

Exhibit 1

<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 NORTHERN DISTRICT OF ALABAMA 3 SOUTHERN DIVISION 4 5 CIVIL ACTION NO. 2:14-cv-2176-MHH 6 7 ROBIN LITAKER, 8 Plaintiff, 9 vs. 10 HOOVER BOARD OF EDUCATION, et al., 11 Defendants. 12 13 DEPOSITION OF ROBIN ANN LITAKER 14 Bradley Arant Boulton Cummings LLP 15 One Federal Place 16 1819 Fifth Avenue North 17 Birmingham, Alabama 35203-2119 18 May 27, 2015 19 20 REPORTED BY: Laura H. Nichols 21 Certified Realtime Reporter, 22 Registered Professional 23 Reporter and Notary Public</p>	<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S (Continuing) 2 3 FOR THE DEFENDANT: 4 Ms. Anne R. Yuengert 5 and Donald B. Sweeney, Jr. 6 Attorneys at Law 7 Bradley Arant Boulton Cummings LLP 8 One Federal Place 9 1819 Fifth Avenue North 10 Birmingham, Alabama 35203-2119 11 (205) 521-8000 12 ayuengert@babco.com 13 dsweeney@babco.com 14 15 OTHERS PRESENT: 16 Mr. Andy Craig 17 Ms. Carol Barber 18 Ms. Mary Veal 19 Ms. Niya McCray 20 21 22 23</p>
<p style="text-align: right;">Page 2</p> <p>1 A P P E A R A N C E S 2 3 FOR THE PLAINTIFF: 4 Mr. Kevin W. Jent 5 Attorney at Law 6 Wiggins, Childs, Pantazis, 7 Fisher & Goldfarb, LLC 8 The Kress Building 9 301 19th Street North 10 Birmingham, Alabama 35203 11 (205) 314-0549 12 kjent@wigginschilds.com 13 14 15 16 17 18 19 20 21 22 23</p>	<p style="text-align: right;">Page 4</p> <p>1 INDEX OF EXAMINATION 2 3 Page: 4 EXAMINATION BY MS. YUENGERT 7 5 EXAMINATION BY MR. JENT 269 6 REEXAMINATION BY MS. YUENGERT 270 7 8 9 INDEX OF DEFENDANT'S EXHIBITS 10 11 Page: 12 Defendant's Exhibit 1 57 13 (Email) 14 Defendant's Exhibit 2 59 15 (Email) 16 Defendant's Exhibit 3 138 17 (Series of emails) 18 Defendant's Exhibit 4 147 19 (Resignation letter) 20 Defendant's Exhibit 5 164 21 (Principal employment contract, 22 probationary contract principal) 23</p>

<p style="text-align: right;">Page 5</p> <p>1 INDEX OF DEFENDANT'S EXHIBITS (Continuing)</p> <p>2</p> <p>3 Page:</p> <p>4 Defendant's Exhibit 6 166</p> <p>5 (First evaluation, probationary</p> <p>6 principal)</p> <p>7 Defendant's Exhibit 7 168</p> <p>8 (Second evaluation, probationary</p> <p>9 contract principal)</p> <p>10 Defendant's Exhibit 8 170</p> <p>11 (Three-year contract)</p> <p>12 Defendant's Exhibit 9 186</p> <p>13 (Email from Litaker to Mary Veal</p> <p>14 on April 1st, 2013)</p> <p>15 Defendant's Exhibit 10 190</p> <p>16 (Attachment to the email marked</p> <p>17 as Defendant's Exhibit 9)</p> <p>18 Defendant's Exhibit 11 196</p> <p>19 (EEOC charge)</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 7</p> <p>1 I, Laura H. Nichols, a Certified</p> <p>2 Realtime Reporter and Registered Professional</p> <p>3 Reporter of Birmingham, Alabama, and a Notary</p> <p>4 Public for the State of Alabama at Large,</p> <p>5 acting as Commissioner, certify that on this</p> <p>6 date, as provided by the Federal Rules of Civil</p> <p>7 Procedure of the United States District Court,</p> <p>8 and the foregoing stipulation of counsel, there</p> <p>9 came before me at the offices of Bradley Arant</p> <p>10 Boulton Cummings LLP, One Federal Place,</p> <p>11 1819 Fifth Avenue North, Birmingham, Alabama</p> <p>12 35203, on May 27, 2015, commencing at 9:59</p> <p>13 a.m., ROBIN ANN LITAKER, witness in the above</p> <p>14 cause, for oral examination, whereupon the</p> <p>15 following proceedings were had:</p> <p>16</p> <p>17 ROBIN ANN LITAKER,</p> <p>18 being first duly sworn, was examined and</p> <p>19 testified as follows:</p> <p>20</p> <p>21 EXAMINATION BY MS. YUENGERT:</p> <p>22 Q. Okay. Ms. Litaker, my name is</p> <p>23 Anne Yuengert. I am here to take your</p>
<p style="text-align: right;">Page 6</p> <p>1 S T I P U L A T I O N</p> <p>2 IT IS STIPULATED AND AGREED, by</p> <p>3 and between the parties, through their</p> <p>4 respective counsel, that the deposition of</p> <p>5 ROBIN ANN LITAKER may be taken before Laura H.</p> <p>6 Nichols, Commissioner, Certified Realtime</p> <p>7 Reporter, Registered Professional Reporter and</p> <p>8 Notary Public;</p> <p>9 That the signature to and reading</p> <p>10 of the deposition by the witness is waived, the</p> <p>11 deposition to have the same force and effect as</p> <p>12 if full compliance had been had with all laws</p> <p>13 and rules of Court relating to the taking of</p> <p>14 depositions;</p> <p>15 That it shall not be necessary for</p> <p>16 any objections to be made by counsel to any</p> <p>17 questions, except as to form or leading</p> <p>18 questions, and that counsel for the parties may</p> <p>19 make objections and assign grounds at the time</p> <p>20 of trial, or at the time said deposition is</p> <p>21 offered in evidence, or prior thereto.</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 8</p> <p>1 deposition today.</p> <p>2 A. Okay.</p> <p>3 Q. Have you ever had your deposition</p> <p>4 taken before?</p> <p>5 A. No.</p> <p>6 Q. Okay. As I am sure your lawyer</p> <p>7 has explained to you, I am going to ask you</p> <p>8 questions, and you are going to give me</p> <p>9 answers. The ground rules are that you have to</p> <p>10 wait for me to finish my question before you</p> <p>11 give me an answer, so our court reporter,</p> <p>12 Laura, can get us both down.</p> <p>13 A. (Nodding.)</p> <p>14 Q. You also need to give me a verbal</p> <p>15 response. So if you shake your head or go</p> <p>16 "uh-huh" or something like that, I am going to</p> <p>17 prompt you just to give me a clearer response</p> <p>18 so that our transcript will be clear.</p> <p>19 A. (Nodding.)</p> <p>20 Q. If at any point you need to take a</p> <p>21 break or consult with your attorney, just let</p> <p>22 me know. We will be here the better part of</p> <p>23 the day, I think. So don't feel like you can't</p>

<p style="text-align: right;">Page 9</p> <p>1 stop if you need to.</p> <p>2 A. Okay.</p> <p>3 Q. You understand that you are under</p> <p>4 oath?</p> <p>5 A. Yes.</p> <p>6 Q. If at any time I ask you a</p> <p>7 question that you don't understand, you need to</p> <p>8 ask me to clarify it. If you don't ask me to</p> <p>9 clarify a question, I am going to assume that</p> <p>10 you understood it. Is that fair?</p> <p>11 A. Yes.</p> <p>12 Q. Are you taking any medication</p> <p>13 today that would interfere with your ability to</p> <p>14 answer my questions truthfully?</p> <p>15 A. No.</p> <p>16 Q. Could you state your name for me?</p> <p>17 A. Robin Ann Litaker.</p> <p>18 Q. Have you ever had any name other</p> <p>19 than Robin Ann Litaker?</p> <p>20 A. No.</p> <p>21 Q. And where do you currently live?</p> <p>22 A. I live at 312 Gainswood Road -- it</p> <p>23 is one word, G-A-I-N-S-W-O-O-D, Homewood.</p>	<p style="text-align: right;">Page 11</p> <p>1 A. That is my brother's business.</p> <p>2 Q. Okay.</p> <p>3 A. He lets me help out just --</p> <p>4 Q. Okay.</p> <p>5 A. I have been trying to stay busy.</p> <p>6 Q. What is the name of his business?</p> <p>7 A. It is Wise Technology. He does</p> <p>8 educational software, and for no pay, because</p> <p>9 it is a start-up company, I have just gone</p> <p>10 around and helped different school districts</p> <p>11 with some transportation software, but not a</p> <p>12 lot.</p> <p>13 Q. Where did you go to high school?</p> <p>14 A. I went to Lower Richland High</p> <p>15 School in Columbia, South Carolina.</p> <p>16 Q. After high school, where did you</p> <p>17 go to college?</p> <p>18 A. I went to Winthrop College. I got</p> <p>19 my BS and my MAT from Winthrop.</p> <p>20 Q. What is an MAT?</p> <p>21 A. It is a Master of Arts in</p> <p>22 Teaching.</p> <p>23 Q. After you finished at Winthrop,</p>
<p style="text-align: right;">Page 10</p> <p>1 Q. How long have you lived at the</p> <p>2 Gainswood Road address?</p> <p>3 A. I think this is -- I think this is</p> <p>4 my eleventh year, close to it.</p> <p>5 Q. Does anybody live at the Gainswood</p> <p>6 Road address with you?</p> <p>7 A. No.</p> <p>8 Q. Do you have any family who live in</p> <p>9 the Northern District of Alabama?</p> <p>10 A. No. I have just moved my father</p> <p>11 to Fairhope, so it is just me.</p> <p>12 Q. Okay. Do you have other family in</p> <p>13 Fairhope?</p> <p>14 A. Yes.</p> <p>15 Q. Who is down there?</p> <p>16 A. I have a brother, a sister-in-law,</p> <p>17 three nieces, two nephews, a great niece.</p> <p>18 Q. Plenty of folks?</p> <p>19 A. Yeah.</p> <p>20 Q. In one of the documents, the many</p> <p>21 documents, that your lawyer produced to me, you</p> <p>22 listed employment as being at a place called</p> <p>23 Wise.</p>	<p style="text-align: right;">Page 12</p> <p>1 did you start working?</p> <p>2 A. I worked in Mobile County at two</p> <p>3 different schools. I was at Maryville</p> <p>4 Elementary; I left for a year, and then went</p> <p>5 back to Maryville. And I don't remember the</p> <p>6 year I left.</p> <p>7 Q. That is okay.</p> <p>8 A. But it was ten years from '82</p> <p>9 to '92 when I started working in Hoover.</p> <p>10 Q. What did you do the year that you</p> <p>11 left?</p> <p>12 A. That I left?</p> <p>13 Q. Yes.</p> <p>14 A. I went to Dodge Elementary in</p> <p>15 Mobile County.</p> <p>16 Q. And were you a teacher at both</p> <p>17 schools?</p> <p>18 A. Yes.</p> <p>19 Q. How did you end up coming to</p> <p>20 Hoover?</p> <p>21 A. I was one of five finalists for</p> <p>22 the national physical education teacher of the</p> <p>23 year. And a professor at UAB asked me if I</p>

<p style="text-align: right;">Page 13</p> <p>1 would be interested in applying for a job in 2 Hoover at a brand-new elementary school. It 3 was Trace Crossings. 4 Q. Who was the person from UAB who 5 talked to you about that? 6 A. Donna Hester. 7 Q. And she was a professor at UAB? 8 A. Yes. 9 Q. So you applied and got the job at 10 Trace Crossings? 11 A. Yes. 12 Q. What year did you start with 13 Hoover? 14 A. I started in '92, when the school 15 opened. 16 Q. I want to just kind of run through 17 the timeline of your employment at Hoover for 18 now. 19 A. Okay. 20 Q. We will go back and follow up on 21 some of the details. 22 A. (Nodding.) 23 Q. So you were at Trace Crossings.</p>	<p style="text-align: right;">Page 15</p> <p>1 A. Juli Feltham. 2 Q. The whole time? 3 A. Yes. 4 Q. And Juli is J-U-L-I? 5 A. "I," right. 6 Q. And how long were you at Shades 7 Mountain? 8 A. Four years. 9 Q. And then you went to Trace 10 Crossings? 11 A. Yes. 12 Q. As the principal? 13 A. Yes. 14 Q. And when did you go to Trace 15 Crossings, 2010? 16 A. Yes. 17 Q. So that would have been the school 18 year for 2010? 19 A. '10-'11, yes. 20 Q. And then you left Trace Crossings 21 in November of 2012, correct? 22 A. Yes. 23 Q. Okay. And then you submitted a</p>
<p style="text-align: right;">Page 14</p> <p>1 Was that when Dot Riley was the principal? 2 A. The first principal -- I mean, 3 I -- I am bad at names. I can't remember the 4 name -- it was the original principal. Dale 5 Truding hired me, and then Gloria Solomon was 6 the principal, and then Dot Riley became the 7 principal. So Dr. Riley was my principal until 8 I left, when Riverchase Elementary opened. 9 Q. And who was the principal who 10 hired you for Riverchase? 11 A. Dianne Baggett. 12 Q. How long were you at Riverchase? 13 A. I was there two years. 14 Q. And was Diane still the principal 15 when you left? 16 A. Yes. 17 Q. And you left to be an assistant 18 principal? 19 A. Yes. 20 Q. Where? 21 A. At Shades Mountain Elementary. 22 Q. And who was your principal at 23 Shades Mountain?</p>	<p style="text-align: right;">Page 16</p> <p>1 resignation, I think it was April 4th of 2013; 2 does that sound right? 3 A. I don't remember the date. 4 Q. Okay. Do you remember that it was 5 in the spring of 2013? 6 A. Yes. 7 Q. And then your retirement was 8 effective December 31st, 2013? 9 A. Yes. 10 Q. Have I missed any places you were 11 in the Hoover System? Have we talked about -- 12 A. Not that I can think of right now. 13 Q. Okay. If you think of any, just 14 let me know. 15 A. Okay. 16 Q. When you came to Hoover, jumping 17 back to your education, you had the BS and the 18 Masters of Arts in Teaching. 19 A. Uh-huh. 20 Q. Did you have any other higher 21 education when you came to Hoover? 22 A. Not that I had completed. I was 23 fifty hours short on an internship for</p>

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1 administration at that time from South Alabama.
2 I think it was fifty hours.
3 Q. Okay. And when you say "in
4 administration," does that then give you a
5 master's in administration or a doctorate?
6 A. Then, it gave you a certificate.
7 And I believe there were three certificates at
8 that time. I was working on one of them.
9 Q. Okay. So when you came to Hoover,
10 did you finish your certificate at some point?
11 A. No.
12 Q. Okay.
13 A. I waited until I was ready to go
14 into administration, and I had to start over.
15 Q. And then did you finish your
16 certificate in administration?
17 A. Yes, I have a certificate, I
18 finished it first, and then I got an EDS from
19 the University of the Montevallo, and I have a
20 doctorate from Samford University.
21 MS. YUENGERT: Kevin, I am going
22 to ask her some questions about the Complaint,
23 so I am just going to give a copy to her, but I

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1 am not going to make it an exhibit, okay?
2 MR. JENT: Okay.
3 Q. (BY MS. YUENGERT:) Ms. Litaker, I
4 am handing you a copy of the Complaint that was
5 filed on your behalf in this lawsuit. I am
6 going to ask you some questions about the
7 allegations in it, and I thought it would be
8 easier if you could actually see it.
9 A. Okay.
10 Q. (Handing document.) Ms. Litaker,
11 one of your claims in this lawsuit is that the
12 Board and Mr. Craig discriminated against you
13 based on sex.
14 A. Yes.
15 Q. I want to talk to you about those
16 allegations, okay?
17 A. Uh-huh.
18 Q. And first I want to know if you
19 claim that moving you from Trace Crossings
20 Elementary to the Central Office was sex
21 discrimination. Do you believe that?
22 MR. JENT: I am going to object as
23 to the extent it calls for a legal conclusion,

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1 but you can answer.
2 MS. YUENGERT: I understand.
3 A. I believe it led to that, yes.
4 Q. (BY MS. YUENGERT:) When you say
5 it "led to that," what do you mean?
6 A. That ultimately when I was moved
7 and what was done with me led to the sexual
8 discrimination.
9 Q. Okay. Do you believe that the
10 actual decision to move you from Trace
11 Crossings was based on your sex?
12 A. That, I don't know.
13 Q. Okay. So you don't have an
14 opinion one way or the other?
15 A. I feel like, yes, it was --
16 Q. Okay.
17 A. -- but that is an opinion.
18 Q. Understood. Why do you believe
19 that the decision to move you from Trace
20 Crossings was based on your sex?
21 A. Because after I arrived, after I
22 was finally told to report to Central Office, I
23 was not given a position like other male

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1 employees who had been moved.
2 Q. Any other reasons that you think
3 that the decision to move you from Trace
4 Crossings to the Central Office was based on
5 your sex, other than you have told me that
6 there were some male employees who were moved
7 to Central Office that you believe were treated
8 better than you were?
9 A. Because I was not given any due
10 process. I was removed without any
11 notification, any reason, any -- I was given no
12 corrective action plan. I was not told of any
13 issues with my performance.
14 Q. Anything else?
15 A. And because of ultimately how I
16 was constructively discharged. And that --
17 there may be more but, you know, I can't -- I
18 was promised that I would be taken care of, and
19 ultimately I was not, like male employees had
20 been.
21 And like I said, there may be
22 several other things, but that is all I can --
23 and -- that is all I can think of right now.

<p style="text-align: right;">Page 21</p> <p>1 There may be other points.</p> <p>2 Q. When was your last day at Trace</p> <p>3 Crossings?</p> <p>4 A. November 16th, 2012.</p> <p>5 Q. And tell me what happened on</p> <p>6 November 16th, 2012.</p> <p>7 A. On the 16th?</p> <p>8 Q. Yes.</p> <p>9 A. The 15th was when I was called to</p> <p>10 Central Office.</p> <p>11 Q. Okay. So let's talk about the</p> <p>12 15th.</p> <p>13 A. The 15th was pretty much like any</p> <p>14 other day. I had a student that had won a</p> <p>15 writing award. I was getting ready to go to a</p> <p>16 dinner at the Wynfrey for her. I had an art</p> <p>17 program going on at the school that night. I</p> <p>18 had an IEP meeting with one of my</p> <p>19 self-contained children, and right before that,</p> <p>20 Carol Barber called me up and asked me if I</p> <p>21 could stop by Central Office.</p> <p>22 Q. About what time of day was that?</p> <p>23 A. It was after school hours, so I</p>	<p style="text-align: right;">Page 23</p> <p>1 I went in, I -- it seemed pretty empty. So I</p> <p>2 would say it was probably after 4:00 or</p> <p>3 whenever most people went home.</p> <p>4 Q. And you mentioned a calendar,</p> <p>5 Ms. Litaker.</p> <p>6 A. Uh-huh.</p> <p>7 Q. What kind of calendar did you</p> <p>8 keep?</p> <p>9 A. Outlook.</p> <p>10 Q. Oh, so it was on the computer?</p> <p>11 A. Yeah. This appointment wasn't on</p> <p>12 the computer, but I could have guessed about</p> <p>13 what time.</p> <p>14 Q. Sure. I am just asking about how</p> <p>15 you kept your calendar.</p> <p>16 A. Yes. I had several Outlook</p> <p>17 calendars.</p> <p>18 Q. So you went to the Central Office</p> <p>19 and it seemed pretty deserted?</p> <p>20 A. Yes.</p> <p>21 Q. Tell me what happened when you got</p> <p>22 to Central Office.</p> <p>23 A. I went back to Carol Barber's</p>
<p style="text-align: right;">Page 22</p> <p>1 am -- if I say, it will be a guess. Maybe</p> <p>2 3:30, 4:00; I'm not exactly sure.</p> <p>3 Q. Okay. But you hadn't left the</p> <p>4 school for the day?</p> <p>5 A. No, I had not. I typically didn't</p> <p>6 leave until late.</p> <p>7 Q. And Carol called you?</p> <p>8 A. She called me and asked me if I</p> <p>9 could stop by Central Office, and I went.</p> <p>10 Q. In the telephone conversation with</p> <p>11 Carol, did she say anything other than, "Can</p> <p>12 you stop by Central Office?"</p> <p>13 A. Not that I recall, no.</p> <p>14 Q. Okay. So you went by the Central</p> <p>15 Office?</p> <p>16 A. Yes.</p> <p>17 Q. About what time, do you know?</p> <p>18 A. You know, I don't. One of the</p> <p>19 things I don't have is my calendar, and I could</p> <p>20 have -- I could have given you a better</p> <p>21 guesstimate of time if I saw what time that</p> <p>22 dinner started. But I don't know. Sometime,</p> <p>23 4:00, 5:00 -- when I got to Central Office and</p>	<p style="text-align: right;">Page 24</p> <p>1 office, and I sat down. And she was in there</p> <p>2 by herself. And I don't know -- I can't</p> <p>3 remember exactly how the conversation started.</p> <p>4 At some point, Mr. Craig came in, and I don't</p> <p>5 know how far into a conversation we had gotten</p> <p>6 before he came in.</p> <p>7 But she had started saying things</p> <p>8 to me like I had teachers complaining, that --</p> <p>9 and I think Mr. Craig was in the office when a</p> <p>10 comment was made that the good teachers were</p> <p>11 going to leave the school. And I was -- you</p> <p>12 have to understand, I was totally taken off</p> <p>13 guard. I had never been talked to,</p> <p>14 reprimanded, written up about anything related</p> <p>15 to my faculty.</p> <p>16 And I am assuming later on you may</p> <p>17 ask me about the type of school I moved into,</p> <p>18 and the preexisting issues. So when she said</p> <p>19 the good teachers are going to move out, I went</p> <p>20 (shaking head), "No, they are not." I mean, I</p> <p>21 had brought some really outstanding people onto</p> <p>22 that faculty.</p> <p>23 And at that point, I mean,</p>

<p style="text-align: right;">Page 25</p> <p>1 Mr. Craig was sitting there, and he said, 2 "Well, I just -- I think it is time for a 3 change." And I still -- I mean, you have to 4 understand my mental state at that point; I 5 didn't know what they were talking about. And 6 he said, "I think it is time to make a move" or 7 something to that effect. And I still didn't 8 know what they were talking about. And they 9 said something about me going to Bumpus and I 10 am sitting there thinking well, what are you 11 going to do with Tamala Maddox? I didn't know 12 what -- I was totally and completely, if you 13 want to use the term "clueless," about what 14 they were talking about. 15 And then at some point, Carol said 16 you will be part of the administrative team. 17 And it started -- I am starting to try to 18 understand, you know, what they are talking 19 about. And I went, "Wait a minute, what -- you 20 know, what is my position going to be?" And 21 she said, "They need your help over there." 22 And I said, "What is my position?" And she 23 said, "You would be an assistant principal."</p>	<p style="text-align: right;">Page 27</p> <p>1 most shocking thing I think I have ever had 2 happen to me in my entire life. And they told 3 me to send an email out to the faculty. 4 I was having a luncheon for my 5 faculty the next day, that -- I had started 6 that type of thing when I was at Shades 7 Mountain. And they told me to send out an 8 email and for me to leave the school around 9 12:30 and to tell the faculty to meet with them 10 in the library after school. 11 Q. To meet with them, Mr. Craig and 12 Ms. Barber? 13 A. Mr. Craig and Ms. Barber. 14 Q. Okay. Anything else that happened 15 in the meeting on the 15th of November that you 16 can recall? 17 A. That I can recall right now -- 18 because, you know, I am nervous. And -- not 19 that I can recall right this minute. There was 20 a little more to the conversation, but there 21 was not any indication to me that I had done 22 anything that warranted me being moved out of 23 the school for any disciplinary reason or</p>
<p style="text-align: right;">Page 26</p> <p>1 And I went, "Oh, no. No. Huh-uh. That is" -- 2 you know, that was not acceptable. 3 And I was, you know -- you have to 4 understand, I had never done anything, I had 5 never been told I wasn't doing something right 6 in my building. And I was totally shocked. 7 And, you know -- and I didn't know what to say. 8 I mean, I had -- I have a background with 9 educational organization where I advise 10 teachers on how to respond in situations like 11 that. 12 And then Mr. Craig said, "Robin, 13 they are after you." And at that point, I 14 assumed that the way they were talking, I 15 assumed they were talking about the assistant 16 principal that I had had the first year that 17 had filed an EEOC. And -- 18 Q. That is Debra Smith? 19 A. Yes. And Carol said, "Robin, they 20 can't hurt me. I am going to retire. I can 21 get in there and finish, you know, cleaning it 22 up." 23 And quite honestly, that is the</p>	<p style="text-align: right;">Page 28</p> <p>1 performance reason. 2 I just -- I trusted Mr. Craig and 3 Ms. Barber, and I felt like they were watching 4 out for me. And Mr. Craig did say, "Robin, I 5 am going to make you a principal again as quick 6 as I can." He said, "I just need to" -- at 7 some point, I don't know if I have already said 8 this, they said a Board member was after me, I 9 guess. 10 Q. Mr. Craig said that? 11 A. Yes. And, you know, and he also 12 said that he had already called them and told 13 them. 14 But other than that, I am -- like 15 I said, I just remembered that. And there may 16 be a few other things. But nothing about my 17 performance. It was all about protecting me 18 and taking care of me as soon as I warded off 19 the -- when I was being told that the faculty 20 was complaining about me. 21 And Carol did say that teachers 22 were going to Mary Veal, that the bulk of the 23 teachers had gone to Mary Veal about -- about</p>

<p style="text-align: right;">Page 29</p> <p>1 me.</p> <p>2 Q. Anything else right now that you</p> <p>3 can recall from that meeting?</p> <p>4 A. Not that I can recall right this</p> <p>5 minute.</p> <p>6 Q. Okay. You said that at some point</p> <p>7 Mr. Craig said, "They are after you," and you</p> <p>8 assumed, by the way they were talking, that</p> <p>9 they were talking about Debra Smith.</p> <p>10 A. (Nodding.)</p> <p>11 Q. What made you assume that?</p> <p>12 A. Because when I was given the job</p> <p>13 as the principal of the school, I was told that</p> <p>14 she would be moved out of the building before I</p> <p>15 was there.</p> <p>16 Q. Who told you that?</p> <p>17 A. Carol and Andy both told me that</p> <p>18 when they were offering me the job, when he</p> <p>19 offered me the job; that -- you asked -- tell</p> <p>20 me again what you asked.</p> <p>21 Q. What I asked was, in the meeting</p> <p>22 on November 15th, why did you assume that they</p> <p>23 were talking about Debra Smith when somebody</p>	<p style="text-align: right;">Page 31</p> <p>1 Anderson was on the interview team.</p> <p>2 A. Yes.</p> <p>3 Q. Okay. What did Ms. Anderson tell</p> <p>4 you?</p> <p>5 A. She told me that one of the</p> <p>6 concerns that the interview team had was making</p> <p>7 sure that Debra Smith was moved out of the</p> <p>8 school before I became the principal. And --</p> <p>9 Q. Did she tell you why?</p> <p>10 A. Well, by the time she told me</p> <p>11 this, we were well into the first school year.</p> <p>12 And Dr. Smith, prior to my arrival at Trace,</p> <p>13 Carol shared with me several not pleasant</p> <p>14 meetings that she had had with Dr. Smith</p> <p>15 regarding her not getting the job and regarding</p> <p>16 her not getting other jobs she had applied for;</p> <p>17 a meeting that she had with Mr. Craig and with</p> <p>18 Ms. Barber.</p> <p>19 Dr. Smith filed an EEOC during my</p> <p>20 first year. The situation at Trace Crossings</p> <p>21 was really volatile. Dr. Smith had initiated</p> <p>22 with several teachers there a petition for her</p> <p>23 to be the principal.</p>
<p style="text-align: right;">Page 30</p> <p>1 mentioned that they were after you?</p> <p>2 A. Okay. And during the interview,</p> <p>3 my reading coach was part of the interview</p> <p>4 team, and she told me, Judy Anderson told me --</p> <p>5 Q. I'm sorry. I am going to back you</p> <p>6 up. Now you are talking about the interview</p> <p>7 that you had --</p> <p>8 A. To get the job. I'm sorry.</p> <p>9 Q. That is okay. It is not as easy</p> <p>10 as it looks.</p> <p>11 A. I have been good. I have been</p> <p>12 good.</p> <p>13 Q. So in answering my question about</p> <p>14 the comment and your interpretation of it on</p> <p>15 November 15th --</p> <p>16 A. Yes.</p> <p>17 Q. -- you are now going back to your</p> <p>18 interview for the principalship at Trace</p> <p>19 Crossings?</p> <p>20 A. Correct.</p> <p>21 Q. Okay.</p> <p>22 A. Yes.</p> <p>23 Q. And you were telling me that Judy</p>	<p style="text-align: right;">Page 32</p> <p>1 Now, I am not sure if this was</p> <p>2 before or after I was actually named as the</p> <p>3 principal. She tried to get parents involved</p> <p>4 in it. When Dr. Smith filed the EEOC, Carol</p> <p>5 Barber came in to tell me. I was rarely in a</p> <p>6 room alone with Dr. Smith. Quite honestly, I</p> <p>7 was always afraid she would do something to me,</p> <p>8 like she did the last day she worked at Trace.</p> <p>9 And so I made a habit of making</p> <p>10 sure other people were in the room with me.</p> <p>11 And she caused just a lot of -- I know I need</p> <p>12 to be specific, but a lot of undermining during</p> <p>13 my first year. And it was a very -- in fact,</p> <p>14 she came in one day and -- in my office and</p> <p>15 said, "You know, Robin, most principals, when</p> <p>16 they start at a school, they are welcomed. You</p> <p>17 haven't been welcomed, have you?" And, you</p> <p>18 know, just kind of laughed at me.</p> <p>19 And I -- you have to understand, I</p> <p>20 mean, Carol was very supportive, and I -- I</p> <p>21 didn't respond to Dr. Smith when she would do</p> <p>22 things like that.</p> <p>23 She would tell the faculty not to</p>

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1 listen to me, I didn't know what I was talking
2 about.
3 She told --
4 Q. How do you know she told the
5 faculty that?
6 A. I had teachers tell me.
7 Q. Who told you that?
8 A. Ms. Stone, Amanda Stone. At the
9 time, she was the tech coach. And she is now
10 the assistant principal. During testing.
11 Q. Is that in 2010-2011?
12 A. Yes. And to keep this short,
13 there are many other variables with it that I
14 can talk about if you want me to, like the
15 condition that I found the school in and all
16 the issues that existed prior to my arrival.
17 And they were not things that I could leave
18 unattended.
19 Q. And how does that go to the issue
20 of teachers telling you that Debra Smith had
21 told them not to listen to you, or does it? I
22 want to get back to my question.
23 A. Okay. All right. An example --

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1 Q. I asked you who were the teachers
2 that told you that Debra --
3 A. An example of that would be during
4 standardized testing -- when I arrived at that
5 school, they had no test-secure room. It is
6 supposed to be -- and you have to understand,
7 there are very specific regulations with
8 testing. There is supposed to be a locked door
9 that only two people have a key to, a cabinet
10 that only two people --
11 Q. You don't have to go into details.
12 MR. JENT: Just what teachers told
13 you about Debra Smith.
14 A. But like during testing, she told
15 the teachers not to listen to me, I didn't know
16 what I was talking about because they had to
17 follow testing protocol, which included
18 counting tests in and out.
19 So she said that in front of
20 third, fourth and at the time, fifth grade
21 teachers, and it was reported to me by Amanda
22 Stone.
23 Q. (BY MS. YUENGERT:) Okay. Anyone

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1 other than Amanda tell you that Debra had said
2 that?
3 A. Yes, I did have teachers tell me
4 that. I can't remember who all of them were.
5 The other situation that I can
6 remember specifically would have been with
7 Jolene Bernhardt.
8 Q. And that was in that 2010-2011
9 year?
10 A. Yes.
11 Q. And Ms. Bernhardt told you that
12 Ms. Smith told her not to listen to you because
13 you didn't know what you were talking about?
14 A. Something very similar. She told
15 her that -- she kind of reamed her out in the
16 parking lot one day. Debra Smith got on Jolene
17 Bernhardt and told her that when her EEOC went
18 through, that anybody that worked with me, when
19 they threw me out -- and they would get rid of
20 me, that when they finally put me out, that she
21 would get them. And Jolene was very upset and
22 came in my office crying. And -- so there were
23 situations like that.

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1 Q. And so what, if anything, did
2 Mr. Craig or Ms. Barber say on November 15th,
3 2012 that made you think that Debra Smith was
4 somehow behind the people who were after you?
5 A. Just when they said "They are
6 after you," there was a faction of employees in
7 that building that were very loyal to Debra
8 Smith.
9 Q. Okay. And Debra Smith left Trace
10 Crossings at the end of the 2010-2011 school
11 year?
12 A. She left around mid July, 2011.
13 Q. And went to Central Office, right?
14 You don't know where she went?
15 A. I am assuming that was a Central
16 Office position.
17 Q. Do you know if she applied for a
18 job or a posted job or anything about it?
19 A. They had -- my understanding was,
20 they had promised they were going to move her
21 the year I moved in. And no one -- none of the
22 other principals were willing to have her. And
23 I -- I don't know the reason or anything.

<p style="text-align: right;">Page 37</p> <p>1 And there was a situation that 2 happened in July 2011 that they called her up, 3 told her to pack up and -- 4 Q. What happened in July 2011? 5 A. I had a brand-new floor man, one 6 of my custodians -- part of our custodial team. 7 And we were working really hard to get the 8 school clean for the start of the next school 9 year. And Stephen worked at night. 10 Q. What is Stephen's last name? 11 A. Stephen -- this is when I get 12 nervous, I can't think of people's names. I'm 13 sorry. His last name will come to me in a 14 minute. 15 Q. He was a custodian at Trace? 16 A. Yes. Yes. And I was trying to 17 rearrange some of the rooms in the school. And 18 the PTO didn't have a really good room, so I 19 was going to move them down the hallway to an 20 empty meeting room. 21 And I had asked the custodians to 22 clean the room out so that Stephen could do the 23 floor and we could get the PTO moved in.</p>	<p style="text-align: right;">Page 39</p> <p>1 the books. And I went, "Well, I am not worried 2 about that." And we went to the other side of 3 the room, started cleaning out. We got it 4 cleared out. 5 Later, during the day, I was going 6 to buy the custodians lunch. I knocked on 7 Dr. Smith's door, and she wouldn't answer and 8 so I just opened the door. I said, "Do y'all 9 want lunch?" And she was -- I could tell 10 something was bothering her, but she said, 11 "No." And that is the only encounter I had 12 with her that day. 13 And then late that afternoon, 14 Carol Barber called me up, and she said, 15 "Robin, what happened with Debra Smith?" And I 16 said, "I don't know, what happened to Debra 17 Smith? What -- I don't know." And she asked 18 me again, and I said, "What are you talking 19 about?" And she said that Dr. Smith had called 20 up, I believe, Mary Veal and said that I had 21 verbally accosted her in front of her daughter. 22 And that -- I didn't -- I didn't 23 do it. And I told her that didn't happen. And</p>
<p style="text-align: right;">Page 38</p> <p>1 When I came in that morning, and 2 it was in July, one of my custodians, Joyce 3 Whitt, came into my office, and she said, 4 "Robin, you are going to be upset." And I 5 went, "What?" She said, "That PTO room didn't 6 get done." And I said, "Why didn't it get 7 done?" And she said, "Because it didn't get 8 cleaned out." And I didn't hear it, but she 9 told me that Dr. Smith told them to slow down 10 and not to finish cleaning it out. 11 And I said, "Well, we have got to 12 get it cleaned out." I went upstairs with 13 her -- 14 Q. With Joyce? 15 A. Joyce. And Jerry, one of my other 16 male custodians -- I can't think of his last 17 name right now -- and we started cleaning the 18 room out. And Dr. Smith was standing there 19 with her daughter doing something with 20 paperback books. 21 And I don't -- I don't recall 22 saying anything to her. She said something to 23 the effect of, "I am working," you know, to get</p>	<p style="text-align: right;">Page 40</p> <p>1 I said I had two other adults standing with me. 2 And as soon as I hung up the 3 phone, I went back to Joyce, I said, "Joyce" -- 4 Whit, I said, "Did I say something unkind, was 5 I" -- and Joyce, she kind of laughed. And she 6 said, "No, Robin, you didn't do anything." I 7 said, "Do you remember me saying anything to 8 her?" 9 So that is the reasoning for me 10 assuming that -- and then when Carol said that 11 she was going to go in there and be the 12 principal and finish -- I mean, I had -- I felt 13 like I had cleaned up the lion's share of what 14 was wrong in that school operational-wise, 15 curriculum. I mean -- but I felt like they 16 were trying to take care of me. 17 Q. And in the meeting on the 15th, 18 neither Mr. Craig nor Ms. Barber mentioned 19 Debra Smith, correct? 20 A. They did not use her name, no. 21 Q. Okay. Then you said that in the 22 meeting on November 15th in 2012, Mr. Craig 23 said something about a Board member was after</p>

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1 you?

2 A. Yes.

3 Q. Do you recall anything else about

4 that?

5 A. No.

6 Q. Had you had any run-ins with any

7 Board members?

8 A. No.

9 Q. Had you had any contact with any

10 Board members that made you think one of them

11 might not be happy with you?

12 A. No. I had had two Board members

13 come out to the school and they were very

14 complimentary. In fact, there's an email, not

15 from the Board member but an email that I sent

16 the faculty after one of them came out.

17 Q. Who were the Board members that

18 came out?

19 A. Derrick Murphy came out multiple

20 times. He helped me with carpool one morning.

21 And then I invited him to help me give out

22 Finley Awards the year before.

23 And he was a new Board member at

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1 the time. He came out, and Mr. Craig met us

2 there -- it was my last year there -- to look

3 at the new playground. And I, before Mr. Craig

4 arrived -- I am trying to think -- Presley,

5 Mr. Presley showed him around the school. We

6 went into team meetings. And --

7 Q. And you had a good interaction

8 with Mr. Murphy?

9 A. Oh, yeah. He said -- they both

10 said they liked the way the school felt,

11 that --

12 Q. When you say "they both," that is

13 Mr. Murphy and Mr. Craig?

14 A. Mr. Murphy, when he came out, was

15 very complimentary.

16 Q. Okay.

17 A. And then Mr. Presley, when he came

18 out, was very complimentary.

19 Q. And Mr. Presley is another Board

20 member?

21 A. Yes.

22 Q. Okay. About how long was the

23 meeting that you had with Mr. Craig and

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1 Ms. Barber on November 15th?

2 A. It wasn't very long. I can't even

3 estimate time because I was in shock.

4 Q. Okay. And then did you go back to

5 Trace on the 16th?

6 A. Yes.

7 Q. And did you have the luncheon that

8 you had planned?

9 A. Yes. I had a -- I had four

10 luncheons a year, three or four a year for the

11 teachers that the PTO put on.

12 MR. JENT: She just asked you if

13 you had one that day.

14 A. Yes. Sorry.

15 Q. (BY MS. YUENGERT:) And then after

16 the luncheon you left?

17 A. No, I left before it was over.

18 Q. Okay. And I think that you had

19 said that on the meeting on November 15th,

20 somebody had told you to send an email to your

21 staff? Do you remember?

22 A. I don't remember if it was

23 Ms. Barber or Mr. Craig. One of them told me

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1 to send the email.

2 Q. Okay. And did you do that?

3 A. Yes.

4 Q. Okay. And told them to do what?

5 A. That there was a mandatory faculty

6 meeting, and that email is --

7 Q. Okay. Have you been back to Trace

8 since the 16th of November in 2012?

9 A. I went back that Saturday -- I

10 believe that was a Friday. I went back

11 Saturday morning and packed and left.

12 And then I went back in one more

13 time, I think it was that Monday. I told

14 Ms. Barber I had left some things. And she

15 told me to wait, that she was -- I believe she

16 was having a meeting with the PTO. So I

17 waited, and I went in, and I wasn't there five

18 minutes.

19 Q. Just to pick up some things?

20 A. Yes.

21 Q. After November 16th, 2012, I have

22 read some stuff, and I am just unclear of

23 exactly what happened after that, until January

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1 2nd. Were you on professional leave?
2 A. I had a lot of vacation time and
3 professional leave. And they told me I had
4 finished my coursework for my dissertation my
5 first year -- I mean for my doctorate my first
6 year. And Mr. Craig and Ms. Barber gave me
7 time -- also some professional time to work on
8 my dissertation.
9 Q. Were you paid during that time?
10 A. Yes.
11 Q. And then at some point, you
12 started working at the Central Office, correct?
13 A. Yes.
14 Q. Do you remember when that was?
15 A. It was the day after we got back
16 from the holidays. It may have been the 2nd.
17 (Off-the-record discussion.)
18 Q. (BY MS. YUENGERT:) And so was it
19 after the holidays you came to the Central
20 Office?
21 A. Yes.
22 Q. When you came to the Central
23 Office, who did you report to, if anybody?

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1 A. Mr. Craig.
2 Q. And did he give you assignments?
3 A. I sat for two days waiting for him
4 to tell me what I was going to do. He and I
5 had met shortly after Thanksgiving at Brookwood
6 Mall, at the coffee shop at Brookwood Mall.
7 And he had told me that he was going to take
8 care of me, that he was going to re -- I can't
9 think of the word, reorganize the district in
10 the spring, and that when he did, he would take
11 care of me.
12 And I told him how important it
13 was for me to remain as a principal; I was
14 under a principal's contract. He asked me if I
15 would accept like a director's position. I
16 told him, you know, I would consider it.
17 So when I actually was at Central
18 Office, I had asked him repeatedly what my
19 title would be because I knew other men that
20 had been moved out of positions had been given
21 titles when they were moved out.
22 And he told me pretty much if I
23 would just be patient with him, that he was

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1 going to take care of me.
2 And so what I did, he just asked
3 me if I would help him close out some things.
4 And I helped with Safe and Drug-Free Schools.
5 I did the -- there was a survey that I did. I
6 helped organize some of the coalition meetings.
7 And that was also the time period that the
8 shootings took place in Connecticut.
9 And he asked me -- we talked about
10 that, and I did an environmental scanning and
11 an in-depth analysis of needs in all the
12 schools, I think except for three, for safety
13 concerns.
14 Q. And did you close out the Safe and
15 Drug-Free Schools?
16 A. Yes, I closed -- I had to get
17 assistance with it because it was not an area
18 that I knew a lot about.
19 Q. Who assisted you?
20 A. Catherine Rice and the person that
21 had been in charge of it that now works in
22 Homewood, Carissa Anthony.
23 Q. Carissa?

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1 A. Carissa. I don't know how to
2 spell it.
3 Q. That is okay.
4 A. I had to finally get her to agree
5 to help us out, because it -- (shaking head) --
6 we didn't have the information we needed.
7 Q. And when did you ultimately get
8 the program closed?
9 A. I believe I closed it right before
10 I left.
11 Q. And right before you left, is
12 that --
13 A. In April of '13.
14 Q. Okay.
15 A. The day I left, I packed
16 everything up, everything that I had been
17 working on and took it to Melody Greene.
18 Q. And how about the safety analysis,
19 did you finish the safety analysis at all the
20 schools?
21 A. Yes, I did.
22 Q. Do you remember when you finished
23 those?

<p style="text-align: right;">Page 49</p> <p>1 A. I finished it, I would say the end 2 of February, first of March, the first stage of 3 it. I felt like it was something that was like 4 an ongoing work. And I had reviewed the 5 findings with Mr. Craig a couple of times. 6 Q. Was that something where you 7 assessed the school, and then make 8 recommendations? 9 A. Yes. An environmental scan is 10 something before you do a strategic plan, where 11 I went out and worked with principals and 12 faculty on the areas of their schools that they 13 felt needed to be looked at. 14 Q. You said you helped organize 15 coalition meetings? 16 A. Yes. 17 Q. What is a coalition meeting? 18 A. It is part of the Safe and 19 Drug-Free Schools. I don't know if they still 20 have it. I think it was a multiyear grant. 21 Q. Anything else that you did at the 22 Central Office between January and when you 23 left in April?</p>	<p style="text-align: right;">Page 51</p> <p>1 a half, you said? 2 A. It was a long time. 3 Q. Did you have any other meetings 4 with Mr. Craig, other than the meeting at 5 Brookwood -- 6 A. Just informal -- 7 Q. Sorry -- before you came to work 8 at the Central Office? Was that the only 9 meeting that you had with him? 10 A. Yes. 11 Q. Did you have any telephone 12 conversations with him that you can recall? 13 A. No, just emails. 14 Q. Did you meet with Ms. Barber 15 during that time period, from November 16th 16 until you reported to work at the Central 17 Office? 18 A. Yes. She came in the morning of 19 the 16th, after they told me they were moving 20 me, she said to check on me. And -- 21 Q. And that is before you had left 22 the school? 23 A. Before I had left the school. She</p>
<p style="text-align: right;">Page 50</p> <p>1 A. Not that I can think of right now. 2 I mean, I just pretty much was there to do 3 whatever he asked me to do. 4 Q. You said that Mr. Craig had told 5 you that he was going to take care of you and 6 that he was reorganizing the district in the 7 spring when you met at Brookwood. 8 A. Right. 9 Q. Any other meetings that you had 10 with Mr. Craig in which he told you he was 11 going to take care of you or his plans for you? 12 A. Oh, there were a couple of times. 13 When I met with Mr. Craig at O'Henry's, we met 14 for an hour and a half. 15 Q. And that is the meeting at the 16 coffee shop at Brookwood? 17 A. Right. 18 Q. Okay. 19 A. It was after the article came out 20 in the paper about strife in a school, and I 21 was upset about that. And he called me and 22 told me he would meet with me. 23 Q. And you met for about an hour and</p>	<p style="text-align: right;">Page 52</p> <p>1 reassured me that I had done nothing, that she 2 was going to take care of the remaining 3 problems that may have existed in the school, 4 that -- at one point, I looked at her -- and I 5 had been very stoic about the whole thing, but 6 I looked at her, and I said, "Why are -- why is 7 this being done to me?" And she looked at me, 8 and she kind of teared up and she said, "What 9 about me? Look at what they are doing to me." 10 And at that point, I thought, you 11 know, I don't know what -- I didn't know what 12 was going on. I didn't know whether her move 13 to Trace was -- I didn't know the context of 14 why she was being moved there. But that 15 statement made me think there was more to it, 16 and it wasn't my business. So I -- and she 17 assured me -- I met with her again that next 18 morning. 19 Q. I want to stick to -- 20 A. Okay. 21 Q. -- the first conversation. 22 A. First meeting. 23 Q. You are at Trace.</p>

<p style="text-align: right;">Page 53</p> <p>1 A. I am at Trace.</p> <p>2 Q. In your office?</p> <p>3 A. In my office. She -- she just</p> <p>4 assured me that it was okay. And I mean, and</p> <p>5 understand, my mindset is I am a very compliant</p> <p>6 employee, worked for Hoover for over twenty</p> <p>7 years, and I did what my supervisors told me to</p> <p>8 do.</p> <p>9 Q. Okay. So then you said that you</p> <p>10 and Carol met again that day?</p> <p>11 A. That Saturday morning -- and this</p> <p>12 conversation happened at both points, where she</p> <p>13 told me that -- she said, "Robin, you are going</p> <p>14 to be in the school. Nothing is going to</p> <p>15 change. I want these teachers to see you in</p> <p>16 here working with me." And I did help her at</p> <p>17 that time, I said, "I don't know if I can come</p> <p>18 back in right away. I have got to have some</p> <p>19 time." I said, "I am going to have to meet you</p> <p>20 off campus or something." And that never</p> <p>21 happened.</p> <p>22 Q. That you never met her off campus</p> <p>23 or that you never went back to Trace?</p>	<p style="text-align: right;">Page 55</p> <p>1 assistant principal?</p> <p>2 A. Yes.</p> <p>3 Q. At that time, do you know what</p> <p>4 Debra Smith's position was?</p> <p>5 A. She coordinated standardized</p> <p>6 testing for the district, and I -- she may have</p> <p>7 had some other responsibilities. I don't know.</p> <p>8 Q. What was Dot Riley's position at</p> <p>9 that time, do you know?</p> <p>10 A. She was retired.</p> <p>11 Q. And that, Ms. Barber told you that</p> <p>12 on that Saturday?</p> <p>13 A. That Saturday. It wasn't in front</p> <p>14 of Kristi. It was when I walked her to the</p> <p>15 door. The three of us sat in my office and</p> <p>16 talked for a period of time. Ms. Tolbert was</p> <p>17 upset.</p> <p>18 Q. After that meeting on Saturday</p> <p>19 morning, did you have any other meetings with</p> <p>20 Ms. Barber before you started reporting to work</p> <p>21 at the Central Office?</p> <p>22 A. Face-to-face, not that I recall,</p> <p>23 no.</p>
<p style="text-align: right;">Page 54</p> <p>1 A. I never went back to Trace. That</p> <p>2 next morning, I got up, that was the 17th, I</p> <p>3 believe it was a Saturday, I got up about 4:00</p> <p>4 in the morning, and I went over to pack up. I</p> <p>5 just couldn't sleep, so -- at some point, the</p> <p>6 PTO president came and had only been there a</p> <p>7 few minutes -- her name is Kristi Tolbert. She</p> <p>8 had been a teacher in the school; I have known</p> <p>9 her for a very long time. And she came up to</p> <p>10 check on me.</p> <p>11 And Carol came in, and before she</p> <p>12 left, I walked Carol to the door, and she told</p> <p>13 me that three people had their hand in me being</p> <p>14 moved. She said that Dot Riley, Debra Smith</p> <p>15 and Amanda Stone. And she said, "Robin, don't</p> <p>16 worry, I am going to take care of everything."</p> <p>17 And I trusted her and left.</p> <p>18 Q. And so this is Ms. Barber who told</p> <p>19 you that the three people who had a hand in</p> <p>20 getting you moved from Trace were Dot Riley,</p> <p>21 Debra Smith and I'm sorry, the third was --</p> <p>22 A. Amanda Stone.</p> <p>23 Q. -- Amanda Stone, who was the</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. Did you have any telephone</p> <p>2 conversations with her?</p> <p>3 A. I think we had several, and there</p> <p>4 were emails.</p> <p>5 Q. So you emailed with Ms. Barber and</p> <p>6 you talked to her on the phone during that time</p> <p>7 period between November 17th and January 2nd?</p> <p>8 A. I believe it was mainly emails,</p> <p>9 but there were some phone conversations. We</p> <p>10 had a phone conversation on, I think it was the</p> <p>11 20th, when the newspaper article came out.</p> <p>12 Q. That is November 20th?</p> <p>13 A. The 20th or the 21st, because I</p> <p>14 didn't see it until late in the evening, if</p> <p>15 that is the date that it came out, I think it</p> <p>16 was the 20th.</p> <p>17 Q. And tell me about your phone</p> <p>18 conversation with Carol Barber on the 20th or</p> <p>19 the 21st when you discussed the newspaper</p> <p>20 article.</p> <p>21 A. I was, at the time, very confused</p> <p>22 because I didn't realize that a second email</p> <p>23 had gone out that I wasn't on the distribution</p>

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1 list. The first email that went out stated
2 what we had agreed on -- and we did talk about
3 that before I left that meeting on the 15th,
4 that -- I asked them what would be said, and we
5 agreed that I was -- had been inquiring about
6 other jobs at Central Office, and she had been
7 wanting to get back in the school, and that is
8 what people would be told. And I believe the
9 faculty was told something similar to that.
10 Q. So on the November 15th meeting,
11 you agreed on a message?
12 A. Yeah. It was something to that
13 effect.
14 Q. To the faculty and --
15 A. Yes.
16 Q. And kind of a public message?
17 A. Yes.
18 Q. Okay.
19 A. And the email went -- I'm sorry.
20 Q. That is okay.
21 (Defendant's Exhibit 1 was marked
22 for identification.)
23 Q. (BY MS. YUENGERT:) I am going to

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1 hand you what has been marked Defendant's
2 Exhibit 1 to your deposition.
3 MR. JENT: Thank you.
4 Q. (BY MS. YUENGERT:) Is this the
5 email that went out that had that message that
6 had been agreed upon during the November 15th
7 meeting?
8 A. Yes.
9 Q. Okay. And the distribution list
10 for this, do you know who put together the
11 distribution list or how the people were
12 decided to be included?
13 A. It -- she sent the email, so I am
14 assuming it was her distribution list for, it
15 looks like Central Office staff, principals,
16 administrators maybe, I mean, just any
17 administrative, clerical maybe.
18 Q. Okay. And you are on that list as
19 well, correct?
20 A. Yes. And I am on this.
21 Q. Okay. Is there anything in this
22 email that you think is inappropriate or that
23 shouldn't have been said in this email?

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1 (Pause.)
2 A. Other than the fact it ultimately
3 isn't -- didn't -- it wasn't why I was moved.
4 It was something that, after I read it, I mean
5 I just thought well, I will just have to live
6 with that, yeah.
7 Q. (BY MS. YUENGERT:) But this was
8 the message that was agreed upon on November
9 15th?
10 A. Yes, to my recollection, yes.
11 Q. Okay. Then you said that there
12 was a second email that went out.
13 A. Yes.
14 (Defendant's Exhibit 2 was marked
15 for identification.)
16 Q. (BY MS. YUENGERT:) I am handing
17 you what has been marked Defendant's Exhibit 2
18 to your deposition. Is this the second email,
19 the one from Carol Barber that is in the middle
20 of the first page of Defendant's Exhibit 2, is
21 this the second email you are talking about?
22 A. Yes.
23 Q. And then I know that in

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1 Defendant's Exhibit 2, there's another copy of
2 the email that is Defendant's Exhibit 1,
3 correct?
4 A. Yes. When I finally figured
5 out -- I couldn't figure out what email they
6 were referring to in the newspaper article,
7 because I didn't get it. I was taken off
8 the -- if it was her distribution list, I was
9 taken off of it. And I asked Deborah Camp if
10 she had gotten an email, and she said yes. And
11 I asked her if she could forward it to me so I
12 could see what it was.
13 Q. And I am looking at Defendant's
14 Exhibit 2. And is Deborah Camp on this
15 distribution list, do you see?
16 A. Apparently she was. Now, I do
17 feel like with it being forwarded, something
18 may have been lost.
19 Q. Okay.
20 A. And the -- you know.
21 Q. Ms. Camp told you she had received
22 it?
23 A. Yes, Dr. Camp, yes.

<p style="text-align: right;">Page 61</p> <p>1 Q. And she sent it to you?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And on Defendant's Exhibit</p> <p>4 2, on the front page, there's a handwritten</p> <p>5 note. Is that your note? Is that your</p> <p>6 handwriting?</p> <p>7 A. Yes.</p> <p>8 Q. And then on the second page, there</p> <p>9 are some markings and another note. Those are</p> <p>10 your markings and your note?</p> <p>11 A. Yes.</p> <p>12 Q. Did you talk to Carol about why</p> <p>13 she didn't copy you on this email that is</p> <p>14 Defendant's Exhibit 2?</p> <p>15 A. No.</p> <p>16 Q. And in the email, on the second</p> <p>17 page of Defendant's Exhibit 2, where it has got</p> <p>18 the asterisk written in --</p> <p>19 A. Uh-huh.</p> <p>20 Q. -- where it says, "My first</p> <p>21 challenge will be to try to restore some</p> <p>22 respect of positive climate/culture to this</p> <p>23 school."</p>	<p style="text-align: right;">Page 63</p> <p>1 situation at Trace Crossings had gotten</p> <p>2 progressively better under my leadership.</p> <p>3 Q. Okay. And in November of 2012, do</p> <p>4 you believe that there was a good culture and a</p> <p>5 positive climate at Trace Crossings?</p> <p>6 A. I believe that the culture and the</p> <p>7 climate for a school that had just undergone</p> <p>8 what we had undergone, it was -- it wasn't as</p> <p>9 described in this email.</p> <p>10 Q. Where in the email --</p> <p>11 A. Am I going to see --</p> <p>12 Q. Where in the email? And I am just</p> <p>13 looking at this one place that you had marked.</p> <p>14 Is there someplace else in this email that you</p> <p>15 take issue with about the description of Trace</p> <p>16 as a school or the climate?</p> <p>17 A. Yeah. Where it says --</p> <p>18 Q. And you are looking at the first</p> <p>19 page of Defendant's Exhibit 2?</p> <p>20 A. The first page, yes. The first --</p> <p>21 that second paragraph where she starts, "Robin</p> <p>22 did exactly what we asked her to do, to hold</p> <p>23 teachers and staff at Trace Crossings, TC,</p>
<p style="text-align: right;">Page 62</p> <p>1 Why did you underline that section</p> <p>2 and make that asterisk?</p> <p>3 A. Because I found that statement to</p> <p>4 be real -- not true.</p> <p>5 Q. What about that statement is not</p> <p>6 true?</p> <p>7 A. There were issues in the school</p> <p>8 that were preexisting before I got there, and</p> <p>9 they had progressively gotten better. And to</p> <p>10 characterize that school in that manner was --</p> <p>11 I just -- it just wasn't right.</p> <p>12 Q. And I am going to back you up. So</p> <p>13 the statement that her first challenge will be</p> <p>14 to try to "restore some aspect of positive</p> <p>15 climate/culture to this school," you believe</p> <p>16 that that is not accurate?</p> <p>17 A. Yes. I had never been talked to</p> <p>18 about any -- that was not something that I had</p> <p>19 ever been talked to about.</p> <p>20 Q. Okay. So you believed that there</p> <p>21 was a positive climate or a culture at this</p> <p>22 school already?</p> <p>23 A. I believe the climate and the</p>	<p style="text-align: right;">Page 64</p> <p>1 accountable for high standards related to job</p> <p>2 performance. As Robin unraveled the layers and</p> <p>3 layers of issues, feathers were ruffled,</p> <p>4 feelings were hurt, people started arguing</p> <p>5 oftentimes among themselves, lots of</p> <p>6 back-stabbing and throwing people under the</p> <p>7 bus. In a nut shell, extremely low morale,</p> <p>8 poor climate and negative culture."</p> <p>9 Q. You don't believe that that is</p> <p>10 accurate?</p> <p>11 A. I don't believe that is accurate,</p> <p>12 and I am not sure how she would be able to come</p> <p>13 to that conclusion.</p> <p>14 Every time she came out, and I</p> <p>15 invited her to come to team meetings and</p> <p>16 events, she was always very complimentary.</p> <p>17 Q. Do you know if, in holding</p> <p>18 teachers and staff at Trace Crossings</p> <p>19 accountable for high standards, whether or not</p> <p>20 you had ruffled any teachers' or staff's</p> <p>21 feathers?</p> <p>22 A. Starting in 2010, when they were</p> <p>23 held accountable to the same standards that</p>

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1 other teachers in Hoover were held accountable
2 to, yes, some of them were not pleased --
3 Q. Okay.
4 A. -- with -- but I never asked them
5 to do anything that any other teacher in Hoover
6 or across the state of Alabama weren't expected
7 to do.
8 Q. And so in 2010, when you first
9 arrived, you would agree that feathers were
10 ruffled?
11 A. Were people upset about being held
12 accountable? Yes.
13 Q. Okay.
14 A. I would assume they were, some of
15 them.
16 Q. And people who were being held
17 accountable under your leadership, do you think
18 any of their feelings were hurt?
19 A. You know, I don't know.
20 Q. Okay.
21 A. I am a very -- I talk to teachers
22 a lot. I tell them to tell me how they are
23 feeling about things. Some of the changes were

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1 hard for them. I am very sympathetic to that,
2 and they knew it. They were asked to do some
3 things they had never had to do before, turn in
4 lesson plans, teach to the written curriculum.
5 So it was -- I was told to go into the school
6 and fix these things, and I did it, I felt like
7 with a lot of compassion.
8 Q. Okay. And in Ms. Barber's email
9 that is marked Defendant's Exhibit 2, she says,
10 "Robin did exactly what we asked her to do," so
11 you would agree with that, correct?
12 A. That I did what they asked me to
13 do in terms of the holding teachers
14 accountable, yes.
15 Q. Correct. And what you disagree
16 with in Defendant's Exhibit 2 -- that is what I
17 am trying to get to, is what in Defendant's
18 Exhibit 2 do you disagree with?
19 A. I disagree with the way it was
20 characterized. It makes it look like there was
21 a chaotic -- the term "strife" that was used in
22 the newspaper article.
23 Q. Does Ms. Barber's email use the

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1 term "strife"?
2 A. I don't know. I will have to read
3 it. I'm not reading it word for word. It may
4 or may not be in here.
5 Q. Okay. But you know that the term
6 "strife" was used in the newspaper article?
7 A. Yes.
8 Q. In the newspaper article that you
9 are referring to, they kept referring back to
10 an email from Carol Barber, correct?
11 A. Yes.
12 Q. And you believe that Defendant's
13 Exhibit 2 is the email that they were referring
14 to?
15 A. Yes, because it quotes parts of
16 it.
17 Q. Okay. Do you know who gave
18 Defendant's Exhibit 2, this email --
19 A. No.
20 Q. -- to the reporter?
21 MR. JENT: Let her finish.
22 A. I thought you were finished. I am
23 doing pretty good, though.

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1 Q. (BY MS. YUENGERT:) So do you know
2 who gave the November --
3 A. No.
4 Q. -- 18th, 2012 email from Carol
5 Barber to the newspaper reporter?
6 A. No.
7 Q. Okay. Do you know if any teachers
8 at Trace Crossings had reported to the Central
9 Office that the morale at Trace Crossings was
10 very low?
11 A. At that time, no.
12 Q. Okay. At that time did you or do
13 you know -- let me back that up. Let me try
14 that again.
15 Do you know if any teachers at
16 Trace Crossings had reported that there was a
17 poor climate and a negative culture at Trace
18 Crossings?
19 A. Prior to my removal, no.
20 Q. Okay. Do you know if any teachers
21 or staff at Trace Crossings had complained of
22 back-stabbing or people being thrown under the
23 bus?

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1 A. No.

2 Q. Okay. Is there anything else in

3 the November 18th, 2012 email from Carol Barber

4 that is marked as Defendant's Exhibit 2 that

5 you believe is inaccurate or not truthful?

6 A. "Once respect and trust are lost,

7 it becomes a lost battle. When the good

8 teachers begin to complain, and threatening to

9 leave due to lack of trust and respect" -- I'm

10 not real sure how Carol Barber would know who

11 the good teachers in the building were. And

12 "it became apparent we had to make some type of

13 change."

14 The fact that, if this was going

15 on and it was never brought to my attention, I

16 was never given any corrective means or told

17 anything about this until I was pulled in on

18 the 15th, you know, I mean -- I was -- I

19 didn't -- okay.

20 Q. Do you know if any teachers at

21 Trace Crossings were threatening to leave?

22 A. There were teachers that I think

23 had put in for transfers the year before, but I

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1 don't know that I would consider that a threat

2 to leave.

3 Q. Do you remember who had put in for

4 transfers the year before?

5 A. I know that Lea Underwood, she

6 lives in Greystone, and she said she wanted to

7 be closer. I believe Stella White had put in,

8 both full years that I was there.

9 There were like the last full year

10 I was in, like Ellen Anson, who was

11 self-contained. She wanted a -- the wheelchair

12 bound children over at Rocky Ridge. So that

13 was -- you know, I had that, those kinds of

14 moves, professional moves. They weren't for

15 reasons like you are referring to.

16 Q. I am just asking, did you have

17 anybody who had put in for transfers. I wasn't

18 trying to suggest any motive.

19 A. Oh, okay.

20 Q. I am just asking.

21 A. Oh, that had put in for transfers,

22 yes. And some of them may have put in, and I

23 wasn't made aware of it.

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1 Q. One of your claims in this

2 lawsuit --

3 MR. JENT: Before you start the

4 next topic, can I get a glass of water or

5 something?

6 (Off-the-record discussion.)

7 (Whereupon, a break was had from

8 11:27 p.m. until 11:37 p.m.)

9 (Record read.)

10 Q. (BY MS. YUENGERT:) Okay. So

11 let's get back on course. Ms. Litaker, one of

12 your claims in this lawsuit are that Andy Craig

13 and Carol Barber libeled or slandered you.

14 A. Yes.

15 Q. And I am looking at Page 9 of your

16 Complaint.

17 A. Yes.

18 Q. And in Paragraph 44, it says,

19 "Barber sent an email to all administrators,

20 except for plaintiff, who she excluded from the

21 distribution list, and Central Office

22 employees, stating that the plaintiff was

23 removed because of strife in the school."

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1 Is the email that Paragraph 44 of

2 the Complaint refers to Defendant's Exhibit 2,

3 that email that we just talked about?

4 A. Yes.

5 Q. Do you know if there was anyone

6 who was on the list for Defendant's Exhibit 1

7 who was not on the list for Defendant's Exhibit

8 2, other than you?

9 A. That, I don't know.

10 Q. Okay. And further on in Paragraph

11 44, it says, "This email was given to an al.com

12 reporter and subsequently published in the

13 paper." And you have told me that you don't

14 know how the al.com reporter got it, correct?

15 A. Correct.

16 Q. In Paragraph 45 of your Complaint,

17 it says, "When the plaintiff asked Defendant

18 Craig why he had allowed Barber to write

19 something that was not true, he chuckled and

20 said, 'I don't know why Carol does things like

21 that.' He acknowledged to the plaintiff that

22 the statement was not true; however, he did

23 nothing to correct the issue."

<p style="text-align: right;">Page 73</p> <p>1 First of all, what statement are 2 you referring to that was not true? 3 A. Just the overall general 4 understanding that there -- "However, as Robin 5 unraveled the layers and layers of issues, 6 feathers were ruffled, feathers began" -- the 7 overall statement of that, that there was that 8 extreme -- that people were arguing in the 9 school, that type of thing. 10 Q. You believe that that is untrue? 11 A. To my knowledge, yes, that is 12 untrue. 13 Q. Okay. And when you say, "He 14 acknowledged to the plaintiff that the 15 statement was not true," when did Mr. Craig 16 tell you that he disagreed with any statement 17 in Ms. Barber's email? 18 A. The meeting that I had with him at 19 the coffee shop at Brookwood Mall. I believe 20 it is O'Henry's. 21 Q. Did you have a copy of 22 Ms. Barber's email when you met with Mr. Craig? 23 A. At that time, I don't believe I</p>	<p style="text-align: right;">Page 75</p> <p>1 O'Henry's? 2 A. Yes. 3 Q. And at O'Henry's, did you 4 specifically discuss the email that is 5 Defendant's Exhibit 2? 6 A. We discussed the newspaper article 7 as it referenced the email. 8 Q. Okay. And when you discussed the 9 newspaper article, did Mr. Craig tell you that 10 he believed that the statements in the 11 newspaper article that were attributed to Carol 12 Barber were not true? 13 A. Yes. 14 Q. Tell me exactly what he said. 15 A. He said -- I said, "Andy," 16 something to the effect, "I don't understand 17 what is going on. This is not true. This has 18 ruined my reputation." 19 I was upset about the perception 20 this was going to have on my reputation. And 21 he said, "I know. Robin, I am going to fix it. 22 I am going to rebuild your reputation. I am 23 going to take care of you."</p>
<p style="text-align: right;">Page 74</p> <p>1 had been able to get a copy of the email but I 2 am not sure. I may have had one by then. 3 Q. I know that the date on the email 4 from Ms. Camp to you is November 19th, 2012. 5 Do you believe you had it on November 19th, 6 2012? 7 A. I had it after the article came 8 out. I didn't realize it existed until the 9 article came out. So maybe that is -- 10 Q. At the meeting with Mr. Craig at 11 the coffee shop -- 12 A. Uh-huh. 13 Q. -- did you bring a copy of the 14 email with you? 15 A. No. 16 Q. Did Mr. Craig have a copy of the 17 email with him? 18 A. He sent me an email, and I have it 19 in there, that said, "I don't" -- it is 20 something to the effect of, "I don't know, I am 21 confused also." And he called me and we met 22 after Thanksgiving. 23 Q. And that is when you met at</p>	<p style="text-align: right;">Page 76</p> <p>1 Q. Did he say anything else? 2 A. About that topic, about the email 3 and the newspaper article? 4 Q. Yes. 5 A. Not after he assured me that he 6 was going to take care of me. 7 Q. He was going to rebuild your 8 reputation? 9 A. Yes. 10 Q. Okay. Let me back up. So he 11 didn't say that any particular statement in 12 Ms. Barber's email was untrue? Am I right 13 about that? 14 A. Let me follow what you are saying. 15 Did he say there was any truth to -- 16 Q. What I am trying to get to the 17 bottom of, Ms. Litaker, is in Paragraph 45 of 18 your Complaint, it says that "he acknowledged 19 to the plaintiff that the statement was not 20 true." 21 And I want to know what he said to 22 acknowledge that the statement wasn't true. 23 A. I said, "Andy, I don't know</p>

<p style="text-align: right;">Page 77</p> <p>1 what -- you know, this is not true." He 2 said -- he laughed and he said -- he just kind 3 of chuckled, he didn't do it in a disrespectful 4 way or anything. He said, "I don't know why 5 Carol does things like that. I know. I am 6 going to take care of you, I am going to 7 rebuild your reputation" -- that is not a 8 quote. But he acknowledged by saying, "I know, 9 I don't know why Carol does things like this." 10 Q. Did he tell you whether or not 11 Carol was going to send the email before she 12 sent it? 13 A. I don't have knowledge of that. 14 Q. Okay. In Paragraph 46 of your 15 Complaint, it says, "The final statement is 16 untrue and unfounded." Is that referring to 17 the statement that "faculty started arguing and 18 back-stabbing one another, leading to extremely 19 low morale, a poor climate and negative 20 culture"? 21 A. Yes. 22 Q. And then it states, "There was not 23 extremely low morale or a poor climate or a</p>	<p style="text-align: right;">Page 79</p> <p>1 because the school hadn't made AYP? 2 A. I didn't say there was low morale. 3 I said the morale -- I would put it, it had 4 affected all of us. 5 Q. Had it affected the morale? 6 A. I'm not trying not to answer your 7 question. It is a hard question to answer. 8 Day-to-day, no. But like was it a cloud 9 hanging over all of us? Yeah, we knew it was 10 there. And again, I'm not trying not to answer 11 your question. 12 Q. So if there are people who say 13 that there was low morale at Trace Crossings 14 during this time, would you disagree with that? 15 A. Yes, because morale is affected by 16 a lot of different variables. 17 Q. I am not asking about the cause -- 18 A. Yes. Yes. 19 Q. -- of any morale problem. 20 A. With reason. 21 Q. I am simply asking whether or not 22 you would dispute that there was low morale at 23 Trace Crossings, regardless of the reasoning</p>
<p style="text-align: right;">Page 78</p> <p>1 negative culture at this school." So you take 2 issue that there was any morale problem or poor 3 climate or a negative culture at the school, 4 correct? 5 A. With any -- yes, I take -- you 6 are -- say that again. 7 Q. I am trying to, again, look back 8 on Paragraph 46 of your Complaint where it 9 says, "There was not extremely low morale or a 10 poor climate or a negative culture at the 11 school." 12 You believed that there was not 13 extremely low morale or a poor climate or a 14 negative culture at the school, correct? 15 A. Extremely, yeah. I -- 16 Q. Okay. Do you believe there was 17 low morale? 18 A. We had just not made AYP, adequate 19 yearly progress. We were all upset about that, 20 but we were all working together to remedy that 21 situation. 22 Q. So you believe that there was low 23 morale at the school, but that the reason was</p>	<p style="text-align: right;">Page 80</p> <p>1 for it. 2 A. Yes. 3 MS. YUENGERT: And I'm sorry. 4 Could you read that back to me? I got lost in 5 it. 6 (Record read.) 7 Q. (BY MS. YUENGERT:) Before you 8 left Trace Crossings, did you have any teachers 9 who were at odds with one another? 10 A. I had a fourth grade teacher that 11 was not wanting to plan with her team. 12 Q. Who was that? 13 A. Dana Joiner. 14 Q. And what, if anything, did you do 15 to address that? 16 A. I had just become aware of it 17 right before I left. She told her team that 18 she did not have to plan with them, that the 19 only person she had to plan with was Amanda 20 Stone, the assistant principal. 21 I addressed it with Amanda and I 22 addressed it with Dana and told them that was 23 not an option.</p>

<p style="text-align: right;">Page 81</p> <p>1 Q. Did you talk to Carol Barber about 2 the issues about Dana Joiner? 3 A. Did I? 4 Q. Yes. 5 A. No. 6 Q. Did you ever tell Carol that you 7 thought that there was an inappropriate 8 relationship between Dana and Amanda? 9 A. Yes. 10 Q. When did you tell her that? 11 A. The summer before. 12 Q. So in the summer of 2012? 13 A. Yes. 14 Q. And tell me what you told Carol 15 about an inappropriate relationship between 16 Dana Joiner and Amanda Stone. 17 A. I just felt that she showed 18 extreme favoritism. 19 Q. That is Amanda? 20 A. Amanda -- I'm sorry, yes, Amanda 21 did, to Dana, provided technology that the 22 other teachers didn't get, that it was supposed 23 to be for everyone, but when it came down to</p>	<p style="text-align: right;">Page 83</p> <p>1 with them, yes. 2 Q. And then did you just meet with 3 her and tell her that she had to? 4 A. During the meeting, she said 5 something to the effect, "I don't" -- that she 6 didn't need to work with anybody but Amanda. 7 And I told her in that meeting, I said, "Well, 8 Dana, that is not an option. We are all here 9 to work together." 10 And the other team members and the 11 male teacher was not there. They were very 12 cordial to her, and when we left the meeting, I 13 felt like we had resolved -- 14 Q. Who were the other team members in 15 that fourth grade group? 16 A. It was Rhonda Vines, Stephanie 17 Watson, Christine Stephens and -- those three 18 were in the meeting. 19 Q. And who is the male teacher who 20 was not there? 21 A. Dean Addison. 22 Q. Other than this meeting that you 23 said resolved pretty well --</p>
<p style="text-align: right;">Page 82</p> <p>1 it, it was just for Dana and it caused -- that, 2 I believe, was the beginning of her not wanting 3 to plan with her team. 4 Q. Was there some unrest among the 5 fourth grade teachers during this time? 6 A. During -- right before I left? 7 Q. Yeah, in that semester. 8 A. I called a meeting -- and I don't 9 have the date. It was right before I left -- 10 about Space Camp. And that was when I really 11 realized they were having some -- Dana was 12 having an issue planning with them. 13 Q. And when you say "a meeting," was 14 that just with the fourth grade teachers? 15 A. Fourth grade teachers. It was 16 about Space Camp, so I had my bookkeeper in the 17 room. 18 Q. And is that Ms. Drake? 19 A. Yes, Debbie Drake. 20 Q. And that is the first indication 21 you had that Ms. Joiner wasn't planning with 22 the rest of the fourth grade team? 23 A. That she wasn't wanting to plan</p>	<p style="text-align: right;">Page 84</p> <p>1 A. I felt like it did. 2 Q. -- did you have any other 3 indication that the fourth grade teachers were 4 not working well together? 5 A. No. 6 Q. Did you ever have a meeting with 7 the fourth grade team where you -- well, let me 8 strike that. 9 Other than the November 18th email 10 that we have discussed that is marked as 11 Defendant's Exhibit 2, is there any other 12 comment or publication from Carol Barber that 13 you believe was slanderous or libelous? 14 A. Other than things that were sent 15 directly to me, no. 16 Q. When you say "other than things 17 sent directly to you," what do you mean? 18 A. Well, I don't believe it would be 19 slander or libel that she, after I left, began 20 to send me emails asking for information that 21 was either at the school or that I had left for 22 her. And I felt that some of it could have 23 been resolved by just sitting down with me,</p>

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1 like -- so we could have transitioned
2 appropriately.
3 Q. You said that she would ask about
4 information that you had left at the school for
5 her --
6 A. Yes.
7 Q. -- do you believe that she was
8 sending you these emails just in spite of the
9 fact that she had the things that she was
10 looking for?
11 A. I don't know. That, I don't know.
12 It is just like the questions could have been
13 resolved quickly.
14 Q. And so you thought it was
15 ineffective for her to send an email asking
16 about this information?
17 A. Sending an email asking for the
18 CIP when it was on the school website --
19 Q. What is a CIP?
20 A. Continuous Improvement Plan.
21 Q. Did you just tell her it was on
22 the school website?
23 A. Yes. And there was a password.

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1 Q. And did --
2 A. To review it, you could go onto
3 the school website or you could use your
4 password to access it.
5 Q. And so when she asked about the
6 CIP you told her it was on the website. And
7 did she ask about it after that?
8 A. I included some emails. Yeah,
9 there were several other things that I felt
10 like she was -- it was looking like I hadn't
11 completed or done some things that had already
12 been done in the building.
13 Q. So do you think that she had
14 information that showed that you had done
15 things, and that she was acting like she didn't
16 have the information?
17 A. I can't answer that. I mean, all
18 I know is I did not feel like we transitioned
19 appropriately. And I left her extensive files
20 and information.
21 Q. But as part of that, you don't
22 think that that was defamatory, correct?
23 A. I --

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1 MR. JENT: Just object to the
2 extent that she knows the legal meaning of the
3 term.
4 MS. YUENGERT: Understood.
5 Q. (BY MS. YUENGERT:) I am asking
6 what you know. What I am trying to find out
7 is, you have brought a claim against Ms. Barber
8 saying that she has defamed you, that she has
9 said false and defamatory statements. And we
10 have talked about what you believe was false or
11 defamatory in Defendant's Exhibit 2.
12 I am just trying to find out, is
13 there anything else that you, in this lawsuit,
14 are claiming that Ms. Barber said or wrote,
15 that was false or defamatory?
16 A. If any of those emails asking me
17 for materials that were in the school and for
18 deadlines and things like that, that were met,
19 were shared with anyone else, yes.
20 Q. But you don't know if Ms. Barber
21 didn't have those materials when she asked you
22 those questions?
23 A. Those materials were there.

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1 Q. But you don't know if she had them
2 in her hands and was still sending you emails
3 asking you about them, do you?
4 A. At one point, she sent me an email
5 and said she had the test materials.
6 Q. Okay.
7 A. It was obvious.
8 Q. So do you think that she was doing
9 that just to be mean-spirited?
10 A. She may have been. I can't answer
11 that. It was very odd.
12 Q. In your discovery responses, in
13 response to Interrogatory Number 7, you
14 state -- and here is a copy. That is the
15 Complaint.
16 A. Do you want this back?
17 Q. We will get back to that.
18 In response to Interrogatory
19 Number 7, which is on Page 6, I had asked you
20 to identify each and every statement made about
21 you by any current or former employee of the
22 Board or current or former member of the Hoover
23 Board that you claim is defamatory.

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1 In response to that, if you will
2 look at the next to last entry on Page 6, where
3 it says, "I have been referenced in zoning
4 meetings." Do you see that?
5 A. What number is that?
6 Q. It is on Page 6.
7 A. Oh, on 6, yes.
8 Q. And in response, what it says is,
9 "I have been referenced in zoning meetings,
10 neighbor of Carol Barber's stated at a zoning
11 meeting that I had left the school in 'a mess'
12 and she knew this because Carol told her."
13 Who is the neighbor of Carol
14 Barber's that told you about this?
15 A. I don't know the neighbor. I
16 was -- it was the Bluff Park zoning meeting.
17 Q. Do you remember when the Bluff
18 Park zoning meeting was that this statement was
19 allegedly made?
20 A. It was during the zoning stuff
21 they went through before Andy Craig left
22 Hoover.
23 Q. So who told you what was said at

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1 the zoning meeting?
2 A. I don't -- I don't remember.
3 Somebody that was at the meeting. I --
4 Q. So someone who was at the meeting
5 told you that Carol Barber said that you had
6 left Trace Crossings in a mess?
7 A. Uh-huh, that the previous
8 principal had left the school in a mess.
9 Q. Was it reported to you that
10 Ms. Barber said anything other than that the
11 previous principal had left the school in a
12 mess?
13 A. That is what I was told.
14 Q. Was it reported to you that Carol
15 Barber mentioned your name in this statement?
16 A. That, I don't know.
17 MS. YUENGERT: Now is a good time
18 to take a break for lunch.
19 (Off-the-record discussion.)
20 (Whereupon, a lunch break was had
21 from 12:07 p.m. until 1:10 p.m.)
22 Q. (BY MS. YUENGERT:) Ms. Litaker,
23 before lunch, I was asking you some questions

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1 about your libel and slander claim. And I
2 wanted to kind of close that out. You told me
3 about your conversation with Andy Craig in
4 which he commented about he didn't know why
5 Carol did those things, referring to the email
6 that she had sent.
7 A. (Nodding.)
8 Q. Other than that comment, is there
9 any comment or written something from Andy
10 Craig that you believe was libelous or
11 slanderous about you?
12 A. I believe that his inaction, when
13 given the opportunity to respond to the
14 newspaper article, when even in meetings like
15 the one at Bluff Park, he could have given some
16 clarification on that --
17 Q. But that is a failure to say
18 something rather than an actual statement,
19 correct?
20 A. Yes. And when a School Board
21 member says that I had been put on probation,
22 that leads me to believe that that is what they
23 had been told. And I had never been put on any

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1 probation.
2 Q. And you said that leads you to
3 believe, but you don't know who would have told
4 them that, correct?
5 A. The School Board -- he reports
6 directly to the School Board.
7 Q. Do you have any information --
8 A. No.
9 Q. -- that Andy Craig told the School
10 Board that you had been put on probation?
11 A. Sorry, no.
12 Q. Okay. Anything else that you
13 believe that Andy Craig said or wrote that you
14 believe is libelous or slanderous?
15 A. Not that I am aware of.
16 Q. In Paragraph 47 of your Complaint,
17 it says, "As a result of Defendant's deliberate
18 libel and slander, plaintiff was caused to
19 suffer not only certain monetary losses but was
20 also caused to suffer severe emotional distress
21 and pain."
22 What monetary losses did you
23 suffer as a result of Carol Barber's or Andy

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1 Craig's deliberate libel and slander of you?
2 A. I may not be able to list all of
3 them off the top of my head. It affected my
4 retirement, my future possible earnings -- are
5 you talking in regards to what I am right now
6 or future, now --
7 Q. All I am trying to find out is
8 that in Paragraph 47 it says that you suffered
9 certain monetary losses --
10 MR. JENT: As a result of the
11 libel and slander.
12 Q. (BY MS. YUENGERT:) -- as a result
13 of the libel and slender. I want to know what
14 monetary losses you have suffered.
15 A. I lost a considerable amount on my
16 monthly income.
17 Q. Is that your retirement income or
18 some other way?
19 A. The check -- the pay that I was
20 getting while I was employed with Hoover City
21 Schools, when I retired, my pay decreased
22 considerably.
23 Q. Because your retirement was not

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1 the same --
2 A. Yes.
3 Q. -- as your monthly salary as a
4 principal?
5 A. Yes.
6 Q. Okay. Any other monetary losses
7 that you suffered as a result of the libel or
8 slander?
9 A. Just some increased expenses.
10 Q. Such as?
11 A. Doctor.
12 Q. Doctor who?
13 A. Stephen Bair.
14 Q. When did you start seeing
15 Dr. Stephen Bair?
16 A. I don't know the exact date. It
17 is probably in his file. I don't know the
18 exact date.
19 Q. Do you know the year?
20 A. I believe it is 2013.
21 Q. Do you recall if it was before or
22 after you stopped reporting to work at the
23 Central Office?

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1 A. No, it was after.
2 Q. And what kind of doctor is Stephen
3 Bair?
4 A. He is a psychologist, I believe.
5 Q. Before you started seeing
6 Dr. Bair, had you ever seen a psychologist
7 before?
8 A. No.
9 Q. Had you ever seen any kind of
10 mental health professional?
11 A. Other than I talked to one of the
12 system counselors, no.
13 Q. When you say the "system
14 counselor," who is that?
15 A. Marion Kellough.
16 Q. And when you say "the system,"
17 that was which system?
18 A. School system, Hoover.
19 Q. When did you talk with
20 Dr. Kellough? Is it Dr. Kellough?
21 A. Ms. Kellough.
22 Q. Ms. Kellough?
23 A. It was -- I don't really remember

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1 the exact date. It may have been in March of
2 2013. I was at old Berry, where her office
3 was, and she asked me to come in and talk to
4 her.
5 Q. Old Berry, what is that?
6 A. It is where Berry High School used
7 to be and they use it for Crossroads School and
8 for some Central Office.
9 Q. Okay. So had you sought out a
10 meeting with Ms. Kellough to talk or you just
11 happened to be over there and she said --
12 A. I happened --
13 Q. -- "Why don't you come in and we
14 will talk"?
15 A. I happened -- excuse me. I
16 happened to be over there, and I have known her
17 a long time. And she asked me if I needed to
18 talk with her.
19 Q. So you think you started seeing
20 Dr. Bair sometime after you quit reporting to
21 the Central Office in 2013?
22 A. Yes, uh-huh.
23 Q. Why did you start seeing Dr. Bair?

<p style="text-align: right;">Page 97</p> <p>1 A. Partly because of discussion I had 2 had with Marion Kellough. 3 Q. Did she recommend that you see 4 somebody? 5 A. She said that I might want to and 6 because of a friend of mine that is a counselor 7 that I had talked with for an extended period 8 of time, and -- 9 Q. Who is that friend? 10 A. Her name is Dr. Nancy Fox. 11 Q. Did you consult Dr. Fox in a 12 professional capacity or simply as a friend? 13 A. Just as a friend. 14 Q. How did you get Dr. Bair's number 15 or name? 16 A. From Nancy Fox. 17 Q. When you first started seeing 18 Dr. Bair, how often did you see him? 19 A. Every week. 20 Q. How often do you see him now? 21 A. Twice a month. 22 Q. When did you start seeing him 23 twice a month?</p>	<p style="text-align: right;">Page 99</p> <p>1 damages, that you told me about, what you are 2 telling me is that your monthly income from the 3 retirement is less than your monthly income as 4 a principal at Trace Crossings? 5 A. Yes. 6 Q. Okay. When I first asked you 7 about why you believed that your move from 8 Trace Crossings to the Central Office was based 9 on your sex, one of the things you told me was 10 that after you had been moved, there were male 11 principals who had been treated better than you 12 were in their moves? 13 A. Administrators, yeah. 14 Q. Is that a fair assessment, kind of 15 summary of what you had told me? 16 A. That after my move, people that 17 had been moved in different situations had been 18 treated better, yes. 19 Q. And they were males? 20 A. Yes. 21 Q. Okay. Tell me who those males 22 are. 23 A. Bob Lawry.</p>
<p style="text-align: right;">Page 98</p> <p>1 A. I think it was shortly after my 2 official retirement, because I couldn't afford 3 but twice a month -- twice a month. 4 Q. Has Dr. Bair diagnosed you with 5 any particular issue? 6 A. Yes. 7 Q. What is your diagnosis? 8 A. He said I have post-traumatic 9 stress disorder. 10 Q. I know if he is a psychologist, he 11 can't prescribe. Has he asked anybody to 12 prescribe any medication for you? 13 A. We have discussed it, but I don't 14 like to take medicine. I don't react to it 15 very well. 16 So we -- it is something that is 17 on the table if I need it. But I tried not to. 18 Q. Other than seeing Dr. Bair, have 19 you done anything else or have you seen anybody 20 else for treatment of your post-traumatic 21 stress disorder? 22 A. No. 23 Q. And the damages, the monetary</p>	<p style="text-align: right;">Page 100</p> <p>1 MS. YUENGERT: That is L-A-W-R-Y. 2 A. That had actually been moved or 3 been on some type of plan? You said moved. 4 Q. (BY MS. YUENGERT:) I want you to 5 tell me what males were treated better than you 6 were -- 7 A. Okay. 8 Q. -- that makes you think that your 9 treatment was because of your sex. 10 A. Bob Lawry, David Fancher, Brian 11 Cain. 12 MS. YUENGERT: C-A-I-N. 13 A. Rush Propst. I forget names. 14 Q. (BY MS. YUENGERT:) David Shores? 15 A. David Shores, and then the 16 principal from Spain Park. 17 Q. Shaw? 18 A. Shaw, Chris Shaw. 19 Q. Simmons? 20 A. That is the school. 21 Q. We will come up with it. 22 Mitchell, Scott Mitchell, did you -- 23 A. I think Scott's name was used as</p>

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1 an example of a principal that had made AYP --
 2 had not made AYP and didn't get moved.
 3 Q. Okay. Any others, sitting here
 4 today, that you think were treated better than
 5 you?
 6 A. Not that I can think of right now.
 7 Q. I want to go through those, and I
 8 want you to tell me. Let's start with Bob
 9 Lawry. How is it that Mr. Lawry was treated in
 10 a way that you think shows that he was treated
 11 better because of his sex or that you were
 12 treated worse because of your sex?
 13 A. Bob is a very good friend of mine
 14 and shared a lot of information with me.
 15 Q. What did he share with you?
 16 A. During the school year, '11-'12,
 17 he was not overly happy in principal, and had
 18 had some problems. And I don't --
 19 Q. I want to back you up. You said
 20 he was not overly happy?
 21 A. Yes.
 22 Q. And he was the principal at South
 23 Shades Crest Elementary?

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1 A. Yes.
 2 Q. And he told you that he wasn't
 3 happy in that role?
 4 A. I am not going to say he wasn't
 5 happy in the role. He just wasn't overly happy
 6 period.
 7 Q. Okay. And you said that he had
 8 had some problems?
 9 A. He had shared some problems he had
 10 had with me and he said --
 11 Q. What problems?
 12 A. I don't remember specifically, but
 13 with his faculty. And he had talked with
 14 Mr. Craig. And he was under the impression
 15 that when his contract was finished during, I
 16 think, the '12-'13 year, that he would be put
 17 in another lateral position.
 18 Q. Do you know when his contract
 19 ended?
 20 A. I think it ended '12-'13, I
 21 believe. I am guessing.
 22 Q. That is the school year,
 23 2012-2013?

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1 A. Yes.
 2 Q. Did Mr. Lawry tell you what
 3 administrative position he was going to be put
 4 in?
 5 A. Yes.
 6 Q. When?
 7 A. He told me during the school year,
 8 during the summer of -- it was pretty common
 9 knowledge that he was going to be put with -- I
 10 can't remember the guy's name. I think they
 11 call it student services, but it involves
 12 transportation -- leases, residency.
 13 Q. And was he ultimately put in that
 14 job?
 15 A. Yes.
 16 Q. And do you remember when that
 17 happened?
 18 A. Right after I left the system.
 19 Q. Do you know if that job was
 20 posted?
 21 A. It was posted after I put in my
 22 job, my --
 23 Q. Your resignation?

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1 A. My plan to resign.
 2 Q. Do you know if anybody other than
 3 Mr. Lawry applied?
 4 A. I have no knowledge of that.
 5 Q. Okay. Did Mr. Lawry tell you that
 6 he was moved involuntarily?
 7 A. No.
 8 Q. And I don't want to put words in
 9 your mouth. I want to find out what he told
 10 you or what your understanding is. Did he ever
 11 tell you that he was being removed from South
 12 Shades Crest Elementary?
 13 A. He led me to believe that he would
 14 not be getting another contract.
 15 Q. Tell me what exactly he told you
 16 about that.
 17 A. He said that -- basically it was
 18 that he wasn't happy, that he -- again, he had
 19 had some problems of which I can't remember
 20 exactly what he told me. We talked --
 21 Q. But they were with his faculty?
 22 A. Yes.
 23 Q. So he led you to believe that he

<p style="text-align: right;">Page 105</p> <p>1 would not get another contract because he 2 didn't want another contract as a principal? 3 A. I don't -- I don't feel like I 4 am -- that was what I -- 5 Q. Concluded? 6 A. -- concluded. 7 Q. I understand. And you can't speak 8 for Mr. Lawry. I am trying to find out what he 9 told you. 10 A. That was my impression of all the 11 discussions we had. 12 Q. Is that he wanted to leave South 13 Shades Crest or didn't want to be a principal 14 anymore? 15 A. Didn't want to leave, and felt 16 like -- I felt like he said that wasn't going 17 to be an option. 18 Q. Okay. Did he ever tell you that 19 Mr. Craig told him it wasn't going to be an 20 option? 21 A. He told me that he and Mr. Craig 22 had had some pretty tough conversations about 23 things. I don't know.</p>	<p style="text-align: right;">Page 107</p> <p>1 A. Yes. 2 Q. What? 3 A. I had been told that my only 4 option was to go to Crossroads as an assistant 5 principal. 6 Q. So tell me, who told you that? 7 A. Dr. Ron Dodson. 8 Q. And when did he tell you that? 9 A. He told me that, it was prior to 10 the April Board meeting. And I have the dates 11 someplace. He came -- do you want me to tell 12 you what he said? 13 Q. Well, I want to back you up just a 14 little bit. 15 A. Okay. 16 Q. If you will look at Paragraph 16 17 of the Complaint -- 18 MR. JENT: No. 19 A. That one? 20 Q. (BY MS. YUENGERT:) Are you on 21 Paragraph 16? 22 A. Yes. 23 Q. It says, "On or about April 1st or</p>
<p style="text-align: right;">Page 106</p> <p>1 Q. Did he ever tell you that 2 Mr. Craig told him he was not going to offer 3 him another contract? 4 A. I don't remember if he told me 5 that or not. 6 Q. When the student services job that 7 Mr. Lawry got was posted, did you apply for it? 8 A. I had already been given notice 9 that I was going to be moved to an assistant 10 principal's position, and my only option was to 11 retire. 12 Q. And so is the answer to my 13 question that you didn't apply for the student 14 services job? 15 A. I didn't have the opportunity, no. 16 Q. Okay. And you say you didn't have 17 the opportunity. How did people apply for the 18 jobs that are posted? 19 A. That are posted? They are 20 typically posted on Teach in Alabama, and they 21 apply through the system. 22 Q. So was there anything that 23 prevented you from applying for the job online?</p>	<p style="text-align: right;">Page 108</p> <p>1 2nd, 2013, the plaintiff was informed she was 2 being assigned to the Crossroads Alternative 3 School as the assistant principal, which was a 4 demotion." Do you see that? 5 A. Yes. 6 Q. And that was when Dr. Dodson told 7 you that? 8 A. Yes. 9 Q. And do you believe that was on 10 April 1st or 2nd? 11 A. I believe it was around that date. 12 It was prior to the April Board meeting. 13 Q. And when does the Board typically 14 meet? Do you have the second Tuesday or 15 something like that or do you know? 16 A. I can't remember something -- I 17 think the Board meeting, he said -- I believe 18 he told me April 10th -- 19 Q. Okay. 20 A. -- that I had better be at 21 Crossroads the next morning. 22 Q. Okay. And I am going to refer to 23 it as April 1st or 2nd because that is what is</p>

<p style="text-align: right;">Page 109</p> <p>1 in your Complaint, okay?</p> <p>2 A. Okay.</p> <p>3 Q. You said that you have something</p> <p>4 that indicates the date?</p> <p>5 A. I believe I have something --</p> <p>6 Q. What do you believe you have?</p> <p>7 A. I think I sent Earl Franks, the</p> <p>8 executive director of class, a text message.</p> <p>9 MR. JENT: I will look for that.</p> <p>10 Q. (BY MS. YUENGERT:) I haven't seen</p> <p>11 any communications between you and Mr. Franks.</p> <p>12 A. That would have the exact date on</p> <p>13 it.</p> <p>14 Q. Okay. You believe that was a text</p> <p>15 message?</p> <p>16 A. I believe it was.</p> <p>17 Q. Okay. So on whatever the date is,</p> <p>18 it was sometime before the April Board meeting,</p> <p>19 you met with Dodson?</p> <p>20 A. Yes.</p> <p>21 Q. Where was that?</p> <p>22 A. In my office at Central Office.</p> <p>23 Q. Was anybody other than Dodson</p>	<p style="text-align: right;">Page 111</p> <p>1 A. Uh-huh.</p> <p>2 MR. JENT: Is that "yes"?</p> <p>3 A. Yes.</p> <p>4 MR. JENT: You can't say "uh-huh"</p> <p>5 or you can but --</p> <p>6 Q. (BY MS. YUENGERT:) And then tell</p> <p>7 me what happened in the meeting.</p> <p>8 A. Ron looked at me, and again, I</p> <p>9 didn't know what they wanted. And he said, "We</p> <p>10 have decided what we are going to do with you</p> <p>11 next year." And I said, "What?" And he said,</p> <p>12 "You are going to be the assistant principal at</p> <p>13 Crossroads School," and then his whole demeanor</p> <p>14 changed. And he kind of leaned across, and he</p> <p>15 said, "And you had better be there the morning</p> <p>16 after the Board meeting. They will pass it at</p> <p>17 the next Board meeting."</p> <p>18 And I asked him where Andy was,</p> <p>19 and he said, "Andy sent us up here."</p> <p>20 Q. Anything else in that meeting that</p> <p>21 you said or either of them said?</p> <p>22 A. Mr. -- I asked where Andy was, and</p> <p>23 I said, "I am supposed to only talk to Andy</p>
<p style="text-align: right;">Page 110</p> <p>1 there?</p> <p>2 A. Melody Greene.</p> <p>3 Q. And who is Ms. Greene?</p> <p>4 A. She was -- now she is an assistant</p> <p>5 superintendent. At the time she was like me,</p> <p>6 no job title.</p> <p>7 Q. Okay. The meeting with Dodson and</p> <p>8 Greene, they just dropped into your office, or</p> <p>9 was it a scheduled meeting? Do you know?</p> <p>10 A. It was, I think, close to 4:00</p> <p>11 because everybody had already left. And they</p> <p>12 called me in the hallway and asked me if I had</p> <p>13 a minute to talk to them. So we went back to</p> <p>14 my office, so it was not scheduled.</p> <p>15 Q. And what was Dodson's job?</p> <p>16 A. He -- assistant superintendent of</p> <p>17 curriculum instruction, I believe.</p> <p>18 Q. Okay. So they catch you in the</p> <p>19 hall. It is close to 4:00 or late in the</p> <p>20 afternoon --</p> <p>21 A. Uh-huh.</p> <p>22 Q. -- asked do you have a minute.</p> <p>23 You go into your office. Everybody sits down?</p>	<p style="text-align: right;">Page 112</p> <p>1 about this." And he said, "Don't worry, we are</p> <p>2 not going to cut your pay." And I looked at</p> <p>3 him and I said, "Ron, you can't cut my pay. I</p> <p>4 have a principal's contract." And then I</p> <p>5 indicated to him that I would not discuss it</p> <p>6 with him any further, and I looked down until</p> <p>7 he got up and left.</p> <p>8 Q. Okay. Did he leave or did both he</p> <p>9 and Greene leave?</p> <p>10 A. He left and Greene stayed there.</p> <p>11 Q. Did you and Ms. Greene have any</p> <p>12 conversation after Mr. Dodson left?</p> <p>13 A. Yes.</p> <p>14 Q. Tell me about your conversation</p> <p>15 with Ms. Greene after Mr. Dodson left.</p> <p>16 A. I was upset -- that was probably</p> <p>17 the only time I really broke down.</p> <p>18 Q. And what do you mean by "broke</p> <p>19 down"?</p> <p>20 A. I got -- I got -- I'm sorry. I</p> <p>21 got really emotionally upset because I just</p> <p>22 felt like at that moment, I had been totally</p> <p>23 misled.</p>

<p style="text-align: right;">Page 113</p> <p>1 And, in fact, I told her, I 2 said -- 3 Q. You told Ms. Greene? 4 A. Yes. I told her that -- I said, 5 "I don't know what I have to do to get somebody 6 to, you know, pay attention to what is going on 7 with me. I mean, I am" -- the -- there's a 8 sheet that you submitted that had my 9 conversation with her on it. 10 MR. JENT: In her filed response 11 and everything. I don't know if that is what 12 she -- 13 A. No, I think it is the 14 interrogatories, some of the evidence that you 15 gave from people, there's a sheet that says 16 this was a discussion I had with Carol Barber, 17 but that was the discussion I had with Melody 18 Greene. 19 Q. (BY MS. YUENGERT:) Okay. 20 A. I mean, I am -- 21 Q. And I am going to show you this. 22 I do not have an extra copy of it. Is this -- 23 A. No.</p>	<p style="text-align: right;">Page 115</p> <p>1 A. No, with -- 2 Q. Melody? 3 A. Melody. 4 Q. So tell me what it is that you 5 recall about your conversation with Melody that 6 day. And you have already told me that you 7 said, "I don't know what I have to do to have 8 someone pay attention to what is going on with 9 me." 10 A. Yeah. 11 Q. What did she say, if anything? 12 A. She just -- I felt like she was 13 listening as a friend. She said -- I told her 14 how many issues I had found at the school when 15 I first moved in there, and some of the stuff 16 which was against School Board policy, against 17 Alabama Code book. And -- 18 Q. And these were all issues that you 19 were addressing when you were principal, 20 correct? 21 A. Yes. This was a conversation I 22 had, and I was extremely upset because I had 23 just found out that a promise that I felt like</p>
<p style="text-align: right;">Page 114</p> <p>1 Q. Is this what you are talking 2 about? I am looking -- 3 A. No. It is a little piece of paper 4 with handwriting on it. 5 Q. Okay. Is this what you are 6 talking about? 7 A. Yes. 8 Q. Okay. 9 A. Yeah -- wait a minute. 10 Q. Because it is my understanding 11 that those are notes from a meeting you had 12 with Mary Veal. And I am not going to let you 13 look through that stack -- 14 A. No, I'm sorry. 15 Q. -- because that is my stack. 16 A. I'm sorry. 17 Q. That is okay. I'm just trying to 18 identify what you are talking about. 19 A. My understanding, looking at it 20 when I had the stack, that I thought it was a 21 conversation that I had with Carol Barber. But 22 I had a very similar conversation with -- 23 Q. Mary Veal?</p>	<p style="text-align: right;">Page 116</p> <p>1 had been made to me in a system that I had 2 worked in for over twenty years, I was just -- 3 I was just upset. 4 Q. So do you recall anything else you 5 told Ms. Greene that day? 6 A. Right now I don't. 7 Q. Do you recall anything that she 8 said? 9 A. She asked me, after I talked -- 10 she said, "Do you want me to talk to Andy for 11 you?" And I said, "Melody, I just don't think 12 you need to get involved. I don't really know 13 what is going on, and I wouldn't ask you to get 14 involved in this." 15 Q. Did you ever go and talk with Andy 16 about the issue about your being sent to 17 Crossroads? 18 A. He wouldn't see me. 19 Q. Tell me how you know he wouldn't 20 see you. 21 A. I emailed his secretary. I 22 emailed him. And he wouldn't see me. 23 Q. Who is his secretary?</p>

<p style="text-align: right;">Page 117</p> <p>1 A. Oh, shoot. One of those names. I 2 used to work with her. Louise White, I'm 3 sorry. 4 Q. And when you emailed his 5 secretary, what was her response to you? 6 A. That she would have to get with 7 Andy to make an appointment. 8 Q. And when you emailed Andy, did he 9 respond? 10 A. No. 11 Q. When you emailed Louise about it, 12 did you just say "I need to talk with Andy," or 13 did you say why? 14 A. No. I told her -- I didn't want 15 to share that with her. 16 Q. When you emailed Andy, did you say 17 that you needed to talk to him or did you tell 18 him why? 19 A. I believe I told him why. 20 Q. When you emailed Andy, were you 21 emailing from your email account at Hoover or 22 from home? 23 A. It would have been from my Hoover</p>	<p style="text-align: right;">Page 119</p> <p>1 impression that we were just going to talk 2 about operational things, you know -- 3 Q. From Trace Crossings? 4 A. From Trace Crossings. Make sure 5 she -- you know, transition type things. 6 And -- 7 Q. Where did you meet? 8 A. In Mary Veal's office. 9 Q. Okay. 10 A. Up until the moment she got there, 11 I didn't know I was meeting in Mary Veal's 12 office. I felt -- for the first time, I 13 felt -- besides the first email she sent me 14 asking for things and insinuating that I hadn't 15 turned in things, I felt like I was being 16 attacked about my performance. And after the 17 meeting -- 18 Q. How long was that meeting with 19 Carol and Mary? 20 A. It was probably close to fifty 21 minutes. 22 Q. Did you make a recording of that? 23 A. Yes.</p>
<p style="text-align: right;">Page 118</p> <p>1 account. And I believe I have it. 2 Q. And you said you contacted Earl 3 Franks? 4 A. Yes. I had contacted him on 5 January 28th after I had a meeting with Carol 6 Barber. 7 Q. Okay. So on January 28th, you had 8 a meeting with Carol Barber -- 9 A. Yes. 10 Q. -- after which you contacted Earl 11 Franks? 12 A. Yes. 13 Q. And who is Earl Franks? 14 A. I'm sorry. He is the Executive 15 Director of CLAS, which is the professional 16 organization for administrators. 17 Q. And that is C-L-A-S-S, all caps? 18 A. It is just C-L-A-S, all capital. 19 Q. Okay. And when you contacted 20 Mr. Franks on January 28th, what did you talk 21 to him about? 22 A. I talked to him about a meeting 23 that Carol had requested. I was under the</p>	<p style="text-align: right;">Page 120</p> <p>1 Q. Did you record the entire meeting? 2 A. All but the last few minutes were 3 cutoff. 4 Q. Okay. 5 MS. YUENGERT: Kevin, what I have 6 got and what you sent me was about two minutes. 7 So I need to get whatever recording you have of 8 that meeting. I only have a piece of it. 9 Okay? 10 MR. JENT: Okay. Yes. 11 MS. YUENGERT: That is fine. We 12 just need to make sure that I get it all. 13 MR. JENT: The email you had sent 14 to us, that is what was on the email, so I will 15 check with her and figure out about that. 16 MS. YUENGERT: Sure. I just want 17 to make sure that I get the whole recording. 18 MR. JENT: Okay. 19 Q. (BY MS. YUENGERT:) But you did 20 record the whole thing, the entire meeting? 21 A. Yes. 22 Q. You said up until the last few 23 minutes?</p>

<p style="text-align: right;">Page 121</p> <p>1 A. Yeah, it cutoff.</p> <p>2 Q. And so tell me what happened in</p> <p>3 the meeting on January 28th with the meeting</p> <p>4 with Mary and Carol that made you feel you were</p> <p>5 being attacked for your performance.</p> <p>6 A. When Carol came into my office,</p> <p>7 like I said, I thought we were just going to</p> <p>8 sit and talk about some transitioning things.</p> <p>9 And she said something to the effect of, "I</p> <p>10 feel like we need to have this meeting in</p> <p>11 Mary's office."</p> <p>12 Q. Okay.</p> <p>13 A. And we went downstairs, and</p> <p>14 something was said about Mary keeping notes.</p> <p>15 And that is when I flipped on my phone</p> <p>16 recorder, because I just knew something</p> <p>17 wasn't -- wasn't right. That wasn't -- I was</p> <p>18 misled. And --</p> <p>19 Q. Did you tell them that you were</p> <p>20 recording it?</p> <p>21 A. No, I didn't.</p> <p>22 Q. Did you keep your phone in your</p> <p>23 purse or in your pocket?</p>	<p style="text-align: right;">Page 123</p> <p>1 I went to it.</p> <p>2 Nothing was discussed about the</p> <p>3 school. I --</p> <p>4 Q. And Carol brought that up at the</p> <p>5 January 28th meeting?</p> <p>6 A. Yes.</p> <p>7 Q. What did she say about it?</p> <p>8 A. Something about what was that</p> <p>9 about, why was I, you know, there. And my -- I</p> <p>10 had been given permission to go to it. I would</p> <p>11 not have attended that without permission.</p> <p>12 Q. Is that what you told her on</p> <p>13 January 28th?</p> <p>14 A. I'm not sure what I told her.</p> <p>15 Q. Okay. What else did she talk</p> <p>16 about or did you talk about in the meeting?</p> <p>17 A. We talked about RTI, which is</p> <p>18 Response to Intervention. We talked about how</p> <p>19 I had the teams in the school. I can't -- I</p> <p>20 mean, if you had asked me some other time, I</p> <p>21 could rattle off everything and I can't right</p> <p>22 now.</p> <p>23 Q. And with regard to Response to</p>
<p style="text-align: right;">Page 122</p> <p>1 A. It was sitting on top of the</p> <p>2 table. I told Mary Veal afterwards that I had</p> <p>3 recorded it.</p> <p>4 Q. Okay. Tell me what you can recall</p> <p>5 happened in the meeting on January 28th.</p> <p>6 A. The first thing was she said</p> <p>7 something to me about stirring parents up. And</p> <p>8 I had not.</p> <p>9 Q. Did she tell you why she thought</p> <p>10 you had stirred parents --</p> <p>11 A. No.</p> <p>12 Q. -- up?</p> <p>13 A. No.</p> <p>14 Q. Okay. Did you tell her that you</p> <p>15 had not?</p> <p>16 A. Yes. Now, there were a bunch of</p> <p>17 things, and I may not hit them all.</p> <p>18 Q. Sure.</p> <p>19 A. She said something about the</p> <p>20 parents, the PTO parents, had had a Christmas</p> <p>21 luncheon; they always did. And I had been</p> <p>22 invited to it. And I sent Carol and Andy both</p> <p>23 an email, and I had discussed it with them, and</p>	<p style="text-align: right;">Page 124</p> <p>1 Intervention, do you remember anything you</p> <p>2 discussed about that?</p> <p>3 A. I didn't feel like she fully</p> <p>4 understood how RTI was supposed to run in the</p> <p>5 school. And understand, I was trying to be</p> <p>6 respectful also. But she specifically said a</p> <p>7 student that we had been -- that had been</p> <p>8 referred -- RTI was still relatively new in the</p> <p>9 system, and there were a lot of kinks in it</p> <p>10 from school to school.</p> <p>11 And she made a comment to me</p> <p>12 about -- and it is in that document -- that, in</p> <p>13 reference -- it made it sound like we weren't</p> <p>14 doing it correctly at Trace Crossings, but we</p> <p>15 most certainly were.</p> <p>16 And I had received students from</p> <p>17 other schools in Hoover where I hadn't gotten</p> <p>18 the documentation -- it was a -- no-excuses, it</p> <p>19 was something we were transitioning to and that</p> <p>20 they hadn't even started when I became the</p> <p>21 principal there.</p> <p>22 Q. Is this all being discussed in</p> <p>23 this January 28th meeting?</p>

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1 A. Yes.

2 Q. Okay. And you said that you don't

3 think that Carol understood how RTI was

4 supposed to run in the school?

5 A. Yes.

6 Q. And so did you explain to her how

7 it was supposed to?

8 A. Yes, I did.

9 Q. And how did that conversation

10 about RTI end?

11 A. She just moved on to something

12 else.

13 Q. Okay.

14 A. I mean, she -- also, I felt like I

15 was being attacked on the way that I did

16 placement in the school.

17 Q. And that is different than RTI?

18 A. Yes, for classes, and that I had

19 given preferential treatment, which I did not.

20 And I later sent --

21 Q. And I'm sorry. I don't mean to

22 interrupt you. But when you are talking about

23 placement, you are talking about how students

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1 get put in a particular teacher's class?

2 A. Yes.

3 Q. Okay.

4 A. And she --

5 Q. Tell me what you can recall that

6 Carol said about placement in the school.

7 A. From what I recall, she said that

8 I had given preferential treatment -- it may

9 not have been worded exactly that way -- to

10 parents, PTO parents.

11 Q. So you allowed parents to pick the

12 class their child would go to?

13 A. That is -- yeah.

14 Q. Okay.

15 A. And that didn't happen.

16 Q. Okay. And did you tell Carol that

17 that hadn't happened?

18 A. Yes. And I followed it up with an

19 email with what I sent out to parents. And she

20 said she would do it the same way.

21 Q. Okay. And so when you said you

22 followed up with email, after the January 28th

23 meeting, did you send Carol in an email

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1 information about how you would assign children

2 to classes?

3 A. Yes.

4 Q. And she said she would do it the

5 same way?

6 A. In the meeting she said.

7 Q. So in the meeting, did she ask you

8 to send that or did you tell her that you were

9 going to send that as a follow-up?

10 A. No. I felt like I had to to

11 defend myself.

12 Q. Okay. So in the meeting there was

13 no discussion about you emailing anything to

14 her?

15 A. No.

16 Q. But in the meeting, she said she

17 would do it as you had described?

18 A. She indicated, or "That is the way

19 I would do it" --

20 Q. Okay.

21 A. -- or something to that effect.

22 Q. Okay. You said there was

23 discussion about how you had the teams in the

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1 school?

2 A. Yes.

3 Q. Are those the grade level teams?

4 A. Yes.

5 Q. Tell me about the discussion about

6 how you had the teams in the school.

7 A. What she said, she said it wasn't

8 working.

9 Q. So Carol said that the teams in

10 the school weren't working?

11 A. Yes.

12 Q. Okay. Then what did you say?

13 A. I believe I said that is not true,

14 it was a teacher/leader model. It was a -- it

15 was a teacher/leader model that I was using.

16 Q. She said the teams weren't working

17 and you said yes, they are.

18 A. Yeah.

19 Q. Any other discussion about the

20 teams?

21 A. Not that I can recall, no.

22 Q. Anything else you can recall that

23 was discussed in the January 28th meeting?

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1 A. No. Except at the end, she said
2 to Mary, "I want a copy of those minutes." And
3 I said, "I want one too." And Mary said, "Of
4 course." And I followed up repeatedly, and I
5 finally got an email that said there were no
6 minutes from the meeting, that I had clarified
7 everything.
8 Q. And the email that said there were
9 no minutes, that is from Mary?
10 A. Yes.
11 Q. Okay. Have you told me everything
12 you can recall about the January 28th meeting?
13 A. Uh-huh.
14 MR. JENT: Is that a "yes"?
15 A. Yes. Sorry.
16 Q. (BY MS. YUENGERT:) After the
17 January 28th meeting, you told me that you
18 texted or you contacted Earl Franks?
19 A. I went to see Andy first, and then
20 when I got back to my office, I went to see --
21 I mean I got in touch with Earl Franks.
22 Q. You went to see Andy, that is the
23 same day as the January 28th meeting?

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1 A. Immediately afterwards.
2 Q. And did you get to talk to him?
3 A. For a minute, yes.
4 Q. Tell me about your conversation
5 with Andy on January 28th.
6 A. I asked him if he knew that Carol
7 had called a meeting, I think I said "to attack
8 me." And he said, "No." And I said I don't
9 understand, you know, what is going on. And he
10 reassured me that I was okay, he was going to
11 take care of me, I was doing a good job doing
12 what I was doing.
13 Q. Anything else that you and Andy
14 talked about that day?
15 A. Not that I can remember.
16 Q. So then after you spoke with Andy,
17 you contacted Earl Franks?
18 A. Yes. I contacted a principal, and
19 she got Earl Franks on the phone for me.
20 Q. What principal?
21 A. Sonia Carrington.
22 Q. And what school is Sonia
23 Carrington at?

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1 A. She is retired from Rocky Ridge.
2 Q. Was she retired from Rocky Ridge
3 at that time?
4 A. No, but she is now.
5 Q. So at the time she was at Rocky
6 Ridge?
7 A. Uh-huh. Yes. I am sorry.
8 Q. Why did you contact Carrington
9 instead of just calling Earl Franks?
10 A. Because I knew she knew him. And
11 I was upset. And I needed some advice. That
12 was the first time that I felt like something
13 wasn't -- something wasn't right with what I
14 had been promised.
15 Q. And what advice did Ms. Carrington
16 give you that day?
17 A. She told me I needed to talk to
18 Earl Franks and get him to get me an attorney.
19 Q. Okay. So then after you talked
20 with Ms. Carrington, did you call or contact
21 Earl Franks?
22 A. She called him, and then sometime
23 later that evening, I talked to him personally.

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1 Q. Tell me about your conversation
2 with Earl Franks on January 28th.
3 A. I told him about the meeting I had
4 had -- I told him everything that had
5 transpired to that point. And that I had had
6 that meeting with Carol Barber, and I felt like
7 something just wasn't right with what I felt
8 like I had been promised. And he said that he
9 would meet with me, and we met in person a
10 couple of days later.
11 Q. Where did you meet?
12 A. We met at a hotel near the
13 Galleria. I don't remember the name of it.
14 Q. Just you and Mr. Franks?
15 A. No. His -- the Assistant
16 Executive Director, I can't remember his name,
17 it starts with a C, he was there also.
18 Q. Okay. Tell me about your
19 conversation at the hotel near the Galleria
20 with Mr. Franks and his Assistant Executive
21 Director.
22 A. I gave him a rundown of what had
23 happened to me, and he told me that he had had

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1 discussions with Andy before, and he said, "Let
2 me -- let me get in touch with Andy and I will
3 intervene for you."
4 So I just let him handle it.
5 Q. Do you know if he talked with
6 Andy?
7 A. Yes, he told me he did. He said
8 that Andy was very complimentary of the job I
9 had been doing and specifically talked about
10 the safety report I had done for him, and that
11 he pretty much said the same thing that Andy
12 had said, that he was going to restructure in
13 the spring, and that he wasn't ready to tell me
14 what my position would be.
15 But I was reassured that I was
16 going to be okay.
17 Q. About when was that conversation
18 with Mr. Franks where he was reporting to you
19 what he had talked to Andy about?
20 A. It probably would have been the
21 first or second week in February. It was right
22 after the meeting with Carol.
23 Q. So when is your next contact with

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1 Mr. Franks after this conversation the first or
2 second week of February?
3 A. After he had talked with
4 Mr. Craig, he contacted me. I don't know what
5 time period went by. He called Mr. Craig, had
6 a discussion -- no, I think he actually saw
7 Mr. Craig.
8 And then we touched base over the
9 next few weeks. And then the next time I
10 contacted him was the day that Dr. Dodson came
11 in and told me I was being demoted.
12 Q. So after the meeting with Dodson,
13 you sat and talked with Melody for a while,
14 correct?
15 A. Uh-huh. Yes.
16 Q. And then you contacted Earl that
17 same day?
18 A. Yes.
19 Q. And you think you sent him a text?
20 A. I believe so.
21 MS. YUENGERT: Kevin, we don't
22 have a copy of that. So if you could provide
23 that.

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1 Q. (BY MS. YUENGERT:) And so when
2 you contacted Mr. Franks after the meeting with
3 Mr. Dodson and Ms. Greene, you think you sent
4 him a text. Did you talk to him that day?
5 A. I believe I did.
6 Q. On the phone or in person?
7 A. On the phone. He told me he would
8 talk to Andy.
9 Q. And then what is your next contact
10 with Mr. Franks on this issue?
11 A. At some point, because I had a
12 deadline that I had to submit, that I either
13 had to report to Crossroads that the Board
14 would move on my -- moving me to Crossroads at
15 that meeting. I think April 10th, for some
16 reason, I keep --
17 Q. Okay.
18 A. And that may not be the date.
19 Q. Understood. There will be a
20 record that shows when the Board met, right?
21 A. And I said, "I don't know what to
22 do." I don't think Andy returned his phone
23 calls.

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1 Q. Mr. Franks?
2 A. Mr. Franks, Dr. Franks. I said,
3 "I can't accept a demotion. This will ruin --
4 this is ruining my career."
5 And at that point, Mark Boardman
6 was involved in it, the attorney. And I
7 said --
8 Q. How did Mr. Boardman get involved
9 in it?
10 A. Earl Franks assigned him to me as
11 an attorney.
12 Q. When did that happen?
13 A. That happened almost immediately,
14 when I called Earl Franks. I mean, the exact
15 order in which I called him, got the
16 attorney -- I don't remember the exact order,
17 but it happened fairly quickly.
18 Q. Over the course of a day or two
19 days or how long?
20 A. I would say over the course of two
21 days.
22 Q. You have produced a number of
23 documents, communications between you and

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1 Mr. Boardman in this case.
2 A. Yes.
3 Q. Are you waiving your attorney
4 client privilege with regard to Mr. Boardman
5 about his advice to you, or your discussions
6 with him about your retirement or what you were
7 going to do?
8 A. Why would I -- I don't understand
9 why I would need to.
10 MR. JENT: As to what she has
11 produced, she has waived. I mean, you can ask
12 about those documents and what is reflected
13 there.
14 MS. YUENGERT: Okay.
15 MR. JENT: She has not waived the
16 entire attorney-client communication.
17 MS. YUENGERT: Okay.
18 Q. (BY MS. YUENGERT:) Did you meet
19 with Mr. Boardman or just email with him or
20 talk with him on the phone?
21 A. I talked with him on the phone
22 mainly.
23 Q. When did you decide that you would

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1 retire?
2 A. When Earl Franks could not get --
3 and Mr. Franks can clarify this -- any
4 discussion with Mr. Craig, and I said, "Well,
5 what do I need to do, retire? Do I have to
6 retire to keep from being demoted?"
7 And I felt like that was my only
8 option.
9 Q. What did Mr. Franks tell you about
10 whether you needed to retire to avoid being
11 demoted?
12 A. He told me that at that time, that
13 might be my best option, because he could not
14 get any -- as I said, he could not get anything
15 from Mr. Craig.
16 At that point, I think Mr. Craig
17 was not talking with him.
18 Q. Do you know if Mr. Boardman had
19 talked with Mr. Craig?
20 A. Yes.
21 (Defendant's Exhibit 3 was marked
22 for identification.)
23 Q. (BY MS. YUENGERT:) I am handing

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1 you what has been marked Defendant's Exhibit 3
2 to your deposition. This is a series of emails
3 that your lawyer has produced to me in this
4 case. The top one appears to be one between
5 you and Mr. Boardman on April 3rd, 2013,
6 correct?
7 A. Yes.
8 Q. And the earliest one in the chain,
9 from what I can tell, if you will look at the
10 next to the last page, there is an original
11 message from Mark Boardman to Donald Sweeney,
12 dated March 29th, 2013, correct?
13 A. And that should help with the date
14 that I was told. Yes.
15 Q. Had you authorized Mr. Boardman to
16 make some kind of offer to the Board or to
17 Mr. Craig about under what terms you would
18 retire?
19 A. Yes.
20 Q. What were the terms of that offer?
21 A. I had just gotten a brand-new
22 three-year contract in July of 2012. And I
23 requested a buyout of my contract.

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1 Q. Such as pay out the three years --
2 A. Yes.
3 Q. -- or what was remaining on the
4 three years?
5 A. Yes.
6 Q. And so your offer was pay me
7 that -- would you continue to work at the
8 Central Office? Was that part of the offer?
9 A. No. That was part of my agreement
10 to submit my retirement.
11 Q. And so, in the original offer that
12 you authorized Mr. Boardman to make --
13 A. Uh-huh.
14 Q. -- was it essentially, "I will
15 submit my retirement, but you will pay me
16 through the end of the term of my contract"?
17 A. That is what I originally asked
18 for.
19 Q. Okay. And in Defendant's Exhibit
20 3, on the next to last page, there is an email
21 between Donald Sweeney and Mark Boardman that
22 Andy Craig is copied on. Do you see that? It
23 says, "Andy Craig would like to settle the

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1 matter with Litaker on the following terms and
2 conditions," do you see where I am?
3 A. Yes.
4 Q. Is that the response you got to
5 your original offer of buying out your contract
6 and you would retire?
7 A. My original -- the original
8 response was I would get nothing.
9 Q. Okay. And who was that original
10 response from?
11 A. Mr. Boardman told me that --
12 originally he told me that Mr. Craig was a
13 class member and he had to represent both of
14 us. And that it was far-fetched for me to
15 think that I could get any kind of buyout.
16 Q. Okay. So your original offer was
17 what you told Mr. Boardman you wanted?
18 A. Yes.
19 Q. And do you know if he made that
20 offer to Andy?
21 A. He told me he had a discussion
22 with Andy and --
23 Q. So Mr. Boardman told you that he

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1 had conveyed your offer?
2 A. Yes.
3 Q. Did he tell you what Mr. Craig
4 said in response to your offer?
5 A. I am assuming he just said no.
6 Q. You say you are assuming. Did
7 Mr. Boardman tell you that he said no?
8 A. He told me no, there would not be
9 a buyout.
10 Q. Anything else that Mr. Boardman
11 told you that Mr. Craig said in response to
12 your offer?
13 A. To the original offer?
14 Q. Yes.
15 A. Not that I can recall.
16 Q. And you said that Mr. Boardman
17 told you that it was far-fetched for you to
18 think that you could get your contract bought
19 out?
20 A. Yes.
21 Q. Okay. Did he tell you anything
22 else about that offer? Was that after he came
23 back to you after his conversation with

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1 Mr. Craig?
2 A. All right. When he came back to
3 me, it upset me. And I said, "No, other
4 people's contracts have been bought out. And I
5 feel like, because I am being -- I feel like I
6 am being forced to retire." And I also had a
7 discussion with him about buyout and future
8 litigation that I might want to pursue.
9 Q. So then what is the next thing
10 that happened in regard to your negotiation
11 with the Board about your retirement or your
12 exit?
13 A. I contacted Earl Franks again, and
14 I didn't know Mr. Boardman. And I had found
15 out that he had represented the City Council.
16 And I felt like that may have been a conflict
17 of interest and he assured me it wasn't. And
18 Mr. Boardman went back to Mr. Craig and I got a
19 partial buyout of my contract.
20 Q. And that was the pay through the
21 end of 2013?
22 A. Right, yes. Sorry.
23 Q. And in Defendant's Exhibit 3, on

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1 that third page where the email from
2 Mr. Sweeney to Mr. Boardman said "Litaker will
3 submit now her resignation effective December
4 31, 2013. And Litaker will work from her home
5 to do assignments at the discretion of the
6 superintendent," that was what Mr. Sweeney was
7 saying that Mr. Craig would like to settle the
8 matter with you, those terms, correct?
9 A. Yes.
10 Q. Were those the terms you
11 ultimately agreed on?
12 A. That I would submit my resignation
13 so I would not be demoted, yes.
14 Q. Did you ever talk with Mr. Craig
15 about the demotion?
16 A. He wouldn't see me.
17 Q. Is that a "no," you never talked
18 with him?
19 A. No.
20 Q. And I'm sorry. I want to make
21 sure. You never talked with him, correct?
22 A. Yes.
23 Q. Did Mr. Franks or Mr. Boardman

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1 ever tell you that they had spoken with Andy
2 about the demotion?
3 A. Mr. Franks did the negotiating for
4 me. And whether Mr. Craig actually discussed
5 it with him, I can't remember.
6 Q. What I am trying to find out is
7 did Mr. Franks ever tell you that he talked to
8 Andy about your assignment to Crossroads?
9 A. No, not to my knowledge.
10 Q. Okay. Did Mr. Boardman ever tell
11 you that he talked to Andy about your
12 assignment to Crossroads?
13 A. No, not to my knowledge.
14 Q. Did you ever have any more
15 conversations with Mr. Dodson about it?
16 A. No.
17 Q. How about Ms. Greene?
18 A. No.
19 Q. Did you ever talk to Mary Veal
20 about it?
21 A. About --
22 Q. The assignment to Crossroads.
23 A. Yes.

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1 Q. When did you talk to Mary Veal
2 about it?
3 A. It was during the time period that
4 Dr. Dodson had come in and talked to me. I
5 just felt like things weren't as they should
6 be, and I requested to see my personnel file
7 with Mary.
8 And I discussed -- I discussed
9 some of it with her. I don't recall exactly
10 because I was upset.
11 Q. When you said you requested to see
12 your personnel file, is this while you were
13 still at the Central Office?
14 A. Yes.
15 Q. Okay. Is it before you submitted
16 your letter of resignation?
17 A. Yes. I believe so, yes.
18 Q. From when you spoke with Mr. Veal,
19 did you talk with her about being assigned to
20 the Crossroads job?
21 A. I am sure I did, but I don't
22 remember my exact conversation with her.
23 Q. Do you remember anything about

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1 what she said in response to anything about
2 Crossroads?
3 A. No.
4 (Defendant's Exhibit 4 was marked
5 for identification.)
6 Q. (BY MS. YUENGERT:) I am handing
7 you what has been marked Defendant's Exhibit 4
8 to your deposition. Is this the resignation
9 letter that you submitted?
10 A. Yes.
11 Q. And is that your signature on
12 Exhibit 4?
13 A. Yes.
14 Q. How did you deliver this?
15 A. I gave it to Mary Veal, or it
16 looks like it may have been an email. But I
17 gave her a copy of it. I don't remember doing
18 that.
19 Q. And in Exhibit 4, it says, "I will
20 retire from the Hoover City School System
21 effective the last day of December 2013." But
22 you didn't report to work through December
23 31st, 2013, correct?

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1 A. Yes.
2 Q. And was your last day reporting to
3 work at Hoover April 4th, 2013?
4 A. The day I turned this in, it -- as
5 far as I can remember, yes. I don't know if I
6 came the next day. I don't know what day of
7 the week this is.
8 I finished up what I was working
9 on before I left.
10 Q. And you got paid through December
11 31st, 2013?
12 A. Yes.
13 Q. Did you get a raise between April
14 4th and December 31st, 2013?
15 A. Yes.
16 Q. Pursuant to the contract?
17 A. And the raise that was given that
18 year.
19 Q. Okay. So your salary was treated
20 like you were still coming to work?
21 A. Yes.
22 Q. Okay. When we started this
23 conversation after lunch, I had asked you about

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1 the male employees that you felt were treated
2 better than you. And we talked about
3 Mr. Lawry.
4 A. Yes.
5 Q. And we started talking about the
6 Crossroads job and your retirement, because you
7 told me that you didn't apply or you couldn't
8 apply for Mr. Lawry's job because you were told
9 that the only option you had was to go to
10 Crossroads.
11 A. Yes.
12 Q. The next name was David Fancher.
13 Tell me how Mr. Fancher was treated, what you
14 think indicates you were discriminated against
15 on the basis of your sex.
16 A. My understanding is that
17 Mr. Fancher has been on corrective action
18 plans. He has had opportunities to correct
19 problems and issues in the school where he is
20 the principal.
21 Q. You say it is to your
22 understanding. What do you base that
23 understanding upon?

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1 A. I worked in Hoover for, like I
2 said, over twenty years. Common knowledge, was
3 in meetings with the principals. There were
4 several times that he discussed problems
5 without giving specifics that he was having.
6 And --
7 Q. Did he ever tell you he was on a
8 corrective action plan?
9 A. Personally, no.
10 Q. Did anybody ever tell you that he
11 had told them that he was on a corrective
12 action plan?
13 A. That he had told them?
14 Q. Yes.
15 A. That, I can't say for sure.
16 Q. Did you just assume he was on some
17 kind of corrective action plan?
18 A. No.
19 Q. Okay. So you say it is common
20 knowledge --
21 A. Yes.
22 Q. -- that he was on a corrective
23 action plan or that he was having problems at

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1 Bluff Park?
2 A. Both.
3 Q. So you say it is common knowledge
4 that he was on a corrective action plan, but he
5 never told you that and nobody else ever told
6 you that. So why is it that you believe he was
7 on a corrective action plan?
8 A. But I heard -- I'm sorry. That is
9 not what I said or meant to say.
10 I overheard him talking in a
11 principals' meeting in the spring of I think it
12 was -- it was -- I remember we were at Rocky
13 Ridge. I think it was 2012. He was very upset
14 because he was having to report to Central
15 Office.
16 And at that principals' meeting, I
17 mean, it was just real apparent he was upset.
18 And then I was told by Dr. Camp, Deborah Camp,
19 that he had been -- he had had many performance
20 problems.
21 Q. Did she tell you what those
22 performance problems were?
23 A. One in particular was a problem

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1 with a female employee.
2 Q. Do you know who that female
3 employee was? Did Dr. Camp tell you that?
4 A. She told me her name and right now
5 I can't think of her name even. And this
6 female employee had come to Dr. Camp and
7 expressed to her the situation that had
8 happened. And that is how I know about it.
9 Q. Did Dr. Camp tell you what the
10 situation that the female employee was
11 complaining about was?
12 A. It related to sexual harassment.
13 Q. Other than that it related to
14 sexual harassment, did Dr. Camp give you any
15 details about it?
16 A. I didn't ask. No. Sorry.
17 Q. Other than Dr. Camp telling you
18 that a female employee had come to her about a
19 sexual harassment issue regarding Mr. Fancher,
20 what other performance problems, if any, did
21 Dr. Camp tell you about regarding Mr. Fancher?
22 A. Just related to him leaving work,
23 not staying at school during the day, that type

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1 of thing.
2 Q. Did Dr. Camp tell you that
3 Mr. Fancher was on a corrective action plan?
4 A. Yes.
5 Q. Okay. Do you know anything else
6 about Mr. Fancher's performance problems or
7 corrective action plan, other than what you
8 have already told me?
9 A. I didn't ask. No.
10 Q. Okay.
11 MR. JENT: You have got to listen
12 to her question and answer her question.
13 Q. (BY MS. YUENGERT:) It will be
14 shorter if you will just answer my question,
15 Ms. Litaker.
16 A. I'm sorry. I am getting tired.
17 Q. So you are saying that Mr. Fancher
18 was given an opportunity to correct problems,
19 and you were not?
20 A. Yes.
21 Q. Do you believe that Mr. Fancher's
22 situation was disciplinary?
23 A. It was performance-based. So

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1 whether it was disciplinary or actual school
2 function, I don't know how to answer that.
3 Q. Okay. Another name you gave me is
4 Brian Cain.
5 A. Yes.
6 Q. Who is Mr. Cain?
7 A. He is the principal at Simmons
8 Middle School.
9 Q. How was Mr. Cain treated that
10 makes you think that you were discriminated
11 against based on your sex?
12 A. He was on a corrective action
13 plan, details I don't know. But he was given
14 an opportunity to improve his performance in
15 the school and address whatever issues there
16 might have been.
17 Q. Do you know who put him on a
18 corrective action plan?
19 A. No.
20 Q. And you don't know any of the
21 details about what performance issues he needed
22 to address, correct?
23 A. I didn't ask, yes.

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1 Q. Did you ever talk to Mr. Cain
2 about his corrective action plan?
3 A. Not specifically about his plan,
4 no.
5 Q. Did you talk nonspecifically with
6 him about his plan?
7 A. Not about his plan, no.
8 Q. So are you telling me that you
9 have talked with Mr. Cain?
10 A. I talked with Mr. Cain just once
11 when I was in his school with the -- when I was
12 working on school safety stuff.
13 Q. What did you talk to him about,
14 other than school safety stuff?
15 A. He just said some real encouraging
16 things to me, to keep my head up. They
17 supported me. That type of thing. That he had
18 been in my shoes.
19 And I didn't inquire.
20 Q. Did you ever talk to Mr. Fancher
21 about his performance issues or corrective
22 action plan?
23 A. No.

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1 Q. And when you said you had
2 overheard him talking at a principals' meeting,
3 who was he talking to?
4 A. He was talking to -- he was
5 sitting with Maurine Black, and we were all
6 sitting there eating lunch, and they were
7 talking openly at lunch. And I was just
8 sitting there.
9 Q. The next thing you had given me or
10 another name that you had given me is Rush
11 Propst.
12 A. Yes.
13 Q. Who is Mr. Propst?
14 A. He is a former football coach at
15 Hoover High School.
16 Q. And how was Mr. Propst treated
17 that makes you think that you were
18 discriminated against based on your sex?
19 A. Mr. Propst had a very public
20 dismissal from Hoover High School. And he was
21 given a position as some type of athletic
22 director -- I may not have the exact title
23 correct -- until -- I believe until the end of

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1 the school year before he moved on to something
2 else. And there may be other details of it
3 that I am not aware of.
4 Q. And you don't know what title
5 Mr. Propst was given?
6 A. I read in the paper. I believe it
7 was some type of athletic director position.
8 Q. Okay. But you have never seen
9 anything from Hoover System that told you what
10 his title was?
11 A. No.
12 Q. Okay. Is that correct, yes?
13 A. Yes.
14 Q. Okay. Do you know if Mr. Propst
15 had any kind of settlement agreement with the
16 Board regarding potential or pending
17 litigation?
18 A. I don't know.
19 Q. Do you know how long Mr. Propst
20 was paid?
21 A. No.
22 Q. Okay. Another name you gave me is
23 David Shores. Who is Mr. Shores?

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1 A. He was a head football coach at
2 Spain Park High School.
3 Q. How was Mr. Shores treated that
4 makes you think you were discriminated against
5 based on your sex?
6 A. There were allegations against
7 him, and he was removed from his position and
8 given a position with Mr. Craig as some type of
9 athletic director or special assistant or
10 something.
11 Q. Do you know any other details,
12 other than what you have already told me?
13 A. Only what I read in the paper.
14 Q. Do you know if Mr. Shores had any
15 kind of settlement agreement with the Board
16 regarding threatened or pending litigation?
17 A. All I know -- no.
18 Q. And do you know how long the Board
19 paid Mr. Shores?
20 A. Until he found another position,
21 I'm assuming.
22 Q. Do you know that for a fact, or
23 are you just assuming it?

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1 A. From what I read on Mr. Shores off
2 the internet, until he found another position.
3 Q. Okay.
4 A. Can I take a time?
5 MS. YUENGERT: Sure.
6 (Whereupon, a break was had from
7 2:45 p.m. until 2:59 p.m.)
8 MS. YUENGERT: Okay. Are we
9 ready?
10 MR. JENT: Yes.
11 A. Yes.
12 (Off-the-record discussion.)
13 Q. (BY MS. YUENGERT:) Ms. Litaker,
14 other than the males that we talked about
15 before the break, are there any other male
16 principals or employees that you thought were
17 treated better or were treated in such a way
18 that makes you think that the way you were
19 treated was sex discrimination?
20 A. We didn't talk about Chris Shaw.
21 Q. Who is Mr. Shaw?
22 A. He was the principal at Spain Park
23 High School.

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1 Q. Tell me about what happened with
2 Mr. Shaw.
3 A. There were some issues.
4 Q. Do you know what they were?
5 A. I am getting tired and I can't
6 remember everything right now. But there were
7 some things in the paper, things that people
8 talked about in the district. And he was
9 removed from his position, and Mr. Craig made
10 him the director of something, like Mr. McBay,
11 who had been director of, I think it was
12 operations or those types of services.
13 Q. Do you know if Mr. Shaw was
14 involuntarily removed from Spain Park?
15 A. I believe so.
16 Q. And why do you believe that?
17 A. First of all, he left in the
18 middle of a year, and because of information
19 that was in the paper, there was a decision to
20 move him. And he was given the position,
21 something of the effect what I told you. And
22 he spent his time coming around to schools.
23 And he actually did come to Trace Crossings.

<p style="text-align: right;">Page 161</p> <p>1 And he and I had a conversation.</p> <p>2 Q. Tell me about your conversation</p> <p>3 with Mr. Shaw.</p> <p>4 A. He -- you have to understand the</p> <p>5 kind of person I am. I am not intrusive into</p> <p>6 people's business. But he told me something to</p> <p>7 the effect that he was just going around asking</p> <p>8 principals questions. He didn't really know</p> <p>9 what it was he was doing. It had something to</p> <p>10 do with maintenance that we needed in the</p> <p>11 building.</p> <p>12 Q. Do you know if the job that he</p> <p>13 went to after he left Spain Park was posted?</p> <p>14 A. I have no idea.</p> <p>15 Q. Okay.</p> <p>16 A. It would have to be, by law.</p> <p>17 Q. Any other male principals or</p> <p>18 employees that you thought were treated better</p> <p>19 than you were?</p> <p>20 A. None that I can think of right</p> <p>21 now.</p> <p>22 Q. Were there any female principals</p> <p>23 who were treated better than you were?</p>	<p style="text-align: right;">Page 163</p> <p>1 did. And I can't remember who else did. They</p> <p>2 said they saw Mr. Cain regularly meeting with</p> <p>3 Ms. Barber, I think Ms. Barber, at Central</p> <p>4 Office.</p> <p>5 Q. And did Dr. Camp tell you that</p> <p>6 Mr. Cain was on a corrective action plan or</p> <p>7 that she had seen him meeting --</p> <p>8 A. Both.</p> <p>9 Q. Okay. And the other person who</p> <p>10 told you something about it that you can't</p> <p>11 remember who, did they tell you that Mr. Cain</p> <p>12 was on a corrective action plan?</p> <p>13 A. I believe so, yes.</p> <p>14 Q. Okay. Was the person that you</p> <p>15 can't remember who, do you recall if it was</p> <p>16 somebody from the Central Office?</p> <p>17 A. I don't know because it was before</p> <p>18 all of this happened. And I -- as I said, I</p> <p>19 don't typically try to listen in those type of</p> <p>20 things, I don't --</p> <p>21 Q. Ms. Litaker, one of your claims in</p> <p>22 this lawsuit is for breach of contract.</p> <p>23 A. Uh-huh.</p>
<p style="text-align: right;">Page 162</p> <p>1 A. Treated better than me? I don't</p> <p>2 know.</p> <p>3 Q. Okay. Were there other female</p> <p>4 principals that you think were mistreated</p> <p>5 because of their sex?</p> <p>6 A. That, I don't know.</p> <p>7 Q. When you were telling me about</p> <p>8 Mr. Cain being on a corrective action plan, who</p> <p>9 told you that Mr. Cain was on a corrective</p> <p>10 action plan?</p> <p>11 A. It was, as I said, within -- when</p> <p>12 you work in a school district as small as</p> <p>13 Hoover, you hear things; people talk. It was</p> <p>14 common knowledge that he was having some</p> <p>15 difficulties, and I asked -- I am trying to</p> <p>16 remember who I asked. I asked somebody other</p> <p>17 than Deborah Camp, but I can't remember who.</p> <p>18 But I also asked her.</p> <p>19 Q. You also asked Ms. Camp, Dr. Camp?</p> <p>20 A. Dr. Camp, yes.</p> <p>21 Q. Did Dr. Camp tell you that</p> <p>22 Mr. Cain was on a corrective action plan?</p> <p>23 A. She was one of the people that</p>	<p style="text-align: right;">Page 164</p> <p>1 Q. Correct?</p> <p>2 A. Yes.</p> <p>3 Q. And I have looked through the</p> <p>4 various records, and I find two different</p> <p>5 principal employment contracts; is that</p> <p>6 correct?</p> <p>7 A. For me?</p> <p>8 Q. Yes.</p> <p>9 A. The first one I had was my first</p> <p>10 two-year --</p> <p>11 Q. As a probationary contract?</p> <p>12 A. Probationary. And at the end of</p> <p>13 two years, I was awarded a three-year contract.</p> <p>14 (Defendant's Exhibit 5 was marked</p> <p>15 for identification.)</p> <p>16 Q. (BY MS. YUENGERT:) And I am</p> <p>17 handing you what has been marked Defendant's</p> <p>18 Exhibit 5 to your deposition. Is that the</p> <p>19 principal employment contract when you are a</p> <p>20 probationary contract principal?</p> <p>21 A. This looks like the one that I</p> <p>22 signed, yes.</p> <p>23 Q. Is that your signature on the last</p>

<p style="text-align: right;">Page 165</p> <p>1 page?</p> <p>2 A. Yes, it is.</p> <p>3 Q. And in your claims in this</p> <p>4 lawsuit, do you claim that the Board or</p> <p>5 Mr. Craig breached that contract that is</p> <p>6 Defendant's Exhibit 5?</p> <p>7 A. This contract was no longer -- no.</p> <p>8 Q. Okay. So you are not claiming</p> <p>9 that Defendant's Exhibit 5, that that contract</p> <p>10 was breached in any way, correct?</p> <p>11 A. No.</p> <p>12 MR. JENT: Yes.</p> <p>13 Q. (BY MS. YUENGERT:) Yes, correct?</p> <p>14 A. Yes, you are correct. I'm sorry.</p> <p>15 I am getting tired.</p> <p>16 Q. That is all right. And under the</p> <p>17 terms of that contract that is Defendant's</p> <p>18 Exhibit 5, you were evaluated annually; is that</p> <p>19 correct?</p> <p>20 A. Yes.</p> <p>21 Q. And who did your evaluations?</p> <p>22 A. Carol Barber.</p> <p>23 Q. And that is in her role as the</p>	<p style="text-align: right;">Page 167</p> <p>1 any specific time walking through -- yeah, I</p> <p>2 do. We did walk through the school some.</p> <p>3 Q. Do you know if Ms. Barber met with</p> <p>4 the teachers during that first year, or did she</p> <p>5 just come by and talk with you?</p> <p>6 A. I don't know.</p> <p>7 Q. This evaluation that is</p> <p>8 Defendant's Exhibit 6, did you think that it</p> <p>9 was a fair evaluation?</p> <p>10 A. Yes.</p> <p>11 Q. In your first year, did you think</p> <p>12 that Ms. Barber was supportive of you as a new</p> <p>13 principal at Trace Crossings?</p> <p>14 A. Yes.</p> <p>15 Q. Let me back up. Did Ms. Barber</p> <p>16 meet with you to administer this evaluation, or</p> <p>17 did she just send it to you? Was it done</p> <p>18 online?</p> <p>19 A. No, we met.</p> <p>20 Q. Okay. Did you meet at her office</p> <p>21 or at your office?</p> <p>22 A. From what I recall, it was at</p> <p>23 Trace Crossings, in my office.</p>
<p style="text-align: right;">Page 166</p> <p>1 Assistant Superintendent?</p> <p>2 A. Yes.</p> <p>3 (Defendant's Exhibit 6 was marked</p> <p>4 for identification.)</p> <p>5 Q. (BY MS. YUENGERT:) I am handing</p> <p>6 you what has been marked Defendant's Exhibit 6</p> <p>7 to your deposition. Is that the first</p> <p>8 evaluation you had as a probationary principal?</p> <p>9 A. Yes.</p> <p>10 Q. In your first year at Trace</p> <p>11 Crossings, how often did you meet with</p> <p>12 Ms. Barber?</p> <p>13 A. You know, it is hard to say. She</p> <p>14 checked in with me fairly often because of the</p> <p>15 issues that existed in the school.</p> <p>16 Q. And those were the issues that you</p> <p>17 were implementing changes to fix.</p> <p>18 A. That I found that I had to fix.</p> <p>19 Q. When you said she would check in</p> <p>20 with you fairly often, would she come by the</p> <p>21 school? Would she visit classrooms?</p> <p>22 A. She would come by the school, she</p> <p>23 would call me, email me. And I can't remember</p>	<p style="text-align: right;">Page 168</p> <p>1 (Defendant's Exhibit 7 was marked</p> <p>2 for identification.)</p> <p>3 Q. (BY MS. YUENGERT:) I am handing</p> <p>4 you what has been marked Defendant's Exhibit 7</p> <p>5 to your deposition. Is this your second</p> <p>6 evaluation as a probationary contract</p> <p>7 principal?</p> <p>8 A. Yes.</p> <p>9 Q. And did Ms. Barber meet with you</p> <p>10 to administer this evaluation?</p> <p>11 A. Yes.</p> <p>12 Q. Do you recall if you met at her</p> <p>13 office or at your office?</p> <p>14 A. I think we met at my office. I</p> <p>15 didn't like to leave school, so she would</p> <p>16 typically come to me.</p> <p>17 Q. And the date on Defendant's</p> <p>18 Exhibit 7 is February 8th, 2012. Is that about</p> <p>19 when you met; do you recall?</p> <p>20 A. That would be with PEPE. That</p> <p>21 would probably be the date that we signed off.</p> <p>22 It is an ongoing assessment during the year.</p> <p>23 So I am assuming that is the date we signed</p>

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1 off.
2 Q. And when you say "with PEPE," is
3 that all caps P-E-P-E?
4 A. Yeah.
5 Q. And that is the system for the
6 evaluations?
7 A. Yes. It was, yes.
8 Q. Okay. And when you say it was,
9 did it change the next year to a different
10 system?
11 A. It changed to Lead Alabama.
12 Q. And so after Defendant's Exhibit
13 7, the next year would have been a different
14 type of evaluation or a different form?
15 A. Yes.
16 Q. Okay. Under Lead Alabama?
17 A. Right.
18 Q. In your second year at Trace
19 Crossings, did Ms. Barber spend about the same
20 amount of time at Trace or more or less?
21 A. Probably less, I think.
22 Q. Did you think that in your second
23 year at Trace that Ms. Barber was supportive of

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1 you as the principal at Trace?
2 A. Yes.
3 (Defendant's Exhibit 8 was marked
4 for identification.)
5 Q. (BY MS. YUENGERT:) I am handing
6 you what has been marked Defendant's Exhibit 8
7 to your deposition. Is this the three-year
8 contract that you referenced earlier?
9 A. Yes.
10 Q. And is that your signature on the
11 last page of Defendant's Exhibit 8?
12 A. Yes.
13 Q. And so the term for this contract,
14 according to Section 1, was through June 30th,
15 2015, correct?
16 A. Yes.
17 Q. In your Complaint, you say, in
18 Paragraph 13 on Page 4, "In violation of her
19 contract, plaintiff was not evaluated for the
20 2012-2013 year."
21 Do you see where I am in the
22 Complaint?
23 A. Yes, on 13. Yeah.

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1 Q. Who should have done your
2 evaluation in the 2012-2013 year?
3 A. I asked Dr. Dodson who was going
4 to do my evaluation. And he said, "I guess it
5 will be me."
6 Q. Had the evaluation process already
7 begun with you in the fall under Lead Alabama?
8 A. Yes.
9 Q. And what was the first step of
10 that?
11 A. The first step to -- remember, I
12 haven't worked with this in multiple years now.
13 Q. Understood.
14 A. But you set goals that you wanted
15 to work on during the year, and you -- and I
16 set those goals -- I signed -- Carol Barber
17 signed off on it; I signed off on it. And then
18 you began the process of the professional
19 learning to achieve those goals.
20 Q. Okay. And you said you asked
21 Mr. Dodson about who would do the review, and
22 he said that he assumed he would or guessed he
23 would?

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1 A. Yes, because there was -- with
2 Ms. Barber no longer being at Central Office,
3 all the principals were kind of in limbo about
4 who was going to do their evaluations.
5 Q. When did you talk to Mr. Dodson
6 about that?
7 A. I can't even guess. Sometime
8 while I was at Central Office. I was diligent
9 about making sure I did the stuff on it.
10 Q. Under the Lead Alabama, when was
11 the next step in the evaluation due, if you
12 remember?
13 A. I don't remember. I had completed
14 all of my goals and I believe I had signed off
15 on it. That --
16 Q. So the next step would have been
17 what in the evaluation process?
18 A. I'm sorry. To sit down and talk
19 to whoever was going to evaluate me. And with
20 Educate Alabama for Teachers and Lead Alabama,
21 you do an electronic signature after the
22 discussion.
23 Q. In Paragraph 14 of your Complaint,

<p style="text-align: right;">Page 173</p> <p>1 it says, "Plaintiff was removed without any 2 reason from the principal position at Trace 3 Crossings Elementary School on November 16, 4 2012 and placed at the Central/Administrative 5 Office for months without being given a 6 permanent job assignment. This move was done 7 without the required Board approval, therefore, 8 invalid." 9 Do you see where I am? 10 A. Yes. 11 Q. When Andy and Carol talked to you 12 about moving you to the Central Office on 13 November 15th, 2012, did you ask for a hearing? 14 A. I didn't think I needed to. No. 15 Q. Did you object to the move? 16 A. Not at the time, no. 17 Q. And after your move to the Central 18 Office, your salary didn't change, correct? 19 A. Correct. 20 Q. Did you have any conversation 21 either on November 15th, 2012 or thereafter 22 with Andy about your contract? 23 A. Specifically my contract?</p>	<p style="text-align: right;">Page 175</p> <p>1 agreement, based on my evaluations and my 2 performance. 3 Q. And what in your agreement are you 4 interpreting that says that you should have 5 automatically been moved to another principal's 6 position? 7 MR. JENT: You can look through 8 all that. 9 Q. (BY MS. YUENGERT:) You can look 10 through the contract. I am just trying to find 11 out -- 12 A. Yeah, because I had very good 13 evaluations, very good feedback. I had no 14 performance problems. I had been promised that 15 I would move -- be moved into a principal's 16 position. 17 Q. And I understand all that. What I 18 am asking you, is there anything in your 19 employment contract that is marked Defendant's 20 Exhibit 8 -- right? 21 MR. JENT: Yes. 22 Q. (BY MS. YUENGERT:) -- that says 23 that you automatically would be moved to</p>
<p style="text-align: right;">Page 174</p> <p>1 Q. Yes. 2 A. Not that I recall, no. 3 Q. And your contract ended when you 4 retired; is that true? 5 A. That is my assumption, yes. 6 Q. Okay. In Paragraph 18 of your 7 Complaint, and I am looking at the last 8 sentence in Paragraph 18 on the top of Page 5, 9 it says, "Under her contract, the plaintiff 10 should have automatically been moved to another 11 principal's position and could only be moved 12 upon approval by vote of the Board." 13 Where in your contract does it say 14 that you should have automatically been moved 15 to another principal's position? 16 A. I should have been moved to a 17 position only after Board approval that is 18 specified in the contract. 19 Q. Is there anything in your contract 20 that you understand to say that you should have 21 automatically been moved to another principal 22 position? 23 A. My interpretation of the</p>	<p style="text-align: right;">Page 176</p> <p>1 another principal's position? 2 A. Other than I fulfilled what was 3 asked of me within the contract. The contract 4 itself has an agreement -- 5 MR. JENT: She is asking for a 6 specific provision that governs transfers. 7 A. I'm tired. I'm sorry. Section 5, 8 where it says, "The Board, upon the written 9 recommendation of the superintendent, is 10 authorized to transfer the contract for 11 principal without loss of salary to any other 12 administrative position in the school system." 13 Q. (BY MS. YUENGERT:) Okay. In 14 Paragraph 19 of your Complaint, the first 15 sentence says, "Superintendent Craig 16 continually assured the plaintiff that he would 17 take care of her and find her a position that 18 met her qualifications and track record." 19 Did he say that, that he would 20 find you a position that met your 21 qualifications and track record? 22 A. He said he would find -- he 23 would -- when he reorganized the district, that</p>

<p style="text-align: right;">Page 177</p> <p>1 I would either be a principal, and I told him 2 that I would consider accepting a director's 3 position. 4 Q. I am confused by your answer, 5 because what you said was, he said that when he 6 reorganized the district, you would be either a 7 principal. 8 A. Uh-huh. 9 Q. And then you said you told him 10 that you would accept a director position. 11 A. I'm sorry. I am getting -- 12 Q. So that is not an either from what 13 I can see. So if you could explain that, that 14 would help. 15 MR. JENT: What did he tell you, 16 what came out of his mouth? 17 A. Originally he told me that I would 18 be in a principal's position. 19 Q. (BY MS. YUENGERT:) Okay. 20 A. I'm sorry. 21 Q. At some point, did he ask you if 22 you would accept anything other than a 23 principal position?</p>	<p style="text-align: right;">Page 179</p> <p>1 School. 2 Q. And in Paragraph 21, it says that 3 Dr. Wheaton had been moved out of her school? 4 A. Yes. 5 Q. Where was she moved to? 6 A. Greystone Elementary. 7 Q. What, if anything, do you know 8 about the circumstances surrounding her to 9 Greystone Elementary? 10 A. My understanding is, that -- and I 11 don't know who told her, but she was just told 12 that she was being moved to Greystone 13 Elementary. 14 Q. And what do you base that 15 understanding on? 16 A. A discussion with her on the 17 phone. She called me up. 18 Q. When did Dr. Wheaton -- 19 A. No, wait a minute. Dr. Wheaton 20 called me up when I was first moved away from 21 Trace. 22 Q. Okay. And what did you and 23 Dr. Wheaton talk about then?</p>
<p style="text-align: right;">Page 178</p> <p>1 A. Yes. 2 Q. And what did you say? 3 A. I said I would accept a director's 4 position. 5 Q. And what did he say to that? 6 A. He indicated that -- he 7 acknowledged that I told him that. 8 Q. When you say "he acknowledged 9 that" -- 10 A. He -- 11 Q. Nodded? 12 A. Nodded -- he nodded, yes. 13 Q. Okay. In Paragraph 21 of your 14 Complaint, it says, "Furthermore, by the end of 15 the year, 2012-2013, the plaintiff, along with 16 the other female principal whose school had not 17 made AYP, had been moved out of her school. 18 The male principal (Mr. Scott Mitchell), whose 19 school did not make AYP, was left unscathed and 20 given a new three-year contract." 21 Who was the other female principal 22 whose school had not made AYP? 23 A. Dr. Kathy Wheaton at Berry Middle</p>	<p style="text-align: right;">Page 180</p> <p>1 A. She was just like other people, 2 very supportive of me. Told me if I needed 3 somebody to talk to, I could call her up, that 4 type of thing. 5 Q. Did you ever call her just to talk 6 or get support? 7 A. No, not that I remember, no. 8 Q. So then that was right after you 9 left Trace, correct? 10 A. Correct, yes. 11 Q. So what do you base your testimony 12 on that you told me that Dr. Wheaton was told 13 she would be moved to Greystone? 14 A. That was my understanding from -- 15 and I don't remember who told me that. They 16 said that she was very upset about it. 17 Q. Dr. Wheaton was? 18 A. Dr. Wheaton was. I did not talk 19 to her directly about it. 20 Q. And you don't remember who told 21 you that Dr. Wheaton was upset about the move? 22 A. No, I don't. 23 Q. Did you ever talk to Dr. Camp</p>

<p style="text-align: right;">Page 181</p> <p>1 about it?</p> <p>2 A. I really don't think I had that</p> <p>3 discussion with her.</p> <p>4 Q. Did whoever told you about</p> <p>5 Dr. Wheaton being upset about moving to</p> <p>6 Greystone, did they tell you that Dr. Wheaton</p> <p>7 had been told she was going to be moved because</p> <p>8 of her school not making AYP?</p> <p>9 A. I don't know.</p> <p>10 Q. In Paragraph 27 of your Complaint,</p> <p>11 it says, "Defendants did violate plaintiff's</p> <p>12 due process rights under the 14th Amendment by</p> <p>13 removing her from her position as principal at</p> <p>14 Trace Crossings Elementary School without</p> <p>15 notice or hearing and without vote of the</p> <p>16 Hoover Board of Education."</p> <p>17 What notice and hearing do you</p> <p>18 believe you were entitled to before you could</p> <p>19 be moved?</p> <p>20 A. I was given no indication that</p> <p>21 there was anything wrong with my performance,</p> <p>22 the way I was running the school.</p> <p>23 I had been given no sit-down</p>	<p style="text-align: right;">Page 183</p> <p>1 A. No.</p> <p>2 Q. I mean, are you getting to a point</p> <p>3 where you can't continue?</p> <p>4 A. No. But I am -- I am just getting</p> <p>5 a little tired, so I am not being clear. By</p> <p>6 the time that I was told that I was going to be</p> <p>7 moved to Crossroads as the assistant</p> <p>8 principal -- I didn't apply for the position; I</p> <p>9 was just told I was being moved, that was the</p> <p>10 point when I felt like I had not been given any</p> <p>11 notice that there was anything wrong with my</p> <p>12 performance or anything that I had done at</p> <p>13 Trace Crossings or while I was at Central</p> <p>14 Office.</p> <p>15 Q. And did Dodson or Greene tell you</p> <p>16 that the reason that you were going to go to</p> <p>17 Crossroads as the assistant principal was</p> <p>18 because of your performance?</p> <p>19 A. No.</p> <p>20 Q. They didn't give you any reason at</p> <p>21 all, they just told you that was what was going</p> <p>22 to happen?</p> <p>23 A. Correct.</p>
<p style="text-align: right;">Page 182</p> <p>1 corrective action, this is what you need to do,</p> <p>2 this is what you are not doing, that type of</p> <p>3 thing. And the School Board never moved on my</p> <p>4 transfer out of the school.</p> <p>5 Q. So you believe that you were</p> <p>6 entitled to a corrective action or some sort of</p> <p>7 notice about your deficiencies before Mr. Craig</p> <p>8 could move you from Trace Crossings, correct?</p> <p>9 A. When I was not -- when I realized,</p> <p>10 after I was moved, that the reason for moving</p> <p>11 me was not as they told me it was, after I came</p> <p>12 back in January -- at that point.</p> <p>13 Q. And when you said that you</p> <p>14 realized that the reason for moving you was not</p> <p>15 as what you were told, and you have told me</p> <p>16 what they told you on November 15th, correct?</p> <p>17 A. Yes.</p> <p>18 Q. So what did you learn in January</p> <p>19 was -- I don't know how to put this any other</p> <p>20 way -- the real reason that you got moved?</p> <p>21 A. And I'm sorry. I am getting</p> <p>22 tired, so I am not --</p> <p>23 Q. Do we need to stop?</p>	<p style="text-align: right;">Page 184</p> <p>1 Q. At any point, did anybody give you</p> <p>2 a reason that you were moved out of Trace</p> <p>3 Crossings, other than what Craig and Barbara</p> <p>4 had told you on November 15th?</p> <p>5 A. No.</p> <p>6 Q. When you were moved from Trace</p> <p>7 Crossings in November of 2012, did you contact</p> <p>8 Mary Veal or any board members to complain</p> <p>9 about that decision?</p> <p>10 A. No, I didn't think I needed to.</p> <p>11 Q. Did you contact any board members</p> <p>12 about your being told that you were going to be</p> <p>13 moved to Crossroads?</p> <p>14 A. No.</p> <p>15 Q. In Paragraph 39 of your Complaint,</p> <p>16 it says, "There were available principal</p> <p>17 positions in which the plaintiff could have</p> <p>18 been placed pursuant to her contract."</p> <p>19 What available principal positions</p> <p>20 were there that you believe you should have</p> <p>21 been placed in?</p> <p>22 A. South Shades Crest was going to be</p> <p>23 open, based on what Bob Lawry told me, and</p>

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1 Greystone Elementary.
2 Q. Any others?
3 A. Not that I can think of right now.
4 Q. Okay. Do you know if both of
5 those positions were posted?
6 A. I am sure they were, yes.
7 Q. On Page 11 of your Complaint, in
8 the Prayer for Relief, Paragraph 3, you request
9 that "the Court grant plaintiff an order
10 requiring the defendant to make her whole by
11 awarding her the position or positions she
12 would have occupied in the absence of the
13 aforementioned sex discrimination, due process
14 violations, and breach of contract by awarding
15 her" -- damages.
16 What positions do you believe you
17 would have occupied but for the alleged sex
18 discrimination, due process and breach of
19 contract?
20 A. I would have remained in my
21 principal's position and then I would have
22 eventually pursued the other goals I had.
23 Q. Which were?

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1 A. I wanted to be a superintendent.
2 Q. And so the position that you would
3 have occupied in the absence of the alleged sex
4 discrimination and those other things is the
5 principal at Trace Crossings Elementary?
6 A. Yes.
7 Q. And you were replaced at Trace
8 Crossings by Carol Barber, correct?
9 A. I believe they -- she was put
10 there.
11 Q. Was she the acting principal after
12 you left?
13 A. Yes.
14 (Defendant's Exhibit 9 was marked
15 for identification.)
16 Q. (BY MS. YUENGERT:) I am handing
17 you what has been marked Defendant's Exhibit 9
18 to your deposition. Do you recognize this
19 document?
20 A. Yes.
21 Q. This is, I believe, a document
22 that your lawyer provided to me that appears to
23 me to be an email from you to Mary Veal on

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1 April 1st, 2013, correct?
2 A. Yes.
3 Q. And you are talking to her about a
4 hostile letter from Amanda Stone that Mary and
5 Carol Barber were copied on, correct?
6 A. Yes.
7 Q. Do you have a copy of the email
8 from Ms. Stone? I couldn't find it in what had
9 been produced.
10 A. I thought it was included. I can
11 get that.
12 Q. If you can check for that, that
13 will be helpful. If you don't have a copy of
14 it, I understand.
15 A. No, I have it.
16 Q. Okay. It could be I just didn't
17 recognize what it was. And you can read over
18 Defendant's Exhibit 9. I am trying to find out
19 what the gist of Ms. Stone's email was.
20 A. It was written on Trace
21 Crossings's stationery. She had written me an
22 email earlier in the month or I guess it would
23 have been in March, asking for her PEPE

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1 portfolio, which was her evaluation portfolio.
2 I don't have it. I didn't have it.
3 I had a lot of -- I found it to be
4 troubling that she was asking me for it,
5 because I had had so much trouble getting her
6 to do her evaluation.
7 Q. And the PEPE evaluation would have
8 been for the prior year?
9 A. Yes.
10 Q. Okay. And I'm sorry. I am going
11 to back you up. You said you don't have it,
12 you didn't have it. Is it something, when you
13 were the principal at Trace, that you would
14 have had?
15 A. She would have given -- she gave
16 it to me to review, and it was not in a
17 condition that I viewed as scorable. And I
18 called other principals and asked them what
19 they were doing with their assistants, because
20 this was being phased out.
21 Q. Because the PEPE was being phased
22 out?
23 A. Yes. And they were opting just to

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1 evaluate using the ESR, which is the form that
2 teachers -- this (indicating).
3 Q. You are pointing to Defendant's
4 Exhibit 7?
5 A. Yeah.
6 Q. In that form?
7 A. Yes.
8 Q. So this was a form for the
9 assistant principals?
10 A. Yes. So -- and I found it to be
11 troubling because she had used my assistant
12 principal's PEPE that I had, I gave her mine to
13 use. It is pretty cumbersome the first time
14 you do it.
15 And I repeatedly asked her for it.
16 And then for her to -- I took the letter as a
17 very hostile -- I didn't know why, after I
18 emailed her back, "I don't have it," when she
19 had it in an electronic form too -- that -- I
20 mean, I had -- I still have some of her
21 electronic -- I think I have her ESR. And I
22 felt that she was attacking me. And I talked
23 with Mark Boardman about it, and he told me

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1 Q. (BY MS. YUENGERT:) I am handing
2 you Defendant's Exhibit 10 to your deposition.
3 Do you believe that this was the attachment to
4 the email to Mary Veal that was Defendant's
5 Exhibit 9?
6 A. Yes.
7 Q. Okay. And this just shows
8 assignments?
9 A. Just things, yeah, that we were --
10 there were additional things, in addition to
11 what is listed here. But these were the
12 primary day-to-day --
13 Q. This was just an example you were
14 giving to Mary?
15 A. It was what I had in place, yes.
16 MS. YUENGERT: Kevin, I am pretty
17 sure I have never seen a letter from Amanda
18 Stone on Trace Crossings letterhead, so if you
19 can track that down.
20 MR. JENT: We will look for it. I
21 have given you everything --
22 MS. YUENGERT: Understood. But if
23 you can look for it --

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1 MR. JENT: Yeah.
2 Q. (BY MS. YUENGERT:) Did Mary Veal
3 respond to Defendant's Exhibit 9; do you
4 recall?
5 A. You know, here is the point where
6 I am getting tired. I think she did. And if
7 she did, I included it.
8 Q. Did you have any other contact
9 with Amanda --
10 A. No.
11 Q. -- after the letter?
12 A. No.
13 Q. Earlier I had asked you about a
14 report or a comment or -- I don't know how I
15 characterized it or how you characterized it --
16 that you had made to Carol Barber about Amanda
17 Stone and Dana Joiner about an inappropriate
18 relationship. And you told me that you felt
19 that Amanda was favoring Dana, correct?
20 A. That she provided things to Dana
21 that other teachers were not -- didn't have
22 available to them. And that can cause
23 problems.

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1 Q. Like what types of things?

2 A. Laptop computers. At one point,

3 she was going to provide Google email accounts

4 to the students in the room, and I had asked

5 her not to do that.

6 There were conferences that --

7 there was a conference before I was moved out

8 of Trace Crossings that I sent Amanda to, and I

9 had just become aware that the faculty and

10 parents were talking about -- talking about

11 them, and that --

12 Q. Okay. I'm sorry. You sent Amanda

13 to a conference?

14 A. Yeah, again, I do apologize, I'm

15 sorry. I sent Amanda to an ISTE, I believe it

16 was an ISTE conference.

17 Q. That is I-S-T-E?

18 A. Yeah, I don't remember. I

19 included that registration. And he had asked

20 me if Dana could go with her. And I said,

21 "No." This -- I wanted whatever it was that

22 was going on, it needed to stop because it

23 showed favoritism, and that can cause a problem

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1 on a team and in a school.

2 And it -- Dana apparently went on

3 the conference with her. She asked me if she

4 could take a personal -- a couple of personal

5 days and go on a trip to South Carolina with

6 her family. And then I told her -- she said

7 that she had some kind of medical condition, a

8 heart murmur, something -- I don't remember,

9 that she just wanted to take some time off.

10 And I got home and started

11 thinking about it, and it was the exact same

12 days. And I went to Dana -- and this was prior

13 to going on the trip -- and I said, "Dana" --

14 Q. To the conference?

15 A. To the conference. And I said,

16 "If your doctor told you to take the time off,

17 then you can take sick days for that instead of

18 using your personal days." She had requested

19 personal days. And she said, "No, no, I will

20 just take my personal days."

21 And then she went to the

22 bookkeeper and told the bookkeeper that she was

23 going on a girls weekend -- that is Debbie

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1 Drake. And I had no proof that it was the

2 exact same time, exact same weekend or days for

3 the trip -- I'm sorry. It wasn't over a

4 weekend.

5 And then when they got back, I

6 asked Amanda if she had gone with her, and

7 Amanda got really upset with me. And she said,

8 "I did not go to meetings with that woman."

9 And I took that as they went to the conference,

10 but they didn't go to meetings together.

11 And I said, "Amanda, this has got

12 to stop." I mean, I can't tell -- I couldn't

13 tell people who to be friends with, but when

14 you put on the appearance in the school that

15 you are favoring certain teachers, it causes a

16 problem.

17 Q. Did you ever tell anyone that you

18 believed that Amanda and Dana were having some

19 kind of sexual or romantic relationship?

20 A. No.

21 Q. Has anybody else suggested that to

22 you?

23 A. Yes.

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1 Q. Who?

2 A. A couple of parents implied it --

3 and I can't tell you who -- on the PTO. And

4 you know, for me to say it was implied when it

5 specifically -- when I remember it coming out

6 of somebody's mouth -- it wasn't a good

7 situation. It needed to stop.

8 Q. Do you know when that first came

9 up?

10 A. To me, sometime in October, but I

11 had talked to her the previous year.

12 Q. When you say "her," --

13 A. I'm sorry.

14 Q. Amanda?

15 A. Amanda Stone, yes, about it.

16 Q. You had talked to her about

17 showing favoritism to Dana?

18 A. Yes. And to any teacher.

19 Don't -- you know, don't provide something for

20 one that you are not going to provide --

21 (Defendant's Exhibit 11 was marked

22 for identification.)

23 Q. (BY MS. YUENGERT:) I am handing

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1 you what has been marked as Defendant's Exhibit
2 11 to your deposition. This is the EEOC charge
3 that you filed in this matter.
4 A. (Nodding).
5 Q. You have to say "yes."
6 A. Yes. I'm so sorry.
7 Q. Is that your signature on
8 Defendant's Exhibit 11?
9 A. Yes.
10 Q. And is that date 9/24/2013?
11 A. Yes.
12 Q. This is the only EEOC charge you
13 have ever filed?
14 A. Yes.
15 Q. In Paragraph 1 of Defendant's
16 Exhibit 11, the last sentence says, "I was told
17 that I had done nothing wrong to cause the move
18 and that I was being moved to 'protect me.'"
19 Who told you that you were being
20 moved to protect you?
21 A. That was part of the meeting on
22 November 15th when I met with Carol and Andy.
23 Q. Did they both tell you that you

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1 were being moved to protect you, or can you
2 recall if one or the other said it?
3 A. I think both of them at different
4 times told me, and --
5 Q. Since your announcement of
6 retirement back in April of 2013, have you had
7 any paid jobs?
8 A. No.
9 Q. Have you been offered any jobs
10 that you didn't take?
11 A. No.
12 Q. Do you have any applications that
13 are outstanding that you haven't heard back
14 from?
15 A. Yes.
16 Q. I think that in your discovery
17 responses you had put a number in Number 10
18 that said "waiting on response." Is that what
19 you mean?
20 A. Yes.
21 Q. Okay. One of the aspects of the
22 damages that you are seeking in this lawsuit is
23 emotional distress; is that correct?

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1 A. Yes.
2 Q. And I want you to tell me about
3 the emotional distress that you have suffered
4 as a result of the Board's, Mr. Craig's or
5 Ms. Barber's conduct.
6 A. Again, I am getting tired. But
7 prior to this, I am a very well-known educator
8 around the state. I have worked very hard -- I
9 have always been on state committees and
10 national committees, spoken at conferences and
11 that type of thing.
12 And since this has happened, I
13 don't really go out of the house much. I --
14 I -- I rarely go to Hoover, only if I
15 absolutely have to.
16 There are things like when -- and
17 my doctor can tell you more, but when I walk
18 into any kind of public room, I am -- the first
19 thing I do is scan the room to make sure
20 there's nobody I know.
21 I mean, it is -- it is -- I mean,
22 it is -- I mean, it has completely ruined my
23 career. I can't get a job. You know, I Google

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1 my name on the computer, and the first thing
2 that comes up is "Trace Crossings principal
3 Robin Litaker moved because of strife in the
4 school."
5 I mean, I am just not the same
6 person that I was.
7 Q. When you say that you don't go out
8 of the house or you don't go to Hoover or you
9 scan the room when you walk into a public
10 place --
11 A. Yeah.
12 Q. -- is that out of fear, is it out
13 of embarrassment? Tell me what is causing
14 that.
15 A. And again, that is something that
16 Dr. Bair is helping me with. It is
17 humiliation, embarrassment, fear.
18 When I do see people -- like one
19 time I did run into Melody Greene at Costco's
20 one Sunday morning, and when they say, "How are
21 you," I just put on a good face and say, "I am
22 doing great and everything," but inside,
23 anytime something like that happens, it just

<p style="text-align: right;">Page 201</p> <p>1 really sets me back.</p> <p>2 I do have friends that try to get</p> <p>3 me to go out, and I do go out, but not -- not</p> <p>4 like I used to.</p> <p>5 Q. When you say "not like you used</p> <p>6 to," how did you used to go out?</p> <p>7 A. Well, I know that was kind of an</p> <p>8 open-ended thing. I have always been fairly --</p> <p>9 you know, I am a quiet person, but I am social.</p> <p>10 Like most everyday people are, you</p> <p>11 know, pick up the phone, call somebody and see</p> <p>12 if they want to go out and eat or do you want</p> <p>13 to go to a show or something like that. And</p> <p>14 unless somebody initiates it with me, it is</p> <p>15 typically -- it is not going to happen.</p> <p>16 And like I said, I do have</p> <p>17 friends, and I am not saying I never say, "Hey,</p> <p>18 will you go out and eat with me?" But out of a</p> <p>19 hundred times, it might be once. And other</p> <p>20 than that, I -- I stay at home, and I just kind</p> <p>21 of keep to myself.</p> <p>22 I have -- I mean, I am trying, and</p> <p>23 Dr. Bair has stuff that he has me doing.</p>	<p style="text-align: right;">Page 203</p> <p>1 Q. So it is not that you enter a</p> <p>2 school and you can't stay?</p> <p>3 A. No.</p> <p>4 Q. It is --</p> <p>5 A. No. In fact, one of the things, a</p> <p>6 friend of mine, I was helping with her</p> <p>7 dissertation, it is a principal at Edgewood</p> <p>8 Elementary was the first school I went into</p> <p>9 last spring or winter or sometime, but just not</p> <p>10 being with kids and teachers has really hurt</p> <p>11 me, set me back.</p> <p>12 Q. Other than this agitation or</p> <p>13 visible upset that you are describing to me,</p> <p>14 have you had any physical manifestations of</p> <p>15 your emotional distress?</p> <p>16 A. Gained a lot of weight.</p> <p>17 Q. When you say "a lot" -- I'm not</p> <p>18 asking how much you weigh. I am just asking</p> <p>19 how much weight you say you have gained as a</p> <p>20 result of this.</p> <p>21 A. Oh, I have gained thirty plus</p> <p>22 pounds.</p> <p>23 Q. Anything else?</p>
<p style="text-align: right;">Page 202</p> <p>1 Q. Like what?</p> <p>2 A. Well, he has -- it is -- I am</p> <p>3 laughing because I'm not doing very good with</p> <p>4 it. He has this zone thing for me where Trace</p> <p>5 Crossings is like the hot zone, and then you</p> <p>6 come out here and out here (demonstrating).</p> <p>7 And how close can I get without</p> <p>8 feeling like I am feeling right this minute.</p> <p>9 And --</p> <p>10 Q. And when you say when you are</p> <p>11 "feeling right this minute" --</p> <p>12 A. I am visibly upset right now. It</p> <p>13 upsets me, just the whole topic about what</p> <p>14 happened to me and why or -- I don't know why</p> <p>15 it happened.</p> <p>16 And being where I can't be with</p> <p>17 children in school.</p> <p>18 Q. When you say you can't be with</p> <p>19 children in school, have you attempted to be</p> <p>20 with children at school?</p> <p>21 A. I have attempted to get jobs.</p> <p>22 Q. Okay.</p> <p>23 A. That is what I mean by that.</p>	<p style="text-align: right;">Page 204</p> <p>1 A. Not that I can think of right now.</p> <p>2 I am sure there are other things.</p> <p>3 Q. Do you attend church regularly?</p> <p>4 A. I -- I watch internet every Sunday</p> <p>5 morning.</p> <p>6 Q. What do you watch on the internet</p> <p>7 on Sunday mornings?</p> <p>8 A. I am thinking -- Daily Hope, Rick</p> <p>9 Warren.</p> <p>10 Q. Okay.</p> <p>11 A. And I do it daily also.</p> <p>12 Q. But you don't attend a bricks and</p> <p>13 mortar church in town?</p> <p>14 A. No.</p> <p>15 Q. When did you move your dad to</p> <p>16 Fairhope?</p> <p>17 A. A few weeks ago. I can't remember</p> <p>18 the date. I can look on my calendar if you</p> <p>19 need the date.</p> <p>20 Q. Why was he moved to Fairhope?</p> <p>21 A. In part -- if I am completely</p> <p>22 honest in part, because of this. I have hidden</p> <p>23 it from him, and I do not want him to be</p>

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1 exposed to it. He is ninety.
2 Q. When you say "exposed," to what?
3 A. To what has happened to me. He
4 doesn't -- he doesn't know.
5 Q. He doesn't know that you are no
6 longer at Trace?
7 A. No. He doesn't know -- I told him
8 that Mr. Craig was moving me from Trace, and he
9 was going to take care of me. And then I told
10 him that I had decided to retire. I didn't --
11 he is almost ninety, and I didn't want to
12 overly upset him.
13 Q. In your third year at Trace, which
14 would have been the 2012-2013 school year,
15 right --
16 A. (Nodding.)
17 Q. -- I think you had produced some
18 newspaper articles about the Central Office
19 providing support at Trace about math; am I
20 right?
21 A. Yes.
22 Q. Okay. Tell me kind of, in a
23 general sense, what that is about. What had

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1 happened?
2 A. The school didn't make AYP.
3 Q. Okay. In math or --
4 A. In math.
5 Q. Okay.
6 A. And of seventeen cells, we made it
7 in fifteen. I -- at that point, one of the
8 issues when I moved in the school was
9 instruction in math. And because we didn't
10 make AYP, I asked Carol Barber and Ron Dodson,
11 Linda Gurosky, Deborah Camp, Amanda Stone and
12 myself to do walk-throughs.
13 Q. And who is Linda Gurosky?
14 A. She was the Title I, Director of
15 Title I. I don't know her official title, and
16 she is now retired. And she was housed at
17 Trace.
18 So I initiated the walk-throughs.
19 I wanted them to see how hard the teachers were
20 working, plus I wanted the teachers to
21 understand how serious not making AYP was. And
22 that is just a simple way of putting it but --
23 Q. Okay. And what is the purpose of

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1 a walk-through?
2 A. A walk-through is a snapshot. It
3 is supposed to be five, eight minutes at the
4 most. It is not an observation. And you are
5 supposed to go in and look for targeted teacher
6 behaviors or student behaviors. They can be
7 done a variety of different ways. But the
8 outcome is you tell the teacher one good thing,
9 and then one good thing you can have a
10 conversation about.
11 Q. And so in this walk-through, are
12 all the people you listed doing the
13 walk-through together?
14 A. No.
15 Q. Okay.
16 A. I asked Deborah Camp and Linda
17 Gurosky to do fourth grade. I asked Amanda
18 Stone and Carol Barber to do third, and Ron
19 Dodson and I did second. And then we were
20 going to do the other grade levels in-house.
21 Q. So when you do the walk-throughs,
22 do you immediately give the teachers feedback,
23 or is that something that is later provided?

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1 A. Actually, textbook, you are
2 supposed to. But --
3 Q. Immediately?
4 A. Immediately. But I didn't want
5 anybody but me giving the teachers the
6 feedback. So sometimes it came after that.
7 And sometimes -- you know, sometimes I would
8 see them in the hallway and say, "Hey, I want
9 to talk to you about the walk-through." It
10 wasn't done exactly as it should have been. I
11 didn't want to interrupt them when they were
12 teaching.
13 Q. When did you find out that the
14 school didn't make AYP?
15 A. Officially, it was before school
16 started in August. Unofficially, I knew it
17 when I opened the test scores.
18 Q. And is that something that you
19 would have received over the summer as well?
20 A. Yes.
21 Q. Did you ever tell some parents at
22 Trace Crossings that the faculty had failed
23 their students because of the test scores?

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1 A. Do I tell the parents that the
2 faculty had failed --
3 Q. Their children.
4 A. No.
5 Q. Okay. Did you ever talk to any
6 group of parents about the test scores?
7 A. Yes.
8 Q. When did you do that?
9 A. The first time I addressed it in
10 the Trace Tribune, which is the newsletter for
11 the school. The first time I talked about it
12 was the first day that teachers came back and
13 the PTO came in.
14 And I took full responsibility for
15 it. I told parents that it laid with me. And
16 I did understand that some teachers did say
17 that I threw them under the bus, but that is
18 not what I said in the faculty meeting. I took
19 responsibility.
20 Q. When you say the "faculty
21 meeting," this is the meeting where there are
22 teachers there and PTO parents as well?
23 A. PTO provided breakfast. And

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1 before the PTO left, I spoke to them.
2 Q. And it is your recollection that
3 you told them that you took responsibility for
4 the test scores?
5 A. Yes.
6 Q. And you said that you understand
7 that some teachers felt that you threw them
8 under the bus?
9 A. That I had -- yeah. And that is
10 not what was said.
11 Q. Okay. Do you know which teachers
12 felt that you threw them under the bus?
13 A. No. Amanda Stone told me that
14 some of the teachers had said that.
15 Q. And I don't know how to
16 characterize it, I guess, but the plan to
17 address the test scores was this team that you
18 had asked to do walk-throughs and things like
19 that?
20 A. That was part of it.
21 Q. Okay. And that was your idea?
22 A. Yes.
23 Q. And who did you take that idea to,

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1 or did you just ask these people individually?
2 A. After the test scores, when I saw
3 them on -- it was July 3rd, 2012. Mr. Craig
4 called me up shortly afterwards to talk to me
5 about the new playground. And during our
6 discussion, we talked about a meeting. And in
7 the meeting, it was Carol Barber, Ron Dodson, I
8 believe -- I'm not sure if Barbara Mayer was
9 there or not. She was in and out at some point
10 with some of the meetings. She is Special Ed
11 Director.
12 Q. Was Dr. Camp there?
13 A. Dr. Camp was there. And I came
14 into the meeting, and one of the things that I
15 said I wanted to do was walk-throughs.
16 Q. And you said that the
17 walk-throughs were part of the plan. What were
18 the other parts of the plan?
19 A. For us to continue the way that I
20 had the schools set up, which was very similar
21 to the way that we operated when I was at
22 Shades Mountain.
23 Q. Is that the team?

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1 A. Yes. And I had a three-year plan
2 for school, and we were moving into the third
3 year. And so we were continuing some of that.
4 And I had a new math coach. I had given up a
5 teaching unit to have a math coach. And I
6 had --
7 Q. Who was the new math coach?
8 A. Tami Puchta. And I had a new
9 reading coach, Gail -- Dr. Gail Morrison.
10 Q. Did you have to get approval to
11 hire a math coach or a reading coach?
12 A. When we went into staffing at the
13 end of my first year as principal, I asked Andy
14 Craig if I could have a math coach. I felt
15 like it was very badly needed at the school.
16 And I told him I would be willing to give up a
17 physical education teacher for it.
18 Q. And what did he say?
19 A. He said yes.
20 Q. And so who did you bring on as
21 math coach at the end of your first year?
22 A. Tina Moratz.
23 Q. That is M-O-R-A-T-Z?

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1 A. Correct.

2 Q. But then at the end of your second

3 year, she was no longer there?

4 A. Her husband got a job in another

5 state.

6 Q. And you hired Ms. Puchta?

7 A. Correct, yes.

8 Q. That is P-U-C-H-T-A. Had you had

9 a reading coach before Ms. Morrison?

10 A. Yes.

11 Q. Who was that?

12 A. Judy Anderson.

13 Q. What happened to Ms. Anderson?

14 A. Judy had one more year before she

15 retired, and she -- when I came to Trace, she

16 did not want to remain as the reading coach,

17 but I asked her if she would. And I was given

18 another Title I teacher part-time. So I asked

19 her if she would like to move into that

20 position, and she did. And Dr. Morrison had

21 wanted to come with me when I left Shades

22 Mountain, and that was an opportunity to have

23 her.

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1 Q. You gave me a date of July 3, when

2 you said that Mr. Craig had called about the

3 new playground?

4 A. Yeah, we were building a new

5 playground.

6 Q. And so how did you meet with this

7 group on July 3rd, or how does that relate to

8 that date?

9 A. On July 3rd, I can't remember what

10 they call it but when you are able to open the

11 raw scores from your testing data. And I was

12 at home, and I opened mine. And I was -- I

13 opened it three times. I was very shocked.

14 Q. In relation to that, when do you

15 think you met with the group you told me about:

16 Dodson, Barber, Craig, Camp, maybe Mary?

17 A. It was not long after that. I

18 think as soon as everybody got back from the

19 4th of July holidays.

20 Q. Other than meeting with that group

21 about kind of a plan to address what Trace

22 Crossings needed, did you talk to your teachers

23 about the test scores that summer?

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1 A. That summer, yes.

2 Q. Which teachers did you talk to?

3 A. When the scores came back like

4 they did, I asked the fourth grade team to come

5 in, because I wanted them to hear it from me.

6 Q. And they came in?

7 A. And they came in, and Dean Addison

8 was not there. And at the time, Erica Whited

9 was one of the fourth grade teachers. And her

10 husband had been transferred, but she came in

11 for a short time.

12 Q. So did she come to the meeting

13 about the test scores?

14 A. Just for a short period. She may

15 not have been there when the whole group was

16 there. It was Dana Joiner, Rhonda Vines,

17 Stephanie Watson. Amanda Stone was there off

18 and on during the meeting and myself.

19 Q. Did you give them their test

20 scores then?

21 A. Actually hand them to them, give

22 them to them? No, because I had them on a

23 very -- what we received them on was like a

Page 216

1 real crude database. But we did start going

2 through them.

3 Q. Other than this meeting when you

4 talked to them that summer, when was the next

5 time you talked to the fourth grade team about

6 their test scores?

7 A. I can't tell you exactly, but we

8 had ongoing conversations about specifically

9 the math score, because it was --

10 Q. Did you meet with them again that

11 summer, or did you wait until school started?

12 A. I don't think I did. I may have.

13 Q. Ms. Litaker, you have produced to

14 me a tape-recording, what appears to be a

15 School Board meeting.

16 A. Yes.

17 Q. Tell me why you think that is

18 relevant to your claims, if you do.

19 A. And I am -- again, I am too tired

20 to quote what was said during the meeting. I

21 can't exactly remember it.

22 But during the course of the

23 meeting, I believe the Trace Crossings group of

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1 parents were there asking for rezoning. And
2 Paulette Pearson said something that made
3 reference to me, and I felt like my
4 performance.
5 Q. And in your discovery responses
6 that we looked at earlier, in response to
7 Interrogatory Number 7, you have an entry that
8 says, "Paulette Pearson, School Board
9 President, referred to me in a Board meeting as
10 an ineffective principal. She also talked
11 about me to a professor, Dr. Lynn Kirkland at
12 UAB, at a Christmas party, December 2012."
13 And you said -- it says audiotape
14 of meeting.
15 So the audiotape that you
16 produced, the significance of it, you believe,
17 is that it records Ms. Pearson's comment about
18 you being an ineffective principal?
19 A. Yes.
20 Q. And tell me about Ms. Pearson's
21 comment to Dr. Kirkland.
22 A. It was actually to Dr. Kirkland
23 and to Dr. Maryann Manning, but she has passed

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1 away. That is why I didn't include her on
2 this. They were at a Christmas party, and
3 Paulette Pearson referred to me as a mistake,
4 and when we make mistakes in Hoover, we fix it.
5 Q. Anything else that Dr. Kirkland or
6 Dr. Manning reported to you about what
7 Ms. Pearson had said at the Christmas party?
8 A. No.
9 MS. YUENGERT: This is a good
10 place for a break.
11 (Whereupon, a break was had from
12 4:37 p.m. until 4:51 p.m.)
13 Q. (BY MS. YUENGERT:) Ms. Litaker,
14 one of the many things that your lawyer has
15 provided to me as part of this litigation is
16 what we call Initial Disclosures. And part of
17 the Initial Disclosures is a list of people
18 that are believed to have discoverable,
19 nonprivileged, personal knowledge concerning
20 the factual issues raised in the Complaint.
21 A. Yes.
22 Q. Okay. And so I want to go through
23 the people that are identified in your Initial

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1 Disclosures and find out what you believe they
2 know that relates to your Complaint.
3 A. Okay.
4 Q. In asking that, I want, as a kind
5 of ground rule, to say you don't have to repeat
6 anything to me. If you have already talked
7 about in your deposition what you believe they
8 know, then you can just say, "We have already
9 talked about that." Okay?
10 A. Okay.
11 Q. So I am looking for new things
12 that we haven't already talked about. Do you
13 understand?
14 A. Yeah. So like, example --
15 Q. For example, if I say "Kathy
16 Wheaton," you can say, "Well, she called me
17 after I left Trace, and I think she knows
18 something about her move to Greystone."
19 A. Okay.
20 Q. And if there's anything you need
21 to add to that, you can tell me that. But I
22 don't need you to just repeat what we have
23 already talked about.

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1 A. Okay.
2 Q. All right.
3 A. Okay.
4 Q. I think it will be easier than I
5 have made it sound.
6 MR. JENT: If you have already
7 discussed what they know, you don't have to
8 tell it again.
9 A. Okay.
10 Q. (BY MS. YUENGERT:) Number 5 is
11 Dr. Deborah Camp and it says, "Former
12 Curriculum Director, Hoover City Schools,
13 knowledge of plaintiff's performance as
14 principal; knowledge of the performance of male
15 principals in the district." And why do you
16 believe that she has knowledge of the
17 performance of male principals in the district?
18 A. I believe because of what I told
19 you about Dr. Fancher and I believe she also
20 told me she had worked with Bob Lawry on some
21 things.
22 Q. Did she tell you what things she
23 had worked with Bob Lawry on?

<p style="text-align: right;">Page 221</p> <p>1 A. Not specifically. I mean, I think 2 she told me some things, but I can't recall. 3 CIP is all I can think about right now. 4 Q. Again, what is CIP? 5 A. Continuous Improvement Plan. 6 Q. Is that something that a school 7 has? 8 A. All schools have them, and Title I 9 schools are a little -- a lot different. 10 Q. Other than what we have already 11 talked about regarding Dr. Camp, what other 12 information do you believe she has that is 13 relevant to your claims in this lawsuit? 14 A. She was part of the walk-throughs 15 we did. She worked at Trace Crossings with me 16 as a teacher, so she knows me in that way. But 17 she was also in that building prior to my 18 arrival, so she knows, firsthand knowledge, 19 what was going on in the building, prior to my 20 time being the principal. 21 Q. When you say "she was in that 22 building" -- 23 A. She was Curriculum Director, so</p>	<p style="text-align: right;">Page 223</p> <p>1 A. I ran into her and she told me 2 that she had had problems with her undermining 3 her when she was the principal of South Shades 4 Crest and Dr. Smith was her assistant 5 principal. And Linda also has knowledge of how 6 -- the process I went through, filling out CIP 7 and what I did with the Title I Program at 8 Trace. 9 Q. And why is that relevant to your 10 claims? 11 A. The Title I and the CIP and the -- 12 just to show that I was diligent about doing -- 13 I was trying to put down everybody I could 14 think of that knew something about my -- 15 Q. Understood. I just wanted you to 16 explain -- 17 A. I'm sorry. 18 Q. So do you believe that Dr. Gurosky 19 can testify about your efforts at Trace? 20 A. Yes. 21 Q. Is there anything else you believe 22 she can testify about other than what we have 23 already talked about?</p>
<p style="text-align: right;">Page 222</p> <p>1 she worked with Dr. Riley and Dr. Smith. And 2 she was also in the building with me from time 3 to time when requested. And she provided -- 4 when I asked her for certain professional 5 development stuff, so she has knowledge of all 6 that. 7 Q. Anything else that you believe 8 Dr. Camp knows that is relevant to your claims? 9 A. Not that I can think of right now. 10 Q. Next name is Dr. Linda Gurosky, 11 G-U-R-O-S-K-Y. 12 A. Uh-huh. 13 Q. What do you believe Dr. Gurosky 14 knows? 15 A. As I stated, she was part of the 16 walk-throughs. She was actually housed at 17 Trace Crossings daily, and she had also worked 18 with Dr. Debra Smith. 19 Q. Has she ever given you opinions 20 about Dr. Debra Smith's competence or 21 abilities, anything at all? 22 A. Performance? Recently. 23 Q. What did she recently tell you?</p>	<p style="text-align: right;">Page 224</p> <p>1 A. Not that I can think of right now. 2 Q. The next name is Mary Veal. What 3 do you believe Ms. Veal knows about this? 4 MR. JENT: Other than what you 5 have already talked about her today. 6 A. Just that she is familiar with my 7 performance. 8 Q. (BY MS. YUENGERT:) And you said 9 that you talked with Ms. Veal after your 10 meeting with Dodson and Greene, correct? 11 A. Yes. 12 Q. At some point, did you ask 13 Ms. Veal for a copy of your personnel file? 14 A. Yes. 15 Q. Why did you want a copy of your 16 personnel file? 17 A. Because at that point, I was 18 afraid something might be put in there. I knew 19 I had a very good personnel file, and I wanted 20 to make sure nothing had been added in there 21 that I didn't know about. 22 Q. And did Ms. Veal give you a copy 23 of your file or let you look at your file?</p>

<p style="text-align: right;">Page 225</p> <p>1 A. We had to go through a process, 2 because my evaluations had been taken out. 3 Q. When you say taken out -- 4 A. Carol Barber took my evaluations 5 out of the file and took them to Trace 6 Crossings with her. 7 Q. Okay. And the evaluations you are 8 talking about are the ones that we looked at 9 that are Exhibits 6 and 7? 10 A. The primary one is 7. I think 11 both of them were gone, but -- 12 Q. Anything else that you thought was 13 missing from your personnel file or that had 14 been added to your personnel file? 15 A. Yes, there were a few items that I 16 felt were missing. I had -- I actually had a 17 letter from Cathy Antee commending me on having 18 a perfect audit at the school. I had letters 19 from Don Siegelman, Bob Riley, Jim Folsom, when 20 I was Alabama State Teacher of the Year. They 21 are not in the file. I actually had a letter 22 from Carol Barber, commending me on being the 23 outstanding educational leadership student at</p>	<p style="text-align: right;">Page 227</p> <p>1 your file or was there anything in your file 2 that you were surprised to find? 3 A. Not that I noticed, no. 4 Q. The next name is Dr. Maurine, 5 M-A-U-R-I-N-E, Black. Tell me what you believe 6 Dr. Black knows that is related to your claims. 7 A. Dr. Black was the principal at 8 Greystone Elementary, and she was non-renewed, 9 I think right before I was told that I would be 10 demoted to Crossroads. And Dr. Black shared 11 with me a situation that she had had with Carol 12 Barber, insinuating that her teachers were not 13 happy with her and the whole process she had to 14 go through, very similar to mine, to show that 15 that was not an accurate account of what was 16 going on in her school. 17 Q. When did that occur? When did 18 Dr. Black tell you that had occurred? 19 A. She told me when I was in her 20 school doing the safety thing. I had not 21 talked to her, and she sat me down and asked me 22 what had happened. And I gave her a synopsis 23 of the reason why I felt like I was moved. And</p>
<p style="text-align: right;">Page 226</p> <p>1 the University of Montevallo. It was not in my 2 file. 3 Q. Did you find copies of these 4 letters and add them back to your file? 5 A. I have to go up in my attic to see 6 if I even have them. 7 Q. Okay. So you didn't do anything 8 to replace those in your file? 9 A. No. 10 Q. Okay. 11 A. And my file is massive, and I 12 can't really tell what is not there. 13 Q. On the things that you have 14 identified that you believe are missing from 15 your file, do you have any idea of why they 16 were missing? 17 A. No. 18 Q. Okay. I mean, I am trying to find 19 out, do you think somebody pulled them out to 20 hurt you or -- 21 A. I don't make accusations like 22 that. They are missing out of my file. 23 Q. Okay. Had anything been added to</p>	<p style="text-align: right;">Page 228</p> <p>1 she said let me -- she may not have used the 2 word "warn," but "Let me warn you, something 3 very similar happened to me." 4 Q. While she was at Greystone? 5 A. Yes. And I don't know when that 6 happened. 7 Q. But it had happened sometime in 8 the past? 9 A. Recent, yeah. 10 Q. Did she talk to you about the fact 11 that she had been non-renewed? 12 A. Yes, afterwards. 13 Q. And what did she tell you? 14 A. She told me that she was non- 15 renewed because of her test scores. 16 Q. Did Greystone not make AYP? 17 A. No, they made AYP. 18 Q. Anything else that you believe 19 that Maurine Black knows that is relevant to 20 your claims? 21 A. Not right now. 22 Q. When did you last speak with 23 Dr. Black?</p>

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1 A. I went out to eat with her for
2 lunch one day. It may have been the fall of
3 2014. I don't know exactly. I know school was
4 going on.
5 Q. Where was she working at the time?
6 A. She was not working. She had
7 retired. When they told her they were not
8 going to renew her contract, she retired.
9 Q. The next name is Earl Franks.
10 A. Earl, Executive Director of CLAS.
11 He can tell you exactly what Mr. Craig shared
12 with him.
13 Q. Okay. When did you last speak
14 with Mr. Franks?
15 A. I sent him a text message to let
16 him know that I had filed an EEOC. So it was
17 about that time.
18 Q. Have you spoken with him since?
19 A. I don't think I sent him a text
20 message about the lawsuit being filed. But if
21 I -- that may have been the only other thing,
22 but, no, I have not spoken to him.
23 Q. The next name is Mark Boardman.

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1 A. I have not spoken to Mr. Boardman
2 since --
3 MR. JENT: What does he know?
4 A. What does he know? He knows the
5 negotiation conversation that went on with me.
6 Q. (BY MS. YUENGERT:) Number 11 is
7 Anna Johnston Whitney.
8 A. I was told she is the principal of
9 Crossroads, and she can verify that I did not
10 speak to her personally, but that was one thing
11 Dr. Dodson told me, was that she had been
12 informed that I would be her assistant
13 principal.
14 Q. And you haven't talked with
15 Ms. Johnston Whitney?
16 A. No.
17 Q. Do you know her at all?
18 A. Yes.
19 Q. Dr. Vivian Elliott.
20 A. Dr. Elliott was our cultural
21 diversity expert that outsourced with the
22 system. And she was in the school an awful
23 lot. And --

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1 Q. During what time period?
2 A. During my first two years, and
3 into the third year. At some point during my
4 first year, she -- early on, started coming
5 into the school. And she observed some of the
6 segregated issues that were going on in the
7 school. And --
8 Q. What segregated issues?
9 A. The way that they were doing math,
10 they segregated children where you would have
11 like twenty-three minorities in one room and
12 then you would go down the hall and there were
13 fourteen whites in another room.
14 And this was something that I had
15 to change immediately.
16 Q. And so that is something you
17 changed your first year?
18 A. Actually, I had to wait. But I
19 let the word go out that those classes had
20 better not be that way again after they
21 reconfigured them. And they got better.
22 Q. When was Dr. Elliott last at Trace
23 while you were there?

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1 A. Right before they moved me,
2 sometime in October 2012.
3 Q. And how often was she at Trace?
4 A. She was there, I don't know
5 exactly, like maybe every nine weeks. And then
6 we emailed, and we had things that we were
7 working on during the times that she wasn't
8 there that she left us with.
9 Q. When did you last talk with her?
10 A. I email her occasionally. We stay
11 in touch. May have been Merry Christmas,
12 something like that, it may have been since
13 then. Maybe a comment on Facebook or
14 something. But --
15 Q. What do you think she can testify
16 to that is relevant to your claims in this
17 lawsuit?
18 A. The climate in the school.
19 Q. The next name on the list is Bob
20 Lawry. Have we already talked about what you
21 believe Mr. Lawry knows about your claims?
22 A. Yes.
23 Q. The next name is Juli Feltham.

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1 A. Because she was my supervisor.
2 Q. So you think she can testify about
3 your performance as an assistant principal for
4 her?
5 A. As an assistant principal, and
6 then the dialogue we had while I was a
7 principal, and some of the things we did for
8 each other, supportive things.
9 Q. And when you say the dialogue that
10 you and Ms. Feltham had, like what? Give me a
11 for instance.
12 A. I consider her to be my mentor.
13 And if -- I can't think of an example but if
14 there was an issue with something in the
15 school, I would call her up, and Bob was the
16 same way, and say, "Hey, how do y'all handle
17 this when this happens," and they would call me
18 too.
19 Q. So you just called them to bounce
20 stuff off of them?
21 A. Yeah. And they would call me
22 also.
23 Q. The next name is Sonia Carrington.

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1 A. Yes.
2 Q. Tell me again --
3 A. She was the principal at Rocky
4 Ridge, retired now. She is the one -- the
5 person that got me in touch with Earl Franks,
6 and she also shared some situations that she
7 had had with Carol Barber with her performance,
8 saying that her teachers were not happy.
9 Q. So Dr. Carrington told you that
10 Carol Barber told her that her teachers weren't
11 happy?
12 A. Yeah. At some point, yeah.
13 Q. Other than telling you that Carol
14 Barber told her that, anything else that
15 Dr. Carrington told you with regard to
16 situations with Carol Barber?
17 A. She didn't -- she just alluded
18 that she had had issues. And --
19 Q. Issues with Carol?
20 A. Yes.
21 Q. Do you recall anything else, other
22 than Carol telling her that teachers weren't
23 happy?

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1 A. I don't know if that was the exact
2 issue. There was some issue. And she was like
3 Maurine Black, telling me that I had better get
4 an attorney or get some advice or something.
5 Q. And did Dr. Carrington tell you
6 what the issue with Carol was, and you can't
7 remember or she didn't tell you what it was?
8 A. I think she just alluded to it.
9 She didn't get into details. I didn't ask.
10 She can share that.
11 Q. Dr. Tommy Bice is the next name.
12 A. That is the State Superintendent.
13 I went to him in November 2013 about the test
14 scores that weren't being investigated, as I
15 had reported them. And he has had several
16 discussions with, I know, Mr. Craig. And I
17 feel like whatever Mr. Craig shared with him
18 about me is something that may or may not be
19 true.
20 Q. Did Dr. Bice tell you that
21 Mr. Craig was sharing information about you
22 with him?
23 A. Dr. Bice, his entire demeanor

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1 towards me has changed. I had a fairly good
2 relationship with him, and he told me after I
3 went to him, that he would follow up with me
4 about the test infraction. And very
5 uncharacteristic of him, he has not. So I feel
6 like something has happened.
7 Q. Do you know if he investigated?
8 A. I don't believe the test
9 infraction has ever been investigated as I
10 reported it. He said there was no apparent
11 infraction in the newspaper, but -- and he
12 alluded to something that I had reported to
13 him, but it was not specifically what had been
14 asked to look into.
15 Q. What specifically did you ask
16 Dr. Bice to look into?
17 A. This is a long one. Originally,
18 that was why I had the teachers come in to meet
19 with me, one of the reasons.
20 Q. In the summer of 2012?
21 A. In the summer, because the test
22 scores did not correlate to the other
23 assessments that we had in the building, and it

<p style="text-align: right;">Page 237</p> <p>1 did not match up with Scholastic Math 2 Inventory, SMI. There was a dramatic -- 3 Q. You say it didn't match up with 4 the other assessments in the building, is that 5 SMI or is it something else? 6 A. We had other things. We had 7 Hoover assessments that the teachers gave. We 8 had, you know, their daily anecdotal notes, 9 that type of thing. The performance indicators 10 that we had did not match or come close to 11 matching what the math outcome for fourth grade 12 was. 13 When we started looking into it 14 and desegregating the data and comparing it to 15 the year before, there was, I think, either 16 twenty-four or twenty-seven students that had 17 been within one or two answers of being 18 proficient. We had that many that had dropped 19 from threes and fours to twos. I waited until 20 November to talk to Dr. Bice, because I waited 21 until the test scores came back, because I had 22 said openly that the test scores would go up 23 between thirty and thirty-five points, and they</p>	<p style="text-align: right;">Page 239</p> <p>1 A. Yes. Now, was it true? I don't 2 know. But I reported what I was told. 3 They were visibly shook up. I 4 asked them why they didn't tell me. I remember 5 Stephanie Watson looked at me and she just 6 cried, and she said, "We were afraid you would 7 get mad." I said, "I would never get mad." 8 She said, "No, not mad at us, just frustrated 9 because of how hard we have been working." 10 And they told Amanda Stone, and I 11 asked Amanda why she didn't tell me, and she 12 said, "Am I in trouble," and I said, "No, this 13 isn't about being in trouble." 14 I mean, quite honestly, we were 15 just trying to figure out what happened. We 16 had been -- there were possible scenarios. It 17 was a brand-new test, R-Plus. We had been sent 18 multiple directions prior to the administration 19 of the test. I didn't know if my teachers had 20 accidentally used the wrong instructions, if -- 21 because the instructions were in the book, but 22 the instructions the teachers used were issued 23 on a one-page thing.</p>
<p style="text-align: right;">Page 238</p> <p>1 went up, I believe, thirty-three points. And 2 that was shortly after I left Trace. 3 And I mean, I am not giving you 4 all the details of it, but it was something 5 that I had promised the teachers that I would 6 follow through with, because they were 7 extremely upset. And like I said, all the data 8 that we had did not match up or correlate 9 with -- 10 Q. So what did you tell Dr. Bice you 11 felt the problem was? 12 A. Okay. Did I not include that 13 letter -- 14 Q. No. 15 A. Okay. I had at first -- when you 16 investigate a test infraction, you are only -- 17 if you are the person reporting it, you only go 18 to a certain point and stop because you don't 19 want to impede the investigation. 20 When I had those teachers come in, 21 they told me that none of the kids had finished 22 the test. 23 Q. That is in the summer of 2012?</p>	<p style="text-align: right;">Page 240</p> <p>1 I am really making this short, I 2 promise. 3 And so there were multiple things. 4 And then after I met with the teacher, I had a 5 statistician who also works with PARCA, who 6 also helps set the cutoff scores. 7 Q. Who is that? 8 A. His name is Dr. Scott Snyder. 9 Deborah Camp, my understanding was Mr. Craig 10 asked Deborah Camp to help me spearhead the 11 investigation. And I had -- he came in. 12 Q. That is what Dr. Camp told you? 13 You said -- 14 A. That was my understanding from him 15 also. 16 Q. So Dr. Craig told you to work with 17 Deborah Camp to spearhead the investigation 18 into test infractions? 19 A. A possible test infraction, yeah. 20 Q. And the test infraction that you 21 thought was, is to find out why none of the 22 kids finished the test? 23 A. No.</p>

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1 Q. Okay.

2 A. Why the dramatic drop from -- the

3 test scores actually went up the first year I

4 was at Trace Crossings. They did not decline;

5 they went up.

6 And I felt like we needed to find

7 out what happened, if something happened. So

8 we had Dr. Snyder come in on a Saturday. It

9 was the Saturday after I met with the teachers,

10 and it was Deborah Camp and myself. And he

11 grilled me for hours. And we had all the test

12 data out, how the students had dropped, how

13 many I had that were transient that had moved

14 in, how many moved out. How many had dropped

15 from fours to twos, I mean every which way, we

16 analyzed the data.

17 And he finally said in the end

18 there is no statistical reason for these kids'

19 scores to have dropped this much. And then he

20 looked at me and he said, "Quite frankly, the

21 difference between third and fourth grade math

22 is not that great and these kids could have

23 stayed at home and not dropped this much."

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1 So at that point, I felt like

2 there was something to investigate, and we

3 reported it to Mr. Craig and Dr. Snyder. And

4 Dr. Camp crafted a letter, and I will have to

5 get the letter to you, because it specifically

6 asks for the test scores to be reviewed in

7 certain ways. And it was a way that Dr. Snyder

8 advised. It never said they didn't finish the

9 test. That was just my information.

10 And at that point, after the

11 letter was crafted, I looked at it. And then

12 Dr. Camp sent me an email from Louise White

13 that said it had been stamp-dated to the State

14 Department and we can finish some other time,

15 but I found out the letter never got to the

16 State Department.

17 Q. Okay. And that is one of the

18 things you told Dr. Bice in November of 2013?

19 A. Yes.

20 Q. And you don't believe that he

21 followed up appropriately to investigate the

22 2012 test results?

23 A. I don't believe anybody has taken

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1 the time to follow up with the people that were

2 there that could give information about it.

3 And it wasn't followed up as specified in the

4 letter.

5 Q. Okay. As recommended by the

6 statistician, Mr. or Dr. Snyder?

7 A. Dr. Snyder, yes.

8 Q. The next name is Mrs. Robin

9 Zirbes, Z-I-R-B-E-S. Tell me how do you say

10 her name.

11 A. Zirbes.

12 Q. Zirbes. What do you believe

13 Ms. Zirbes knows that is relevant to your

14 claims in this lawsuit?

15 A. She was placed at Trace Crossings

16 the first year that I was a principal because

17 the school had -- and I don't know the exact

18 term, but had been cited for multiple things

19 during an audit. And one of them was the IEP

20 paperwork and the way they were processed.

21 So she was a homebound teacher,

22 and she spent a considerable amount of time

23 helping me get the IEPs in the school

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1 straightened out.

2 And she also reviewed the DRC

3 report, and I don't know what DRC initials are,

4 I can't remember. And that is a report that --

5 it used to be you checked it off twice a year,

6 it is a federal document that verifies student

7 status, free, reduced, race --

8 Q. When you say "free, reduced," that

9 is lunch?

10 A. Lunch, yes. And the first year

11 that I was there, we found, I think,

12 twenty-seven discrepancies with it.

13 Q. With regard to people who were

14 receiving free and reduced lunches that

15 shouldn't have been?

16 A. Yeah, and people that were listed

17 as free and reduced, but they were paying and

18 there were discrepancies between the DRC report

19 and the report that was -- that the registrar

20 had put on the STI, which was the system

21 database.

22 Q. So do you believe that Mrs. Zirbes

23 will testify that there were problems at Trace

<p style="text-align: right;">Page 245</p> <p>1 before you got there and that you were working 2 to address them? 3 A. Yes. I'm sorry. 4 Q. That is okay. The next name is 5 Dr. Ron Dodson. And in your Initial 6 Disclosures it says, "Called the AEA Uniserv 7 Director in July 2012 and told her to 'expect 8 problems' at Trace Crossings." I don't think 9 we have talked about that. 10 A. Yes. 11 Q. How do you know that Dr. Dodson 12 called the AEA Uniserv Director in July 2012 13 and told her something? 14 A. He told me and he told me in front 15 of Deborah Camp and I believe Linda Gurosky was 16 standing there, after the meeting we had with 17 Mr. Craig where I had talked about doing 18 walk-throughs. 19 Q. And he said, "I called the Uniserv 20 Director and told her to expect problems at 21 Trace"? 22 A. Yes. 23 Q. Did he say why he thought that she</p>	<p style="text-align: right;">Page 247</p> <p>1 your conversation with him and Ms. Greene. 2 A. Other than an article that he 3 placed in the paper about the school not making 4 AYP. 5 Q. When you say an article that he 6 placed in the paper -- 7 A. He was the focus of the reporter 8 interview to him about schools in Hoover not 9 making AYP. And he was the primary focus of 10 it. I mean Trace was the primary focus. 11 Q. The next name is Ms. Melody 12 Greene. Have we already talked about what you 13 believe Ms. Greene knows? 14 A. Yes. 15 Q. Dr. Kathy Wheaton. Have we 16 already talked about what you believe 17 Dr. Wheaton knows? 18 A. Yes. 19 Q. Dr. David Fancher? 20 A. Yes. 21 Q. Mr. Brian Cain? 22 A. Yes. 23 Q. Mr. Rush Propst?</p>
<p style="text-align: right;">Page 246</p> <p>1 should expect problems at Trace? 2 A. No. I was so floored that he 3 would do something like that. I was -- I feel 4 that was inappropriate. 5 Q. Why? 6 A. Why would you call an outside 7 entity and tell them to expect problems in a 8 school that you had never -- I mean, 9 Dr. Dodson, I don't know that he had really 10 ever been in the school. And I don't know that 11 he had a basis for doing that except that the 12 school had not made AYP. 13 Q. As far as you know, that is what 14 you are telling me? 15 A. Yeah. 16 Q. The only information that you 17 think Dr. Dodson had about Trace was that it 18 had not made AYP? 19 A. Yeah, I don't know that he had any 20 knowledge. 21 Q. Okay. Anything else that you 22 believe Dr. Dodson knows that is relevant to 23 your claims? And we have already talked about</p>	<p style="text-align: right;">Page 248</p> <p>1 A. Yes. 2 Q. Mr. Chris Shaw? 3 A. Yes. 4 Q. Mr. David Shores? 5 A. Yes. 6 Q. Okay. Ann Marie Corgill, 7 C-O-R-G-I-L-L. Who is Ms. Corgill? 8 A. She taught at Riverchase, she is 9 one of the four finalists for National Teacher 10 of the Year. While she was at Riverchase, she 11 had a situation -- I don't know the whole 12 story -- with their principal and Ms. Barber -- 13 Q. Who is the principal at 14 Riverchase? 15 A. Dianne Baggett. Ms. Barber met 16 with the teachers, and Ann Marie was one of 17 them, about Ms. Baggett's performance. 18 Q. What did Ms. Corgill tell you that 19 Ms. Barber had told her and the teachers about 20 Ms. Baggett's performance? 21 A. They were reporting to Ms. Barber 22 about Ms. Baggett's performance. 23 Q. And in your initial disclosures,</p>

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1 it says "was a Hoover teacher that Carol Barber
2 encouraged her along with other teachers at
3 Riverchase Elementary to 'turn on' their
4 principal, Dianne Baggett."
5 A. Yes.
6 Q. Did Ms. Corgill tell you that
7 Carol Barber had told her to "turn on"
8 Ms. Baggett?
9 A. She encouraged them.
10 Q. To what?
11 A. Speak out against their principal.
12 Q. So Ms. Barber?
13 A. Yes.
14 Q. Okay. Did Ms. Corgill tell you
15 anything about what her concerns about
16 Ms. Baggett were?
17 A. No, I didn't -- no.
18 Q. Okay. The next name is Judy
19 Anderson, former reading coach at Trace
20 Crossings. Have we already talked about
21 Ms. Anderson's knowledge?
22 A. She was the reading coach, yeah.
23 Q. The next name is Pam Hardison.

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1 Who is she?
2 A. Pam was my nurse the first year at
3 the school, and along with Special Ed and
4 several other areas of the school. The nursing
5 had been cited and she had a lot of things she
6 had to fix there. And she can testify to what
7 was going on in the school my first year.
8 Q. Who were the nurses who were at
9 Trace while you were there?
10 A. I had Pam Hardison the first year,
11 Julie Kent was there the second year, and she
12 went back to her home school, Gwin, and then I
13 had hired a new nurse, Melissa -- I can't --
14 Q. Is it Dewberry?
15 A. Dewberry, yes.
16 Q. Lisa Perinka?
17 A. Lisa is now a -- I believe she is
18 at Central Office in Birmingham City. She was
19 assistant principal in Hoover. And after I
20 retired, at some point, she was sent to
21 Crossroads and her positioned was RIFed.
22 Q. Have you talked with Ms. Perinka?
23 A. No.

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1 Q. Who told you that her position was
2 RIFed?
3 A. I believe it was in the paper. It
4 was on the board report.
5 Q. The next name is Wendy Brandon,
6 B-R-A-N-D-O-N.
7 A. All right. Wendy was -- I don't
8 know what her official capacity was, but she
9 did internal audits. And I had her -- I
10 requested for her to come in the first year I
11 was at Trace because there were multiple
12 irregularities with book -- with the way
13 teachers were processing money and that type of
14 thing. And the bookkeeper was very concerned
15 about it.
16 Q. Was that Ms. Drake?
17 A. Yes, I'm sorry. And then when I
18 got to Central Office after -- at the point
19 where I was getting ready to leave, she shared
20 with me her experience with Mr. Craig promising
21 a position that didn't materialize.
22 Q. Which position?
23 A. I believe she wanted to be the

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1 CFO, and it was more than that. It was a
2 promised raise.
3 Q. Anything else that you believe
4 that Ms. Brandon knows regarding --
5 A. Not that I can think of right now.
6 Q. The next name is Debbie Drake.
7 She is the bookkeeper at Trace?
8 A. Yes.
9 Q. What do you believe that Ms. Drake
10 knows related to your claims?
11 A. I believe she can just share the
12 process we went through trying to get all the
13 financial things straightened out. She was
14 also in the building and can testify to what
15 kind of building I was running and the climate.
16 Q. When did you last speak with
17 Ms. Drake?
18 A. So long ago that I don't remember.
19 Q. Okay. The next name is Ann
20 Elizabeth McInvale, M-C-I-N-V-A-L-E.
21 A. She was a teacher that I hired at
22 Trace Crossings. She can just testify to the
23 type of principal I was and I hired her the

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1 first year as a Title I teacher, nonrenewed her
2 and hired her back.
3 Q. Okay. In your Initial
4 Disclosures, it says, "Knowledge of Carol
5 Barber's actions at the school after the
6 plaintiff left." What do you mean by that?
7 A. For McInvale?
8 Q. Yes.
9 A. I have not talked to her, but I
10 would make the assumption that she could -- any
11 teacher that was there could -- I don't know
12 whether it is important what it was like after
13 I left or not.
14 Q. Ashley Young Myrick, M-Y-R-I-C-K?
15 A. Same as Ann Elizabeth.
16 Q. Ronda Vines, that is R-O-N-D-A?
17 A. She was --
18 Q. She was one of the fourth
19 teachers, I think, correct?
20 A. Yes. And I think transferred to
21 Bluff Park after I left. She can testify to,
22 since y'all brought up the, you know, test
23 scores, she was on that team.

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1 Q. When you say "that team" --
2 A. I'm sorry. The fourth grade
3 team --
4 Q. Okay.
5 A. -- that the test scores were --
6 and the climate in the school and things we
7 were doing.
8 Q. Okay. Stephanie Watson, she is
9 another fourth grade teacher?
10 A. Yes, same as Ms. Vines. Yes.
11 Q. Christen, C-H-R-I-S-T-E-N,
12 Stephens?
13 A. Same.
14 Q. She is another fourth grade
15 teacher?
16 A. Yes.
17 Q. Erica Whited, she is another?
18 A. Yes.
19 Q. Joyce Whitt, she is the custodian?
20 A. She is the custodian.
21 Q. And was she a custodian at Trace
22 when you left?
23 A. Yes.

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1 Q. Because you say she is custodian
2 at Berry Middle School now.
3 A. Yes.
4 Q. But she was still at Trace when
5 you left?
6 A. Yes.
7 Q. And you told me a story about her
8 involvement when there was some issue with
9 Debra Smith?
10 A. Yes.
11 Q. Anything else that you believe
12 that Ms. Whitt can testify about?
13 A. She was in the school all day.
14 Q. Okay.
15 A. She can --
16 Q. She can testify about the
17 environment and the atmosphere?
18 A. Yes.
19 Q. Dr. Gayle Morrison, G-A-Y-L-E, she
20 is the reading teacher, the reading coach?
21 A. Yes. Pretty much the same as the
22 other teachers. She had just arrived at Trace.
23 Q. Okay. In the beginning of the

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1 2012 year?
2 A. Yes.
3 Q. The next name is Vicki, V-I-C-K-I,
4 Harris. And it says that she is a teacher at
5 Shades Mountain Elementary. What do you
6 believe that Ms. Harris knows that is relevant
7 to your claims in this lawsuit?
8 A. Just the type of administrator
9 that I was.
10 Q. So she was on the faculty at
11 Shades Mountain when you were assistant
12 principal?
13 A. Correct.
14 Q. Okay. Erin Walters, E-R-I-N.
15 A. Same.
16 Q. She is another teacher at Shades
17 Mountain?
18 A. Yes.
19 Q. Margie Ross.
20 A. Yes. Plus she -- I'm sorry. What
21 are you -- she can also testify to the fact
22 that the AEA had been -- I don't know what the
23 term to use for, they asked -- because of my

<p style="text-align: right;">Page 257</p> <p>1 prior involvement with The Independent Teachers 2 Organization, they were constantly trying to 3 make sure that I wasn't doing something that -- 4 I don't know, I guess they could get me for. I 5 don't know. 6 Q. So are you telling me that Margie 7 Ross has knowledge that AEA was out to get you? 8 A. I didn't say "out to get me," but 9 that is what I feel, that they were out to get 10 me. 11 Q. Okay. 12 A. Because they would question her, 13 she was very involved in the AEA and they would 14 question her during meetings about what I was 15 doing to lure people away from the AEA. 16 Q. Okay. The next group of names 17 says, "Various parents of students at Trace 18 Crossings." And you list a number of names. 19 And what is listed here about their potential 20 knowledge says, "Parents would have knowledge 21 of the plaintiff's performance as principal, 22 knowledge of reasons they were told the 23 plaintiff left, knowledge of their individual</p>	<p style="text-align: right;">Page 259</p> <p>1 contact me just to check on me, happy birthday. 2 I worked in Hoover for a very long time. Like 3 Kristi Tolbert, I worked -- she was a teacher 4 at Trace Crossings. I haven't personally 5 spoken to her since that Christmas party. The 6 people that I have talked to, I ran into 7 Derrick and Rachel Franklin at a store over 8 Christmas. I had not seen them since I left. 9 Sam Brown, I occasionally -- she 10 would take me out to drink coffee or something, 11 just check on me. But I haven't talked to her 12 in I don't know how long. Melissa McGuire, one 13 time I went out and ate lunch with her. Kubus, 14 I have not spoken to since I left Trace. 15 Joey and Jessica Mure, they check 16 on me pretty often. And they contacted me 17 because, apparently, they had a meeting with 18 Donna Frazier, and they were upset -- the 19 comment that I have, that I had been removed 20 from Trace because I had been placed on 21 probation. I hadn't been placed on probation. 22 Q. I am looking at your response to 23 Interrogatory Number 7, and it said, "Donna</p>
<p style="text-align: right;">Page 258</p> <p>1 experiences with plaintiff and administration." 2 I guess what I would like to know, 3 and I am going to give you the names of these 4 folks, is who on this list you have had contact 5 with since you left Hoover, the school system. 6 Okay? 7 A. Uh-huh. 8 Q. And Ms. Litaker, I assume that 9 when you left Trace that you had contact with 10 some of them. You said that you went to a 11 Christmas party or a brunch and there were some 12 parents there. 13 A. (Nodding). 14 Q. I think you have produced some 15 emails that you received from parents right 16 after that -- 17 A. Uh-huh. 18 Q. -- that were supportive. 19 A. Yes. 20 Q. And so I am trying to get to a 21 point where we are past that time where you 22 would have had contact with these parents. 23 A. Most of them will occasionally</p>	<p style="text-align: right;">Page 260</p> <p>1 Frazier, School Board President, told parents, 2 Joseph and Jessica Mure" -- that is M-U-R-E -- 3 "that I had to be removed from Trace Crossings 4 because I had been placed on probation." When 5 did Mr. and Mrs. Mure tell you that Donna 6 Frazier had told them that? 7 A. This was several months ago, she 8 just called me up and said, "I just feel like I 9 need to share something with you." It was 10 before we turned this in. 11 Q. So Ms. Mure -- 12 A. Mure -- 13 Q. -- told you about that a couple of 14 months ago from now, today? 15 A. Oh, yeah. It was a good while 16 before we turned this in. 17 Q. Understood. 18 A. I don't remember the date. 19 Q. Did Ms. Mure tell you when it was 20 that Donna Frazier said that to her? 21 A. They had -- she and her husband 22 had a meeting with Donna; I don't know what 23 about. And during the topic of the</p>

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1 conversation, my name came up. I don't know
2 why.
3 And her -- Donna Frazier's
4 response was something to the effect, oh, we
5 had to move her because she was -- we had had
6 to put her on probation.
7 Q. Okay. Anything else that Ms. Mure
8 reported that Donna Frazier said?
9 A. No.
10 Q. Okay.
11 A. Kathy Claypool will on occasion
12 ask me to meet her for coffee, but -- and other
13 than that, I mean, Heather Thomas has sent me
14 emails. I think I included that in there.
15 But --
16 Q. Okay. Have you talked with any
17 member of the School Board about you being
18 removed from Trace or your situation at the
19 Central Office?
20 A. No.
21 Q. Okay.
22 MS. YUENGERT: I think this is a
23 good place to take a break. If you will give

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1 me five or ten minutes, I might be done.
2 (Whereupon, a break was had from
3 5:50 p.m. until 6:05 p.m.)
4 Q. (BY MS. YUENGERT:) Ms. Litaker,
5 did you hire Amanda Stone?
6 A. Yes.
7 Q. And did you hire Dana Joiner?
8 A. No.
9 Q. So Dana was somebody who was on
10 staff when you got there?
11 A. Yes.
12 Q. Did you hire Angie Smith?
13 A. Yes.
14 Q. She is the counselor?
15 A. Yes.
16 Q. Okay. Who was the counselor when
17 you first got there?
18 A. Lucy Chapman.
19 Q. Okay. And did you non-renew her?
20 A. Yes.
21 Q. And then Angie was there for the
22 rest of the time you were at Trace?
23 A. Yes.

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1 Q. And based on the emails that I
2 have reviewed that your lawyer produced to me,
3 you were not pleased with Amanda's performance;
4 is that correct?
5 A. I was not pleased with some of the
6 things that she was doing, her performance, no.
7 Q. And without getting into the weeds
8 that are huge, every detail, in general, why
9 were you displeased with Amanda's performance?
10 A. Because of her favoritism.
11 Because I would ask her to complete things, and
12 they would not get completed. And I felt like
13 there were times that she wasn't honest with
14 me, and we had several situations happen in the
15 school where students could have potentially
16 gotten hurt, and she totally mishandled the
17 situation.
18 Q. I noticed in the documents that
19 your lawyer produced to me that, based on the
20 emails, in the fall of 2012, you were emailing
21 information from your Hoover account to your
22 Yahoo account.
23 A. Yes.

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1 Q. Why were you doing that?
2 A. When was that?
3 Q. In the fall of 2012.
4 A. Prior to --
5 Q. Prior to your leaving Trace
6 Crossings.
7 A. Do you know what the emails were?
8 Were they --
9 Q. The ones that I looked at that I
10 did notice were ones specifically about Amanda
11 Stone. There would seem to be an exchange
12 between you and Amanda that you would then
13 forward to your personal email, sometimes with
14 a comment about it that you were emailing
15 yourself, correct?
16 A. Yes. So that I would have a
17 record of it and so I would remember. But I
18 didn't have a Yahoo account before I -- I set
19 that up after I left. It was goodteaching.
20 Q. But it was a personal account?
21 A. Yes.
22 Q. So you didn't have a Yahoo account
23 before when? When did you set that up?

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1 A. I set it up shortly after I was
2 moved.
3 Q. Okay. Is there a reason that you
4 didn't feel that you could keep the emails,
5 these exchanges with or about Amanda on your
6 Hoover account?
7 A. I was concerned that they would
8 get erased and I wouldn't have a record of
9 them.
10 Q. Had you had a problem with emails
11 getting erased in the past?
12 A. She had told me she had rights to
13 get into everybody's email, and I don't know
14 whether she did or not. I just --
15 Q. And that "she" is Amanda?
16 A. Yes.
17 Q. So you were concerned that Amanda
18 would get into your email and erase emails or
19 data?
20 A. Yeah. I mean, I don't know that
21 she would, but I was just making sure I had a
22 record of it.
23 Q. Has Andy Craig ever said to you or

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1 has it been reported to you that he said that
2 the reason that he moved you to the Central
3 Office was because of your sex?
4 A. No.
5 Q. Has anyone ever told you that he
6 said or has he ever said in your presence that
7 the reason he made any decision about your
8 employment was because of your sex?
9 A. No.
10 Q. The same question for Carol
11 Barber, has she ever said anything to indicate
12 to you that the reason they made a decision or
13 participated in any decision about your
14 employment at Hoover was because of your sex?
15 A. No.
16 Q. Same question for anybody on the
17 Board.
18 A. No.
19 Q. Has anyone ever told you that they
20 thought the reason that you were moved to the
21 Central Office or that any decision was made
22 regarding your employment at Hoover was because
23 of your sex?

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1 A. I don't think so. I don't
2 remember anybody saying that.
3 Q. Have you ever been arrested?
4 A. No.
5 Q. Have you ever been in the
6 military?
7 A. No.
8 Q. I think you had told me you had
9 never given sworn testimony before today?
10 A. Right.
11 Q. Have you ever been involved in any
12 other lawsuit other than the one we are here
13 about today?
14 A. I don't think so, no. I haven't.
15 Q. And I think that you reported in
16 your discovery responses that you had filed for
17 bankruptcy in '97?
18 A. Yes.
19 Q. What were the circumstances that
20 caused you to file for bankruptcy?
21 A. That was the year that my mother
22 died. It was the year that I was the Alabama
23 State Teacher of the Year, and a combination, I

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1 already had money on credit cards but a
2 combination of not being reimbursed by the
3 State Department and having to continually help
4 my dad.
5 Q. Just life?
6 A. Yeah.
7 Q. Okay. And you were discharged
8 from bankruptcy?
9 A. Oh, yeah.
10 Q. Okay. Other than the two tapes I
11 mentioned today about the School Board meeting
12 and the tape of your meeting with Mary Veal and
13 Carol Barber on January 28th, do you have any
14 other tapes of conversations with people at the
15 Hoover Board?
16 A. No.
17 Q. And the tape of the School Board,
18 did you make that tape?
19 A. No. I got it off of -- there's a
20 website, I will have to look at the --
21 Q. Is it Trish Crane's website?
22 A. No. I don't think I got it off of
23 her's.

<p style="text-align: right;">Page 269</p> <p>1 Q. Okay.</p> <p>2 A. I got it off of a website.</p> <p>3 Q. Can you track that down and let</p> <p>4 Kevin know what website you got that off of?</p> <p>5 A. Yes.</p> <p>6 Q. Okay.</p> <p>7 A. It should be linked back to it.</p> <p>8 MR. JENT: We will look at it.</p> <p>9 MS. YUENGERT: I don't have any</p> <p>10 other questions.</p> <p>11 MR. JENT: Oh, I have one or two.</p> <p>12 I know. They will be short.</p> <p>13</p> <p>14 EXAMINATION BY MR. JENT:</p> <p>15 Q. We talked today a little bit about</p> <p>16 jobs that you had applied for since you had</p> <p>17 left Hoover?</p> <p>18 A. Uh-huh.</p> <p>19 Q. Do you believe that anything</p> <p>20 related to this lawsuit has led you not to get</p> <p>21 any of those jobs?</p> <p>22 A. Yes.</p> <p>23 Q. What?</p>	<p style="text-align: right;">Page 271</p> <p>1 CERTIFICATE</p> <p>2</p> <p>3</p> <p>4 STATE OF ALABAMA</p> <p>5 JEFFERSON COUNTY</p> <p>6</p> <p>7 I hereby certify that the above</p> <p>8 and foregoing deposition was taken down by me</p> <p>9 in stenotypy, and the questions and answers</p> <p>10 thereto were reduced to typewriting under my</p> <p>11 supervision, and that the foregoing represents</p> <p>12 a true and correct transcript of the deposition</p> <p>13 given by said witness upon said hearing.</p> <p>14 I further certify that I am</p> <p>15 neither of counsel nor of kin to the parties to</p> <p>16 the action, nor am I in anywise interested in</p> <p>17 the result of said cause.</p> <p>18</p> <p>19</p> <p>20 /s/ LAURA H. NICHOLS</p> <p>21 Commissioner-Notary Public, State of AL</p> <p>22 ACCR License No. 3, Exp. 9/30/2015</p> <p>23 GA CCR No. 2714, Exp. 4/1/2016</p> <p>TN LCR No. 679, Exp. 6/30/15</p> <p>Transcript Certified on 6/1/2015</p>
<p style="text-align: right;">Page 270</p> <p>1 A. I feel like the email that ended</p> <p>2 up in the newspaper and the follow-up newspaper</p> <p>3 articles that reference that email have had a</p> <p>4 direct effect on my ability to get a job. I</p> <p>5 mean, if you Google my name, that is what pops</p> <p>6 up.</p> <p>7 Q. Okay.</p> <p>8 MR. JENT: That is all I have.</p> <p>9</p> <p>10 REEXAMINATION BY MS. YUENGERT:</p> <p>11 Q. Has anybody that you have applied</p> <p>12 for a job with mentioned that article?</p> <p>13 A. Of course not.</p> <p>14 MS. YUENGERT: That is all I have.</p> <p>15</p> <p>16 FURTHER THE DEPONENT SAITH NOT</p> <p>17</p> <p>18 (Deposition concluded at 6:15 p.m.)</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	

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Litaker, Robin

From: Barber, Carol
Sent: Friday, November 16, 2012 3:55 PM
To: Antee, Cathy; Anthony, Carissa; Barber, Carol; Bonner, Melinda; Bradford, Janice; Brandon, Wendy; Branham, Alyssa; Camp, Deborah; Craig, Andy; Dodson, Ron; Dover, Matt; Fields, Connie; Fitzgerald, Patty; Franklin, Pam; Gaston, Jason; Goodwin, Linda; Haralson, Sandra; Lanzi, Carolyn; Lewis, Tina; Mabry, Sabrina; Marshall, Steve; Mayer, Barbara; McCall, Sharon; McCay, Michele; Meadows, Teresa; Phillips, Bryan; Polk, Lesli; Porteous, Kathy; Riney, Chris; Shaw, Chris; Smith, Debra; Smith, Wayne; Veal, Mary; White, Louise; Williams, Kristi; Wood, Susan; Yancey, Lisa; Baggett, Dianne; Black, Maurine; Carrington, Sonia; Fancher, David; Feltham, Juli; Gurosky, Linda; Lawry, Bob; Litaker, Robin; Mitchell, Scott; Richardson, Wayne; Singer, Jeff; White, Kimberly; Cain, Brian; Maddox, Tamala; Robbins, Chris; Wheaton, Kathy; Hulin, Don; Jarnagin, Kenneth; Smith, Terry; Whitney, Anna; Gregory, Amy; Lamar, Terry; Paiml, Kathy; Pate, Kerry; Scholl, Kara; Stone, Amanda; Torbert, Roger; Turney, Alice; Uswatte, Dil; Weems, Ami; Burke, Donna; Erwin, Kevin; Kneisley, Margaret; Litten, Paul; Perinka, Lisa; Butler, Charles; Giangrosso, Larry; Greene, Melody; Hill, Murry; Hogan, Jennifer; Kellogg, Patrick; Long, Kathey; Montgomery, John; Sutherland, Holly
Subject: FW: Information

Just to update you on a few changes that are occurring for the district.....remember, change is positive!!

Robin Litaker, principal at Trace Crossings, has been talking to us about some different opportunities that are being considered for the Hoover district. Currently, Robin has asked for some time to work on her dissertation and will be taking a few weeks to focus attention on this important task. Robin's assignment to a new position will be finalized when she returns from this professional leave. Meanwhile, I plan to move from my CO position to fill the principal position at TC. I will begin at TC on Monday, Nov. 26; we notified the faculty/staff this afternoon. I will continue to work with CO responsibilities, operating from the office at TC, until my responsibilities are reassigned or until a suitable replacement to assist with some of the tasks has been identified.

I will not be in B'ham over the Thanksgiving break (family trip) but will be available via email or phone should you have any reason to contact me. I hope everyone has a happy Thanksgiving—spend time with family and above all, join me in giving thanks for our numerous blessings! We are so fortunate!!

Happy Thanksgiving!

Carol Barber
 Assistant Superintendent
 Hoover City Schools
 2810 Metropolitan Way
 Hoover, AL 35243
 205, 439-1015
cbarber@hoover.k12.al.us

**DEFENDANT'S
 EXHIBIT**

1 R. Litaker

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Page 1 of 3

Subject: [No Subject]
 From: Deborah Camp (wareagle4445@yahoo.com)
 To: robinlitaker@yahoo.com;
 Date: Monday, November 19, 2012 12:46 PM

*2nd Email
 I am not
 in the
 distribution
 list*

From: "Barber, Carol" <<http://us-mg6.mail.yahoo.com/neo/redirect.aspx?C=f9e1f3332ebc48ab8be7927a7dad5551&URL=mailto%3acbarber%40hoover.k12.al.us>>
Date: November 18, 2012, 4:24:21 PM CST
To: "Fancher, David" <<http://us-mg6.mail.yahoo.com/neo/redirect.aspx?C=f9e1f3332ebc48ab8be7927a7dad5551&URL=mailto%3aDFancher%40hoover.k12.al.us>>, "Richardson, Wayne" <<http://us-mg6.mail.yahoo.com/neo/redirect.aspx?C=f9e1f3332ebc48ab8be7927a7dad5551&URL=mailto%3awrichardson%40hoover.k12.al.us>>, "Black, Maurine" <<http://us-mg6.mail.yahoo.com/neo/redirect.aspx?C=f9e1f3332ebc48ab8be7927a7dad5551&URL=mailto%3amblack%40hoover.k12.al.us>>, "White, Louise" <<http://us-mg6.mail.yahoo.com/neo/redirect.aspx?C=f9e1f3332ebc48ab8be7927a7dad5551&URL=mailto%3alwhite%40hoover.k12.al.us>>, "Singer, Jeff" <<http://us-mg6.mail.yahoo.com/neo/redirect.aspx?C=f9e1f3332ebc48ab8be7927a7dad5551&URL=mailto%3ajsinger%40hoover.k12.al.us>>, "Baggett, Dianne" <<http://us-mg6.mail.yahoo.com/neo/redirect.aspx?C=f9e1f3332ebc48ab8be7927a7dad5551&URL=mailto%3adbagggett%40hoover.k12.al.us>>, "Carrington, Sonia" <<http://us-mg6.mail.yahoo.com/neo/redirect.aspx?C=f9e1f3332ebc48ab8be7927a7dad5551&URL=mailto%3ascarrington%40hoover.k12.al.us>>, "Lawry, Bob" <<http://us-mg6.mail.yahoo.com/neo/redirect.aspx?C=f9e1f3332ebc48ab8be7927a7dad5551&URL=mailto%3ablawry%40hoover.k12.al.us>>, "Feltham, Juli" <<http://us-mg6.mail.yahoo.com/neo/redirect.aspx?C=f9e1f3332ebc48ab8be7927a7dad5551&URL=mailto%3ajfeltham%40hoover.k12.al.us>>
Subject: Changes.....

Beginning Nov. 26, I will officially become a member of the elementary administrative team. Just needed to share a bit more than what I felt comfortable putting in the email last Friday afternoon.....

I am moving to TC as Robin transitions to another district administrative position. Robin did an outstanding job at TC—she is not being moved for lack of effort, poor job performance, or any of the common reasons one normally sees for making a principal move in the middle of a school year. Robin did exactly what we asked her to do—to hold teachers and staff at TC accountable for high standards related to their job performance. As Robin unraveled the layers and layers of "issues," feathers were ruffled; feelings were hurt; people started arguing (oftentimes among themselves); lots of backstabbing and throwing of people under the bus; in a nutshell—extremely low morale, poor climate and negative culture. Once respect and trust are lost, it becomes a lost battle. When the "good" teachers began to complain (they were

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Z R Litaker

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threatening to leave due to the lack of trust and respect) it became apparent that we had to make some type of change. It was NOT fair to Robin to have her to continue to work 24/7 and for it to be for naught! Neither was it fair to the kids. When teachers spend more time "fussing" then they do planning for their classroom, it will ultimately negatively impact student learning.

Robin is taking this week to be with her family, and plans to take the rest of the time between this Thanksgiving break and winter break to work on her dissertation. This is healthy for her—when she returns after the winter break, we will look at several administrative positions that will be available for her to assume.

I am excited about the opportunity to join the ranks of elementary administration. I am going to need lots and lots of help.....things have changed dramatically since I have been principal and OMS—the curriculum!!!! I know good teaching and know how to organize curriculum—what I don't have first-hand knowledge about is the current programs. It will be a steep learning curve for me and yes, please be patient when I call for help!!! You may receive some very elementary questions.....

My first challenge will be to try to restore some aspect of positive climate/culture to this school. That is primary challenge number 1. Robin will be helping me to get a handle on the day-to-day operation stuff here at TC. There are no plans to change direction or even to change practices/procedures Robin implemented. After about a month with CB, they may very well all be wishing they had Robin back!

Hope this helps to clarify what is going on! Not easy to communicate via email but I am leaving town for the next week and no time to get together as a group. I really am looking forward to working with all of you as a fellow "justice league" member (where do I get the t-shirt?)!

Have a great Thanksgiving!!!!

FW: Information

Barber, Carol

Sent:

Friday, November 16, 2012 3:54 PM

To:

M

Antee, Cathy; Anthony, Carissa; Barber, Carol; Bonner, Melinda; Bradford, Janice; Brandon, Wendy; Branham, Alyssa; Camp, Deborah; Craig, Andy; Dodson, Ron; Dover, Matt; Fields, Connie; Fitzgerald, Patty; Franklin, Pam; Gaston, Jason; Goodwin, Linda; Haralson, Sandra; Lanzi, Carolyn; Lewis, Tina; Mabry, Sabrina; Marshall, Steve; Mayer, Barbara; McCall, Sharon; McCay, Michele; Meadows, Teresa; Phillips, Bryan; Polk, Leslie; Porteous, Kathy; Riney, Chris; Shaw, Chris; Smith, Debra; Smith, Wayne; Veal, Mary; White, Louise; Williams, Kristi; Wood, Susan; Yancey, Lisa; Baggett, Dianne; Black, Maurine; Carrington, Sonia; Fancher, David; Feltham, Juli; Gurosky, Linda; Lawry, Bob; Litaker, Robin; Mitchell, Scott; Richardson, Wayne; Singer, Jeff; White, Kimberly; Cain, Brian; Maddox, Tamala; Robbins, Chris; Wheaton, Kathy; Hulin, Don; Jarnagin, Kenneth; Smith, Terry; Whitney, Anna; Gregory, Amy; Lamar, Terry; Paiml, Kathy; Pate, Kerry; Scholl, Kara; Stone, Amanda; Torbert, Roger; Turney, Alice; Uswatte, Dil; Weems, Ami; Burke, Donna; Erwin, Kevin; Kneisley, Margaret; Litten,

First Email with
to Adm. with
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Page 3 of 3

Paul; Perinka, Lisa; Butler, Charles; Giangrosso, Larry; Greene, Melody; Hill, Murry; Hogan, Jennifer; Kellogg, Patrick; Long, Kathey; Montgomery, John; Sutherland, Holly

Just to update you on a few changes that are occurring for the district.....remember, change is positive!!

Robin Litaker, principal at Trace Crossings, has been talking to us about some different opportunities that are being considered for the Hoover district. Currently, Robin has asked for some time to work on her dissertation and will be taking a few weeks to focus attention on this important task. Robin's assignment to a new position will be finalized when she returns from this professional leave. Meanwhile, I plan to move from my CO position to fill the principal position at TC. I will begin at TC on Monday, Nov. 26; we notified the faculty/staff this afternoon. I will continue to work with CO responsibilities, operating from the office at TC, until my responsibilities are reassigned or until a suitable replacement to assist with some of the tasks has been identified.

I will not be in B'ham over the Thanksgiving break (family trip) but will be available via email or phone should you have any reason to contact me. I hope everyone has a happy Thanksgiving—spend time with family and above all, join me in giving thanks for our numerous blessings! We are so fortunate!!

Happy Thanksgiving!

Carol Barber
Assistant Superintendent
Hoover City Schools
2810 Metropolitan Way
Hoover, AL 35243
205, 439-1015
cbarber@hoover.k12.al.us

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Page 1 of 4

Subject: RE: From Sweeney

From: Mark S. Boardman (mboardman@boardmancarr.com)

To: robinlitaker@yahoo.com;

Date: Wednesday, April 3, 2013 10:48 AM

Robin, given that I told Andy yesterday what you told me to say (that you said you intended to agree to this, but needed to just confirm with RSA), I don't think it is necessary to call him. Did the BOE meet this morning, and if so, is that meeting over? Thanks----- Mark

Mark S. Boardman
Law Offices of BOARDMAN, CARR, BENNETT, WATKINS, HILL & GAMBLE, P.C.
P.O. Box 382886, Birmingham, AL 35238-2886
400 Boardman Drive
Chelsea, AL 35043-8211
(205) 678-8000
Facsimile (205) 678-0000
mboardman@BoardmanCarr.com
www.BoardmanCarr.com

NOTE: This is a confidential communication and may contain privileged and/or confidential information. If you are not the intended recipient, please delete this message and attachments, and do not read, copy, use, retain or disseminate the message or any attachment. If you have received this communication in error, please notify us immediately. Neither the transmission of this message or any attachment, nor any error in transmission or misdelivery, shall constitute waiver of any applicable legal privilege.

-----Original Message-----

From: Robin Litaker [mailto:robinlitaker@yahoo.com]
Sent: Wednesday, April 03, 2013 10:20 AM
To: Mark S. Boardman
Subject: Re: From Sweeney

**DEFENDANT'S
EXHIBIT**

3 RLitaker

Will you please let him know that I will confirm as soon as I hear from RSA?

Please excuse typing errors - information sent from my iPhone

On Apr 3, 2013, at 9:33 AM, "Mark S. Boardman" <mboardman@boardmancarr.com> wrote:

> Robin, that is wise. I would like to have confirmation on what the Dec 31
> date does for your retirement before you sign anything.

Print

Page 2 of 4

> When I talked to Andy yesterday after we talked, he agreed that you still
> get raises, if you would be getting them if you were at work everyday at
the
> central office. So, he is on board with that.
> Thanks--- Mark
> Mark S. Boardman
> Law Offices of BOARDMAN, CARR, BENNETT, WATKINS, HILL & GAMBLE, P.C.
> P.O. Box 382886, Birmingham, AL 35238-2886
> 400 Boardman Drive
> Chelsea, AL 35043-8211
> (205) 678-8000
> Facsimile (205) 678-0000
> mboardman@BoardmanCarr.com
> www.BoardmanCarr.com
> NOTE: This is a confidential communication and may contain privileged
> and/or confidential information. If you are not the intended recipient,
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> retain or disseminate the message or any attachment. If you have received
> this communication in error, please notify us immediately. Neither the
> transmission of this message or any attachment, nor any error in
> transmission or misdelivery, shall constitute waiver of any applicable
legal
> privilege.
>
> -----Original Message-----
> From: Robin Litaker [mailto:robinlitaker@yahoo.com]
> Sent: Wednesday, April 03, 2013 9:21 AM
> To: Mark S. Boardman
> Subject: Re: From Sweeney
>
> I am checking with RSA this morning to confirm things
>
> Please excuse typing errors - information sent from my iPhone
>
>
> On Apr 2, 2013, at 3:41 PM, "Mark S. Boardman"
<mboardman@boardmancarr.com>
> wrote:
>
>>
>>
>> Mark S. Boardman
>> Law Offices of BOARDMAN, CARR, BENNETT, WATKINS, HILL & GAMBLE, P.C.
>> P.O. Box 382886, Birmingham, AL 35238-2886
>> 400 Boardman Drive
>> Chelsea, AL 35043-8211
>> (205) 678-8000
>> Facsimile (205) 678-0000
>> mboardman@BoardmanCarr.com

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>> www.BoardmanCarr.com
>> NOTE: This is a confidential communication and may contain privileged
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>> retain or disseminate the message or any attachment. If you have
received
>> this communication in error, please notify us immediately. Neither the
>> transmission of this message or any attachment, nor any error in
>> transmission or misdelivery, shall constitute waiver of any applicable
> legal
>> privilege.
>>

>> -----Original Message-----

>> From: Sweeney, Donald B. [mailto:dsweeney@babco.com]
>> Sent: Tuesday, April 02, 2013 2:49 PM
>> To: 'Mark S. Boardman'
>> Cc: Craig, Andy
>> Subject: RE: Litaker
>>

>> Mark,
>>

>> Andy Craig would like to settle the matter with Litaker on the following
>> terms and conditions:
>>

>> 1) Litaker will submit now her resignation effective Dec. 31, 2013.
>>

>> 2) Litaker will work from her home to do assignments at the discretion of
>> the superintendent.
>>

>> The latter does not have to be stated in her letter of resignation, just

a

>> matter of understanding about where she would be and what she would be
> doing

>> between now and Dec. 31.
>>

>> Andy,
>>

>> I hope I have accurately stated the terms.
>>

>> -----Original Message-----

>> From: Mark S. Boardman [mailto:mboardman@boardmancarr.com]
>> Sent: Friday, March 29, 2013 10:29 AM
>> To: Sweeney, Donald B.
>> Subject: RE: Litaker
>>

>>

>> _____
>>
>> Confidentiality Notice: This e-mail is from a law firm and may be
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Page 4 of 4

>> by the attorney-client or work product privileges. If you have received
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>> message in error, please notify the sender by replying to this e-mail and
>> then delete it from your computer.
>
>

April 4, 2013

To: Mr. Andy Craig, Superintendent

From: Robin Litaker

RE: Retirement Date

Mr. Craig

This letter is to inform you that I have set my retirement date. I will retire from the Hoover City School System effective the last day of December 2013.

My last day to work will be December 31, 2013.

RL Litaker

**DEFENDANT'S
EXHIBIT**

RLitaker

DEFENDANT'S
EXHIBIT

5 RLitaker

PRINCIPAL EMPLOYMENT CONTRACT

This Contract is made by and between the Hoover City Schools Board of Education located in the State of Alabama (hereinafter referred to as "the Board"), and **ROBIN LITAKER** (hereinafter referred to as "the Probationary Contract Principal").

Witnesseth: That in accordance with action taken by the Board as recorded in the minutes of the Board meeting held on the 24th day of May, 2010, the Board hereby agrees to employ the Probationary Contract Principal, and the Probationary Contract Principal hereby agrees to accept such employment, subject to the following terms and conditions:

Section 1. Term of Contract. Pursuant to Section 3 of the Teacher Accountability Act, Probationary Contract Principal shall be employed as a probationary principal for the period stated as follows:

Beginning Date: July 1, 2010

Ending Date: June 30, 2012

The above-stated probationary term is hereby acknowledged, understood and mutually agreed upon by the Board and the Probationary Contract Principal.

Section 2. Salary.

(a) In consideration of an annual salary of \$88,000, for 12 months/260 days per year and of further agreements and consideration hereinafter stated, the Probationary Contract Principal agrees to use his best efforts to perform faithfully the duties of a Probationary Contract Principal for the Board and to abide by the rules, regulations and policies promulgated by the Board before or during the term of this Contract. The annual salary shall be increased by 1.5% for the second year ending June 30, 2012. The annual salary shall be paid in twelve equal installments.

(b) In any year in which the Alabama Legislature enacts a pay raise for all public school teachers, the Probationary Contract Principal's salary will increase in accordance with the terms of the legislation and any subsequent action taken by the Board in response to that legislation.

(c) Any upward adjustment in salary during the term of this contract shall not constitute a new contract or an extension of this contract.

Section 3. Renewal or Termination of Probationary Principal's Contract.

(a) The Probationary Contract Principal's employment at the end of the probationary term may be extended for a period of not less than three years or terminated. The Board may terminate the Probationary Contract Principal's contract effective at the end of the probationary period for any reason or without a stated reason. The Probationary Contract Principal shall not be entitled to a hearing if the Probationary Contract Principal's employment is terminated at the end of the probationary term.

(b) Cancellation of Probationary Contract Before Completed Term: The Board may nonrenew or terminate this probationary contract without a hearing effective either at the end of the first probationary year or at the end of the second probationary year for any reason or without stated reason.

If the Board shall determine to terminate the Probationary Contract Principal prior to the end of the school year, the Probationary Contract Principal shall be entitled to a hearing in accordance with Ala. Code § 16-24B-3(a).

Section 4. Professional Status. The Probationary Contract Principal affirms that throughout the term of this Contract he or she will hold a valid and appropriate certificate to act as a Probationary Contract Principal of Schools in the State of Alabama.

Section 5. Probationary Contract Principal's Duties. The Probationary Contract Principal shall perform in a timely manner all duties delegated or assigned to the Probationary Contract Principal by federal, state, and local laws, policies, and regulations, by the Board, or by its Superintendent of Education (hereinafter referred to as "the Superintendent").

Section 6. Transfer. The Board, upon the written recommendation of the Superintendent, is authorized to transfer the Probationary Contract Principal without loss of salary to other administrative openings in the school system.

Section 7. Evaluation. The Probationary Contract Principal shall be evaluated annually according to the process defined by the State Board of Education. The Probationary Contract Principal agrees to participate in the evaluation process and to complete any professional development plan resulting from the evaluation process.

Section 8. Benefits. The Probationary Contract Principal shall receive all benefits of employment that the Board grants across the board to all other certificated employees.

Section 9. Background Check. Pursuant to state law and regulations, the Board is required to conduct a criminal background check on all new employees with unsupervised access to children. Failure to disclose a criminal conviction shall be considered a material breach of this contract.

Section 10. Professional Liability. The Board will include the principal as a covered person in the liability coverage obtained by the Board subject to the terms, limitations and exclusions of said coverage.

Section 11. Amendment, Modification, or Waiver. This Contract shall not be amended, modified, or waived except in writing authorized, agreed upon, and executed by the Probationary Contract Principal and the Board, upon the written recommendation of the Superintendent.

Section 12. Severability. If during the term of this Contract it is found that part of the Contract is illegal and must be severed from the Contract, the remainder of the Contract

shall remain in force, unless the severance causes the remainder of the Contract to fail in its essential purpose.

Section 13. Choice of Law. This Contract shall be construed and enforced by the substantive laws of the State of Alabama.

Section 14. Interpretation of Agreement. No provision of this Contract shall be construed against or interpreted to the disadvantage of any party by any court or other governmental or judicial authority by reason of that party having, or being deemed to have, structured, dictated, or drafted that provision.

Section 15. Headings. The section headings in this Contract are entirely editorial, and in no way substantive. They do not create, enlarge, or diminish the rights and duties of the parties to this Contract.

Section 16. Other Agreements or Understandings. Provisions of this Contract, and any changes made pursuant to Section 12, above, supercede any previous agreements or understandings between the parties - whether oral or in writing - and will control in the event of a conflict with any other agreement or understanding that the parties may enter in to.

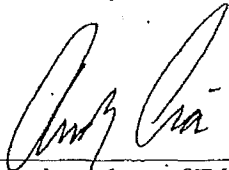
Section 17. Counterparts. This Contract may be executed in two counterparts, each of which shall be deemed an original but all of which will constitute one and the same Contract.

Section 18. Advice of Counsel. The parties to this Contract represent that they have signed it (1) after ample, full, and mature deliberation, (2) with full authority to do so, (3) after having read the contract and had the opportunity to freely discuss it with counsel and any other advisor of each party's choice, and (4) that they are signing it voluntarily and fully aware of its contents and meaning.

Section 19. Effective Date. The effective date of this Contract is July 1, 2010.

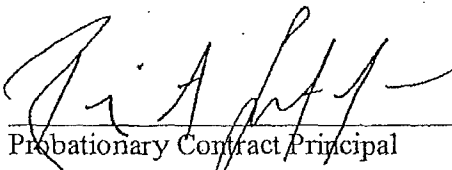
In witness whereof, the parties have executed this Contract on the date indicated below.

Executed by the Board this 24th day of May 2010.



Superintendent of Education

Executed by the Probationary Contract Principal this 24th day of May 2010.



Probationary Contract Principal

EVALUATION SUMMARY REPORT
PRINCIPAL SYSTEM

Principal: Ms. Robin Litaker

SSN:

Date: January 13, 2011

School System: Hoover City Schools

School: Trace Crossings Elementary

Evaluator: Carol Barber

SSN:

1. Communication Knowledge and Skills
☐ 1 ☐ 2 ☒ 3 ☐ 4

(Sources: surveys, portfolio, interviews, observation)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Communicates with parents via school newsletters and emails. Publishes Week-At-A-Glance newsletter for faculty/staff. Meets regularly with Parent Teacher Organization. Meets one-on-one with teachers, parents, and students (strength of principal). Takes the time to listen to and respond to individual concerns. Acknowledges and encourage parent and teacher input. Demonstrates care and concern for individual students, teachers and parents.

2. Collaboration Processes and Skills
☐ 1 ☐ 2 ☐ 3 ☒ 4

(Sources: surveys, portfolio, interviews)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. As a first year principal, inherited a faculty/staff where culture, climate, and practices had to change. Began process of change by meeting with people—individually, in small groups, and in larger groups. Listened to people. Identified areas where she would not allow any negotiations; identified areas where input was needed and encouraged. Planned transition activities to gain teacher and parent support. Established expectations and standards, yet building support and gaining teacher buy-in to new expectations and practices. Works hard to build on existing teacher strengths; acknowledges these strengths and delegates and empowers those to act. AP, currently in the school, applied for the principal position and was most upset with this did not occur. Filed an EEOC; district prevailed in the hiring of Ms. Litaker. Principal continues to work with this AP even though there appears to be a great deal of negative behavior involved. This skill area is an area of strength for Ms. Litaker!

3. Assessment/Measurement/Evaluation
☐ 1 ☐ 2 ☐ 3 ☒ 4

(Sources: surveys, portfolio, interviews)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Worked with Director of Elementary Education to analyze and share ARMT and SAT data with faculty (had not been done before). Arranged parent meetings to interpret test student and building scores for parents. Compared test scores to current student grades. Reading coach manages reading data for school. Notebooks contain grids identifying student achievement. Data is available to principal when observing in classrooms; during walk-throughs. Principal and reading coach and assistant principal can see level where any student is currently reading and how that student is progressing over time. Intervention plans for each struggling student are included in the notebook. Principal monitors lesson plans (available on the T drive). Curriculum is reviewed by teams and principal.

**DEFENDANT'S
EXHIBIT**

b R Litaker

4. Organizing for Results
☐ 1 ☐ 2 ☒ 3 ☐ 4

(Sources: surveys, portfolio, interviews, observation)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Principal is trying to stay true to practices that have been established as Trace Crossings traditions until culture supports changes. Transition to curriculum teams is evolving. Mission of school will be analyzed and critiqued over the summer by parents and staff with the intent of revising for the 2011-2012 school year. Principal is moving slowly; helping the faculty to see the need for change; thereby embracing the changes as they are implemented.

5. Planning
☐ 1 ☐ 2 ☐ 3 ☒ 4

(Sources: portfolio, interviews)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Principal is developing ownership of new ideas as they evolve. Principal encourages input into decisions for the schools. Principal is strategically planning for change, moving slowly and trying to take faculty and parents with her as changes are implemented. Principal is establishing goals and identifying activities to support school goals. Input for change is encouraged from faculty/staff, students, and parents. Principal is using data from a variety of sources to establish goals and objectives (assessment data, survey data, parent and staff meetings, etc.).

6. Federal/State/Local Laws and Policies
☐ 1 ☐ 2 ☒ 3 ☐ 4

(Sources: surveys, portfolio, supervisor's review)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Principal applies laws and policies to everyday practice—supervision, discipline, school organization, etc. Evidence of understanding of laws and policies are represented in building procedures and practices. Principal is knowledgeable of laws applying to student rights and is not hesitant to call others for clarification when she is uncertain of a situation. Principal provides leadership in helping faculty, staff, students, and parents understand legal requirement of laws and policies.

7. Problem Solving
☐ 1 ☐ 2 ☐ 3 ☒ 4

(Sources: surveys, portfolio, interviews)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Principal develops ownership of ideas by delegating, empowering others, and sharing. Input into solving problems is encouraged and acknowledged. Principal labels problems; brainstorms solutions with individuals/groups involved; develops ownership of solutions by allowing input into the solutions; shares data to help direct solutions; and builds consensus regarding the best solution for the problem. Principal has emphasized assessment data with faculty; helping teachers to understand profiles and to plan strategically for improvement.

8. Innovation
☐ 1 ☐ 2 ☒ 3 ☐ 4

(Sources: surveys, portfolio, observation)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Principal is significant reorganization in staffing patterns for 11-12 school year. Principal has initiated an innovative dismissal process with students: bus tickets (next year will add car pool tickets and walker tickets). PST meeting format—meeting times are selected by teachers; teams meet at different times based upon decision by team teachers. Principal has organized four theme days for students (health/safety; math/science, fine arts, social studies/history). Brings in speakers; develop activities for students around designated theme.

9. Technology Management
☐ 1 ☐ 2 ☒ 3 ☐ 4

(Sources: surveys, interviews, observation)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Models the use of technology on a daily basis. Communicates expectations to teachers about the use of technology tools to deliver instructional content. Professional development day was spent on inservices for I-Touches; teachers involved in geo-caching. Principal has purchased software program called FAST MATH to help student acquire mastery of basic math facts.

10. School Operations and Management
☐ 1 ☐ 2 ☐ 3 ☒ 4

(Sources: surveys, portfolio, observation)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Principal is analytical in assessment of building practices and procedures. This is an area of strength for Ms. Litaker. She understands how to effectively schedule personnel to achieve maximum efficiency; establishes routines to benefit students and faculty; and establishes rapport with student by creating a safe and secure learning environment (physically safe and emotionally safe)! Principal uses a critical eye to determine appearance of building and grounds and holds staff accountable for expressed expectations. Principal establishes high expectations and is willing to work with personnel as they change practices to meet changed expectations; however, will hold people accountable for agreed upon standards!

11. Fiscal Leadership and Management
☐ 1 ☐ 2 ☒ 3 ☐ 4

(Sources: surveys, portfolio, supervisor's review)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Principal meets regularly with bookkeeper to review POs, reconcile books, etc. Budget committee consists of elected teachers, counselor, bookkeeper, principal and parent. Budget committee determines spending of state funds, technology funds, etc. Principal works with PTO regarding spending of funds from parent organization.

12. Management of Professional Responsibilities
☐ 1 ☐ 2 ☐ 3 ☒ 4

(Sources: surveys, supervisor's review)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Principal is organized; completes tasks in a timely manner; is highly professional in making decisions related to staffing; responds to requests for information/assistance in positive manner. Delegates responsibility to appropriate personnel. Empowers appropriate personnel to demonstrate leadership regarding curriculum and instructional issues.

13. Leadership of Human Resources
☐ 1 ☐ 2 ☒ 3 ☐ 4

(Sources: surveys, portfolio, supervisor's review)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Principal has analyzed test data extensively and shared with parents and teachers. Principal has made sure teachers have specs for testing; planning to purchase Test Prep to help student prepare for SAT/ARMT. Principal has introduced Educate Alabama and the Quality Teaching Standards to faculty. Principals applies principles of effective supervision. Principals is involved in daily walk-throughs (goal is to get into every classroom every day)! As a new principal, Ms. Litaker is building a positive culture with parents, students and teachers. Change is beginning to evolve under her leadership. Principal constantly references mission and vision for TC and expects teachers to use this as a screen for making decisions.

Areas for Improvement: 1.

2.

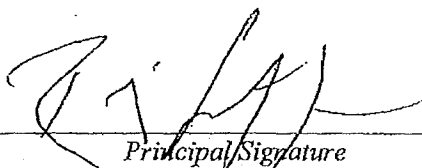
Additional Comments:**Composite Knowledge/Skill Score**

Complete this box for all contract principals or for non-contract principals in school systems adopting a summative component.


For a principal to meet the approved "satisfactory" performance standards for the state evaluation model, the sum of the scores for knowledge/skill areas 1 through 13 must equal 36 or more. Scores of 33-35 are "unsatisfactory, but remediable" and scores less than 33 are "unsatisfactory"

Total of all knowledge/skill scores:

Principal has met the performance standard marked below:

☐ Satisfactory☐ Unsatisfactory, but remediable☐ Unsatisfactory


Principal Signature



Evaluator Signature

Principal's signature does not necessarily indicate agreement with the results of the evaluation.

EVALUATION SUMMARY REPORT
PRINCIPAL SYSTEM

Principal: Mr. Robin Litaker

SSN:

Date: February 8, 2012

School System: Hoover City Schools

School: Trace Crossings Elementary School

Evaluator: Carol Barber

SSN:

1. Communication Knowledge and Skills
☐ 1 ☐ 2 ☒ 3 ☐ 4

(Sources: surveys, portfolio, interviews, observation)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Artifacts include weekly "WAG" (Week at a Glance) to faculty. Faculty meetings occur two times a month. Principal attends weekly team meetings. Team meetings have designated focus (math, reading, etc.). Communication to parents includes an article in monthly Trace Tribune. Principal holds "coffee with the principal" events for parents. Principal communicates "open door" policy for parents to "drop in." Principal is on car pool line every day; talks to parents in car pool line.

2. Collaboration Processes and Skills
☐ 1 ☐ 2 ☐ 3 ☒ 4

(Sources: surveys, portfolio, interviews)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Principal attends weekly team meetings. Principal encourages teachers to take leadership roles in school and community events. School is organized around teams—principal has assigned team chairpersons; holds regular meetings with team chairs; monitors curriculum via discussions with team chairs. Principal models collaboration and process skills to teachers and parents. Principal has partnered with Samford University to develop a collaborative partnership with Samford students providing targeted assistance with struggling student.

3. Assessment/Masurement/Evaluation
☐ 1 ☐ 2 ☒ 3 ☐ 4

(Sources: surveys, portfolio, interviews)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Individual student data is assembled for each student who has a demonstrated need in reading and math. Planning to assist at risk students in on-going. Data includes ARMT scores, SMI data, Hoover Math Assessments, ILL, F and Ps, etc. Reading and math coach assemble data on weekly basis and review with principal weekly.

4. Organizing for Results
☐ 1 ☐ 2 ☐ 3 ☒ 4

(Sources: surveys, portfolio, interviews, observation)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Principal is in 2nd year of principalship; has undertaken major shift in school culture; has created a new vision for school; holds people accountable for practices to support vision/mission. Principal has created additional planning opportunities for teachers, based upon results of survey data from teachers. Principal reviews survey data and responds with adjustments to organizational practices when possible. School has participate in a Total Quality Review Analysis and is using results from this process to design school improvement practices.

**DEFENDANT'S
EXHIBIT**

7 R. Litaker

5. Planning☐ 1 ☐ 2 ☐ 3 ☒ 4*(Sources: portfolio, interviews)*Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Building goals and objectives and clearly defined. Principal shares high expectations with faculty and staff. Principal encourages input from faculty/staff for improvement suggestions. Principal uses a variety of data sources to analyze and evaluate current practices and needs for changes.

6. Federal/State/Local Laws and Policies☐ 1 ☐ 2 ☒ 3 ☐ 4*(Sources: surveys, portfolio, supervisor's review)*Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Principal helps faculty and staff to understand laws and policies. Principal provides leadership in helping faculty, staff, students and parents understand legal requirements of school operations.

7. Problem Solving☐ 1 ☐ 2 ☒ 3 ☐ 4*(Sources: surveys, portfolio, interviews)*Comments, justifications, explanations:

Principal encourages and solicits input from teachers in identification of problems and suggestions for remedies to the problems. School is organized around teaming concept. Principal models involvement in "change" process. Principal encourages teachers to embrace new practices by providing professional learning opportunities through attendance at workshops, conferences, etc. Principal meets regularly with team chairs to share success stories and analyze areas of concern and identify solutions to problems.

8. Innovation☐ 1 ☐ 2 ☐ 3 ☒ 4*(Sources: surveys, portfolio, observation)*Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Principal is insightful in her vision for school and how to achieve the vision. School has embraced and teaming model for school operations. Common core curriculum has been rolled out early. Teachers are expected to share common practices for differentiation, assessment, etc. Principal has set the bar high for teacher expectations; is insistent that teachers also have opportunities to learn new practices. Mechanism to support and help teachers achieve outcomes are constantly being provided and evaluated.

9. Technology Management☐ 1 ☐ 2 ☒ 3 ☐ 4*(Sources: surveys, interviews, observation)*Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Technology team is charged with assisting teachers to integrate technology in teaching the content.

Students and teachers are provided with multiple resources to promote the use of technology as a tool for promoting successful student learning. Trace Crossings provided the model for the district for the use of Google TVs as a tool for instructional improvement in schools. Science lab has become an integral component within the operation of the school.

10. School Operations and Management☐ 1 ☐ 2 ☐ 3 ☒ 4*(Sources: surveys, portfolio, observation)*Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Artifacts include a reorganized schedule which provides additional common planning time for teachers. Students know and follow daily routines. Principal instituted a bus ticket process for loading/unloading of buses. Luggage tags on bookbags identify if student goes to EDP, rides bus, goes to car pool or is a walker.

11. Fiscal Leadership and Management☐ 1 ☐ 2 ☐ 3 ☒ 4*(Sources: surveys, portfolio, supervisor's review)*Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 4. Reviews were conducted by the District Internal Auditor and the District Accounting Manager for the period from October 1, 2010 through May 31, 2011. No exceptions were noted. Ms. Litaker and Mrs. Drake, bookkeeper for TC, are to be commended for the significant improvement in fiscal responsibility that has occurred at TC over the past two year.

12. Management of Professional Responsibilities☐ 1 ☐ 2 ☒ 3 ☐ 4*(Sources: surveys, supervisor's review)*Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Principal is punctual to work; has a phenomenal work ethic; submits reports and paperwork in a timely manner. Principal models professionalism when dealing with teachers, students, and parents. Principal is willing to hold people accountable even if it means she may experience some level of discomfort from staff/parents. Principal will tackle tough situations if it is in the best interests of students!

13. Leadership of Human Resources
☐ 1 ☐ 2 ☒ 3 ☐ 4

(Sources: surveys, portfolio, supervisor's review)

Comments, justifications, explanations:

Lines of evidence related to this knowledge/skill area correspond most closely to score rationale level 3. Principal encourages examination of research based practices and provides opportunities for teachers to engage in a variety of professional learning activities. Principal and teachers are involved in using Educate Alabama. Principal is visible in classrooms—tries to make an appearance daily in each classroom. Principal expects teachers to make decisions based upon "what is in the best interests of the student" versus what is easiest for teacher or most convenient for staff!

Areas for Improvement: 1. Assessment, Measurement and Evaluation

2.

Additional Comments:

Composite Knowledge/Skill Score

Complete this box for all contract principals or for non-contract principals in school systems adopting a summative component.

For a principal to meet the approved "satisfactory" performance standards for the state evaluation model, the sum of the scores for knowledge/skill areas 1 through 13 must equal 36 or more. Scores of 33-35 are "unsatisfactory, but remediable" and scores less than 33 are "unsatisfactory"

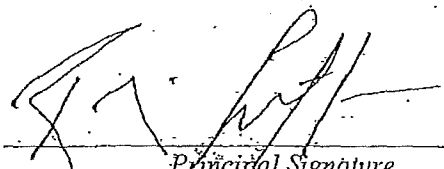
Total of all knowledge/skill scores:

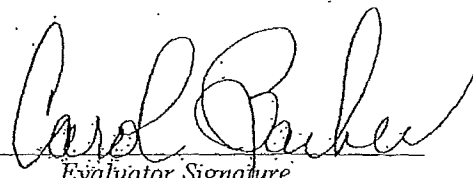
Principal has met the performance standard marked below:

☐ Satisfactory

☐ Unsatisfactory, but remediable

☐ Unsatisfactory


 Principal Signature


 Evaluator Signature

Principal's signature does not necessarily indicate agreement with the results of the evaluation.

DEFENDANT'S
EXHIBIT

8 R. Litaker

PRINCIPAL EMPLOYMENT CONTRACT

This Contract is made by and between the Hoover City Board of Education located in the State of Alabama (hereinafter referred to as "the Board"), and ROBIN LITAKER (hereinafter referred to as "the Contract Principal").

Witnesseth: That in accordance with action taken by the Board as recorded in the minutes of the Board meeting held on the 18th day of June 2012, the Board hereby agrees to employ the Contract Principal, and the Contract Principal hereby agrees to accept such employment, subject to the following terms and conditions:

Section 1: Term of Contract. Pursuant to Ala. Code § 16-24B-3(a) Contract Principal, Contract Principal shall be employed for a three-year period on the condition that Contract Principal is certified for the position as required by Ala. Code § 16-24B-2(2). The three-year period of employment shall begin on July 1, 2012 and end June 30, 2015.

Section 2. Salary.

(a) In consideration of an annual salary of \$94,000 for 12 months/260 days per year and of further agreements and consideration hereinafter stated, the Contract Principal agrees to use her best efforts to perform faithfully the duties of a Contract Principal for the Board and to abide by the rules, regulations and policies promulgated by the Board before or during the term of this Contract. The annual salary shall be increased by 1.5% for each of the two subsequent years of this contract. The annual salary shall be paid in twelve equal installments.

(b) In any year in which the Alabama Legislature enacts a pay raise for all public school teachers, the Contract Principal's salary will increase in accordance with the terms of the legislation and any subsequent action taken by the Board in response to that legislation.

(c) Any upward adjustment in salary during the term of this contract shall not constitute a new contract or an extension of this contract.

Section 3. Professional Status. The Contract Principal affirms that throughout the term of this Contract she will hold a valid and appropriate certificate to act as a Contract Principal of Schools in the State of Alabama.

Section 4. Contract Principal's Duties. The Contract Principal shall perform in a timely manner all duties delegated or assigned to the Contract Principal by federal, state, and local laws, policies, and regulations, by the Board, or by its Superintendent of Education (hereinafter referred to as "the Superintendent").

Section 5. Transfer. The Board, upon the written recommendation of the Superintendent, is authorized to transfer the Contract Principal without loss of salary to any other administrative position in the school system.

Section 6. Cancellation.

The Board, in accordance with Ala. Code § 16-24B-3, may cancel the Employment Contract:

(a) During the three-year contract term, the contract may be cancelled for: (1) immorality, (2) insubordination, (3) neglect of duty, (4) conviction of a felony or crime involving moral turpitude, (5) failure to fulfill the Contract Principal's duties as defined by law, (6) willful failure to comply with Board policy, (7) justifiable decrease in the number of positions due to decreased enrollment or decrease in funding, (8) failure to maintain a current certificate, and (9) failure to perform duties in a satisfactory manner, (10) incompetency, or (11) other good and just cause. At the end of the three-year contract term, the Superintendent and Board may choose not to offer a new, renewed or extended contract to the Contract Principal, by

a vote made at least 90 days before the end of the three-year contract term. The recommendation of the Superintendent shall be written notice of the decision of the Superintendent and shall contain the reason for his decision to non-renew. The decision may be based on any reason except personal or political reasons. No hearing shall be required by the Board if such non-renewal occurs.

(b) Cancellation of this contract shall be in accordance with the Teacher Accountability Act, Ala. Code § 16-24B-1, *et seq.* A copy of the Teacher Accountability Act is attached to this contract as Appendix A.

(c) The Contract Principal shall give the Superintendent 90 days written notice of his intent to cancel this Contract. Notice shall be served by certified mail, return receipt requested, or by personal service, and by no other means.

Section 7. Contract Non-Renewal.

(a) The Contract Principal shall give the Superintendent at least 90 days' written notice of his intent not to seek renewal of the contract. Notice shall be served by certified mail, return receipt requested, or by personal service.

(b) Should the Board and Contract Principal agree to renew the contract but fail to execute a new contract prior to the expiration of the current contract, the terms and agreements herein shall continue to bind the parties until such time as a new contract can be executed.

(c) If the Contract Principal contends that the Board's decision not to renew her contract was made for personal or political reasons, and appeals the decision to non-renew, the losing party to that appeal shall be liable for the prevailing party's attorney's fees, costs, and expenses for the appeal, including the cost of the mediator.

Section 8. Evaluation. The Contract Principal shall be evaluated annually according to the process defined by the State Board of Education. The Contract Principal agrees to participate in the evaluation process and to complete any professional development plan resulting from the evaluation process. The failure of the Superintendent to ensure the Contract Principal is evaluated shall result in a one-year extension of this contract, for no more than a total of three years.

Section 9. Benefits. The Contract Principal shall receive all benefits of employment that the Board grants across the board to all other certificated employees.

Section 10. Background Check. Pursuant to state law and regulations, the Board is required to conduct a criminal background check on all new employees with unsupervised access to children. Failure to disclose a criminal conviction shall be considered a material breach of this contract.

Section 11. Professional Liability. The Board will include the principal as a covered person in the liability coverage obtained by the Board subject to the terms, limitations and exclusions of said coverage.

Section 12. Amendment, Modification, or Waiver. This Contract shall not be amended, modified, or waived except in writing authorized, agreed upon, and executed by the Contract Principal and the Board, upon the written recommendation of the Superintendent.

Section 13. Severability. If during the term of this Contract it is found that part of the Contract is illegal and must be severed from the Contract, the remainder of the Contract shall remain in force, unless the severance causes the remainder of the Contract to fail in its essential purpose.

Section 14. Choice of Law. This Contract shall be construed and enforced by the substantive laws of the State of Alabama.

Section 15. Interpretation of Agreement. No provision of this Contract shall be construed against or interpreted to the disadvantage of any party by any court or other governmental or judicial authority by reason of that party having, or being deemed to have, structured, dictated, or drafted that provision.

Section 16. Headings. The section headings in this Contract are entirely editorial, and in no way substantive. They do not create, enlarge, or diminish the rights and duties of the parties to this Contract.

Section 17. Other Agreements or Understandings. Provisions of this Contract, and any changes made pursuant to Section 12, above, supersede any previous agreements or understandings between the parties - whether oral or in writing - and will control in the event of a conflict with any other agreement or understanding that the parties may enter in to.

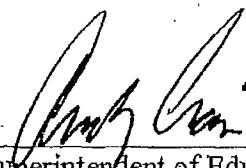
Section 18. Counterparts. This Contract may be executed in two counterparts, each of which shall be deemed an original but all of which will constitute one and the same Contract.

Section 19. Advice of Counsel. The parties to this Contract represent that they have signed it (1) after ample, full, and mature deliberation, (2) with full authority to do so, (3) after having read the contract and had the opportunity to freely discuss it with counsel and any other advisor of each party's choice, and (4) that they are signing it voluntarily and fully aware of its contents and meaning.

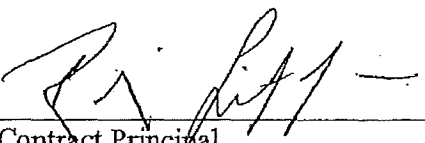
Section 20. Effective Date. The effective date of this Contract shall be July 1, 2012.

In witness whereof, the parties have executed this Contract on the date indicated below.

Executed by the Board this 18th day of June 2012.



Superintendent of Education



Contract Principal

g R. Litaker

Veal, Mary

From: Litaker, Robin
Sent: Monday, April 01, 2013 4:52 PM
To: Veal, Mary
Cc: robinlitaker@yahoo.com
Subject: letter from Amanda Stone
Attachments: Administrative Responsibilities 12-13.docx

I received a very hostile letter from Amanda Stone today. You and Mrs. Barber are CC: on the letter.

I do not have her PEPE portfolio. She did not sign-off on her "PEPE" as she indicated She signed off on the ESR. At the time -- I had asked her repeatedly to turn in her PEPE notebook (starting before school was out in 2012). She did not give it to me until late in June 2012.

When she finally gave me her notebook -- it was not completed in a manner that would have justified the good evaluation that I gave her..... I talked with several other principals and chose to evaluate her as they did their assistants.

I DID NOT take things out of that school as she has indicated. I left Mrs. Barber extensive files and emailed copies of these files to her. The notebooks were left in the tall cabinet in the principal's office.... I have been repeatedly harassed about notebooks that I don't have.....

I started many outstanding initiatives at Trace Crossings -- I am very proud of the programs that I started Such as the School-University Partnership with Samford, morning programs for at-risk students and the Job-Embedded Professional Development for Teachers etc..... I let Amanda assist and work with many of these programs. I also let her initiate many activities that she was personally interested in such as her "Robotics" program....

I am respectfully requesting that Mrs. Stone be told not to communicate with me in this manner.

And just so someone will know.... I repeatedly asked Mrs. Stone to meet with me to review her PLP for EDUCATEAlabama (October 2012)-- she finally began her PLP in mid-October and signed off on it on November 11, 2012.... Without meeting with me.... She had a habit of not doing things that I asked her to do --- Therefore her PLP was not signed off on.... By a supervisor...

It is very clear to me that her actions indicate hostility toward me and for that I am at a loss...

I gave her an opportunity to become an assistant principal and kept her in that position last July (and that is a decision I debated -- she is well aware of this)..... Her antipathy toward me became apparent several weeks before I left Trace Crossings.

Please advise me I have never had this type of animosity directed toward me in my professional career...

I have a reputation that does not even warrant a response to her letter..... My attorney advised me to respond to someone so I am sending this email to you....

I have attached a copy of the job responsibility listing for this year -- this is the major things that we divided up among leadership at the school... it is not an inclusive list of day-to-day things that come up in a building --- Not that it matters at this point..... Robin

Students care about their school when the school effectively cares about them..... William Gillespie

Please Do Not Forward

Robin

- CIP Facilitator
- PST Administrator
- PBIS Administrator
- Crisis Team
- Score Card
- Theme Day
- Morning Programs
- Field Trips
- Discipline
- DRC Accountability Reporting
- Observations
- Samford Partnership
- Custodian - Daily operations

Amanda

- CIP Team
- PST Administrator
- PBIS Administrator
- Crisis Team Chair
- Extended Day
- Textbooks
- Theme Day
- Morning Programs
- Outlook Calendar
- Custodial Supplies
- Check Lesson Plans (every Monday morning)
- Registration Check list (Every Friday)
- Observations
- Teacher Duties
- Samford Partnership

Angela

- CIP Team
- On Call
- PBIS Chair
- Crisis Team
- Fine Arts Curriculum Team
- Peer Buddies
- Theme Day
- Morning Programs

Gayle

- CIP Team
- PST Reading Chair
- PBIS Team
- Crisis Team
- Reading Curriculum Team Chair
- Theme Day
- Morning Programs

Tami

- CIP Team
- PST Math Chair
- PBS Team
- Crisis Team
- Math Curriculum Team Chair
- Theme Day
- Morning Programs

Ellen

- CIP Facilitator
- PST On Call
- PBIS Team
- Crisis Team
- Reading Curriculum Team
- Theme Day
- Morning Programs

DEFENDANT'S
EXHIBIT

10 R. Litaker

Bold indicates Leadership Role

<u>Team Captains</u>	<u>CIP Team</u>	<u>Curriculum Teams</u>	<u>Start of School Needs</u>	<u>Office Staff</u>	<u>Parents</u>
Lesson Plans	Monthly Meetings	Coordinating Curriculum K-4	Transportation Tickets	Transportation Changes – Debbie L	Morning Duties
9 Week Plans	Disseminate Information to Grade-Level Team Members	Theme Days	Carpool Numbers	Calendar – Debbie L	Morning Programs
Yearly Blocks		Disseminating State, School Curriculum Information	Luggage Tags	Field Trip Forms – Nurse	
Daily Curriculum Focus		PD Plans for Team	Duties	Duties	
Grade Weights			Teacher Notebooks		
9 Week Parent Focus Sheets			Schedules		
Weekly Planning Focus			Dates & Plans for morning programs		
Instructional Blocks					
EDUCATEAlabama					
Field Trip Coordination					
Recess					
Discipline					
Placement					

Bold indicates Leadership Role

Math	Reading	Science	Fine Arts	Activity	Alternative Activities
<u>Area:</u>	<u>Area:</u>	<u>Area:</u>	<u>Area:</u>	<u>Area:</u>	
Upstairs Lab	Library	Science Lab	Downstairs Art Room	Gym	Foreign Language
Downstairs Lab	Downstairs Nook	Mezzanine	Upstairs Art Room		
Upstairs Classrooms	Upstairs Nook	Garden	Music Room		
	Front Hallway				
<u>Who:</u>	<u>Who:</u>	<u>Who:</u>	<u>Who:</u>	<u>Who:</u>	Who:
Staff: Tina Moretz, Mark Weldon	Staff: Gayle Morrison, Jimmie Van Ness	Staff: Amanda Stone, Dana Joyner, Kim McFarland	Staff: Samford Students	Staff: Samford Students	Samford Students
Samford Students	Samford Students	Samford Students	Parents	Parents	Parents
Parents	Parents	Parents			

Bold indicates Leadership Role

DEC. 12. 2013 9:37AM

WIGGINS CHILD

NO. 253 P. 3

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.</small>		AGENCY <input type="checkbox"/> FBPA <input checked="" type="checkbox"/> EEOC	CHARGE NUMBER 420-2014-00593
State or local Agency, if any			
NAME (Indicate Mr., Ms., Mrs.) Ms. Robin Litaker		HOME TELEPHONE (Include Area Code) 205-871-4331	
STREET ADDRESS 312 Gainswood Road		CITY, STATE AND ZIP CODE Homewood, AL 35209	DATE OF BIRTH 09/29^{RE}
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME Hoover City Schools/Hoover Bd. of Ed.	NUMBER OF EMPLOYEES, MEMBERS 15+	TELEPHONE (Include Area Code) 205-439-1000	
STREET ADDRESS Post Administration Building, 2810 Metropolitan Way, Hoover, AL 35243		COUNTY Jefferson	
NAME		TELEPHONE NUMBER (Include Area Code)	
STREET ADDRESS		COUNTY	
CITY, STATE AND ZIP CODE		COUNTY	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE EARLIEST (ADRA/BPA) LATEST (ALL)	
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> AGE <input type="checkbox"/> RETALIATION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)		November 16, 2012 Continuing <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			
<p>1. I am a female and am currently on leave from Hoover City Schools. Prior to going on leave I was the Principal at Trace Crossings Elementary School. In that position I had always received excellent performance reviews and had been awarded a new contract. However, I was not evaluated for the 2012-2013 year in violation of my contract. I was removed from the principal position on November 16, 2012 and placed at the central office without being given a permanent job assignment. This was done without board approval. I was told that I had done nothing wrong to cause the move and that I was being moved to "protect me."</p> <p>2. On or about April 1st or April 2nd of 2013, I was informed that I was being assigned to the Crossroads Alternative School as the Assistant Principal, which is a demotion. Crossroads is an alternative school for students who have been in trouble and have violated board policies. On or about May 13, 2013, the board removed a male principal, Bob Lawry, from the principal's position at South Shades Crest Elementary and placed him in a central office position that is comparable to the principal position that he held. I was not given this same opportunity. Other male principals have had performance problems and have not been removed from their positions and reassigned.</p> <p>3. As a result of these actions, I submitted my intent to retire from the Hoover City Schools, effective December 31, 2013. I am on leave until my retirement goes into effect.</p> <p>4. I believe that I have been discriminated against because of my sex in job assignments/transfers and other terms and conditions of employment. I have also been constructively discharged from my employment because of the discriminatory treatment.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - (When necessary for State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the foregoing and that it is true to the best of my knowledge, information, and belief.	
Date 9/24/2013		SIGNATURE OF COMPLAINANT SEP 25 2013	
Charging Party (Signature) <i>R. Litaker</i>		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE E.E.O.C. BIRMINGHAM DISTRICT	

DEFENDANT'S
EXHIBIT

11 R. Litaker

Litaker v. Hoover
Produced by Defendants
0299