking people off without Henry knowing about it.
2 Q. Okay. Do you specifically remember telling Henry
3 Johnson that or is that just your -- and to use
4 your words -- your modus operandi?
5 MR. SHEA: Objection. This has been
6 asked and answered over and over again. You're
7 just upset that he's not giving you the answer that
8 you want.
9 MR. FLOOD: Same. You're not hearing the
10 answer you want to hear. He's already given the
11 answer at least three or four different times and
12 started off the deposition with it.
13 BY MS. PARKER:
14 Q. Mr. Easthope, here's my question: I want to know
15 if you have a specific -- if you actually have a
16 specific recollection of going in and telling Henry
17 Johnson that you were going to fire Dr. Anderson,
18 or -- and I'm using your words -- is that just your
19 modus operandi that you expected that you would
20 have followed?
21 A. First of all, it wasn't my modus operandi to bring
22 him into any of those kinds of problems that we
23 confronted. Did I talk to him about it? Yes.
24 My specific words in that conversation, I can't
25 recall verbatim because it's been a long time and

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1 MS. PARKER: All right. Because I need
2 to know -- I need to know your answer, right?
3 THE WITNESS: Okay.
4 BY MS. PARKER:
5 Q. So did you -- do you have a specific, firm actual
6 recollection of telling anyone at the university
7 about what Jim Toy told you about Dr. Anderson
8 abusing gay male students?
9 MR. FLOOD: Same objection.
10 THE WITNESS: I think I've already told
11 you that I told Henry Johnson, my recollection.
12 (Technical interruption.)
13 THE WITNESS: What's that noise?
14 MS. PARKER: I don't know what that noise
15 is.
16 BY MS. PARKER:
17 Q. So let me ask this as a followup, okay? So on the
18 one hand, I understand you said you told Henry
19 Johnson that you fired Dr. Anderson, right?
20 A. That -- I didn't tell him I had fired him; my
21 recollection is that I told him that I was gonna
22 fire him, and that would have been --
23 Q. Okay.
24 A. That would have been my modus operandi. He was the
25 vice president, and, you know, I just didn't go off

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1 that's -- that would be ridiculous of me to say I
2 said da, da, da, but I know that I told him.
3 Q. So what you see on the screen, Detective Johnson's
4 [sic] notes about his interview of Mr. Johnson,
5 okay, are you saying that Mr. Johnson is incorrect?
6 MR. FLOOD: That mis --
7 MS. PARKER: Could I finish? I'm sorry,
8 I'm not finished.
9 MR. FLOOD: I apologize.
10 MS. PARKER: Mr. Easthope, I'm going to
11 have to start over because I was interrupted.
12 BY MS. PARKER:
13 Q. So my question is this: Is it your testimony,
14 looking at what's on the screen on the exhibit
15 here, where we have in yellow where it says Henry
16 Johnson does not remember Tom Easthope ever telling
17 him about these problems with Dr. Anderson, is it
18 your testimony that Henry Johnson gave incorrect
19 information to Detective West?
20 A. I --
21 MR. FLOOD: Are you done with your
22 question? I'm sorry, Mr. Easthope. Are you done
23 with the question?
24 MS. PARKER: Yes.
25 MR. FLOOD: I'm objecting because you're

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1 mischaracterizing it. Just because he said he did
2 not remember does not mean it did not happen, so
3 you're leading the witness to try to say something
4 that's contrary to what's in the paper and I'm
5 objecting to that. Foundation and form.
6 MR. SHEA: And I will join in the
7 objection on foundation.
8 BY MS. PARKER:
9 Q. So Mr. Easthope, just to clarify, all I'm asking is
10 if you have a specific recollection and you agree
11 or you disagree with what it says on the screen
12 here that Detective West said Henry Johnson told
13 him.
14 MR. FLOOD: Again, same objection.
15 THE WITNESS: How does one answer that?
16 I don't know what you're asking me.
17 BY MS. PARKER:
18 Q. So do you see there on the screen --
19 A. I see that.
20 Q. Okay. On the screen, the last sentence that's
21 highlighted says, "He" -- and that's Henry Johnson
22 -- "said that he did not remember Tom Easthope ever
23 telling him about problems with Dr. Anderson." Do
24 you see that sentence?
25 A. I see that sentence.

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1 MS. BELVEAL: If you understand the
2 question, you need to answer it.
3 THE WITNESS: The question is kind of
4 alluded to me about -- whatever they ask me, did I
5 remember?
6 MS. PARKER: So I'll start -- I'll just
7 start all over again, okay?
8 BY MS. PARKER:
9 Q. So you see what's on the screen there?
10 A. I do.
11 Q. And you understand that this is a report prepared
12 by Detective West based on his interview of Henry
13 Johnson?
14 A. That's what it says.
15 Q. And so I want to bring your attention to the part
16 that's highlighted in yellow on the screen. And
17 according to Dr. West -- I'm sorry, Detective
18 West -- Mr. Johnson told him -- and I'll just quote
19 it. It says, "He said that he did not remember Tom
20 Easthope ever telling him about problems with
21 Dr. Anderson."
22 So here's my question: Do you have a
23 specific, clear, firm recollection that is
24 different than what Henry Johnson says here on the
25 screen?

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1 Q. Okay. So this is the report that Detective West
2 prepared when he -- after he interviewed Henry
3 Johnson. Do you understand that?
4 A. That's -- if you say so, that's what that looks
5 like.
6 Q. Okay. So my question is, do you have a specific,
7 clear recollection that is different than what
8 Detective West says Henry Johnson told him?
9 MR. FLOOD: Yes. He already answered
10 that question. How many times do we have to go
11 through this? Objection. Form.
12 MR. MULVIHILL: Objection. Foundation.
13 THE WITNESS: My tea is getting cold.
14 MS. PARKER: So Mr. Easthope, do you
15 understand the question that's pending?
16 THE WITNESS: I think I need you to
17 repeat it. There's been some argument and I can't
18 keep track of the argument.
19 MS. PARKER: All you need to do is pay
20 attention to the question, if you will, please,
21 sir. And I'm going to ask the court reporter to
22 read it back.
23 (Whereupon the question was read
24 back by the court reporter.)
25 MR. MULVIHILL: Same objection.

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1 A. Yes.
2 Q. Did you ever put whatever it was you told
3 Mr. Johnson in a written memo?
4 MR. FLOOD: Asked and answered. We've
5 been through this ground before.
6 THE WITNESS: Are you looking for me to
7 answer that?
8 MS. BELVEAL: Yeah, you need to answer
9 unless I instruct you not to answer.
10 MS. PARKER: Yes, sir.
11 THE WITNESS: I can't remember, to be
12 honest with you.
13 BY MS. PARKER:
14 Q. Okay. Let me ask it this way: To your knowledge,
15 sitting here today, do you have a recollection of
16 putting -- of writing a memo to Mr. Johnson about
17 Dr. Anderson?
18 A. I don't have any memory of that at all.
19 Q. Do you have a memory of putting a memo, putting in
20 writing to anyone -- not just to Mr. Johnson, but
21 to anyone -- what Jim Toy told you about
22 Dr. Anderson?
23 A. No, I do not, and I don't want to speculate about
24 that. I just don't have any memory of that.
25 MS. PARKER: Okay. Now last week, do you

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1 remember when the plaintiffs' lawyers were asking
2 you questions, they showed you a bunch of documents
3 and they put it -- by the way, Mr. Ellis, can you
4 take that down? There you go. Thank you.
5 Let me start over.
6 BY MS. PARKER:
7 Q. So Mr. Easthope, you remember at your deposition
8 last week when the plaintiff lawyers were asking
9 you questions, do you remember they showed you a
10 lot of documents and put them up on the screen and
11 then asked you questions about them?
12 A. Yeah, I remember that there were some documents put
13 up on the screen.
14 Q. Okay. Now I believe that your testimony was -- as
15 a matter of fact, I'll just read it to you.
16 Your testimony was, "I just don't have any
17 memory of them, so it would be hard for me to
18 explain, but I have no memory of it. I'm not being
19 funny here, I wish that I could, I just don't have
20 a memory of it."
21 Is that still your testimony today.
22 MR. FLOOD: Object to form and
23 foundation. Stephanie, what documents are you
24 talking about?
25 MR. MULVIHILL: Exactly. Object to form.

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1 recollection of any documents relating to
2 Dr. Anderson?
3 MR. FLOOD: Can we get a timeframe,
4 Stephanie, when you're speaking of? Last week?
5 Does he remember the documents from last week?
6 From 1989, from 1981, from 1970? Do you have a
7 specific timeframe you're asking about?
8 BY MS. PARKER:
9 Q. So Mr. Easthope, during the period of time that you
10 worked for the university, okay, any documents that
11 were created during the time you worked for the
12 university, sitting here today, do you have any
13 specific recollection of any documents, during the
14 period of time you worked for the university, that
15 addressed Dr. Anderson?
16 A. No, I don't remember.
17 Q. Okay. Now is it correct that your secretary
18 handled some of your paperwork?
19 A. Yes, a good deal of it, as a matter of fact.
20 Q. Okay. And would it be fair to say that your
21 secretary would review your mail before you would
22 get it; is that the procedure you would follow?
23 A. Yeah, I believe she did. She worked for me for
24 quite awhile and I trusted her a great deal. She
25 was very bright and knowledgeable of what was going

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1 What specifically are you speaking of?
2 MS. PARKER: The documents that the
3 plaintiff showed you on the screen last week.
4 MR. FLOOD: There were multiple documents
5 on the screen.
6 MR. MULVIHILL: Ridiculous. Same
7 objection.
8 THE WITNESS: Unfortunately, you know,
9 what that gentleman just said, you know, there's
10 been a whole hell of a lot of documents put up on
11 the screen. I can't answer that with surety
12 that -- I can't answer the question you're asking.
13 BY MS. PARKER:
14 Q. Let me ask you more broadly. Do you have any
15 memory, sitting here today, of any documents
16 relating to Dr. Anderson?
17 MR. FLOOD: Object to the form and the
18 possibility of whatever documents you're speaking
19 of.
20 THE WITNESS: I don't -- are you talking
21 about routine documents?
22 MS. PARKER: I'm just asking you about
23 your memory.
24 BY MS. PARKER:
25 Q. Sitting here today, do you have any memory or

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1 on and I had a great deal of trust in her.
2 Q. And what was her name?
3 A. Helen Buchoit (ph).
4 Q. Okay. Did she ever have like a stamp with your
5 signature or would she ever sign your name for you
6 to forms?
7 A. Boy, that's a difficult -- I don't remember one way
8 or the other on that.
9 Q. All right. So sitting here today, do you remember
10 any form that you signed about Dr. Anderson back
11 during the period of time you worked at the
12 university?
13 MR. FLOOD: Asked and answered that
14 question.
15 THE WITNESS: I don't have any
16 recollection of that at all.
17 MS. PARKER: So Mr. Ellis, if you could
18 please pull up Exhibit B, which is Bates Nos. 220
19 and 221.
20 (Marked for identification:
21 Deposition Exhibit No. B.)
22 BY MS. PARKER:
23 Q. All right. Mr. Easthope, do you see that up on the
24 screen there?
25 A. Yeah. Let me read it.

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1 Q. Okay. And if you look at the top right, it says
2 August 28, 1981; do you see that?
3 A. I see that.
4 MS. PARKER: Okay. Let's see. That's
5 the cover memo. If we could go to the next page,
6 please, Mr. Ellis.
7 BY MS. PARKER:
8 Q. All right. Okay. So the page that's on the screen
9 there; do you see that, Mr. Easthope?
10 A. Yeah, I was starting to read it. Do you want me to
11 read the whole --
12 Q. You don't have to read the whole thing. I just
13 want to make sure you can see that it's on the
14 screen.
15 A. Yeah, I see it.
16 Q. Okay. Let's go back to the first page then. All
17 right. So it says there, "Copies of the attached
18 memo will be sent to the following persons and
19 groups." Do you see that?
20 A. I do.
21 Q. And your name is listed there as the fourth little
22 bullet. It says, "Thomas Easthope."
23 A. I see that.
24 Q. Okay. And then if we could go to the next page,
25 that's the attached memo; do you see that?

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1 MS. PARKER: Do you need me to repeat it?
2 Okay.
3 BY MS. PARKER:
4 Q. So if this memo had been sent to your office, to
5 you at your office, would it be fair to say that
6 you received it?
7 MR. FLOOD: Objection. Leading and
8 speculation.
9 THE WITNESS: That's a tough -- I don't
10 know.
11 BY MS. PARKER:
12 Q. Now this memo says that it's dated 1981, okay? In
13 1981, you thought that Dr. Anderson had been fired
14 by you and that he had left the university; is that
15 correct?
16 A. That was -- that was my belief.
17 Q. Okay. And I believe you also said that the first
18 you found out that Dr. Anderson actually never left
19 the university was when Detective West told you
20 about that a little over a year ago?
21 MR. FLOOD: Objection to leading again.
22 MS. PARKER: Is that correct?
23 THE WITNESS: Yeah, that's correct.
24 BY MS. PARKER:
25 Q. Okay. Does that information refresh your

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1 A. Now it's coming up.
2 Q. All right. Okay. Is it correct that you do not
3 remember ever receiving this memo; is that correct?
4 A. That is absolutely correct.
5 Q. Okay. Do you know whether or not this memo was
6 ever sent to your office?
7 A. I have no way of knowing that.
8 Q. Okay. Would it be fair to say if something like
9 this came to your office, it would have come to
10 your attention?
11 A. I would expect --
12 MR. FLOOD: Objection -- I'm sorry, I
13 didn't have the mute off. Objection. Leading.
14 You know, there's been a lot of leeway with leading
15 so far, I mean, but when you get into the substance
16 of certain topics and areas, I think you're going
17 way far of the rule here, so I don't have any
18 problem with foundational issues, but when you're
19 getting into the substance, Stephanie, I would ask
20 that you not lead the witness.
21 MS. PARKER: I object to your speaking
22 objection.
23 So Mr. Easthope, do you remember my
24 question?
25 THE WITNESS: Why don't you --

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1 recollection about whether or not you saw this
2 memo?
3 A. No, ma'am, I'm sorry, it does not.
4 Q. Well, if you had seen this letter back in 1981 that
5 says Dr. Anderson -- that talks about Dr. Anderson,
6 would you have done something about him still being
7 there?
8 A. Well, you're asking me to speculate on what I might
9 have done. I don't know. And I hate to be real
10 forceful in my answer because I wasn't faced with
11 it, so you're asking me to say things that I don't
12 know how I would have reacted.
13 Q. Now did you see Dr. Anderson years later when he
14 was in private practice when you were getting an
15 exam for your pilot's license?
16 A. Yes, I did, as a matter of fact. I can't remember
17 the exact year, but I was flying in the years --
18 probably somewhere around '89 to '94, '95, so it
19 had to be in that time period, but do I remember?
20 No, but it's a part of your licensure, pilot's
21 license, to have physicals to make sure you can
22 still fly an airplane.
23 Q. So you went to renew your pilot's license; is that
24 correct?
25 A. Yeah, that -- the physical part of my renewal of my

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1 pilot's license and you have to --
2 Q. And you did not -- I'm sorry.
3 Is this correct, you didn't know that your
4 doctor was going to be Dr. Easthope [sic] until he
5 walked into the exam room?
6 A. That is absolutely --
7 MR. FLOOD: Dr. Anderson, not
8 Dr. Easthope.
9 MS. PARKER: Did I misspeak? I'm sorry.
10 Let me ask it again if I misspoke.
11 BY MS. PARKER:
12 Q. So when you went to have your exam to get your
13 pilot's license renewed, so when Dr. Anderson
14 walked into the room, is that the first you
15 realized that Dr. Anderson was going to be your
16 doctor that day?
17 A. Yes.
18 Q. Okay. Did you say anything to him about the
19 University of Michigan or what had happened with
20 your firing him?
21 A. I have no recollection of that. I think it was a
22 very terse meeting. I remember the eye part of the
23 exam, which was the part that I was most concerned
24 about because of my age -- I didn't want to lose my
25 lateral vision -- but that's the only memory that I

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1 Dr. Anderson had with him was inappropriate, to put
2 it mildly, correct?
3 MR. FLOOD: Objection. Foundation. It
4 wasn't the conversations that he was worried about,
5 believe me.
6 MS. PARKER: I want to object to the
7 speaking. Can you answer my question, Dr. --
8 Mr. Easthope?
9 MR. FLOOD: I'm sorry, Stephanie, can you
10 just have the question repeated for me, please?
11 THE REPORTER: Do you want me to read it
12 back?
13 MS. PARKER: I can read it.
14 BY MS. PARKER:
15 Q. I want to go back to the document that's on the
16 screen. And this letter that's shown on the screen
17 reflects that Keith Moree understood that the
18 conversation that Dr. Anderson had with him was
19 inappropriate, to put it mildly; is that correct?
20 A. That's what the letter -- that's what the letter
21 says, doesn't it?
22 Q. Okay. He understood -- Keith Moree understood that
23 the conversation that Dr. Anderson had with him was
24 not a normal conversation from a doctor to a
25 patient, correct?

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1 have that I can count on as being a real memory.
2 Q. And is that the first time you saw Dr. Anderson
3 after that day you fired him at the university?
4 A. Yes, ma'am.
5 Q. And he was in private practice then, not at the
6 university when you saw him?
7 A. I don't know what his practice was, but I showed up
8 at this office that I gotten from -- I can't
9 remember who I got it from, but somebody in the
10 aviation business telling me that this is where you
11 go to get your license -- your physical for your
12 license. Did they tell me who the doctor was? No,
13 they just told me to go to this place.
14 Q. But the place where you went where you saw
15 Dr. Anderson, that was not the University of
16 Michigan, correct?
17 A. I don't know who owned the place, but it wasn't, in
18 my recollection, had anything to do with the
19 university. There was nothing on it that
20 identified it as a university facility.
21 Q. Now I want to go back to the document that's on the
22 screen there.
23 A. Okay.
24 Q. And so this letter reflects that Mr. Moree, Keith
25 Moree, understood that the conversation that

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1 A. Well, that's how I read the letter.
2 Q. And if you look at the part that's highlighted in
3 yellow there, Keith Moree said he left "feeling
4 abused." Do you see that?
5 A. Yes, I do.
6 Q. All right. And Mr. Moree described himself in this
7 letter as a "young student," correct?
8 A. Well, I don't see that, but where is it?
9 MS. PARKER: Can you pull that up? It's
10 actually in the West report about him.
11 BY MS. PARKER:
12 Q. Do you know -- do you know, at this point in time,
13 the age of Keith Moree at the time this letter was
14 written?
15 A. I don't even now, no. Why would I know that?
16 Q. Okay. Now from your conversation with Jim Toy when
17 he came to visit you that day, your understanding
18 was that Dr. Anderson had fooled around -- I
19 believe that's your words -- fooled around with the
20 gay male students?
21 A. That wasn't my words, that was Jim Toy's words.
22 Q. I'm sorry? Okay. So Jim Toy --
23 A. That wasn't my words. That was not my words. My
24 words are that he was abusing students, vulnerable
25 students, who had very little way to be able to

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1 report that to authorities.
2 Q. So was it Jim Toy who used the words "fooled
3 around" when he came to you and told you about it?
4 A. Yes, my remembrance of how he brought that subject
5 to me was he was fooling around with boys.
6 Q. Okay. And the students, those gay male students
7 who talked to Jim Toy, they had talked about the
8 situation with Dr. Anderson among themselves and
9 then gone to Jim Toy; is that right?
10 A. I have no idea. I've told you everything I know
11 about that communication. I have nothing to add
12 about who said what to whom other than what Jim Toy
13 told me.
14 MS. PARKER: So let's take a break.
15 Let's take about a ten-minute break at this point.
16 I can get organized for the rest of my questioning
17 if we do. Let's see. What time is it? 1:24. Do
18 you want to take a break until 1:35? Does that
19 work?
20 MR. MULVIHILL: Your show.
21 MS. PARKER: Thank you.
22 VIDEOGRAPHER: We are now going off the
23 record at 1:25 p.m.
24 (Whereupon a break was taken
25 from 1:25 p.m. to 1:36 p.m.)

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1 MR. FLOOD: Same objection.
2 THE WITNESS: I've said it several times,
3 so I'm happy to repeat it: That Jim Toy had told
4 me about Anderson's conduct with gay students in
5 Health Service.
6 BY MS. PARKER:
7 Q. Did you reference Jim Toy by name when you talked
8 to Mr. Johnson?
9 A. I believe I did, but I wouldn't swear to that. If
10 you're asking --
11 Q. And when you talked --
12 A. I most certainly -- I can't remember, so I'm not
13 going to speculate that I know exactly what I said.
14 Q. Did you tell Mr. Johnson that the complaints were
15 from gay male students?
16 MR. FLOOD: Objection.
17 THE WITNESS: Do we --
18 MS. BELVEAL: Go ahead and answer.
19 MS. PARKER: You can sir.
20 THE WITNESS: Okay. I believe that I
21 indicated that Jim Toy -- and Henry knew who Jim
22 Toy was and what Jim Toy's job was. The precise
23 words, I can't tell you that this long ago, the
24 precise words I used, but it was clear that he
25 was using inappropriate actions with the gay

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1 VIDEOGRAPHER: We are now back on the
2 record at 1:36 p.m.
3 BY MS. PARKER:
4 Q. All right. Mr. Easthope, now what exactly did you
5 tell Mr. Johnson about Dr. Anderson?
6 MR. MULVIHILL: Objection. We've gone
7 over this in detail.
8 MR. FLOOD: Same objection.
9 MR. SHEA: Asked and answered probably a
10 dozen times.
11 THE WITNESS: Yeah, exact words, you
12 know, are very difficult to bring up, but I did
13 tell him what I knew about what Jim Toy had told
14 me.
15 BY MS. PARKER:
16 Q. So can you tell me what exactly you told him?
17 MR. MULVIHILL: Same objection.
18 MR. FLOOD: Same.
19 THE WITNESS: That's a long, long time
20 ago, and if you want precision, I cannot. I would
21 be dishonest to tell you that I could precisely
22 tell you the words I spoke.
23 BY MS. PARKER:
24 Q. Even if it's not precisely the words, what did you
25 tell Mr. Johnson?

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1 population.
2 BY MS. PARKER:
3 Q. Gay males?
4 A. As far as I could tell, that was it, yeah. I don't
5 recall having any conversation about females at
6 all.
7 Q. Now the students, the gay male students who went to
8 Jim Toy about Mr. Anderson told Mr. Toy that they
9 thought Dr. Anderson's conduct was wrong; is that
10 correct?
11 A. I don't know what they told him.
12 Q. Well, what did Jim Toy tell you that they had told
13 him?
14 MR. MULVIHILL: Same objection.
15 THE WITNESS: I told you several times
16 what Jim Toy told me. He didn't go into a hell of
17 a lot of detail and he didn't need to. You know,
18 the situation was there and it didn't take a genius
19 to know what he was telling me.
20 BY MS. PARKER:
21 Q. Okay. You had certainly -- you would certainly
22 know from Mr. Toy's job, part of his work, that
23 Mr. Toy would have told those gay male students who
24 came to him about Dr. Anderson that Dr. Anderson's
25 behavior was wrong?

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1 A. I am sure, without, you know, direct knowledge of
2 what he said to somebody else, I mean, nobody
3 revealed to me what he said to somebody else, so I
4 would be speculative to what I think he said to
5 them.
6 Q. Now did you ever talk to any students about
7 Dr. Anderson?
8 A. Not to my knowledge. I can't remember, but I would
9 doubt it.
10 Q. Did you ever hear anyone say to any student that
11 Dr. Anderson "fooling around in the exam room" was
12 normal?
13 A. Did I -- did I hear that from students? Is that
14 your question?
15 Q. I'll rephrase. I'll ask it again.
16 Did you ever hear anyone say to any
17 students that what Dr. Anderson did, "fooling
18 around in the exam room," was normal?
19 A. I don't have any memory of it, but I think that
20 would be ridiculous.
21 Q. Did you ever hear anyone tell any student that
22 Dr. Anderson giving rectal exams was normal?
23 A. No, I have no recollection of that kind of a
24 conversation with any student.
25 Q. Did you ever hear anyone talk to the students with

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1 A. I did.
2 Q. And thank you for your service.
3 Can you tell us about that?
4 A. Yeah. I joined the day the Korean War ended,
5 July 28, 1953. That's why it's significant in my
6 mind.
7 I entered the pre-flight training program,
8 and halfway through that training program, the
9 United States Air Force had a plethora of pilots
10 and navigators and air crew, and they said, "We
11 have an overabundance. If you'd like to get out,
12 we'll let you serve out the remainder of your
13 two-year enlistment." And I grabbed it because I
14 hadn't finished college and I thought, well, I can
15 go back to school on the GI bill.
16 Q. Let's see. I believe that you served as a
17 board member of a non-profit called WITH
18 Housing?
19 A. Yes, I did.
20 Q. Can you tell us about that?
21 A. It was a local attorney, Pauline Rothmeyer, who had
22 a real empathy for people who were homeless, and
23 she got a group of people together with our local
24 priest called Father Patrick Jackson, and formed
25 this group to provide housing, and it turned out to

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1 respect to Dr. Anderson in any way whatsoever?
2 A. I don't quite understand that question.
3 Q. Okay. I'll rephrase it.
4 A. Yes.
5 Q. So did you -- at any point in time, did you ever
6 hear anyone tell a student anything about
7 Dr. Anderson?
8 MR. FLOOD: Objection to the form of the
9 question.
10 THE WITNESS: I have no recollection that
11 that happened.
12 BY MS. PARKER:
13 Q. Okay. All right. I want to go over some questions
14 about your background. Now I understand you played
15 football in high school; is that right?
16 A. I did, a long, long --
17 Q. Tell us a little bit about that.
18 A. That was 66 years ago.
19 Q. What position did you play?
20 A. On offense, I played guard, and on defense, I
21 played linebacker.
22 Q. And where did you play?
23 A. I played for St. Catherine's High School in the
24 east side of Detroit.
25 Q. And I understand you served in the Air Force?

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1 be housing for unwed young women who were pregnant,
2 and that house -- we had two houses -- actually
3 three -- up on Division and the other one -- oh, on
4 Main Street. And that was the organization. I was
5 just a member.
6 Q. And I believe that you were an officer of Diamond
7 General Development starting in 1987; is that
8 right?
9 A. That is correct. Diamond Ventures.
10 Q. What is that organization?
11 A. It was a venture capital firm.
12 Q. What did they do? What was the subject of
13 their raising --
14 A. We were chartered to find start-up capital for
15 companies in the state of Michigan.
16 Q. What type of companies?
17 A. Pardon me?
18 Q. What type of companies?
19 A. Whatever looked like something was -- had a chance
20 of success.
21 Q. And I understand that you got a real estate license
22 at one point, maybe 1992?
23 A. I did.
24 Q. Did you sell real estate?
25 A. Yes, I did -- right then I had dabbled in it, then

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1 my wife and I went in the Peace Corps for a couple
2 years, '96 to '98, and when I got out, although I
3 was at retirement age, I wasn't ready to retire, so
4 I renewed my license and I worked for Prudential
5 for -- I don't know, I guess until I was in my 80s
6 somewhere, early 80s.

7 Q. And what I have is that you're a realtor with
8 Berkshire Hathaway Home Services. Is that the name
9 of it?

10 A. It changed. It's Berkshire Hathaway now, but it
11 was Prudential.

12 Q. Okay. And did you sell homes or commercial real
13 estate or what?

14 A. I did mostly real estate or landlord-tenant, which
15 was an active real estate market in Ann Arbor with
16 rental housing, but I sold a great number of
17 residential homes and a few commercial -- not very
18 many, but I did a few of those.

19 MS. PARKER: All right. Well, I have no
20 further questions at this time. I'm going to
21 reserve the rest of my time -- which I believe is
22 43 minutes -- to ask questions after Mr. Shea.

23 So thank you, Mr. Easthope.

24 THE WITNESS: You're quite welcome.
25 Thank you.

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1 A. That's correct. I don't know if he said in the
2 exam room; I don't recall him saying in the exam
3 room.

4 Q. All right. But you interpreted it as that
5 Dr. Anderson is abusing vulnerable gay students?

6 A. That's correct.

7 Q. And that, you testified earlier, infuriated you,
8 didn't it?

9 A. That is correct.

10 Q. Because Dr. Anderson was in a position of supreme
11 authority and power?

12 A. Right.

13 Q. And it wasn't hard for you to decide to terminate
14 him ASAP, correct?

15 A. That is correct.

16 Q. And before you did that, you checked in with Henry
17 Johnson, didn't you?

18 A. Yes, yes, I did.

19 Q. And you said that you told Henry Johnson about what
20 Dr. Anderson was doing and what Jim Toy had told
21 you and you told him that you were going to fire
22 him, correct?

23 A. Yeah, precise words, you know, I can't remember the
24 precise words, but what you just said, that is
25 characteristic of what I'm sure I said.

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1 MR. SHEA: Mr. Easthope, it's David Shea.
2 Are you feeling good? You want me to keep going?
3 I don't have a lot of questions for you.

4 THE WITNESS: You know what? Go get 'em.
5 I like those pictures behind you.

6 MR. SHEA: Okay. All right.

7 EXAMINATION

8 BY MR. SHEA:

9 Q. So I just want to clear up -- I mean, you've been
10 testifying for hours and I'm sure you love all
11 these lawyer questions. I'm not going to ask you
12 that many.

13 A. Okay.

14 Q. But I just want to get -- I just want to be crystal
15 clear on what you recall. So I'll do a little
16 summary, you know -- this will be a little
17 repetitive, a little bit, but then I have some
18 other questions for you.

19 So let's go back to the initial firing,
20 all right?

21 A. I'll do my best.

22 Q. Yep.

23 As you testified, Mr. Toy tells you that
24 Dr. Anderson is fooling around with boys in the
25 exam room; you recall that, correct?

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1 Q. And obviously Henry Johnson didn't tell you to,
2 "Stop, don't go fire him," right?

3 A. You know what, I'm going to -- I don't want to
4 speculate what he said because I can't remember,
5 but he didn't say no.

6 Q. Right. So now you're walking across the diag,
7 you're going over to his office and you confront
8 Dr. Anderson; you recall that, correct?

9 A. I do.

10 Q. And you gave him -- you told him what Mr. Toy had
11 told you and confronted him with those facts,
12 correct?

13 A. That is correct.

14 Q. And he did not deny anything that you had to say to
15 him on that day, correct?

16 A. I believe that, yes, if my memory is --

17 Q. You said in your earlier testimony that while you
18 were talking to him, you distinctly recall him
19 hanging his head; do you remember that?

20 A. Well, if I said that, I probably do, but at this
21 moment I can't remember, but I'm quite sure that he
22 didn't hold his head up.

23 Q. But it was because he didn't deny it when you
24 confronted him that you then next said to him,
25 "You're outta here"?

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1 A. That's my memory.
2 Q. And that took a lot of courage for you to do that;
3 that's how you felt, correct?
4 A. Yep, it did.
5 Q. I mean, this was the head of -- this was a doctor,
6 right?
7 A. That's correct.
8 Q. This was the head of UHS, correct?
9 A. That's correct.
10 Q. You said that he was a guy that was a little full
11 of himself; you remember him that way, yes?
12 A. I do remember him that way.
13 Q. And he carried himself with an aura of authority;
14 that's how you testified, you recall that, right?
15 A. I have no reason to change that.
16 Q. So for a guy like Tom Easthope to walk across that
17 diag and fire a person of that prominence was
18 something that you thought took a lot of guts,
19 right?
20 A. You're right.
21 Q. Now you had the support of Henry Johnson at the
22 time, but you've now come to learn that
23 Dr. Anderson actually stayed on with the university
24 for 23 years after that, correct?
25 A. Yeah, I've been told that, yes.

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1 Could Don Canham reach over into your department
2 and have the level of influence to hire or fire
3 people?
4 A. Hire and fire people in our department?
5 Q. Yep.
6 A. No, but he was a voice to be reckoned with at the
7 University of Michigan.
8 Q. If Don Canham called over to your department
9 relative to Dr. Anderson and said, even though you
10 guys had fired him that, "I want him to stay," what
11 would Mr. Johnson have done?
12 A. You'll have to ask Henry that. I can't comment on
13 how Henry would react to Don Canham.
14 Q. Do you know anything about that, Mr. Easthope? Did
15 Don Canham ever suggest that Dr. Anderson should
16 stay on?
17 A. I have no -- I have no knowledge of that one way or
18 the other.
19 Q. If he did, though, Mr. Easthope --
20 A. -- or if he -- (inaudible) -- anyways --
21 Q. -- if he did, if Don Canham called over and said,
22 "Anderson stays," that's what would have happened,
23 Anderson would have continued to be employed at the
24 University of Michigan; that's how much weight Don
25 Canham carried, correct?

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1 Q. Who overrode the -- who overrode Henry Johnson?
2 MS. PARKER: Objection. Objection.
3 Assumes facts not in evidence. Asks for
4 speculation.
5 BY MR. SHEA:
6 Q. If we assume facts in evidence -- the objection is
7 that I'm assuming facts not in evidence,
8 Mr. Easthope, but the evidence shows that
9 Mr. Johnson approved the termination of
10 Dr. Anderson because of his sexual abuse of gay
11 students, correct?
12 A. You're going to ask me something that -- approval
13 or disapproval, I can't -- I can't tell you what
14 was in his head or -- that would be me putting
15 myself into him. I can't do that.
16 Q. Remember we talked a little bit about Don Canham in
17 the earlier deposition, and in this deposition, I
18 think that Ms. Parker had asked you whether Don
19 Canham -- or whether Henry Johnson had the
20 authority to hire or fire people in the athletic
21 department, and you said you didn't think so; I
22 think you said something like that, do you remember
23 that?
24 A. I'm quite sure he didn't.
25 Q. Well, let me ask that question about Don Canham.

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1 MS. PARKER: Objection. That calls for
2 speculation.
3 THE WITNESS: Yeah, I was just going to
4 say that. I really can't speculate onto the power
5 of him outside of the athletic department. That
6 would be cruel on my part to suggest that. I
7 really don't know.
8 BY MR. SHEA:
9 Q. Well, you had told -- when Mr. Cox was asking you
10 questions at the last deposition, you had said that
11 you had terminated, I think, a couple of other
12 division heads in your career; did I get that
13 right?
14 A. One that I remember.
15 Q. Any time that you've ever terminated anyone, did
16 you ever have it overturned? Did you ever have any
17 of your terminations overturned by anyone at
18 University of Michigan?
19 A. No.
20 Q. Except Dr. Anderson, correct?
21 MS. PARKER: Objection. Objection.
22 Asking for speculation. Facts not in evidence.
23 MR. SHEA: That's not speculation.
24 BY MR. SHEA:
25 Q. Mr. Easthope, you fired Dr. Anderson, correct?

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1 A. That's correct.
2 Q. And he stayed on at the school for 23 years, right?
3 That's what we found out today.
4 A. That's what I'm learning.
5 Q. Yep. So someone overturned your decision; you
6 don't know who it is, right?
7 MS. PARKER: Objection -- excuse me. I'm
8 sorry. I need to put my objection on the record.
9 Objection. Asking for speculation and leading.
10 MR. SHEA: There's no speculation in
11 that.
12 BY MR. SHEA:
13 Q. You know you had your decision overturned; you just
14 don't know who did it, right?
15 MS. PARKER: Same objection.
16 MS. BELVEAL: Mr. Easthope, make sure you
17 let the lawyers answer before you answer.
18 THE WITNESS: I haven't said anything.
19 I'm letting the lawyers decide what they want to do
20 here.
21 BY MR. SHEA:
22 Q. My question to you, Mr. Easthope, is, you know your
23 decision to fire Anderson got overturned, you just
24 don't know who did it, right?
25 MS. PARKER: Same objection.

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1 seen him or had any contact with him at all, and
2 then the '94, '95, I can't remember the date, but
3 it was when -- you guys probably know when I had my
4 physical, so that would be the only time.
5 BY MR. SHEA:
6 Q. I was thinking about that because I know how you
7 pilots are. You're a committed group.
8 A. Well, it was --
9 Q. If I walked in and my guy that was testing me for
10 my license turned out to be Dr. Anderson, the guy
11 that I fired in 1980, it might make me a little
12 nervous. Is that how you felt?
13 A. Of course I --
14 MS. PARKER: Objection. I'm sorry, I
15 need to put my objection on the record. Object to
16 the form of the question. Improper attorney
17 soliloquy.
18 MR. SHEA: I don't know -- what's
19 soliloquy? I'm only a University of Detroit grad;
20 I didn't go to Harvard.
21 THE WITNESS: Me, too.
22 BY MR. SHEA:
23 Q. Do you know what soliloquy is, Mr. Easthope?
24 A. Me? Say it again.
25 Q. We'll just move on. We'll just move on.

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1 Speculation. Leading.
2 THE WITNESS: I have learned in this last
3 several weeks of what you said. Did I know that
4 for some 35, 40 years? No, I didn't know that.
5 BY MR. SHEA:
6 Q. But, you know, you learned -- look, when the Nassar
7 situation was going on, you thought about
8 Dr. Anderson and you communicated that to your
9 daughter, right?
10 A. Yeah, in casual conversation. This wasn't a
11 lawyer-type thing.
12 Q. And I didn't mean to imply otherwise, but --
13 A. She's my daughter and she graduated from Michigan
14 State and she works in the health and wellness
15 business, and, you know, it just was another piece
16 of communication between a father and a daughter.
17 Q. But the point is is that the Nassar situation made
18 you think back about Anderson?
19 A. It did make me recall.
20 Q. And you probably hadn't thought about him in --
21 since back in 1980, right?
22 A. Yes.
23 MS. PARKER: Objection. Leading.
24 THE WITNESS: That's correct, except when
25 I had that physical, it jolted me because I had not

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1 So when you opened up the newspaper in
2 February of 2020 and you saw the articles about the
3 extent of the abuse of Dr. Anderson, I would
4 suppose that was a significant and meaningful day
5 for you when you learned that?
6 MS. PARKER: Objection. Form.
7 THE WITNESS: It was stunning.
8 BY MR. SHEA:
9 Q. And you had mentioned that word stunning. You were
10 also -- like you were stunned when Detective West
11 told you that he was still with the university.
12 You recall testifying to that?
13 A. I did; I talked to the detective.
14 Q. And lawyers oftentimes ask obvious questions, but
15 what were you stunned about?
16 A. That this matter had eluded me for so long.
17 Q. When you say this matter had eluded you, how so?
18 A. The whole Bob Anderson saga, I -- you know,
19 remember, that was a long time ago, and all of the
20 sudden, boom, that's a stunning situation.
21 Q. Were you stunned that the University of Michigan
22 continued to employ him after you terminated Bob
23 Anderson?
24 MS. PARKER: Objection to form.
25 THE WITNESS: You know, I don't make a

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1 judgment about what -- you know, the university has
2 got 50,000 people, they've got complex
3 organizations and they've got different fiefdoms
4 and all the rest of that stuff, so to make a
5 judgment about the university and how they react to
6 something, that's a collective judgment, and I
7 can't make a collective judgment because there's
8 individuals involved there, and, you know, it would
9 be way beyond my ability to make those kind of
10 judgments. I'm sorry if that's an answer to
11 that...

12 MR. SHEA: No, you don't have to
13 apologize to me. That's fine. Oh, I know what --
14 for a minute there, I forgot the question that I
15 wanted to ask you now.

16 THE WITNESS: Now you know why it happens
17 to me.

18 BY MR. SHEA:
19 Q. You had said earlier in your testimony today that
20 you remembered telling Cy Briefer about
21 Dr. Anderson. What did you tell him? What did you
22 tell him and when?
23 A. Both of those questions are difficult for me to
24 answer because I don't have a firm answer. I
25 remember Cy wanted to know what happened. Cy and I

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1 together, and, you know, sometime in that period,
2 but it --
3 Q. You would say a year maybe?
4 A. It wasn't the day after he came.
5 Q. Yeah, it probably took a year or two to develop
6 that relationship?
7 A. Yeah, it might even have been a little more than
8 that, as a matter of fact.
9 Q. But he came to you, right, Mr. Easthope; you didn't
10 go to him --
11 MS. PARKER: Objection.
12 MR. SHEA: -- asking questions about
13 Dr. Anderson?
14 THE WITNESS: Yeah, I think he wanted to
15 know what was going on. I don't want to be pegged
16 on that because that's a hazy memory of mine, but I
17 know we talked about it, so who brought it up, I
18 cannot, for the life of me, remember. I'm not sure
19 that I would have brought it up, but I think he
20 wanted to know.
21 BY MR. SHEA:
22 Q. How long did Dr. Briefer stay at UHS in that
23 directorship position?
24 A. Until he retired. As a matter of fact, I was part
25 of his retirement party. I'm sorry, the dates -- I

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1 became very good friends, we vacationed together,
2 our wives hung around once in awhile together, so
3 we were friends, and I -- he wanted to know what
4 went on with Anderson and I said Anderson had been
5 accused of da, da, da and that was it.
6 Q. You told Dr. Briefer --
7 A. That was -- go ahead.
8 Q. You told Dr. Briefer the whole story, you know,
9 what you knew about Dr. Anderson and what you did?
10 A. I'm not sure I told him the whole story because I
11 don't know what the whole story is. I told him,
12 you know, things that I thought would be of
13 interest to him in his position.
14 Q. Now he took over from Dr. Anderson once removed
15 because Dr. Davol was in there as interim, but he
16 ultimately took over as the director of UHS,
17 correct?
18 A. Yeah, they had a search committee and he was the
19 surviving search.
20 Q. And did he -- did this conversation -- I don't want
21 to pinpoint to exact, but did this conversation
22 occur about when he took over as director of UHS?
23 A. I don't think it was, no, that quick. I -- it took
24 time for us to develop a friendship and, you know,
25 have dinner together, and we even went on vacation

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1 can't pull the dates up, but he retired from UHS.
2 Q. Did he retire before you left?
3 A. Oh, no, he retired long after I left.
4 MR. SHEA: Okay. One second. I have to
5 look at Mr. Cox to see if I have anymore questions.
6 THE WITNESS: Well, say hello to him.
7 MR. SHEA: I will.
8 BY MR. SHEA:
9 Q. Okay. So we just want to nail down a little more
10 when Dr. Briefer may have retired. You left in,
11 what, 1989, was it?
12 A. I'm sorry, say that again.
13 Q. When did you leave the University of Michigan?
14 A. When did he -- when did I?
15 Q. Yeah.
16 A. Yeah, I think '88 or '89.
17 Q. And how long did he stay on after you left?
18 A. Oh, every bit of ten years.
19 MR. SHEA: All right. I've been told to
20 stop asking you questions, so I will let you go,
21 but Mr. Easthope, I really appreciated that you
22 hung in there with a bunch of lawyers for eight
23 hours.
24 MS. PARKER: I have some additional
25 questions.

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1 MR. SHEA: And I'm glad you like my
2 photos.
3 MS. BELVEAL: Can we take a break here
4 for just five minutes before you finish up,
5 Stephanie?
6 MS. PARKER: Sure. I have some questions
7 at the end. That's fine.
8 VIDEOGRAPHER: We are now going off the
9 record at 2:08 p.m.
10 (Whereupon a break was taken
11 from 2:08 p.m. to 2:15 p.m.)
12 VIDEOGRAPHER: We are now back on the
13 record at 2:15 p.m.
14 FURTHER EXAMINATION
15 BY MS. PARKER:
16 Q. All right. Mr. Easthope, who is Cy Briefer?
17 A. Cy Briefer was a doctor who was hired by a search
18 committee to be the director of Health Service.
19 Q. And if I've got this right, when Dr. Anderson --
20 when you fired Dr. Anderson, Dr. Anderson was
21 replaced by Dr. Davol?
22 A. She became the acting director, yes.
23 Q. Okay. And then Dr. Briefer, in turn, replaced
24 Dr. Davol?
25 A. That's correct.

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1 Dr. Anderson [sic] did not try to dissuade you from
2 firing Dr. Anderson?
3 A. I didn't get your question.
4 Q. I'm sorry. Let me repeat it.
5 So I want to go back to that period of
6 time when Jim Toy came to you and told you about
7 the allegations about Dr. Anderson, all right?
8 A. I gotcha.
9 Q. Okay. So you testified from some questions a few
10 minutes ago that you went to Henry Johnson and I
11 believe you said that Henry Johnson did not try to
12 dissuade you from firing Dr. Anderson. Do I have
13 that right?
14 A. I'm not sure I said that, but I believe that to
15 have been true.
16 Q. Okay. And so Henry Johnson actually agreed with
17 your assessment of Dr. Anderson, that he had to go?
18 A. I don't know whether he agreed or disagreed, but
19 it's history, you know, how -- what he was
20 thinking, I don't -- I can't attest to.
21 Q. Well, Henry Johnson did not tell you that you could
22 not fire Dr. Anderson, correct, because you went
23 forward and fired him?
24 A. That's correct.
25 Q. Okay. Do you recall what Henry Johnson said to you

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1 Q. Okay. So what did you tell Cy Briefer about
2 Dr. Anderson?
3 A. I can't say precisely what I said and I can't
4 remember the timing of -- I don't think I inundated
5 him with information when he first came. That's
6 all I can tell you. It's a long time ago and it's
7 hard to remember with any precision.
8 Q. Well, did you tell Dr. Briefer anything about the
9 allegations against Dr. Anderson by Jim Toy?
10 A. I don't -- I have no memories of exactly what I
11 told Cy. I mean, I would be lying to you if I
12 said, "Oh, yes, I did," da, da, da. I can't
13 remember exactly what the exchange between us was.
14 Q. Well, even if you can't remember exactly what the
15 exchange was, do you remember whether or not you
16 talked to Dr. Briefer about the topic of what Jim
17 Toy told you about Dr. Anderson?
18 A. I'd have to speculate and I don't want to do that
19 because I can't remember at all. I have no memory
20 of how that conversation ever went.
21 Q. All right. So I want to switch topics now and
22 follow up on some questions that you got a few
23 minutes ago.
24 So when you went to Henry Johnson before
25 you fired Dr. Anderson, did you say that

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1 in response to your going to him about
2 Dr. Anderson?
3 A. No, I can't. I have no memory of that precise --
4 Q. But in any event -- I'm sorry.
5 But in any event, he did not tell you,
6 "Well, you can't fire him," because you went
7 forward and fired him?
8 A. No, he did not tell me not to fire him.
9 Q. Okay. Now do you know whether or not Henry Johnson
10 ever talked to Dr. Anderson himself about those
11 allegations?
12 A. No, I do not.
13 Q. Do you know whether or not Henry Johnson ever
14 talked to Jim Toy about the allegations about
15 Dr. Anderson?
16 A. No, come to think of it, I don't know that. I'm
17 sorry, I don't have any memory of that. That's all
18 I can tell you.
19 Q. Do you have -- do you have any memory of Henry
20 Johnson talking to anyone about the allegations
21 about Dr. Anderson?
22 A. No.
23 Q. Okay. Now at the beginning of your deposition
24 today, when we first started and your lawyer said
25 that you wanted to clarify, you wanted to start

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1 today by clarifying your testimony; do you remember
2 that?
3 A. That's correct.
4 Q. Okay. What happened, sir, after your first
5 deposition that has caused you to want to clarify
6 your testimony?
7 A. Well, I got a copy of the transcript and I
8 thought -- you know, I asked if I could review it,
9 and I was reviewing it, and I saw this entry that I
10 thought could be misleading, and I asked my
11 attorney, I said, "Is there any way I can clarify
12 this?" And she said, "We'll bring it up at the
13 hearing."
14 Q. Okay. Now I don't want to ask about your
15 conversations with your lawyer, okay, because those
16 are privileged, okay, but have you had
17 conversations with anyone else about your
18 deposition since last week?
19 A. Nope.
20 MS. PARKER: All right. I have no
21 further questions. Thank you, Mr. Easthope.
22 THE WITNESS: Thank you for your patience
23 with me.
24 MR. SHEA: That's all the questions for
25 the plaintiffs. Thank you, Mr. Easthope.

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1 STATE OF MICHIGAN)
2 COUNTY OF OAKLAND)
3
4 Certificate of Notary Public
5 I do hereby certify the witness, whose attached
6 testimony was taken in the above matter, was first duly
7 sworn to tell the truth; the testimony contained herein
8 was reduced to writing in the presence of the witness, by
9 means of stenography; afterwards transcribed; and is a
10 true and complete transcript of the testimony given. I
11 further certify that I am not connected by blood or
12 marriage with any of the parties, their attorneys or
13 agents, and that I am not interested directly, indirectly
14 or financially in the matter of controversy.
15 In witness whereof, I have hereunto set my hand
16 this day at Clarkston, Michigan, State of Michigan.
17 I hereby set my hand this day, August 5, 2020.
18
19
20
21
22 _____
23 Karen Fortna, CRR/RMR/RPR/CSR-5067
24 Notary Public, Oakland County, Michigan
25 My Commission expires 4/30/2025

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1 MS. PARKER: Thank you.
2 MR. FLOOD: Mr. Easthope, this is Todd
3 Flood. Thank you very much.
4 VIDEOGRAPHER: This now concludes today's
5 deposition of Thomas Easthope. We are now going
6 off the record on August 4, 2020, at 2:22 p.m.
7
8 (Deposition concluded at 2:22 p.m.)
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1 DEPOSITION ERRATA SHEET
2
3 Our Assignment No.: 12026
4 Case Caption: Doe v U of M
5
6 DECLARATION UNDER PENALTY OF PERJURY
7 I declare under penalty of perjury that I have read
8 the entire transcript of my deposition taken in the
9 captioned matter or the same has been read to me,
10 and the same is true and accurate, save and except
11 for changes and/or corrections, if any, as indicated
12 by me on the DEPOSITION ERRATA SHEET hereof, with the
13 understanding that I offer these changes as if still
14 under oath.
15
16 Signed on the ____ day of _____, 20__.
17
18 _____
19 THOMAS EASTHOPE
20
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1 DEPOSITION ERRATA SHEET

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24 THOMAS EASTHOPE

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1 DEPOSITION ERRATA SHEET

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24 THOMAS EASTHOPE

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