## IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA CITY AND COUNTY OF SAN FRANCISCO

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Defendants.

ELIEZER WILLIAMS, et al., ) ) Plaintiffs, ) vs. STATE OF CALIFORNIA, DELAINE EASTIN, State Superintendent of Public ) Instruction; STATE ) DEPARTMENT OF EDUCATION; ) STATE BOARD OF EDUCATION, )

No. 312 236

DEPOSITION OF MOISES B. CANEL San Francisco, California Sunday, May 13, 2001 Volume II

Reported by: CASSANDRA HARPER CSR No. 11934 JOB No. 847528

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4	ELIEZER WILLIAMS, et al., )	Volume 2	
5	Plaintiffs, )	BY MS. KOURY	245
6	vs. ) No. 312 236	DI MS. ROORI	215
7	) STATE OF CALIFORNIA, )		
,	DELAINE EASTIN, State )	EXHIBITS	
8	Superintendent of Public ) Instruction; STATE )		
9	DEPARTMENT OF EDUCATION; ) STATE BOARD OF EDUCATION, )	DEPOSITION	PAGE
10	)	1 Deponent's report cards an	nd attendance 386
11	Defendants. )	report; 5 pages	
12 13		2 Deponent's report cards an report; 6 pages	iu special 307
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15 16	Deposition of MOISES B. CANEL, Volume 2, taken on behalf of Defendant	INSTRUCTION NOT	TTO ANSWER
17 18	State of California, at 275 Battery Street, San Francisco, California,		
19	beginning at 9:13 a.m. and ending at	Page Line 389 12	
20 21	12:38 p.m., on Sunday, May 13, 2001, before CASSANDRA HARPER, Certified		:
22 23	Shorthand Reporter No. 11934.		
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25			
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1	Page 243 APPEARANCES:	San Francisco, Califo	-
2	APPEARANCES:	San Francisco, Califo 9:13 a.m 1	ornia, Sunday, May 13, 2001
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	Page 246		Page 248
1	Q I just want to remind you that you're	1	
2	still under oath. So anything you testify to is	2	
3	subject to all of the penalties of perjury; do you	3	
4	understand that?	4	
5	A Yes. Q Did you recently consume any medication	5	
6 7	Q Did you recently consume any medication or any alcohol?	7	
8	A No.	8	
9	Q Anything else that would interfere with	9	
10	your ability to answer these questions?	10	
11 12	A No. Q Did you do anything to prepare for	11 12	
12	today's deposition?	13	
14	MR. LONDEN: Since yesterday?	14	Q You said that yesterday you said you
15	MS. KOURY: Since yesterday.	15	had a computer at home. Do you use your computer to
16	THE WITNESS: Yes.	16	study?
17 18	BY MS. KOURY: Q What did you do?	17 18	A No. Q Do you ever use the Internet at home?
19	A Not really I just thought about, you	19	A Yes.
20	know, like my schooling, the memory of the bad stuff.	20	Q Do you ever use it to study?
21	That's all.	21	A Sometimes.
22	Q Other than remembering the bad stuff, did	22	Q How do you use it to study?
23 24	you do anything else? A No.	23 24	A Just look up some history. Like when he tells us to do some research on history I use the
25	Q Did you talk to anyone?	25	Internet.
	Page 247		Page 249
1	A No.		
· ·		1	O Other than the history class do you use
2		12	Q Other than the history class, do you use the Internet?
2 3	<ul><li>Q What bad stuff did you think of?</li><li>A The ceilings.</li></ul>	1 2 3	
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1	A I, um I check I check and I review	1	the assessment tests?
2	my homework.	2	A No.
3	Q Well, this semester what do you do	3	Q Have you ever received any information
4	what classes do you check and review?	4	about how your school does on these assessment tests?
5	A French and history.	5	A No.
6	Q Why do you think you get better grades in	6	Q Have you seen your Stanford 9 scores?
7	some of your classes than you do in other classes?	7	A No.
8	What do you think makes the difference in those	8	Q We talked about textbooks yesterday, and
9	grades?	9	we discussed the textbooks in your various classes.
10	A Some classes I like more than other	10	Do you know who's responsible for taking care of the
11	classes, and other classes are easier for me.	11	textbooks?
12	Q Why do you like some classes more than	12	A No.
13	others?	13	Q You told me that some of the textbooks
14	A Because because one might be easier	14	are yours and you keep them in your backpack.
15	than the other one.	15	A Yes.
16	Q What makes one class easier than another	16	Q For example, with your math textbook, who
17	class?	17	gives you the math textbook?
18	A The teacher.	18	A The teacher.
19	Q And why is it that one teacher is easier	19	Q When?
20	than the other? What makes one teacher easier than	20	À When?
21	the other?	21	Q Yes.
22	A Their attitude and their attitude.	22	A The beginning of the school year.
23	Q What do you mean by "attitude"?	23	Q What does the teacher say when they give
24	A The way they teach and by the way they	24	the students the textbooks at the beginning of the
25	teach.	25	year? What did your math teacher tell you?
		+	
1	Page 251		Page 253
	Page 251		Page 253
1	Q Do you mean all of the things that we	1	A To put a book cover and to bring them to
2	Q Do you mean all of the things that we discussed yesterday when you refer to your teachers'	1 2	A To put a book cover and to bring them to school everyday.
2 3	Q Do you mean all of the things that we discussed yesterday when you refer to your teachers' attitude?	3	<ul><li>A To put a book cover and to bring them to school everyday.</li><li>Q Did your math teacher say anything else?</li></ul>
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1		54	Dece 254
	Page		Page 256 know why. And they started throwing the book on the
12	A And bring it everyday. Q Anything else?		floor and started kick.
3	Q Anything else? A No.	3	Q What about the third time? What
4	Q Did you put a book cover on your French	4	happened?
5	book?	5	A Um I forgot.
6	A Yes.	6	Q Are you sure you've only seen someone
7	Q Do you know if other students do?	7	throw a textbook three times?
8	A Yes.	8	A Probably two.
9	Q How do you know?	9	Q Two?
10	A Because I saw them.	10	
11	Q Other than your math and French books,	11	Q Have you ever seen a student tear the
12	are there any other books that you take home?	12	
13	A No.	13	
14	Q Those are the only two books?	14	
15	A Yes.	15	
16	Q Have you ever seen how the other student		
17	treat their textbooks?	17	
18	A No. O House you give soon students with	18	
19 20	Q Have you ever seen students with textbooks without book covers?	20	
20	A Yes.	20	throwing them back and forth?
22	Q What types of books are these?	22	
23	A French.	23	
24	Q Anything else?	24	
25	A And math.	25	· · ·
	Page	255	Page 257
1			•
	O Do you know whether these French and	1	down. He just put the book under his foot and put his
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	Q Do you know whether these French and bath I'm sorry French and math books are	1 2	down. He just put the book under his foot and put his foot over the book, and that's it.
2	bath I'm sorry French and math books are	2	foot over the book, and that's it.
	bath I'm sorry French and math books are supposed to have covers on them?		foot over the book, and that's it. Q Any other times?
2 3	bath I'm sorry French and math books are supposed to have covers on them? A Yes.	23	foot over the book, and that's it. Q Any other times? A No.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>bath I'm sorry French and math books are supposed to have covers on them? <ul> <li>A Yes.</li> <li>Q Are they supposed to have covers on them?</li> <li>A Yes.</li> <li>MR. LONDEN: Asked and answered.</li> </ul> </li> <li>BY MS. KOURY: <ul> <li>Q How did the students in your school treat their books?</li> <li>A They treated I really don't know.</li> <li>Q Have you ever seen a student throw a textbook?</li> <li>A Yes.</li> <li>Q How many times?</li> <li>A Three times.</li> <li>Q Tell me about the last time.</li> <li>A Some kid he was he was playing</li> </ul> </li> <li>basketball. And like he had no backpack, so he alw carries his book on the floor.</li> <li>Q What is the other time you saw someone throw a book?</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 9 19 20 21 22 23 24	foot over the book, and that's it. Q Any other times? A No. Q Have you ever seen students write in their textbooks? A No. Q Do you know what the rules are about returning your textbooks at the end of the school year? A No. Q When do you return your textbooks? A At the end of the school year, I think. Q How? A Give it back to the teacher. Q Why? A So he could have the book back. Q How do you know that he wants the book back? A Because we couldn't take it home. Q How do you know that? A Because the books are for the kids for the next year. Q At the beginning of the year in your

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1	did she say anything about when you would have to	1	friends or other students at your school getting in
2	return that textbook?	2	trouble for misusing their textbooks?
3	A No.	3	A No.
4	Q At the end of the year, did you return	4	Q We're going to talk about teachers a
5	your book for math last year?	5	little bit now.
6	A Math.	6	Do you know what a full non-emergency teaching credential is?
7	Q Uh-huh.	7	A No, not really.
8	A I didn't have my own book.	9	Q Have you ever heard that term being used?
9	Q I'm sorry. What books did you have last year your own books?	10	A No.
10 11	MR. LONDEN: Asked and answered.	11	Q Do you know what a multiple-subject
12	BY MS. KOURY:	12	credential is?
13	Q You can go ahead. Do you remember what	13	A No.
14	books you had your own books last year?	14	Q Have you ever heard that term?
15	MR. LONDEN: Meaning to take home?	15	A No.
16	MS. KOURY: To take home.	16	Q Do you know what a single-subject
17	Q You didn't take your math book home last	17	credential is?
18	year?	18 19	A No. Q Have you ever heard that term?
19 20	A Just once. Q Just once. Did you take home your	20	Q Have you ever heard that term? A No.
21	science book?	21	Q How about a university internship
22	A No.	22	credential; have you ever heard that term?
23	Q Did you take home your English book?	23	A No.
24	A No.	24	Q An emergency permit, have you ever heard
25	Q Did you take home your world history	25	that term?
		ļ	
	Page 259		Page 261
1	book?	1	A An emergency permit?
2	A No.	2	Q Uh-huh.
3	Q But this year you have your own French	3	A Yes, but I don't know what that means.
4	book?	4	Q Where did you hear that term?
5	A Yes.	5	A Where?
6	Q And has anyone said anything to you about	6	Q Yes.
7	when you would have to return that French book?	7	
	A No.		A I don't know. I just heard it somewhere.
8		8	<ul><li>A I don't know. I just heard it somewhere.</li><li>Q Do you remember who told you the term?</li></ul>
9	Q Has anyone said anything to you about the	9	<ul><li>A I don't know. I just heard it somewhere.</li><li>Q Do you remember who told you the term?</li><li>A No.</li></ul>
9 10	Q Has anyone said anything to you about the condition your French book should be in when you	9 10	<ul> <li>A I don't know. I just heard it somewhere.</li> <li>Q Do you remember who told you the term?</li> <li>A No.</li> <li>Q Do you remember when you heard it?</li> </ul>
9 10 11	Q Has anyone said anything to you about the condition your French book should be in when you returned it?	9 10 11	<ul> <li>A I don't know. I just heard it somewhere.</li> <li>Q Do you remember who told you the term?</li> <li>A No.</li> <li>Q Do you remember when you heard it?</li> <li>A No.</li> </ul>
9 10 11 12	Q Has anyone said anything to you about the condition your French book should be in when you returned it? A No.	9 10 11 12	<ul> <li>A I don't know. I just heard it somewhere.</li> <li>Q Do you remember who told you the term?</li> <li>A No.</li> <li>Q Do you remember when you heard it?</li> <li>A No.</li> <li>Q Was it this year?</li> </ul>
9 10 11	<ul> <li>Q Has anyone said anything to you about the condition your French book should be in when you returned it?</li> <li>A No.</li> <li>Q Do you know if your school has any rules</li> </ul>	9 10 11	<ul> <li>A I don't know. I just heard it somewhere.</li> <li>Q Do you remember who told you the term?</li> <li>A No.</li> <li>Q Do you remember when you heard it?</li> <li>A No.</li> <li>Q Was it this year?</li> <li>A No.</li> </ul>
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9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>Q Has anyone said anything to you about the condition your French book should be in when you returned it?</li> <li>A No.</li> <li>Q Do you know if your school has any rules about returning the textbooks?</li> <li>A No.</li> <li>Q Do any of your teachers have rules about returning the textbooks?</li> <li>A No.</li> <li>Q Do any of your teachers have rules about returning the textbooks?</li> <li>A No.</li> <li>Q What do you think the school could do to avoid having textbooks with writing inside of them?</li> <li>A I don't know.</li> <li>Q What do you think the school could do to keep books in better condition?</li> </ul>	9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>A I don't know. I just heard it somewhere.</li> <li>Q Do you remember who told you the term?</li> <li>A No.</li> <li>Q Do you remember when you heard it?</li> <li>A No.</li> <li>Q Was it this year?</li> <li>A No.</li> <li>Q Was it last year?</li> <li>A Yes.</li> <li>Q Was it before Christmas break last year?</li> <li>A I don't know.</li> <li>Q Was it at school that you heard the term?</li> <li>A I don't know.</li> <li>Q Was it at school that you heard the term?</li> <li>A I don't know.</li> <li>Q Do you remember if it was after Christmas</li> </ul>
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1	Q Before Christmas break?		looked at the tables, the walls and the windows; you
2	MR. LONDEN: Asked and answered.	23	went into the U.S. history room and you looked at the books and the windows and the roof; you went into the
3	BY MS. KOURY:	4	French classroom and you looked at the desk, the
4	Q Go ahead. A No.	5	windows and the roof, and in the cafeteria you looked
5	A No. Q Have you ever heard the term credential	6	at the tables, walls, windows and the expired milk; is
7	waiver?	7	that right?
8	A No.	8	A Yes.
9	Q Do you know whether any of the teachers	9	Q Did you find any bad conditions in any of
10	that teach at your school have emergency permits?	10	those rooms?
11	A No, I don't know.	11	A Yes.
12	Q Do you know if your school has an English	12	Q What conditions?
13	language learner program?	13	A In my math class some windows were
14	A No.	14	cracked and the desks had writing on them. They had
15	Q Yesterday you told me that in preparing	15	writing but it was carved in the desk. And my science
16	for the deposition you went and checked out some	16	class the desks had writing in them and the window was
17	classrooms on Friday. Could you tell me why you did	17	cracked.
18 19	that?	18 19	Q How many windows? A One.
20	<ul><li>A So I could see the bad things.</li><li>Q Why did you want to see the bad things?</li></ul>	20	Q Was the glass protruding?
20	<ul><li>Q Why did you want to see the bad things?</li><li>A So I could explain it to you.</li></ul>	20	A What do you mean by that?
22	Q Why did you feel like you had to see them	22	Q Was there glass sticking out?
23	to explain them to me?	23	A No. It just looked like it was going to
24	MR. LONDEN: Assumes facts.	24	break.
25	BY MS. KOURY:	25	Q How could you tell that it looked like it
	мих. — — — — — — — — — — — — — — — — — — —		
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	Q Go ahead.		was going to break?
23	A So I could tell you. That's the only	2	A Because somebody shot like a bullet, and
4	Q Did anyone tell you to go look at the bad	3	it looked like it was going to break. Q How do you know someone shot a bullet?
5	things?	5	A Because you could see the hole through
6	A No.	6	the window.
7	Q What gave you the idea?	7	Q So you didn't see anyone shoot a bullet?
8	A Nothing, just myself.	8	A No.
9	Q What conditions were you looking for, or	9	Q And no one told you anyone shot a bullet
10	what bad things were you looking for?	10	into the window?
11	A The ceiling.	11	A Yes.
12	Q In which room?	12	Q Yes no one told you?
13	A It's not a room. It's in the hallways in	13	A Yes, they told me.
14	front of the library.	14	Q Who told you?
15 16	Q Yesterday you gave me a list of the	15	A My friends. And I think the teacher did.
10	things that you looked for. I'm going to repeat them and ask you to tell me if they're accurate.	16	Yeah, the teacher did.
18	You said you went into the math classroom	18	<ul><li>Q What did they say?</li><li>A They said somebody shot a bullet through</li></ul>
19	and you looked at the windows and you looked at the	19	the window.
20	desks; you went into the science classroom and you	20	Q Did they say when?
21	looked at the windows, the desks and the floor; you	21	A No.
22	went into the English classroom and you looked at the	22	Q How long has that window been cracked?
23	books on the shelf, the windows and the roof; you went	23	A Since March.
24	into the gym and you looked at the roof, the walls and	24	Q Did you tell anyone that the window was
25	the bleachers; you went in the cafeteria and you	25	cracked?

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1	A No.	1	A The locker rooms there's graffiti in
2	Q Do you know if anyone else told anyone to	2	the locker rooms. They sometimes take clothes away
3	fix the window?	3	from kids and hang it on top of the roof.
4	A No.	4	Q Who's they?
5	Q Did you ask your teacher whether he was	5	A Kids.
6	going to ask or she was going to ask someone to fix	6	Q Kids at your school?
7	the window?	7	A Yes.
8	A No.	8	Q Anything else?
9	Q What else did you see? You were telling	9	A Security don't do anything when they see
10	me about your math class that has windows cracked and	10 11	kids like who are about to fight or are fighting or who are throwing bottles in the hallways.
11 12	writing on the desk. You told me about your science class that has writing on the desk and the window	12	Q Is there anything else?
12	that's cracked.	12	A And the bleachers in the gym there's
13	A In my English class the desk has a lot of	14	gum on the bleachers, so it's hard to find a spot to
15	writing in it carved inside the desk. And there's gum	15	sit down.
16	underneath the desk. There's sometimes gum on the	16	Q Is there anything else?
17	seats.	17	A No.
18	Q On top of the seats or under the seats?	18	Q When you went through your classrooms
19	A On the seats.	19	last Friday in preparation for the deposition, were
20	Q What else?	20	there any bad conditions that you found or any
21	A That's it.	21	problems there other than the ones you just expressed
22	Q Tell me all the problems at your school	22	to me, which I'll repeat right now.
23	that you think affect you or your ability to learn.	23	In the math room windows were cracked.
24 25	A The writing on the desk, the writing on	24 25	And there was writing on desks in the science class; also, there was writing on the desks and the window
25	the books, the pages ripped out from the books, the	25	also, there was writing on the desks and the window
1	Page 267 covers ripped out from the books, the expired milk.	1	Page 269 was cracked. In the English class there was writing
2	covers ripped out from the books, the expired milk. Q Are there any other problems at your	2	was cracked. In the English class there was writing on the desks and gum and there was gum on the seats.
2 3	covers ripped out from the books, the expired milk. Q Are there any other problems at your school?	2 3	was cracked. In the English class there was writing on the desks and gum and there was gum on the seats. Is there anything else from the
2 3 4	covers ripped out from the books, the expired milk. Q Are there any other problems at your school? A That affect me?	2 3 4	was cracked. In the English class there was writing on the desks and gum and there was gum on the seats. Is there anything else from the classrooms that you saw on Friday that was problematic
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	Page 270		Page 272
1	Ũ	1	
	Q Where are the three boys' bathrooms?	1	off when there was more. There's no, um like no
2	A There's one bathroom on the second floor,	2	toilet paper. There's no soap for you to wash your
3	one bathroom on the first floor, and far away from the	3	hands. There's no hot water. There's no towels to
4	first floor bathroom there's another bathroom.	4	wipe your hands. The floors are always wet. The
5	Q What is that bathroom next to?	5	toilets are always not always but mostly
6	A Next to close to the to the	6	flooded. There's graffiti on the walls.
7	driveway where the cars come out.	7	Q Anything else?
8	Q Is it inside or outside the building?	8	A That's it.
9	A Inside.	9	Q Okay. So you said they took there are
10	Q So there's a boys' bathroom on the second	10	urinals that they took off?
11	floor, a boys' bathroom on the first floor and another	11	A Yes.
12	boys' bathroom on the first floor near the driveway?	12	Q There's no toilet paper, there's no soap,
13	A Yes.	13	there's no hot water, there's no paper towels, the
14	Q Where else are there boys' bathrooms?	14	floors are always wet, the toilets are mostly flooded,
15	A In the cafeteria.	15	and there's graffiti on the walls?
16	Q How many bathrooms?	16	A Yes.
17	A One.	17	Q Is there anything else?
18	Q Where else?	18	A No.
19	A There's a girls' bathroom in the	19	Q When you said the urinals I'm sorry.
20	cafeteria, too.	20	When you said they took off urinals, what
21	Q Where else is there another boys'	21	did you mean by that?
22	bathroom?	22	A There are urinals like in a straight
23	A In the locker rooms.	23	line.
24	Q How many boys' bathrooms are there in the	24	Q How many are there?
25	locker room?	25	A There's supposed to be like nine.
		2.5	11 There's supposed to be fixe find.
1	Page 271 A Just one.		Page 273
		1 1	O What happened?
	O Where else are there any boys' bathrooms?	$\begin{vmatrix} 1\\2 \end{vmatrix}$	Q What happened? A They took like three or four off.
	Q Where else are there any boys' bathrooms? A That's it.	2	A They took like three or four off.
3	A That's it.	2 3	<ul><li>A They took like three or four off.</li><li>Q How did they take them off?</li></ul>
34	<ul><li>A That's it.</li><li>Q Let's talk about the boys' bathroom on</li></ul>	2 3 4	<ul><li>A They took like three or four off.</li><li>Q How did they take them off?</li><li>A I don't know. They just took them off</li></ul>
3 4 5	A That's it. Q Let's talk about the boys' bathroom on the second floor of the main building. How many	2 3 4 5	<ul> <li>A They took like three or four off.</li> <li>Q How did they take them off?</li> <li>A I don't know. They just took them off</li> <li>and they were never there.</li> </ul>
3 4 5 6	A That's it. Q Let's talk about the boys' bathroom on the second floor of the main building. How many stalls are there; do you know?	2 3 4 5 6	<ul> <li>A They took like three or four off.</li> <li>Q How did they take them off?</li> <li>A I don't know. They just took them off</li> <li>and they were never there.</li> <li>Q Did you see anyone take them off?</li> </ul>
3 4 5 6 7	A That's it. Q Let's talk about the boys' bathroom on the second floor of the main building. How many stalls are there; do you know? A Stalls?	2 3 4 5 6 7	<ul> <li>A They took like three or four off.</li> <li>Q How did they take them off?</li> <li>A I don't know. They just took them off</li> <li>and they were never there.</li> <li>Q Did you see anyone take them off?</li> <li>A No.</li> </ul>
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>A That's it.</li> <li>Q Let's talk about the boys' bathroom on the second floor of the main building. How many stalls are there; do you know?</li> <li>A Stalls?</li> <li>Q How many toilets are there</li> <li>A On the second floor there's</li> <li>Q in the second floor boys' bathroom?</li> <li>A There's two.</li> <li>Q Two toilets?</li> <li>A (No audible response.)</li> <li>Q How many urinals are there?</li> <li>A There's like five.</li> <li>Q When was the last time you were in that bathroom?</li> <li>A Friday.</li> <li>Q This last Friday?</li> <li>A Ycs.</li> <li>Q How often do you use this bathroom?</li> <li>A Like one day every week.</li> <li>Q Describe to me all of the problems that</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>A They took like three or four off.</li> <li>Q How did they take them off?</li> <li>A I don't know. They just took them off</li> <li>and they were never there.</li> <li>Q Did you see anyone take them off?</li> <li>A No.</li> <li>Q Are the urinals completely gone?</li> <li>A Not all of them.</li> <li>Q I'm sorry. There are five urinals there</li> <li>now?</li> <li>A Five.</li> <li>Q So the other urinals that used to be</li> <li>there are no longer there?</li> <li>A No.</li> <li>Q Do you know why they took them out?</li> <li>A No.</li> <li>Q Has anyone told you why they took them</li> <li>out?</li> <li>A No.</li> <li>Q Have you asked anyone why they're gone?</li> <li>A No.</li> <li>Q Do you know if there were any problems</li> </ul>

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	Page 274		Page 276
1	Q Did you ever see anything in the urinals	1	Q How long was the line?
1 2	to indicate that there was a problem?	2	A Oh, like three or three or two people
3	A No.	3	were waiting in line.
4	Q Were those urinals working before they	4	Q Do you know how long they had to wait?
5	took them out?	5	A No.
6	A Yes.	6	Q When was the second time that you saw a
7	Q How do you know that?	7	line for the second floor bathroom?
8	A Because when you flushed it flushed. The	8	A It was in the same month April.
9	urinals would work perfectly.	9	Q How many people were in line?
10	Q When is the last time you saw those	10	A Like three.
11	urinals there?	11	Q Do you know how long they had to wait?
12	A Since February.	12	A No.
13	Q Do you know when in February? Was it	13	Q Have you ever heard anyone complain about
14	before Valentine's Day or after Valentine's Day?	14 15	the line waiting for the bathroom on the second floor the boys' bathroom?
15	A Before.	15	A No.
16	Q Did you use those urinals in February?	17	Q Have you ever seen a line on the second
17	A No. Q When was the last time you flushed the	18	floor bathroom other than the two times you just told
19	urinals or you saw them being flushed the urinals	19	me about?
20	that they took out?	20	A No.
21	A February.	21	Q And you've never had to wait in line for
22	Q Do you ever have to wait in line when you	22	the bathroom except for the one time you told me
23	use the bathroom on the second floor?	23	about?
24	A Yes.	24	MR. LONDEN: Asked and answered.
25	Q How often?	25	THE WITNESS: Yes.
		•	
	Page 275		Page 277
1		1	Page 277 BY MS. KOURY:
1 2		1 2	BY MS. KOURY: Q You said there's no toilet paper in the
	<ul><li>A Just once. It happened once.</li><li>Q When?</li><li>A March I think. Yeah, March.</li></ul>		BY MS. KOURY: Q You said there's no toilet paper in the second floor boys' bathroom?
2 3 4	<ul> <li>A Just once. It happened once.</li> <li>Q When?</li> <li>A March I think. Yeah, March.</li> <li>Q Do you remember when in March?</li> </ul>	2 3 4	BY MS. KOURY: Q You said there's no toilet paper in the second floor boys' bathroom? MR. LONDEN: Asked and answered.
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1	Q And there are how many toilets?	1	the one that set the fire?
2	A Two.	2	A The principal announced it.
3	Q So there's only two containers for toilet	3	Q Do you know if they found out the name of
4	paper?	4	the student who set the fire?
5	MR. LONDEN: Ambiguous.	5	A No, they never found out. The kid did it
6	BY MS. KOURY:	6	two times.
7	Q Go ahead.	7   8	Q Was the fire you said before that the kid put fire to the holder. What do you mean by "the
8	How many toilet paper holders are there in the bathroom?	9	holder"?
10	A There's one.	10	A The holder.
11	Q What does it look like?	11	Q Describe it.
12	A Like any other regular toilet paper	12	A I don't know if it was exactly the
13	holder.	13	holder. He probably must have put a lot of paper on
14	Q What do you mean when you said that there	14	the floor and just lit it up and from that there was a
15	were two on each side?	15	big fire.
16	A No, some on one side there wasn't	16	Q How do you know that?
17 18	any not even a holder for the toilet. Because they	17 18	A How do I know?
19	had took it off or something, or it had got burnt. So one side only has one toilet paper holder with no	19	Q Have you ever seen anyone at your school set fire to toilet paper?
20	toilet paper inside.	20	A No.
21	Q Is there any toilet paper near the	21	Q Have you ever heard the students talking
22	urinals?	22	about it?
23	A No.	23	A No.
24	Q Are there any other toilet paper holders	24	Q What makes you think that that's how he
25	in the bathroom at all?	25	set the fire?
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A No. Q So there's only one toilet paper holder near one toilet? A Yes. Q What happened to the toilet paper holder near the other toilet? MR. LONDEN: Asked and answered. BY MS. KOURY: Q Go ahead. A It got burnt. Q Do you know how it got burnt? A There was a fire like in February, I think. Q Do you know what happened? How did the fire start? A Not that much. I heard that a kid he lighted up the toilet paper the toilet like he lighted up something on the on the holder thing. And then off of that there was a big fire in the whole bathroom. It was covered with smoke, and all the kids had to come out from the building.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A There's no other way you can think of him setting the fire up. Q Can you describe to me the holder the toilet paper holder? MR. LONDEN: Asked and answered. THE WITNESS: The toilet paper holder is it covers supposedly cover the toilet paper. And then there's a little strip hanging out. And I guess you could get the toilet paper there. BY MS. KOURY: Q Do you know what type of material it is? Is it made of plastic, wood, or steel? A It's plastic. Q What happened when the fire got set to the bathroom? MR. LONDEN: Lacks foundation. Go ahead. THE WITNESS: What happened? Ask the question again. BY MS. KOURY: Q What happened to the bathroom after it
23	Q Do you know if this kid was a student at your school?	22 23	got set fire to? A The toilets were all black with smoke.
24 25	A Yes. Q Who told you that a bid of your school is	24	The next day it smelled like smoke. The walls were
23	Q Who told you that a kid at your school is	25	black.
	a sharan ar a sharan da a sharan a ka a san a		

	Page 282		Page 284
1	Q Do you know when this was?	1	Q Yes.
2	MR. LONDEN: Asked and answered.	2	A I wasn't looking for it. I just happened
3	THE WITNESS: It was around February.	3	to go in the bathroom and wash my hands.
4	BY MS. KOURY:	4	Q So did you look in the toilets to see if
5	Q Was the bathroom closed for some time?	5	there was toilet paper?
6	A After the fire?	6	A No.
7	Q Right.	7	Q Did you look near the urinals to see if
8	A Yeah. It was closed just when they were	8	there was toilet paper?
9	working fixing it.	9	A No.
10	Q How long did it take them to fix it?	10	Q So how do you know there was no toilet
11	A Just the rest of the school day when the	11	paper?
12	fire went out, and the next day it was open.	12	A Because there never is.
13	Q You said the last time you went to this	13	Q When you went to check out the bathroom
14	bathroom was on Friday, May 11th on the second	14	on May 11th, you didn't use the bathroom that day,
15	floor the second floor bathroom.	15	right?
16	A Yes.	16	A No.
17	Q Was there any toilet paper?	17	Q Did you look in the toilets to see if
18	A No, there wasn't no toilet paper.	18 19	there was toilet paper? A Yes.
19 20	Q Did you look? Where did you look for toilet paper?	20	Q Was there?
20	A Where?	21	A No.
$  \frac{21}{22}  $	Q Yes.	22	Q Did you look near the urinals?
23	A I just went to go check it out just to	23	MR. LONDEN: Asked and answered.
24	see, and I just went back to my class.	24	BY MS. KOURY:
25	Q Why did you go check out the bathroom?	25	Q Was there toilet papers near urinals on
	Page 283		Page 285
1	-	1	-
12	A Because I was checking out the school.	1 2	Page 285 May 11th? A No.
1 2 3	A Because I was checking out the school.		May 11th?
2	A Because I was checking out the school. Q Why?	2	May 11th? A No.
2 3	<ul><li>A Because I was checking out the school.</li><li>Q Why?</li><li>A So I could tell you.</li></ul>	2 3 4 5	May 11th? A No. MR. LONDEN: Asked and answered. BY MS. KOURY: Q Before May 9th, when was the last time
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2 3 4 5 6 7	<ul> <li>A Because I was checking out the school.</li> <li>Q Why?</li> <li>A So I could tell you.</li> <li>Q Why did you think you needed to check out the school to tell me?</li> <li>MR. LONDEN: Asked and answered.</li> <li>Go ahead.</li> </ul>	2 3 4 5 6 7	May 11th? A No. MR. LONDEN: Asked and answered. BY MS. KOURY: Q Before May 9th, when was the last time you used this bathroom? A Last Friday.
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	Page 286		Page 288
1	toilet inside of it?	1	A No, not anymore.
2	A Yes.	2	Q When was the last time you saw the soap
3	Q One stall has a holder for toilet paper,	3	container?
4	and the other one used to have a holder that's	4	A Like around February.
5	somewhat burnt now; is that correct?	5	Q Was it before the fire?
6	A Yes.	6	A Yes.
7	Q On May 4th you did not go into either	7	Q Did you see the soap container after the
8	stall?	8	fire?
9	A Yes, I did not go into either stall.	9	A No.
10	Q So you do not know if there was toilet	10	Q Do you know what happened to the soap
11	paper in those stalls?	11	container?
12	A No.	12	A No.
13	Q Did you look for toilet paper near the	13	Q Did anyone talk about the soap container?
14	urinals?	14	A No.
15	A No.	15	Q Do you know what kind of material the
16	Q So how did you know there was no toilet	16	soap container was made of?
17	paper?	17	A Plastic.
18	MR. LONDEN: Argumentative.	18	Q Is it affixed to the wall?
19	THE WITNESS: Because there never is.	19	A Yes.
20	BY MS. KOURY:	20	Q On May 11th when you went to check out
21	Q What happens when you have you ever	21	this bathroom, did you check to see if there was soap?
22	asked someone for toilet paper when you go to use the	22	A No.
23	bathroom on the second floor?	23	Q On May 9th when you used this bathroom,
24	A No.	24	did you check to see if there was soap?
25	Q Why not?	25	A Yes.
	Page 287		Page 289
1 2 3 4 5	Page 287 A Because I never have to use the toilet. Q What do you do in this bathroom? Do you generally just wash your hands in there? A Yes. Q Okay Do you know if any of your friends	1 2 3 4 5	Page 289 Q What happened? A I went to go wash my hands and I checked to see if there was soap and there wasn't, so I just put water.
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		Page 290			Page 292
1	the last	time you used the bathroom before the fire?	1	Q	Yes. Is it during the school day?
2	Α	No.	2	À	Yes, during the school day.
3	0	You can't specifically remember any time	3	Q	How often?
4	· ·	used this bathroom before the fire?	4	À	Twice a week.
5	Á	Yes, but I don't know when.	5	Q	How long does he mop the floors for?
6	Q	You can specifically remember a time that	6	A	I don't know.
7	you use	d this bathroom before the fire?	7	Q	What else do you see him do?
8	Â	Yes.	8	Α	That's it.
9	Q	Tell me about it. What did you do?	9	Q	You've only seen him mop the floors and
10	Α	What did I do?	10	that's it?	
11	Q	You went into the bathroom; did you check	11	Α	Yes.
12	to see if	there was soap that day?	12	Q	Have you ever seen him pick up trash?
13	Α	Yes.	13	Α	No.
14	Q	How?	14	Q	Have you ever seen him empty trash cans?
15	Α	There was a container, but there was no	15	Α	No.
16	soap ins	side the container.	16	Q	Is that the only janitor you've ever seen
17	Q	What did you do?	17	at your	
18	Α	I just washed my hands with regular	18	Α	Yes.
19	water.		19	Q	You've never seen any other janitors at
20	Q	Did you tell anyone?	20	your sch	
21	A	No.	21		R. LONDEN: Asked and answered.
22	Q	Have you ever complained that there's no	22		E WITNESS: No.
23	soap in	this bathroom?	23	BY MS	. KOURY:
24	Α	Yes.	24	Q	You said there's no paper towels in the
25	Q	To who?	25	bathroo	m on the second floor; what did you mean by

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1	Α	To the janitor.	1	that?
2	Q	What's the janitor's name?	2	A There was no paper towels for you to go
3		I don't know.	3	
4	Q	Where were you when you told the janitor?	4	hands with.
5	À	I was in the hallway.	5	Q Have you ever seen paper towels in this
6	Q	When was this?	6	
7	À	Around February.	7	A No.
8	Q	What did you say to him?	8	Q Is there somewhere where the paper towels
9	À	I said that the how come there's never	9	should be? Is there a paper towel dispenser?
10	any soa	p in the soap container.	10	) A No.
11	Q	What did he say?	11	Q Is there a hand dryer in this bathroom?
12	Ă	He said, oh, because probably we run out	12	2 A Yeah, but it doesn't work.
13	of soap	we ran out of soap.	13	Q When you went into the bathroom to check
14	Q	Was this before the fire or after the	14	it out on May 11th, did you check to see if the hand
15	fire?		15	5 dryer worked?
16	Α	Before.	16	6 A No.
17	Q	How did you know he was the janitor?	17	Q Do you know how many hand dryers there
18	Ă	Because I was always seeing him clean up	18	are in this bathroom?
19	the floor	rs mopping up the floors.	19	A This bathroom?
20	Q	Where did you see him doing that?	20	) Q Yes.
21	Α	Where?	21	A Just one.
22	Q	Yes.	22	
23	Α	In the hallway.	23	<i>. . . .</i>
24	Q	When?	24	A Yes.
25	Α	When?	25	5 Q What happened?

		Page 294		-	Page 296
1		didn't work.	1	Q	Did you tell anyone?
2		ow do you know?	2	A	No.
3		ecause I pushed it and no air came out.	3	Q	Have you ever heard anyone complain about
4		'hat did you do?	4 5	the hand	d dryer in this bathroom not working? No.
5		ust went to my classroom.	6	Q	Have you ever complained to anyone about
6 7	Q Di A No	id you tell anyone?	7		d dryer not working?
8		o. n May 4th when you went to use this	8	A	No.
		do you know if the hand dryer worked?	9	Q	How many times have you used this
9 10	A No		10		m and the hand dryer worked?
10		ow come you don't know? What happened	11	A	Two times.
12	that day?	ow come you don't know? What happened	12	Q	In April you only used this bathroom
13		ay 4th?	13	twice, ri	
14		lay 4th did you try to use the hand	14	A	Yes.
15	dryer?		15	Q	How many times did you use it in May?
16	A No	0.	16	You che	ecked it out on May 11th?
17	QW	hat about in April; did you use this	17	Α	Yes.
18	bathroom in	n April?	18	Q	May 9th?
19	A In	April?	19	Α	Yes.
20		April.	20	Q	And May 4th?
21		eah, a couple of times.	21	Α	Yes.
22		id you try to use the hand dryer when	22	Q	Any other times?
23	you used th	ne bathroom in April?	23	Α	No.
24		es.	24	Q	How about March; how many times did you
25	Q H	ow many times did you try to use the	25	use this	bathroom?
		······································			
		Page 295			Page 297
1	hand dryer	-	1	Α	A few times.
2	A T	in April? wo times.	2	Q	A few times. How about February?
2 3	A T Q W	in April?	2 3	Q A	A few times. How about February? Three.
2 3 4	A Tu Q W use it?	in April? wo times. That happened the first time you tried to	2 3 4	Q A Q	A few times. How about February? Three. January?
2 3 4 5	A Tr Q W use it? A It	in April? wo times. /hat happened the first time you tried to didn't work.	2 3 4 5	Q A Q A	A few times. How about February? Three. January? Two.
2 3 4 5 6	A Tr Q W use it? A It Q H	in April? wo times. That happened the first time you tried to didn't work. fow do you know?	2 3 4 5 6	Q A Q A Q	A few times. How about February? Three. January? Two. When you used this bathroom in January,
2 3 4 5 6 7	A T Q W use it? A It Q H A B	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big	2 3 4 5 6 7	Q A Q A Q did you	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer?
2 3 4 5 6 7 8	A Tv Q W use it? A It Q H A B thing for yo	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never	2 3 4 5 6 7 8	Q A Q A Q did you A	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes.
2 3 4 5 6 7 8 9	A Ty Q W use it? A It Q H A B thing for yo comes out.	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never	2 3 4 5 6 7 8 9	Q A Q A Q did you A Q	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened?
2 3 4 5 6 7 8 9 10	A Ty Q W use it? A It Q H A B thing for yo comes out. Q W	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do?	2 3 4 5 6 7 8 9 10	Q A Q A Q did you A Q A	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work.
2 3 4 5 6 7 8 9 10 11	A Ty Q W use it? A It Q H A B thing for yo comes out. Q W A Iy	in April? wo times. /hat happened the first time you tried to didn't work. /ow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class.	2 3 4 5 6 7 8 9 10 11	Q A Q did you A Q A Q	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do?
2 3 4 5 6 7 8 9 10 11 12	A Ty Q W use it? A It Q H A B thing for yo comes out. Q W A Iy Q D	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone?	2 3 4 5 6 7 8 9 10 11 12	Q A Q did you A Q A Q A	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class.
2 3 4 5 6 7 8 9 10 11 12 13	A Tv Q W use it? A It Q H A B thing for yo comes out. Q W A I v Q D A N	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? lo.	2 3 4 5 6 7 8 9 10 11 12 13	Q A Q did you A Q A Q	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone?
2 3 4 5 6 7 8 9 10 11 12 13 14	A Tv Q W use it? A It Q H A B thing for yc comes out. Q W A I v Q D A N Q D	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? fo.	2 3 4 5 6 7 8 9 10 11 12	Q A Q did you A Q A Q A Q A Q A	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class.
2 3 4 5 6 7 8 9 10 11 12 13	A Ty Q W use it? A It Q H A B thing for yc comes out. Q W A Iy Q D A N Q D A N	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? fo. bo you know when in April this was? fo.	2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q did you A Q A Q A Q A Q	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone? No. How about the second time in January;
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Ty Q W use it? A It Q H A B thing for yc comes out. Q W A Iy Q D A N Q D A N	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? fo. bo you know when in April this was? fo. low about the next time that you used the	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q did you A Q A Q A Q A Q A Q	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone? No. How about the second time in January;
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Tv Q W use it? A It Q H A B thing for yo comes out. Q W A Iv Q D A N Q D A N Q D A N Q H bathroom i	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? fo. bo you know when in April this was? fo. low about the next time that you used the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q did you A Q A Q A Q A Q A Q A Q y what hay	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone? No. How about the second time in January; ppencd?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Tv Q W use it? A It Q H A B thing for yo comes out. Q W A Iv Q D A N Q D A N Q D A N Q H bathroom i A It	in April? wo times. /hat happened the first time you tried to didn't work. /ow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? /o. /o you know when in April this was? /o. /ow about the next time that you used the in April?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q did you A Q A Q A Q A Q A Q what hay A	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone? No. How about the second time in January; ppened? The hand dryer didn't work.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Tv Q W use it? A It Q H A B thing for yc comes out. Q W A Iv Q D A N Q D A N Q D A N Q D A N Q H bathroom i A It Q H	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? fo. to you know when in April this was? fo. to about the next time that you used the in April? didn't work.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q did you A Q A Q A Q A Q what hay A Q	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone? No. How about the second time in January; ppened? The hand dryer didn't work. And you didn't tell anyone?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Tv Q W use it? A It Q H A B thing for yc comes out. Q W A Iv Q D A N Q D A N Q D A N Q D A N Q H bathroom i A It Q H bathroom i	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? lo. to you know when in April this was? lo. low about the next time that you used the in April? didn't work. low do you know?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q did you A Q A Q A Q A Q what hay A Q A Q	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone? No. How about the second time in January; ppencd? The hand dryer didn't work. And you didn't tell anyone? No.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Tv Q W use it? A It Q H A B thing for yo comes out. Q W A Iv Q D A N Q D A N Q D A N Q H bathroom i A It Q H A B Q H bathroom i	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? fo. bo you know when in April this was? fo. low about the next time that you used the in April? didn't work. fow do you know? ecause for the same reason. bid you tell anyone? fo.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q did you A Q A Q A Q A Q what hay A Q you used	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone? No. How about the second time in January; ppened? The hand dryer didn't work. And you didn't tell anyone? No. How about in February the first time that d this bathroom; what happened? Did you try to hand dryer?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Tv Q W use it? A It Q H A B thing for yo comes out. Q W A Iv Q D A N Q D A N Q D A N Q H bathroom i A It Q H A B Q H bathroom i A It Q H Q M Q W	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. hid you tell anyone? fo. to you know when in April this was? fo. to you know when in April this was? fo. to about the next time that you used the in April? didn't work. fow do you know? ecause for the same reason. hid you tell anyone? fo. /hen you used the bathroom in April, was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q did you A Q A Q A Q A Q what hay A Q you used use the D A	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone? No. How about the second time in January; ppened? The hand dryer didn't work. And you didn't tell anyone? No. How about in February the first time that d this bathroom; what happened? Did you try to hand dryer? Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A Tv Q W use it? A It Q H A B thing for yo comes out. Q W A Iv Q D A N Q D A N Q H bathroom i A It Q H A B Q H bathroom i A N Q W there any so	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? fo. to you know when in April this was? fo. to you know when in April this was? fo. to you know when in April this was? fo. to you know? ecause for the same reason. bid you tell anyone? fo. then you used the bathroom in April, was oap in the bathroom?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Q A Q did you A Q A Q A Q A Q what hay A Q you used use the I A Q	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone? No. How about the second time in January; ppened? The hand dryer didn't work. And you didn't tell anyone? No. How about in February the first time that d this bathroom; what happened? Did you try to hand dryer? Yes. What happened?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Tv Q W use it? A It Q H A B thing for yo comes out. Q W A Iv Q D A N Q D A N Q D A N Q H bathroom i A It Q H A B Q H bathroom i A It Q H Q M Q W	in April? wo times. /hat happened the first time you tried to didn't work. fow do you know? ecause there's a button like a big ou to push for air to come out. It never /hat did you do? went back to my class. bid you tell anyone? fo. to you know when in April this was? fo. to you know when in April this was? fo. to you know when in April this was? fo. to you know? ecause for the same reason. bid you tell anyone? fo. then you used the bathroom in April, was oap in the bathroom?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q A Q did you A Q A Q A Q A Q what hay A Q you used use the D A	A few times. How about February? Three. January? Two. When you used this bathroom in January, try to use the hand dryer? Yes. The first time in January what happened? The hand dryer didn't work. What did you do? I went back to my class. Did you tell anyone? No. How about the second time in January; ppened? The hand dryer didn't work. And you didn't tell anyone? No. How about in February the first time that d this bathroom; what happened? Did you try to hand dryer? Yes.

}			
	Page 298	1	Page 300 Q The beginning or before Halloween or
	Q How about the second time? A It didn't work.		Q The beginning or before Halloween or after Halloween?
2	•••••••••••••••••••••••••••••••••••••••	3	A After Halloween.
3	Q The third time? A It didn't work.	4	Q After Halloween? So it was in November?
4		5	A It was before Halloween.
5	Q How about in March? How about the first time you used this bathroom in March?	6	Q When?
6 7	A It didn't work.	7	A I don't know.
8		8	Q How about the second time you used it?
9	Q How about the second time? A Didn't work.	9	A It didn't work.
10	Q How about the third time?	10	Q How about in September; how many times do
11	A Didn't work.	11	you think you used this bathroom?
12	Q And we know you used it twice in April.	12	A Like three.
13	And it didn't work in April, right?	13	Q What happened?
14	A No.	14	A The hand dryer worked.
15	Q How about in December; how many times did	15	Q How many times?
16	you use this bathroom?	16	A Three times.
17	A About two times.	17	Q Have you ever seen any of the kids
18	Q What happened? Did you try to use the	18	playing with the hand dryer?
19	hand dryer?	19	A No.
20	A Yes.	20	Q Have you ever seen any of the kids using
21	Q Did it work?	21 22	the hand dryer? A Yes.
22	A No.	22	A Yes. Q Have you ever seen the hand dryer working
23	Q Do you remember there ever being paper towels in this bathroom or paper towel dispenser?	23	when you were using the bathroom or when you checked
24	A No.	25	out the bathroom in May on May 11th?
25	A NO.		out the bathloom in May on May 11th.
	B 200		Page 301
1 2 3 4 5	Page 299 Q Did you use this bathroom your first year at Helms when you were your first year at Helms? A No. Q And your first year at Helms is when you were in the 7th grade, right?	1 2 3 4 5	Page 301 A No. Q Was there anyone else in the bathroom with you on May 11th when you checked it out? A No. Q Have you ever heard of students playing with the heard down and setting into trouble?
3 4 5 6	<ul> <li>Q Did you use this bathroom your first year at Helms when you were your first year at Helms?</li> <li>A No.</li> <li>Q And your first year at Helms is when you were in the 7th grade, right?</li> <li>A Yes.</li> </ul>	2 3 4 5 6	<ul> <li>A No.</li> <li>Q Was there anyone else in the bathroom</li> <li>with you on May 11th when you checked it out?</li> <li>A No.</li> <li>Q Have you ever heard of students playing</li> <li>with the hand dryer and getting into trouble?</li> </ul>
3 4 5 6 7	<ul> <li>Q Did you use this bathroom your first year at Helms when you were your first year at Helms?</li> <li>A No.</li> <li>Q And your first year at Helms is when you were in the 7th grade, right?</li> <li>A Yes.</li> <li>Q So you never used this bathroom last</li> </ul>	2 3 4 5 6 7	<ul> <li>A No.</li> <li>Q Was there anyone else in the bathroom</li> <li>with you on May 11th when you checked it out?</li> <li>A No.</li> <li>Q Have you ever heard of students playing</li> <li>with the hand dryer and getting into trouble?</li> <li>A No.</li> </ul>
3 4 5 6 7 8	<ul> <li>Q Did you use this bathroom your first year at Helms when you were your first year at Helms?</li> <li>A No.</li> <li>Q And your first year at Helms is when you were in the 7th grade, right?</li> <li>A Yes.</li> <li>Q So you never used this bathroom last year?</li> </ul>	2 3 4 5 6 7 8	<ul> <li>A No.</li> <li>Q Was there anyone else in the bathroom</li> <li>with you on May 11th when you checked it out?</li> <li>A No.</li> <li>Q Have you ever heard of students playing</li> <li>with the hand dryer and getting into trouble?</li> <li>A No.</li> <li>Q Do you know why the hand dryer didn't</li> </ul>
3 4 5 6 7 8 9	<ul> <li>Q Did you use this bathroom your first year at Helms when you were your first year at Helms?</li> <li>A No.</li> <li>Q And your first year at Helms is when you were in the 7th grade, right?</li> <li>A Yes.</li> <li>Q So you never used this bathroom last year?</li> <li>MR. LONDEN: Objection. Asked and answered.</li> </ul>	2 3 4 5 6 7 8 9	<ul> <li>A No.</li> <li>Q Was there anyone else in the bathroom with you on May 11th when you checked it out?</li> <li>A No.</li> <li>Q Have you ever heard of students playing with the hand dryer and getting into trouble?</li> <li>A No.</li> <li>Q Do you know why the hand dryer didn't work?</li> </ul>
3 4 5 6 7 8	<ul> <li>Q Did you use this bathroom your first year at Helms when you were your first year at Helms?</li> <li>A No.</li> <li>Q And your first year at Helms is when you were in the 7th grade, right?</li> <li>A Yes.</li> <li>Q So you never used this bathroom last year?</li> </ul>	2 3 4 5 6 7 8	<ul> <li>A No.</li> <li>Q Was there anyone else in the bathroom with you on May 11th when you checked it out?</li> <li>A No.</li> <li>Q Have you ever heard of students playing with the hand dryer and getting into trouble?</li> <li>A No.</li> <li>Q Do you know why the hand dryer didn't work?</li> <li>A No.</li> </ul>
3 4 5 6 7 8 9 10	Q Did you use this bathroom your first year at Helms when you were your first year at Helms? A No. Q And your first year at Helms is when you were in the 7th grade, right? A Yes. Q So you never used this bathroom last year? MR. LONDEN: Objection. Asked and answered. THE WITNESS: No.	2 3 4 5 6 7 8 9 10	<ul> <li>A No.</li> <li>Q Was there anyone else in the bathroom with you on May 11th when you checked it out?</li> <li>A No.</li> <li>Q Have you ever heard of students playing with the hand dryer and getting into trouble?</li> <li>A No.</li> <li>Q Do you know why the hand dryer didn't work?</li> <li>A No.</li> </ul>
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1	Q How do you think it gets there?	1	and they fall. They get all wet.
2	MR, LONDEN: Lacks foundation.	2	Q Where do they run into? Where is it that
3	THE WITNESS: The kids. The kids. And I guess	3	they're running into?
4	they put it they put it all the way inside. They	4	A To the urinals.
5	let the water go on for a long time.	5	Q Where do they slip?
6	BY MS. KOURY:	6	A By the urinals.
7	Q Have you ever seen the water on with the	7	<ul><li>Q How many times have you seen this happen?</li><li>A Two times.</li></ul>
8	paper inside of it?	8 9	A Two times. Q When?
9	A Yes.	10	A No, I only seen it one time.
10	<ul><li>Q How often?</li><li>A Like about every month. Every month I go</li></ul>	11	Q When?
11	to the bathroom.	12	A Around March.
13	Q How many times a month?	13	Q What happened after he slipped or she
14	A That I see that?	14	slipped? I take it it was he a boys' bathroom.
15	Q Yes.	15	A He got up. I guess he cleaned himself.
16	A Like once.	16	I don't know.
17	Q You see it about once a month?	17	<ul><li>Q What was on him?</li><li>A Water and other stuff like urine.</li></ul>
18	A Uh-huh.	18 19	
19	Q What do you do?	20	Q How wet was he? A Huh?
20	A I stop it from – I stop the water from	20	Q How wet was he?
21 22	running. Q What else do you do?	21	A He wasn't really wet.
22	Q What else do you do? A That's it.	23	Q Do you know what he did after that?
24	Q Do you ever tell anyone?	24	A No. I just got out of the bathroom and
25	A No.	25	went to my class.
	Page 303		Page 305
1	Q The last time you were in the bathroom on	1	O Did was as him lagger the hothroom?
		1 4	Q Did you see him leave the bathroom?
2	May 11th, what did the floor look like?	2	À Huh?
2 3	May 11th, what did the floor look like? A Wet.	23	A Huh? Q Did you see him leave the bathroom?
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	Page 306		Page 308
1	A Wet.	1	A No.
1 2		2	Q What about in April when you used the
	Q Where was it wet? MR. LONDEN: Asked and answered.	3	bathroom? Tell me about the first time you used the
3			bathroom in April; what did the floor look like?
4	BY MS. KOURY:	4	Dathroom in April, what did the hoor look like:
5	Q Go ahead.	5	A It was wet but only by the urinals.
6	A Around the urinals and the sink.	6	Q What did the sink look like?
7	Q Are those the only areas that it was wet?	7	A They had nothing on it.
8	A Yes.	8	Q What about the second time you used the
9	Q About how thick was the water?	9	bathroom in April; what did the floor look like?
10	A It wasn't thick.	10	A Wet by the sinks and by the urinals.
11		11	Q What about the sinks; what did they look
		12	like?
12	Did it make a splash when you put your foot	12	A They had nothing on them.
13	A No.	1	
14	Q What were the sinks like?	14	
15	A There were they were wide. It didn't	15	You said about once a month?
16	have hot water.	16	A Once a month.
17	Q I'm sorry, I didn't understand the first	17	Q And the water is turned on when you see
18	part of what you said.	18	the paper in the sinks?
19	A It was wide.	19	A Yes.
20	Q Was the water running in the sink?	20	Q Have you ever heard of students getting
21	À No.	21	in trouble for doing this?
22	Q Was there anything else in the sinks?	22	MR. LONDEN: Asked and answered.
23	A No.	23	THE WITNESS: No.
24	Q There was no paper in the sinks?	24	BY MS. KOURY:
25	A No.	25	Q Have you ever done this?
25	A NO.	2.5	Q Thave you ever done and.
	· · · · · · · · · · · · · · · · · · ·		
	P		Page 309
	Page 307		Fage 509
1	Q How about on May 9th when you used the	1	A No.
2	bathroom; what did the floors look like?	2	
3			O At the school you went to before you went
	MR LONDEN. You were asking about May 9th.		Q At the school you went to before you went to Helms what school was it that you went to before
	MR. LONDEN: You were asking about May 9th. MS KOURY: Lwas asking about May 11th J	3	to Helms what school was it that you went to before
4	MS. KOURY: I was asking about May 11th. I	3 4	to Helms what school was it that you went to before Helms? What was the name of the school?
4 5	MS. KOURY: I was asking about May 11th. I corrected myself.	3 4 5	to Helms what school was it that you went to before Helms? What was the name of the school? A Downer.
4 5 6	MS. KOURY: I was asking about May 11th. I corrected myself. Q Were you just talking about May 9th or	3 4 5 6	to Helms what school was it that you went to before Helms? What was the name of the school? A Downer. Q Did you see paper in the sinks there?
4 5 6 7	MS. KOURY: I was asking about May 11th. I corrected myself. Q Were you just talking about May 9th or May 11th what we were discussing a few moments ago?	3 4 5 6 7	to Helms what school was it that you went to before Helms? What was the name of the school? A Downer. Q Did you see paper in the sinks there? A No.
4 5 6 7 8	MS. KOURY: I was asking about May 11th. I corrected myself. Q Were you just talking about May 9th or May 11th what we were discussing a few moments ago? A May 9th.	3 4 5 6 7 8	<ul> <li>to Helms what school was it that you went to before Helms? What was the name of the school?</li> <li>A Downer.</li> <li>Q Did you see paper in the sinks there?</li> <li>A No.</li> <li>Q Did you ever see kids leave the faucet</li> </ul>
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1       A       1 saw, um, the sink was filed of water         2       look like?       A       A times at times you would see like       3       Q       How was the sink.       3       Q       Mat the was the sink.       3       Q       Mathe was the sink.		Fage 5		Tage 512
2look like?2was coming out from the sink.3A. At times - at times you would see likeQ. How was the sink flooded?4the sink running, but it wouldn't get clogged up. ItQ. Whay?5Q. You didn't see paper in the sink at allG. You didn't see paper in the sink at all7in March?S. A. No.9Q. What other times have you seen paper in910the sink with the water running?911the sink was march.1012A. The last time was13Q. Did you see is thappen in March?14A. Wait. It was March.15Q. Describe to me what happend?16A. No.17Q. And there was something in the sink?18A. No.19Q. I wani you to remember the last time you20Sou and the see anything in the sink?11A. No.12Q. You didn't see anything in the sink?13Aperi?14A. No.25Q. You didn't see anything how about in26Q. Waat that papeend in April when the water was27A. No, the water was just running.28A. No, the water was just running.29A. No, the water was just running.20Q. What happened in April when the water was21A. No, the water coming out of the sink?22Q. What happened in April when the water was23Q. What happened?34A. Isaw it running. I turned it off.35A. I	1	O What about the sinks: what did the sinks	1	A I saw, um, the sink was flooded and water
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25 Q What did you do?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>A No, the water was just running.</li> <li>Q What happened in April when the water water water water and the procession of the second structure of the second structu</li></ul>	13     2       13     4       5     6       7     8       9     10       11     12       13     14       15     16       17     18       19     20       21     22       23	<ul> <li>Q What else did you see?</li> <li>A That's it.</li> <li>Q Was it clogged?</li> <li>A No.</li> <li>Q How about in December?</li> <li>A December?</li> <li>Q After Christmas break.</li> <li>A No.</li> <li>Q How about before Christmas break; did you ever see the sink clogged or the water running?</li> <li>A Yes.</li> <li>Q When?</li> <li>A When?</li> <li>Q Yes.</li> <li>A Like before Christmas break.</li> <li>Q Describe it to me. What happened?</li> <li>A What happened is the water was running and it wasn't flooded.</li> <li>Q It was not flooded?</li> <li>A No.</li> <li>Q When you walked in, what did you see the water turned on?</li> </ul>
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		<u></u>	[		
		Page 314			Page 316
1	A	I turned it off.		A	The toilets.
2	Q	Was there any water coming out from the	2	Q	Which toilet did you look at?
3	sink?	N7	3	A	Both of them.
4	A	No.	4	Q	Tell me about the first toilet. Is it the door or farther from the door?
5	Q	What about November?	5		
6	A	Yes, the sink was flooded.	6	A	Closer to the door.
7	Q	What did you see?	7	Q	What did it look like?
8	Α	The sink was flooded.	8	Α	It was it wasn't flooded. Both of
9	Q	How was it flooded?	9		rren't flooded.
10	A	It was the water was coming out from	10		Let's talk about the first one, the one
11	the sink		11		the door. Did it look like it was working
12	Q	Why?	12	properly	
13	A	Because it was flooded.	13	A	No, not really.
14	Q	Why was it flooded? Was it clogged?	14	Q	How do you know? Why do you think it
15	A	Yes, it was clogged.	15		ok like it was working properly?
16	Q	What did you see clogging it, if	16	A	Because there was a lot of like a
17	anythin		17		unch of like inside the toilet there was
18	A	Paper.	18		was dirty. It was like it was filled
19	Q	What kind of paper?	19		u know with I don't know how to say it.
20 21	A	A lot of paper like binder paper. But it hole bunch.	20 21	it was cl	ogged up sort of sort of clogged up like
21		When was that in November?	21		
22	Q A	I don't know.	22	Q A	Did you try to flush it? No.
23	Q	Was it before Thanksgiving?	23	Q	What level of water was there in the
25	A	I forgot.	25	toilet?	what level of water was there in the
	1	1 101 got.	25	tonet.	
		Page 315			Page 317
1	Q	Page 315 Did you see this happen? Any other times	1	A	Page 317 Level?
12	~		1 2	A Q	
	~	Did you see this happen? Any other times	1	Q	Level?
2	in Nove A Q	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in	2	Q	Level? Yeah. How far up was the water? Was the
2	in Nove A Q	Did you see this happen? Any other times mber did you see this sink? No.	2 3	Q water re	Level? Yeah. How far up was the water? Was the ally low?
2 3 4	in Nove A Q	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in	2 3 4	Q water re A	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high.
2 3 4 5	in Nove A Q Novemi	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in per other than this one instance?	2 3 4 5	Q water re A Q	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high. How high?
2 3 4 5 6	in Nove A Q Novema A	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in per other than this one instance? No.	2 3 4 5 6	Q water re A Q A	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high. How high? Like almost to the top of the seat.
2 3 4 5 6 7 8 9	in Nove A Q Novema A Q	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in per other than this one instance? No. What about in October?	2 3 4 5 6 7 8 9	Q water re A Q A Q A	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high. How high? Like almost to the top of the seat. But it wasn't flooded?
2 3 4 5 6 7 8 9 10	in Nove A Q Novema A Q A Q October	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in ber other than this one instance? No. What about in October? No. Did you ever see the water running in ?	2 3 4 5 6 7 8 9 10	Q water re A Q A Q A	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high. How high? Like almost to the top of the seat. But it wasn't flooded? No, the water didn't come out. It was he way up top almost touching the seat. Was there human waste in the toilet?
2 3 4 5 6 7 8 9 10 11	in Nove A Q Novema A Q A Q October A	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in ber other than this one instance? No. What about in October? No. Did you ever see the water running in ? No.	2 3 4 5 6 7 8 9 10 11	Q water re A Q A Q A just all t Q A	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high. How high? Like almost to the top of the seat. But it wasn't flooded? No, the water didn't come out. It was he way up top almost touching the seat. Was there human waste in the toilet? Yes. It was clogged up. It was filled
2 3 4 5 6 7 8 9 10 11 11 12	in Nove A Q Novema A Q A Q October A Q	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in per other than this one instance? No. What about in October? No. Did you ever see the water running in ? No. What about in September?	2 3 4 5 6 7 8 9 10 11 12	Q water re A Q A Q A just all t Q A	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high. How high? Like almost to the top of the seat. But it wasn't flooded? No, the water didn't come out. It was he way up top almost touching the seat. Was there human waste in the toilet? Yes. It was clogged up. It was filled man waste.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	in Nove A Q Novema A Q A Q October A Q A Q flooded A is all the dirtiness	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in per other than this one instance? No. What about in October? No. Did you ever see the water running in ? No. What about in September? No. You said that the toilets are mostly what did you mean by that? You mostly see the toilets the water way up. It's flooded and all of the s is right there.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q water re A Q A just all t Q A with hur Q look at t the door A Q A	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high. How high? Like almost to the top of the seat. But it wasn't flooded? No, the water didn't come out. It was he way up top almost touching the seat. Was there human waste in the toilet? Yes. It was clogged up. It was filled man waste. What about in the second toilet; did you he other toilet, the one farther away from ? Yes. What did it look like? It was okay.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	in Nove A Q Novema A Q A Q October A Q A Q flooded A is all the dirtiness Q	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in per other than this one instance? No. What about in October? No. Did you ever see the water running in ? No. What about in September? No. You said that the toilets are mostly what did you mean by that? You mostly see the toilets the water way up. It's flooded and all of the s is right there. There are two toilets in this bathroom,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q water re A Q A just all t Q A with hur Q look at t the door A Q A Q	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high. How high? Like almost to the top of the seat. But it wasn't flooded? No, the water didn't come out. It was he way up top almost touching the seat. Was there human waste in the toilet? Yes. It was clogged up. It was filled man waste. What about in the second toilet; did you he other toilet, the one farther away from ? Yes. What did it look like? It was okay. How do you know it was okay?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	in Nove A Q Novema A Q A Q October A Q A Q flooded A is all the dirtiness Q correct?	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in per other than this one instance? No. What about in October? No. Did you ever see the water running in ? No. What about in September? No. You said that the toilets are mostly what did you mean by that? You mostly see the toilets the water way up. It's flooded and all of the s is right there. There are two toilets in this bathroom,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q water re A Q A just all t Q A with hur Q look at t the door A Q A Q A	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high. How high? Like almost to the top of the seat. But it wasn't flooded? No, the water didn't come out. It was he way up top almost touching the seat. Was there human waste in the toilet? Yes. It was clogged up. It was filled man waste. What about in the second toilet; did you he other toilet, the one farther away from ? Yes. What did it look like? It was okay. How do you know it was okay? There was human waste, but then the only
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	in Nove A Q Novema A Q A Q October A Q flooded A is all the dirtiness Q correct? A Q 11th, die	Did you see this happen? Any other times mber did you see this sink? No. You never saw the sink flooded in per other than this one instance? No. What about in October? No. Did you ever see the water running in ? No. What about in September? No. You said that the toilets are mostly what did you mean by that? You mostly see the toilets the water way up. It's flooded and all of the s is right there. There are two toilets in this bathroom, Yes. When you checked out this bathroom on May d you see the toilets?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q water re A Q A Q A just all t Q A with hur Q look at t the door A Q A thing is Q A	Level? Yeah. How far up was the water? Was the ally low? No, it was kind of high. How high? Like almost to the top of the seat. But it wasn't flooded? No, the water didn't come out. It was he way up top almost touching the seat. Was there human waste in the toilet? Yes. It was clogged up. It was filled man waste. What about in the second toilet; did you he other toilet, the one farther away from ? Yes. What did it look like? It was okay. How do you know it was okay? There was human waste, but then the only they just didn't flush it. Did you flush the toilet? No.
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20 (Pages 314 to 317)

	Page 318		Page 320
1	On May 9th when you used this bathroom,	1	May 4th?
2	what did the first toilet look like? Did you see the	2	A No.
3	first toilet?	3	Q Did the urinal work properly when you
4	A Yes. It's mostly the first toilet that	4	used it on May 4th?
5	you see. The water was all the way up and stuff.	5	A Yes.
6	Q May 9th what did you do when you walked	6	Q What about in April when you used the
7	into the bathroom; do you remember? Did you use the	7	bathroom in April?
8	toilet?	8	A April?
9	A No.	9 10	Q Uh-huh. The first time you used the bathroom in April do you remember what did you use
10 11	<ul><li>Q Did you use the urinal?</li><li>A No.</li></ul>	10	in the bathroom in April when you used it?
11	Q What did you do?	12	A I forgot.
12	A I washed my hands.	13	Q Do you remember if you used the toilet in
14	Q Why did you look at the toilet?	14	April?
15	A May 9th?	15	MR. LONDEN: Asked and answered.
16	Q Why did you see the first toilet?	16	THE WITNESS: No.
17	A I didn't see it then. I said on May 4th.	17	BY MS. KOURY:
18	Q I'm taking about May 9th only right now.	18	Q Do you remember if you saw the toilet in
19	On May 9th you didn't see the first	19	April?
20	toilet?	20	A No.
21	A No.	21	Q How do you know you used this bathroom in
22	Q Did you look at the second toilet the one	22 23	April?
23 24	farther from the door? A No.	23 24	A I don't mostly always use that bathroom. I use the other ones, too.
25	Q On May 4th what did you do? You went	25	Q Earlier you told me that you used this
20		20	
	Page 319		Page 321
1	into the bathroom?	1	bathroom twice and you saw that the bathroom floor was
2	A Uh-huh.	2	wet and you remembered what the floor looked like.
3	Q Did you use the bathroom?	3	Are you not sure that you went into this bathroom in
4	A Yes. And then I like I saw the	4	April?
5	toilet. It was all messed up because the water was	5	MR. LONDEN: Argumentative. THE WITNESS: Yeah, I went in it, but I didn't
6 7	almost touching the seat. And it was filled with	6	see the toilet, though.
8	human waste. Q When you walked into the bathroom, what	8	BY MS. KOURY:
9	did you do? You wanted to use the toilet?	9	Q Did you see the toilets in March in this
10	A No.	10	bathroom?
11	Q What did you want to do?	11	A No.
12	A I had to use the urinal. That was it.	12	Q Did you see the toilets in this bathroom
13	Q Why did you see the first toilet, the one	13	in February?
14	closest to the door?	14	A No.
15	A Because some boy said he said	15	Q How about in January?
16	something. He said said he said like to come	16	A No.
17	look at the toilet it looks all messed up. And I went	17	Q December?
18 19	to go look at it. It was in bad condition.	18 19	A No. O November?
20	Q Did you do anything? A No.	20	Q November? A Yes.
21	Q Do you know if the other boy did	21	Q Do you remember around when in November
22	anything?	22	you used these toilets or saw these toilets?
23	A No.	23	A I never used these toilets. I just
23 24	<ul><li>A No.</li><li>Q What about the second toilet, the toilet</li></ul>	24	happened to see them. It's always like the first
23			-
23 24	Q What about the second toilet, the toilet	24	happened to see them. It's always like the first

21 (Pages 318 to 321)

	Page 322		Page 324
1	Q You say "always," but you didn't see this	1	these toilets again in December?
2	toilet in March or in February.	2	A No.
3	A I'm saying always when I saw the toilet	3	Q What about in November?
4	always clogged up.	4	A No.
5	Q And you saw it in November once?	5	Q You said you used the bathroom in October
6	A Yes.	6	twice. Do you remember what you did, what you used?
7	Q How many times in November was it?	7	A Yeah. I never used the toilet stool.
8	A I went to the bathroom I don't know	8	Q How about in September; did you see the
9	how many times like three or two times. But I only	9	toilets in September?
10 11	saw the toilet once.	10 11	<ul> <li>A No.</li> <li>Q You said there was graffiti on the walls</li> </ul>
11	<ul><li>Q And why did you see the toilet?</li><li>A Because I just happened to see it.</li></ul>	12	in the bathrooms?
12	Q Were you going to use it?	13	A Yes.
13	A No.	14	Q Can you tell me what you mean by that?
15	Q Did someone tell you to check it out?	15	A Graffiti on the doors in the bathroom,
16	A No.	16	graffiti on the walls like next to the urinals,
17	Q Why did you want to see it?	17	graffiti on the toilets.
18	A Because I just happened to see it.	18	Q Anything else?
19	Q What did it look like?	19	A No.
20	A It was messed up.	20	Q Have you ever seen anyone putting the
21	Q What do you mean by "messed up"?	21	graffiti on the walls in the bathroom?
22	A It was clogged up. It was just dirty.	22	A No.
23	Q How could you tell?	23	Q Have you ever heard anyone talking about
24	A There was spray paint on like around the	24	putting graffiti on the walls in the bathroom?
25	seat. Around the seat there was spray paint. And	25	A No.
	· · · · · · · · · · · · · · · · · · ·	L	
	Page 323	1	Page 325
1	inside the toilet was clogged.	1	Q Have you ever heard of students getting
2	Q How could you tell it was clogged?	2	in trouble for putting graffiti on the walls in the
$\overline{3}$	A Because the water was almost touching the	3	bathroom?
4	seat. It was actually almost I think a little bit	4	A No.
5	was coming out.	5	Q How about students putting graffiti
6	Q Was there anything in it?	6	anywhere on campus?
7	A Yes.	7	A No.
8	Q What was in it?	8	Q On May 11th when you went to check out
9	A Human waste.	9	the bathroom, what did you see? Did you see any
10	Q Did you do anything? Did you say	10	graffiti on the walls?
11	anything?	11	A I saw graffiti on the walls, graffiti on
12 13	A No, I just went out.	12	the toilet, graffiti by the sink and on the door.
13	Q Do you remember what time of day this was?	13 14	Q I thought you didn't see the toilets on May 11th.
14	A No.	14	A I did.
16	Q Did you go into this bathroom the next	16	Q You saw the toilets?
17	day?	17	A Yes. I said before I had seen the
18	A No.	18	toilets.
19	Q Did you see what the toilet looked like	19	Q I'm sorry. Did you see did you go to
20	the next day?	20	the bathroom on May 10th in this bathroom or not or
21	A No.	21	just on May 11th?
22	Q Did you hear from any of your friends	22	A Just May 11th.
23	about what the toilet looked like the next day?	23	Q Which toilet did you see the graffiti?
24	A No.	24	A The first one.
25	Q Other than this one instance, did you see	25	Q What about on May 9th; did you see any
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22 (Pages 322 to 325)

	1 age 520		1 ago 520
1	graffiti on May 9th?	1	the graffiti?
2	A Yes.	2	A No.
3	Q Where?	3	Q Have you ever asked anyone to clean the
4	A On the doors, on the walls, and on the	4	graffiti?
5	toilet.	5	A No.
6	Q Which toilet?	6	Q Have you ever complained about it?
7	A Both of them.	7	A No.
8	Q Where on the toilets?	8	Q Have you ever heard of any other students
9	A On the seats.	9	complaining about it?
10	Q And on May 11th when you saw the graffiti	10	A No.
11	on the toilets, where was it? It was on the first	11	Q I'm going to ask you about the fire you
12	toilet, but where on the toilet?	12	told me about in February.
13	A On the seat.	13	Were you at school that day?
14	Q Did you see the second toilet on	14	A Yes.
15	May 11th?	15	Q Tell me what happened.
16	A No.	16	A Huh?
17	Q You didn't see it?	17	Q Tell me what happened. How did you hear
18	A (No audible response.)	18	about the fire?
19	Q How about on May 4th; did you see	19	A Because I was in P.E. with my friends and
20	graffiti?	20	then all of a sudden you hear everybody saying fire,
21	A Yes.	21	fire. And then we went to go check it out in the main
22	Q Where?	22	building. And you could see a whole bunch of smoke
23	A On the walls, on the door, by the sink,	23	coming out in the air. And then the fire the
24	and by the urinals.	24	ambulance (sic) came and they put out the fire.
25	Q How about in April?	25	Q Was anyone hurt?
	Page 327		Page 329
	A Yes, I saw graffiti.		A No.
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	Q How many times did you use the used	$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	Q How do you know?
	the bathroom in April?	3	A Because nobody was in the bathroom at
4	A Two or three.	4	that time.
56	Q Where did you see the graffiti in April?	5	Q And you said earlier that you think a
7	A The walls, by the urinals, by the sink, and that's it.	6 7	student did it because the principal said so. What
8		8	did the principal say? A He said that he announced that some
9	Q What about in March? A Yes.	9	student he doesn't know lit the bathroom on fire.
10	Q Where did you see it?	10	Q And do you know what kind of damage was
11	A On the walls, on the doors, on the sink,	11	done to the bathroom?
12	by the sink, by the urinals and the toilets.	12	A No, not really just the walls were
13	Q February?	13	black and the toilet paper holder wasn't there
14	À Yes.	14	anymore.
15	Q Did you see graffiti in February, too?	15	Q How long did it take to fix it?
16	A Yes.	16	MR. LONDEN: Asked and answered.
17	Q Every time you went to the bathroom?	17	BY MS. KOURY:
18	A Yes.	18	Q Go ahead.
19	Q Have you ever been to the bathroom	19	A Like like the rest of the day they
20	without seeing graffiti?	20	were working on it.
21	A No.	21	Q Did you go into the bathroom the next day
22	Q Have you ever seen anyone cleaning the	22	after the fire?
23 24	graffiti? A No.	23 24	A Yes. O Did it look ony different?
24	•		Q Did it look any different?
23	Q Have you ever heard that anyone cleans	25	A What do you mean? Different from
1		ł	-

Page 3	30
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	Page 550		1 agc 552
1	Q Different from the fire. Was there	1	A Because I wanted to go check it out.
2	anything from the fire that made it look different?	2	Q To tell me about it today?
3	A Yes.	3	A Yes.
4	Q What?	4	Q What did you expect to find in there?
5	A The walls were black. It smelled weird.	5	A The same way it always is. I didn't want
	The toilets were black. The windows were black. The	6	to expect it, but I thought that's the way it would be
6		7	and it was.
7	ceiling was black.		
8	Q What about on May 11th when you went to	8	Q And you said it has the same exact
9	go check out the bathroom; was it still black on the	9	problems as the problems that are in the second floor
10	ceiling and the walls?	10	bathroom?
11	A No.	11	A The same as the other bathrooms, too.
12	Q What about the toilets?	12	Q I'm going to read the problems you listed
13	A No.	13	before just to make sure this is all you want to talk
14	Q Did it still smell funny?	14	about. There were urinals that were taken out.
15	A No.	15	A Yes.
16	Q Do you know when they cleaned the black	16	Q There's no toilet paper; there's no soap;
17	stuff from the walls, the ceiling, and the toilets?	17	there's no hot water; there are no paper towels; the
18	A No.	18	floor's always wet, and the toilets are mostly
19	Q Was it within that week of the fire?	19	flooded, and there's graffiti on the walls; is that
20	A I don't know.	20	right?
21	Q Was that black stuff still in the	21	A Yes.
22	bathroom at the end of February?	22	Q How many urinals were taken off?
23	A No.	23	A From the bottom one.
24	Q So it was cleaned before the end of	24	Q From the first floor bathroom?
25	February?	25	A First.
	a versus y.	1	
		<b> </b>	
1		1	
			<b>R</b>
	Page 331		Page 333
1	· · · · · · · · · · · · · · · · · · ·	1	-
1 2	A Yes.	1 2	Q We're talking about the first floor
2	<ul><li>A Yes.</li><li>Q What about the boys' bathroom on the</li></ul>	2	Q We're talking about the first floor bathroom were there were urinals taken out?
2 3	A Yes. Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not	2 3	Q We're talking about the first floor bathroom were there were urinals taken out? A Yes.
2 3 4	A Yes. Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other	2 3 4	Q We're talking about the first floor bathroom were there were urinals taken out? A Yes. Q How many?
2 3 4 5	A Yes. Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one.	2 3 4 5	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> </ul>
2 3 4 5 6	A Yes. Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one. A Yes.	2 3 4 5 6	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> <li>Q So do you know when they were taken out?</li> </ul>
2 3 4 5 6 7	<ul> <li>A Yes.</li> <li>Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one.</li> <li>A Yes.</li> <li>Q Can you describe that bathroom to me?</li> </ul>	2 3 4 5 6 7	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> <li>Q So do you know when they were taken out?</li> <li>A No.</li> </ul>
2 3 4 5 6 7 8	<ul> <li>A Yes.</li> <li>Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one.</li> <li>A Yes.</li> <li>Q Can you describe that bathroom to me?</li> <li>A It's the exact same way as the one on top</li> </ul>	2 3 4 5 6 7 8	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> <li>Q So do you know when they were taken out?</li> <li>A No.</li> <li>Q Did there used to be seven urinals in</li> </ul>
2 3 4 5 6 7 8 9	<ul> <li>A Yes.</li> <li>Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one.</li> <li>A Yes.</li> <li>Q Can you describe that bathroom to me?</li> <li>A It's the exact same way as the one on top with the toilets and with the sinks.</li> </ul>	2 3 4 5 6 7 8 9	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> <li>Q So do you know when they were taken out?</li> <li>A No.</li> <li>Q Did there used to be seven urinals in</li> <li>this bathroom?</li> </ul>
2 3 4 5 6 7 8 9 10	<ul> <li>A Yes.</li> <li>Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one.</li> <li>A Yes.</li> <li>Q Can you describe that bathroom to me?</li> <li>A It's the exact same way as the one on top with the toilets and with the sinks.</li> <li>Q How many toilets are there in this</li> </ul>	2 3 4 5 6 7 8 9 10	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> <li>Q So do you know when they were taken out?</li> <li>A No.</li> <li>Q Did there used to be seven urinals in</li> <li>this bathroom?</li> <li>A Yes.</li> </ul>
2 3 4 5 6 7 8 9 10 11	<ul> <li>A Yes.</li> <li>Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one.</li> <li>A Yes.</li> <li>Q Can you describe that bathroom to me?</li> <li>A It's the exact same way as the one on top with the toilets and with the sinks.</li> <li>Q How many toilets are there in this bathroom?</li> </ul>	2 3 4 5 6 7 8 9 10 11	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> <li>Q So do you know when they were taken out?</li> <li>A No.</li> <li>Q Did there used to be seven urinals in</li> <li>this bathroom?</li> <li>A Yes.</li> <li>Q When was the last time you saw seven</li> </ul>
2 3 4 5 6 7 8 9 10 11 12	<ul> <li>A Yes.</li> <li>Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one.</li> <li>A Yes.</li> <li>Q Can you describe that bathroom to me?</li> <li>A It's the exact same way as the one on top with the toilets and with the sinks.</li> <li>Q How many toilets are there in this bathroom?</li> <li>A Two.</li> </ul>	2 3 4 5 6 7 8 9 10 11 12	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> <li>Q So do you know when they were taken out?</li> <li>A No.</li> <li>Q Did there used to be seven urinals in</li> <li>this bathroom?</li> <li>A Yes.</li> <li>Q When was the last time you saw seven</li> <li>urinals in this bathroom?</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13	<ul> <li>A Yes.</li> <li>Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one.</li> <li>A Yes.</li> <li>Q Can you describe that bathroom to me?</li> <li>A It's the exact same way as the one on top with the toilets and with the sinks.</li> <li>Q How many toilets are there in this bathroom?</li> <li>A Two.</li> <li>Q How many urinals are there?</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> <li>Q So do you know when they were taken out?</li> <li>A No.</li> <li>Q Did there used to be seven urinals in</li> <li>this bathroom?</li> <li>A Yes.</li> <li>Q When was the last time you saw seven</li> <li>urinals in this bathroom?</li> <li>A I think in December.</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14	<ul> <li>A Yes.</li> <li>Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one.</li> <li>A Yes.</li> <li>Q Can you describe that bathroom to me?</li> <li>A It's the exact same way as the one on top with the toilets and with the sinks.</li> <li>Q How many toilets are there in this bathroom?</li> <li>A Two.</li> <li>Q How many urinals are there?</li> <li>A Like five.</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> <li>Q So do you know when they were taken out?</li> <li>A No.</li> <li>Q Did there used to be seven urinals in</li> <li>this bathroom?</li> <li>A Yes.</li> <li>Q When was the last time you saw seven</li> <li>urinals in this bathroom?</li> <li>A I think in December.</li> <li>Q Do you know why they were taken out?</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15	<ul> <li>A Yes.</li> <li>Q What about the boys' bathroom on the first floor; did you use that bathroom? I'm not talking about the one near the driveway, the other one.</li> <li>A Yes.</li> <li>Q Can you describe that bathroom to me?</li> <li>A It's the exact same way as the one on top with the toilets and with the sinks.</li> <li>Q How many toilets are there in this bathroom?</li> <li>A Two.</li> <li>Q How many urinals are there?</li> <li>A Like five.</li> <li>Q How many sinks?</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15	<ul> <li>Q We're talking about the first floor</li> <li>bathroom were there were urinals taken out?</li> <li>A Yes.</li> <li>Q How many?</li> <li>A About two.</li> <li>Q So do you know when they were taken out?</li> <li>A No.</li> <li>Q Did there used to be seven urinals in</li> <li>this bathroom?</li> <li>A Yes.</li> <li>Q When was the last time you saw seven</li> <li>urinals in this bathroom?</li> <li>A I think in December.</li> <li>Q Do you know why they were taken out?</li> <li>A No.</li> </ul>
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	Page 334		Page 336
1	Q You said there's no toilet paper; what do	1	A Graffiti on the sides of the toilet, like
2	you mean by that in this bathroom?	2	the walls.
3	A Just the same thing as the other one	3	Q Where else did you see the graffiti in
4	there's no toilet paper.	4	that toilet stall? You saw it on the walls?
5	Q Okay. Are there toilet are there	5	A (No audible response.)
6	toilet paper dispensers in this bathroom?	6	Q Did you see it on the toilet?
7	A Yes.	7	A No.
8	Q Describe it to me. Describe to me what	8	Q How did the second toilet, the toilet
9	the toilet paper dispenser looks like?	9	farther away from the door what did you see?
10	A Both toilets have O Have what?	10 11	<ul><li>A I saw no toilet paper.</li><li>Q What else?</li></ul>
11 12		11	A I saw graffiti on the sides of the wall.
12	A The toilet dispenser. Q What does a dispenser look like?	12	Q What else?
14	A It covers it covers the toilet the	14	A That's it.
15	toilet paper supposedly.	15	Q Did you use this bathroom on May 11th?
16	Q What material is it made of?	16	A No.
17	A Plastic.	17	Q You just checked it out?
18	Q Is it affixed to the toilet stall	18	A Yes.
19	toilet wall stall?	19	Q Before May 11th, when was the last time
20	A Yes.	20	you used this bathroom?
21	Q Are there any other dispensers in the	21	A I think like this past Monday.
22	bathroom?	22	Q So that would have been May 7th?
23	A No.	23	A Yes.
24	Q Near the urinals is there anything that	24	Q How about before that; did you use it?
25	holds toilet paper or should hold toilet paper?	25	Did you use it the week before that?
1	Page 335	1	Page 337
1 2	A No.	1	A I don't know.
2	<ul><li>A No.</li><li>Q On May 11th when you went to this first</li></ul>	2	<ul><li>A I don't know.</li><li>Q Can you remember using it in April?</li></ul>
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1	Page 338	1	Page 340
$\begin{vmatrix} 1\\2 \end{vmatrix}$	<ul><li>A It was around the middle of the month.</li><li>Q You did not go into the bathroom in</li></ul>	1 2	<ul><li>A Because there never is.</li><li>Q Did you look for it?</li></ul>
$\begin{vmatrix} 2\\3 \end{vmatrix}$	February?	$\frac{2}{3}$	Q Did you look for it? A No.
4	A No.	4	Q Did you look in the toilets near the
5	Q You did not go to the bathroom in	5	toilets?
6	February or you don't remember?	6	A No.
7	A No.	7	Q Did you ask anyone?
8	Q How about January?	8	A No.
9	A No	9	Q What about in September the first day of
10	Q December?	10	school when you used this bathroom; what did you use;
11	A No.	11	do you remember?
12	Q November?	12	A No, I didn't use anything. I just went
13	A No.	13	to go see where the bathrooms were.
14	Q October?	14	Q Did you go inside this bathroom?
15	A No.	15	A Yes, I went inside. I went to check
16	Q September?	16	to check it out.
17	A Yes.	17	Q What did you check out?
18	Q How many times do you think you went into	18	A Just the toilets. I wanted to see if it
19	the bathroom in September?	19	was dirty or clean.
20	A About one time.	20	Q What did you see in the toilet?
21	Q When?	21	A It was clean, but it wasn't really clean.
22	A The first day of school.	22	MR. LONDEN: Could we take a break?
23	Q When you used the bathroom last Monday,	23	MS. KOURY: Could I just finish this last
24	what did you do? Did you use the bathroom, or did you	24	question?
25	just go in?	25	MR. LONDEN: Sure.
			······································
	Page 339		Page 341
1	Page 339 A I used the bathroom.	1	Page 341 BY MS. KOURY:
1 2		1 2	-
+	A I used the bathroom.	1 2 3	BY MS. KOURY:
2	<ul><li>A I used the bathroom.</li><li>Q Did you use the toilets?</li><li>A No.</li><li>Q Did you use the urinal?</li></ul>		BY MS. KOURY: Q Did you see any toilet paper in the
2 3 4 5	<ul> <li>A I used the bathroom.</li> <li>Q Did you use the toilets?</li> <li>A No.</li> <li>Q Did you use the urinal?</li> <li>A Yes.</li> </ul>	3	BY MS. KOURY: Q Did you see any toilet paper in the toilet? A Yes. MS. KOURY: Okay.
2 3 4 5 6	<ul> <li>A I used the bathroom.</li> <li>Q Did you use the toilets?</li> <li>A No.</li> <li>Q Did you use the urinal?</li> <li>A Yes.</li> <li>Q Was the urinal working properly?</li> </ul>	3 4 5 6	BY MS. KOURY: Q Did you see any toilet paper in the toilet? A Yes. MS. KOURY: Okay. Do you want to take a break?
2 3 4 5 6 7	<ul> <li>A I used the bathroom.</li> <li>Q Did you use the toilets?</li> <li>A No.</li> <li>Q Did you use the urinal?</li> <li>A Yes.</li> <li>Q Was the urinal working properly?</li> <li>A Yes.</li> </ul>	3 4 5 6 7	BY MS. KOURY: Q Did you see any toilet paper in the toilet? A Yes. MS. KOURY: Okay. Do you want to take a break? MR. LONDEN: Yes.
2 3 4 5 6 7 8	<ul> <li>A I used the bathroom.</li> <li>Q Did you use the toilets?</li> <li>A No.</li> <li>Q Did you use the urinal?</li> <li>A Yes.</li> <li>Q Was the urinal working properly?</li> <li>A Yes.</li> <li>Q Did you see the toilets?</li> </ul>	3 4 5 6 7 8	BY MS. KOURY: Q Did you see any toilet paper in the toilet? A Yes. MS. KOURY: Okay. Do you want to take a break? MR. LONDEN: Yes. (Recess.)
2 3 4 5 6 7 8 9	<ul> <li>A I used the bathroom.</li> <li>Q Did you use the toilets?</li> <li>A No.</li> <li>Q Did you use the urinal?</li> <li>A Yes.</li> <li>Q Was the urinal working properly?</li> <li>A Yes.</li> <li>Q Did you see the toilets?</li> <li>A No.</li> </ul>	3 4 5 6 7 8 9	BY MS. KOURY: Q Did you see any toilet paper in the toilet? A Yes. MS. KOURY: Okay. Do you want to take a break? MR. LONDEN: Yes. (Recess.) MR. LONDEN: We had a talk about scheduling
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	Page 342		Page 344
1	needed a translator, when, in fact, we needed a	1	Q On May 11th did you see any paper towels?
1 2	simultaneous translator. And the fact we were not	2	A No.
3	able to do that caused some disruption and some delay.	3	Q Did you see a hand dryer?
4	Are you ready to proceed?	4	A Yes.
5	MR. LONDEN: Yes.	5	Q Did you see if it worked? Did you try to
6	BY MS. KOURY:	6	use it?
7	Q Moises, we were talking about bathrooms	7	A I checked to see if it worked. It
8	before we took a break. And you were telling me about	8	worked.
9	the first floor bathroom. And you indicated you used	9	Q What about May 7th when you used this
10	this bathroom just twice this month, once in March,	10	bathroom; did you use a hand dryer?
11	and once in September; is that correct?	11	A Yes.
12	A Yes.	12	Q Did it work?
13	Q When you went to this bathroom in May,	13	À Yes.
14	did you see whether there was soap in the bathroom?	14	Q What about in March when you used this
15	A No.	15	bathroom; did you check the hand dryer?
16	Q You didn't check to see if there was any	16	A March, yes.
17	soap?	17	Q Did it work?
18	A No.	18	A Yes.
19	Q Did you see any I'm sorry.	19	Q What about in September?
20	How about on May 7th when you used this	20	A Yes.
21	bathroom; did you check to see if there was any soap?	21	Q You checked the hand dryer?
22	A May 7th?	22	A It worked.
23	Q Uh-huh.	23	Q Can you describe the floor to me in this
24	A No.	24	bathroom?
25	Q You didn't check to see if there was any?	25	A It's just like the one on the second
		1	
1 2	Page 343 A No. Q What about in March when you used this	1 2	Page 345 floor. It is always wet. Q Where is it wet?
2 3	A No. Q What about in March when you used this bathroom; did you check to see if there was any soap?	2 3	floor. It is always wet. Q Where is it wet? A On the floor.
2 3 4	<ul> <li>A No.</li> <li>Q What about in March when you used this bathroom; did you check to see if there was any soap?</li> <li>A Yes.</li> </ul>	2 3 4	floor. It is always wet. Q Where is it wet? A On the floor. Q Where on the floor?
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2 3 4 5 6	<ul> <li>A No.</li> <li>Q What about in March when you used this bathroom; did you check to see if there was any soap?</li> <li>A Yes.</li> <li>Q What time of day did you use this bathroom in March; do you remember?</li> </ul>	2 3 4 5 6	floor. It is always wet. Q Where is it wet? A On the floor. Q Where on the floor? A Close to the sinks and next to the urinals.
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2 3 4 5 6 7 8	<ul> <li>A No.</li> <li>Q What about in March when you used this bathroom; did you check to see if there was any soap?</li> <li>A Yes.</li> <li>Q What time of day did you use this bathroom in March; do you remember?</li> <li>A No, I can't remember.</li> <li>Q Do you remember if it was before lunch?</li> </ul>	2 3 4 5 6 7 8	floor. It is always wet. Q Where is it wet? A On the floor. Q Where on the floor? A Close to the sinks and next to the urinals. Q How wet is it? Does it make a splash when you walk on it?
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1	A No.	1	А	Yes.
2	Q You said the toilets are mostly flooded	2	Q	How often?
3	in this bathroom; what do you mean by that?	3	Α	Not as much.
4	A The toilets on the second floor were	4	Q	About how often? When was the last time
5	mostly flooded.	5	you used	1 it?
6	Q What about the toilets on the first	6	A	Tuesday.
7	floor?	7	Q	May 8th?
8	A No.	8	A	May 8th.
9	Q Okay. What about the graffiti on the	9	Q	Can you describe to me the bathroom? How
10	walls? Was there graffiti on the sides of the	10	many to	ilets are there?
11	walls	11	Α	There are three toilets.
12	A Yes.	12	Q	How many urinals?
13	Q on May 11th?	13	Α	Like ten.
14	What about on May 7th; was there graffiti	14	Q	Ten urinals?
15	on the walls?	15	A	Yes.
16	A Yes.	16	Q	How many sinks?
17	Q Where?	17	Α	Three.
18	A On the walls the wall close to the	18	Q	Are there any toilet paper dispensers in
19	urinals, on the sides of the toilets the walls.	19	this bath	proom or toilet paper?
20	Q What about in March when you used this	20	Α	Yes.
21	bathroom; did you see graffiti?	21	Q	Can you describe to me what they look
22	A Yes.	22	like?	
23	Q What about in September?	23	Α	The dispensers?
24	A Yes.	24	Q	Uh-huh.
25	Q First day of school?	25	Α	It looks the same way as the other ones.
			m ·	
	Page 347			Page 349
1	A Yes.	1	Q	And where are they?
2	<ul><li>A Yes.</li><li>Q Did you ever complain about the graffiti</li></ul>	2	A	And where are they? Next to the toilet.
2 3	A Ycs. Q Did you ever complain about the graffiti in this bathroom?	2 3	A Q	And where are they? Next to the toilet. So how many are there? How many
2 3 4	<ul> <li>A Yes.</li> <li>Q Did you ever complain about the graffiti in this bathroom?</li> <li>A No.</li> </ul>	2 3 4	A Q	And where are they? Next to the toilet. So how many are there? How many ers are there total?
2 3 4 5	<ul> <li>A Yes.</li> <li>Q Did you ever complain about the graffiti in this bathroom?</li> <li>A No.</li> <li>Q Have you ever heard of anyone else</li> </ul>	2 3 4 5	A Q dispense A	And where are they? Next to the toilet. So how many are there? How many ers are there total? Three.
2 3 4 5 6	<ul> <li>A Yes.</li> <li>Q Did you ever complain about the graffiti in this bathroom?</li> <li>A No.</li> <li>Q Have you ever heard of anyone else complaining?</li> </ul>	2 3 4 5 6	A Q dispense A Q	And where are they? Next to the toilet. So how many are there? How many ers are there total? Three. And when you went there on May 8th, can
2 3 4 5 6 7	<ul> <li>A Yes.</li> <li>Q Did you ever complain about the graffiti in this bathroom?</li> <li>A No.</li> <li>Q Have you ever heard of anyone else complaining?</li> <li>A No.</li> </ul>	2 3 4 5 6 7	A Q dispense A Q you desc	And where are they? Next to the toilet. So how many are there? How many ers are there total? Three. And when you went there on May 8th, can cribe to me what this bathroom looked like?
2 3 4 5 6 7 8	<ul> <li>A Yes.</li> <li>Q Did you ever complain about the graffiti</li> <li>in this bathroom?</li> <li>A No.</li> <li>Q Have you ever heard of anyone else</li> <li>complaining?</li> <li>A No.</li> <li>Q What about the bathroom on the first</li> </ul>	2 3 4 5 6 7 8	A Q dispense A Q you desc A	And where are they? Next to the toilet. So how many are there? How many ers are there total? Three. And when you went there on May 8th, can cribe to me what this bathroom looked like? It had graffiti on the walls by the
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2 3 4 5 6 7 8 9 10 11 12	<ul> <li>A Yes.</li> <li>Q Did you ever complain about the graffiti in this bathroom?</li> <li>A No.</li> <li>Q Have you ever heard of anyone else complaining?</li> <li>A No.</li> <li>Q What about the bathroom on the first floor near the driveway; do you use that bathroom?</li> <li>A It's never open.</li> <li>Q Do you know why?</li> <li>A No.</li> </ul>	2 3 4 5 6 7 8 9 10 11 11 12	A Q dispense A Q you desc A urinals, t urinals, c Q A	And where are they? Next to the toilet. So how many are there? How many ers are there total? Three. And when you went there on May 8th, can cribe to me what this bathroom looked like? It had graffiti on the walls by the by the sinks, the floor was wet close to the close to the sinks. Were there any other problems with it? No.
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Τ

28 (Pages 346 to 349)

	Page 350			Page 352
1	Q Why not?	1	А	No.
. 2	A Because I didn't use the toilet.	2	Q	What about the toilets; did you see the
3	Q You used the urinal?	3	toilets?	
4	A Yes.	4	Α	No.
5	Q Did you see the sinks on that day,	5	Q	Did you see did you look for toilet
6	May 8th?	6		n that day?
7	A Yes.	7	A	No.
8	Q What did they look like?	8	Q	Did you go into the bathroom the next
9	A They had nothing on them.	9	day?	
10	Q Was the water turned on when you got in	10	Â	No.
11	there?	11	Q	Did you tell anyone about the graffiti on
12	A No.	12	the wall	s?
13	Q Was there anything in the sinks?	13	Α	No.
14	A No.	14	Q	How about the floor being wet?
15	Q Had you used this bathroom in May other	15	Α	No.
16	than on the 8th?	16	Q	Is that the only time you used the
17	A On May	17		m in April that you can remember?
18	Q I'm sorry. Have you used this bathroom	18	Α	Yes.
19	in May other than on May 8th? Is there any other time	19	Q	What about March; did you ever use the
20	in May that you used this bathroom?	20		m in March?
21	A No.	21	Α	No.
22	Q Have you gone in this bathroom any other	22	Q	I'm sorry, I didn't hear you.
23	time besides May?	23	A	No.
24	A Yes.	24	Q	February?
25	Q When?	25	Α	No.
1	Page 351			Page 353
1 2 3 4 5 6	Page 351 A Not in May. Q In May, though, this is the only time you've been in this bathroom? A No, I've been in there in April. Q I'm asking about May, though. Other than May 8th you have not been in this bathroom any other	1 2 3 4 5 6	Q A Q A Q A	Page 353 January? No. December? No. November? No.
2 3 4 5 6 7	<ul> <li>A Not in May.</li> <li>Q In May, though, this is the only time</li> <li>you've been in this bathroom?</li> <li>A No, I've been in there in April.</li> <li>Q I'm asking about May, though. Other than</li> <li>May 8th you have not been in this bathroom any other</li> <li>day?</li> </ul>	2 3 4 5 6 7	A Q A Q A Q	January? No. December? No. November? No. October?
2 3 4 5 6 7 8	<ul> <li>A Not in May.</li> <li>Q In May, though, this is the only time</li> <li>you've been in this bathroom?</li> <li>A No, I've been in there in April.</li> <li>Q I'm asking about May, though. Other than</li> <li>May 8th you have not been in this bathroom any other</li> <li>day?</li> <li>A No.</li> </ul>	2 3 4 5 6 7 8	A Q A Q A Q A	January? No. December? No. November? No. October? Yes.
2 3 4 5 6 7 8 9	<ul> <li>A Not in May.</li> <li>Q In May, though, this is the only time you've been in this bathroom?</li> <li>A No, I've been in there in April.</li> <li>Q I'm asking about May, though. Other than May 8th you have not been in this bathroom any other day?</li> <li>A No.</li> <li>Q In April when did you use this bathroom?</li> </ul>	2 3 4 5 6 7 8 9	A Q A Q A Q A Q	January? No. December? No. November? No. October?
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2 3 4 5 6 7 8 9 10 11 12	<ul> <li>A Not in May.</li> <li>Q In May, though, this is the only time</li> <li>you've been in this bathroom?</li> <li>A No, I've been in there in April.</li> <li>Q I'm asking about May, though. Other than</li> <li>May 8th you have not been in this bathroom any other</li> <li>day?</li> <li>A No.</li> <li>Q In April when did you use this bathroom?</li> <li>I'm sorry. How many times do you remember using this</li> <li>bathroom in April?</li> <li>A Once.</li> </ul>	2 3 4 5 6 7 8 9 10 11 12	A Q A Q A Q A Q it? A Q	January? No. December? No. November? No. October? Yes. Do you remember what time of day you used During lunch. What did you see?
2 3 4 5 6 7 8 9 10 11 12 13	<ul> <li>A Not in May.</li> <li>Q In May, though, this is the only time</li> <li>you've been in this bathroom?</li> <li>A No, I've been in there in April.</li> <li>Q I'm asking about May, though. Other than</li> <li>May 8th you have not been in this bathroom any other</li> <li>day?</li> <li>A No.</li> <li>Q In April when did you use this bathroom?</li> <li>I'm sorry. How many times do you remember using this</li> <li>bathroom in April?</li> <li>A Once.</li> <li>Q Do you remember what time of day it was?</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q A Q A it? A Q A	January? No. December? No. November? No. October? Yes. Do you remember what time of day you used During lunch. What did you see? Graffiti by the sinks, by the urinals.
2 3 4 5 6 7 8 9 10 11 12 13 14	<ul> <li>A Not in May.</li> <li>Q In May, though, this is the only time</li> <li>you've been in this bathroom?</li> <li>A No, I've been in there in April.</li> <li>Q I'm asking about May, though. Other than</li> <li>May 8th you have not been in this bathroom any other</li> <li>day?</li> <li>A No.</li> <li>Q In April when did you use this bathroom?</li> <li>I'm sorry. How many times do you remember using this</li> <li>bathroom in April?</li> <li>A Once.</li> <li>Q Do you remember what time of day it was?</li> <li>Was it before lunch or after lunch?</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14	A Q A Q A Q it? A Q A The floo	January? No. December? No. November? No. October? Yes. Do you remember what time of day you used During lunch. What did you see? Graffiti by the sinks, by the urinals. or was wet.
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Τ

		Page 354		Page 356
1	А	No.	1	students clothes?
2	Q	Did you tell anyone about the floor being	2	A Yes.
3	wet?		3	Q Have you ever seen students put the
4	A	No.	4	clothes inside the toilets?
5	Q	Do you know why the floor was wet?	5	A No.
6	Ă	No.	6	Q Have you ever heard the students talk
7	Q	Did you go in it the next day?	7	about putting clothes in the toilet?
8	À	No.	8	A No.
9	Q	Is that the only time you went into that	9	Q Have you ever heard of students getting
10		m in October?	10	in trouble for putting clothes into the toilet?
11	Α	Yes.	11	A No.
12	Q	What about September?	12	Q Have you ever put your clothes in the
13	Α	No.	13	toilet?
14	Q	What about the bathroom in the locker	14	A Of course not.
15	room?		15	Q Were there clothes in both toilets?
16	Α	I never use it.	16	A Yes.
17	Q	Why not?	17	Q Is this the only time you've ever seen
18	A	Because I just never do. I just don't.	18	clothes in the toilets in the bathrooms?
19		eel like it because it's dirty.	19	A Everyday.
20	Q	How do you know it's dirty?	20	Q You see these toilets everyday?
21	A	Because I've seen it already.	21	A (No audible response.)
22	Q	Have you been in there?	22	Q Do you see the toilets everyday?
23	A	Yes.	23	A Yes.
24	Q	When was the last time you were in there?	24	Q And everyday you see clothes in the
25	Α	It's not really a bathroom. It's like	25	toilets?
1 2 3 4	Q A Q	Page 355 ve toilets inside the gym that you could use. Where are the toilets? Huh? Where are the toilets in the gym?	1 2 3 4	Page 357 A Yes. Q Have you ever told anyone about the clothes in the toilets? A No. No, but the P.E. teachers they've
5	A	By the door.	5	seen them already.
6	Q	Are they covered with stalled walls? Yes.	6	<ul><li>Q How do you know they've seen them?</li><li>A Because they always walk through there.</li></ul>
7	A Q	How many are there?	78	A Because they always walk through there. Q Have you ever talked to him about it?
9	A	Two.	9	A No.
10	Q	Two for boys?	10	Q Has he ever said anything about it?
11	À	Yes.	11	A No.
12	Q	When was the last time that you saw	12	Q You mentioned that the roof near the
13	either o	f these toilets?	13	library bothers you and there's a problem with it.
14	Α	Friday.	14	Can you describe that for me?
15	Q	Why did you see them?	15	A The ceiling is falling off. It's like
16	Α	Because I was dressing for P.E.	16	it's all broken, all messed up.
17	Q	How did they look?	17	Q Where is what do you mean by it's
18	A	They had clothes all over on the toilet.	18	messed up and falling?
19	Q	Where on the toilet?	19	A Like for example, like this roof
20	A	Inside.	20	like this ceiling those square things. Those
21	Q	There were clothes inside the toilet? Yes.	21	things are all falling apart, and you can see through
22	A Q	What kind of clothes?	22	it. Q So the square things that are on top of
24	A	Shoes and shirts.	23	the roof in your
25	Q	Did they look like did they look like	25	A Yeah, they had big holes and stuff. And
	×			The Team, and find org notes and start. Find

	Page 358		Page 360
1	it was falling off. And that was not throughout the	1	Q Has anyone ever told you that they picked
2	whole hallway but next to the library.	2	a piece of the ceiling from the floor?
3	Q Is that the only area in your campus	3	A No.
4	where this happens is next to the library?	4	Q Are you just guessing that someone picks
5	A Yes.	5	it up off the floor?
6	Q About how wide is it?	6	A No, I know.
7	A How wide?	7	Q How do you know?
8	Q Uh-huh.	8	A Because it falls off. It just won't
9	A Like	9	disappear from the roof. It falls off sometime. So I
10	Q Is it the whole width of the hallway, or	10	guess somebody picks it up. I don't guess. But I
11	is it half the width of the hallway?	11	know somebody picks it up.
12	A Half.	12	Q But you've never seen it fall off of the
13	Q And how long is it? Is it the entire	13	ceiling?
14	hallway?	14	MR. LONDEN: Asked and answered.
15	A No.	15	BY MS. KOURY:
16	Q Part of the hallway?	16	Q What was your answer? A No.
17	A Part of the it's not half of the	18	Q What about in your classroom? What about
18 19	hallway. It's kind of like part of half of the	19	in your art classroom; what does the ceiling look like
20	hallway. Q Maybe a quarter of the hallway?	20	there?
21	A Yes.	21	MR. LONDEN: Lack of foundation.
22	Q When was the first time you noticed that?	22	BY MS. KOURY:
23	A It's been like that since February.	23	Q You had art last year, right?
24	Q Of which year?	24	A Yes.
25	A Of this year.	25	Q In the beginning of the school year,
		1	
	Page 359		Page 361
1		1	
1 2	Q Have you ever seen any part of the	1 2	right?
2	Q Have you ever seen any part of the ceiling fall?	2	right? A Yes.
2 3	Q Have you ever seen any part of the ceiling fall? A No.	2 3	right? A Yes. Q What did the ceiling look like?
2	<ul><li>Q Have you ever seen any part of the ceiling fall?</li><li>A No.</li><li>Q Has anyone told you that a part of the</li></ul>	2	right? A Yes. Q What did the ceiling look like? A It was I forgot how it looked like. I
2 3 4	Q Have you ever seen any part of the ceiling fall? A No.	2 3 4	right? A Yes. Q What did the ceiling look like?
2 3 4 5	<ul> <li>Q Have you ever seen any part of the ceiling fall?</li> <li>A No.</li> <li>Q Has anyone told you that a part of the ceiling has fallen?</li> </ul>	2 3 4 5	right? A Yes. Q What did the ceiling look like? A It was I forgot how it looked like. I don't remember looking at the ceiling.
2 3 4 5 6	<ul> <li>Q Have you ever seen any part of the ceiling fall?</li> <li>A No.</li> <li>Q Has anyone told you that a part of the ceiling has fallen?</li> <li>A No.</li> </ul>	2 3 4 5 6	right? A Yes. Q What did the ceiling look like? A It was I forgot how it looked like. I don't remember looking at the ceiling. Q What about the floor?
2 3 4 5 6 7	<ul> <li>Q Have you ever seen any part of the ceiling fall?</li> <li>A No.</li> <li>Q Has anyone told you that a part of the ceiling has fallen?</li> <li>A No.</li> <li>Q Have you ever heard of it falling on the</li> </ul>	2 3 4 5 6 7 8 9	right? A Yes. Q What did the ceiling look like? A It was I forgot how it looked like. I don't remember looking at the ceiling. Q What about the floor? A The floor it was cement. Q You never bothered to look at the floor in your art room?
2 3 4 5 6 7 8 9 10	<ul> <li>Q Have you ever seen any part of the ceiling fall?</li> <li>A No.</li> <li>Q Has anyone told you that a part of the ceiling has fallen?</li> <li>A No.</li> <li>Q Have you ever heard of it falling on the ground at all?</li> <li>A No. It falls down, but they pick it up fast.</li> </ul>	2 3 4 5 6 7 8 9 10	right? A Yes. Q What did the ceiling look like? A It was I forgot how it looked like. I don't remember looking at the ceiling. Q What about the floor? A The floor it was cement. Q You never bothered to look at the floor in your art room? A The ceiling.
2 3 4 5 6 7 8 9 10 11	<ul> <li>Q Have you ever seen any part of the ceiling fall?</li> <li>A No.</li> <li>Q Has anyone told you that a part of the ceiling has fallen?</li> <li>A No.</li> <li>Q Have you ever heard of it falling on the ground at all?</li> <li>A No. It falls down, but they pick it up fast.</li> <li>Q How do you know it falls down?</li> </ul>	2 3 4 5 6 7 8 9 10 11	right? A Yes. Q What did the ceiling look like? A It was - I forgot how it looked like. I don't remember looking at the ceiling. Q What about the floor? A The floor it was cement. Q You never bothered to look at the floor in your art room? A The ceiling. Q The ceiling, I'm sorry.
2 3 4 5 6 7 8 9 10 11 12	<ul> <li>Q Have you ever seen any part of the ceiling fall?</li> <li>A No.</li> <li>Q Has anyone told you that a part of the ceiling has fallen?</li> <li>A No.</li> <li>Q Have you ever heard of it falling on the ground at all?</li> <li>A No. It falls down, but they pick it up fast.</li> <li>Q How do you know it falls down?</li> <li>A Because the square things are not even on</li> </ul>	2 3 4 5 6 7 8 9 10 11 12	right? A Yes. Q What did the ceiling look like? A It was - I forgot how it looked like. I don't remember looking at the ceiling. Q What about the floor? A The floor it was cement. Q You never bothered to look at the floor in your art room? A The ceiling. Q The ceiling, I'm sorry. A Yes.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>Q Have you ever seen any part of the ceiling fall?</li> <li>A No.</li> <li>Q Has anyone told you that a part of the ceiling has fallen?</li> <li>A No.</li> <li>Q Have you ever heard of it falling on the ground at all?</li> <li>A No. It falls down, but they pick it up fast.</li> <li>Q How do you know it falls down?</li> <li>A Because the square things are not even on the it's like you could see through it. It's a big black hole. And it falls off.</li> <li>Q Have you ever seen pieces of the ceiling on the floor?</li> <li>A No.</li> <li>Q Have you ever complained about it?</li> <li>A No.</li> <li>Q Have you ever heard any of the students complain about it?</li> <li>A No.</li> <li>Q Have you ever heard of anyone getting hurt from the ceiling?</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	right? A Yes. Q What did the ceiling look like? A It was I forgot how it looked like. I don't remember looking at the ceiling. Q What about the floor? A The floor it was cement. Q You never bothered to look at the floor in your art room? A The ceiling. Q The ceiling, I'm sorry. A Yes. Q What about the ceiling in the gym; what does that look like now? When was the last time you saw the ceiling in the gym? A Friday. Q What did it look like? A It looked better than September. In September the windows were all cracking, and it was all almost about to fall down. So they fixed it. Q What did the ceiling look like in September? A I already said the windows on top of the

	Page 362		Page 364
1	the top of the ceiling. They looked like they were	1	school year.
2	old already. They could have broke easily.	2	Q What about this school year?
3	Q Did you ever see the windows on top of	3	A I was there for three weeks.
		4	Q And then you switched into French?
4	the ceiling break?	5	
5	A No.		A (No audible response.)
6	Q Did you ever see any other types of	6	Q What would happen when the wall in your
7	problems with the windows on top of the ceiling in the	7	classroom last year would leak?
8	gym?	8	A Nothing. She would just she would
9	A No.	9	just let it look my teacher.
10	Q Were there any – were there ever any	10	Q How much water would be there?
11	leaks in the gym? Did you ever find leaks from the	11	A Like when you would walk in the water it
12	windows in the ceiling?	12	would make a splash.
13	A No.	13	Q It would make a splash?
14	Q This is all before September? You never	14	A Yes.
15	saw any leaks?	15	Q And the teacher did nothing?
16	A Yes.	16	A She said that one of these days she
17	MR. LONDEN: I object to that question as	17	would like some people would come and fix it. But
18	compound.	18	they never did.
19	BY MS. KOURY:	19	Q How many times did it happen? How many
20	Q What happened in you said in September	20	times did it leak?
21	this happened. When did they fix the gym the	21	A Whenever it rained.
22	windows in the ceiling in the gym?	22	Q So every time it rained it would be
23	A Like around February.	23	leaking?
24	Q How do you know they fixed it?	24	A Yes.
25	A Because you could see people working on	25	Q Did anyone in the class say anything?
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			-
	the ceiling.		A No.
2	Q What does it look like now?	2	Q Did you ever tell anyone else?
3	A The windows look clear and new.	3	A No.
4	Q Are there any other areas on your campus	4	Q You said that the cafeteria lines bother
5	that the roof looks like it's breaking or falling?	5	you?
6	A No. But in the art room there was	6	A Yes.
7	like at times when it would rain the rain would come	7	Q What do you mean by that?
8	inside.	8	A They're too long. Sometimes you have to
9	Q From where; do you know?	9	like you have to wait for a long time in the line
10	A From the walls. It would be all wet	10	for like the whole lunchtime. And then
11	inside.	11	Q When was the last I'm sorry.
12	Q What walls?	12	Continue.
13	A The walls from the side. The side was	13	A And then you just can't get your lunch.
14	like the water was draining from the walls?	14	And then when you start eating your lunch, they say
15	Q When was this?	15	that it's too late. And then sometimes they give you
16	A Last year.	16	your lunch and there's no more tables because they
17	Q What month?	17	start getting ready to leave. So you have nowhere to
18	A Last school year.	18	eat. Sometimes you can't even eat.
19	Q What month was this?	19	Q When was the last time you had to wait in
20	A Let me see. Like in the winter.	20	line in the cafeteria?
21	Q How long were you in the art classroom	21	A It was April.
22	for how many months?	22	Q April?
23	A In this school year or last school year?	23	A Yes, April.
24	Q Last school year.	24	Q Do you remember when in April? Is it the
· 25	A I was there the whole time the whole	25	beginning of April?
		1 23	oognaming or rapin;

	Page 366		Page 368
1	A It was like, yeah, close to the	1	A Yes.
2	beginning.	2	Q What did you do when you first got your
3	Q How long did you have to wait in line?	3	number in the 7th grade?
4	A Like almost a whole lunchtime.	4	MR. LONDEN: Vague.
5	Q Do you know why?	5	MS. KOURY: I'm sorry.
6	A No. Because there are too many people	6	Q When did you get your number in the
7	crowded up.	7	7th grade your identification number?
8	Q How about you had to wait almost the	8	A When?
9	entire lunch period?	9	Q Uh-huh.
10	A Yes.	10	A The first day of school.
11	Q How do you get your lunch?	11	Q And when you went to lunch that day, what
12 13	A You wait in a line. And there's like a	12	did you do with that number?
13	row of food right there. And then from the line there's like a line you have to get the food. And	13 14	A You had to say it to the lunch lady, and then you could go with your lunch.
15	then you pay for it. And then you go sit down.	14	Q Did you say it from memory?
16	Q How do you pay for the lunch?	16	A Yes. You have to have it by memory.
17	A Huh?	17	Q Did you have it memorized your first day?
18	Q How do you pay for the lunch? Do all of	18	A Yes. This year yes, but last year no. I
19	the kids pay for the lunch?	19	had to take out the card that shows my number.
20	A What do you mean?	20	Q Where was the card?
21	Q Do they pay cash for the lunch?	21	A They give a card to every kid in the
22	A Yes.	22	school showing their name, and I just read it off of
23	Q Do you have any identification numbers	23	there.
24	that you have to give?	24	Q In the beginning of the school year when
25	A Yes.	25	you were waiting in line the first day of school
	Page 367		Page 369
1	Q How does that work? Explain that to me.	1	this year in September when you were in waiting line,
2	A You have to say your number. Every kid	2	did you see any students taking their cards out -
3	in the school has a number. And then you have to say	3	their identification cards out?
45	your number to them. And then you leave with your lunch.	4	A The only kids that were new to the
6	Q And okay. Did you ever notice that in	5	school.
7	O ADU UKAY. DIU VOU EVELHOUCE INALIM		
		6	Q How many were there? What grade does
	the beginning of the school year it's really slow? In	7	Q How many were there? What grade does your school start?
8	the beginning of the school year it's really slow? In September how was the line?	7 8	Q How many were there? What grade does your school start? A 6th.
	the beginning of the school year it's really slow? In	7 8 9	<ul> <li>Q How many were there? What grade does</li> <li>your school start?</li> <li>A 6th.</li> <li>Q So are all the 6th graders new to the</li> </ul>
8 9	the beginning of the school year it's really slow? In September how was the line? A September it was huge. I didn't even eat	7 8	Q How many were there? What grade does your school start? A 6th.
8 9 10 11 12	<ul> <li>the beginning of the school year it's really slow? In September how was the line?</li> <li>A September it was huge. I didn't even eat that day.</li> <li>Q The first day of school?</li> <li>A Yes.</li> </ul>	7 8 9 10	<ul> <li>Q How many were there? What grade does</li> <li>your school start?</li> <li>A 6th.</li> <li>Q So are all the 6th graders new to the</li> <li>school?</li> <li>A Yes.</li> <li>Q Did you have to wait in line other than</li> </ul>
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33 (Pages 366 to 369)

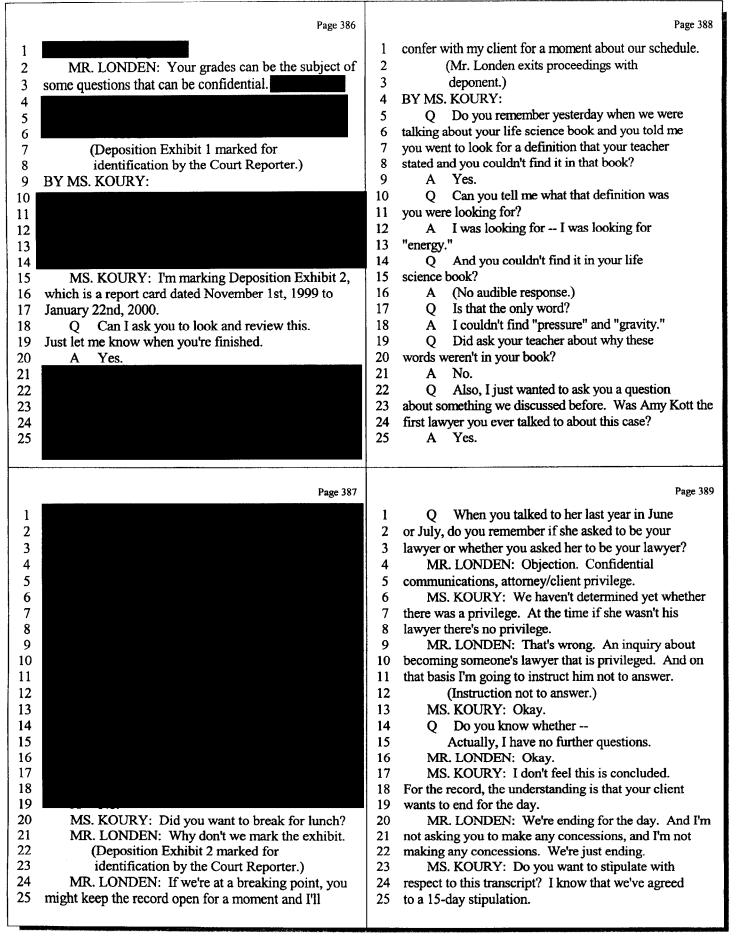
	Page 370		Page 372
1	you eat your entire lunch?	1	A I got my you know, I got my lunch.
2	A Uh-huh.	2	And then I was like the last one. And they already
3	Q What time do you get out for lunch this	3	started putting up the tables. I had nowhere to sit.
4	semester? What time does lunch start?	4	I didn't finish everything of my lunch.
5	A It starts like at 12:00 o'clock.	5	Q What did you do at 12:00 o'clock when you
6	Q What time is it over?	6	first got out for lunch that day?
7	A 12:01.	7	A 12:00 o'clock when I started lunch?
8	Q It's over at 12:01?	8	Q That day.
9	A I mean	9	A I came from my class P.E. I had to dress
10	Q 1:00?	10	back to my regular clothes and then go to the line.
11	A Like at 1:00, yes.	11 12	And then it's really big.
12	Q So you have an hour for lunch. How many	12	Q So you sat in line? A Yes stand.
13	times this month have you had to wait in line so long that you couldn't eat your lunch?	13	Q You stood in line?
14	A This month?	15	A Yes.
16	Q Uh-huh.	16	Q For how long?
17	A None.	17	A For like 45 minutes or something.
18	Q This month was there ever a day where you	18	Q Okay. And you said where do you
19	couldn't sit down and eat your entire lunch?	19	usually eat your lunch when you sit down to eat your
20	A No.	20	lunch?
21	Q What about in April; did you ever were	21	A The tables.
22	you ever unable to sit down and eat your entire lunch	22	Q Where? Are they inside or outside?
23	in April?	23	A Inside.
24	A Yes.	24	Q What areas are there for the students to
25	Q That one day that you told me about?	25	eat in?
	Page 371		Page 373
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	<ul> <li>A Yes.</li> <li>Q Do you know why the line was so long that day? I'm sorry, I asked that already.</li> <li>Other than one time in April, was there ever a time that you couldn't sit down and eat your entire lunch in April?</li> <li>A No.</li> <li>Q What about in March?</li> <li>A No, I just mostly wait for a long time.</li> <li>Q What do you do while you're waiting?</li> <li>A Nothing, just wait and wait. And then when you get your lunch just eat and then you have free time.</li> <li>Q And then you have free time?</li> <li>A Yes.</li> </ul>	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	<ul> <li>A You could go outside, because outside they have some tables, but then it's always dirty. They never clean up the lunch from right there, so I just eat inside.</li> <li>Q Outside you said the tables are dirty; what are they dirty with?</li> <li>A They have milk spilled all over.</li> <li>Q Is the milk wet or dry?</li> <li>A Wet. They have food on the tables and on the seats.</li> <li>Q Does the food look like it's really old or look like it's from that day?</li> <li>A From that day.</li> <li>Q How can you tell?</li> <li>A How can I tell?</li> </ul>
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1	tables.	1	rained?		
2	Q At the end of lunch?	2	A Yes.		
3	A Uh-huh.	3	Q Did it leak?		
4	Q What time was he eating lunch?	4	A No.		
	•	5	Q Last year when you were in gym class, did		
5			it ever rain while you were in gym class?		
6	Q Uh-huh.	6	•		
7	A The bell was about to ring already.	7	A Yes.		
8	Q Okay. Other than when they're putting up	8	Q Did it leak?		
9	the tables, do you feel there's not enough space in	9	A No.		
10	the cafeteria?	10	Q Have you ever had your gym class		
11	A Yes.	11	cancelled because there were puddles on the floor or		
12	Q There's not enough space for what?	12	it was raining?		
13	A For the rest of the people. Sometimes a	13	A Yes, sometimes it would rain and we would		
14	table gets too crowded. Each table is like almost	14	want to play outside. We just go inside. Every kid		
15	full.	15	goes to the gym.		
16		16	Q Your gym class has never been cancelled		
	Q Is there space to sit? Is that when				
17	the table is too full when can you think of the	17	because there was water in the gym?		
18	last time when the tables were too full in the	18	A No.		
19	cafeteria?	19	Q What about the you said there's		
20	A I don't know.	20	garbage in the hallways. Can you describe to me what		
21	Q You can't remember?	21	kind of garbage?		
22	A No.	22	A Garbage like plastic bottles, candy		
23	Q When the tables are too full, do you see	23	wrappers, bags of chips, gum, food, drink spills,		
24	what's going on outside? Are there people outside?	24	paper.		
25	A There are people outside.	25	Q Anything else? Do you ever see alcohol		
1					
	Page 375		Page 377		
		l			
1	$\Omega$ Have you ever complained about the	1	bottles or bottles of alcohol?		
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	Page 378	l	Page 380
1	Q Do you know what time of day you see him?	1	dropping trash on the floor in the hallways?
2	A Like I mostly see him when I'm going	2	A All the time like everyday.
3	to my my lunch.	3	Q How many times a day do you see it?
4	Q Where do you see him?	4	A Like five times a day.
5	A I see him I see him outside trying to	5	Q About five times?
6	pick up, you know, some garbage.	6	A Yes.
7	Q Are there trash cans in the hallways?	7	Q Have you ever seen a student get in
8	A Yes wait. No.	8	trouble for dropping trash on the floor?
9	Q Where do you put your trash?	) ý	A Not get in trouble, but the janitor will
10	A The trash cans are only outside. So I	10	sometimes say, you know, to pick it up. And they
11	just put either wait until I go to class and put it	11	will they would pick it up.
12	in the trash cans.	12	Q Other than the janitor, have you ever
13	Q There are trash cans in your classrooms?	13	heard any teachers make comments about students
14	A Yes.	14	putting trash in the hallways?
15	Q Are there trash cans in every one of your	15	A No.
16	classrooms?	16	Q Do you know if there are any school rules
17	A Yes.	17	about throwing trash in the hallways?
18	Q Who empties the trash in your classrooms.	18	A Yes.
19	A Kids. Like they send kids to go empty	19	Q What?
20	the trash can in the recycle bin. They put in some	20	A There are rules saying you can't you
21	big recycle bin boxes and send them to the garbage	21	can't throw garbage in the hallways.
22	can.	22	Q You told me earlier about the condoms you
23	Q On Friday when you were at school was	23	see around your school.
24	that the last day you were at school on Friday?	24	A Yes.
25	A Yes.	25	Q And you said they're not in the wrappers.
1	Page 379 Q In the morning what did the hallways look	1	Page 381 A Yes.
2	Q In the morning what did the hallways look like in the morning? Do you remember what they looked	2	<ul><li>A Yes.</li><li>Q When was the last time you saw a condom</li></ul>
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36 (Pages 378 to 381)

		Page 382		Page 384
1	Q	What happened? It just stayed there?	1	A No.
2	Ă	The kids kept on kicking it around the	2	Q Do you know if its students who put
3	class.		3	these do you know who put them there?
4	Q	What did the teacher do?	4	A I don't know who put them there.
5	À	She kept on telling them to stop it, and	5	Q Have you ever heard students talking
6	that's it.		6	about it?
7	Q	How long is his class?	7	A No.
8	Ă	45 minutes.	8	Q Have you ever gotten in trouble for
9	Q	Do you know what happened after class?	9	missing school?
10	Α	No. But the next day it wasn't there.	10	A No.
11	Q	It wasn't there?	11	Q Have you ever gotten in trouble for being
12	A	No.	12 13	late? A No.
13	Q	What's the teacher's name? What class is	13	A No. Q Have you ever gotten in any trouble for
14	this?	She was one of the substitutes for	14	being disciplined in any way for disrupting a class?
15	A Mr Dru		16	A I didn't disrupt I got in trouble, but
16 17	Mr. Bry	· · · · · · · · · · · · · · · · ·	17	I didn't disrupt the class.
18	Q did I be	ar correctly? Did you say on the doorknob?	18	Q What did you get in trouble for?
19	A	No.	19	A For shooting garbage to the trash can
20	Q	Maybe bathrooms.	20	from my desk.
21	Ă	Bathrooms.	21	Q Was this during class?
22	Q	Where else other than that specific	22	À Yes.
23		that you just told me where else have you	23	Q What happened?
24		m? Can you remember specifically another	24	A I just had to throw something away, and I
25	time?		25	just threw it from my desk. And I got in trouble just
		· · · · · · · · · · · · · · · · · · ·		
		Page 383		Page 385
1	А	-	1	
1	A O	Page 383 They put condoms on doorknobs, too. When was that?	1	for that.
1 2 3	A Q A	They put condoms on doorknobs, too. When was that?		
2	Q A	They put condoms on doorknobs, too.	2	for that. Q Other than that, have you ever
2 3	Q A	They put condoms on doorknobs, too. When was that? That was last year of this school year	2 3	for that. Q Other than that, have you ever A No.
2 3 4	Q A like in I	They put condoms on doorknobs, too. When was that? That was last year of this school year November.	2 3 4	for that. Q Other than that, have you ever A No. Q Have you ever had detention?
2 3 4 5 6 7	Q A like in N Q A and the	They put condoms on doorknobs, too. When was that? That was last year of this school year November. Tell me about it. There was a condom like on a doorknob, teacher wouldn't get it. But it wasn't my	2 3 4 5 6 7	for that. Q Other than that, have you ever A No. Q Have you ever had detention?
2 3 4 5 6 7 8	Q A like in N Q A and the teacher,	They put condoms on doorknobs, too. When was that? That was last year of this school year November. Tell me about it. There was a condom like on a doorknob, teacher wouldn't get it. But it wasn't my though. I was walking to class.	2 3 4 5 6 7 8	for that. Q Other than that, have you ever A No. Q Have you ever had detention?
2 3 4 5 6 7 8 9	Q A like in N Q A and the teacher, Q	They put condoms on doorknobs, too. When was that? That was last year of this school year November. Tell me about it. There was a condom like on a doorknob, teacher wouldn't get it. But it wasn't my though. I was walking to class. Do you know who put the condom there?	2 3 4 5 6 7 8 9	for that. Q Other than that, have you ever A No. Q Have you ever had detention? A No.
2 3 4 5 6 7 8 9 10	Q A like in N Q A and the teacher, Q A	They put condoms on doorknobs, too. When was that? That was last year of this school year November. Tell me about it. There was a condom like on a doorknob, teacher wouldn't get it. But it wasn't my though. I was walking to class. Do you know who put the condom there? No.	2 3 4 5 6 7 8 9 10	for that. Q Other than that, have you ever A No. Q Have you ever had detention? A No. MS. KOURY: I'm identifying and marking as
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38 (Pages 386 to 389)

	Page 390	Pag	e 392
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	MR. LONDEN: The time periods that we're agreed for other depositions are fine for these particular depositions given the class schedule. And the transcript can be delivered to me, and I will make sure that we meet the agreed timetable. MS. KOURY: Why don't I go ahead and put that on the record. MR. LONDEN: That's fine. MS. KOURY: May we stipulate copies of documents attached to the deposition be used as originals? MR. LONDEN: Okay. MS. KOURY: May we stipulate that the original of this deposition be signed under penalty of perjury; that the original be delivered to the office of Morrison & Foerster; that the Reporter is relieved of liability for the original of the deposition; that the witness will have 15 days of the date of the Reporter's transmittal letter to Morrison & Foerster to sign and correct the deposition, and that Jack Londen shall notify all parties in writing of any changes to the deposition; and that if there are no such changes communicated or signature within that time, that any unsigned and uncorrected copy may be used for all purposes as if signed and corrected.	1         2         3         4         5         6         7         8         9       I, MOISES B. CANEL, do hereby declare         10       under penalty of perjury that I have read the         11       foregoing transcript; that I have made such         12       corrections as noted herein, in ink, initialed by me,         13       or attached hereto; that my testimony as contained         14       herein, as corrected, is true and correct.         15       EXECUTED thisday of	· ·
	Page 391	Pag	je 393
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	MR. LONDEN: That's all acceptable with the additional proviso that one of my colleagues at Morrison & Foerster may do the transmitting for me. THE REPORTER: Counsel, should we also send you a copy of the transcript? MR. LONDEN: Yes. I would like the copy on the same schedule as they get a copy. // //	1         2         3         4       I, the undersigned, a Certified Shorthand         5       Reporter of the State of California, do hereby         6       certify:         7       That the foregoing proceedings were taken         8       before me at the time and place herein set forth; that         9       any witnesses in the foregoing proceedings, prior to         10       testifying, were placed under oath; that a verbatim         11       record of the proceedings was made by me using mach         12       shorthand which was thereafter transcribed under my         13       direction; further, that the foregoing is an accurate         14       transcription thereof.         15       I further certify that I am neither financially         16       interested in the action nor a relative or employee of         17       any attorney of any of the parties.         18       IN WITNESS WHEREOF, I have this date         19       subscribed my name.         20	ine