

BEFORE THE HEARING SUBCOMMITTEE
OF THE INTERIM LEGISLATIVE ETHICS COMMITTEE

In re: Representative Carl Trujillo,

Respondent.

DEPOSITION OF ELISABETH JENNINGS

November 5, 2018

9:30 a.m.

Jackson, Loman, Stanford & Downey, P.C.
201 Third Street, Northwest
Albuquerque, New Mexico

Pursuant TO THE NEW MEXICO RULES OF CIVIL PROCEDURE,
this deposition was:

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REPORTED BY: B. Julian Serna
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1 (Note: Deposition in session at 9:31 a.m.)
2 LISA JENNINGS
3 after having been first duly sworn under oath,
4 was questioned and testified as follows:

5 EXAMINATION

6 BY MR. LOMAN:

7 **Q. Good morning.**

8 A. Good morning.

9 **Q. Would you tell us your full name, please.**

10 A. Elisabeth Ann Jennings.

11 **Q. And you go by "Lisa"?**

12 A. I go by Lisa.

13 **Q. Ms. Jennings, have you ever had your deposition
14 taken before?**

15 A. You know, I can't remember if I have. If I have,
16 it doesn't stand out in my mind.

17 **Q. All right. So you just swore to tell the truth
18 under the penalty of perjury. In that respect, it's just
19 like you're testifying in a courtroom, and obviously we're in
20 a less formal setting.**

21 **There are a couple of ground rules I want to give you,
22 and mostly they're for the benefit of the court reporter. So
23 he is going to take down every word we say and then
24 transcribe into a booklet form essentially. And so for his
25 benefit, if I ask you a yes-or-no question, I need you to say**

1 "yes" or "no," as opposed to nodding your head or saying
2 "uh-huh" or "huh-uh," or something he can't really write
3 down. Fair enough?

4 A. Yes.

5 **Q. Even if you know what I'm about to say, please let
6 me finish my question before you start your answer, so he's
7 only having to take down one voice at a time. If I ask a
8 question that you don't understand because it's horribly
9 worded or if I use a phrase you're not familiar with, let me
10 know, and I'll rephrase it, but if you answer a question,
11 we'll all assume you understood it; is that fair?**

12 A. Yes.

13 **Q. We're not going to be here all day, but if you need
14 to take a break at any time just let me know.**

15 A. Okay.

16 **Q. I would just ask if there's a question on the
17 table, that you answer it before we take a break.**

18 A. Sure.

19 **Q. But if you need to use the restroom or whatever,
20 just let me know. Let me ask you, are you on any medication
21 today that would affect your memory or ability to testify?**

22 A. No.

23 **Q. What do you do for a living?**

24 A. I'm the executive director of Animal Protection of
25 New Mexico and Animal Protection Voters.

1 **Q. Okay. This was explained to me a week ago, and can
2 you please tell me the difference between those two entities?**

3 A. Sure. Animal Protection of New Mexico is a
4 501(c)(3) organization and Animal Protection Voters is
5 504(c)(4) organization.

6 **Q. And for all intents and purposes, though, they are
7 the same group of people trying to accomplish a common goal;
8 is that fair to say?**

9 A. They are two separate organizations with separate
10 boards of directors, different missions, but all of us --
11 well, most of us divide our time between the two
12 organizations, and we keep track of our time very carefully,
13 almost like a lawyer would within to the nearest half hour
14 billing our time to one set of work or the other.

15 **Q. Which organization pays your salary?**

16 A. Animal Protection of New Mexico, and then there's a
17 reimbursement agreement, a formal reimburse agreement between
18 Animal Protection Voters and Animal Protection of New Mexico.

19 **Q. And your title is executive director for both?**

20 A. For both, uh-huh.

21 **Q. In both entities?**

22 A. I'm sorry. Yes.

23 **Q. Thank you. Okay. And when did you start with
24 APNM?**

25 A. 1993.

1 Q. How long have you been the executive director?
 2 A. Since 1993.
 3 Q. Okay. Generally speaking, what does the -- what
 4 does the executive director do? What are your day-to-day
 5 duties?
 6 A. There's no typical day really, but you know, the
 7 executive director is responsible for the wellness and
 8 achieving the mission of the organization overall. So over
 9 the years, my duties have changed. As we've gotten a larger
 10 staff certainly they've changed. So when we had a smaller
 11 staff, I would do program work. I would do fundraising. I
 12 would do financial work, legislative work. As we've gotten a
 13 larger staff, more of my time is spent managing others,
 14 ensuring people are staying on top of goals and objectives,
 15 what we call production and fundraising.
 16 Q. Between both entities -- well, let me ask you this:
 17 Are there any employees that only work for one or the other,
 18 or does everybody sort of work for both?
 19 A. Technically, everyone could be asked to support
 20 Animal Protection Voters. From a pragmatic standpoint, there
 21 are probably a few people who really don't book any time to
 22 the (c)(4) work. Probably close to never. And then there
 23 are other people whose time is almost entirely devoted to the
 24 (c)(4).
 25 Q. But in one capacity or another, you oversee them

1 all; is that fair?
 2 A. That's correct.
 3 Q. So. For this year, for 2018, how many people are
 4 we talking about? How big is the combined staff for both
 5 entities?
 6 A. I believe right now we're at 20, 21. You know, it
 7 depends on how you define that, because we -- we have some
 8 part-time people. We have some full-time people, you know.
 9 We're hiring someone that -- well, we just hired someone that
 10 just started. So, I mean, just like any organization,
 11 there's a little bit of fluctuation, but it's about 20
 12 people.
 13 Q. But that includes full-time and part-time?
 14 A. Yes.
 15 Q. Who is Dan Abram?
 16 A. Daniel Abram is our deputy director, and he also
 17 has the responsibility as human resources director. So he
 18 oversees what we call our administrative department so to
 19 speak.
 20 Q. And does he do that for both entities?
 21 A. Yes.
 22 Q. How long has he been with the organization?
 23 A. Daniel started in 2010, I believe.
 24 Q. In that role?
 25 A. Yes.

1 Q. When did you first -- excuse me -- when did you
 2 first meet Laura Bonar?
 3 A. Let's see. Laura started, I believe -- I think it
 4 was around 2007, and I -- I could be -- I could have the year
 5 wrong. I know she just celebrated her 11th anniversary with
 6 our organization, and she started as a volunteer and then
 7 came on as an intern. I believe we even had her on as a
 8 part-time employee for a while, and then I hired her as a
 9 full-time employee.
 10 Q. Did you know her at all before she came to work for
 11 the organization?
 12 A. I had just met her at an event, a concert in
 13 downtown Albuquerque. So it was like, you know, the week
 14 before. I hadn't known her before then.
 15 Q. Okay. When did she -- when did she join the
 16 organization as an employee?
 17 A. I wish I had my -- I could refer to my notes. As I
 18 say, I think it was 2007.
 19 Q. Okay.
 20 A. And it's in the material that I provided already
 21 but --
 22 Q. I'm just trying to get a sense of -- maybe I
 23 misunderstood you. So I understood that you met her in 2007.
 24 She started as volunteer or intern and then eventually became
 25 a full-time employee?

1 A. Yeah, and you know, that took place over -- I don't
 2 know -- a period of maybe even a year. I'd have to go back
 3 and look at that, because we just didn't have the funding to
 4 hire someone full-time, and she was still in nursing school.
 5 Q. Okay.
 6 A. Needed to graduate.
 7 Q. When she started with the organization as a
 8 full-time employee, what was her job?
 9 A. I believe she was a program manager.
 10 Q. What does that mean?
 11 A. So she worked on what we call advocacy campaigns,
 12 promoting -- in her case she was working on what we call our
 13 companion animal rescue effort. It's a program that we
 14 operate as a network for victims of domestic violence, and if
 15 they can't leave their home because they have animals that
 16 they're afraid will be harmed or killed, we offer this
 17 through the coalition against domestic violence to find a
 18 temporary home for their animals so they can leave their
 19 violent home. So she was overseeing those calls and trying
 20 to build up that network.
 21 She also was working on an ordinance change in Torrance
 22 County to try to improve what was at the time a really very
 23 minimal ordinance in terms of animal protection.
 24 Q. Okay. These job duties that you just described,
 25 did that require her to work in the roundhouse during the

1 session?

2 A. Not to my knowledge.

3 **Q. Okay. When did she start working in that capacity?**

4 A. I believe her first year was 2013, and she might

5 have been there a day or two in a prior session, but it

6 wasn't in any kind of, you know, meaningful capacity. She

7 might have helped with a lobby day in prior years.

8 **Q. Did her job -- did her job title change then in**

9 **2013 as well?**

10 A. I'd have to go back to look at the records to be

11 sure, but she may have been -- she may have been promoted to

12 program director, which meant that she was overseeing someone

13 else at least in our scheme. In fact, I'm certain she was

14 overseeing our equine campaign manager, Phil Carter, at that

15 time, and it was probably a little bit before then. I'd have

16 to look at the records to be sure.

17 **Q. So that first year in 2013, the first year of**

18 **working in the session -- with the session, however you**

19 **phrased it, what was expected of her in that capacity? What**

20 **was she supposed to be doing there?**

21 A. Really just assisting me, learning the system. You

22 know, it's a complex system, and learning the ropes. I was

23 hoping to -- I guess I'm always hoping to train more people

24 in the process; eventually take over doing the work in the

25 future. So it was really a lot of -- I'm not even sure what

1 word to use, because I don't want to say just trailing me,

2 because that doesn't really indicate her level of

3 involvement. I mean, she was extremely helpful, you know.

4 We were doing a lot of organizing. In 2013, we had several

5 bills that we were working on when we had to try to stop --

6 it was a memorial on horse slaughter. So there was a lot of

7 organizing, trying to gather people to do testimony, trying

8 to get people to call their legislator, some lobbying even,

9 you know, just approaching lawmakers, trying to understand

10 their position, asking questions about their position, that

11 kind of thing.

12 **Q. What are -- tell me, then, what you were doing**

13 **during the 2013 session? What is your role?**

14 A. I was the lead lobbyist.

15 **Q. Is that still true today?**

16 A. No. Jessica Johnson is our chief legislative

17 officer. I work with her. Obviously I've been doing it

18 longer, but that's her primary role. So we basically are,

19 you know, colleagues, and we divide up the work.

20 **Q. Okay. Jessica started with your organization, I**

21 **think, in 2015, right?**

22 A. That's correct.

23 **Q. And that would have been after the session in 2015.**

24 **So for those years, 2013, '14, and '15, you were the lead**

25 **lobbyist?**

1 A. Yes.

2 **Q. And if Ms. Bonar was doing lobbying activities, it**

3 **would have been under your direct supervision?**

4 A. Yes.

5 **Q. And under your instruction?**

6 A. Yes.

7 **Q. Okay. Do you recall the first time you met Carl**

8 **Trujillo?**

9 A. Not really. I mean, the very first time? Not

10 really.

11 **Q. Did you know him before he joined the legislature?**

12 A. No.

13 **Q. Okay. Do you recall working with him during the**

14 **2013 session?**

15 A. I do, just -- you know, I've been lobbying since

16 1989, so that's a lot of years that have gone under the

17 bridge. So identifying one particular session --

18 **Q. That's fair.**

19 A. -- is a little hard.

20 **Q. I don't expect you to remember every day of your**

21 **life, but I'm just trying to find out what you do remember.**

22 A. Yeah. In general, you know. I mean, we worked on

23 an animal cruelty bill that session.

24 **Q. Okay. So best you can remember during that 2013**

25 **session, how often would you have contact with Carl Trujillo**

1 **whether it be face-to-face, telephone, email, what have you?**

2 A. Well, certainly for every hearing on the cruelty

3 bill and certainly, you know, maybe the day before. A lot of

4 times we prepare -- we try to make it as easy as possible for

5 legislators to do their bills, because they're doing way too

6 much. So we prepare suggested, what we call an opening

7 statement. So I would probably have done something like that

8 and given it to him to look at to make sure he was

9 comfortable with that; probably checked in at least a couple

10 of days before just to let him know what the -- you know,

11 what we thought the vote count was if we had concerns about

12 votes and the committee, that kind of thing.

13 **Q. And he was generally supportive of animal welfare**

14 **issues and --**

15 A. Yes.

16 **Q. So I'm trying -- what I'm trying to get at here is**

17 **the dynamic between you and Ms. Bonar during that time of who**

18 **was doing what at the legislature. So I understand you're**

19 **the lead lobbyist. She's there working under you?**

20 A. Uh-huh.

21 **Q. So, I mean, can you explain what she was doing**

22 **during that session?**

23 A. She was probably mostly walking around with me.

24 **Q. Okay. Did you ever see her interact with Carl**

25 **Trujillo during that 2013 session that you recall?**

1 A. Not that I recall.

2 **Q. Do you recall a moment where the three of you were**
 3 **together discussing something? Anything that sticks out in**
 4 **your mind?**

5 A. I don't.

6 **Q. Okay. Are you aware of -- well, let me -- in 2013,**
 7 **Ms. Bonar, as you know now, has made the allegation that**
 8 **during that session, at some point Carl Trujillo said, "We**
 9 **should have dinner sometime," or something to that effect.**
 10 **You're aware of that?**

11 A. Of course.

12 **Q. Did -- were you there for that? Did you witness**
 13 **that?**

14 A. No.

15 **Q. Did she tell you about it at the time?**

16 A. What I remember about that session is that she was
 17 uncomfortable with an interaction, but that's all I remember.

18 **Q. With him specifically?**

19 A. What's that?

20 **Q. With him specifically?**

21 A. I couldn't even say for sure.

22 **Q. Okay.**

23 A. There's so much going on during that compacted 60
 24 days that -- and you're so focused on just trying to get your
 25 bill passed and all of the dynamics of that that, you know,

1 things like that just don't stand out at the moment, so --

2 **Q. So I understand that. And what I want -- what I'm**
 3 **trying to get at, though, is -- well, let me start over.**
 4 **During the 2013 session, did Laura Bonar come to you at any**
 5 **point and say, "Carl Trujillo just asked me to have dinner**
 6 **with him"?**

7 A. I don't remember her saying that.

8 **Q. Okay. During the interim between the 2013 and 2014**
 9 **session, do you recall having any contact with Carl Trujillo?**

10 A. 2013, nothing stands out, although we might have
 11 had some conversations about -- I'm trying to remember what
 12 bills we were working on -- whether we were working on
 13 something related to the shelter board. You know, there
 14 could have been some interaction about trying to get support
 15 for the tax check-off bill that was going to be coming up in
 16 subsequent years, but nothing -- you know, nothing
 17 outstanding.

18 **Q. Okay. Are you aware of whether Ms. Bonar and Carl**
 19 **Trujillo had any contact during that interim?**

20 A. I would guess no, I'm not aware of anything.

21 **Q. Okay. So let's talk about the 2014 session. You**
 22 **would have been acting still as the lead lobbyist for the**
 23 **organization, right?**

24 A. No, not at the beginning. So the 2014 session was
 25 a little bit different. I was actually for the -- I believe

1 it was the first two weeks of the session, I was actually
 2 back East. My mom has Alzheimer's, and I was trying to help
 3 my family with that situation.

4 So what I was actually hoping was -- because, I mean, I
 5 specifically remember this -- it was a short session. A lot
 6 of times our policy bills are not -- you know, we can't do
 7 full policy bills unless we have a governor's message.

8 Generally speaking, we're not working on as many things. So
 9 my recollection is Laura and Deborah Torza were up there on
 10 their own, you know, keeping an eye on things, and I was in
 11 touch daily; I mean, multiple times daily with them about
 12 what was going on, and that changed about halfway through.

13 I came back, because I got an indication from Laura that
 14 she was not happy working at the session, you know. So I
 15 came back. I mean, it's not easy work, and so it didn't seem
 16 surprising to me just because it's an unpleasant environment
 17 to work in sometimes because of the long hours and the stress
 18 and juggling a lot of work, trying to keep up with your other
 19 work, and I realized that I should be back there as part of
 20 the team.

21 So I came back I think it was about -- after the first
 22 two weeks. I could have that break out in the 30 days
 23 session not quite right, but approximately halfway through, I
 24 believe.

25 **Q. Do you recall what bills or what issues your**

1 **organization was trying to advance during that session?**

2 A. My recollection in 2014 was there was a really bad
 3 -- in our judgment, it was either a right to farm or an
 4 ag-gag bill, what we call ag-gag. I think it was the right
 5 to farm, and so we were working on trying to stop that
 6 legislation, and then, of course, the spay/neuter funding.

7 **Q. Was it your plan to be with your family back East**
 8 **for that entire session? Was that originally your plan?**

9 A. I was never back that much in any given month. So
 10 it wasn't -- it wasn't entirely out of the ordinary. What I
 11 was trying to do -- I did this for a period of six years,
 12 actually splitting my time between here and there.

13 **Q. All I'm trying to get at is, was it your plan to be**
 14 **out there for the first two weeks of the session, then come**
 15 **home, or was it your plan to be out there longer because you**
 16 **came back because Laura Bonar told you she wasn't happy and**
 17 **you felt like you needed to come back and cover?**

18 A. As I mentioned, my typical schedule was to be gone
 19 about two weeks there and two weeks here. So, you know, if I
 20 can remember correctly, I would certainly be coming back but
 21 maybe not necessarily present in Santa Fe every day. When I
 22 -- when Laura indicated she really didn't want to do that
 23 work, I came back and was up there every day.

24 **Q. Okay. But if I understand you correctly, she**
 25 **didn't tell you specifically why she was unhappy?**

1 A. She just said, you know, she had other duties. I
2 believe at that time she was already working on the
3 chimps-to-sanctuary campaign, and it just seemed to me that
4 it was a combination of not being able to function on the
5 chimps-to-sanctuary campaign and combined with just what it's
6 like up there working the session. So it didn't seem unusual
7 to me for someone to object to the process.

8 **Q. So when you came back, did you take over --**

9 A. Yes.

10 **Q. -- Laura's -- let me finish. You know where I'm**
11 **going.**

12 A. I'm sorry.

13 **Q. So when you came back, you took over Laura's**
14 **lobbying duties at the session?**

15 A. Yes.

16 **Q. And did she stop lobbying after that?**

17 A. I'm pretty sure she did. I mean, if she was up
18 there, it would have been on a very limited basis and
19 probably not at the capitol. I couldn't say for sure, but my
20 guess is she probably was not there.

21 **Q. Did she primarily work out of the Albuquerque**
22 **office?**

23 A. Yes.

24 **Q. And the same would be true at that time?**

25 A. Yes, and we didn't have a Santa Fe office at that

1 A. No. I'm not aware of any.

2 **Q. During the 2015 session, you were still acting as**
3 **lead lobbyist, right?**

4 A. Yes.

5 **Q. So you would have been the one primarily to work**
6 **with Carl Trujillo and any other legislator?**

7 A. Yes, uh-huh.

8 **Q. Did Laura Bonar have any work in the roundhouse**
9 **during that session?**

10 A. No, not that I remember.

11 **Q. Did you ask her to?**

12 A. No.

13 **Q. Did you give her the opportunity to go back to that**
14 **work if she was interested in it?**

15 A. No. I did have a person that was from Santa Fe
16 that was helping me during the session, Phil Carter.

17 **Q. Okay. He's an employee of your organization?**

18 A. He is a former employee.

19 **Q. He was an employee at that time?**

20 A. Yes.

21 **Q. Okay. So summer of '15, you hire Jessica Johnson.**
22 **So during the '16 and '17 sessions, what was your role as far**
23 **as lobbying goes?**

24 A. So the '16 session would have been Jessica's first.
25 So it's probably fair to say that, you know, I was the lead

1 time.

2 **Q. Okay. When did you open that office?**

3 A. In 2015, the summer. Just to clarify -- I'm sorry.

4 **Q. No. Go ahead.**

5 A. Just to clarify, I believe in 2014 we were renting
6 or -- or we were occupying an office that our board member
7 let us use that was near the capitol. That was unusual.

8 **Q. So 2015, I think you mentioned that's the year you**
9 **got the funding to hire Jessica Johnson?**

10 A. Yes.

11 **Q. Did that funding also allow you to get an office up**
12 **there?**

13 A. A donor gave us an office.

14 **Q. Okay. All right. Now, best you can recall, during**
15 **the interim between 2014 and 2015 sessions, did you have any**
16 **contact with Carl Trujillo?**

17 A. We probably had contact right before the 2015
18 session. I mean, that's typically what happens. You know,
19 there's a big flurry of activity about a month before the
20 session starts. People are interested in pre-filing bills or,
21 you know, starting to talk about what legislation they're
22 going to have, that kind of thing. So I can't remember
23 specific contacts, but I'd be shocked if there weren't any.

24 **Q. And are you aware of any contact that Ms. Bonar had**
25 **with Carl Trujillo during -- between '14 and '15?**

1 lobbyist, because I was training her in a short session,
2 which is different than a long session, and probably the same
3 even for '17, because there's -- you know, there are also
4 differences between the sessions, but we -- you know,
5 Jessica's very competent, extremely smart, picks things up
6 pretty quickly, learned the legislators' names faster than I
7 ever could have. So we divided up our bills and said, "Okay.
8 Here are your assignments, and here are mine," but we confer
9 constantly on all the legislation. It's a team effort.

10 **Q. And during those '16 and '17 sessions, what was**
11 **Laura Bonar doing?**

12 A. She would have been working on her
13 chimps-to-sanctuary campaign, and by then she had been -- I
14 believe in '16 -- or it may have been '15, she was promoted
15 to chief program and policy officer. So she oversaw, you
16 know, a department. We underwent a pretty dramatic expansion
17 in staff, about a doubling of our staff between 2014 and
18 2015, '16, and so we reorganized into departments, which we'd
19 never had before. So Laura, she's an extremely competent
20 program person. So she was in charge of the program and
21 policy, nonlegislative policy work. So she oversaw several
22 other people.

23 **Q. Okay. What is -- so what does that entail? What**
24 **is nonlegislative policy work?**

25 A. All of our program services like the companion

1 animal rescue effort that I mentioned, our equine work,
2 equine protection work, which includes an equine protection
3 fund, which distributes all kinds of direct services to horse
4 owners to prevent them from going into the slaughter
5 pipeline. We have a statewide animal cruelty hotline.

6 We also have a help line for domestic violence victims,
7 so overseeing that person. The cruelty hotline manager,
8 overseeing that person. Overseeing humane communities
9 initiatives, which are our way of reaching out and helping
10 communities with problems that they're having either at their
11 shelter or with ordinance work, a variety of different
12 services that are really like field-based, and of course, her
13 very significant chimps-to-sanctuary campaign.

14 **Q. Has she -- excuse me -- in the time that Laura
15 Bonar's worked with you, has she lobbied outside the
16 legislature? In other words, county commissions, city
17 councils, mayors, those sorts of bodies?**

18 A. Yes, and with congressional offices.

19 **Q. And that's been part of Ms. Bonar's work?**

20 A. Yes. The chimps-to-sanctuary campaign would have
21 involved several instances of lobbying at congressional
22 offices. When she was working probably less so as she became
23 a chief, what we call a chief program policy officer, where
24 she -- less in that role like at the county commission or
25 city council level, but certainly in her early years, you

1 like too familiar with lobbyists and what might be considered
2 sexual innuendo. I've experienced my own -- not sexual
3 harassment -- but physical contact from a legislator.

4 **Q. What kind of physical contact?**

5 A. Getting bowled over in the hallway.

6 **Q. Okay. What do you mean by that? So you're going
7 to tell me this story. What happened?**

8 A. A legislator rammed me in the hallway.

9 **Q. Knocked you down?**

10 A. No, but knocked me off balance for sure.

11 **Q. Okay. Were you having an argument with this
12 person?**

13 A. No.

14 **Q. Did he --**

15 A. I wasn't talking with the person; came from behind.

16 **Q. Was it you -- how do you know it was intentional?**

17 **How do you know he just didn't see you?**

18 A. Most people that knock someone off their feet would
19 turn around and say, "Oh, I'm so sorry," and that didn't
20 happen.

21 **Q. Okay. Did you report that to anyone?**

22 A. No.

23 **Q. What year was that?**

24 A. I believe it was 2013.

25 **Q. Okay.**

1 know, she was lobbying the Torrance County Commission,
2 probably lobbied the Albuquerque City Council, probably
3 Bernalillo County Commission, possibly even Dona Ana County.
4 She was involved in -- you know, she's been someone who
5 lobbies officials across the board for years.

6 **Q. And she continues to do that?**

7 A. In that role, yes, uh-huh. Yes.

8 **Q. She just hasn't gotten back to the session since
9 the 2014 session --**

10 A. That's correct.

11 **Q. -- is that right? Okay. So during the years that
12 you were working at the session when Carl Trujillo was there,
13 up through the -- for now, I'll limit it through the 2017
14 session; did you ever have any problem with -- was he ever
15 inappropriate with you, or did you ever see him being
16 inappropriate with someone?**

17 A. No.

18 **Q. Okay. Have you ever witnessed any other
19 legislators being inappropriate, sexual harassing, whatever
20 you think is inappropriate?**

21 A. Yes.

22 **Q. Give me some -- you don't need to give me names if
23 you don't want to, but what types of things are you -- do you
24 recall seeing?**

25 A. I've certainly seen legislators acting what looked

1 A. But it did not involve anyone that we're talking
2 about here.

3 **Q. No. I understand that, but I'm trying to get a
4 sense of what types of harassment you've experienced or
5 observed. Okay?**

6 A. I've also witnessed legislators violating -- and
7 this is in the distant past, but violating the no-smoking
8 policy just because they could get away with it.

9 **Q. Okay. So tell me when Ms. Bonar first told you
10 something about Carl Trujillo acting inappropriately.**

11 A. My recollection is it was right after the first of
12 the year. We sat down.

13 **Q. Of which year?**

14 A. This year.

15 **Q. This year. Thank you.**

16 A. Yes. And it was -- there were no details
17 exchanged. She just was very vague about harassment
18 happening, and it was, you know, just a fairly brief meeting
19 is my recollection.

20 **Q. How did it come up? Why did it come up?**

21 A. I honestly can't remember. I don't know.

22 **Q. And what did she tell you?**

23 A. I can't remember the exact words, but she just said
24 that -- you know, she was specific about the person who did
25 this. She was specific about Carl Trujillo, and my

1 recollection is she was specific that it happened more than
2 once and that it escalated over time, and that contributed to
3 her not wanting to lobby.

4 **Q. Was she trying to tell you that that was the only**
5 **reason she didn't want to be a lobbyist in the legislature**
6 **anymore or, as you say, that was a contributing factor? In**
7 **other words, there were other reasons she didn't want to do**
8 **that work?**

9 A. My understanding was that was the contributing
10 factor.

11 **Q. Okay. So early this year, Ms. Bonar tells you that**
12 **Carl Trujillo sexually harassed her, it escalated over time,**
13 **but didn't give you any other details at that point?**

14 A. That's correct.

15 **Q. Did you ask her what happened?**

16 A. Not at that meeting.

17 **Q. Did you ask her when it happened?**

18 A. I probably did, because I'm -- you know, I tend to
19 be a detail-oriented person, but I don't know for sure. I
20 mean, I -- I just know I didn't get a lot of details at that
21 meeting, and I also was aware that it made more sense for
22 those details to come out with our human resource person.

23 **Q. I agree. So is there a -- does your organization**
24 **have a sexual harassment policy in writing?**

25 A. Yes.

1 **Q. Okay.**

2 A. And she told me she was comfortable having me
3 there. So I was included in the meeting, and it's really
4 because I -- you know, it's a serious matter, and if it
5 involves one of my key employees, I wanted to know about it.

6 **Q. Okay. I'm going to mark this as Exhibit 1. If you**
7 **wouldn't mind handing that extra one to Tom. You get the one**
8 **with the sticker. He gets -- no, you keep the one with --**
9 **yes, thank you. Do you recognize this document?**
10 **(Note: Exhibit 1 marked.)**

11 A. Yes.

12 **Q. This is an email that you wrote, correct?**

13 A. Yes.

14 **Q. All right. And you wrote this on June 15th; is**
15 **that right?**

16 A. Uh-huh, yes.

17 **Q. Thank you. Down there at the bottom it says, "Very**
18 **early January (possibly January 2nd)," and I think this is**
19 **the meeting that you were just describing; is that true?**

20 A. Yes.

21 **Q. All right. You say you wrote yourself a note to**
22 **reach out to Julianna Koob?**

23 A. Yes.

24 **Q. Why did you want to talk to Julianna Koob about**
25 **this?**

1 **Q. And does it --**

2 A. Well, I'm sorry. Let me clarify. We have a very
3 extensive personnel policy that includes sections on sexual
4 harassment and all kinds of -- any other kinds of harassment,
5 too.

6 **Q. And those policies are communicated to the**
7 **employees one way or another, right?**

8 A. Yes. They're on a shared database you can access
9 at any time.

10 **Q. And does part of the policy that you have encourage**
11 **employees to go to the HR director if there's a problem?**

12 A. Yes, and if there's a reason they can't go to the
13 HR director, then they go to another member of management,
14 just to make sure we have full coverage.

15 **Q. Okay. And that would be Daniel Abram, right?**

16 A. Yes.

17 **Q. So when Ms. Bonar tells you she was sexually**
18 **harassed by Carl Trujillo, did you ask what happened?**

19 A. Not at that meeting.

20 **Q. Did you encourage her to go talk to Mr. Abram?**

21 A. What I told her is I felt like we should have a
22 meeting together to discuss it if she was comfortable having
23 me there.

24 **Q. "We" meaning you, Laura Bonar, and Daniel Abram?**

25 A. Yes.

1 A. I realized I had very little experience in how to
2 respond properly as an employer to matters involving sexual
3 harassment, and she was the person that I knew at the state
4 capitol who dealt with that. She was an expert in that as a
5 lobbyist. I didn't know her really very well. I mean, I had
6 to introduce myself to her when I was trying to get a meeting
7 with her. She's someone that when he we hang our coats at
8 the state capitol, we hang them in one senator's office, and
9 she hangs her coat in that same office. So I just know who's
10 there and in that realm and what they lobby for. So she just
11 seemed like a good contact.

12 One of the things I do as a decision-maker is I often
13 seek information from a lot of people if I'm not familiar
14 with something, and then I make my own decision. So it was
15 my way of trying to understand the realm that I was entering,
16 you know, to the best of my ability. That's the reason why I
17 also asked Daniel to reach out to Poms to try to get some --
18 you know, to give advice.

19 **Q. Okay. And we'll get to that. In your email here,**
20 **you say speaking about Julianna Koob, that she was associated**
21 **with the sexual assault services community. What do you mean**
22 **by that? What is Julianna Koob's association with that**
23 **community?**

24 A. My understanding is she lobbies for a sexual
25 assault organization, sexual assault prevention organization.

1 I honestly don't even know the name of it, but just when
2 you've been up there long enough you kind of associate people
3 with -- you put them in little buckets. That person does
4 this; this person does that.

5 **Q. Did Laura Bonar tell you -- at this point by early**
6 **January 2018, did Laura Bonar tell you that she was sexually**
7 **assaulted by Carl Trujillo?**

8 A. I believe that was -- yeah, it was right before
9 then that she said -- you know she didn't -- she didn't
10 provide details, but she provided enough for me to know I
11 needed to find out more about what to do as an employer.

12 **Q. So at that point it was your understanding that**
13 **Carl Trujillo sexually assaulted Laura Bonar?**

14 A. I mean, I -- at that point, I didn't even know what
15 all the terms meant. I'm being honest, like "assault" versus
16 anything else.

17 **Q. Okay.**

18 A. I just know that she had had what she described as
19 this harassment.

20 **Q. Okay.**

21 A. If I just said "assault," I probably didn't mean
22 "assault." I don't know that I did just say that, but what
23 I'm saying is what she conveyed to me sounded serious, and I
24 needed to reach out to someone to ask, you know, how do
25 employers -- what's the way employers respond.

1 **Q. Did Laura Bonar tell you -- in January of this**
2 **year, did she tell you that Carl Trujillo raped her?**

3 A. No.

4 **Q. Okay. Did she tell you that Carl Trujillo groped**
5 **her?**

6 A. No. I didn't have any details at that point.

7 **Q. Going on to the next page, it says the week of**
8 **January 25th, you ran into Julianna Koob in the hallway, and**
9 **as you just mentioned a moment ago, you introduced yourself**
10 **to her. Okay. So clearly you don't know Julianna Koob at**
11 **that time, right?**

12 A. I knew who she was.

13 **Q. But when you saw her in the hallway, you had to**
14 **introduce yourself to her?**

15 A. I assumed she didn't know who I was.

16 **Q. Why were you talking to Julianna Koob in January**
17 **about sexual harassment and sexual assault before you talked**
18 **to your HR director, Daniel Abram?**

19 A. It's really just a matter of that person's right
20 there, and I'm literally not in my office during the session,
21 so I'm gathering information, and that person is hopefully
22 available to me.

23 **Q. Julianna Koob, a person you don't even really know,**
24 **is more available to you than Dan Abram, your deputy**
25 **director?**

1 A. Physically available. I'm in Santa Fe every day
2 during the session. I'm not in my Albuquerque office during
3 the entire session.

4 **Q. In early January, when you said you wrote yourself**
5 **a note to reach out to Julianna Koob, why didn't you instead**
6 **reach out to your HR director that works for you?**

7 A. I don't know.

8 **Q. February 27th -- going back to your email here**
9 **February 27th, you shared with Mr. Abram the limited details**
10 **about Laura's experience, right?**

11 A. Yes.

12 **Q. And you asked Mr. Abram to reach out to your HR**
13 **consultant, Poms and Associates. What does Poms and**
14 **Associates do for you?**

15 A. So they're kind of a unique model. They provide
16 free risk management services for mostly and maybe entirely
17 nonprofits, and they work for insurance companies, I
18 understand, and so it's actually quite creative, because
19 insurance companies, it's in their best interest to have
20 their clients have lower risk. So Poms provides, you know,
21 model policies, resources for nonprofits to help them
22 navigate what might be new or complicated matters involving
23 human resources.

24 So we started out with that. Being a nonprofit, we
25 wanted to save money on things like getting a model policy,

1 and then in the process, they also provide some insurance
2 services. So we transitioned eventually to some of our --
3 they have a separate side -- some of our coverage through
4 their insurance element of their work.

5 **Q. How long had you been dealing with Poms for model**
6 **policies?**

7 A. I can't remember, but I believe we had contacted
8 them -- let's see. This is 2018 -- maybe a year and a half
9 ago. Daniel had worked with them when he was in -- he was
10 the city clerk in Tijeras, and he attended some things that
11 they'd done that he found really useful, and so he contacted
12 them, and I think that was probably in 2016 or 2017 just to
13 see if they could help us.

14 **Q. And when did you start using them for insurance**
15 **coverage?**

16 A. I'm not positive of that. Daniel would know.

17 **Q. Sometime within the last year or two sounds like?**

18 A. Yes.

19 **Q. Prior to this that we're about to discuss, had you**
20 **ever used their HR hotline or used their HR services?**

21 A. Yes.

22 **Q. Okay. For what types of issues?**

23 A. All kinds of personnel questions, EEOC, proper
24 documentation, proper coaching for employees. I would really
25 say just the full realm; wanted to make sure that our

1 paperwork, you know, was top-notch in terms of documentation,
2 just I would say dozens of things that small nonprofits
3 struggle with to -- you know, to do well without help.

4 **Q. So according to your email on February 27th, then,**
5 **you asked Daniel to contact Poms and Associates as an HR**
6 **consultant, right?**

7 A. Yes.

8 **Q. To get some information about what to do here?**

9 A. Yes.

10 **Q. It says on March 2nd, he called Poms and Associates**
11 **and got advice. Were you part of that phone call?**

12 A. No.

13 **Q. Did he report back to you --**

14 A. Yes.

15 **Q. -- after that phone call?**

16 A. He did. Either he reported back or I asked him
17 what happened.

18 **Q. Okay. Did anyone at Poms tell you that you should**
19 **go talk to this with Julianna Koob -- or you should talk**
20 **about this with Julianna Koob?**

21 A. No.

22 **Q. Okay. On March 15th, it says you met with your**
23 **board presidents. Who are those folks?**

24 A. Anne Coller.

25 **Q. How do you spell that last name?**

1 A. Yes.

2 **Q. Okay. Tell me what she told you during that**
3 **meeting.**

4 A. She outlined essentially what you've seen in
5 multiple places, that she had that unfortunate interaction in
6 2013 with feeling uncomfortable with him asking, "Do you stay
7 up here in Santa Fe," and not really being sure if it was an
8 aboveboard question, and then, also, talking more about 2014,
9 because she talked about the contact with him escalating, and
10 also, one thing that really stuck in my mind, and I haven't
11 seen her really talk about this, but that she actually --
12 because he was continuing to contact her in a way that made
13 her very uncomfortable and that she felt was harassment, that
14 she had to conjure up a story for -- you know, to answering
15 if he came to her again with another request.

16 It is mentioned in one of the places where she said, "I
17 have a family member that's sick this weekend." I think it
18 was when he was going to ask her if she would have dinner or
19 get together on a weekend, and she said she had -- she was so
20 uncomfortable that she was anticipating another conversation
21 and having something to say to put him off, and I felt
22 terrible about that idea that someone would have to think --
23 think that way and protect themselves that way at the
24 session. It made me frustrated.

25 And then she, of course, disclosed other things about

1 A. C-o-l-l-e-r. She's the board president to APNM and
2 Robert Schutz.

3 **Q. Can you spell his last name, please?**

4 A. S-c-h-u-t-z. And that meeting is -- I do regular
5 status updates with my board presidents on a variety of
6 topics.

7 **Q. Sure.**

8 A. And human resource status is just one of them.

9 **Q. And was it just those two people that you were**
10 **talking to in this meeting?**

11 A. Yes.

12 **Q. So you disclosed confidentially that Laura had**
13 **experienced sexual harassment from Carl Trujillo. In**
14 **parentheses you write, "(I had no details at the time.)" You**
15 **note here that you disclosed confidentially to them. Why was**
16 **it important that it be confidential?**

17 A. It's a personnel matter. All our personnel matters
18 are confidential.

19 **Q. Okay. On March 16th, you have a personal meeting**
20 **with Ms. Bonar and Mr. Abram; is that right?**

21 A. Yes.

22 **Q. Was anyone else there?**

23 A. No.

24 **Q. Okay. It sounds like this is the first time you**
25 **recall getting details from Ms. Bonar; is that true?**

1 the grabbing in the hall down by the house floor, the
2 situation in the hearing room where he whispered those
3 inappropriate comments about, you know, "You can sit next to
4 me," in a variety of inappropriate places, and then grabbing
5 her leg.

6 **Q. Okay. So I want to go through each one of those**
7 **incidents separately. Okay?**

8 A. Excuse me. Do you mind if we take a restroom
9 break? I'm sorry.

10 MR. LOMAN: No, no. Of course.

11 MR. HNASKO: This is a good time.

12 (Note: Deposition in recess at 10:30 a.m.

13 and reconvened at 10:40 a.m.)

14 **Q. (By Mr. Loman) Okay. We were discussing the**
15 **meeting that you had with Laura Bonar and Daniel Abram on**
16 **March 16th, 2018, right?**

17 A. Yes.

18 **Q. And this is where Ms. Bonar first told you the**
19 **details of her allegations --**

20 A. Yes.

21 **Q. -- with Carl Trujillo? And you talked about them**
22 **in a general sense. I want to go through them more**
23 **specifically now.**

24 **So she described generally three incidents, right, one**
25 **in 2013 when he asked her to dinner, another one in a**

1 committee room in 2014, and another one in 2014 that had
 2 happened in the hallway of the roundhouse. Is that -- so far
 3 we're on the same page?
 4 A. Yes.
 5 Q. Okay. The first one in 2014 would have been the
 6 one in the committee room, right?
 7 A. Yes.
 8 Q. So tell me, best you can, as detailed as you can,
 9 what Ms. Bonar told you on March 16th about that encounter?
 10 A. So my recollection is -- what stayed with me,
 11 obviously, that she told me, so she said that she came into
 12 the hearing room, and I don't know if you're familiar with
 13 the way the hearing rooms are set up, but generally, you
 14 know, the legislators are sitting up front, and then there's
 15 a table where people do their presentations, and the audience
 16 sits next, and generally, legislators sit in the first row,
 17 because then they can be seen by the chair that they're there
 18 for their bill, because they don't always go in order when
 19 they hear bills, and legislators are always anxious to have
 20 their bills heard. So they generally sit in that first row,
 21 and it's always easier to get in and out than climbing over
 22 people.
 23 So Laura said that he was sitting up in that front row
 24 -- there's nothing unusual about that -- and that there was
 25 an empty seat next to him, and she came up and said, you

1 know, "May I sit next to you, Mr. Representative?"
 2 And that's when he said, "You can sit next to me any
 3 time, by the pool, by the fire." Those are the two that
 4 stuck with me, the pool and the fire.
 5 Q. Okay.
 6 A. And in this -- in the meeting she said that he had
 7 grabbed her leg like right here.
 8 Q. Okay.
 9 A. And this is my --
 10 Q. So it's clear, when you say -- when we read the
 11 transcript --
 12 A. Sorry.
 13 Q. When we read the transcript later, it will say, "He
 14 touched her here." That doesn't help us much. So I'm going
 15 to describe. You got -- you're describing the hand just
 16 above the knee; is that right?
 17 A. Yes.
 18 Q. On top of the leg, just above the knee?
 19 A. That's what I recollect she said.
 20 Q. Okay. Did she -- and this is the first you'd heard
 21 of this; is that right?
 22 A. Yes.
 23 Q. Did she tell you whether she -- well, did she tell
 24 you whether she responded to him, to that remark that he
 25 made?

1 A. I don't recall what she said, if she said anything.
 2 Q. Okay. Did she tell you that she told that story to
 3 anyone else at the time?
 4 A. Can you say that again?
 5 Q. Sure.
 6 A. In this meeting?
 7 Q. On March 16th of this year, she's describing to you
 8 for the first time this encounter she had in the committee
 9 room with Carl Trujillo, right?
 10 A. Yes.
 11 Q. On March 16th, did she tell you whether she had
 12 relayed this story to anyone else when it happened in 2014?
 13 A. She didn't mention that.
 14 Q. Okay.
 15 A. And I didn't ask.
 16 Q. Did she tell you whether there were any other
 17 people sitting near them that might have heard this or seen
 18 it?
 19 A. Not that I recall.
 20 Q. Okay. Did she tell you anything else about that
 21 encounter in the committee room other than what you've
 22 already told me?
 23 A. Well, she said it made her very uncomfortable. She
 24 said she left the room immediately after the hearing was
 25 over, because she was uncomfortable. It's really all I

1 remember, just -- yeah, I mean, just quickly leaving the
 2 hearing room.
 3 Q. Okay. Before we move on, can you remember any
 4 other detail that she shared with you about that encounter on
 5 that day?
 6 A. Well, when he -- when he said those things to her,
 7 you know, he was leaning in really close to her, and the way
 8 she described it, it sounded like the way he leaned in and
 9 whispered to her, it was -- had an inappropriate nature to
 10 it, just the way he said it, too, but when I hear those
 11 words, you wouldn't even need to have the whisper or the
 12 connection. Those words are inappropriate to me.
 13 Q. Did she tell you whether she was sitting on his
 14 left or his right?
 15 A. No. If she did -- if she told me, I don't remember
 16 that.
 17 Q. And they were in the front row of seats that are
 18 behind --
 19 A. That's the way I remember it. Again, it just --
 20 that's how I picture it. You know, when someone tells you
 21 something, you picture it, and it makes sense to me that it
 22 would be a front row just because I know that's where
 23 legislators sit. Might have been the second row.
 24 Q. Well, so that's good. Then let's circle back to
 25 that. So earlier, when you said it was the front row, you

1 were assuming that because that's where you understand
 2 legislators usually sit?
 3 A. That's the norm.
 4 **Q. That's not necessarily what Laura told you?**
 5 A. I can't be sure about that detail.
 6 **Q. Have you been to committee hearings in that**
 7 **particular room?**
 8 A. Are you asking about Senate Public Affairs
 9 Committee?
 10 **Q. No. I'm asking about the actual room where that**
 11 **occurred. Are you familiar with that specific room?**
 12 A. Well, I have to -- Senate Public Affairs Committee
 13 moves. It's not always in the same room. So that's why I'm
 14 asking. I wasn't there for that hearing, and Senate Public
 15 Affairs Committee often meets in different places. There's a
 16 room that it meets, so -- but there's other locations. So
 17 I'm not sure which question you're asking me. I want to make
 18 sure I answer truthfully.
 19 **Q. Do you know -- this incident that Laura Bonar**
 20 **described to you, do you know specifically what room that**
 21 **occurred in?**
 22 A. She said it was Public Affairs Committee room, and
 23 so I assume it was -- whatever room number that is. I don't
 24 remember the number.
 25 **Q. Okay. But that committee holds hearings in**

1 different rooms you're saying?
 2 A. Sometimes, and it just depends on the schedule.
 3 I've seen them meet in -- I think it's room 326. It's not
 4 very common, but whatever that normal room is right outside
 5 of Jerry Ortiz y Pino's office. That's not the normal
 6 committee room, but they do move is my point.
 7 **Q. Right. Are all the rooms where that committee**
 8 **holds its hearings configured exactly the same?**
 9 A. Can you elaborate by what you mean "configured" the
 10 same?
 11 **Q. Sure. You described there's the dais or the table**
 12 **up front where the committee members sit, and then there's a**
 13 **desk where people testify. Then behind them there are seats**
 14 **for members of the public, and legislators sit up front, but**
 15 **you're picturing a specific room, as you described that, even**
 16 **though that committee sometimes holds hearings in different**
 17 **rooms. So what I'm asking you is, as you're picturing the**
 18 **configuration of this room, is it that specific room? Are**
 19 **the other rooms where the committee hold hearings configured**
 20 **differently or are they all exactly the same?**
 21 A. The rooms are generally configured the same. The
 22 legislators are up front, then there's the table for
 23 witnesses and legislators, and then the audience behind.
 24 **Q. Okay. If the front row is reserved for**
 25 **legislators, why would Ms. Bonar go sit in one of those**

1 seats?
 2 A. I didn't say it was reserved for legislators. I
 3 said that legislators often sit there, because it's easily
 4 accessible, and you know, they don't have to climb over
 5 people, but it's not uncommon for other people to sit there,
 6 too.
 7 **Q. Okay.**
 8 A. In fact, a lot of lobbyists that want to make sure
 9 they're called on by the chair for testifying will sit there,
 10 too. It's also not uncommon to sit next to a sponsoring
 11 legislator in case there's something you want to talk about
 12 or ask them easily to go out and talk about something before
 13 a hearing.
 14 **Q. Okay. And then there was the second encounter that**
 15 **you described -- that you described sometime later -- or I'm**
 16 **sorry. Let me start that over. So there's this incident,**
 17 **which we've discussed now in the conference room. You said**
 18 **there was another encounter that she had that she disclosed**
 19 **to you on March 16th. What was that?**
 20 A. So she described being downstairs in the round
 21 hallway around the floor, on the house, and the way I recall
 22 what she told me was that she was walking down that hallway,
 23 and Representative Trujillo was coming towards her quickly,
 24 and that he grabbed her arm and kind of pressed her up
 25 against the wall and said, you know, "When are we meeting,"

1 or something to that effect, just like a real, kind of an
 2 aggressive grab and move is what I pictured when she was
 3 telling me this.
 4 **Q. Grabbed her where? Where did he grab her?**
 5 A. My recollection it was by the arm.
 6 **Q. Okay. And she told you that he pressed her up**
 7 **against a wall?**
 8 A. Well, as I said, my recollection, what I picture is
 9 that he grabbed her, and I'm not sure what word to use,
 10 whether it's pressed or directed her up against the wall, but
 11 it wasn't like she voluntarily walked over to the wall with
 12 him. It was one of those grab and kind of direct. I don't
 13 know. I wasn't there, but when I picture it, what she told
 14 me, it sounded to me like it was aggressive.
 15 **Q. Okay. Did she tell you whether there were other**
 16 **people around when this happened?**
 17 A. I don't remember that detail if she did.
 18 **Q. This would have been in the hallway outside the**
 19 **house floor; is that right?**
 20 A. Yes.
 21 **Q. And it's during the session in the middle of the**
 22 **day?**
 23 A. I don't know what time of day it was. Depending on
 24 the time of day, it could either be very busy or could be
 25 practically empty if it's -- you know, if there are hearings

1 going on elsewhere, it would be just staffers coming and
2 going.

3 **Q. Okay. All right. So then let's pick it up there.**
4 **Then what did she tell you happened next?**

5 A. That he wanted to know when they were going to
6 meet, and then my recollection is that was when she said the
7 story about, you know, "I have an ailing family member," or
8 something, "And I can't meet," and you know, she quickly
9 left. That's my recollection.

10 **Q. Okay. Did she tell you if she said anything else**
11 **to him other than that? She gave him the blow-off story that**
12 **she had rehearsed. That's my phrase, not yours, but -- and**
13 **then she walked away from it?**

14 A. That's my best recollection.

15 **Q. Okay. Did she tell you at any time that she ever**
16 **was more direct with him and told him, "I'm not interested in**
17 **having sex with you," or "I'm not interested in having an**
18 **affair with you"? Did she ever tell him anything like that?**

19 A. She never told me that she said anything that
20 directly, but that's when -- I'm sure you can relate to the
21 situation when you're not sure what someone is implying by
22 actions and words, and in order to preserve her relationship,
23 you're not going to assume that that person is saying or
24 doing one thing if you're trying to preserve that
25 relationship, and so I think she was interested in getting

1 out of the situation and trying to preserve her dignity and
2 not embarrass him.

3 **Q. Sure. And she told you that, right? That's why**
4 **she had rehearsed this response, so if it happened again, she**
5 **could get out of it without --**

6 A. Yes.

7 **Q. And without harming her lobbying efforts --**

8 A. That's right.

9 **Q. -- or APV? Anything like that, right?**

10 A. That's right.

11 **Q. So she tells him the -- gives him the response.**
12 **She walks away. Did she tell you if there was ever another**
13 **encounter with him or -- well, and I'm sorry. Let me back**
14 **up. Did he say anything in response to her as far as -- I**
15 **mean, I understand this is all thirdhand at this point, but**
16 **based on what Ms. Bonar told you on March 16th, she gives**
17 **that response, she walks away. Did she report that he said**
18 **anything back to her at that point?**

19 A. I don't remember her saying that he said anything.

20 **Q. Okay. And do you know whether they had any other**
21 **contact after that?**

22 A. During that session?

23 **Q. Uh-huh.**

24 A. Not that I'm aware of.

25 **Q. Okay. Are you -- since you qualified that, do you**

1 **know whether they had any contact after the session?**

2 A. Well, we've had fundraisers at our office where
3 both of them -- I believe, both of them were present at a
4 fundraiser since then. So when you said if they had contact
5 after that, the answer would be, I believe so, at one of our
6 fundraisers.

7 **Q. Okay.**

8 A. Actually it wasn't a fundraiser. It was a donor
9 appreciation party. Sorry.

10 **Q. Do you recall when that was? What year?**

11 A. I think that was December of last year.

12 **Q. Of 2017?**

13 A. I think so.

14 **Q. So as far as you know, if I'm following you here,**
15 **since the 2014 session to December of last year, as far as**
16 **you know, Laura Bonar and Carl Trujillo didn't have any**
17 **contact?**

18 A. As far as I know.

19 **Q. Okay. And then there was the first incident that**
20 **she told you about in 2013 where he essentially said, "We**
21 **should have dinner sometime," or something to that effect,**
22 **right?**

23 A. Yes.

24 **Q. Okay. So we've talked about those three incidents**
25 **now. Did she report anything else to you during this March**

1 **16th meeting?**

2 A. Not that I can recall.

3 **Q. All right. So three days later -- I'm back to**
4 **Exhibit 1 here, your email. Three days later you set up --**
5 **or you have a meeting with -- it's you, Laura, and Julianna**
6 **Koob, and this is in your office?**

7 A. Yes.

8 **Q. Why -- who called this meeting? Who set this**
9 **meeting up?**

10 A. I did.

11 **Q. Why?**

12 A. It was a follow-up to trying to talk with Julianna
13 during the session, and we hadn't been able to get together.
14 So I was still in kind of information-gathering mode. I had
15 a little bit of input from Poms; hadn't really gotten --
16 well, hadn't gotten anything from Julianna, because we didn't
17 meet and hadn't talked. So it was a chance to have a talk
18 with her and have her hear about the incident and describe if
19 she knew how -- you know, what's best practices for
20 organizations to respond to something like this.

21 **Q. Okay. Why are you discussing this with Julianna**
22 **Koob instead of your HR director or Poms?**

23 A. It wasn't instead of. It was in addition to.

24 **Q. Okay. Why are you discussing this with Julianna**
25 **Koob? What I'm trying to get at here is why was it important**

1 for you to bring her into this process and to your
2 organization?

3 A. Because I considered her an expert in people's
4 response to sexual harassment and sexual assault. It's like
5 an industry expert. So I was trying to gather expert input.

6 Q. And your understanding that she had this expertise
7 is based on what?

8 A. That she lobbies. So if someone wanted information
9 about animal protection issues, they would come to me. If
10 you wanted environmental expertise, you might go to the
11 Sierra Club or, you know, other organizations. It's just --
12 it's seen as like a subject matter expert basically.

13 Q. What organizations does Julianna Koob represent
14 that you think gives her that expertise?

15 A. I don't even know the organization's name. It's
16 just I know she works on those issues, because I've heard her
17 lobbying in hearings. I mean, I couldn't tell you the exact
18 name.

19 Q. All right. After that -- let's go back to the
20 March 16th meeting between you and Daniel and Laura. Did you
21 or Daniel suggest to Laura that she write down notes on these
22 incidents, these encounters?

23 A. Yes. I asked her to document everything in
24 writing, so we would have something in our human resources
25 file.

1 Q. And did she do that?

2 A. Yes.

3 Q. Okay. Thank you. Let's go back to your meeting
4 with Julianna Koob and Laura Bonar then on March 19th. Tell
5 me what the three of you talked about.

6 A. So Laura basically went through the same
7 explanation of the incidents with Julianna and, you know,
8 obviously Julianna was supportive in terms of saying she was
9 sorry that it happened, and there was discussion about -- it
10 was very clear that Laura wasn't sure what she wanted to do
11 about her situation. That might have been the meeting,
12 although I can't be sure, where she talked about feeling more
13 confident in bringing this forward because of having the
14 sexual harassment policy passed at the session. I'm not
15 positive it was that meeting, but I'm pretty sure that came
16 up. I didn't take any notes at that meeting.

17 But anyway, Laura was clear she was very unsure about
18 whether to do anything, and if she were to do something, what
19 it would be, and so it was just kind of a general discussion
20 with Julianna.

21 Q. As she relayed her stories to Julianna Koob, did
22 you learn any new details? In other words, in this meeting
23 with Julianna Koob, did Laura tell her anything that she
24 hadn't told you a couple days prior?

25 A. I don't think so.

1 Q. Okay. The three of you were aware -- at that point
2 during that meeting, the three of you were aware that in
3 January of this year, the legislature passed or adopted this
4 new anti-harassment policy, right?

5 A. Yes.

6 Q. Had either of you three reviewed that prior to or
7 during this meeting?

8 A. I don't know about the other two. I certainly had
9 not.

10 Q. So you're aware that this policy existed, but you
11 hadn't actually read it; is that right?

12 A. That's correct.

13 Q. Did Ms. Bonar or Ms. Koob seem to have any other --
14 any more knowledge of the policy than you did?

15 A. I don't remember if Laura did, but I know Julianna
16 was not very complimentary about the policy.

17 Q. What were her criticisms of the policy?

18 A. I think my recollection is she felt like this
19 didn't really address -- didn't protect victims properly I
20 think is the -- that was sort of the take-home that I came
21 away from that; that this didn't do a good job of protecting
22 victims. That's just kind of the general impression I got.

23 Q. Did Ms. Koob discourage Laura Bonar from filing a
24 complaint under the policy?

25 A. I think at that meeting she -- she may have

1 discouraged it or at least said that she didn't think it was
2 a good policy. I really can't remember exactly.

3 Q. Okay. Was there any discussion during that meeting
4 between the three of you by any of you -- did any -- let me
5 start that over. During that meeting, did any of the three
6 of you discuss or suggest that Ms. Bonar air her allegations
7 publicly?

8 A. No. I mean, I -- one thing that I learned along
9 the way in this process is, as the employer, we had an
10 obligation to do certain things to protect our employees, but
11 the employee on their own, individually, have their own
12 rights, and so I didn't feel like I was in any position
13 whatsoever to try to influence that. I felt like it was none
14 of my business basically to say do this or do that. It's
15 really up to Laura.

16 Q. Did Ms. Koob suggest that she do this publicly by
17 way of open letter or posting it to a website or anything
18 like that?

19 A. No.

20 Q. Now, this conversation's happening in March of
21 2018, right?

22 A. Yes.

23 Q. Other than the one time that Ms. Bonar and Carl
24 Trujillo may have been in the same building during that one
25 event that we discussed, other than that one time, you're not

1 aware of them having any contact whatsoever between the 2014
2 session and March of 2018, right?

3 A. That's correct.

4 **Q. Okay. Do you recall anything else being discussed
5 during that March 19th meeting that we have not already
6 covered?**

7 A. I can't really remember anything else. There was
8 something that I just thought of a second ago, but it didn't
9 seem important. Now, I can't remember what it was. I can't
10 remember anything else that we discussed.

11 **Q. That's okay. As we keep discussing this today,
12 something jogs your memory and you remember what it is, the
13 thing that you forgot, please jump right in and let me know.**

14 A. Thank you.

15 **Q. During this -- during this March 19th meeting or
16 any time prior to that, did Julianna Koob ever tell you about
17 any thoughts or feelings or opinions that she had of Carl
18 Trujillo?**

19 A. No.

20 **Q. Did she tell you whether she knew Carl Trujillo?**

21 A. I don't think I ever spoke with Julianna Koob prior
22 to this meeting.

23 **Q. Or during this meeting as --**

24 A. No.

25 **Q. Okay. So as Laura Bonar's describing these**

1 lobbied. You lobby everybody pretty much at the state
2 capitol, but I think she brought up lobbying on Planned
3 Parenthood issues, but it was just kind of a passing --
4 passing remark, and I, you know, again, was left with the
5 impression that because of knowing about these other
6 incidents, he wasn't her favorite legislator.

7 **Q. Okay. The Planned Parenthood issue that she
8 mentioned, was that an abortion bill? Something having to do
9 with abortion?**

10 A. She didn't specify.

11 **Q. Okay.**

12 A. I mean, we were there to talk about Laura's issue.
13 We weren't talking about hers, and she was very respectful of
14 that.

15 **Q. Your closing paragraph, you reference the HR memo
16 that Daniel prepared regarding that meeting and that you
17 didn't want to share that. Have you shared that with anyone
18 since you wrote this email?**

19 A. I'm sorry. Where are you looking?

20 **Q. Your closing paragraph, it says, "Finally, after
21 discussing with Daniel." Do you see that now?**

22 A. Yes.

23 **Q. And it references a memo that Daniel prepared, and
24 as of the time you wrote this email, you weren't willing to
25 share that memo. Have you shared it with anyone since then?**

1 incidents, these encounters that she had with Carl Trujillo,
2 did Julianna Koob -- I mean, was there any recognition that
3 she knew who Carl Trujillo was or had any dealings with him?

4 A. I'm sorry. At that meeting, of course. Yes. I
5 thought you meant before then.

6 **Q. Well, I was being inclusive, but that's fine. So
7 during that meeting, what did Ms. Koob say about Carl
8 Trujillo?**

9 A. She indicated that she wasn't surprised to hear
10 about Carl being accused of this.

11 **Q. What was that based on?**

12 A. She didn't give any details, but she -- the
13 impression I was left with was that she had heard from other
14 people that they also had been subjected to that kind of
15 harassment.

16 **Q. Okay. Did she tell you the names of -- you may
17 have just said this, so I apologize, but did she tell you the
18 names of any other people who had told her that they were
19 sexually harassed by Carl Trujillo?**

20 A. No, no details whatsoever, but just the impression
21 was that this was not surprising.

22 **Q. Okay. Did she tell you -- Ms. Koob, did she tell
23 you whether she had ever worked with Carl Trujillo on an
24 issue that she was lobbying for?**

25 A. I think she said that she had, of course, obviously

1 A. I have not, and I'm certain Daniel wouldn't without
2 any permission, and I've never given him permission to do
3 that.

4 **Q. Okay.**

5 MR. HNASKO: Just for the record, you have
6 disclosed that, and I've given it to him, because Laura has
7 given you permission to do that.

8 THE DEPONENT: Oh, okay. That's right -- that's
9 right. Thank you. I mean, we're very careful with our
10 personnel records.

11 MR. LOMAN: I appreciate that. What I'm trying to
12 get at is whether there's more out there that I don't have.
13 It sounds like that has been disclosed?

14 MR. HNASKO: Yeah, you have the notes and typed
15 version of those notes.

16 MR. LOMAN: Say what?

17 MR. HNASKO: You have the notes of Mr. Abram and
18 the typed version of those notes as well.

19 A. I did remember the other detail about the Julianna
20 Koob meeting, but it really has nothing to do with this case.

21 **Q. (By Mr. Loman) That's okay.**

22 A. It just has to do with one of the first questions
23 you asked me, which was the things that I've experienced or
24 other people have experienced at the legislature in terms of
25 harassment and assault. And Julianna told a story -- it was

1 a pretty shocking story -- about her being touched
2 inappropriately in a meeting in the capitol with a whole
3 group of people sitting -- you know, seated at a conference
4 table. I don't remember if she said it was the one up at
5 legislative council, but I somehow pictured it there in my
6 mind, because there's a conference table up there, and it
7 just shocked me so much, because she works on these issues,
8 and some legislator had the audacity to grope her under the
9 table at a meeting, and she told that story, and I thought
10 that was shocking.

11 **Q. (By Mr. Loman) Not Carl Trujillo?**

12 A. Not Carl Trujillo. That's why I said it has
13 nothing to do with this, except it talks to the pervasiveness
14 and gall of some people.

15 **Q. Okay. All right. We're going to mark this Exhibit**
16 **2. I think these are the notes that Mr. Hnasko was just**
17 **referring to. Do you recognize this? And take your time to**
18 **flip through. It's a half a dozen pages or so.**

19 (Note: Exhibit 2 marked.)

20 A. Is this Laura's notes?

21 **Q. Well, I was just about to ask you whose**
22 **handwriting this is. So -- well, let me answer my question,**
23 **but my first question is have you ever seen these notes**
24 **before?**

25 A. I have not seen these notes.

1 **Q. As you flip through these six pages, are any of**
2 **these notes your handwriting?**

3 A. No. Actually, it looks like Daniel's. I actually
4 don't know for sure whose writing this is. It looks like
5 Daniel's, because he doodles. So that's probably Daniel's.
6 He has the doodles in the margin.

7 MR. HNASKO: Doodle syndrome.

8 **Q. (By Mr. Loman) Whoever did this is a doodler.**

9 A. That's right. So this is Daniel's.

10 **Q. Doesn't look to me like this is all the same**
11 **person's handwriting, though. So let's start -- let's start**
12 **in the first page, and at the top, it's dated 2/27/18, and**
13 **there's some notes that start with, "Laura HR issue." Whose**
14 **handwriting is that?**

15 A. I would say this is Daniel, because he does -- when
16 he -- when he marks his action items, he makes a little box
17 and then checks it when it's done, and I think he transfers
18 it from there to a tracker for action items.

19 **Q. And in the bottom third or so of this page, there's**
20 **different handwriting. It's, "Carl Trujillo, Laura," looks**
21 **like, "Follow up." Whose handwriting is that?**

22 A. I honestly don't know, but I mean, it looks like it
23 would still be Daniel's.

24 **Q. Okay. I'm not a handwriting expert. It looks to**
25 **me like that's different handwriting than above, and so**

1 **that's why I asked, but you think this could all -- this**
2 **first page is all Daniel's handwriting? Could be?**

3 A. Yes, because you know, I asked him to check with
4 Steve, and this says, "Steve." You know, it looks like
5 that's the date, who he's talking to, and he probably wrote
6 down what Steve said, which is, "Obligation to protect." So
7 my guess is this is his handwriting.

8 **Q. That word "obligation" that appears in both**
9 **sections looks different to me, but that's all right.**

10 A. Oh, well, I have terrible handwriting, which you
11 probably wouldn't recognize from page to page either.

12 **Q. Going on to the second page of Exhibit 2, can you**
13 **recognize this handwriting; meaning, do you know whose it is?**

14 A. It still looks like Daniel's handwriting.

15 **Q. Okay. There's a highlighted section at the bottom.**
16 **It's not very easy to make out. But it's -- I stared at this**
17 **for a while. So I'm going to tell you what I think it says**
18 **and please correct me if you think it says something**
19 **differently. Okay?**

20 A. Yes.

21 **Q. Starting down at the bottom, the highlighted**
22 **section, it looks to me like it says, "No way of knowing what**
23 **is true," next line, "What's not. Feel like I owe you.**
24 **Bring to your attention." Are you with me so far?**

25 A. Yes.

1 **Q. Do you know what that was discussing?**

2 A. This looks like it's notes that Daniel would have
3 taken when he was talking with Steve and Poms, and Daniel was
4 conveying what Steve was telling him, which is in a case of
5 sexual harassment or assault -- but in this case it would
6 have been harassment -- it sounds like Steve -- and this
7 follows what Daniel told me -- he said that we may never know
8 what the truth is, but we have an obligation to protect the
9 employee, and I don't know what the "Bring to your attention"
10 is.

11 **Q. Well, going on, it looks like to me, it says, "Not**
12 **my place to know if it happened or not, but I owe it to you**
13 **to tell you." And when I read this, it looks like we're word**
14 **shopping things to say to Carl Trujillo. Was that a**
15 **discussion that was being had, that someone would -- someone**
16 **might bring this up to Carl?**

17 A. So my recollection is that Steve suggested that to
18 Daniel as an option for us.

19 **Q. Did you ever discuss with anyone that idea of going**
20 **to Carl and asking him about it or telling him about it?**

21 A. No, I didn't like that idea.

22 **Q. Okay.**

23 A. Well, actually, I'm sorry. I mentioned that to our
24 board members, but I never liked that idea.

25 **Q. Okay. Going on to the next page, again, to me it**

1 looks like we have a new writer. The top of this third page,
2 do you recognize that handwriting? It looks like it says,
3 "Alternatively, if Laura, being around." Does that -- do you
4 know that handwriting?

5 A. That must -- it must still be Daniel's handwriting.
6 He's still talking with Steve, because I -- you know, I
7 obviously know --

8 **Q. Does he switch between his right hand and left hand
9 when he writes?**

10 A. Not that I know of, but you know, I know what Steve
11 said to him, and as I mentioned at the beginning or toward
12 the beginning, I don't always have to do -- just do what
13 someone suggests. Part of being director is getting input
14 and then making my own judgment, and in his case, there have
15 been more than one time when I've actually pushed back on
16 some things that they've recommended, Poms have, that doesn't
17 seem right for our organization, and so we did something that
18 wasn't risky but that felt more like what made sense for our
19 organization, and this was one situation.

20 I mean, my initial reaction when I heard this was I
21 wanted to be protective, but after doing my own research
22 online and hearing input from others like Steve, I made my
23 own decision, and it didn't seem to make sense to, you know,
24 approach someone.

25 **Q. What was your decision then?**

1 Daniel and Laura?

2 A. Yes. It must be the same.

3 **Q. Okay. And then going on to the next page, at the
4 top, bullet point three says, "Incidents, Lisa asked Laura to
5 write it up," and I think we've talked about that, right?**

6 A. Yes.

7 **Q. The next bullet point says, "Concern about our
8 endorsement," and it goes down, and it says, "Not interested
9 in talking about it publicly."**

10 **Do you see that?**

11 A. Yes.

12 **Q. Is he taking a note that Laura was not interested
13 in talking about it publicly or somebody else?**

14 A. I think that's probably -- right at that moment, as
15 I mentioned, it was -- she was still trying to figure out
16 what she wanted to do, just stay away from Carl, you know, do
17 nothing, and at this point she must have said something about
18 not interested in talking about it publicly. I don't
19 specifically recall that, but she must have said it, because
20 he wrote it down.

21 **Q. Okay. Going on to the next page, it looks to me
22 like Laura is speaking and Mr. Abram is taking notes of what
23 Laura's telling him; is that -- is that fair?**

24 A. That looks like you're correct.

25 **Q. As we go down, about halfway down, it says, "Later**

1 A. Not to approach him.

2 **Q. Okay. Did you make --**

3 A. And to do whatever I had to to make my staff person
4 safe; meaning, they didn't have to lobby. They didn't have
5 to -- if he was ever going to be at an event, that they
6 wouldn't be at the same event together, and the one in
7 December, he -- my recollection is he confirmed his
8 attendance there kind of at the last minute. In fact, we may
9 not have even known he was coming. He may have just shown up
10 at the door. So if -- you know, if anyone that knew about
11 this, Jessica or Laura, they wouldn't have been prepared. It
12 wouldn't have been anything to me at that time, but --

13 **Q. Well, right.**

14 A. So he -- but going forward, after knowing that,
15 that's all I could do is keep my employee safe and out of
16 reach of that person.

17 **Q. All right. Going on now, we have a new set of
18 notes that's dated March 16th, 2018. Do you recognize this
19 handwriting?**

20 A. Again, I would guess it's Daniel because of the
21 doodles.

22 **Q. Okay. It says, "Laura follow-up meeting, March
23 16th," and I -- is this the same meeting we've already
24 discussed? You refer to your email of Exhibit 1, March 16th,
25 as the day that you said you had a personal meeting with**

1 I felt I needed to plan a response."

2 **Do you see that note?**

3 A. I do.

4 **Q. And that's what we had talked about earlier that
5 Laura came up with this story about, "I have a" -- or,
6 "Somebody's sick, I can't" --**

7 A. Yes.

8 **Q. "I can't see you this weekend"?' Okay. And down a
9 little more, it says February 5th, and then down a few more
10 lines it says, "Pulled me aside and whispered, 'Where can I
11 meet you this weekend?'" I think you discussed that.**

12 A. Yes.

13 **Q. And she says, "My boyfriend's family's sick. This"
14 -- kind of cuts off.**

15 A. "This weekend."

16 **Q. Okay. There's a note on the side that says,
17 "Response protected APV instead of," and then it cuts off,
18 but I think we've already discussed that she wanted to tell
19 him something that would be tactful and could preserve APV's
20 relationship with him as a legislator, right?**

21 A. Yes.

22 **Q. And would also leave room in case she was
23 misinterpreting his signs?**

24 A. Yes.

25 **Q. I think you talked about that, too. Okay. This**

1 next page, there's some highlighting that did not copy well,
2 and so I want to try to work through this with you. On top
3 I'm just going to point it out for you, if you don't mind me
4 reaching across. Starting here it looks to me like that
5 says, "15 to 20 lobbyists standing around."

6 A. Okay.

7 Q. Do you know what that's in reference to? When were
8 there 15 to 20 lobbyists standing around?

9 MR. HNASKO: Eric, if I may, I don't mind you
10 asking questions about this, but I believe that Mr. Abram
11 sent me this with this redacted, because it was not related
12 to Representative Trujillo. That's my belief, but perhaps --
13 but go ahead and ask the questions, but without -- I just
14 wanted to let you know, that's how it was presented to me,
15 but if you can decipher what's in there, I have no problem
16 with that.

17 MR. LOMAN: Sure. Looks to me like it's --

18 MR. HNASKO: I could be incorrect.

19 A. It's different than highlighting, for sure.

20 Q. (By Mr. Loman) Well, let me ask you, was there some
21 other incident of sexual harassment that was going on around
22 the same time that Mr. Abram would have been taking notes
23 for?

24 A. Laura did say something else about another
25 incident, and it was unrelated to the Carl Trujillo incident.

1 that the witness -- she's not a lawyer, and she has a right
2 to not answer the question. If you want her to answer, you
3 can file a motion with the subcommittee, and they can make
4 that determination.

5 MR. LOMAN: That's exactly what's going to happen.

6 MR. HNASKO: That's fine. Then you should do that.
7 It's her right to -- on the basis of matters that aren't in
8 front of the committee -- to make that determination, and you
9 may be right, too, but that should be brought up with the
10 subcommittee.

11 MR. LOMAN: Before we get to that motion, I need to
12 know -- if she has any understanding that she's not a lawyer
13 and she's not represented in this deposition, I want to know
14 if she can give me a legal basis for not answering it.
15 That's all.

16 MR. HNASKO: That's fine.

17 Q. (By Mr. Loman) So that's where I was headed with
18 that. Can you give me any legal privilege that applies here
19 or any other legal argument why you think you shouldn't have
20 to answer that question?

21 A. It doesn't seem relevant to me at all.

22 Q. All right.

23 A. I don't know if that's a legal basis, because I'm
24 an engineer. I'm not a lawyer.

25 Q. If you ask me an engineering question, you wouldn't

1 Q. She reported that she was sexually harassed by
2 another person?

3 A. Yes.

4 Q. Another legislator?

5 A. Yes.

6 Q. Okay. Was that during this March 16th meeting?

7 A. Yes.

8 Q. Okay. And who was that? What did she tell you?

9 A. I'd prefer not to answer that.

10 Q. Okay. Based on what?

11 A. It's not my story to tell.

12 Q. Okay. What was it that she told you then?

13 A. I'd prefer not to answer that.

14 Q. Okay. So at some point around the same time Laura
15 told you that she was sexually harassed by another
16 legislator, and you're refusing to tell me what she told you
17 and who the legislator was; is that true? Do I have all that
18 correct?

19 A. I'd prefer not to answer, yes.

20 Q. Okay. I understand that. You're not a lawyer,
21 right?

22 A. I'm not.

23 Q. Okay. So keeping that in mind, can you tell me any
24 privilege that applies to this?

25 MR. HNASKO: Well, I'm going to object. I think

1 get a very good answer. Okay. Whatever this other incident
2 was, with whomever it was, why did Ms. Bonar write an open
3 letter about Carl Trujillo this year and not about this other
4 person?

5 A. I don't know.

6 Q. Okay. Has Ms. Bonar ever told you about any other
7 incidents where she felt like she was sexually harassed in
8 any way other than what we've talked about with Carl Trujillo
9 and whatever's redacted here?

10 A. No. I don't remember anything else.

11 Q. Okay. When did this other incident occur? What
12 year?

13 A. I don't know.

14 Q. Over on the side -- and I'm going to reach across
15 and point it out to you -- I can make out 2014 in that bit
16 that's redacted. Was she telling you this happened -- this
17 other incident occurred in 2014?

18 A. I don't know, but certainly it's plausible since
19 there's a date there. I honestly don't remember.

20 Q. Okay. Then going down, we have more notes that are
21 not redacted. It says, "Most concerned about Carl," and it
22 says here, "Was not interested in an apology." So now we're
23 talking about multiple incidents. Was that your
24 understanding from this meeting that Laura was not interested
25 in an apology from Carl Trujillo?

1 A. Yes. That was in response to my question. Being a
2 neophyte about this whole category of conduct called sexual
3 harassment, I innocently asked if -- what would make her
4 whole out of the process. Seemed like a fair question.

5 **Q. Okay.**

6 A. And I asked -- and I didn't just leave it as an
7 open question. I just said, "For instance, what if you were
8 to get an apology?"

9 And she said -- that's when she said she was not
10 interested in an apology. She said it doesn't -- she didn't
11 feel like it would be meaningful.

12 **Q. Okay. Down at the bottom there's another bit that
13 I suppose was also redacted, but I can make out the name,
14 "Julianna Koob, lobbyist for ACLU." Was Julianna Koob
15 discussed in the context of this other incident that you
16 don't want to talk about? Did she have something to do with
17 that?**

18 A. No, no. I think what that probably referred to was
19 at that time I believe I asked Laura if she would mind --
20 because at this point, you know, I -- I didn't want to make
21 any move that would be either inappropriate for an employer
22 to make or reach out to anyone on Laura's behalf that she
23 didn't agree with. So I believe it was at this meeting that
24 I said, "Would you mind if I checked with someone that I know
25 is knowledgeable about these kinds of incidents," and asked

1 news guy.

2 MR. HNASKO: I don't know.

3 **Q. (By Mr. Loman) All right. Okay. After -- so March
4 19th is the meeting you had with Laura Bonar and Julianna
5 Koob. Did you have any more conversations with Ms. Koob
6 about this matter?**

7 A. I believe I spoke with her one more time over the
8 phone after that, and it was only once, and I had -- we had a
9 lot of trouble connecting; took a while to get back.

10 **Q. When would that have been? And I don't need you to
11 tell me the day necessarily, but was it shortly after this
12 meeting? Was it later in the summer?**

13 A. No, no. It was shortly after this meeting. I'm
14 actually trying to remember why I called her back. Probably
15 initially to thank her for her help. I can't remember what
16 else we talked about.

17 **Q. Sometimes it helps to think of things in relation
18 to a key event, so let me ask it this way --**

19 A. Okay.

20 **Q. -- would that conversation with Julianna Koob, did
21 that occur before or after Laura published her open letter,
22 which would have been May 2nd?**

23 A. Oh, no. I mean, it was -- my recollection is it
24 was like right after that meeting.

25 **Q. All right. This memo that Ms. Bonar sent you on**

1 her permission to talk with her about it.

2 **Q. To talk with Julianna Koob?**

3 A. Yes.

4 **Q. All right.**

5 A. And she said she didn't have an issue with that.

6 MR. LOMAN: All right. Let's take another break.

7 (Note: Deposition in recess at 11:36 a.m.

8 and reconvened at 11:43 a.m.)

9 **Q. (By Mr. Loman) Okay. We were discussing, again,
10 this March 16th meeting that you had with Ms. Bonar and
11 Daniel Abram. Abrams or Abram?**

12 A. Abram, no "S."

13 **Q. Well, I'm about to feel less bad for messing that
14 up earlier. So I don't need to make this an exhibit, but
15 this has been identified as Charging Party Exhibit 40. Can
16 you just look at that and confirm that -- you said that you
17 asked Laura to "write it up," or Mr. Abram did following this
18 meeting, and then she wrote a memo to you. Is this the memo?**

19 A. It looks like it, yes.

20 **Q. She calls him Danny, Daniel Abrams. So don't blame
21 me, but there's a newscaster -- is that why the name sounds
22 familiar?**

23 MR. HNASKO: I don't know. It just seems like it
24 should be Abrams.

25 MR. LOMAN: I think there's a Dan Abrams who's a

1 **March 19th, did you get this -- did she give this to you in
2 hard copy? Did she email it in pdf? Did she mail it as a
3 Word document? Do you recall?**

4 A. I don't remember. I get hundreds of emails a day,
5 so probably I got it in email form, too.

6 **Q. When did you first learn that Ms. Bonar had decided
7 to publish this open letter?**

8 A. It was virtually right before it was published.
9 She was going back and forth about what to do, because it's
10 obviously a terrifying experience to do this, putting
11 yourself out there and knowing how the public responds.

12 **Q. Do you know if anyone helped her come to that
13 decision or suggest that she do it that way?**

14 A. I don't. I mean, I presumed she might have been
15 talking with friends, with family, but you know, I didn't
16 talk with her about it, again, going back to that concept
17 which seemed a little new to me about keeping my nose out of
18 it as an employer and realizing it was up to her, and so, I
19 mean, I didn't try to persuade her one way or the other. I
20 told her whatever she did we would support her.

21 **Q. At that point, after this meeting on March 19th, at
22 that point, did you go look at the legislature's harassment
23 policy to familiarize yourself with it?**

24 A. No.

25 **Q. Have you ever read it?**

1 A. I have not.
 2 **Q. Other than that -- we've talked about the meeting**
 3 **on March 19th with Ms. Koob and Ms. Bonar. So after that**
 4 **meeting, did you ever have another conversation with**
 5 **Ms. Bonar about filing a complaint under the harassment**
 6 **policy?**

7 A. No. I -- again, I didn't feel like it was my
 8 business to say what she should do. I was interested in what
 9 it was going to take to make her whole, and it didn't -- you
 10 know, I asked her that in that meeting, and you know, I felt
 11 like there was very little I could do about trying to fix the
 12 situation; try to be a problem solver, but it didn't seem
 13 like there was a lot I could do.

14 **Q. What was the problem that needed to be solved,**
 15 **though? I mean, at this point she hadn't had any contact**
 16 **with Carl Trujillo in four years. He wasn't sexually**
 17 **harassing her in March of 2018, right?**

18 A. Presumably not. She wasn't there.

19 **Q. Yeah. So what was the problem in your mind that**
 20 **needed to be solved here?**

21 A. She was haunted by this experience, and this person
 22 was large in our lives as a prominent sponsor. You know, we
 23 were boosting him, holding a fundraiser for him. I'm sure
 24 that wasn't a comfortable matter for her. She never told me
 25 that, but it doesn't take a genius to figure out that if this

1 **Q. Meaning -- I will tell you this: It was published**
 2 **-- on May 2nd is the day that this came out on Brava, Brava's**
 3 **website. So would it have been that morning? The day**
 4 **before?**

5 A. I think she showed me a copy the day before.

6 **Q. Okay.**

7 A. But I'm not positive. It wouldn't have been before
 8 that, I don't think.

9 **Q. Okay.**

10 A. And I didn't feel like that was unusual, again,
 11 because it was like it wasn't coming from the organization.
 12 It was her decision, what she was doing.

13 **Q. Before she showed you the open letter, were you**
 14 **aware that she was going to write an open letter and publish**
 15 **it?**

16 A. I don't think so. I remember -- I guess I remember
 17 being a little bit surprised, because I thought that, you
 18 know -- I mean, Laura was changing her mind about what to do.
 19 It was a difficult decision, and I think the last, you know
 20 -- the last I'd heard was that she might send a letter to
 21 Representative Trujillo. I think I remember her saying that,
 22 and then like the day before, she said she's sending an open
 23 letter. I said, "Okay."

24 **Q. Okay. And you reviewed -- you read the open**
 25 **letter, correct?**

1 person that did that to you, organization you work for
 2 continues to work for them, holds fundraisers for them,
 3 raises money, you know, speaks publicly about what a great
 4 champion they are, everybody should be as great as this
 5 person, it's probably not pleasant to hear when you've been
 6 harmed by that person.

7 **Q. There was a donor appreciation event in December of**
 8 **2017, I think you said?**

9 A. Yes.

10 **Q. And they -- Ms. Bonar and Carl Trujillo may have**
 11 **been in the same building, right?**

12 A. I believe they were.

13 **Q. Are you aware whether they had any interaction**
 14 **whatsoever during that event?**

15 A. I think I asked Laura that after -- well, after the
 16 fact, you know, after this all came out, and I think she said
 17 she didn't -- she didn't -- you know, she just stayed away.
 18 It's a pretty big building. It's a pretty large space. You
 19 can kind of -- we have a lot of people there.

20 **Q. Carl didn't seek her out, though, as far as you're**
 21 **aware of, right?**

22 A. Not that I'm aware of.

23 **Q. Okay. So you said earlier that you became aware of**
 24 **this idea of the open letter shortly before it was published?**

25 A. Yeah, virtually right before.

1 A. I did read it.

2 **Q. The day before approximately?**

3 A. Yes.

4 **Q. Did you make any suggestions about what was in it**
 5 **or --**

6 A. I don't think I did.

7 **Q. Okay. The version of the letter that was**
 8 **eventually published on the Internet, was it the same as the**
 9 **one you read? Did it have any changes that you're aware of?**

10 A. I don't know if I saw what was on the Internet. I
 11 probably saw -- you know, she probably showed me a copy of
 12 what she had. I wouldn't like try to compare it word for
 13 word.

14 **Q. Okay. Did you ever have any communication with**
 15 **Brian Egolf or anyone on Brian Egolf's behalf regarding the**
 16 **open letter or these allegations?**

17 A. No.

18 **Q. Did you ever communicate with anyone from Blue**
 19 **Advantage Partners regarding any of this?**

20 A. No. I don't even know what that is.

21 **Q. Okay. Between the meeting on March 19th with**
 22 **Ms. Koob and Ms. Bonar and the open letter coming out, so**
 23 **between March 19th and May 2nd, did you discuss Carl Trujillo**
 24 **or sexual harassment at all with Laura Bonar?**

25 A. Between the meeting?

1 **Q. Between March 19th and May 2nd?**
 2 A. Did I discuss it at all with her?
 3 **Q. Yes.**
 4 A. Probably. Likely but --
 5 **Q. What do you recall?**
 6 A. But not in any way trying to dictate what she would
 7 do.
 8 **Q. Okay. Did she -- during that period of, you know,**
 9 **five or six weeks there, did she disclose any new details**
 10 **that you hadn't heard before?**
 11 A. Details about the harassment?
 12 **Q. Yes.**
 13 A. No, not that I can remember. I mean, again, I just
 14 have to emphasize, I was trying to keep very separate the
 15 organization and what Laura was doing, and that seemed like,
 16 you know, that was the best practice from what I could read
 17 online and learn is that it was her business what she did,
 18 and I promised her we would support her, because she's a very
 19 valuable employee and very trusted.
 20 **Q. So I'm sure you are aware that Mr. Hnasko and a**
 21 **colleague, another attorney, did an investigation in this**
 22 **matter?**
 23 A. Yes.
 24 **Q. And you participated in that investigation?**
 25 A. Yes.

1 **Q. Did you read the report, the investigation**
 2 **findings, and recommendation that came out in July?**
 3 A. I did.
 4 **Q. So it's 40-some pages, and it's pretty dense. So**
 5 **I'm not going to ask you to go through that entire thing with**
 6 **me, but I do want to focus on -- I'm going to hand you a few**
 7 **pages, and I'll represent to you these are pages that I took**
 8 **out of that report. Okay?**
 9 (Note: Exhibit 3 marked.)
 10 A. Sure.
 11 **Q. Now, these are, like I said, I pulled some pages**
 12 **out. So it starts with page 17 of the record. Would you**
 13 **flip through it until you get to page 29?**
 14 A. Twenty-nine.
 15 **Q. Yes, ma'am. Are you there?**
 16 A. Yes.
 17 **Q. So we've got paragraph 22, towards the top, and**
 18 **this is recounting the meeting between you and Ms. Koob and**
 19 **Ms. Bonar. Okay. And it says, "Ms. Koob recommended to**
 20 **Ms. Bonar that she not file a complaint under the new**
 21 **anti-harassment policy, because Ms. Koob did not think it**
 22 **would be effective." And I think we discussed that a little**
 23 **bit, right?**
 24 A. Yes.
 25 **Q. And it says, "Ms. Koob believed the matter would**

1 **not be kept confidential," and it goes on from there. And I**
 2 **think you mentioned something about that as well, right?**
 3 A. I mentioned to you that she expressed concern about
 4 the current form of the anti-harassment policy, yes.
 5 **Q. What was her concern as far as confidentiality?**
 6 **What do you recall about that?**
 7 A. You know, I don't remember the details, but -- I
 8 honestly don't remember details about that. I just remember
 9 her saying that she felt like she was worried about people
 10 keeping the information to themselves.
 11 **Q. Okay. It says that Ms. Koob recommended that Laura**
 12 **get an advocate, and she provided Ms. Bonar some**
 13 **recommendations. Do you recall that?**
 14 A. I don't really remember that. I believe it if --
 15 you know, it seems plausible in the conversation, but I mean,
 16 do I specifically remember her saying that? No.
 17 **Q. Okay. Do you remember any of the names that she**
 18 **may have given her?**
 19 A. No. And I'm not even sure if she did provide any
 20 names. It says she did, but I may not have been paying
 21 attention at that point.
 22 **Q. Do you know whether -- following this meeting on**
 23 **March 19th, do you know whether Laura Bonar and Julianna Koob**
 24 **had any communication regarding all this?**
 25 A. Regarding the whole Carl Trujillo?

1 **Q. Regarding Carl Trujillo, sexual harassment, et**
 2 **cetera?**
 3 A. I don't know. I would have no way of knowing that.
 4 **Q. Okay. Did Laura Bonar and Julianna Koob meet for**
 5 **the first time in this meeting?**
 6 A. I don't know.
 7 **Q. Okay.**
 8 A. I mean, I didn't get the impression that they knew
 9 each other very well, and that may have been their first
 10 meeting.
 11 MR. LOMAN: All right. Let's take a break so I can
 12 go over my notes.
 13 (Note: Deposition in recess at 12:02 p.m.
 14 and reconvened at 12:10 p.m.)
 15 **Q. (By Mr. Loman) I may have asked you this already,**
 16 **so I apologize. Do you know why -- presumably from**
 17 **Ms. Bonar, but do you know why she decided to publish an open**
 18 **letter as opposed to any of the other options that were**
 19 **before her?**
 20 A. I don't.
 21 **Q. Okay. You mentioned that -- I think your word was**
 22 **"haunted," that she had been "haunted" by this for years?**
 23 A. That's my word.
 24 **Q. Right. Yes. Has Laura ever told you that she**
 25 **sought any sort of counseling or therapy or mental health**

1 care as a result of any of this?
 2 A. Did she tell me that before?
 3 **Q. At any point.**
 4 A. She has had counseling since all of this has been
 5 going on, she told me, but not -- not prior that I'm aware
 6 of.
 7 **Q. Okay.**
 8 A. Like prior to this whole public thing, you know,
 9 unfolding.
 10 **Q. So May 2nd is the date that the open letter is**
 11 **published. So you're telling me she's had some therapy or**
 12 **counseling or what have you since May 2nd because of this?**
 13 A. My understanding is she has talked to a counselor
 14 since then, but I don't know before then.
 15 **Q. You don't know if she had any counseling --**
 16 A. I don't know.
 17 **Q. And you don't know if she had any back in 2014 when**
 18 **she said this actually occurred?**
 19 A. No. I don't know.
 20 MR. LOMAN: All right. I assume you have no
 21 questions?
 22 MR. HNASKO: I have no questions.
 23 MR. LOMAN: So, Ms. Jennings, you have the right to
 24 read and sign your deposition, which means a transcript's
 25 going to be produced, and you have the right, if you want to,

1 to review it for transcription errors. You don't get to
 2 change your answers, but if you said, "I went to Austin," and
 3 he writes down "Boston," you get to change errors like that.
 4 Would you like to do that? Keep these together for him. I'm
 5 sorry. Before we get to that, do you want to read and sign
 6 the deposition?
 7 THE DEPONENT: Yes. That would be nice.
 8 MR. HNASKO: And you can send it to me, and I'll
 9 make sure she gets it.
 10 MR. LOMAN: We'll keep these for the court
 11 reporter, and that's it. Thank you.
 12 (Note: Deposition concluded at 12:12 p.m.)
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1 BEFORE THE HEARING SUBCOMMITTEE
 2 OF THE INTERIM LEGISLATIVE ETHICS COMMITTEE
 3
 4
 5 In re: Representative Carl Trujillo,
 6 Respondent.
 7
 8
 9
 10
 11 CERTIFICATE OF COMPLETION OF DEPOSITION
 12 I, B. JULIAN SERNA, CCR, DO HEREBY CERTIFY that on
 13 November 5, 2018, the deposition of ELISABETH JENNINGS was
 14 taken before me at the request of, and sealed original
 15 thereof retained by:
 16 JACKSON, LOMAN, STANFORD & DOWNEY, P.C.
 17 Suite 1500
 18 201 Third Street, Northwest
 19 Albuquerque, New Mexico 87102
 20 BY: ERIC LOMAN
 21
 22
 23 I FURTHER CERTIFY that copies of this certificate
 24 have been mailed or delivered to all Counsel and parties not
 25 represented by counsel appearing at the taking of the
 deposition.
 I FURTHER CERTIFY that examination of this
 transcript and signature of the witness was required by the
 witness and all parties present. On _____ a letter
 was mailed or delivered to Mr. Hnasko regarding obtaining
 signature of the witness. Corrections, if any, were appended
 to the original and copies mailed to counsel and parties

1 I FURTHER CERTIFY that the recoverable cost of the
 2 original and one copy of the deposition, including exhibits,
 3 to ERIC LOMAN, is \$_____
 4
 5 I FURTHER CERTIFY that I did administer the oath to
 6 the witness herein prior to the taking of this deposition,
 7 that I did thereafter report in stenographic shorthand the
 8 questions and answers set forth herein, and the foregoing is
 9 a true and correct transcript of the proceeding had upon the
 10 taking of this deposition to the best of my ability.
 11
 12 I FURTHER CERTIFY that I am neither employed by nor
 13 related to any of the parties or attorneys in this case and
 14 that I have no interest in the final disposition of this case
 15 in any Court.
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1 DEPONENT SIGNATURE/CORRECTION PAGE

2 If there are any typographical errors to
3 your deposition, indicate them below.

4 PAGE LINE

5

6 _____ Change to _____

7 _____ Change to _____

8 _____ Change to _____

9

10 Any other changes to your deposition are to
11 be listed below with a statement as to the
12 reason for such change.

13 PAGE LINE CORRECTION REASON FOR CHANGE

14

15

16

17

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22

23 I, _____ do hereby certify that I have read the
24 foregoing pages of my testimony as transcribed, and that the
25 same is a true and correct transcript of the testimony given
by me in this deposition, except for the changes made.

24

25 _____