

Exhibit E

Page 1

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

- - - - -x
ORAL CLARKE, ROMANCE REED, GRACE
PEREZ, PETER RAMON, ERNEST TIRADO,
and DOROTHY FLOURNOY,

Plaintiffs,

-against- Index No:
EF002460/2024
TOWN OF NEWBURGH and TOWN BOARD OF
THE TOWN OF NEWBURGH,

Defendants.

- - - - -x

VIA ZOOM

August 5, 2024
10:01 a.m.

EXAMINATION BEFORE TRIAL of GRACE
PEREZ, a Plaintiff in the above-entitled
action, held at the above time and place
and taken before Elizabeth C. Swanson, a
Notary Public of the State of New York.

* * *

Page 2

A P P E A R A N C E S

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STIPULATIONS

IT IS HEREBY STIPULATED, by and between the attorneys for the respective parties hereto, that:

All rights provided by the C.P.L.R., and Part 221 of the Uniform Rules for the Conduct of Depositions, including the right to object to any question, except as to form, or to move to strike any testimony at this examination is reserved; and in addition, the failure to object to any question or to move to strike any testimony at this examination shall not be a bar or waiver to make such motion at and is reserved to, the trial of this action.

This deposition may be sworn to by the witness being examined before a Notary Public other than the Notary Public before whom this examination was begun but the failure to do so or to return the original of this deposition to counsel, shall not be deemed a waiver of the rights provided by Rule 3116, C.P.L.R. and shall be controlled thereby.

Page 4

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The filing of the original of
this deposition is waived.

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IT IS FURTHER STIPULATED, a copy
of this examination shall be furnished to
the attorney for the witness being
examined without charge.

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Page 5

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2 G R A C E P E R E Z, after having first
3 been duly sworn by a Notary Public of the
4 State of New York, was examined and
5 testified as follows:

6 EXAMINATION BY

7 MS. JACCARD:

8 Q. State your name for the record
9 please.

10 A. Grace Perez.

11 Q. State your address for the
12 record please.

13 A. 114 Heather Circle, Newburgh,
14 New York 12550.

15 Q. Good morning, Ms. Perez. My
16 name is Anais Jaccard, I represent the
17 defendants in this case the Town of
18 Newburgh and the Town Board of the Town of
19 Newburgh. I also have my colleague Paris
20 Kent with me here today. I know you just
21 did this, but Ms. Perez, would be able to
22 state your name and address?

23 A. Graze Perez, 114 Heather Circle,
24 Newburgh, New York 12550.

25 Q. Good morning, Ms. Perez. First,

Page 6

1 GRACE PEREZ
2 we will go over some of the ground rules
3 so we can make this an efficient and
4 hopefully relatively speedy process for
5 everybody.

6 First of all, I will be asking
7 you a lot of questions today. Do you
8 understand you have to answer those
9 questions to the best of your ability
10 unless your attorney specifically
11 instructs you not to?

12 A. Yes.

13 Q. Thank you.

14 The stenographer will be
15 recording everything we say today so
16 please answer verbally, and by that I mean
17 no nodding, no head shakes. We need the
18 stenographer to understand what is
19 actually being communicated; do you
20 understand?

21 A. Yes.

22 Q. Thank you.

23 I will also ask that you let me
24 finish my questions before you start
25 answer just so that we don't talk over one

Page 7

1 GRACE PEREZ

2 another. That will make the
3 stenographer's life a lot easier, and I
4 will do the same with your answers. Do
5 you agree?

6 A. Yes.

7 Q. If you don't understand the
8 question I'm asking, just let me know, and
9 I can repeat it, rephrase it, or ask the
10 stenographer to repeat it back to us. Do
11 you understand?

12 A. Yes.

13 Q. Similarly, if you would like to
14 take a break at any point, just ask. We
15 are more than accommodating for that. The
16 only rule is that we will not take a break
17 when there is a question pending. Do you
18 understand?

19 A. Yes.

20 Q. Ms. Perez, you are currently
21 under oath and are sworn to tell the
22 truth. You will remain under oath for the
23 entirety of the deposition. Do you
24 understand?

25 A. Yes.

Page 8

1 GRACE PEREZ

2 Q. I will start by asking some
3 general questions. We ask these at all
4 depositions. They are not personal to you
5 at all. Have you taken any medications
6 today that would affect your ability to
7 testify truthfully?

8 A. No.

9 Q. Have you consumed any alcohol
10 today?

11 A. No.

12 Q. Are there any circumstances that
13 would prevent you from answering my
14 questions truthfully to the best of your
15 ability?

16 A. No.

17 Q. Thank you.

18 We are going to go over a couple
19 of definitions before we get started.
20 Throughout this deposition, I will refer
21 to the Town of Newburgh as the Town. I
22 will also refer to the Town Board of the
23 Town of Newburgh as the Town Board.

24 Do you understand those
25 definitions?

Page 9

1 GRACE PEREZ

2 A. Yes.

3 Q. If, at any time, you are unclear
4 about which entity I'm speaking about and
5 who I mean when I say the Town or the Town
6 Board, please let me know because it's
7 imperative that you understand.

8 A. Yes.

9 Q. Setting that aside, we can get
10 started. First, have you ever been a
11 party to a civil case or an arbitration?

12 A. Yes.

13 Q. Do you know how many?

14 A. One.

15 Q. Was it a civil case or
16 arbitration?

17 A. Civil.

18 Q. Do you know what the name of the
19 case was?

20 A. Graze Perez versus the Violence
21 Intervention Program.

22 Q. When did that case start?

23 A. 2010.

24 Q. Has that case been -- go ahead.

25 A. I don't know exactly recall the

Page 10

1 GRACE PEREZ

2 year but either 2010 or the year before or
3 the year after.

4 Q. And is that case still pending
5 or has it been resolved?

6 A. Resolved.

7 Q. What Court was that case in?

8 A. New York -- New York City.

9 Q. What was that case about?

10 A. Related to employment.

11 Q. Were you the plaintiff in that
12 case?

13 A. Yes.

14 Q. And you mentioned that that case
15 was resolved. How was that case resolved?

16 A. I withdrew.

17 Q. Have you ever been charged of a
18 crime?

19 A. Never.

20 Q. Have you ever testified in a
21 civil trial or arbitration besides the one
22 that you just referred in which you were
23 the plaintiff?

24 A. No.

25 Q. Have you ever submitted an

Page 11

1 GRACE PEREZ
2 affidavit or sworn statement in connection
3 with a case or arbitration, again besides
4 the one in which you were the plaintiff
5 that you just spoke about?

6 A. No.

7 Q. Have you ever had your
8 deposition taken before?

9 A. Yes.

10 Q. How many times?

11 A. In the matter that I just
12 previously mentioned, about seven times.

13 Q. Do you recall when the first
14 deposition was in that case?

15 A. 2009, 2010.

16 Q. What was your testimony about
17 during that deposition?

18 A. It was related to employment.

19 Q. Can you expand a little bit
20 about that case? You said it was related
21 to employment.

22 A. Defamation of employment.

23 Q. You as the plaintiff claimed
24 that your employer had defamed you; is
25 that correct?

Page 12

1 GRACE PEREZ

2 A. Correct.

3 Q. Who was the employer in that
4 case?

5 A. Violence Intervention Program.

6 Q. And you dismissed that case in
7 the end?

8 A. I did not continue, yes.

9 Q. When was that?

10 A. 2012 approximately. I don't
11 exactly recall.

12 Q. Turning now to this case, what
13 did you do to prepare for this deposition?

14 A. I had a meeting this past
15 Friday, August the 2nd with our attorneys.

16 Q. Did you just have that one
17 meeting or were there others?

18 A. Just that one meeting.

19 Q. How long was that meeting
20 approximately?

21 A. Approximately an hour.

22 Q. When you met with your
23 attorneys, did you review any documents?

24 MR. STILL: Before you answer,
25 at this point I object to the extent

1 GRACE PEREZ

2 this might call for any
3 attorney-client privileged
4 information.

5 Grace, you can answer to the
6 extent -- you can answer that you did
7 review certain documents. Just be
8 careful not to divulge the contents of
9 what you might have discussed with us
10 but go ahead. You can answer.

11 A. Yes. We reviewed some
12 documents.

13 Q. What documents did you review?

14 A. The complaint, the actual
15 filing, and one other document whose title
16 I don't recall right now.

17 Q. Did you review any motion papers
18 or legal briefs?

19 A. No. I don't think those were.

20 Q. Did you review any other
21 documents in connection --

22 A. No.

23 Q. Do you know if the documents you
24 reviewed, particularly the second one that
25 you can't quite recall, was that a

Page 14

1 GRACE PEREZ

2 document that was produced in this

3 litigation by any of the parties?

4 A. Yes.

5 Q. Ms. Perez, did you receive a

6 litigation hold instructing you to

7 preserve any documents related to the

8 claims in this litigation?

9 A. Yes. That's actually the
10 document -- the second document. I
11 couldn't remember the name of it but that
12 was it, yes.

13 Q. Thank you.

14 Do you have any documents
15 related to the issues in this litigation
16 whether digital or physical?

17 A. No.

18 Q. Do you have any communications,
19 and by that I mean emails, text messages,
20 social media messages related to the
21 issues in this litigation?

22 MR. STILL: I am going to object
23 to the extent there may be
24 attorney-client privileged information
25 she has.

Page 15

1 GRACE PEREZ

2 Don't answer, Grace, in terms of
3 attorney-client privileged
4 communications, but otherwise you can
5 answer.

6 A. No. I have no documents either
7 mail, email, text messages, voice messages
8 on this matter at all.

9 Q. Thank you.

10 Let's talk about the complaint
11 briefly, and we'll go into more detail
12 later. You said you reviewed the
13 complaint in preparation for this
14 deposition; is that correct?

15 A. We looked it over. We didn't go
16 line by line. Just reminded me of what it
17 was.

18 Q. Did you review the complaint
19 before it was filed?

20 A. Yes.

21 Q. Have you reviewed any motion
22 papers or legal briefs filed in this case
23 after the complaint was filed?

24 MR. STILL: Objection. I'm not
25 sure -- the witness is not a lawyer.

Page 16

1 GRACE PEREZ

2 Not sure she entirely understands what
3 a legal brief or motion papers are.
4 Can you clarify what you mean?

5 MS. JACCARD: Yes.

6 EXAMINATION BY

7 MS. JACCARD:

8 Q. Ms. Perez, in addition to the
9 complaint have you reviewed anything else
10 that was filed in this case -- anything
11 else your attorneys or the other side has
12 presented to the Court?

13 A. Just the letter that was sent
14 requesting documents that I may have.

15 Q. Okay, thank you.

16 Did you meet with anybody else
17 in preparation for your deposition besides
18 your attorneys?

19 A. No.

20 Q. Did you tell anybody else that
21 you were being deposed today?

22 A. No.

23 Q. At this point, I would like to
24 shift the focus a little bit and talk
25 about your background. Did you go to

1 GRACE PEREZ

2 college?

3 A. Yes.

4 Q. Where did you go to college?

5 A. I went to undergrad in Puerto
6 Rico, and I did a grad level program here
7 in New York.

8 Q. What was the name of the school
9 in Puerto Rico?

10 A. Interamericana.

11 Q. What did you study there?

12 A. Social work.

13 Q. Did you graduate?

14 A. Yes.

15 Q. When was that?

16 A. 1981.

17 Q. What degree did you receive from
18 that institution?

19 A. A bachelor's in social work.

20 Q. And you said you went to a
21 graduate program in New York?

22 A. Yes.

23 Q. What was the name of that
24 school?

25 A. Columbia.

Page 18

1 GRACE PEREZ

2 Q. What did you study at Columbia?

3 A. Public administration.

4 Q. Did you graduate from that
5 program?

6 A. Yes.

7 Q. When was that?

8 A. '94.

9 Q. What degree did you receive?

10 A. Master's in public
11 administration.

12 Q. Do you have any certifications
13 or professional licenses?

14 A. No.

15 Q. What is your currently
16 occupation?

17 A. I'm retired.

18 Q. What was your previous
19 occupation before your retirement?

20 A. I was executive director of a
21 nonprofit organization.

22 Q. What was the nonprofit
23 organization?

24 A. Violence Intervention Program.

25 Q. How long were you in that role?

Page 19

1 GRACE PEREZ

2 A. 17 years.

3 Q. What were your responsibilities
4 in that position?

5 A. Program development, funding
6 development, human resources, everything.

7 MR. STILL: Can you all hear the
8 -- I will close the window. I think
9 there is noise in the background.
10 Give me one moment.

11 Okay. I'm sorry about that. We
12 can continue.

13 EXAMINATION BY

14 MS. JACCARD:

15 Q. Where was that job located?

16 A. New York City.

17 Q. When did that job start?

18 A. 1985.

19 Q. Ms. Perez, how did you identify
20 your race on the 2020 census?

21 A. Latina.

22 Q. Ms. Perez, do you currently
23 reside in the Town of Newburgh, and as a
24 reminder, when I refer to the Town moving
25 forward, I'm referring to the Town of

Page 20

1 GRACE PEREZ

2 Newburgh.

3 A. Yes.

4 Q. How long have you lived in the
5 Town?

6 A. 32 years. I had to do the math.

7 Q. Are you registered to vote?

8 A. Yes.

9 Q. How long have you been
10 registered to vote?

11 A. Since I was 18.

12 Q. Do you vote in every election?

13 A. Yes.

14 Q. So every presidential election?

15 A. Yes.

16 Q. State and local elections as
17 well?

18 A. Yes.

19 Q. Are you registered with a
20 political party?

21 A. Yes.

22 Q. Which party?

23 A. Democratic Party.

24 Q. Has that ever changed?

25 A. No.

Page 21

1 GRACE PEREZ

2 Q. Are you a member of any
3 political organizations or groups?

4 A. Yes.

5 Q. Which ones?

6 A. The Orange County Democratic
7 Committee and the Town of Newburgh
8 Democratic Committee.

9 Q. Are there any other political
10 organizations you are a part of?

11 A. No.

12 Q. Do you volunteer for any of
13 these political organizations?

14 A. Repeat that question.

15 Q. Do you volunteer with any
16 political organizations?

17 A. Yes.

18 Q. Which political organizations?

19 A. The Town of Newburgh Democratic
20 Committee.

21 Q. What does volunteering for the
22 Town of Newburgh Democratic Committee look
23 like? What are your responsibilities?

24 MR. STILL: Before she answers,
25 I will just object to the extent this

1 GRACE PEREZ

2 may call for information protected by
3 the First Amendment associational
4 privilege.

5 Grace, you can answer the
6 question to the extent you are doing
7 in a public facing roles or tasks. In
8 terms of internal things with the
9 party organization, that's privileged,
10 but you can answer subject to that
11 instruction.

12 A. Voter registration, community
13 canvassing.

14 Q. We disagree with the scope of
15 the privilege that your attorney asserted,
16 but in any event, do you volunteer for any
17 particular candidate or have you
18 volunteered for any particular candidate?

19 A. Yes.

20 Q. In what capacity? What have
21 your responsibilities been when you have
22 volunteered for particular candidates?

23 MR. STILL: I make the same
24 objection.

25 Grace, you can answer to the

1 GRACE PEREZ

2 extent of your public facing duties.

3 More private internal workings of the
4 campaign you don't have to answer
5 that, but you can answer public
6 facing.

7 A. Community canvassing.

8 Q. What does community canvassing
9 mean?

10 A. Going to party members to inform
11 them of a candidate's candidacy.

12 Q. Which candidates have you
13 volunteered for?

14 A. Okay. Vanessa Tirado, Miriam
15 Bowser, Mary Olivera, and one or two
16 others right now I can't remember. It's
17 been a while.

18 Q. And were those individuals
19 running for the Town Board at the time you
20 volunteered for them?

21 A. Yes.

22 Q. Ms. Perez, has your level of
23 political involvement changed over the
24 years?

25 A. No.

1 GRACE PEREZ

2 Q. Have you ever run for a
3 political office?

4 A. No.

5 Q. Have you ever considered running
6 for a political office?

7 A. The thought has crossed my mind.
8 I have been approached as well.

9 Q. Who have you been approached by?

10 A. Committee members.

11 Q. When you say committee, do you
12 mean the Town of Newburgh Democratic
13 Committee?

14 A. Yes.

15 Q. Can you describe the structure
16 of the Town of Newburgh's government?

17 A. Yes. We have a town supervisor.
18 We have a -- what is that position called
19 -- the tax receiver, and we have town
20 council members.

21 Q. What is the entity that runs the
22 Town?

23 A. The Town Board.

24 Q. Do you know who makes up the
25 Town Board at present?

Page 25

1 GRACE PEREZ

2 A. At this moment I can't tell you
3 their names.

4 Q. Can you name any previous Town
5 Board members?

6 A. Elizabeth Green. She just
7 recently passed.

8 Q. Is that only name that comes to
9 mind?

10 A. Yes.

11 Q. Is it your opinion that
12 typically all Black residents of the Town
13 vote for the same candidates of the Town
14 Board?

15 A. Repeat that question please.

16 MS. JACCARD: Elizabeth, can you
17 read that question back?

18 (Whereupon, a portion of the
19 testimony was read back.)

20 THE WITNESS: I can't answer
21 that with a yes or no. I don't have
22 those statistics.

23 EXAMINATION BY

24 MS. JACCARD:

25 Q. Is it your opinion that

1 GRACE PEREZ

2 generally Latino residents vote for the
3 same candidates of the Town Board?

4 A. Same answer. I don't have those
5 statistics.

6 Q. Maybe speaking more generally,
7 is it your opinion that all Black
8 residents vote for the same candidates in
9 local elections, not just for the Town
10 Board?

11 A. If I am understanding your
12 question correctly, are you asking if all
13 Black or all Latinos will vote for the
14 same candidate. Am I right? Is that your
15 question?

16 Q. Let me think of how to rephrase
17 it. I think yes. You are understanding
18 my question correctly.

19 A. Then my answer is no.

20 Q. Thank you. I want to circle
21 back to one thing. You mentioned you had
22 been approached by the Democratic
23 Committee to run for office. What office
24 were you approached about running for?

25 A. To consider -- to consider

1 GRACE PEREZ

2 running.

3 Q. Yes.

4 A. The council member or the
5 supervisor's position.

6 Q. And you decided not to run; is
7 that correct?

8 A. Correct.

9 Q. Why did you decide not to run?

10 A. The politics and the likelihood
11 of victory seemed impossible to me.

12 Q. When you say the politics, what
13 do you mean?

14 A. The lack of representation, the
15 lack of support, lack of welcoming.

16 Q. The lack of welcoming from who?

17 A. Local elected folks.

18 Q. Now I would like to talk a
19 little bit about this lawsuit
20 specifically. Ms. Perez, how did you come
21 to be a plaintiff in this action?

22 A. Throughout the years that I have
23 lived here, it was obvious to me the lack
24 of representation within the Latino and
25 African-American communities and then

1 GRACE PEREZ

2 conversations throughout years with other
3 same minded people, and that was my
4 decision when I was spoken to about the
5 possible lawsuit.

6 Q. When did you learn about this
7 possible lawsuit?

8 A. A little over a year ago more or
9 less.

10 Q. How did you learn about the
11 lawsuit?

12 A. Vanessa Tirado.

13 Q. Did she approach you and ask
14 whether you wanted to be involved?

15 A. She approached me and told me
16 about that this was conversations that
17 were being had, and would I be interested,
18 and I said yes.

19 Q. How do you know Vanessa Tirado?

20 A. She is a resident of the Town of
21 Newburgh. I met her years ago here in the
22 Town, and she is also active in the Town
23 Democratic Committee as well as currently
24 the president of the Town Democratic
25 Committee.

1 GRACE PEREZ

2 Q. Do you know why Ms. Tirado
3 approached you in particular?

4 MR. STILL: Objection to the
5 extent that calls for speculation, but
6 you can answer.

7 A. She and I had conversations
8 throughout the years as I said already
9 about this issue.

10 Q. Is that your understanding? She
11 approached you because you have had
12 conversations about this issue with her in
13 the past?

14 A. I believe so.

15 Q. Ms. Perez, what is your
16 understanding of this litigation from a
17 high level?

18 A. That as I mentioned a few times,
19 unfortunately we reside in a town where
20 the African-American and Latino
21 communities have not had adequate
22 representation by its county
23 representatives or its town
24 representatives.

25 Q. So why did you file this

1 GRACE PEREZ

2 complaint? What is your goal?

3 MR. STILL: Objection to the
4 extent that calls for legal
5 conclusions, but you can answer.

6 A. Twofold: bring to the attention
7 in a formal manner the lack of
8 representation and second to have
9 representation.

10 Q. You previously testified that
11 you reviewed this complaint before it was
12 filed; is that correct?

13 A. Yes.

14 Q. And did you understand the
15 complaint at the time it was filed?

16 A. Yes.

17 MS. JACCARD: Paris, can you
18 pull up the complaint filed in Clarke
19 versus Town of Newburgh which I will
20 be marking Perez Exhibit 1.

21 (Whereupon, complaint was marked
22 as Perez Exhibit 1 for Identification,
23 as of this date.)

24 MS. JACCARD: Paris will advise
25 when it's ready.

1 GRACE PEREZ

2 MS. KENT: It should be
3 available now.

4 MR. STILL: Yes. I see the
5 exhibit marker. Okay. What specific
6 section.

7 MS. JACCARD: First we are going
8 to talk about it generally so page two
9 which is the first page of the...

10 MR. STILL: Okay. We are there.

11 EXAMINATION BY

12 MS. JACCARD:

13 Q. Ms. Perez, do you recognize this
14 document?

15 A. Yes.

16 Q. What is this document?

17 A. This is the actual filing.

18 Q. If I represent to you this is
19 the complaint filed in Oral Clarke et al.
20 versus Town of Newburgh et al, index
21 number EF002460-2024 filed March 26, 2024,
22 would you agree with that representation
23 of this document?

24 A. Yes.

25 Q. Thank you. First, let's scroll

Page 32

1 GRACE PEREZ
2 to pages 30 through 34, which I will
3 represent to you are verifications
4 executed by Oral Clarke, Romance Read,
5 Peter Ramon, Ernest Tirado, and Dorothy
6 Flournoy affirming they read the complaint
7 and the matters contained in the complaint
8 are true.

9 Do you agree with my
10 representation of those pages?

11 MR. STILL: Just a second. We
12 are going through.

13 A. Yes.

14 Q. Did you execute a verification?

15 A. Yes.

16 Q. In executing that verification,
17 did you attest that you believed all of
18 the allegations in the complaint to be
19 true?

20 A. Yes.

21 Q. Do you know why your
22 verification was not included when the
23 complaint was filed?

24 A. I was out of town and unable to
25 personally sign, but I gave my

Page 33

1 GRACE PEREZ

2 authorization to the attorneys -- verbal
3 authorization.

4 Q. Thank you, Ms. Perez.

5 Have you ever heard of the John
6 R. Lewis Voting Rights Act?

7 A. Yes.

8 Q. What is the John R. Lewis Voting
9 Rights Act?

10 A. I can't explain it to you in
11 legal terms, but it is the right for all
12 communities to be represented.

13 Q. When did you first hear about
14 the John R. Lewis Voting Rights Act?

15 A. I don't recall. A few years
16 ago.

17 Q. Have you read the law -- the
18 John R. Lewis Voting Rights Act?

19 A. No.

20 Q. Ms. Perez, do you understand
21 what an at-large voting system is?

22 A. Somewhat.

23 Q. Can you explain to me to the
24 best of your understanding what an
25 at-large voting system is?

Page 34

1 GRACE PEREZ

2 MR. STILL: I am going to object
3 to the extent she is not a lawyer and
4 thus may not be fully familiar with
5 the legal terminology.

6 Grace, you can answer to your
7 understanding.

8 A. I was about to say the same.
9 I'm not a lawyer. I can't explain it in
10 those terms.

11 Q. Do you understand generally, not
12 in any sort of legal terms but generally
13 what an at-large voting system is?

14 A. Yes.

15 Q. Can you explain it to me to the
16 best of your ability and understanding
17 that you are not a lawyer?

18 A. The right for all citizens to
19 vote.

20 Q. Maybe let's take a step back.
21 Do you understand how members to the Town
22 Board are elected?

23 A. Yes.

24 Q. How are members of the Town
25 Board elected?

1 GRACE PEREZ

2 A. The residents of the Town vote
3 on election day for their representative
4 or for the folks that are on the ballot.

5 MS. JACCARD: I would like to
6 direct your attention to paragraph
7 three of the complaint that's on page
8 two.

9 MR. STILL: One moment. Okay.
10 All right. We are there.

11 EXAMINATION BY

12 MS. JACCARD:

13 Q. Please take a moment to just
14 read through paragraph three, and let me
15 know or I can read it out loud actually.
16 A portion of paragraph three that I would
17 like us to focus on states lacking any
18 representation on the Town Board, members
19 of the Town's Black and Hispanic
20 communities have been demoted to second
21 class citizens whose concerns are ignored
22 by the Town Board.

23 Did I read that correctly?

24 A. Yes.

25 Q. What is the basis for that

1 GRACE PEREZ

2 allegation?

3 A. Well, in legal terms I can't
4 explain it once again, but if you don't
5 have a candidate that is from the Black or
6 Latino community, then you don't have the
7 opportunity to elect or vote for those
8 candidates.

9 Q. What do you mean by members of
10 the Town's Black and Hispanic communities
11 have been demoted to second class
12 citizens?

13 A. When you don't have again that
14 representation, when you don't have the
15 option to vote for that a candidate of
16 color, what else are you if not a second
17 class citizen.

18 Q. Do you have any evidence to
19 support the allegation in paragraph three
20 that concerns of the Town's Black and
21 Hispanic communities are ignored by the
22 Town Board?

23 A. I see that there is no person of
24 color on the Town Board that is the
25 evidence that I have.

1 GRACE PEREZ

2 Q. Paragraph three alleges as I
3 just read that the concerns of the Town's
4 Black and Hispanic communities -- quote --
5 are ignored by the Town Board. Do you
6 have any evidence to support that
7 particular portion of paragraph three?

8 A. Based on decisions that have
9 been made by the Town.

10 Q. What particular decisions?

11 A. There was a power plant that was
12 of great concern not just for the Town but
13 in other areas, health concerns, and the
14 Town voted against what the community was
15 opposing.

16 Q. Ms. Perez, I would like to
17 direct your attention then to paragraphs
18 90 through 95 of the complaint.

19 MR. STILL: Okay. We are at
20 paragraph 90 so just specify what
21 specific paragraph.

22 MS. JACCARD: Just generally I
23 would ask that she take a moment to
24 read through paragraphs 90 through 95.

25 A. Okay. It's taking me a while

1 GRACE PEREZ

2 because the print is very tiny.

3 Q. I understand.

4 A. Yes. This is what I was
5 referring to.

6 Q. How did you first hear about the
7 proposed expansion of the Danskammer Power
8 Plant?

9 A. I don't recall at this time. An
10 article in the paper perhaps,
11 conversations definitely among neighbors.

12 Q. A portion of paragraph 91 states
13 Black and Hispanic groups quickly opposed
14 the expansion arguing that increased
15 emissions would adversely impact
16 disproportionately minority communities
17 around the plant.

18 Did I read that correctly?

19 A. Yes.

20 Q. Were you specifically opposed to
21 the expansion of the Danskammer Power
22 Plant?

23 A. Yes.

24 Q. Why were you opposed to the
25 expansion of the Danskammer Power Plant?

Page 39

1 GRACE PEREZ

2 A. Because of the harmful chemicals
3 and the history of these emissions, the
4 documented health issues.

5 Q. Did you publicly manifest
6 opposition to the expansion of the power
7 plant?

8 A. In conversations with other
9 residents.

10 Q. Did you ever speak to the Town
11 Board about your opposition to the
12 expansion of the power plant?

13 A. No.

14 Q. Did you convey your concerns
15 about the power plant to anyone in town
16 government?

17 A. No.

18 Q. So you said you voiced your
19 opposition to other members of the Town;
20 is that correct?

21 A. Yes.

22 Q. Do you recall who those
23 individuals or organizations might have
24 been?

25 A. Individuals? My family, my

Page 40

1 GRACE PEREZ

2 neighbors, the Town Democratic Committee
3 folks. I believe a conversation was held
4 with the assembly member of the Town state
5 assembly Jacobs, Jonathan.

6 Q. Do you know when that would have
7 been?

8 A. About three years ago. I don't
9 recall exactly.

10 Q. You spoke about a conversation
11 with the state assembly person. Who had
12 that conversation?

13 A. He attended a town committee
14 meeting where several of the folks in
15 attendance raised concerns, myself
16 included.

17 Q. To clarify, that would be the
18 Democratic Committee of the Town of
19 Newburgh?

20 A. Yes.

21 Q. And you were in attendance at
22 that meeting?

23 A. Yes.

24 Q. What did you say at that
25 meeting?

Page 41

1 GRACE PEREZ

2 A. I don't recall exactly but I
3 expressed my objection and why.

4 Q. Are you aware of other
5 individuals, other residents of the Town
6 who expressed their concerns directly to
7 the Town Board?

8 A. Directly to the Town Board, no.

9 Q. Are you aware of other residents
10 who expressed their concerns to other
11 individuals of town government?

12 A. No.

13 Q. Did the Democratic Committee of
14 the Town of Newburgh have a formal
15 position on the Danskammer Power Plant
16 Expansion?

17 MR. STILL: You can answer
18 public position and just anything else
19 that's kind of internal but you can
20 answer to the extent there was a
21 public position.

22 A. Yes. The public position was
23 they voted in favor of the expansion.

24 Q. My question was about the
25 Democratic Committee of the Town of

Page 42

1 GRACE PEREZ

2 Newburgh. Did the Democratic Committee of
3 the Town of Newburgh have a public
4 position on the proposed expansion?

5 A. Yes. It was opposing it.

6 MS. JACCARD: We have been going
7 for almost an hour. I'm more than
8 happy to be keep going in the interest
9 of efficiency, but I also wanted to
10 offer a break to the extent Ms. Perez
11 you would like one.

12 MR. STILL: Do you want to take
13 a five, ten minute break?

14 THE WITNESS: I'm good. We can
15 continue.

16 EXAMINATION BY

17 MS. JACCARD:

18 Q. So circling back to your
19 involvement with the Town Board, a while
20 ago we were talking about this allegation
21 in paragraph three that members of the
22 Town's Black and Hispanic communities have
23 been demoted to second class citizens
24 whose concerns are ignored by the Town
25 Board, and you mentioned the expansion of

Page 43

1 GRACE PEREZ

2 the the Danskammer Power Plant as
3 evidence that the Town Board ignored the
4 concerns of the Black and Hispanic
5 communities.

6 Do you have any other examples
7 that you can point to that illustrate the
8 Town Board's ignoring the concerns of
9 Black and Hispanic communities in the
10 Town?

11 A. To me, again, the lack of people
12 of color during the past 30 years that I
13 have been a resident of this town not
14 being represented on the Town Board is the
15 evidence to me when we have had qualified
16 individuals who have run for office.

17 Q. Who were those qualified
18 individuals?

19 A. Mary Olivera, Vanessa Tirado,
20 there was another person of color, male
21 whose name right now I'm not remembering,
22 Vanessa Tirado. Those are the names I am
23 recalling right now.

24 Q. Thank you. You also testified a
25 moment ago that you were opposed to the

1 GRACE PEREZ

2 expansion of the Danskammer Power Plant,
3 and you voiced that opposition to members
4 of your community and to the Democratic
5 Committee of the Town of Newburgh but not
6 directly to the Town Board; is that
7 correct?

8 A. Yes.

9 Q. Have you ever voiced concerns to
10 the Town Board about any matter?

11 A. Yes, I have.

12 Q. What concerns have you brought
13 to the Town Board's attention?

14 A. I don't recall right now
15 specifics, but I have spoken before at
16 town hall or Town Board meetings.

17 Q. Do you recall when you spoke at
18 Town Board meetings generally?

19 A. Years ago.

20 Q. In the last ten years would you
21 say?

22 A. Yes. Or no. Before ten years
23 because I haven't been to a meeting in the
24 past five years perhaps due to COVID and
25 my increase in travel, and I'm not

Page 45

1 GRACE PEREZ

2 available to attend, but I used to attend
3 at least three a year.

4 Q. When was the last time you think
5 you attended a town hall meeting?

6 A. Six years ago.

7 Q. Would you routinely speak at
8 town hall meetings?

9 A. No.

10 Q. What motivated you to go to town
11 hall meetings?

12 A. My interest in wanting to know
13 what was happening in the Town.

14 Q. How many times would you say you
15 spoke at a town hall meeting?

16 A. Perhaps three.

17 Q. And when you spoke at those
18 meetings, were you speaking on behalf of
19 yourself or behalf of an organization or
20 entity?

21 A. On behalf of my myself.

22 Q. Do you recall generally what you
23 spoke about at any of those meetings?

24 A. Asking questions. There was
25 construction occurring not far from my

Page 46

1 GRACE PEREZ

2 residence, and I was asking questions
3 about water overflow. I think that was
4 one, if not the last one.

5 Q. Do you recall at all the subject
6 matter of the other two meetings where you
7 spoke?

8 A. I think one was about sidewalks,
9 and one was questioning a bid for a
10 construction of a bridge or, you know, the
11 reconstruction of a bridge, the repair,
12 replacement of a bridge that I found the
13 cost or the process to be questionable.

14 Q. Can you speak a little more to
15 that? What do you mean the process was
16 questionable?

17 A. At one meeting it was announced
18 that bids were going to go out, and I then
19 attended another meeting where it was
20 announced that a contractor had been
21 selected, but there was no mention of the
22 bids being opened, and I questioned that
23 process.

24 Q. What was the Town Board's
25 response to the concerns you raised at

Page 47

1 GRACE PEREZ

2 that meeting?

3 A. It was something to the effect
4 of they had selected not the lowest bid
5 but the most qualified bid, and this is a
6 good 15 or more years ago so I don't
7 remember specifics, but that was the
8 answer.

9 Q. Do you remember anything about
10 the Town Board's response in the two other
11 meetings that you raised concerns?

12 A. No.

13 Q. Setting aside participation in
14 town hall meetings, have you voiced
15 concerns about anything going on in the
16 Town of Newburgh to anybody else in town
17 government?

18 A. The assembly member Jonathan
19 Jacobs.

20 Q. And that concern that you are
21 referencing -- is that the concern about
22 the expansion of the Danskammer Power
23 Plant?

24 A. Yes.

25 Q. Have you spoken with that

1 GRACE PEREZ

2 assembly member about any other concerns
3 you might have?

4 A. One having to do with Central
5 Hudson. That's not directly related to
6 the Town Board.

7 Q. What do you mean by concerns
8 with Central Hudson?

9 A. Central Hudson is our power
10 company, and right after COVID there was
11 this large increase in rates, and many
12 residents were concerned about that,
13 myself included, and I had the opportunity
14 -- he was in attendance at a meeting, and
15 he discussed what he was working on to get
16 that reduced, and we talked about that.

17 Q. Was he successful in those
18 efforts?

19 A. Yes.

20 Q. Does he often attend committee
21 meetings?

22 A. I wouldn't say often but he does
23 attend. I don't attend often myself, but
24 I have seen him there several times.

25 Q. How often does the Democratic

Page 49

1 GRACE PEREZ

2 Committee of the Town of Newburgh hold
3 meetings?

4 MR. STILL: Objection to the
5 extent we are gets close to internal
6 workings of the Democratic Party, but
7 I think you can answer that question,
8 Grace.

9 A. Could be once a month.

10 Q. How often do you typically
11 attend those meetings?

12 A. During the past few years I have
13 been traveling, not -- I have been out of
14 town so I do not attend every month.
15 Every other month I try to attend.

16 Q. When is the last meeting that
17 you attended?

18 A. June I believe.

19 Q. June of this year 2024?

20 A. Yes.

21 Q. To your recollection are your
22 opposition to the expansion of the power
23 plant and your opposition to Central
24 Hudson's rate increase the two
25 circumstances where you vocalized a

Page 50

1 GRACE PEREZ

2 concern to a member of the government?

3 A. The state government, yes.

4 Q. Are there any other instances
5 where you think you have raised or
6 vocalized opposition to a member of
7 government that we haven't covered today?

8 A. I don't recall.

9 MS. JACCARD: Can I direct your
10 attention to paragraph 122 and 123 of
11 the complaint?

12 MR. STILL: One moment. Okay.
13 We're there. Go ahead.

14 EXAMINATION BY

15 MS. JACCARD:

16 Q. We'll start with paragraph 122
17 which states the Town Board has shown
18 little regard for the particularized
19 concerns of the Black or Hispanic
20 communities.

21 Did read that correctly?

22 A. Yes.

23 Q. Do you agree with that
24 allegation?

25 A. Yes.

1 GRACE PEREZ

2 Q. What is the basis for that
3 allegation?

4 A. I'm going to go back to my
5 response of the lack of representation.

6 Q. Do you have any evidence to
7 support the allegation that the Town Board
8 has shown little regard for the Black and
9 Hispanic communities?

10 A. No. Not in legal terms but in
11 my, again, personal experience of not
12 having any person of color representing
13 the concerns of the community of color.

14 Q. Do you -- again from your
15 perspective solely -- do you have examples
16 of what those concerns might be?

17 A. I am going to reference the
18 power plant, the other things that right
19 now I can't -- it's -- that have been
20 ignored. Employees that don't speak
21 language. I have accompanied several
22 people to the Town to conduct business,
23 and I have accompanied them for the
24 purpose of translation.

25 Q. That actually is a perfect segue

1 GRACE PEREZ

2 to paragraph 123 which states information
3 and belief the Town routinely ignores
4 concerns raised by Hispanic residents,
5 that the Town does not employ enough
6 Spanish speaking employees.

7 Did I read that correctly?

8 A. Yes.

9 Q. Do you agree with that
10 allegation?

11 A. Yes.

12 Q. Do you have evidence to support
13 the allegation that the Town routinely
14 ignores concerns raised by Hispanic
15 residents, that the Town does not employ
16 enough Spanish speaking employees?

17 A. Documented, no. But personal
18 experience, again, accompanying neighbors
19 that do not speak English and have needed
20 to conduct business with the Town, and I
21 have accompanied them for the purpose of
22 translation.

23 Q. What kind of business have those
24 individuals tried to carry out with the
25 Town?

1 GRACE PEREZ

2 A. One I recall having to do with a
3 permit for the renovation of a deck, and
4 the documents were submitted in English
5 because they don't have the documents
6 translated in Spanish particularly, and
7 the Town denied the permit, and I
8 accompanied the homeowner, and the
9 documents were resubmitted exactly the way
10 they were submitted originally. They were
11 then approved.

12 Q. Do you recall what department of
13 state government you were working with or
14 of the Town government you were working
15 with in that specific instance?

16 A. I don't recall. It was not
17 zoning. I don't remember the name of the
18 department. I know where it's at.

19 Q. Well, where is it?

20 A. I said I don't remember the
21 name. I don't want to give a name that I
22 think. Department of -- not works --
23 permits. The permit department.

24 Q. That would make sense. Did you
25 assist the resident, the owner of the home

1 GRACE PEREZ

2 in preparing the documents a second time
3 or in what capacity did you help?

4 A. Translation, explaining to the
5 permit department.

6 Q. Are there other instances where
7 you have been confronted with the Town's
8 purported lack of employing enough Spanish
9 speaking employees?

10 A. There was another resident with
11 an issue with a water bill -- water sewer
12 bill, and I accompanied them so that the
13 clerk explained why they were receiving
14 two bills.

15 Q. You helped the resident
16 understand?

17 A. I translated for the resident or
18 rather I translated between the resident
19 and the Town clerk and the Town clerk and
20 the resident.

21 Q. Do you know how that issue
22 resolved itself?

23 A. The resident was explained and
24 the resident understood, and the payment
25 was made.

1 GRACE PEREZ

2 Q. Are there any other instances
3 where you helped a member of the Town of
4 Newburgh community with the Town of
5 Newburgh?

6 A. I don't recall any others right
7 now.

8 Q. Have you ever raised your
9 concerns about the Town's purported
10 failure to employ enough Spanish speaking
11 employees with members of the Town Board?

12 A. Directly, no.

13 Q. Have you raised those concerns
14 indirectly?

15 A. Indirectly to the Town Board
16 members, no.

17 Q. How have you vocalized the
18 concern if at all?

19 A. To neighbors, residents of the
20 Town, folks I know.

21 Q. Do you know of anybody who has
22 raised this issue with members of the Town
23 Board?

24 A. I can't say that I do.

25 Q. Do you know of anybody who has

1 GRACE PEREZ

2 raised this concern with anybody in
3 government more generally?

4 A. With the town, no.

5 Q. Do you know of anybody who has
6 raised this issue with political actors
7 outside of the Town?

8 A. In the county level, yes.

9 Q. Who has raised that opposition
10 or raised that concern?

11 A. I can't say exactly who, but I
12 do know that there was an issue that was
13 raised legally on the lack of documents in
14 Spanish.

15 Q. What do you mean by the issue
16 was raised legally?

17 A. I did read that there was a suit
18 filed on a county level related to
19 documents not being -- county documents
20 not being in Spanish.

21 Q. By the county, are you referring
22 to Orange County?

23 A. Yes.

24 Q. How did you learn about this
25 lawsuit?

Page 57

1 GRACE PEREZ

2 A. It was in the news.

3 Q. When was that lawsuit roughly?

4 A. 15 years ago more or less.

5 Q. Do you know how that lawsuit was
6 resolved?

7 A. There was an order for documents
8 to be translated.

9 MS. JACCARD: At this point, I
10 would like to take a very quick break
11 if that's okay.

12 MR. STILL: No problem. We can
13 go off the record.

14 (Whereupon, a discussion was
15 held off the record.)

16 (Whereupon, a recess was taken.)

17 EXAMINATION BY

18 MS. JACCARD:

19 Q. Ms. Perez, we were just talking
20 about kind of your involvement in voicing
21 concerns to town government, and I did
22 have one followup question about that.

23 Even earlier in this deposition
24 we talked about the allegations in the
25 complaint concerning the Town Board's use

1 GRACE PEREZ

2 of an at-large voting system for the
3 election of Town Board members, and I
4 would like to direct your attention to
5 paragraph 35 of the complaint.

6 MR. STILL: One moment. Go
7 ahead.

8 Q. Paragraph 35 reads the Town has
9 at large elections which means that every
10 registered voter residing within the Town
11 is eligible to vote for each town office
12 in every town election.

13 Did I read that correctly?

14 A. Yes.

15 Q. Do you agree with that
16 allegation?

17 A. Yes.

18 Q. In your opinion, how does this
19 lawsuit relate to the Town's at-large
20 voting system?

21 MR. STILL: I'm just going to
22 note my objection to the fact that my
23 client is not a lawyer or expert in
24 any relevant area, but, Grace, go
25 ahead and answer based on your

1 GRACE PEREZ

2 understanding.

3 A. I don't know honestly how to
4 respond to that.

5 Q. Are you concerned with the
6 at-large voting system in the Town of
7 Newburgh?

8 A. Not in the sense of me feeling
9 that folks can't vote.

10 Q. Are you concerned with the way
11 that members of the Town government are
12 elected?

13 A. No. I wouldn't say that I am.

14 Q. So have you ever raised concerns
15 about the way members of the Town Board
16 are elected to the Town Board or other
17 government officials?

18 A. The way that they are elected,
19 no.

20 Q. Now I would like to direct your
21 attention to paragraphs 69 through 75 of
22 the complaint?

23 A. 69 through what?

24 Q. 75.

25 A. Yes.

Page 60

1 GRACE PEREZ

2 Q. Do you believe that the
3 allegations contained in paragraphs 69 to
4 75 are true?

5 A. Yes.

6 Q. Paragraph 69 specifically says
7 voting is consistently racially polarized
8 in the Town of Newburgh. Did I read that
9 correctly?

10 A. Yes.

11 Q. What is your basis for that
12 allegation?

13 MR. STILL: Just objection to
14 the extent of my client is not a
15 lawyer and the term racially polarized
16 is a legal term.

17 You can answer, Grace.

18 A. In nonlegal terms, I will say
19 again that when you have the
20 representation that we have or have had,
21 then there is no -- there hasn't been in
22 the 30 years that I have been a resident
23 here any person of color on that board.

24 Q. I think my question is a little
25 bit more about voting itself and less

Page 61

1 GRACE PEREZ
2 about the outcome of who is sitting on the
3 Town Board. The question is really kind
4 of asking for the basis for your belief
5 that voting is racially polarized, and I
6 understand that that's a legal term. What
7 supports the allegation in the complaint
8 that voting in the Town of Newburgh is
9 kind of racially polarized?

10 A. I can best answer this saying
11 that there has not been an elected person
12 of color on this board in the 30 years
13 that I have been a resident here.

14 Q. Okay. Paragraph 70 says Black
15 voters in the Town of Newburgh
16 consistently vote cohesively for the same
17 candidates. Did I read that correctly?

18 A. Yes.

19 Q. Again, what is the factual basis
20 for this allegation?

21 A. I can only answer that within
22 the last 30 years that I have been a
23 resident of this town, there has not been a
24 person of color on this board despite the
25 fact that there have been candidates.

Page 62

1 GRACE PEREZ

2 Q. Again, my question I think is
3 more about the way that particular
4 communities vote. So is it your opinion
5 that Black voters in the Town of Newburgh
6 consistently vote cohesively for the same
7 candidates?

8 A. Yes.

9 Q. On what are you basing that
10 opinion?

11 A. As I have said before, at the
12 end of the election the official elected
13 is not a person of color.

14 Q. So my question is not whether
15 there has been a Black or Hispanic
16 individual elected to office. Has there
17 been an individual that Black voters have
18 consistently or cohesively supported?

19 A. I don't know how else to answer
20 that. I'm sorry.

21 Q. No problem. It's probably a
22 problem with the way I'm phrasing
23 question.

24 The allegation in paragraph 70
25 is that Black voters vote for the same

1 GRACE PEREZ

2 candidates. Is that your opinion?

3 A. I don't know. I don't know that
4 to be a fact. If there are other
5 candidates, then there is options, and if
6 you don't have other candidates, then your
7 options are limited.

8 Q. Relatedly, paragraph 71 says
9 Hispanic voters in the Town of Newburgh
10 vote cohesively for the same candidates.
11 Did I read that correctly?

12 A. Yes.

13 Q. What is the basis for the
14 allegation that Hispanic voters in the
15 Town of Newburgh consistently vote
16 cohesively for the same candidates?

17 A. The same as the statement or my
18 answer for the statement on 70. I don't
19 know.

20 Q. Paragraph 72 says Black and
21 Hispanic voters in the Town of Newburgh
22 are also politically cohesive with each
23 other. Did I read that correctly?

24 A. Yes.

25 Q. What is the basis for that

1 GRACE PEREZ

2 allegation?

3 A. I can't answer that in legal
4 terms.

5 Q. Can you answer it in nonlegal
6 terms?

7 A. No, no.

8 Q. Is it your opinion that Black
9 and Hispanic voters in the Town of
10 Newburgh vote cohesively for the same
11 candidates?

12 A. We vote for the person who is
13 running, who is on the ballot.

14 Q. In your recollection, has there
15 been an individual that Hispanic voters
16 have cohesively supported that have been
17 elected to the Town Board?

18 A. No. Many of us supported for
19 example Vanessa Tirado. She didn't win.

20 Q. Paragraph 73 reads white voters
21 in the Town of Newburgh consistently vote
22 cohesively for the same candidates who are
23 not the candidates preferred by Black and
24 Hispanic voters.

25 Did I read that correctly?

Page 65

1 GRACE PEREZ

2 A. Yes.

3 Q. Again, what is the factual basis
4 for this allegation?

5 A. Personally for me, in the last
6 30 years that I have been a resident here,
7 there has not been a candidate elected to
8 the Town Board that has been a person of
9 color.

10 Q. Is it your opinion that white
11 voters in the Town of Newburgh always vote
12 cohesively for the same candidates?

13 A. I'm sorry. Repeat that.

14 Q. Is it your opinion that white
15 voters in the Town of Newburgh
16 consistently vote cohesively for the same
17 candidates?

18 A. I don't know who votes for who
19 honestly. I know who I vote for. I'm not
20 comfortable saying yes or no to that. I
21 just know that at the end of the election,
22 there isn't a person of color elected
23 ever.

24 Q. Just to be clear, is it your
25 testimony that you have no factual basis

1 GRACE PEREZ
2 to support the allegations in the
3 complaint related to how minority
4 communities in the Town of Newburgh vote?

5 MR. STILL: Objection to the
6 extent that factual basis could be a
7 little bit ambiguous.

8 Go ahead and answer.

9 A. No. I don't have the data for
10 those results.

11 Q. Do you speak to other members of
12 the community about voting preferences and
13 voting patterns?

14 A. Only to the extent of the
15 candidate we were supporting -- the
16 candidate of color that we were supporting
17 did not win.

18 Q. Do you speak to people in the
19 community about who they are going to vote
20 for?

21 A. No. I never asked anyone who
22 are you voting for. I speak to them about
23 who I am voting for and who I support and
24 why. That's my extent of the
25 conversation.

Page 67

1 GRACE PEREZ

2 Q. Do you have those conversations
3 in your capacity as a volunteer for
4 certain candidates or kind of on your own
5 behalf?

6 A. Both.

7 Q. Paragraph 75 of the complaint
8 says no candidate preferred by Black or
9 Hispanic voters has been elected to office
10 in recent memory. Did I read that
11 correctly?

12 A. Yes.

13 Q. What is the basis for this
14 allegation?

15 A. That's what I have been saying.
16 The basis is that I have not seen a person
17 of color elected to the Town Board.

18 Q. Is it your position that members
19 of the Black and Hispanic communities
20 would only vote for other candidates of
21 color?

22 A. No, no. I wouldn't say that
23 because I don't know that to be a fact,
24 but I do know that there are often times
25 no options.

Page 68

1 GRACE PEREZ

2 Q. Have you ever seen, read,
3 consulted, or heard any analysis of voting
4 patterns in the Town of Newburgh?

5 A. No.

6 Q. Do you believe that the town's
7 at-large voting system, and by that I mean
8 the method that is used to elect members
9 of Town Board, do you believe that system
10 is unlawful?

11 MR. STILL: Objection to the
12 extent that that calls for a legal
13 conclusion.

14 You can answer to your ability,
15 Grace.

16 A. I don't feel comfortable in
17 answering that because I don't understand
18 how that legally is.

19 MS. JACCARD: I would like to
20 turn now to paragraph 82 of the
21 complaint.

22 MR. STILL: We are there.

23 EXAMINATION BY

24 MS. JACCARD:

25 Q. Paragraph 82 reads there is a

1 GRACE PEREZ

2 long history of discrimination against the
3 Black and Hispanic communities in the
4 Town. Did I read that correctly?

5 A. Yes.

6 Q. Is that consistent with your
7 opinion?

8 A. I will agree.

9 Q. What is the basis for this
10 allegation?

11 A. For me, representation clearly
12 in all levels of government despite the
13 community itself, the population.

14 Q. By representation, you mean
15 representation on the Town Board?

16 A. Yes.

17 Q. Are there other examples of
18 representation that you refer to with
19 respect to the allegations in
20 paragraph 82?

21 A. Employment at the Town offices,
22 departments.

23 Q. What do you mean by that?

24 A. There is a lack of employees of
25 color.

Page 70

1 GRACE PEREZ

2 Q. Are there other things you can
3 point to as evidence of the long history
4 of discrimination that is referenced in
5 paragraph 82?

6 A. No.

7 Q. Now I would like to turn your
8 attention to paragraphs 83 through 89 of
9 the complaint, and if you want to the take
10 your time to read those.

11 MR. STILL: Yeah. Take your
12 time to read paragraphs 83 through 89.

13 A. Yes.

14 Q. Would you agree these paragraphs
15 83 through 89 concern the arrival of
16 asylum seekers in the Town of Newburgh in
17 May of 2023?

18 A. Yes.

19 Q. Prior to reviewing the complaint
20 for this lawsuit, were you aware of asylum
21 seekers in the Town?

22 A. Yes.

23 Q. How did you first hear of the
24 arrival of these asylum seekers in the
25 Town of Newburgh?

Page 71

1 GRACE PEREZ

2 A. It was in the news.

3 Q. Did you have an opinion about
4 the arrival of the asylum seekers?

5 A. Repeat that.

6 Q. Did you form an opinion about
7 the asylum seekers in the Town of Newburgh
8 when you first heard about it?

9 A. Personally, no.

10 Q. How did the allegation in the
11 complaint about the asylum seekers in
12 paragraphs 73 through 89 relate to your
13 other allegations in this lawsuit?

14 MR. STILL: Again, objection to
15 the extent that it calls for a legal
16 conclusion, and my client is not a
17 lawyer, but you can answer, Grace.

18 A. It was clear to me that it was
19 blatant discrimination because these were
20 folks that was Latinos.

21 Q. When you say it was
22 discrimination, what are you referring to?

23 A. To behavior, the actions, the
24 lack of action to what went on during that
25 time was blatant discrimination.

1 GRACE PEREZ

2 Q. What actions or lack of actions
3 specifically are you referring to?

4 A. There was no support by the Town
5 Board to accommodate these folks, support
6 them, and then when the rumors that were
7 being said -- one was -- rumor that is --
8 that veterans had been kicked out to
9 accommodate the migrants, the board knew
10 the facts and did not step forward to
11 denounce the information that was being --
12 that was going around on a local, on a
13 county, on a state, and on a national
14 level.

15 Q. Was there anything else with
16 respect to the Town Board that you believe
17 demonstrates the Town Board's
18 discrimination against these asylum
19 seekers?

20 A. I'm sorry. Repeat that.

21 Q. Are there any -- is there
22 anything else you can point to as evidence
23 of the discrimination against the asylum
24 seekers on behalf of the Town Board?

25 A. This occurred over several

Page 73

1 GRACE PEREZ

2 months, and the Town Board, although it
3 was happening right here, I did not hear,
4 see that they were intervening in support
5 of these folks.

6 Q. What is the basis for your
7 statement that the Town Board knew that
8 the statements being made about the asylum
9 seekers were false?

10 A. Repeat that.

11 Q. Movements ago I believe you
12 testified that the Town Board knew that
13 statements being made about the asylum
14 seekers were false. Is that consistent
15 with your testimony?

16 A. Yes.

17 Q. What is the basis for that?

18 A. They knew that veterans had not
19 been displaced in order to house migrants.

20 Q. How did the Town Board know
21 that?

22 A. They are in the position of
23 knowing in my opinion the inner workings
24 of the Town. That's their responsibility.

25 Q. Are you --

Page 74

1 GRACE PEREZ

2 (Crosstalk.)

3 A. And my expectations of a
4 representative and a lawmaker of my town.

5 Q. Are you aware of the lawsuit
6 filed by the Town that is referenced in
7 footnote six to paragraph 83 of the
8 complaint, Town of Newburgh, New York
9 versus Newburgh ELM, LLC, et al.?

10 A. Yes. I did hear something to
11 the effect that the Town had filed a suit
12 to halt the housing of immigrants in the
13 Town.

14 Q. How did you learn about that
15 lawsuit?

16 A. The news.

17 Q. Do you know when you became
18 aware of that lawsuit?

19 A. No. Honestly the date, no.

20 Q. Did you have an opinion about
21 that lawsuit when you first heard about
22 it?

23 A. I felt it was disgraceful and
24 clearly, to me, discriminatory.

25 Q. Do you have a different opinion

Page 75

1 GRACE PEREZ

2 about that lawsuit today?

3 A. No.

4 Q. Were you surprised based on your
5 experience as a resident of the Town that
6 the Town had filed this lawsuit?

7 A. I will say appalled, but I
8 wouldn't say I was surprised. As a Latino
9 I felt embarrassed.

10 Q. Do you think that the Town's
11 treatment of the asylum seekers is
12 emblematic of the treatment of minorities
13 in the Town of Newburgh?

14 A. Yes.

15 MS. JACCARD: Switching gears a
16 little bit, I would like to direct you
17 to paragraph 96 of the complaint.

18 MR. STILL: Okay. We're there.

19 EXAMINATION BY

20 MS. JACCARD:

21 Q. Paragraph 96 reads no Black or
22 Hispanic has ever been elected to town
23 office. Did I read that correctly?

24 A. Yes.

25 Q. I understand some of these

1 GRACE PEREZ

2 questions might seem a little bit
3 repetitive but thank you for bearing with
4 me. How did you make this assessment?

5 A. I have been a resident of the
6 Town for a little over 30 years. I have
7 attended several town meetings throughout
8 those years, and I have never seen a Town
9 Board member or official that has been of
10 color.

11 Q. So is the allegation in
12 paragraph 96 based on just personal
13 recollection?

14 A. Facts to my knowledge, yes.

15 MS. JACCARD: Paragraph 100. I
16 will give you a moment to scroll
17 there.

18 MR. STILL: We're there.

19 EXAMINATION BY

20 MS. JACCARD:

21 Q. Paragraph 100 states Republican
22 and Democratic candidates for the Town
23 Board are nominated by respectively the
24 Newburgh Republican Committee and the
25 Newburgh Democratic Committee.

Page 77

1 GRACE PEREZ

2 Did I read that correctly?

3 A. Yes.

4 Q. Is that consistent with your
5 understanding of how candidates are
6 nominated for Town Board positions?

7 A. I believe so, yes.

8 Q. As a member of the Newburgh
9 Democratic Committee, have you ever
10 participated in that process?

11 MR. STILL: I'm going to object
12 to the extent we are getting close
13 again to the internal workings of the
14 Democratic Party, but that question I
15 believe you can answer, Grace.

16 A. Yes.

17 Q. When was that?

18 A. I cannot honestly say what
19 years, but I have been a part of those
20 discussions quite a few times.

21 Q. Paragraph 101 reads typically
22 the party approaches potential candidates
23 for office or interested residents
24 approach a member of a local party. Did I
25 read that correctly?

1 GRACE PEREZ

2 A. Yes.

3 Q. And is that consistent with your
4 understanding?

5 A. Yes.

6 Q. What does it mean typically?
7 Does this nomination process sometimes
8 happen in other ways?

9 A. Not that I am aware of.

10 MS. JACCARD: Paris, could we
11 mark as Perez Exhibit 2 the
12 notification letter sent on behalf of
13 plaintiffs on January 26, 2024.

14 (Whereupon, notification letter
15 was marked as Perez Exhibit 2 for
16 Identification, as of this date.)

17 MS. KENT: I will let you know
18 as soon as that's up.

19 MR. STILL: Sure.

20 MS. KENT: You should see that
21 in your marked exhibits folder.

22 MR. STILL: Okay, yes. We see
23 Exhibit 2. Okay. Go ahead.

24 EXAMINATION BY

25 MS. JACCARD:

Page 79

1 GRACE PEREZ

2 Q. Ms. Perez, have you seen this
3 document before?

4 A. I believe so.

5 Q. Do you know what this document
6 is?

7 THE WITNESS: You have to make
8 it just a little bit bigger.

9 MR. STILL: Okay, yes. Just
10 take your time to read it.

11 A. Yes. I have seen this document
12 before.

13 Q. What is this document?

14 A. This is the first notice to the
15 Town Board of the concerns.

16 MS. JACCARD: And if I can
17 direct you back to paragraph 65 in
18 Exhibit 1 which is the complaint.

19 MR. STILL: Just one moment. We
20 are there.

21 EXAMINATION BY

22 MS. JACCARD:

23 Q. Paragraph 65 states the Town
24 Board's March 15, 2024 resolution was --
25 I'm so sorry. I'm getting ahead of

1 GRACE PEREZ

2 myself.

3 MR. STILL: I was going to say.

4 Q. Going back to Exhibit 2 which is
5 the notification letter as you stated,
6 what involvement did you have in the
7 preparation of this letter, Ms. Perez?

8 MR. STILL: Objection to the
9 extent that that calls for
10 attorney-client communications. I
11 think I'm going to direct Grace not to
12 answer that particular question. If
13 you want to ask it another way, go
14 ahead.

15 EXAMINATION BY

16 MS. JACCARD:

17 Q. Ms. Perez, did you review this
18 document before it was sent to the Town?

19 A. I'm sorry. Would you repeat
20 that? I did not hear the question.

21 Q. Did you review this document
22 before it was sent to the Town?

23 A. Yes.

24 Q. Were you involved in its
25 preparation at all?

Page 81

1 GRACE PEREZ

2 MR. STILL: Again, I think
3 that's the same objection to
4 attorney-client privilege grounds --
5 that that would call for
6 attorney-client privileged
7 information. I will direct my client
8 not to answer that one.

9 EXAMINATION BY

10 MS. JACCARD:

11 Q. Ms. Perez, do you understand
12 your attorney is directing you not to
13 answer this question?

14 A. Yes.

15 Q. Are you refusing to answer on
16 that basis?

17 A. Yes.

18 Q. Did you speak to anybody other
19 than your attorneys about this letter at
20 the time?

21 A. I'm sorry. Repeat that.

22 Q. Did you speak to anyone other
23 than your attorneys about this letter at
24 the time?

25 A. Other than the attorney present

Page 82

1 GRACE PEREZ

2 here right now or the attorneys on the
3 lawsuit?

4 Q. The attorneys in general. Did
5 you speak to anybody --

6 A. No.

7 Q. I'm sorry. I spoke over you.

8 A. No. I just want to clarify I
9 spoke with two attorneys on this matter.
10 That's my answer.

11 MS. JACCARD: Understood. Thank
12 you.

13 Paris, can you please introduce
14 and mark as Perez Exhibit 3 the Town
15 Board resolution dated March 23, 2024?

16 (Whereupon, Town Board
17 resolution dated March 23, 2024 was
18 marked as Perez Exhibit 3 for
19 Identification, as of this date.)

20 MS. KENT: Go ahead and refresh
21 your marked exhibit folder. It should
22 be there.

23 MR. STILL: Okay, yes. Marked
24 Exhibit 3 yes. Okay. We're here. Go
25 ahead.

1 GRACE PEREZ

2 EXAMINATION BY

3 MS. JACCARD:

4 Q. Ms. Perez, have you seen this
5 document before?

6 A. Yes.

7 Q. What is this document?

8 A. This is the Town's response to
9 that previous letter.

10 MS. JACCARD: So here is where I
11 got ahead of myself earlier. If I
12 could direct you to paragraph 65 of
13 the complaint.

14 MR. STILL: Okay. We are at
15 paragraph 65.

16 EXAMINATION BY

17 MS. JACCARD:

18 Q. Paragraph 65 states the Town
19 Board's March 15, 2024 resolution was
20 insufficient to require the plaintiffs to
21 wait an additional 90 days before
22 commencing this action.

23 Did I read that correctly?

24 A. Yes.

25 Q. Do you have any personal

1 GRACE PEREZ

2 knowledge concerning how this resolution
3 was adopted?

4 MR. STILL: Objection to the
5 extent that my client is not a lawyer
6 and is not familiar with the
7 intricacies of election law, but to
8 the extent you have knowledge, you can
9 answer.

10 A. It says in the letter they had a
11 meeting, and they voted against it.
12 That's the extent of my knowledge.

13 Q. Do you have any personal
14 knowledge concerning why the resolution
15 was insufficient as alleged in
16 paragraph 65?

17 A. No.

18 Q. You testified moments ago that
19 the board voted against it. When you say
20 it, what are you referring to?

21 A. What was presented in Exhibit A.
22 Actually, I don't know if it's Exhibit A,
23 but what you had me look at before.

24 Q. Are you referring to what is
25 currently marked as Exhibit 2, the

1 GRACE PEREZ

2 notification letter?

3 A. Yes, I apologize, yes.

4 Q. So is it your understanding that
5 the Town Board voted against adopting a
6 resolution that would remedy the issues
7 outlined in the notification letter?

8 A. Yes.

9 MS. JACCARD: To the extent it
10 would be helpful for planning
11 purposes, I'm inclined to power
12 through but wanted to offer another
13 break if anyone would like one.

14 MR. STILL: If you need a break,
15 Grace.

16 THE WITNESS: No, I don't need
17 it.

18 EXAMINATION BY

19 MS. JACCARD:

20 Q. Ms. Perez, can I direct you back
21 to Exhibit 3, which again is the Town
22 Board resolution, and particularly I would
23 like you to review section one which
24 starts on page three of the PDF through 5?

25 A. Yes.

1 GRACE PEREZ

2 Q. Based on your review of sections
3 one through five, is it still your
4 understanding that the Town Board voted
5 against a resolution that would remedy the
6 alleged issues outlined in the
7 notification letter?

8 A. Yes.

9 MS. JACCARD: I now would like
10 to mark as Perez Exhibit 4 Ms. Perez's
11 Responses and Objections to
12 Defendants' First Set of
13 Interrogatories dated July 1, 2024.

14 Paris, let us know when that's
15 done.

16 (Whereupon, Responses and
17 Objections to Defendants' First Set of
18 Interrogatories dated July 1, 2024 was
19 marked as Perez Exhibit 4 for
20 Identification, as of this date.)

21 MS. KENT: That should be
22 available now in the marked exhibits
23 folder.

24 MR. STILL: Yes. Let me just
25 make it bigger. Okay. Go ahead.

Page 87

1 GRACE PEREZ

2 EXAMINATION BY

3 MS. JACCARD:

4 Q. Ms. Perez, have you seen this
5 document before?

6 A. Yes.

7 Q. What is this document?

8 A. This is the one that pertains
9 directly to me, the response.

10 Q. Please review the last page of
11 the exhibit.

12 A. Yes.

13 Q. Did you sign this document?

14 A. No.

15 Q. Did you sign this document
16 electronically?

17 A. Yes.

18 Q. Did your attorneys ask you to
19 provide any information to answer these
20 interrogatories?

21 MR. STILL: Objection to the
22 extent that calls for attorney-client
23 privileged information.

24 You can generally answer.

25 A. We had a conversation prior to

1 GRACE PEREZ

2 the document coming to me and then after.

3 Q. Did your attorneys ask you to
4 provide information in response to these
5 interrogatories?

6 A. Yes.

7 Q. Did you provide information in
8 response to these interrogatories?

9 A. I didn't have anything saved. I
10 didn't have any emails or anything.

11 Q. You did not provide -- is it
12 true that you didn't provide information
13 in response to these interrogatories?

14 MR. STILL: Objection. I think
15 the witness might be confusing this
16 interrogatories with the, you know,
17 discovery request for production of
18 documents.

19 THE WITNESS: Yes.

20 MR. STILL: I think that's just
21 kind of a legal terminology that's
22 getting a little confusing. Can we
23 have you just clarify exactly what you
24 mean by interrogatories as opposed to
25 the document demands?

1 GRACE PEREZ

2 MS. JACCARD: Yes.

3 EXAMINATION BY

4 MS. JACCARD:

5 Q. How about Ms. Perez, can you
6 take a few minutes just to familiarize
7 yourself with this document?

8 A. I had a conversation with the
9 lawyer. Then the document was sent to me.
10 I reviewed the document. I was unable to
11 physically sign. I was out of town, and I
12 did it electronically.

13 Q. In connection with your
14 responses to the specific interrogatories
15 numbers one through seven, did you provide
16 any information?

17 MR. STILL: Why don't you review
18 this part of the document? If you
19 could take a moment to review what
20 those interrogatories were.

21 A. Yes.

22 Q. My question, Ms. Perez, is did
23 you provide any information in response to
24 these interrogatories.

25 A. The information that I did not

Page 90

1 GRACE PEREZ
2 have information specific to who or the
3 questions.

4 MS. JACCARD: Now I would like
5 to mark as Perez Exhibit 5 Ms. Perez's
6 Responses and Objections to
7 Defendants' First Request For the
8 Production of Documents also dated
9 July 1st.

10 (Whereupon, Responses and
11 Objections to Defendants' First
12 Request For the Production of
13 Documents was marked as Perez Exhibit
14 5 for Identification, as of this
15 date.)

16 MS. KENT: Should be available
17 now.

18 MR. STILL: Okay. I see it.
19 Okay. Go ahead.

20 EXAMINATION BY

21 MS. JACCARD:

22 Q. If you want to the take a moment
23 to scroll through and familiarize yourself
24 with this document, please go ahead.

25 A. Yes.

Page 91

1 GRACE PEREZ

2 Q. Have you seen this document
3 before?

4 A. Yes.

5 Q. What is this document?

6 A. This is the -- what do you call
7 it -- the production of documents.

8 Q. Did you provide any documents in
9 response to these requests?

10 A. No.

11 Q. Did you search for any documents
12 in response to these requests?

13 A. Yes.

14 Q. And is it your testimony that
15 you didn't have any documents that were
16 responsive to these requests?

17 A. No, I did not have any
18 documents.

19 MS. JACCARD: I think at this
20 time I would like to take five minutes
21 to review my notes.

22 MR. STILL: Okay. That sounds
23 fine.

24 (Whereupon, a recess was taken.)

25 EXAMINATION BY

Page 92

1 GRACE PEREZ

2 MS. JACCARD:

3 Q. I just have a few questions to
4 wrap up here but we are almost done.

5 Ms. Perez, could I direct you
6 back to Exhibit 1, page one, which is
7 going to be the summons to the complaint.
8 I want to direct your attention to the
9 caption of the complaint and the name of
10 the case, which I will read as Oral
11 Clarke, Romance Reed, Grace Perez, Peter
12 Ramon, Ernest Tirado, and Dorothy
13 Flournoy, plaintiffs, against Town of
14 Newburgh and Town Board of the Town of
15 Newburgh, defendants.

16 Are you familiar with Oral
17 Clarke, Romance Reed, Peter Ramon, Ernest
18 Tirado, or Dorothy Flournoy?

19 A. I'm familiar with Ernesto Tirado
20 and Dorothy.

21 Q. How do you know let's start with
22 Mr. Tirado?

23 A. Neighbors.

24 Q. How long have you been neighbors
25 with Mr. Tirado?

Page 93

1 GRACE PEREZ

2 A. 30 something years. Well, I'm
3 sorry. I want to clarify. He is a
4 resident of the Town of Newburgh, and
5 Ms. Dorothy is an actual neighbor of mine.

6 Q. So Mr. Tirado is not your
7 neighbor?

8 A. No. He is a resident of the
9 Town of Newburgh as I am.

10 Q. As how long have you known Mr.
11 Tirado?

12 A. Close to 30 years.

13 Q. Do you know how Mr. Tirado
14 became involved in this lawsuit?

15 MR. STILL: Objection.
16 Speculation.

17 You can answer.

18 A. I speculate that it was the same
19 way that I became involved. I was
20 informed of the intent or the concerns and
21 I agreed to participate.

22 Q. Earlier -- I apologize. Please
23 finish your thought.

24 A. I honestly don't know how he
25 became involved.

1 GRACE PEREZ

2 Q. Earlier today you testified that
3 you were approached about joining this
4 lawsuit by Vanessa Tirado; is that
5 correct?

6 A. Yes.

7 Q. Is there a relationship between
8 Vanessa and Ernest Tirado?

9 A. Yes.

10 Q. What is their relationship?

11 A. Spouse.

12 Q. Do you know why Vanessa Tirado
13 is not a plaintiff in this lawsuit?

14 A. No, I do not.

15 Q. Now let's talk about Ms.
16 Flournoy. You testified that Dorothy
17 Flournoy is your neighbor; is that
18 correct?

19 A. Yes.

20 Q. How long has she been your
21 neighbor?

22 A. Over 30 years.

23 Q. Just a few last questions,
24 Ms. Perez.

25 Is it your testimony that the

Page 95

1 GRACE PEREZ

2 Town Board has not committed to remedying
3 any of the problems in response to the
4 allegations you raised in your
5 January 26th notification letter?

6 A. Repeat that please.

7 MS. JACCARD: Elizabeth, can you
8 read that back please?

9 (Whereupon, a portion of the
10 testimony was read back.)

11 THE WITNESS: Yes.

12 Q. Ms. Perez, is it also your
13 testimony that you have never raised
14 concerns about the lack of representation
15 on the Town Board to members of the Town
16 Board or any other member of local
17 government?

18 A. Yes.

19 Q. Is it your testimony that you
20 have never raised concerns with the way
21 Town Board members are elected to members
22 of the Town or any other members of local
23 government?

24 A. Yes.

25 Q. One last question. How did you

Page 96

1 GRACE PEREZ

2 meet Mr. Tirado?

3 A. Honestly, I don't remember. It
4 was so long ago, and I have known him for
5 so many years. I don't remember how or
6 when I met him frankly.

7 MS. JACCARD: Let me review my
8 notes for one moment.

9 Q. Just to clarify, you are not
10 familiar or know Mr. Oral Clarke, Romance
11 Reed or Peter Ramon; is that correct?

12 A. By name, I'm sorry. I can't say
13 that I do. I may have met them, either
14 one of them, but not -- the name is not
15 sticking out, and honestly, I'm just
16 terrible with names.

17 MS. JACCARD: All right. I
18 think that's all the questions I have
19 for you today, Ms. Perez. Thank you
20 very much for your time this morning.

21 THE WITNESS: Thank you. Thank
22 you to all.

23 MR. STILL: If I can just have
24 five minutes to check if we have any
25 redirect. Give me one moment. Come

Page 97

1 GRACE PEREZ

2 back at 12:53 and hopefully wrap it

3 up. Give me one moment.

4 (Whereupon, a recess was taken.)

5 MR. STILL: At this time we have

6 no further questions so I think we're

7 satisfied, and we can wrap it up here

8 so very good.

9 MS. JACCARD: Thank you very

10 much.

11 (Whereupon, the deposition

12 concluded at 12:53 p.m.)

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Page 98

1 ORAL CLARKE, et al. v. TOWN OF NEWBURGH, et al.
2 8/5/2024 - GRACE PEREZ

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, GRACE PEREZ, do hereby declare
5 that I have read the foregoing transcript,
6 I have made any corrections, additions, or
7 changes I deemed necessary as noted on the
8 Errata to be appended hereto, and that the
9 same is a true, correct and complete
10 transcript of the testimony given by me.

11

12

13 _____
GRACE PEREZ

Date

14 *If notary is required

15

16 SUBSCRIBED AND SWORN TO BEFORE ME THIS

17 _____ DAY OF _____, 20____.

18

19

20

21 _____
NOTARY PUBLIC

22

23

24

25

I N D E X

I N D E X O F W I T N E S S E S
EXAMINATION BY PAGE

MS. JACCARD	5
MS. JACCARD	16
MS. JACCARD	19
MS. JACCARD	25
MS. JACCARD	31
MS. JACCARD	35
MS. JACCARD	42
MS. JACCARD	50
MS. JACCARD	57
MS. JACCARD	68
MS. JACCARD	75
MS. JACCARD	76
MS. JACCARD	78
MS. JACCARD	79
MS. JACCARD	80
MS. JACCARD	81
MS. JACCARD	83
MS. JACCARD	83
MS. JACCARD	85
MS. JACCARD	87
MS. JACCARD	89
MS. JACCARD	90
MS. JACCARD	92

I N D E X O F E X H I B I T S
DESCRIPTION PAGE

Exh 1	COMPLAINT	30
Exh 2	NOTIFICATION LETTER	78
Exh 3	TOWN BOARD RESOLUTION	82
	DATED MARCH 23, 2024	
Exh 4	RESPONSES AND OBJECTIONS	86
	TO DEFENDANTS' FIRST SET OF	
	INTERROGATORIES DATED JULY 1,	
	2024	
Exh 5	RESPONSES AND OBJECTIONS	90
	TO DEFENDANTS' FIRST REQUEST	
	FOR THE PRODUCTION OF DOCUMENTS	

Page 100

1

2

C E R T I F I C A T E

3

STATE OF NEW YORK)

:

4

COUNTY OF RICHMOND)

5

6

I, ELIZABETH C. SWANSON, a Notary

7

Public within and for the State of New

8

York, do hereby certify:

9

10

THAT GRACE PEREZ, the witness

whose deposition is hereinbefore set

11 forth, was duly sworn by me and that such

12 deposition is a true record of the

13 testimony given by such witness.

14 I further certify that I am not

15 related to any of the parties to this

16 action by blood or marriage; and that I am

17 in no way interested in the outcome of

18 this matter.

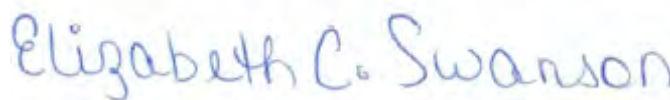
19 IN WITNESS WHEREOF, I have

20 hereunto set my hand this 5th day of

21 August, 2024.

22

23



24

ELIZABETH C. SWANSON

25

Page 101

1 ORAL CLARKE, et al. v. TOWN OF NEWBURGH, et al.

2 8/5/2024 - GRACE PEREZ

3 E R R A T A S H E E T

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6 REASON _____

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18 REASON _____

19 PAGE _____ LINE _____ CHANGE _____

20 _____

21 REASON _____

22 _____

23 _____

24 GRACE PEREZ Date

25

[07102 - accompanied]

Page 1

0	2012 12:10	400 2:5,9	82 68:20,25
07102 2:13,17	2020 19:20	42 99:8	69:20 70:5
1	2023 70:17	5	99:20
1 30:20,22	2024 1:12	5 1:12 85:24	83 70:8,12,15
79:18 86:13,18	31:21 49:19	90:5,14 99:5	74:7 99:13,14
92:6 99:19,22	78:13 79:24	99:23	85 99:14
100 76:15,21	82:15,17 83:19	50 99:9	86 99:21
101 77:21	86:13,18 99:21	57 99:9	87 99:15
10601 2:5,9	99:23 100:21	5th 100:20	89 70:8,12,15
10:01 1:13	221 3:7	6	71:12 99:15
114 5:13,23	23 82:15,17	65 79:17,23	9
122 50:10,16	99:21	83:12,15,18	90 37:18,20,24
123 50:10 52:2	25 99:7	84:16	83:21 99:16,23
12550 5:14,24	26 31:21 78:13	68 99:10	91 38:12
12:53 97:2,12	2600 2:13,17	69 59:21,23	92 99:16
13990 100:23	26th 95:5	60:3,6	94 18:8
15 47:6 57:4	2nd 12:15	7	95 37:18,24
79:24 83:19	3	70 61:14 62:24	96 75:17,21
16 99:6	3 82:14,18,24	63:18	76:12
17 19:2	85:21 99:20	71 63:8	a
18 20:11	30 32:2 43:12	72 63:20	a.m. 1:13
19 99:6	60:22 61:12,22	73 64:20 71:12	ability 6:9 8:6
1981 17:16	65:6 76:6 93:2	75 59:21,24	8:15 34:16
1985 19:18	93:12 94:22	60:4 67:7	68:14
1st 90:9	99:19	99:10	able 5:21
2	31 99:7	76 99:11	above 1:16,17
2 78:11,15,23	3116 3:24	78 99:11,20	abrams 2:4,8
80:4 84:25	32 20:6	79 99:12	accommodate
99:20	34 32:2	8	72:5,9
20 98:17	35 58:5,8 99:8	8/5/2024 98:2	accommodati...
2009 11:15	4	101:2	7:15
2010 9:23 10:2	4 86:10,19	80 99:12	accompanied
11:15	99:21	81 2:5,9 99:13	51:21,23 52:21
			53:8 54:12

[accompanying - arrival]

Page 2

accompanying 52:18	affirming 32:6	allegations 32:18 57:24	answering 8:13 68:17
acknowledge... 98:3	african 27:25 29:20	60:3 66:2	answers 7:4 21:24
act 33:6,9,14,18	ago 28:8,21 33:16 40:8	69:19 71:13 95:4	anybody 16:16 16:20 47:16
action 1:17 3:16 27:21 71:24 83:22 100:16	42:20 43:25 44:19 45:6 47:6 57:4 73:11 84:18 96:4	alleged 84:15 86:6	55:21,25 56:2 56:5 81:18 82:5
actions 71:23 72:2,2	agree 7:5 31:22 32:9 50:23	alleges 37:2	apologize 85:3 93:22
active 28:22	52:9 58:15 69:8 70:14	ambiguous 66:7	appalled 75:7
actors 56:6	agreed 93:21	amendment 22:3	appended 98:8
actual 13:14 31:17 93:5	ahead 9:24 13:10 50:13	american 27:25 29:20	approach 28:13 77:24
actually 6:19 14:9 35:15 51:25 84:22	agreed 93:21	anais 2:14 5:16	approached 24:8,9 26:22 26:24 28:15 29:3,11 94:3
addition 3:12 16:8	ahead 9:24 13:10 50:13 58:7,25 66:8 78:23 79:25 80:14 82:20,25 83:11 86:25 90:19,24	analysis 68:3	approaches 77:22
additional 83:21	78:23 79:25 80:14 82:20,25 83:11 86:25 90:19,24	announced 46:17,20	approved 53:11
additions 98:6	al 31:19,20 74:9 98:1,1 101:1,1	answer 6:8,16 6:25 12:24 13:5,6,10 15:2 15:5 22:5,10 22:25 23:4,5 25:20 26:4,19 29:6 30:5 34:6 41:17,20 47:8 49:7 58:25 60:17 61:10,21 62:19 63:18 64:3,5 66:8 68:14 71:17 77:15 80:12 81:8,13,15 82:10 84:9 87:19,24 93:17	approach 28:13 77:24
address 5:11,22	alcohol 8:9		approached 24:8,9 26:22 26:24 28:15 29:3,11 94:3
adequate 29:21	allegation 36:2 36:19 42:20 50:24 51:3,7 52:10,13 58:16 60:12 61:7,20 62:24 63:14 64:2 65:4 67:14 69:10 71:10 76:11		approaches 77:22
administration 18:3,11			approved 53:11
adopted 84:3			approximately 12:10,20,21
adopting 85:5			ar 7:15
adversely 38:15			arbitration 9:11,16 10:21 11:3
advise 30:24			area 58:24
affect 8:6			areas 37:13
affidavit 11:2			arguing 38:14
			arrival 70:15 70:24 71:4

[article - board]

Page 3

article 38:10 aside 9:9 47:13 asked 66:21 asking 6:6 7:8 8:2 26:12 45:24 46:2 61:4 assembly 40:4 40:5,11 47:18 48:2 asserted 22:15 assessment 76:4 assist 53:25 associational 22:3 asylum 70:16 70:20,24 71:4 71:7,11 72:18 72:23 73:8,13 75:11 attend 45:2,2 48:20,23,23 49:11,14,15 attendance 40:15,21 48:14 attended 40:13 45:5 46:19 49:17 76:7 attention 30:6 35:6 37:17 44:13 50:10 58:4 59:21 70:8 92:8	attest 32:17 attorney 4:6 6:10 13:3 14:24 15:3 22:15 80:10 81:4,6,12,25 87:22 attorneys 2:4,8 2:12,16 3:4 12:15,23 16:11 16:18 33:2 81:19,23 82:2 82:4,9 87:18 88:3 august 1:12 12:15 100:21 authorization 33:2,3 available 31:3 45:2 86:22 90:16 aware 41:4,9 70:20 74:5,18 78:9	background 16:25 19:9 ballot 35:4 64:13 bar 3:15 based 37:8 58:25 75:4 76:12 86:2 basing 62:9 basis 35:25 51:2 60:11 61:4,19 63:13 63:25 65:3,25 66:6 67:13,16 69:9 73:6,17 81:16 bearing 76:3 bee 61:23 begun 3:20 behalf 45:18,19 45:21 67:5 72:24 78:12 behavior 71:23 belief 52:3 61:4 believe 29:14 40:3 49:18 60:2 68:6,9 72:16 73:11 77:7,15 79:4 believed 32:17 best 6:9 8:14 33:24 34:16 61:10 bid 46:9 47:4,5	bids 46:18,22 bigger 79:8 86:25 bill 54:11,12 bills 54:14 bit 11:19 16:24 27:19 60:25 66:7 75:16 76:2 79:8 black 25:12 26:7,13 35:19 36:5,10,20 37:4 38:13 42:22 43:4,9 50:19 51:8 61:14 62:5,15 62:17,25 63:20 64:8,23 67:8 67:19 69:3 75:21 blatant 71:19 71:25 blood 100:16 board 1:8 5:18 8:22,23 9:6 23:19 24:23,25 25:5,14 26:3 26:10 34:22,25 35:18,22 36:22 36:24 37:5 39:11 41:7,8 42:19,25 43:3 43:14 44:6,10 44:16,18 48:6 50:17 51:7
	b b 99:18 bachelor's 17:19 back 7:10 25:17,19 26:21 34:20 42:18 51:4 79:17 80:4 85:20 92:6 95:8,10 97:2		

[board - cohesively]

Page 4

55:11,15,23 58:3 59:15,16 60:23 61:3,12 61:24 64:17 65:8 67:17 68:9 69:15 72:5,9,16,24 73:2,7,12,20 76:9,23 77:6 79:15 82:15,16 84:19 85:5,22 86:4 92:14 95:2,15,16,21 99:20 board's 43:8 44:13 46:24 47:10 57:25 72:17 79:24 83:19 bowser 23:15 break 7:14,16 42:10,13 57:10 85:13,14 bridge 46:10,11 46:12 brief 16:3 briefly 15:11 briefs 13:18 15:22 bring 30:6 brought 44:12 business 51:22 52:20,23	c c 1:18 2:2 5:2 100:2,2,6,24 c.p.l.r. 3:6,24 call 13:2 22:2 81:5 91:6 called 24:18 calls 29:5 30:4 68:12 71:15 80:9 87:22 campaign 23:4 candidacy 23:11 candidate 22:17,18 26:14 36:5,15 65:7 66:15,16 67:8 candidate's 23:11 candidates 22:22 23:12 25:13 26:3,8 36:8 61:17,25 62:7 63:2,5,6 63:10,16 64:11 64:22,23 65:12 65:17 67:4,20 76:22 77:5,22 canvassing 22:13 23:7,8 capacity 22:20 54:3 67:3 caption 92:9 careful 13:8	carry 52:24 case 5:17 9:11 9:15,19,22,24 10:4,7,9,12,14 10:15 11:3,14 11:20 12:4,6 12:12 15:22 16:10 92:10 census 19:20 center 2:13,17 central 48:4,8,9 49:23 certain 13:7 67:4 certifications 18:12 certify 100:8,14 change 101:4,7 101:10,13,16 101:19 changed 20:24 23:23 changes 98:7 charge 4:7 charged 10:17 check 96:24 chemicals 39:2 circle 5:13,23 26:20 circling 42:18 circumstances 8:12 49:25 citizen 36:17 citizens 34:18 35:21 36:12	42:23 city 10:8 19:16 civil 9:11,15,17 10:21 claimed 11:23 claims 14:8 clarify 16:4 40:17 82:8 88:23 93:3 96:9 clarke 1:3 30:18 31:19 32:4 92:11,17 96:10 98:1 101:1 class 35:21 36:11,17 42:23 clear 65:24 71:18 clearly 69:11 74:24 clerk 54:13,19 54:19 client 13:3 14:24 15:3 58:23 60:14 71:16 80:10 81:4,6,7 84:5 87:22 close 19:8 49:5 77:12 93:12 cohesive 63:22 cohesively 61:16 62:6,18 63:10,16 64:10
---	---	---	--

[cohesively - correct]

Page 5

64:16,22 65:12 65:16 colleague 5:19 college 17:2,4 color 36:16,24 43:12,20 51:12 51:13 60:23 61:12,24 62:13 65:9,22 66:16 67:17,21 69:25 76:10 columbia 17:25 18:2 come 27:20 96:25 comes 25:8 comfortable 65:20 68:16 coming 88:2 commencing 83:22 committed 95:2 committee 21:7 21:8,20,22 24:10,11,13 26:23 28:23,25 40:2,13,18 41:13,25 42:2 44:5 48:20 49:2 76:24,25 77:9 communicated 6:19 communicati... 14:18 15:4	80:10 communities 27:25 29:21 33:12 35:20 36:10,21 37:4 38:16 42:22 43:5,9 50:20 51:9 62:4 66:4 67:19 69:3 community 22:12 23:7,8 36:6 37:14 44:4 51:13 55:4 66:12,19 69:13 company 48:10 complaint 13:14 15:10,13 15:18,23 16:9 30:2,11,15,18 30:21 31:19 32:6,7,18,23 35:7 37:18 50:11 57:25 58:5 59:22 61:7 66:3 67:7 68:21 70:9,19 71:11 74:8 75:17 79:18 83:13 92:7,9 99:19 complete 98:9 concern 37:12 47:20,21 50:2 55:18 56:2,10	70:15 concerned 48:12 59:5,10 concerning 57:25 84:2,14 concerns 35:21 36:20 37:3,13 39:14 40:15 41:6,10 42:24 43:4,8 44:9,12 46:25 47:11,15 48:2,7 50:19 51:13,16 52:4 52:14 55:9,13 57:21 59:14 79:15 93:20 95:14,20 concluded 97:12 conclusion 68:13 71:16 conclusions 30:5 conduct 3:8 51:22 52:20 confronted 54:7 confusing 88:15,22 connection 11:2 13:21 89:13 consider 26:25 26:25	considered 24:5 consistent 69:6 73:14 77:4 78:3 consistently 60:7 61:16 62:6,18 63:15 64:21 65:16 construction 45:25 46:10 consulted 68:3 consumed 8:9 contained 32:7 60:3 contents 13:8 continue 12:8 19:12 42:15 contractor 46:20 controlled 3:25 conversation 40:3,10,12 66:25 87:25 89:8 conversations 28:2,16 29:7 29:12 38:11 39:8 67:2 convey 39:14 copy 4:4 correct 11:25 12:2 15:14 27:7,8 30:12 39:20 44:7
---	--	---	--

[correct - discriminatory]

Page 6

94:5,18 96:11	d	definitely 38:11	100:10,12
98:9	d 99:2,4,18	definitions 8:19	depositions 3:8
corrections	danskammer	8:25	8:4
98:6	38:7,21,25	degree 17:17	describe 24:15
correctly 26:12	41:15 43:2	18:9	description
26:18 35:23	44:2 47:22	demands 88:25	99:19
38:18 50:21	data 66:9	democratic	despite 61:24
52:7 58:13	date 30:23	20:23 21:6,8	69:12
60:9 61:17	74:19 78:16	21:19,22 24:12	detail 15:11
63:11,23 64:25	82:19 86:20	26:22 28:23,24	development
67:11 69:4	90:15 98:13	40:2,18 41:13	19:5,6
75:23 77:2,25	101:24	41:25 42:2	different 74:25
83:23	dated 82:15,17	44:4 48:25	digital 14:16
corso 2:10	86:13,18 90:8	49:6 76:22,25	direct 35:6
cost 46:13	99:21,22	77:9,14	37:17 50:9
council 24:20	day 35:3 98:17	demonstrates	58:4 59:20
27:4	100:20	72:17	75:16 79:17
counsel 3:22	days 83:21	demoted 35:20	80:11 81:7
county 1:2 21:6	decide 27:9	36:11 42:23	83:12 85:20
29:22 56:8,18	decided 27:6	denied 53:7	92:5,8
56:19,21,22	decision 28:4	denounce	directing 81:12
72:13 100:4	decisions 37:8	72:11	directly 41:6,8
couple 8:18	37:10	department	44:6 48:5
court 1:2 10:7	deck 53:3	53:12,18,22,23	55:12 87:9
16:12	declare 98:4	54:5	director 18:20
covered 50:7	deemed 3:23	departments	disagree 22:14
covid 44:24	98:7	69:22	discovery
48:10	defamation	deponent 98:3	88:17
crime 10:18	11:22	deposed 16:21	discrimination
crossed 24:7	defamed 11:24	deposition 3:17	69:2 70:4
crosstalk 74:2	defendants 1:9	3:22 4:3 7:23	71:19,22,25
currently 7:20	2:12,16 5:17	8:20 11:8,14	72:18,23
18:15 19:22	86:12,17 90:7	11:17 12:13	discriminatory
28:23 84:25	90:11 92:15	15:14 16:17	74:24
	99:22,24	57:23 97:11	

[discussed - examination]

Page 7

discussed 13:9 48:15	doing 22:6	95:21	english 52:19 53:4
discussion 57:14	dorothy 1:4 32:5 92:12,18 92:20 93:5 94:16	election 20:12 20:14 35:3 58:3,12 62:12 65:21 84:7	entirely 16:2 entirety 7:23 entitled 1:16
discussions 77:20	due 44:24	elections 20:16 26:9 58:9	entity 9:4 24:21 45:20
disgraceful 74:23	duly 5:3 100:11	electronically 87:16 89:12	ernest 1:4 32:5 92:12,17 94:8
dismissed 12:6	duties 23:2	eligible 58:11	ernesto 92:19
displaced 73:19	e	elizabeth 1:18 25:6,16 95:7 100:6,24	errata 98:8
disproportion... 38:16	e 2:2,2 5:2,2,2 99:2,4,4,4,18 99:18 100:2,2 101:3,3,3	elm 74:9	esq 2:6,10,14 2:18
divulge 13:8	earlier 57:23 83:11 93:22 94:2	email 15:7	et 31:19,20 74:9 98:1,1 101:1,1
document 13:15 14:2,10 14:10 31:14,16 31:23 79:3,5 79:11,13 80:18 80:21 83:5,7 87:5,7,13,15 88:2,25 89:7,9 89:10,18 90:24 91:2,5	easier 7:3	emails 14:19 88:10	event 22:16
documented 39:4 52:17	ef002460-2024 31:21	embarrassed 75:9	everybody 6:5
documents 12:23 13:7,12 13:13,21,23 14:7,14 15:6 16:14 53:4,5,9 54:2 56:13,19 56:19 57:7 88:18 90:8,13 91:7,8,11,15,18 99:24	ef002460/2024 1:7	emblematic 75:12	evidence 36:18 36:25 37:6 43:3,15 51:6 52:12 70:3 72:22
	effect 47:3 74:11	emissions 38:15 39:3	exactly 9:25 12:11 40:9 41:2 53:9 56:11 88:23
	efficiency 42:9	employ 52:5,15 55:10	examination 1:15 3:11,14 3:20 4:5 5:6 16:6 19:13 25:23 31:11 35:11 42:16 50:14 57:17 68:23 75:19
	efficient 6:3	employees 51:20 52:6,16 54:9 55:11 69:24	
	efforts 48:18	employer 11:24 12:3	
	either 10:2 15:6 96:13	employing 54:8	
	elect 36:7 68:8	employment 10:10 11:18,21 11:22 69:21	
	elected 27:17 34:22,25 59:12 59:16,18 61:11 62:12,16 64:17 65:7,22 67:9 67:17 75:22		

[examination - fully]

Page 8

76:19 78:24 79:21 80:15 81:9 83:2,16 85:18 87:2 89:3 90:20 91:25 99:5 examined 3:18 4:7 5:4 example 64:19 examples 43:6 51:15 69:17 except 3:9 execute 32:14 executed 32:4 executing 32:16 executive 18:20 exh 99:19,20,20 99:21,23 exhibit 30:20 30:22 31:5 78:11,15,23 79:18 80:4 82:14,18,21,24 84:21,22,25 85:21 86:10,19 87:11 90:5,13 92:6 exhibits 78:21 86:22 expand 11:19 expansion 38:7 38:14,21,25 39:6,12 41:16 41:23 42:4,25	44:2 47:22 49:22 expectations 74:3 experience 51:11 52:18 75:5 expert 58:23 explain 33:10 33:23 34:9,15 36:4 explained 54:13,23 explaining 54:4 expressed 41:3 41:6,10 extent 12:25 13:6 14:23 21:25 22:6 23:2 29:5 30:4 34:3 41:20 42:10 49:5 60:14 66:6,14 66:24 68:12 71:15 77:12 80:9 84:5,8,12 85:9 87:22	facts 72:10 76:14 factual 61:19 65:3,25 66:6 failure 3:12,21 55:10 false 73:9,14 familiar 34:4 84:6 92:16,19 96:10 familiarize 89:6 90:23 family 39:25 far 45:25 favor 41:23 feel 68:16 feeling 59:8 felt 74:23 75:9 fensterman 2:4 2:8 file 29:25 filed 15:19,22 15:23 16:10 30:12,15,18 31:19,21 32:23 56:18 74:6,11 75:6 filing 4:2 13:15 31:17 fine 91:23 finish 6:24 93:23 first 5:2,25 6:6 9:10 11:13 22:3 31:7,9,25	33:13 38:6 70:23 71:8 74:21 79:14 86:12,17 90:7 90:11 99:22,24 five 42:13 44:24 86:3 91:20 96:24 flournoy 1:4 32:6 92:13,18 94:16,17 focus 16:24 35:17 folder 78:21 82:21 86:23 folks 27:17 35:4 40:3,14 55:20 59:9 71:20 72:5 73:5 follows 5:5 followup 57:22 footnote 74:7 foregoing 98:5 form 3:10 71:6 formal 30:7 41:14 forth 100:11 forward 19:25 72:10 found 46:12 frankly 96:6 friday 12:15 fully 34:4
	f		
	f 99:4,18 100:2 facing 22:7 23:2,6 fact 58:22 61:25 63:4 67:23		

[funding - hereunto]

Page 9

funding 19:5 furnished 4:5 further 4:4 97:6 100:14 <hr/> g <hr/> g 5:2 gateway 2:13 2:17 gears 75:15 general 8:3 82:4 generally 26:2 26:6 31:8 34:11,12 37:22 44:18 45:22 56:3 87:24 getting 77:12 79:25 88:22 give 19:10 53:21 76:16 96:25 97:3 given 98:10 100:13 go 6:2 8:18 9:24 13:10 15:11,15 16:25 17:4 45:10 46:18 50:13 51:4 57:13 58:6,24 66:8 78:23 80:13 82:20,24 86:25 90:19,24 goal 30:2	going 8:18 14:22 23:10 31:7 32:12 34:2 42:6,8 46:18 47:15 51:4,17 58:21 66:19 72:12 77:11 80:3,4 80:11 92:7 good 5:15,25 42:14 47:6 97:8 government 24:16 39:16 41:11 47:17 50:2,3,7 53:13 53:14 56:3 57:21 59:11,17 69:12 95:17,23 grace 1:3,15 5:10 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 13:5 14:1 15:1 15:2 16:1 17:1 18:1 19:1 20:1 21:1 22:1,5,25 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 34:6 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1	46:1 47:1 48:1 49:1,8 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1,24 59:1 60:1,17 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1,15 69:1 70:1 71:1 71:17 72:1 73:1 74:1 75:1 76:1 77:1,15 78:1 79:1 80:1 80:11 81:1 82:1 83:1 84:1 85:1,15 86:1 87:1 88:1 89:1 90:1 91:1 92:1 92:11 93:1 94:1 95:1 96:1 97:1 98:2,4,13 100:9 101:2,24 grad 17:6 graduate 17:13 17:21 18:4 graze 5:23 9:20 great 37:12 green 25:6 ground 6:2 grounds 81:4 groups 21:3 38:13	h <hr/> h 99:18 101:3 hall 44:16 45:5 45:8,11,15 47:14 halt 74:12 hamilton 2:12 2:16 hand 100:20 happen 78:8 happening 45:13 73:3 happy 42:8 harmful 39:2 head 6:17 health 37:13 39:4 hear 19:7 33:13 38:6 70:23 73:3 74:10 80:20 heard 33:5 68:3 71:8 74:21 heather 5:13,23 held 1:17 40:3 57:15 help 54:3 helped 54:15 55:3 helpful 85:10 hereinbefore 100:10 hereto 3:5 98:8 hereunto 100:20
---	---	--	---

[high - jaccard]

Page 10

high 29:17 hispanic 35:19 36:10,21 37:4 38:13 42:22 43:4,9 50:19 51:9 52:4,14 62:15 63:9,14 63:21 64:9,15 64:24 67:9,19 69:3 75:22 history 39:3 69:2 70:3 hold 14:6 49:2 home 53:25 homeowner 53:8 honestly 59:3 65:19 74:19 77:18 93:24 96:3,15 hopefully 6:4 97:2 hour 12:21 42:7 house 73:19 housing 74:12 hudson 48:5,8 48:9 hudson's 49:24 human 19:6	identify 19:19 ignored 35:21 36:21 37:5 42:24 43:3 51:20 ignores 52:3,14 ignoring 43:8 illustrate 43:7 immigrants 74:12 impact 38:15 imperative 9:7 impossible 27:11 inclined 85:11 included 32:22 40:16 48:13 including 3:8 increase 44:25 48:11 49:24 increased 38:14 index 1:6 31:20 indirectly 55:14,15 individual 62:16,17 64:15 individuals 23:18 39:23,25 41:5,11 43:16 43:18 52:24 inform 23:10 information 13:4 14:24 22:2 52:2	72:11 81:7 87:19,23 88:4 88:7,12 89:16 89:23,25 90:2 informed 93:20 inner 73:23 instance 53:15 instances 50:4 54:6 55:2 institution 17:18 instructing 14:6 instruction 22:11 instructs 6:11 insufficient 83:20 84:15 intent 93:20 interamericana 17:10 interest 42:8 45:12 interested 28:17 77:23 100:17 internal 22:8 23:3 41:19 49:5 77:13 interrogatories 86:13,18 87:20 88:5,8,13,16,24 89:14,20,24 99:22	intervening 73:4 intervention 9:21 12:5 18:24 intricacies 84:7 introduce 82:13 involved 28:14 80:24 93:14,19 93:25 involvement 23:23 42:19 57:20 80:6 issue 29:9,12 54:11,21 55:22 56:6,12,15 issues 14:15,21 39:4 85:6 86:6
j			
jaccard 2:14 5:7,16 16:5,7 19:14 25:16,24 30:17,24 31:7 31:12 35:5,12 37:22 42:6,17 50:9,15 57:9 57:18 68:19,24 75:15,20 76:15 76:20 78:10,25 79:16,22 80:16 81:10 82:11 83:3,10,17 85:9,19 86:9 87:3 89:2,4			

[jaccard - little]

Page 11

90:4,21 91:19 92:2 95:7 96:7 96:17 97:9 99:5,6,6,7,7,8,8 99:9,9,10,10,11 99:11,12,12,13 99:13,14,14,15 99:15,16,16 jacobs 40:5 47:19 january 78:13 95:5 jersey 2:13,17 job 19:15,17 john 33:5,8,14 33:18 joining 94:3 jonathan 40:5 47:18 july 86:13,18 90:9 99:22 june 49:18,19	knew 72:9 73:7 73:12,18 know 5:20 7:8 9:6,13,18,25 13:23 24:24 28:19 29:2 32:21 35:15 40:6 45:12 46:10 53:18 54:21 55:20,21 55:25 56:5,12 57:5 59:3 62:19 63:3,3 63:19 65:18,19 65:21 67:23,24 73:20 74:17 78:17 79:5 84:22 86:14 88:16 92:21 93:13,24 94:12 96:10 knowing 73:23 knowledge 76:14 84:2,8 84:12,14 known 93:10 96:4	lacking 35:17 language 51:21 large 33:21,25 34:13 48:11 58:2,9,19 59:6 68:7 latina 19:21 latino 26:2 27:24 29:20 36:6 75:8 latinos 26:13 71:20 law 33:17 84:7 lawmaker 74:4 lawsuit 27:19 28:5,7,11 56:25 57:3,5 58:19 70:20 71:13 74:5,15 74:18,21 75:2 75:6 82:3 93:14 94:4,13 lawyer 15:25 34:3,9,17 58:23 60:15 71:17 84:5 89:9 learn 28:6,10 56:24 74:14 legal 13:18 15:22 16:3 30:4 33:11 34:5,12 36:3 51:10 60:16 61:6 64:3	68:12 71:15 88:21 legally 56:13 56:16 68:18 letter 16:13 78:12,14 80:5 80:7 81:19,23 83:9 84:10 85:2,7 86:7 95:5 99:20 level 17:6 23:22 29:17 56:8,18 72:14 levels 69:12 lewis 33:6,8,14 33:18 licenses 18:13 life 7:3 likelihood 27:10 limited 63:7 line 15:16,16 101:4,7,10,13 101:16,19 litigation 14:3 14:6,8,15,21 29:16 little 11:19 16:24 27:19 28:8 46:14 50:18 51:8 60:24 66:7 75:16 76:2,6 79:8 88:22
k	l		
keep 42:8 keith 2:10 kent 2:18 5:20 31:2 78:17,20 82:20 86:21 90:16 kicked 72:8 kind 41:19 52:23 57:20 61:3,9 67:4 88:21	lack 27:14,15 27:15,16,23 30:7 43:11 51:5 54:8 56:13 69:24 71:24 72:2 95:14		

[lived - motion]

Page 12

lived 20:4 27:23 llc 74:9 llp 2:4,8,12,16 local 20:16 26:9 27:17 72:12 77:24 95:16,22 located 19:15 long 12:19 18:25 20:4,9 69:2 70:3 92:24 93:10 94:20 96:4 look 21:22 84:23 looked 15:15 lot 6:7 7:3 loud 35:15 lowest 47:4	march 31:21 79:24 82:15,17 83:19 99:21 mark 78:11 82:14 86:10 90:5 marked 30:21 78:15,21 82:18 82:21,23 84:25 86:19,22 90:13 marker 31:5 marking 30:20 marriage 100:16 mary 23:15 43:19 master's 18:10 math 20:6 matter 11:11 15:8 44:10 46:6 82:9 100:18 matters 32:7 mean 6:16 9:5 14:19 16:4 23:9 24:12 27:13 36:9 46:15 48:7 56:15 68:7 69:14,23 78:6 88:24 means 58:9 media 14:20 medications 8:5	meet 16:16 96:2 meeting 12:14 12:17,18,19 40:14,22,25 44:23 45:5,15 46:17,19 47:2 48:14 49:16 84:11 meetings 44:16 44:18 45:8,11 45:18,23 46:6 47:11,14 48:21 49:3,11 76:7 member 21:2 27:4 40:4 47:18 48:2 50:2,6 55:3 76:9 77:8,24 95:16 members 23:10 24:10,20 25:5 34:21,24 35:18 36:9 39:19 42:21 44:3 55:11,16,22 58:3 59:11,15 66:11 67:18 68:8 95:15,21 95:21,22 memory 67:10 mention 46:21 mentioned 10:14 11:12 26:21 29:18	42:25 messages 14:19 14:20 15:7,7 met 12:22 28:21 96:6,13 method 68:8 migrants 72:9 73:19 mind 24:7 25:9 minded 28:3 mine 93:5 minorities 75:12 minority 38:16 66:3 minute 42:13 minutes 89:6 91:20 96:24 miriam 23:14 moment 19:10 25:2 35:9,13 37:23 43:25 50:12 58:6 76:16 79:19 89:19 90:22 96:8,25 97:3 moments 84:18 month 49:9,14 49:15 months 73:2 morning 5:15 5:25 96:20 motion 3:15 13:17 15:21 16:3
m			
made 37:9 54:25 73:8,13 98:6 mail 15:7 main 2:5,9 make 3:15 6:3 7:2 22:23 53:24 76:4 79:7 86:25 makes 24:24 male 43:20 manifest 39:5 manner 30:7			

[motivated - opinion]

Page 13

motivated 45:10 move 3:10,13 movements 73:11 moving 19:24	74:8 100:3,7 newark 2:13,17 newburgh 1:8 1:8 5:13,18,19 5:24 8:21,23 19:23 20:2 21:7,19,22 24:12 28:21 30:19 31:20 40:19 41:14 42:2,3 44:5 47:16 49:2 55:4,5 59:7 60:8 61:8,15 62:5 63:9,15 63:21 64:10,21 65:11,15 66:4 68:4 70:16,25 71:7 74:8,9 75:13 76:24,25 77:8 92:14,15 93:4,9 98:1 101:1 newburgh's 24:16 news 57:2 71:2 74:16 nodding 6:17 noise 19:9 nominated 76:23 77:6 nomination 78:7 nonlegal 60:18 64:5	nonprofit 18:21,22 notary 1:19 3:18,19 5:3 98:14,21 100:6 note 58:22 noted 98:7 notes 91:21 96:8 notice 79:14 notification 78:12,14 80:5 85:2,7 86:7 95:5 99:20 number 31:21 numbers 89:15	obvious 27:23 occupation 18:16,19 occurred 72:25 occurring 45:25 offer 42:10 85:12 office 24:3,6 26:23,23 43:16 58:11 62:16 67:9 75:23 77:23 offices 69:21 official 62:12 76:9 officials 59:17 okay 16:15 19:11 23:14 31:5,10 35:9 37:19,25 50:12 57:11 61:14 75:18 78:22,23 79:9 82:23,24 83:14 86:25 90:18,19 91:22 olivera 23:15 43:19 once 36:4 49:9 ones 21:5 opened 46:22 opinion 25:11 25:25 26:7 58:18 62:4,10 63:2 64:8
n		o	
n 2:2 99:2,4,4 99:18 name 5:8,16,22 9:18 14:11 17:8,23 25:4,8 43:21 53:17,21 53:21 92:9 96:12,14 names 25:3 43:22 96:16 national 72:13 necessary 98:7 need 6:17 85:14 85:16 needed 52:19 neighbor 93:5 93:7 94:17,21 neighbors 38:11 40:2 52:18 55:19 92:23,24 never 10:19 66:21 76:8 95:13,20 new 1:2,19 2:5 2:9,13,17 5:4 5:14,24 10:8,8 17:7,21 19:16		o 99:4,18 oath 7:21,22 object 3:9,12 12:25 14:22 21:25 34:2 77:11 objection 15:24 22:24 29:4 30:3 41:3 49:4 58:22 60:13 66:5 68:11 71:14 80:8 81:3 84:4 87:21 88:14 93:15 objections 86:11,17 90:6 90:11 99:21,23	

[opinion - perez]

Page 14

65:10,14 69:7 71:3,6 73:23 74:20,25 opportunity 36:7 48:13 opposed 38:13 38:20,24 43:25 88:24 opposing 37:15 42:5 opposition 39:6 39:11,19 44:3 49:22,23 50:6 56:9 option 36:15 options 63:5,7 67:25 oral 1:3 31:19 32:4 92:10,16 96:10 98:1 101:1 orange 1:2 21:6 56:22 order 57:7 73:19 organization 18:21,23 22:9 45:19 organizations 21:3,10,13,16 21:18 39:23 original 3:21 4:2 originally 53:10	outcome 61:2 100:17 outlined 85:7 86:6 outside 56:7 overflow 46:3 own 67:4 owner 53:25 <p style="text-align: center;">p</p> p 2:2,2 5:2 p.m. 97:12 page 31:8,9 35:7 85:24 87:10 92:6 99:5,19 101:4 101:7,10,13,16 101:19 pages 32:2,10 paper 38:10 papers 13:17 15:22 16:3 paragraph 35:6,14,16 36:19 37:2,7 37:20,21 38:12 42:21 50:10,16 52:2 58:5,8 60:6 61:14 62:24 63:8,20 64:20 67:7 68:20,25 69:20 70:5 74:7 75:17,21 76:12 76:15,21 77:21 79:17,23 83:12	83:15,18 84:16 paragraphs 37:17,24 59:21 60:3 70:8,12 70:14 71:12 paris 2:18 5:19 30:17,24 78:10 82:13 86:14 part 3:7 21:10 77:19 89:18 participate 93:21 participated 77:10 participation 47:13 particular 22:17,18,22 29:3 37:7,10 62:3 80:12 particularized 50:18 particularly 13:24 53:6 85:22 parties 3:5 14:3 100:15 party 9:11 20:20,22,23 22:9 23:10 49:6 77:14,22 77:24 passed 25:7 past 12:14 29:13 43:12	44:24 49:12 patterns 66:13 68:4 payment 54:24 pdf 85:24 pending 7:17 10:4 people 28:3 43:11 51:22 66:18 pepper 2:12,16 perez 1:4,16 5:10,15,21,23 5:25 6:1 7:1,20 8:1 9:1,20 10:1 11:1 12:1 13:1 14:1,5 15:1 16:1,8 17:1 18:1 19:1,19 19:22 20:1 21:1 22:1 23:1 23:22 24:1 25:1 26:1 27:1 27:20 28:1 29:1,15 30:1 30:20,22 31:1 31:13 32:1 33:1,4,20 34:1 35:1 36:1 37:1 37:16 38:1 39:1 40:1 41:1 42:1,10 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1
--	--	--	---

[perez - probably]

Page 15

53:1 54:1 55:1 56:1 57:1,19 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 78:11,15 79:1 79:2 80:1,7,17 81:1,11 82:1 82:14,18 83:1 83:4 84:1 85:1 85:20 86:1,10 86:19 87:1,4 88:1 89:1,5,22 90:1,5,13 91:1 92:1,5,11 93:1 94:1,24 95:1 95:12 96:1,19 97:1 98:2,4,13 100:9 101:2,24 perez's 86:10 90:5 perfect 51:25 permit 53:3,7 53:23 54:5 permits 53:23 person 36:23 40:11 43:20 51:12 60:23 61:11,24 62:13 64:12 65:8,22 67:16	personal 8:4 51:11 52:17 76:12 83:25 84:13 personally 32:25 65:5 71:9 perspective 51:15 pertains 87:8 peter 1:4 32:5 92:11,17 96:11 phrasing 62:22 physical 14:16 physically 89:11 place 1:17 plains 2:5,9 plaintiff 1:16 10:11,23 11:4 11:23 27:21 94:13 plaintiffs 1:5 2:4,8 78:13 83:20 92:13 planning 85:10 plant 37:11 38:8,17,22,25 39:7,12,15 41:15 43:2 44:2 47:23 49:23 51:18 please 5:9,12 6:16 9:6 25:15 35:13 82:13	87:10 90:24 93:22 95:6,8 point 7:14 12:25 16:23 43:7 57:9 70:3 72:22 polarized 60:7 60:15 61:5,9 political 20:20 21:3,9,13,16,18 23:23 24:3,6 56:6 politically 63:22 politics 27:10 27:12 population 69:13 portion 25:18 35:16 37:7 38:12 95:9 position 19:4 24:18 27:5 41:15,18,21,22 42:4 67:18 73:22 positions 77:6 possible 28:5,7 potential 77:22 power 37:11 38:7,21,25 39:6,12,15 41:15 43:2 44:2 47:22 48:9 49:22	51:18 85:11 preferences 66:12 preferred 64:23 67:8 preparation 15:13 16:17 80:7,25 prepare 12:13 preparing 54:2 present 24:25 81:25 presented 16:12 84:21 preserve 14:7 president 28:24 presidential 20:14 prevent 8:13 previous 18:18 25:4 83:9 previously 11:12 30:10 print 38:2 prior 70:19 87:25 private 23:3 privilege 22:4 22:15 81:4 privileged 13:3 14:24 15:3 22:9 81:6 87:23 probably 62:21
---	--	---	---

[problem - recording]

Page 16

problem 57:12 62:21,22 problems 95:3 process 6:4 46:13,15,23 77:10 78:7 produced 14:2 production 88:17 90:8,12 91:7 99:24 professional 18:13 program 9:21 12:5 17:6,21 18:5,24 19:5 proposed 38:7 42:4 protected 22:2 provide 87:19 88:4,7,11,12 89:15,23 91:8 provided 3:6 3:23 public 1:19 3:19,19 5:3 18:3,10 22:7 23:2,5 41:18 41:21,22 42:3 98:21 100:7 publicly 39:5 puerto 17:5,9 pull 30:18 purported 54:8 55:9	purpose 51:24 52:21 purposes 85:11 q qualified 43:15 43:17 47:5 question 3:9,13 7:8,17 21:14 22:6 25:15,17 26:12,15,18 41:24 49:7 57:22 60:24 61:3 62:2,14 62:23 77:14 80:12,20 81:13 89:22 95:25 questionable 46:13,16 questioned 46:22 questioning 46:9 questions 6:7,9 6:24 8:3,14 45:24 46:2 76:2 90:3 92:3 94:23 96:18 97:6 quick 57:10 quickly 38:13 quite 13:25 77:20 quote 37:4	r r 2:2 5:2,2 33:6 33:8,14,18 100:2 101:3,3 race 19:20 racially 60:7,15 61:5,9 raised 40:15 46:25 47:11 50:5 52:4,14 55:8,13,22 56:2,6,9,10,13 56:16 59:14 95:4,13,20 ramon 1:4 32:5 92:12,17 96:11 rate 49:24 rates 48:11 rather 54:18 read 25:17,19 32:4,6 33:17 35:14,15,23 37:3,24 38:18 50:21 52:7 56:17 58:13 60:8 61:17 63:11,23 64:25 67:10 68:2 69:4 70:10,12 75:23 77:2,25 79:10 83:23 92:10 95:8,10 98:5 reads 58:8 64:20 68:25	75:21 77:21 ready 30:25 really 61:3 reason 101:6,9 101:12,15,18 101:21 recall 9:25 11:13 12:11 13:16,25 33:15 38:9 39:22 40:9 41:2 44:14,17 45:22 46:5 50:8 53:2 53:12,16 55:6 recalling 43:23 receive 14:5 17:17 18:9 receiver 24:19 receiving 54:13 recent 67:10 recently 25:7 recess 57:16 91:24 97:4 recognize 31:13 recollection 49:21 64:14 76:13 reconstruction 46:11 record 5:8,12 57:13,15 100:12 recording 6:15

[redirect - responsive]

Page 17

redirect 96:25 reduced 48:16 reed 1:3 92:11 92:17 96:11 refer 8:20,22 19:24 69:18 reference 51:17 referenced 70:4 74:6 referencing 47:21 referred 10:22 referring 19:25 38:5 56:21 71:22 72:3 84:20,24 refresh 82:20 refusing 81:15 regard 50:18 51:8 registered 20:7 20:10,19 58:10 registration 22:12 relate 58:19 71:12 related 10:10 11:18,20 14:7 14:15,20 48:5 56:18 66:3 100:15 relatedly 63:8 relationship 94:7,10	relatively 6:4 relevant 58:24 remain 7:22 remedy 85:6 86:5 remedying 95:2 remember 14:11 23:16 47:7,9 53:17 53:20 96:3,5 remembering 43:21 reminded 15:16 reminder 19:24 renovation 53:3 repair 46:11 repeat 7:9,10 21:14 25:15 65:13 71:5 72:20 73:10 80:19 81:21 95:6 repetitive 76:3 rephrase 7:9 26:16 replacement 46:12 represent 5:16 31:18 32:3 representation 27:14,24 29:22 30:8,9 31:22 32:10 35:18	36:14 51:5 60:20 69:11,14 69:15,18 95:14 representative 35:3 74:4 representatives 29:23,24 represented 33:12 43:14 representing 51:12 republican 76:21,24 request 88:17 90:7,12 99:24 requesting 16:14 requests 91:9 91:12,16 require 83:20 required 98:14 reserved 3:11 3:16 reside 19:23 29:19 residence 46:2 resident 28:20 43:13 53:25 54:10,15,17,18 54:20,23,24 60:22 61:13,23 65:6 75:5 76:5 93:4,8 residents 25:12 26:2,8 35:2	39:9 41:5,9 48:12 52:4,15 55:19 77:23 residing 58:10 resolution 79:24 82:15,17 83:19 84:2,14 85:6,22 86:5 99:20 resolved 10:5,6 10:15,15 54:22 57:6 resources 19:6 respect 69:19 72:16 respective 3:4 respectively 76:23 respond 59:4 response 46:25 47:10 51:5 83:8 87:9 88:4 88:8,13 89:23 91:9,12 95:3 responses 86:11,16 89:14 90:6,10 99:21 99:23 responsibilities 19:3 21:23 22:21 responsibility 73:24 responsive 91:16
---	--	---	---

[resubmitted - spanish]

Page 18

resubmitted 53:9 results 66:10 retired 18:17 retirement 18:19 return 3:21 review 12:23 13:7,13,17,20 15:18 80:17,21 85:23 86:2 87:10 89:17,19 91:21 96:7 reviewed 13:11 13:24 15:12,21 16:9 30:11 89:10 reviewing 70:19 richmond 100:4 rico 17:6,9 right 3:9 13:16 23:16 26:14 33:11 34:18 35:10 43:21,23 44:14 48:10 51:18 55:6 73:3 82:2 96:17 rights 3:6,23 33:6,9,14,18 role 18:25 roles 22:7	romance 1:3 32:4 92:11,17 96:10 roughly 57:3 routinely 45:7 52:3,13 rule 3:24 7:16 rules 3:7 6:2 rumor 72:7 rumors 72:6 run 24:2 26:23 27:6,9 43:16 running 23:19 24:5 26:24 27:2 64:13 runs 24:21	36:11,16 42:23 54:2 section 31:6 85:23 sections 86:2 see 31:4 36:23 73:4 78:20,22 90:18 seekers 70:16 70:21,24 71:4 71:7,11 72:19 72:24 73:9,14 75:11 seem 76:2 seemed 27:11 seen 48:24 67:16 68:2 76:8 79:2,11 83:4 87:4 91:2 segue 51:25 selected 46:21 47:4 sense 53:24 59:8 sent 16:13 78:12 80:18,22 89:9 set 86:12,17 99:22 100:10 100:20 setting 9:9 47:13 seven 11:12 89:15	several 40:14 48:24 51:21 72:25 76:7 sewer 54:11 shakes 6:17 shift 16:24 shown 50:17 51:8 side 16:11 sidewalks 46:8 sign 32:25 87:13,15 89:11 signature 100:23 similarly 7:13 sitting 61:2 six 45:6 74:7 social 14:20 17:12,19 solely 51:15 somewhat 33:22 soon 78:18 sorry 19:11 62:20 65:13 72:20 79:25 80:19 81:21 82:7 93:3 96:12 sort 34:12 sounds 91:22 spanish 52:6,16 53:6 54:8 55:10 56:14,20
	s		
	s 2:2 99:4,4,4 99:18 101:3 sanders 2:12,16 satisfied 97:7 saved 88:9 saying 61:10 65:20 67:15 says 60:6 61:14 63:8,20 67:8 84:10 school 17:8,24 scope 22:14 scroll 31:25 76:16 90:23 search 91:11 second 13:24 14:10 30:8 32:11 35:20		

[speak - term]

Page 19

speak 39:10 45:7 46:14 51:20 52:19 66:11,18,22 81:18,22 82:5 speaking 9:4 26:6 45:18 52:6,16 54:9 55:10 specific 31:5 37:21 53:15 89:14 90:2 specifically 6:10 27:20 38:20 60:6 72:3 specifics 44:15 47:7 specify 37:20 speculate 93:18 speculation 29:5 93:16 speedy 6:4 spoke 11:5 40:10 44:17 45:15,17,23 46:7 82:7,9 spoken 28:4 44:15 47:25 spouse 94:11 start 6:24 8:2 9:22 19:17 50:16 92:21 started 8:19 9:10	starts 85:24 state 1:2,19 5:4 5:8,11,22 20:16 40:4,11 50:3 53:13 72:13 100:3,7 stated 80:5 statement 11:2 63:17,18 73:7 statements 73:8,13 states 35:17 38:12 50:17 52:2 76:21 79:23 83:18 statistics 25:22 26:5 stenographer 6:14,18 7:10 stenographer's 7:3 step 34:20 72:10 steven 2:6 sticking 96:15 stipulated 3:3 4:4 stipulations 3:2 street 2:5,9 strike 3:10,13 structure 24:15 study 17:11 18:2 subject 22:10 46:5	submitted 10:25 53:4,10 subscribed 98:16 successful 48:17 suit 56:17 74:11 suite 2:5,9,13 2:17 summons 92:7 supervisor 24:17 supervisor's 27:5 support 27:15 36:19 37:6 51:7 52:12 66:2,23 72:4,5 73:4 supported 62:18 64:16,18 supporting 66:15,16 supports 61:7 supreme 1:2 sure 15:25 16:2 78:19 surprised 75:4 75:8 swanson 1:18 100:6,24 switching 75:15	sworn 3:17 5:3 7:21 11:2 98:16 100:11 system 33:21 33:25 34:13 58:2,20 59:6 68:7,9 t t 99:4,18 100:2 100:2 101:3,3 take 7:14,16 34:20 35:13 37:23 42:12 57:10 70:9,11 79:10 89:6,19 90:22 91:20 taken 1:18 8:5 11:8 57:16 91:24 97:4 talk 6:25 15:10 16:24 27:18 31:8 94:15 talked 48:16 57:24 talking 42:20 57:19 tasks 22:7 tax 24:19 tell 7:21 16:20 25:2 ten 42:13 44:20 44:22 term 60:15,16 61:6
---	---	---	--

[terminology - town's]

Page 20

terminology	53:22 60:24	16:21 50:7	52:13,15,20,25
34:5 88:21	62:2 75:10	75:2 94:2	53:7,14 54:19
terms 15:2 22:8	80:11 81:2	96:19	54:19 55:3,4
33:11 34:10,12	88:14,20 91:19	told 28:15	55:11,15,20,22
36:3 51:10	96:18 97:6	town 1:8,8,8	56:4,7 57:21
60:18 64:4,6	thought 24:7	5:17,18,18	57:25 58:3,8
terrible 96:16	93:23	8:21,21,22,23	58:10,11,12
testified 5:5	three 35:7,14	8:23 9:5,5	59:6,11,15,16
10:20 30:10	35:16 36:19	19:23,24,25	60:8 61:3,8,15
43:24 73:12	37:2,7 40:8	20:5 21:7,19	61:23 62:5
84:18 94:2,16	42:21 45:3,16	21:22 23:19	63:9,15,21
testify 8:7	85:24	24:12,16,17,19	64:9,17,21
testimony 3:11	time 1:17 9:3	24:22,23,25	65:8,11,15
3:14 11:16	23:19 30:15	25:4,12,13	66:4 67:17
25:19 65:25	38:9 45:4 54:2	26:3,9 28:20	68:4,9 69:4,15
73:15 91:14	70:10,12 71:25	28:22,22,24	69:21 70:16,21
94:25 95:10,13	79:10 81:20,24	29:19,23 30:19	70:25 71:7
95:19 98:10	91:20 96:20	31:20 32:24	72:4,16,17,24
100:13	97:5	34:21,24 35:2	73:2,7,12,20,24
text 14:19 15:7	times 11:10,12	35:18,22 36:22	74:4,6,8,11,13
thank 6:13,22	29:18 45:14	36:24 37:5,9	75:5,6,13,22
8:17 14:13	48:24 67:24	37:12,14 39:10	76:6,7,8,22
15:9 16:15	77:20	39:15,19 40:2	77:6 79:15,23
26:20 31:25	tiny 38:2	40:4,13,18	80:18,22 82:14
33:4 43:24	tirado 1:4	41:5,7,8,11,14	82:16 83:18
76:3 82:11	23:14 28:12,19	41:25 42:3,19	85:5,21 86:4
96:19,21,21	29:2 32:5	42:24 43:3,8	89:11 92:13,14
97:9	43:19,22 64:19	43:10,13,14	92:14 93:4,9
thing 26:21	92:12,18,19,22	44:5,6,10,13,16	95:2,15,15,21
things 22:8	92:25 93:6,11	44:16,18 45:5	95:22 98:1
51:18 70:2	93:13 94:4,8	45:8,10,13,15	99:20 101:1
think 13:19	94:12 96:2	46:24 47:10,14	town's 35:19
19:8 26:16,17	title 13:15	47:16,16 48:6	36:10,20 37:3
45:4 46:3,8	today 5:20 6:7	49:2,14 50:17	42:22 54:7
49:7 50:5	6:15 8:6,10	51:7,22 52:3,5	55:9 58:19

[town's - wanted]

Page 21

68:6 75:10 83:8 transcript 98:5 98:10 translated 53:6 54:17,18 57:8 translation 51:24 52:22 54:4 travel 44:25 traveling 49:13 treatment 75:11,12 trial 1:15 3:16 10:21 tried 52:24 troutman 2:12 2:16 true 32:8,19 60:4 88:12 98:9 100:12 truth 7:22 truthfully 8:7 8:14 try 49:15 turn 68:20 70:7 turning 12:12 two 23:15 31:8 35:8 46:6 47:10 49:24 54:14 82:9 twofold 30:6 typically 25:12 49:10 77:21 78:6	u unable 32:24 89:10 unclear 9:3 under 7:21,22 undergrad 17:5 understand 6:8 6:18,20 7:7,11 7:18,24 8:24 9:7 30:14 33:20 34:11,21 38:3 54:16 61:6 68:17 75:25 81:11 understanding 26:11,17 29:10 29:16 33:24 34:7,16 59:2 77:5 78:4 85:4 86:4 understands 16:2 understood 54:24 82:11 unfortunately 29:19 uniform 3:7 unlawful 68:10 use 57:25 used 45:2 68:8	43:22 64:19 94:4,8,12 verbal 33:2 verbally 6:16 verification 32:14,16,22 verifications 32:3 versus 9:20 30:19 31:20 74:9 veterans 72:8 73:18 victory 27:11 violence 9:20 12:5 18:24 vocalized 49:25 50:6 55:17 voice 15:7 voiced 39:18 44:3,9 47:14 voicing 57:20 volunteer 21:12,15 22:16 67:3 volunteered 22:18,22 23:13 23:20 volunteering 21:21 vote 20:7,10,12 25:13 26:2,8 26:13 34:19 35:2 36:7,15 58:11 59:9	61:16 62:4,6 62:25 63:10,15 64:10,12,21 65:11,16,19 66:4,19 67:20 voted 37:14 41:23 84:11,19 85:5 86:4 voter 22:12 58:10 voters 61:15 62:5,17,25 63:9,14,21 64:9,15,20,24 65:11,15 67:9 votes 65:18 voting 33:6,8 33:14,18,21,25 34:13 58:2,20 59:6 60:7,25 61:5,8 66:12 66:13,22,23 68:3,7
			w w 99:4 wait 83:21 waived 4:3 waiver 3:15,23 want 26:20 42:12 53:21 70:9 80:13 82:8 90:22 92:8 93:3 wanted 28:14 42:9 85:12

[wanting - zoom]

Page 22

wanting 45:12	works 53:22
water 46:3	wrap 92:4 97:2
54:11,11	97:7
way 53:9 59:10	x
59:15,18 62:3	x 1:3,10 99:2,4
62:22 80:13	99:18,18
93:19 95:20	y
100:17	yeah 70:11
ways 78:8	year 10:2,2,3
welcoming	28:8 45:3
27:15,16	49:19
went 17:5,20	years 19:2 20:6
71:24	23:24 27:22
whereof 100:19	28:2,21 29:8
white 2:5,9	33:15 40:8
64:20 65:10,14	43:12 44:19,20
win 64:19	44:22,24 45:6
66:17	47:6 49:12
window 19:8	57:4 60:22
withdrew	61:12,22 65:6
10:16	76:6,8 77:19
witness 3:18	93:2,12 94:22
4:6 15:25	96:5
25:20 42:14	york 1:2,19 2:5
79:7 85:16	2:9 5:4,14,24
88:15,19 95:11	10:8,8 17:7,21
96:21 100:9,13	19:16 74:8
100:19	100:3,8
work 17:12,19	z
working 48:15	z 5:2
53:13,14	zoning 53:17
workings 23:3	zoom 1:11
49:6 73:23	
77:13	

New York Code

Civil Practice Law and Rules

Article 31 Disclosure, Section 3116

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