

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS CATENACCI, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Case Number: 21-cv-02852
v.)	
)	
LORI LIGHTFOOT, in Her Official Capacity)	
As Mayor of the City of Chicago,)	
)	
Defendant.)	
_____)	

**PLAINTIFFS’ OPPOSED MOTION TO COMPEL MAYOR LIGHTFOOT
TO PRODUCE A PROPER AND PREPARED RULE 30(B)(6) DESIGNEE**

Plaintiffs Thomas Catenacci and the Daily Caller News Foundation, by counsel and pursuant to Rule 37 of the Federal Rules of Civil Procedure, respectfully submit this motion to compel Defendant Lori Lightfoot to produce a proper and prepared Rule 30(b)(6) witness concerning all three, authorized topics addressed in Plaintiffs’ deposition notice. In support of this motion, Plaintiffs rely upon the memorandum submitted contemporaneously. Defendant opposes this motion.¹

¹ Pursuant to Local Rule 37.2, on November 2, 2021, at 1:30 p.m. CT, counsel for Plaintiffs and Defendant met and conferred, in good faith, to resolve two issues, one being Mayor Lightfoot’s designee’s lack of preparedness to answer questions concerning authorized topics. After consultation by telephone as well as by email, Plaintiffs and Defendant were unable to come to an agreement on this outstanding discovery issue due to no fault of Plaintiffs’ counsel.

Dated: November 23, 2021

Respectfully submitted,

/s/ Michael Bekesha

Michael Bekesha (Admitted *Pro Hac Vice*)

JUDICIAL WATCH, INC.

425 Third Street, S.W., Suite 800

Washington, DC 20024

Tel: (202) 646-5172

/s/ Christine Svenson

Christine Svenson (Ill. Bar No. 6230370)

SVENSON LAW OFFICES

345 N. Eric Drive

Palatine, IL 60067

Tel: (312) 467-2900

Counsel for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS CATENACCI, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Case Number: 21-cv-02852
v.)	
)	
LORI LIGHTFOOT, in Her Official Capacity)	
As Mayor of the City of Chicago,)	
)	
Defendant.)	
_____)	

**PLAINTIFFS' MEMORANDUM OF LAW IN SUPPORT OF
THEIR OPPOSED MOTION TO COMPEL MAYOR LIGHTFOOT
TO PRODUCE A PROPER AND PREPARED RULE 30(B)(6) DESIGNEE**

I. Introduction.

Defendant Lori Lightfoot breached her obligation under Rule 30(b)(6) to designate a person or persons to testify on her behalf concerning topics authorized by the Court. From the earliest moments of the deposition, it was beyond clear that Mayor Lightfoot failed to produce a witness who could testify to the factual issues raised in her motion to dismiss and within the scope of the Court's order. Specifically, Kathleen LeFurgy, Mayor Lightfoot's designee, did no more than speak with Mayor Lightfoot's attorneys and review materials previously filed in this case. She did not speak to the mayor. Nor did she speak to anyone else on the mayor's staff. Nor did she review any records previously unknown to the Court or Plaintiff. Had the prior representations by counsel or the filings submitted to the Court been sufficient, Plaintiffs' motion for jurisdictional discovery would not have been granted. LeFurgy was grossly ill prepared to testify as Mayor Lightfoot's designee, and, consequently, Mayor Lightfoot has failed to produce

a proper and prepared Rule 30(b)(6) witness. Plaintiffs therefore request the Court order Defendant to produce a Rule 30(b)(6) witness who can answer the questions asked.

II. Background.

Mayor Lightfoot moved to dismiss this case asserting that Plaintiffs lack standing because Catenacci's interview request did not fall within the scope and duration of her discriminatory interview policy. Plaintiffs subsequently requested an opportunity to conduct limited jurisdictional discovery into the scope and duration of Mayor Lightfoot's race-based interview policy because the mayor's explanation of her policy is ever-changing and the motion to dismiss relies exclusively on the declaration of an interested witness. After a hearing on the motion, the Court granted Plaintiffs' request, citing the factual issues raised in Mayor Lightfoot's motion. The Court authorized Plaintiffs to take a Rule 30(b)(6) deposition of Mayor Lightfoot's designee concerning the issues raised in Mayor Lightfoot's Motion to Dismiss.

On August 24, 2021, Plaintiffs served Mayor Lightfoot with a Notice of Deposition that requested she, pursuant to Rule 30(b)(6), designate a person or persons to testify on her behalf regarding:¹

1. The policy to exclusively provide one-on-one interviews with journalists of color as outlined in Defendant's May 19, 2021 letter, including, but not limited to, the development of the policy, the scope of the policy, the duration of the policy, the implementation of the policy, and the communication of the policy to staff, journalists, and the public;
2. The "Press Tour" as identified by the declarations of Kathleen LeFurgy, including, but not limited to, the development of the "Press Tour," the scope of the "Press Tour," the duration of the "Press Tour," the implementation of the "Press Tour," and the communication of the "Press Tour" to staff, journalists, and the public; and

¹ Plaintiffs served an Amended Notice of Deposition on September 30, 2021 after Defendant requested a different date to conduct the deposition. The substance of the notice remained the same.

3. Whether Defendant's policy to exclusively provide one-on-one interviews with journalists of color as outlined in her May 19, 2021 letter will be used in the future.

See Plfs' Amended Notice of Deposition, which is attached as Exhibit A. Prior to the deposition, Mayor Lightfoot objected to the scope of the testimony to the extent Plaintiffs sought information concerning the development of the policy and press tour. *See* Mayor Lightfoot's Letter to Plaintiffs, which is attached as Exhibit B. Instead of engaging in a back-and-forth letter writing campaign, Plaintiffs decided to address this objection if and when it were to arise during the deposition.

On October 14, 2021, Plaintiffs deposed Defendant's 30(b)(6) designee. A copy of the deposition transcript is attached as Exhibit C. As Plaintiffs demonstrate below, LeFurgy was unprepared to answer numerous questions about the scope and duration of Mayor Lightfoot's race-based interview policy.

III. Legal Standard.

Under Rule 30(b)(6), a party has a duty "to make a conscientious good faith effort to designate the persons having knowledge of the matters sought by the [discovering party] and to prepare those persons in order that they can answer fully, completely, unevasively, the questions posed by [the discovering party] as to the relevant subject matters." *Mintel Int'l Grp., Ltd. v. Neerghen*, No. 08 CV 3939, 2008 LEXIS 93694, at *4 (N.D. Ill. Nov. 17, 2008), *aff'd sub nom. Mintel Int'l Grp., Ltd. v. Neerghen*, No. 98 C 3939, 2008 LEXIS 101748 (N.D. Ill. Dec. 16, 2008) (quoting *Buycks-Roberson v. Citibank Federal Savings Bank*, 162 F.R.D. 338, 342 (N.D. Ill.1995)).

To satisfy this duty, the party "must educate the deponent so that he/she can testify knowledgeably about matters within the organization's corporate knowledge. Preparing the

deponent includes providing him/her with documents, present or past employees, or other sources of information to review.” *Hunter v. Wirelesspcs Chi. LLC*, No. 18 CV 980, 2021 U.S. Dist. LEXIS 195714, at *20-35 (N.D. Ill. Oct. 5, 2021) (quoting *Schyvincht v. Menard, Inc.*, No. 18 CV 50286, 2019 U.S. Dist. LEXIS 114277, at *3 (N.D. Ill. July 10, 2019)) (internal quotations omitted). “To the extent that [the designee] [is] uninformed about the topics, Defendant[] [is] obligated to educate her.” *Id.*, at *30.

Notably, and relevant here, “[b]y its very nature, a Rule 30(b)(6) deposition notice requires the responding party to prepare a designated representative so that he or she can testify on matters not only within his or her personal knowledge, but also on matters reasonably known by the responding entity.” *Hunter*, 2021 U.S. Dist. LEXIS 195714, at *20 (citing *Alliance for Global Justice v. District of Columbia*, 437 F. Supp. 2d 32, 37 (D.D.C. 2006)). “A Rule 30(b)(6) deponent is obliged to present ‘the knowledge, opinions or positions of the corporation, not the deponent.’” *Id.*, at *26 (citations omitted). If a party fails to produce a prepared Rule 30(b)(6) designee, the court may grant the discovering party the opportunity to re-depose a properly prepared Rule 30(b)(6) designee. *See Hunter*, 2021 U.S. Dist. LEXIS 195714, at **31-32.

IV. Argument.

Mayor Lightfoot did not designate and/or prepare a proper Rule 30(b)(6) witness to answer questions clearly within the authorized scope of the deposition and set forth in the deposition notice. The deposition revealed not only that LeFurgy was uninformed about the topics for which she was designated to testify but also that Mayor Lightfoot failed to adequately prepare her to testify. When it became clear that Ms. LeFurgy could not answer basic questions on all three topics, Plaintiffs asked her how she prepared for the deposition. Ex. C. at 33:12 – 34:3. She admitted that her only preparation consisted of speaking to the mayor’s counsel and

reviewing “documents submitted to the Court,” and “a couple of briefs.” *See id.*; *see also id.* at 80:10 – 81:11. She also admitted she did not speak with Mayor Lightfoot as part of her preparation. *Id.* at 21:7 – 21:16.

As shown below, this meager preparation and lack of awareness on key issues central to the jurisdictional issues rendered LeFurgy unable to provide meaningful testimony on the topics which plainly fell within the authorized scope of the deposition and were set forth in the deposition notice.

A. LeFurgy’s lack of knowledge on topic 1.

As noted above, Plaintiffs sought the testimony of Mayor Lightfoot’s designee concerning the policy to exclusively provide one-on-one interviews with journalists of color as outlined in her May 19, 2021 letter, including, but not limited to, the scope of the policy, the duration of the policy, the implementation of the policy, and the communication of the policy to staff, journalists, and the public. Ex. A. Even though LeFurgy was designated to testify on Mayor Lightfoot’s behalf, LeFurgy’s answers on this topic were based on her own personal knowledge and not that of Mayor Lightfoot or her office. For example, when asked whether it was Mayor Lightfoot’s understanding that “the end of her last interview on the 20th, that [the policy] would cease being used[,]” LeFurgy testified, “I can’t speculate to what the Mayor believes.” Ex. C at 20:3 – 20:11. Similarly, when asked, “What was the Mayor’s understanding of the parameters leading up to [] May 19th and May 20th[,]” LeFurgy stated, “Again, I’m not a mind reader.” *Id.* at 20:12 – 21:1.

Plaintiffs also asked LeFurgy questions about whether Mayor Lightfoot intended for the policy to be of limited in scope and duration as the mayor has argued in Court. LeFurgy was not prepared to answer and could not answer such questions:

Q [Is] that what the Mayor meant when she wrote in the letter on the occasion of the two-year anniversary?

A: Again, [] I can't read the Mayor's mind, but that is my interpretation.

Q [H]ave you asked the Mayor what she meant when she wrote on the occasion of the two-year anniversary?

A: Again, I can only speak to what's in the contents of the letter, which she has signed and says on the occasion of.

Id. at 40:22 – 41:10²

Q: Why did the Mayor not refer to the Press Tour in her May 19th letter?

A: Again, it's speculation.

Q: And why is it speculation?

A: Your question was why did the Mayor not include it in her letter, and I'm saying I can't speculate as to why it's not in the letter.

Id. at 44:3 – 44:14.

LeFurgy also was not prepared to answer questions about how Mayor Lightfoot's race-based interview policy was communicated to reporters and the public. For example,

Q: Did you tell [journalists] specifically that the interviews would happen during a limited period of time on May 19th and May 20th?

A: I can't recall every conversation.

Id. at 25:14 – 25:17.

Q: What did the Mayor's office post on social media about this policy?

A: I can't recall.

Id. at 27:15 – 27:18

Q: Was there anything else posted on social media besides the letter?

² When asked if LeFurgy had spoken with Mayor Lightfoot about what she meant by "on the occasion of the two year anniversary," LeFurgy testified, "no." *Id.* at 41:17 – 41:24.

A: I can't recall.

Q By the Mayor's office?

A: I can't recall.

Id. at 28:14 – 28:18.

Q: When the [Mayor's office] was communicating to the public on social media about [] this policy, did it identify to the public that [] the policy would be limited to a series of interviews on May 19th and May 20th?

A: Again, I can't recall exactly what we put on social media.

Id. at 43:6 – 43:13.

The purpose of the deposition was to allow Plaintiffs to discover facts relevant to Mayor Lightfoot's claim that her race-based interview policy was limited in scope and duration.

LeFurgy however was ill prepared to answer many questions about the mayor's understanding and intentions regarding the policy and its implementation. She was also not prepared to answer questions about how the policy was described and communicated both to the press and to the public. Because Mayor Lightfoot did not sufficiently prepare LeFurgy to provide answers about the race-based interview policy that were clearly within the authorized scope of the deposition and set forth in the deposition notice, the Court should order the mayor to produce a witness who can answer such questions.

B. LeFurgy's lack of knowledge on topic 2.

The second topic noticed by Plaintiffs concerned the "Press Tour" as identified by the declarations of Kathleen LeFurgy, including, but not limited to, the scope of the "Press Tour," the duration of the "Press Tour," the implementation of the "Press Tour," and the communication of the "Press Tour" to staff, journalists, and the public. Ex. A. As part of this topic, Plaintiffs sought to discover facts concerning Mayor Lightfoot's claim that Plaintiffs' interview request

was not within the scope of Press Tour parameters because “Catenacci wanted to interview the [m]ayor about a list of issues concerning the coronavirus pandemic.” Def.’s Mot. to Dismiss at 4-5. Plaintiffs therefore inquired about whether every journalist who had been granted an interview had specifically requested to ask questions solely about Mayor Lightfoot’s anniversary and whether any journalist had asked about the coronavirus pandemic or homicide rates. *See e.g.*, Ex. C. at 14:1 – 14:11; 31:5 – 31:18; and 32:11 – 32:15. LeFurgy did not have the answer to such questions. *Id.*

LeFurgy also could not answer questions about the implementation and duration of the Press Tour. For example, when asked if Mayor Lightfoot’s “scheduling office asked to provide times outside of May 19th and May 20th[.]” LeFurgy testified that she did not know. *Id.* at 78:21 – 78:24.

LeFurgy also was not prepared to testify about the reasons why the existence of an alleged “Press Tour” had not been raised by Mayor Lightfoot until well into this litigation:

Q: Are you aware that the Counsel for the Mayor spoke to plaintiffs' attorneys twice on the phone about this matter?

A: No.

Id. at 46:16 – 46:19.

Q: Do you know why the Mayor's counsel's office did not identify to plaintiffs' attorneys the existence of a Press Tour during those two calls?

A: I don't want to speculate on that.

Id. at 46:21 – 47:2.

Q: Ms. LeFurgy, are you aware that [] in the course of this litigation counsel for the Mayor wrote a letter to plaintiffs' counsel about this case?

A: No.

Q: Do you know why [] the Mayor's counsel in that letter did not identify this Press Tour?

A: I can't speculate on that.

Id. at 47:23 – 48:9.

In addition, LeFurgy was ill prepared to answer questions about the circumstances surrounding interviews conducted on June 3, 2021 “regarding [Mayor Lightfoot's] two-year anniversary.” This line of questioning is important because Plaintiffs sought to understand whether these interviews were part of the purported 24-hour Press Tour “on the occasion of [Mayor Lightfoot's] anniversary” and whether the Press Tour parameters applied to these interviews.

Q: So going into the interview, did the Mayor know that this memo didn't really mean what it said when it said regarding your two-year anniversary?

A: You know, again, I can't read the Mayor's mind. She gets a lot of memos, many of which she does not read. So I don't know if that [] was explained to her or not.

Id. at 69:16 – 69:24.

Q: Did [] the communications office explain to her that this memo was inaccurate?

A: I don't recall if those were the exact words.

Id. at 70:1 – 70:6.

Q And when did [] Ms. Sanders and Mr. Romain ask for those interviews?

A I don't recall.

Q: Would it be prior to May 19th or May 20th?

A: I don't recall the exact date or time.

Id. at 70:21 – 71:2. Because Mayor Lightfoot did not sufficiently prepare LeFurgy to provide answers to questions about the alleged “Press Tour” that were clearly within the authorized scope

of the deposition and set forth in the deposition notice, the Court should order the mayor to produce a witness who can answer such questions.

C. LeFurgy’s lack of knowledge on topic 3.

Plaintiffs also requested Mayor Lightfoot designate a witness to testify about whether her policy to exclusively provide one-on-one interviews with journalists of color as outlined in her May 19, 2021 letter will be used in the future. Ex. A. LeFurgy was ill prepared to answer questions on this subject as well. For example, when asked what Mayor Lightfoot meant when she told the *New York Times* that she would “absolutely” implement the race-based interview policy again, LeFurgy stated, “Well, I can’t speculate the meaning of [] her words.” Ex. C at 59:24 – 60:5. Similarly, Plaintiffs asked LeFurgy, “Does the Mayor intend [] to exclusively provide interviews to journalists of color again?” *Id.* at 63:2 – 63:4. In response, LeFurgy testified, “I can’t read her mind.” *Id.* at 63:20.³ Because Mayor Lightfoot did not sufficiently prepare LeFurgy to provide answers to questions about whether the race-based interview policy will be used in the future that were clearly within the authorized scope of the deposition and set forth in the deposition notice, the Court should order the mayor to produce a witness who can answer such questions.

V. Defendant Lightfoot Should Testify on Her Own Behalf.

Because LeFurgy was not able to adequately testify on topics that were clearly within the authorized scope of the deposition and set forth in the deposition notice, Mayor Lightfoot should be required to produce a knowledgeable deponent or deponents who “can answer fully, completely, unequivocally, the questions posed by [the discovering party] as to the relevant subject

³ Again, in preparing for the deposition, LeFurgy did not ask Mayor Lightfoot whether or not she intends to exclusively provide one-on-one interviews with journalists of color in the future.

matters.” *Mintel Int’l Grp., Ltd.*, 2008 WL 4936745, at *4 (internal quotations and citations omitted). In the alternative and in the interests of efficiency and fairness, Mayor Lightfoot should be required to testify about the topics authorized by the Court and set forth in Plaintiffs’ deposition notice because the fact issues raised in Mayor Lightfoot’s motion to dismiss are necessarily dependent on the mayor’s own understanding and intentions of her race-based interview policy.⁴ Had LeFurgy been properly prepared by speaking with Mayor Lightfoot and other employees within the mayor’s office as well as by reviewing materials outside those already available to the Court and Plaintiffs, such a request would not be necessary. In short, this alternative request is one of Mayor Lightfoot’s own and only making.

VI. Conclusion.

Because Mayor Lightfoot did not sufficiently prepare LeFurgy to provide answers to questions clearly within the authorized scope of the deposition and set forth in the deposition notice, Plaintiffs request the Court order the mayor to produce a witness who can answer such questions, or any such questions herself.

⁴ In its motion for jurisdictional discovery, Plaintiffs raised the concern that LeFurgy was not a disinterested party and that Mayor Lightfoot relied exclusively on LeFurgy’s declaration in the motion to dismiss. Despite this concern, Defendant Lightfoot designated Ms. LeFurgy and did not provide her with the adequate preparation to testify on her behalf. Mayor Lightfoot did not even speak with LeFurgy before the deposition, even though LeFurgy was appearing as the mayor’s designee.

Dated: November 23, 2021

/s/ Michael Bekesha

Michael Bekesha (Admitted *Pro Hac Vice*)

JUDICIAL WATCH, INC.

425 Third Street, S.W., Suite 800

Washington, DC 20024

Tel: (202) 646-5172

Respectfully submitted,

/s/ Christine Svenson

Christine Svenson (Ill. Bar No. 6230370)

SVENSON LAW OFFICES

345 N. Eric Drive

Palatine, IL 60067

Tel: (312) 467-2900

Counsel for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS CATENACCI, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Case Number: 21-cv-02852
v.)	
)	
LORI LIGHTFOOT, in Her Official Capacity)	
As Mayor of the City of Chicago,)	
)	
Defendant.)	
_____)	

[PROPOSED] ORDER

Upon consideration of Plaintiffs' Opposed Motion To Compel Mayor Lightfoot To Produce a Proper and Prepared Rule 30(B)(6) Designee and the entire record herein, it is hereby ORDERED that:

1. The motion is GRANTED.

SO ORDERED.

Dated:

The Hon. John Z. Lee

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS CATENACCI, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case Number: 1:21-cv-02852
)	Honorable John Z. Lee
)	
LORI LIGHTFOOT, in Her Official Capacity)	
As Mayor of the City of Chicago,)	
)	
Defendant.)	
_____)	

AMENDED NOTICE OF DEPOSITION PURSUANT TO FED. R. CIV. P. 30(B)(6)

Please take notice that pursuant to the Rule 30(b)(6) of the Federal Rules of Civil Procedure and the Court’s August 20, 2021 Order, Plaintiff will take the deposition of Defendant, on oral examination before a Notary Public, or some other official authorized by law to administer oaths, commencing at the place, date and time shown below.

Defendant is requested to designate person or persons to testify on behalf of Defendant regarding:

1. The policy to exclusively provide one-on-one interviews with journalists of color as outlined in Defendant’s May 19, 2021 letter, including, but not limited to, the development of the policy, the scope of the policy, the duration of the policy, the implementation of the policy, and the communication of the policy to staff, journalists, and the public;
2. The “Press Tour” as identified by the declarations of Kathleen Lefurgy, including, but not limited to, the development of the “Press Tour,” the scope of the “Press Tour,” the duration of the “Press Tour,” the implementation of the “Press Tour,” and the communication of the “Press Tour” to staff, journalists, and the public; and
3. Whether Defendant’s policy to exclusively provide one-on-one interviews with journalists of color as outlined in her May 19, 2021 letter will be used in the future.

The testimony of the deponent(s) will be recorded by audiovisual and stenographic means.

DATE AND TIME: **October 14, 2021; 9:00 am CT**

PLACE: **Virtual**

Also please take notice that 1) the court reporter will report the deposition from a location separate from the witness; 2) counsel for the parties and their clients will be participating from various, separate locations; 3) the court reporter will administer the oath to the witness remotely; 4) the witness may be required to provide government-issued identification satisfactory to the court reporter, and this identification must be legible on camera; 5) each participating attorney may be visible to all other participants, and their statements will be audible to all participants; 6) all exhibits will be provided simultaneously and electronically to the witness and all participants; 7) the court reporter will record the testimony; 8) the deposition may be recorded electronically; and 9) counsel for all parties will be required to stipulate on the record to their consent to this manner of deposition and to their waiver of any objection to this manner of deposition, including any objection to the admissibility at trial of this testimony based on this manner of deposition.

Dated: September 30, 2021

Respectfully submitted,

/s/ Christine Svenson
Christine Svenson
Ill. Bar No. 6230370
SVENSON LAW OFFICES
345 N. Eric Drive
Palatine, IL 60067
Tel: (312) 467-2900

/s/ Michael Bekesha
Michael Bekesha
Admitted *Pro Hac Vice*
JUDICIAL WATCH, INC.
425 Third Street, S.W., Suite 800
Washington, DC 20024
Tel: (202) 646-5172

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2021, I served the forgoing **NOTICE OF DEPOSITION PURSUANT TO FED. R. CIV. P. 30(B)(6)** by electronic mail on the following:

John Hendricks (john.hendricks@cityofchicago.org)
Andrew Worsack (andrew.worsack@cityofchicago.org)
Peter Cavanaugh (peter.cavanaugh@cityofchicago.org)
City of Chicago, Department of Law
Constitutional and Commercial Litigation Division
2 North LaSalle Street, Suite 520
Chicago, Illinois 60602

/s/ Michael Bekesha _____

Exhibit B



DEPARTMENT OF LAW
CITY OF CHICAGO

VIA E-Mail

October 5, 2021

Michael Bekesha, Esq.
Judicial Watch Inc.
425 Third Street, S.W., Suite 800
Washington, DC 20024
MBekesha@judicialwatch.org

Christine Svenson, Esq.
Svenson Law Offices
505 N. LaSalle Street, Suite 530
Chicago, IL 60654
christine@svensonlawoffices.com

RE: *Thomas Catenacci, et al. v. Lori Lightfoot*, Case Number 21-CV-2852

Dear Michael:

We write to designate an individual in response to Plaintiffs' August 24 Rule 30(b)(6) Deposition Notice to Defendant and to state our objections and limitations to the topics included in Plaintiffs' notice. Defendant's designation is made subject to the limitations and restrictions contained in the Court's August 26 order and the Court's statements in open Court regarding the scope of jurisdictional discovery as well as the specific objections and limitations below.

Topic 1: The policy to exclusively provide one-on-one interviews with journalists of color as outlined in Defendant's May 19, 2021 letter, including, but not limited to, the development of the policy, the scope of the policy, the duration of the policy, the implementation of the policy, and the communication of the policy to staff, journalists, and the public

We object to this topic to the extent that it characterizes the challenged interview parameters as a policy. We further object to this topic to the extent it seeks testimony regarding "the development" of the alleged policy. Such testimony is outside the scope of the limited jurisdictional discovery authorized by the Court, as the issue before the Court is whether Plaintiffs were *subjected to* the alleged policy, not how the alleged policy was developed. The "development" of the alleged policy goes to the merits of Plaintiffs' claims—if it has any relevancy at all—and the Mayor's motion to dismiss was limited to jurisdictional defenses. Thus, this portion of this topic is outside the scope of the permitted discovery, and we will not produce a Rule 30(b)(6) witness to testify regarding it. We further object to this portion of Topic 1 because it is vague and undefined.

Topic 2: The “Press Tour” as identified by the declarations of Kathleen Lefurgy, including, but not limited to, the development of the “Press Tour,” the scope of the “Press Tour,” the duration of the “Press Tour,” the implementation of the “Press Tour,” and the communication of the “Press Tour” to staff, journalists, and the public.

We object to this topic to the extent it seeks testimony regarding “the development of the ‘Press Tour.’” Such testimony is outside the scope of the limited jurisdictional discovery authorized by the Court, as the issue before the Court is whether Plaintiffs were *subjected* to the alleged interview parameters used for the May 19/20 Press Tour, not how those parameters were developed. The “development” of the Press Tour goes to the merits of Plaintiffs’ claims—if it has any relevancy at all—and the Mayor’s motion to dismiss was limited to jurisdictional defenses. Thus, this portion of this topic is outside the scope of the permitted discovery, and we will not produce a Rule 30(b)(6) witness to testify regarding it. We further object to this portion of Topic 2 because it is vague and undefined.

Topic 3: Whether Defendant’s policy to exclusively provide one-on-one interviews with journalists of color as outlined in her May 19, 2021 letter will be used in the future.

We object to this topic to the extent that it characterizes the challenged interview parameters as a policy. We further object to this topic as it is not relevant to the 19/20 Press Tour and to whether Plaintiffs have standing to challenge the selection criteria for the 19/20 Press Tour, which is the issue upon which the Court granted limited jurisdictional discovery. See 8/20/21 Tr. at 12 (authorizing discovery as to “defendant’s motion for lack of standing”); see also id. at 13 (authorizing discovery of the “facts related to the issue of standing”). We further object that this topic is inconsistent with the Court’s prior determination that there is no factual basis to support Plaintiffs’ motion for injunctive relief.

Subject to these objections, we designate Kathleen LeFurgy, Communications Director for the Office of the Mayor of Chicago, in response to Plaintiffs’ Rule 30(b)(6) notice.

Sincerely,

/s/ Peter H. Cavanaugh

John L. Hendricks
Deputy Corporation Counsel
Andrew Worseck
Chief Assistant Corporation Counsel
Peter Cavanaugh
Assistant Corporation Counsel
Constitutional and Commercial Litigation Division
City of Chicago Law Department
2 N. LaSalle Street Suite 520
Chicago, IL 60602
(312) 744-0897
John.hendricks@cityofchicago.org
Andrew.worseck@cityofchicago.org
Peter.cavanaugh@cityofchicago.org

Exhibit C



Planet Depos®
We Make It *Happen™*

Transcript of Kathleen LeFurgy

Date: October 14, 2021

Case: Catenacci, et al. -v- Lightfoot

Planet Depos

Phone: 888.433.3767

Email: transcripts@planetdepos.com

www.planetdepos.com

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

-----X

THOMAS CATENACCI, et al., :

:

Plaintiff, :

v. : 1:21-cv-02852

LORI LIGHTFOOT, in Her Official :

Capacity as Mayor of the City of :

Chicago, :

Defendant. :

Deposition of KATHLEEN LEFURGY

Conducted Virtually

October 14, 2021

10:34 a.m.

Job No.: 403647

Pages 1 - 89

Reported by: Jacalyn Mann

1 Deposition of KATHLEEN LEFURGY, conducted
2 virtually.

3
4
5
6
7
8 Pursuant to agreement, before Jacalyn Mann,
9 Notary Public in and for the State of Florida.
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

A P P E A R A N C E S

ON BEHALF OF PLAINTIFF, THOMAS CATENACCI,
et al.:

MICHAEL BEKESHA, ESQUIRE

KATIE BLANKENBERG, ESQUIRE

JUDICIAL WATCH, INC.

425 3rd Street, SW

Suite 800

Washington, D.C. 20024

(202) 646-5172

ON BEHALF OF DEFENDANT, LORI LIGHTFOOT:

ANDREW WORSEK, ESQUIRE

JOHN HENDRICKS, ESQUIRE

PETER CAVANAUGH, ESQUIRE

CITY OF CHICAGO, DEPARTMENT OF LAW

CONSTITUTIONAL AND COMMERCIAL LITIGATION

DIVISION

2 North LaSalle Street, Suite 520

Chicago, Illinois 60602

(312) 744-7129

A P P E A R A N C E S (Continued)

ON BEHALF OF PLAINTIFF, THOMAS CANTENACCI,
et al.

CHRISTINE SVENSON, ESQUIRE

SVENSON LAW OFFICES

345 Erie Drive

Palatine, IL 60067

(312) 467-2900

ALSO PRESENT:

Nathan Kane - Planet Depos Videographer

Rachel Carrick - Planet Depos Technician

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

C O N T E N T S		
EXAMINATION OF KATHLEEN LEFURGY		
	Page	
By Mr. Bekesha	6	
E X H I B I T S		
(Attached to the transcript.)		
DEPOSITION EXHIBIT		PAGE
Exhibit 1	Letter	9
Exhibit 2	Declaration	48
Exhibit 3	NY Times Interview	56
Exhibit 4	June 3rd Memo	62
Exhibit 5	Notice of Deposition	76

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

6

P R O C E E D I N G S

KATHLEEN LEFURGY,

having been first duly sworn to tell the truth, the
whole truth, and nothing but the truth, testified as
follows:

EXAMINATION BY COUNSEL FOR THE
PLAINTIFF, THOMAS CATENACCI, et al.

THE VIDEOGRAPHER: Here begins disc number 10:36:47
one in the videotaped deposition of Kathleen 10:36:49
Lefurgy, designee of Lightfoot in Her official 10:36:51
capacity as Mayor of City of Chicago in the matter 10:36:56
of Thomas Catenacci, et al. versus Lori Lightfoot in 10:36:59
Her official capacity as the Mayor of the City of 10:37:04
Chicago, Case Number 1:21-CV-02852. 10:37:07

Today's date is Thursday October 14th, 10:37:15
2021. The time on the monitor is 6 -- is 10:36 a.m. 10:37:17
The videographer today is Nathan Kane, representing 10:37:25
Planet Depos. All parties are attending remotely. 10:37:28

Would counsel please voice identify 10:37:32
themselves and state whom they represent? 10:37:35

MR. BEKESHA: Michael Bekesha, 10:37:36
representing plaintiffs. Christine Svenson, 10:37:39
representing plaintiffs. 10:37:44

THE VIDEOGRAPHER: The court reporter 10:37:49

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

7

1	today is Jackie Mann, representing Planet Depos.	10:37:50
2	Would the reporter please swear in the witness?	10:37:54
3	COURT REPORTER: Will counsel please	10:37:56
4	stipulate that in lieu of formally swearing in the	10:37:56
5	witness, the reporter will instead ask the witness	10:38:02
6	to acknowledge that their testimony will be true	10:38:05
7	under the penalties of perjury, that counsel will	10:38:08
8	not object to the admissibility of the transcript	10:38:11
9	based on proceeding in this way, and that the -- the	10:38:14
10	witness has verified that she is, in fact, Kathleen	10:38:17
11	LeFurgy?	10:38:20
12	MR. BEKESHA: Yes.	10:38:21
13	MR. WORSEK: Yes, we stipulate.	10:38:21
14	COURT REPORTER: Okay, great. Ms.	10:38:21
15	LeFurgy, will you raise your right hand, please? Do	10:38:21
16	you hereby acknowledge that your testimony will be	10:38:31
17	true under the penalties of perjury?	10:38:34
18	THE WITNESS: Yes.	10:38:36
19	COURT REPORTER: Okay. Thank you. You	10:38:36
20	can put your hand down. All right. I'm going to be	10:38:38
21	muting myself on this computer, making sure I'm	10:38:42
22	ready to go on the other one. I will give you a	10:38:45
23	thumbs up in about three seconds, and then you could	10:38:47
24	jump in with your first question, Michael, okay?	10:38:50

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

8

1	MR. BEKESHA: Great. Thank you.	10:38:53
2	COURT REPORTER: Hold on.	10:38:53
3	BY MR. BEKESHA:	10:39:00
4	Q Good morning, Ms. LeFurgy. My name is	10:39:03
5	Michael Bekesha. I'm one of the attorneys	10:39:06
6	representing the plaintiffs in this case. Could you	10:39:09
7	please state and spell your full name for the	10:39:11
8	record?	10:39:13
9	A Kathleen LeFurgy, K-A-T-H-L-E-E-N,	10:39:14
10	L-E-F-U-R-G-Y.	10:39:22
11	Q Thank you. Before we begin I'd like to go	10:39:25
12	over a few ground rules. Your counsel may have	10:39:28
13	already talked to you about them, but hopefully	10:39:31
14	they'll make the deposition go a little bit more	10:39:34
15	smoothly.	10:39:36
16	If you don't hear one of my questions,	10:39:37
17	please let me know. I'll be happy to restate it.	10:39:39
18	If you don't understand one of my questions, also	10:39:42
19	please let me know, and I'll try to make myself	10:39:44
20	clearer.	10:39:47
21	It's also important that you respond out	10:39:48
22	loud as opposed to shaking your head or any type of	10:39:50
23	gestures. The court reporter can only record -- the	10:39:54
24	court reporter can't record, you know, anything	10:39:58

1	besides what's spoken.	10:40:01
2	Finally, it's important that you wait	10:40:02
3	until I'm done asking questions. If Drew is going	10:40:04
4	to be making any objections, please wait until he's	10:40:08
5	done speaking before you give your response. I will	10:40:12
6	also try to make sure that I wait until you're done	10:40:15
7	speaking before I ask my next question. It's just a	10:40:17
8	lot easier for the court reporter to take everything	10:40:21
9	down, and it's difficult if we talk over one	10:40:24
10	another. Does all that make sense?	10:40:27
11	A Yes.	10:40:30
12	Q Okay, great. Thank you. Now that we got	10:40:31
13	that out of the way, are you familiar with Mayor	10:40:34
14	Lightfoot's May 19th, 2020, letter in which she	10:40:40
15	states that she'll be exclusively providing	10:40:45
16	one-on-one interviews with journalists of color?	10:40:49
17	A Yes.	10:40:53
18	Q Okay. Why don't we -- just for ease of	10:40:54
19	reference. Let's pull that up as Exhibit 1. It's	10:41:03
20	entitled Mayor's letter.	10:41:08
21	THE TECHNICIAN: Please stand by.	10:41:13
22	(Exhibit 1 was marked for identification	10:41:16
23	and is attached to the transcript.)	10:41:16
24	Q Ms. LeFurgy, do you see on your screen	10:41:41

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

10

1	what is marked as Plaintiff 1?	10:41:44
2	A Yes.	10:41:46
3	Q Are you familiar with this document?	10:41:48
4	A Yes.	10:41:51
5	Q Is this the letter we were just referring	10:41:53
6	to?	10:41:57
7	MR. WORSEK: Objection to form.	10:41:57
8	Q You may answer the question.	10:42:01
9	A Yes.	10:42:03
10	Q Okay. When was this letter written?	10:42:05
11	MR. WORSEK: Objection. Michael, I think	10:42:13
12	this question is going to the issue of the	10:42:19
13	development of the letter, the development of the	10:42:23
14	selection parameters discussed in the letter, and	10:42:28
15	that are at issue in the complaint. And as you	10:42:32
16	know, we have objected to that scope of the 30(B)(6)	10:42:35
17	notice as being outside the bounds of discovery	10:42:41
18	authorized by the Court in this case.	10:42:45
19	The Court's order authorizing limited	10:42:48
20	jurisdictional discovery expressly states that the	10:42:51
21	scope of this 30(B)(6) deposition is limited to the	10:42:57
22	matters raised in the defendants's motion to	10:42:59
23	dismiss, and the matters raised in the defendant's	10:43:02
24	motion to dismiss are limited to the scope of the	10:43:05

1 challenge parameters and their duration, not their
2 -- we did not raise arguments going to their
3 development of their content, their rationale, and
4 so forth.

5 We raised that point with you via letter
6 prior to today's deposition, and we did not hear
7 anything back from you taking issue with our
8 position in this regard. I would also note that
9 plaintiff's motion itself, seeking the limited
10 jurisdictional discovery by its own terms sought
11 discovery only as to the scope and duration of the
12 challenge parameters.

13 So for all those reasons, this question is
14 outside of the scope of the authorized discovery,
15 and I would instruct the witness not to answer.

16 Q Okay. Who wrote this letter, Ms. LeFurgy?

17 MR. WORSEK: Same objection, Michael, and
18 I instruct the witness not to answer.

19 Q Okay. Are you aware of -- what was the
20 purpose of this letter, Ms. LeFurgy?

21 MR. WORSEK: Same objection, and I would
22 instruct the witness not to answer.

23 Q Are you aware that in the letter the Mayor
24 stated that she will be exclusively providing

10:43:11
10:43:15
10:43:18
10:43:20
10:43:22
10:43:24
10:43:27
10:43:28
10:43:31
10:43:34
10:43:38
10:43:42
10:43:43
10:43:46
10:43:50
10:43:52
10:44:04
10:44:07
10:44:10
10:44:19
10:44:22
10:44:24
10:44:39
10:44:41

1	one-on-one interviews for journalists of color, Ms.	10:44:45
2	LeFurgy?	10:44:47
3	A Yes.	10:44:55
4	Q Okay. How did -- how did the Mayor seek	10:44:56
5	to implement that policy?	10:45:02
6	A As stated, the way that this policy was	10:45:07
7	implemented was for a short duration of time, both	10:45:16
8	in subject matter as well.	10:45:21
9	Q But what were the mechanics of it? How --	10:45:24
10	how did the Mayor decide -- how did the Mayor	10:45:27
11	implement?	10:45:30
12	MR. WORSEK: Objection. Vague and	10:45:32
13	presupposes facts not in evidence.	10:45:35
14	Q Did the Mayor seek to implement this	10:45:39
15	policy?	10:45:42
16	A Again, this policy was for a limited	10:45:44
17	period of time, both in scope and in subject matter.	10:45:50
18	Q During that limited period of time, did	10:45:53
19	the Mayor seek to implement it?	10:45:56
20	A Again --	10:46:01
21	MR. WORSEK: Objection to form.	10:46:03
22	Q You can answer the question.	10:46:04
23	A Again, it's -- it's in the letter, that	10:46:09
24	line, she'll be exclusively providing one-on-one	10:46:12

1	interviews.	10:46:15
2	Q Okay. Did the Mayor exclusively provide	10:46:16
3	one-on-one interviews?	10:46:19
4	MR. WORSEK: Objection to form.	10:46:23
5	Q You may answer the question.	10:46:26
6	A Yes.	10:46:28
7	Q Okay. How were those interviews chosen?	10:46:29
8	A Those interviews were chosen based on	10:46:33
9	members of our press corps and individuals, both who	10:46:41
10	sought to interview her for her one-to-one -- or	10:46:46
11	excuse me -- for her two-year interview [sic], as	10:46:49
12	well as individuals who -- who we selected.	10:46:52
13	Q And how -- how did those journalists that	10:47:02
14	sought to be interviewed seek the interviews?	10:47:05
15	A They requested them to our team.	10:47:08
16	Q And how did they request them?	10:47:12
17	A They reached out to an individual --	10:47:15
18	individual members of our team.	10:47:18
19	Q What members of your team did they reach	10:47:20
20	out to?	10:47:22
21	A Myself or our interim press secretary.	10:47:24
22	Q Okay. And how did -- the ones that	10:47:29
23	reached out to you, how did they reach out to you?	10:47:31
24	A Via e-mail.	10:47:34

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

14

1	Q	Okay. And what did their e-mails say?	10:47:39
2	A	I don't have a photographic memory, so I	10:47:44
3		can't say for certain what the content of the e-mail	10:47:50
4		was.	10:47:52
5	Q	Okay. Did -- did the e-mail state that	10:47:53
6		they wanted to interview the Mayor specifically	10:47:56
7		about her two-year anniversary?	10:48:00
8	A	Some of them, yes.	10:48:03
9	Q	Did all of them?	10:48:09
10	A	Again, I don't have a photographic memory	10:48:11
11		so I don't believe so.	10:48:16
12	Q	Okay. Do you know who would have that	10:48:19
13		information?	10:48:21
14	A	I don't.	10:48:23
15	Q	Okay. Do you think anybody in the Mayor's	10:48:28
16		office would have that information?	10:48:31
17	A	It's possible.	10:48:33
18	Q	Okay. Did you speak with any of those	10:48:37
19		people in preparation for today?	10:48:40
20	A	No.	10:48:42
21	Q	Okay. How did you decide who to reach out	10:48:43
22		to? You said -- I'm sorry. You said some	10:48:49
23		journalists your office reached out to. How did you	10:48:52
24		decide who to reach out to?	10:48:56

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

15

1	A	We have -- we have members of our press	10:48:58
2		corps, and those individuals we -- we reached out	10:49:00
3		to, as well as interviews that we thought would be	10:49:04
4		pertinent for the Mayor to -- to have.	10:49:10
5	Q	What do you mean by pertinent for your	10:49:15
6		Mayor to have?	10:49:17
7	A	As part of the two-year anniversary, which	10:49:19
8		is a big celebratory mark in one's mayoral career,	10:49:22
9		we wanted to make sure we had a range of folks who	10:49:26
10		she spoke with. So we reached out to some	10:49:29
11		individuals as well.	10:49:32
12	Q	And how did you choose those individuals?	10:49:34
13	A	Based on the medium with which their --	10:49:37
14		their outlet was.	10:49:40
15	Q	Any other qualifications?	10:49:42
16	A	No.	10:49:45
17	Q	Did -- did it matter what race they were?	10:49:48
18		MR. WORSEK: Objection to form.	10:49:53
19	Q	You may answer the question.	10:49:55
20	A	It was one of many parameters.	10:49:57
21	Q	Okay. And how did you -- how did you --	10:49:59
22		as one of the parameters -- what were the other	10:50:05
23		parameters?	10:50:08
24	A	Subject matter with medium is one of the	10:50:12

1 many factors that we use to evaluate any media 10:50:16
2 inquiry we receive. 10:50:20

3 Q Okay. But these are media -- these were 10:50:21
4 journalists you reached out to, not journalists that 10:50:24
5 sought an interview at this -- at that time; 10:50:26
6 correct? 10:50:28

7 A Correct. 10:50:28

8 Q Okay. And what subject matters were used 10:50:29
9 as part of the criteria? 10:50:34

10 A They would be talking to her about her 10:50:38
11 two-year anniversary, things that she'd accomplished 10:50:42
12 over her two years, and then looking forward to the 10:50:45
13 next two years, things of that nature. 10:50:47

14 Q Okay. And how did you -- how did you 10:50:51
15 decide which race -- what race each of these 10:50:53
16 journalists were? 10:50:57

17 MR. WORSEK: Objection to form. 10:50:59

18 Q You may answer the question. 10:51:02

19 A Again, it was one of many factors, and it 10:51:04
20 was how individuals self-identified. I'd worked 10:51:08
21 with many of these folks for three years. I'm 10:51:12
22 familiar with them, or associations that they might 10:51:15
23 be a part of. 10:51:18

24 Q Okay. Going back to the journalists that 10:51:19

1 sought -- sought -- sought out interviews. How did 10:51:30
2 you choose which journalists to select? 10:51:32
3 A Journalists were selected first and 10:51:36
4 foremost if they were members of our press corps, as 10:51:41
5 well as other factors. 10:51:44
6 Q And what were those other factors? 10:51:46
7 A Again, the audience that they reach, the 10:51:49
8 medium with which they have their outlet, things of 10:51:52
9 that nature. 10:51:55
10 Q Was race one of the criteria? 10:51:57
11 A It was one of the many factors. 10:52:00
12 Q Okay. And how did you identify what race 10:52:02
13 the reporters were? 10:52:07
14 A How they self-identify, the associations 10:52:09
15 that they -- the professional associations that they 10:52:13
16 might be a part of, or the work that I've done -- 10:52:16
17 we've done with them in the past. 10:52:19
18 Q When -- when you reached -- when you 10:52:22
19 reached out to some of those journalists, did you 10:52:24
20 inform them that they were going to take part of -- 10:52:28
21 that they were -- they were being reached out 10:52:36
22 towards in part because of their race? 10:52:39
23 A No. 10:52:42
24 Q Did you inform them that you were -- that 10:52:44

1	they were to interview the Mayor on a limited scope?	10:52:48
2	MR. WORSEK: Objection to form.	10:52:54
3	Q You can answer the question.	10:52:57
4	A Can you explain what you mean by limited	10:53:00
5	scope?	10:53:03
6	Q Sure. Did -- these journalists that you	10:53:04
7	reached out to, could they ask questions about	10:53:09
8	anything of the Mayor?	10:53:12
9	A Again, we put parameters around any	10:53:14
10	interview that the Mayor has. So for example, this	10:53:17
11	one was about the two-year anniversary. However, I	10:53:20
12	don't think it's appropriate for myself or anyone	10:53:24
13	else to dictate to journalists the type of questions	10:53:27
14	that they then may ask the Mayor. However, there	10:53:28
15	are always an overarching subject matter or issue	10:53:31
16	that they would like to speak to the Mayor about.	10:53:36
17	Q Okay. Earlier in your testimony you	10:53:38
18	stated that the Mayor's position that I will be	10:53:52
19	exclusively be providing one-on-one interviews with	10:53:56
20	journalists with color, was limited in duration.	10:53:58
21	What did you --	10:54:03
22	MR. WORSEK: Objection. Sorry. I thought	10:54:07
23	you were finished.	10:54:08
24	Q No. I was going to ask, what did you mean	10:54:09

1	by that?	10:54:11
2	MR. WORSEK: Objection to form.	10:54:12
3	Q You can answer the question.	10:54:13
4	A It was limited in both subject matter as	10:54:15
5	well as time frame.	10:54:18
6	Q Okay. And what does that mean?	10:54:19
7	A That means that the interviews took place	10:54:22
8	on the 19th, as well as the morning of the 20th.	10:54:26
9	The interviews held on the 19th were embargoed for	10:54:29
10	the 20th.	10:54:33
11	Q Okay.	10:54:34
12	A So it was, for all intents and purposes,	10:54:35
13	the time period ended the morning of May 19th. I	10:54:38
14	mean, sorry, the morning of May 20th. Excuse me.	10:54:41
15	Q Okay. And when -- when was that time	10:54:44
16	period decided on?	10:54:46
17	A The end of her last interview.	10:54:48
18	Q Prior -- prior to the end of her last	10:54:53
19	interview, was there a time limitation on this	10:54:56
20	policy?	10:55:01
21	MR. WORSEK: Objection to form.	10:55:03
22	Q You may answer the question.	10:55:06
23	A These interviews were set a day or so in	10:55:09
24	advance, and so the understanding was always that	10:55:12

1 the end of her last interview on the 20th, that 10:55:15
2 those parameters would cease being used. 10:55:18

3 Q Who's -- was that the Mayor's 10:55:21
4 understanding as well? 10:55:23

5 MR. WORSEK: Objection to form. Calls for 10:55:27
6 speculation. 10:55:30

7 Q You may answer the question. 10:55:31

8 A I -- I can't speculate to what the Mayor 10:55:34
9 believes. However, I can tell you that at the end 10:55:37
10 of her last interview on the 20th was when those 10:55:41
11 parameters ceased to be used. 10:55:44

12 Q What was the Mayor's understanding of the 10:55:48
13 parameters leading up to May 29th, 20 -- May 19th 10:55:51
14 and May 20th? 10:56:00

15 MR. WORSEK: Objection to form, and also 10:56:02
16 to the extent it would go into the issue of the 10:56:04
17 development of the policy, which I earlier raised 10:56:08
18 scope objections and instructed the witness not to 10:56:13
19 answer. So if there's an answer that otherwise 10:56:17
20 falls outside those parameters, the witness is 10:56:20
21 obviously free to answer. But we do raise those 10:56:23
22 objections here. 10:56:25

23 Q You may answer that -- you may answer the 10:56:28
24 question. 10:56:30

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

21

1	A	Again, I'm not a mind reader. But for all	10:56:31
2		intents and purposes, the end of her scheduled	10:56:35
3		interviews.	10:56:38
4	Q	What do you mean you're not a mind reader?	10:56:41
5	A	Your question was what did the Mayor	10:56:47
6		think.	10:56:49
7	Q	Did you speak to the Mayor in preparation	10:56:52
8		for your testimony today?	10:56:55
9	A	The Mayor is aware that I am -- I am	10:56:59
10		participating in this deposition today.	10:57:03
11	Q	Did you speak with the Mayor in	10:57:06
12		preparation for -- about content or substance in	10:57:09
13		preparation of your testimony today?	10:57:12
14		MR. WORSEK: Objection to form.	10:57:15
15	Q	You may answer the question.	10:57:17
16	A	No.	10:57:19
17	Q	Okay. Who -- who was in charge of the	10:57:20
18		implementation of this protocol?	10:57:31
19	A	My team.	10:57:39
20	Q	And what team is that?	10:57:41
21	A	The communications team.	10:57:43
22	Q	Were you instructed to implement this	10:57:48
23		protocol?	10:57:51
24	A	It was agreed upon.	10:57:52

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

22

1	Q	Who agreed upon it?	10:57:59
2	A	My team and the Mayor.	10:58:01
3	Q	Okay. And did you have a conversation?	10:58:07
4		Who -- how -- how was it agreed upon?	10:58:14
5	A	We discussed it.	10:58:18
6	Q	In a meeting?	10:58:23
7	A	Yes.	10:58:28
8	Q	Okay. When was that meeting?	10:58:29
9		MR. WORSEK: Objection. Michael, this is	10:58:35
10		now going down the road of the scope issue of the	10:58:38
11		development of the challenge parameters, and I would	10:58:41
12		instruct the witness not to answer for the reasons I	10:58:45
13		stated previously.	10:58:49
14	Q	During -- during that meeting, did the	10:58:56
15		Mayor provide you with any guidance on how to	10:59:00
16		implement the policy?	10:59:02
17		MR. WORSEK: Same objection and same	10:59:05
18		instruction.	10:59:08
19	Q	Did you inform the Mayor about how you	10:59:12
20		were going to implement the policy?	10:59:15
21		MR. WORSEK: Same objection and same	10:59:20
22		instruction.	10:59:22
23	Q	Did the -- is the Mayor aware that the	10:59:26
24		policy was going to be limited to -- during your --	10:59:28

1	during your conversation did you agree that this	10:59:33
2	policy was going to be limited to a two-day period?	10:59:35
3	MR. WORSEK: Same objection and same	10:59:40
4	instruction.	10:59:42
5	Q Was this letter written before or after --	10:59:50
6	was the May 19th, 2021, letter written before or	10:59:55
7	after this meeting you had -- you and your team had	10:59:59
8	with the Mayor?	11:00:03
9	MR. WORSEK: Same objection and same	11:00:06
10	instruction. Michael, you're asking a series of	11:00:08
11	questions here that quite clearly go into the	11:00:10
12	development of the challenge parameters, which is an	11:00:12
13	issue, again, that we objected to. It's beyond the	11:00:15
14	scope of the authorized discovery. And prior to	11:00:18
15	today, you did not take issue with our statement in	11:00:21
16	writing of our objection to this scope issue. So we	11:00:24
17	just think it's, you know, it's improper at this	11:00:28
18	point in time.	11:00:31
19	MR. BEKESHA: All of these are questions	11:00:32
20	about the implementation and how the implementation	11:00:34
21	occurred, which you did not object to. They're not	11:00:37
22	about the development of policy. I am not asking	11:00:40
23	about how the letter was written, who came up -- who	11:00:43
24	came up with the policy. I'm asking about --	11:00:45

1 strictly about the procedure of implementing the 11:00:47
2 policy once it was developed. If you continue to 11:00:50
3 object, that's fine. It probably makes the most 11:00:54
4 sense, instead of us arguing about it here, we'll 11:00:57
5 just go to the Court, present the transcript with 11:01:00
6 the Court, and let the Court decide on a motion to 11:01:02
7 compel whether it's outside the scope. 11:01:04

8 MR. WORSEK: I understand your position. 11:01:06
9 We disagree. I don't think these questions go to 11:01:09
10 implementation. They are talking -- they're asking 11:01:13
11 about things leading up to the events in question, 11:01:15
12 leading up to the application of the parameters. So 11:01:19
13 in that regard, they go to development rather than 11:01:24
14 implementation. But your point is taken. We can 11:01:27
15 preserve the record and move on. 11:01:29

16 MR. BEKESHA: Great. Thank you. 11:01:34

17 Q After it was decided that the Mayor would 11:01:41
18 exclusively be providing one-on-one interviews with 11:01:46
19 journalists of color, was that communicated to 11:01:49
20 journalists? 11:01:53

21 A Yes. 11:01:58

22 Q When was it first communicated to 11:02:00
23 journalists? 11:02:02

24 A A couple days prior. 11:02:04

1	Q	A couple days prior to what?	11:02:11
2	A	When the interviews began.	11:02:15
3	Q	And what was -- how was it communicated to	11:02:17
4		journalists?	11:02:21
5	A	As journalists requests came in and they	11:02:26
6		were not filled, we followed up with them on -- on	11:02:31
7		the procedure for the two-year anniversary	11:02:36
8		interviews.	11:02:39
9	Q	And what did you -- what did you tell the	11:02:41
10		journalists during those follow-ups?	11:02:44
11	A	That we will be exclusively providing	11:02:47
12		one-on-one interviews with journalists of color for	11:02:51
13		the parameters set forth.	11:02:54
14	Q	Did you tell them specifically that the	11:02:56
15		interviews would happen during a limited period of	11:02:58
16		time on May 19th and May 20th?	11:03:01
17	A	I can't recall every conversation, but I	11:03:06
18		-- I recall being pretty clear in either verbal	11:03:14
19		conversations with many of them that it was limited	11:03:18
20		to the two-year anniversary.	11:03:21
21	Q	Okay. What -- does that mean it was	11:03:24
22		limited to a date of Mayor Lightfoot's two-year	11:03:27
23		anniversary?	11:03:31
24	A	Correct.	11:03:32

1 Q So it was only -- so all the interviews 11:03:34
2 had to take place on one day? 11:03:37

3 A Again, these interviews were set on the -- 11:03:39
4 there were several interviews on the 19th that were 11:03:43
5 embargoed for the 20th, and two that took place the 11:03:45
6 morning of the 20th. So again, it was both the 11:03:49
7 subject matter and that timing. The Mayor actually 11:03:51
8 had a press conference later that day that was open 11:03:55
9 to anyone to ask questions where she addressed this 11:03:58
10 as well. 11:04:01

11 Q But, when you were reaching -- when you 11:04:02
12 were talking to journalists about scheduling these 11:04:06
13 interviews, did you inform them that the interviews 11:04:08
14 had to take place during a limited period of time? 11:04:12

15 A Again, we're given a limited amount of 11:04:19
16 time on the Mayor's schedule. As you can imagine, 11:04:23
17 she's an incredibly busy person, and there was only 11:04:25
18 a limited amount of time that we were given to be 11:04:28
19 able to conduct those interviews on the 19th and 11:04:31
20 the 20th. So that was the only time we were given 11:04:34
21 and the only time that those parameters would be. 11:04:36

22 Q Okay. Was this policy communicated to the 11:04:41
23 public? 11:04:47

24 MR. WORSEK: Objection to form. 11:04:49

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

27

1	Q	You may answer the question.	11:04:52
2	A	Yes.	11:04:55
3	Q	When was -- when was it first communicated	11:04:58
4		to the public?	11:05:01
5	A	I believe after this letter became public.	11:05:03
6	Q	And how was -- how was it communicated to	11:05:10
7		the public?	11:05:13
8	A	It was posted on social media. It was	11:05:15
9		widely reported on.	11:05:21
10	Q	Did -- did the Mayor's office communicate	11:05:23
11		-- communicate this policy to the public?	11:05:24
12	A	We communicate to the public through a	11:05:30
13		variety of channels, including social media, things	11:05:36
14		being written in the media, things of that nature.	11:05:40
15	Q	Okay. What did you post on -- what did	11:05:42
16		the Mayor's office post on social media about this	11:05:47
17		policy?	11:05:50
18	A	I can't recall.	11:05:52
19	Q	Okay. Do you know who -- who would have	11:05:55
20		that information?	11:05:57
21	A	I'm sure it's available on our Twitter	11:06:00
22		account.	11:06:02
23	Q	Okay. Did you review the Twitter account	11:06:03
24		in preparation of your testimony today?	11:06:08

1	A	No.	11:06:09
2	Q	Did the -- did the Mayor's office	11:06:13
3		communicate with the public about the scope of this	11:06:22
4		policy?	11:06:25
5	A	Can you be more specific when you mean	11:06:28
6		communicate to the public?	11:06:32
7	Q	Through -- you said that in a variety of	11:06:35
8		ways that the Mayor's office communicates to the	11:06:37
9		public. So the first one is social media. Did the	11:06:40
10		Mayor's office communicate the scope of this policy	11:06:43
11		to the public through social media?	11:06:46
12	A	If I'm recalling correctly, this was --	11:06:49
13		this letter was posted on social media.	11:06:52
14	Q	Okay. Was there anything else posted on	11:06:55
15		social media besides the letter?	11:06:58
16	A	I can't recall.	11:07:01
17	Q	By the Mayor's office?	11:07:02
18	A	I can't recall.	11:07:04
19	Q	Did the Mayor post anything on social	11:07:05
20		media about this policy?	11:07:08
21	A	What do you mean by the Mayor?	11:07:12
22	Q	Either the Mayor -- does the Mayor have a	11:07:16
23		personal e-mail -- a personal Twitter account?	11:07:22
24		MR. WORSEK: Objection to form.	11:07:27

1	Q	You can answer the question.	11:07:29
2	A	The only social media account that's	11:07:33
3		verified to be -- to speak on behalf of the Mayor is	11:07:35
4		an account run by the communications team.	11:07:39
5	Q	Okay. And what is -- and what is that	11:07:42
6		Twitter handle?	11:07:44
7	A	@ Chicago's Mayor.	11:07:45
8	Q	Does the Mayor have another Twitter handle	11:07:55
9		that she uses?	11:07:59
10		MR. WORSEK: Objection to form.	11:08:01
11	Q	You may answer that question.	11:08:03
12	A	I don't know.	11:08:05
13	Q	Do you know if there's another Twitter	11:08:07
14		account associated with the Mayor?	11:08:10
15		MR. WORSEK: Objection to form.	11:08:15
16	Q	You may answer that question.	11:08:18
17	A	I believe she has one on her political	11:08:20
18		side.	11:08:23
19	Q	And do you know what that Twitter account	11:08:24
20		is?	11:08:27
21	A	I do not.	11:08:28
22	Q	Do you know who would know that	11:08:36
23		information?	11:08:37
24	A	Our political team. As you can imagine,	11:08:39

1	the city and -- and the political side are	11:08:46
2	completely separate.	11:08:48
3	Q Yeah. Besides social media, how else was	11:08:50
4	this policy communicated to the -- to the public by	11:09:05
5	your office?	11:09:09
6	A It was widely reported in the media, as	11:09:13
7	well as the Mayor had a press conference later that	11:09:17
8	day on the 20th where she was asked about it and	11:09:20
9	discussed it.	11:09:23
10	Q And what did the Mayor say about the	11:09:24
11	policy during that press conference on May 20th?	11:09:26
12	MR. WORSEK: Objection to form.	11:09:30
13	Q You may answer that question.	11:09:31
14	A I -- I don't know verbatim, but she was	11:09:33
15	asked about it, and -- and I believe she underscored	11:09:38
16	the fact that this was exclusively for one subject	11:09:40
17	for a short period of time.	11:09:44
18	Q And what was it -- and what was the	11:09:47
19	subject?	11:09:49
20	A What do you mean by what was the subject?	11:09:50
21	Q You said it was limited to one subject.	11:09:55
22	I'm asking what that subject is.	11:09:57
23	A Her two-year anniversary.	11:10:00
24	Q Did all questions have to be about her	11:10:03

1 two-year anniversary? 11:10:06

2 A No. It was a press conference. Any 11:10:08

3 question can be asked of her by any reporter at a 11:10:11

4 press conference. 11:10:15

5 Q Okay. What about during the one-on-one 11:10:16

6 interviews? Were -- were questions about Covid 11:10:18

7 asked of Mayor Lightfoot? 11:10:21

8 MR. WORSEK: Objection to form. 11:10:26

9 Q You may answer the question. 11:10:29

10 A Again, I don't have a transcript in front 11:10:30

11 of me, but the -- the broad range of -- or excuse me 11:10:34

12 -- the umbrella topic was the two-year anniversary. 11:10:37

13 Q Were -- were specific questions about 11:10:42

14 Covid asked during these interviews? 11:10:45

15 MR. WORSEK: Objection to form. 11:10:48

16 Q You may answer the question. 11:10:50

17 A Again, I don't have a transcript in front 11:10:52

18 of me. 11:10:55

19 Q Do you know who would have that 11:10:57

20 information? 11:10:59

21 A I don't. 11:11:02

22 Q Okay. If questions about Covid were asked 11:11:06

23 during the interview, would the Mayor have answered 11:11:14

24 those questions? 11:11:17

1	MR. WORSEK: Objection to form.	11:11:19
2	Q You can answer that question.	11:11:21
3	A Again, from a journalistic integrity	11:11:23
4	standpoint, it's not my place to dictate to a	11:11:26
5	reporter the type of questions with which they can	11:11:29
6	ask the Mayor at any time, whether at a press	11:11:32
7	conference or a one-on-one interview. So it is	11:11:35
8	possible, even though the umbrella topic was her	11:11:37
9	two-year anniversary which could include her --	11:11:41
10	include a question such as that.	11:11:44
11	Q Is the -- were questions about Chicago's	11:11:47
12	homicide rates asked during the interview -- any of	11:11:52
13	the interviews?	11:11:57
14	A I -- I can't speak to that specifically,	11:12:01
15	so I -- I don't know.	11:12:03
16	Q If -- if questions about homicide rates	11:12:05
17	were -- were asked during these interviews, would	11:12:10
18	the Mayor have answered those questions?	11:12:12
19	A You know, again, it's not my	11:12:15
20	responsibility to tell a reporter what questions	11:12:18
21	that they can ask. So if she was asked a question,	11:12:20
22	she probably responded, and it could have been under	11:12:24
23	the context of the past two years in office.	11:12:27
24	Q Did the -- did every question have to be	11:12:32

1 couched within the context of the past two years 11:12:35
2 when the reporters were asking the questions? 11:12:38
3 A Again, I don't dictate what a reporter can 11:12:42
4 and cannot ask. However, that is what we -- we 11:12:45
5 asked them to do. 11:12:49
6 Q If -- if they were asking questions that 11:12:52
7 dealt with outside of what you asked them to do, 11:12:55
8 would the Mayor answer those questions? 11:12:58
9 A Again, we cannot dictate the questions a 11:13:02
10 reporter can and cannot ask, so she will answer 11:13:06
11 questions if she's asked. 11:13:09
12 Q What did -- what did you -- how did you 11:13:14
13 prepare for today's interview -- sorry -- today's 11:13:22
14 deposition? 11:13:24
15 A I spoke with my lawyers. 11:13:27
16 Q Did you speak to anyone else? 11:13:32
17 A No. 11:13:36
18 Q Did you review any documents? 11:13:39
19 A Yes. 11:13:43
20 Q What did you review? 11:13:46
21 A I reviewed the documents we submitted to 11:13:48
22 the Court for reference, including this letter. 11:13:56
23 Q Did you review anything else? 11:13:59
24 A Reviewed a brief -- a couple briefs that 11:14:03

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

34

1	were related to this.	11:14:08
2	Q Did you review anything else?	11:14:11
3	A No.	11:14:13
4	Q Okay.	11:14:13
5	MR. BEKESHA: Why don't we take a	11:14:15
6	five-minute break and then come back? Is that -- is	11:14:17
7	that okay with everyone?	11:14:22
8	MR. WORSEK: That works for us. Will the	11:14:27
9	reporter state the time on-the-record, please, or	11:14:29
10	someone on the technical staff?	11:14:34
11	THE VIDEOGRAPHER: Oh, the time	11:14:39
12	on-the-record -- we're on 38 minutes 53 seconds.	11:14:41
13	MR. WORSEK: And what time do you have,	11:14:46
14	you know, clock time?	11:14:47
15	THE VIDEOGRAPHER: Oh, 11:13.	11:14:49
16	MR. WORSEK: Thank you.	11:14:52
17	MR. BEKESHA: Okay. We can go off the	11:14:52
18	record.	11:14:52
19	(Whereupon, a recess was taken.)	11:14:54
20	THE VIDEOGRAPHER: We are back on the	11:27:39
21	record at 11:26.	11:27:53
22	Q Great. Thank you. Welcome back,	11:27:57
23	Ms. LeFurgy. During -- during that break, did you	11:27:59
24	speak to anyone besides counsel?	11:28:03

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

35

1	A	No.	11:28:07
2	Q	I think you testified earlier that the	11:28:09
3		policy ended at the end of the last interview on	11:28:24
4		May 20th. When was it decided when the last	11:28:29
5		interview would be conducted?	11:28:33
6	A	It was based on the Mayor's schedule and	11:28:36
7		the scheduling of the interviews, as well as the	11:28:41
8		duration of her two-year anniversary with the	11:28:44
9		subject matter.	11:28:47
10	Q	Was that one day before? Two days before?	11:28:51
11		When was -- when was it decided when that -- the	11:28:56
12		last interview would be?	11:29:00
13	A	Again, it was based on the time that we	11:29:02
14		were given by scheduling.	11:29:05
15	Q	Okay. And when were you given -- when	11:29:08
16		were you given the times that you were able to	11:29:11
17		schedule the interviews?	11:29:15
18	A	I can't recall exactly. Probably a couple	11:29:17
19		days prior.	11:29:23
20	Q	Do you know who would know that	11:29:25
21		information?	11:29:28
22	A	I don't.	11:29:29
23	Q	Would that be someone in the	11:29:33
24		communications office?	11:29:37

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

36

1	A	No.	11:29:39
2	Q	Where -- where in the Mayor's office would	11:29:44
3		somebody know about scheduling?	11:29:48
4	A	The scheduling department.	11:29:50
5	Q	Did the communications office speak with	11:29:54
6		the scheduling office about the implementation of	11:29:59
7		this policy?	11:30:03
8		MR. WORSEK: Objection to form.	11:30:05
9	Q	You may answer the question.	11:30:08
10	A	No.	11:30:10
11	Q	Did the communications office inform the	11:30:15
12		scheduling office that the Mayor would be providing	11:30:18
13		one-on-one interviews exclusively to journalists of	11:30:24
14		color on May 19th and May 20th?	11:30:28
15	A	No, because it was not relevant to	11:30:35
16		scheduling.	11:30:37
17	Q	What is a Press Tour?	11:30:42
18	A	A Press Tour is a loose term that our	11:30:45
19		office uses to describe a set of interviews that the	11:30:50
20		Mayor is going to give back to back, as well as	11:30:54
21		sometimes a related subject matter.	11:31:00
22	Q	Was a Press Tour used to implement this	11:31:04
23		policy that's identified in the May 19th letter?	11:31:08
24	A	A Press Tour was used to describe the set	11:31:13

1	of interviews, yes.	11:31:17
2	Q Okay. When was it decided that these set	11:31:19
3	of interviews would be described as a Press Tour?	11:31:25
4	MR. WORSEK: Objection to the question on	11:31:30
5	the grounds that it goes into the issue of the	11:31:33
6	development of the challenge parameters, and I would	11:31:36
7	instruct the witness not to answer for the reasons	11:31:39
8	previously stated.	11:31:45
9	Q Was it decided that these set of	11:31:47
10	interviews would be described as a Press Tour before	11:31:50
11	the Mayor wrote the May 19th, 2021, letter?	11:31:53
12	MR. WORSEK: Same objection and same	11:31:59
13	instruction.	11:32:01
14	Q When the -- when the Mayor wrote -- when	11:32:02
15	the May 19th, 2021, letter was written, was the idea	11:32:05
16	that these interviews would take place -- was the	11:32:09
17	idea that the interviews would take place during a	11:32:12
18	Press Tour?	11:32:15
19	MR. WORSEK: Same objection, same	11:32:17
20	instruction.	11:32:19
21	Q On May 19th, 2021, did the Mayor know that	11:32:27
22	she would be providing -- exclusively providing	11:32:32
23	one-on-one interviews with journalists of color as	11:32:37
24	part of a Press Tour?	11:32:40

1	MR. WORSEK: Objection to form.	11:32:43
2	Q You may answer the question.	11:32:44
3	A She knew that she was giving exclusive	11:32:48
4	one-on-one interviews back to back, which we, as I	11:32:51
5	mentioned, loosely describe as a Press Tour.	11:32:56
6	Q Does the Mayor describe back to back	11:33:02
7	interviews as a Press Tour?	11:33:06
8	MR. WORSEK: Objection to form.	11:33:08
9	Q You may answer that question.	11:33:09
10	A It's possible. It's more of a	11:33:12
11	communications team term that we use to describe	11:33:15
12	that.	11:33:18
13	Q Did the communications office inform the	11:33:19
14	Mayor that the set of interviews on May 19th and	11:33:22
15	May 20th were being referred to as a Press Tour?	11:33:27
16	A I don't recall specifically using those --	11:33:36
17	those words. It's possible she read it in a brief	11:33:39
18	that was provided to her with information on the	11:33:44
19	interviews.	11:33:47
20	Q And what information was provided to the	11:33:49
21	Mayor about the interviews?	11:33:52
22	A Ahead of any interview that the Mayor	11:33:58
23	gives, whether it's a series of interviews or an	11:34:01
24	individual interview, she gets background	11:34:03

1	information about the subject matter of the	11:34:05
2	interview, and -- and the individuals with which	11:34:08
3	she's interviewing.	11:34:10
4	Q On May 19th, 2021, did Mayor Lightfoot	11:34:13
5	know that she'd be exclusively providing one-on-one	11:34:20
6	interviews with journalists of color only as part of	11:34:26
7	a limited set of interviews?	11:34:30
8	MR. WORSEK: Objection to form.	11:34:33
9	Q You can answer that question.	11:34:36
10	A Yes.	11:34:38
11	Q How come the May 19th, 2021, letter does	11:34:40
12	not identify that -- that these interviews would be	11:34:53
13	taking place during a limited set of interviews?	11:35:00
14	MR. WORSEK: Objection to form.	11:35:03
15	Q You may answer the question.	11:35:05
16	A I have no longer have the letter in front	11:35:08
17	of me, but I believe she does say in there that	11:35:11
18	she's exclusively providing one-on-one interviews to	11:35:14
19	journalists of color around her two-year	11:35:17
20	anniversary, which was May 20th.	11:35:20
21	Q Okay.	11:35:23
22	MR. BEKESHA: If we could pull Exhibit 1	11:35:25
23	back onto the screen, please.	11:35:28
24	Q Do you want to take an opportunity to read	11:35:41

1 the letter? Could you then please identify where in 11:35:44
2 the letter it says that this policy was limited to a 11:35:47
3 series of interviews on May 19th and May 20th? 11:35:53
4 A In the first sentence it says, on the 11:36:07
5 occasion of the two-year anniversary of my 11:36:09
6 inauguration, which is May 20th, which to me, it 11:36:11
7 means both on the date of the 20th and the subject 11:36:15
8 matter relating to it. 11:36:18
9 Q Is it only on the date of the anniversary? 11:36:24
10 A Again, as it states on the letter, it says 11:36:30
11 on the occasion of. And again, we had a preset set 11:36:33
12 of interviews which occurred on the 19th that were 11:36:37
13 embargoed to the 20th and two interviews on the 11:36:40
14 morning of the 20th, which in my mind, reads to in 11:36:43
15 the occasion of. 11:36:47
16 Q Is that the position of the Mayor's 11:36:48
17 office? 11:36:49
18 MR. WORSEK: Objection to form. 11:36:51
19 Q You may answer that question. 11:36:53
20 A I speak on behalf of the city, and that is 11:36:55
21 -- that is my reading of it. 11:36:58
22 Q Okay. Is -- is that what the Mayor meant 11:37:01
23 when she wrote in the letter on the occasion of the 11:37:07
24 two-year anniversary? 11:37:10

1	MR. WORSEK: Objection to form.	11:37:12
2	Q You may answer that question.	11:37:14
3	A Again, I -- I can't read the Mayor's mind,	11:37:16
4	but that is my interpretation.	11:37:19
5	Q Have you -- did you -- have you asked the	11:37:21
6	Mayor what she meant when she wrote on the occasion	11:37:23
7	of the two-year anniversary?	11:37:26
8	A Again, I can only speak to what's in the	11:37:31
9	contents of the letter, which she has signed and	11:37:33
10	says on the occasion of.	11:37:36
11	Q Right. And I'm asking you have you spoken	11:37:37
12	with the Mayor about what she meant when she wrote	11:37:40
13	that?	11:37:42
14	A What the Mayor has said very publicly as	11:37:44
15	that it was related to the subject matter during	11:37:52
16	that limited scope and time.	11:37:56
17	Q I think I asked a yes or no question of	11:37:58
18	have you spoken with the Mayor about what she meant	11:38:01
19	by on the occasion of the two-year anniversary.	11:38:05
20	Please answer that question.	11:38:08
21	A I don't believe so.	11:38:10
22	Q Okay. Is that a -- you don't believe so.	11:38:11
23	Is that a no?	11:38:15
24	A No.	11:38:17

1	MR. WORSEK: Objection to form. The	11:38:18
2	witness has answered the question.	11:38:19
3	Q Did all interviews of the Mayor on the	11:38:28
4	occasion of the two-year anniversary occur on those	11:38:32
5	two days?	11:38:36
6	A Yes. However, again, as someone who does	11:38:38
7	not dictate what reporters can ask her, it's	11:38:47
8	possible that she would get asked about something	11:38:51
9	regarding her two years in office outside of these	11:38:53
10	parameters.	11:38:57
11	Q If a journalist were to ask the Mayor a	11:38:59
12	question today about her two-year anniversary, would	11:39:02
13	you consider that to be a question on the occasion	11:39:06
14	of her two-year anniversary?	11:39:11
15	MR. WORSEK: Objection to form.	11:39:14
16	Q You may answer that question.	11:39:17
17	A No.	11:39:19
18	Q Okay. What about on June 1st of 2021?	11:39:21
19	Would questions then about her two-year anniversary	11:39:30
20	be on the occasion of her two-year anniversary?	11:39:34
21	MR. WORSEK: Objection to form.	11:39:38
22	Q You may answer the question.	11:39:39
23	A No.	11:39:41
24	Q When they -- when the Mayor's office was	11:40:01

1 communicating to the public about the policy through 11:40:03
2 social media, did the Mayor's office -- did the 11:40:09
3 Mayor's office state that the policy would be only 11:40:13
4 implemented through a limited series of interviews? 11:40:20

5 A Can you repeat the question? 11:40:25

6 Q Sure. When the Mayor -- when the Mayor's 11:40:27
7 office was communicating to the public on social 11:40:30
8 media about -- about this policy, did it identify to 11:40:34
9 the public that it would be -- that the policy would 11:40:41
10 be limited to a series of interviews on May 19th 11:40:46
11 and May 20th? 11:40:49

12 A Again, I can't recall exactly what we put 11:40:52
13 on social media, but if it was a letter that was 11:40:54
14 posted, it does say on the occasion of her two-year 11:40:57
15 anniversary. Social media would be one media on 11:41:00
16 which we communicate to the public. Again, she had 11:41:03
17 a media availability later in the day when this was 11:41:06
18 discussed, and she's been pretty clear about that. 11:41:09

19 Q Okay. When did the Mayor's office first 11:41:13
20 start referring to this limited series of 11:41:29
21 interviews as a Press Tour? 11:41:34

22 MR. WORSEK: Objection. Michael, based on 11:41:38
23 the scope of the objection I raised earlier and 11:41:41
24 going into the development of the parameters, and I 11:41:45

1	would instruct the witness not to answer for the	11:41:48
2	reasons previously stated.	11:41:50
3	Q Why did the Mayor not refer to the Press	11:41:56
4	Tour in her May 19th letter?	11:42:00
5	MR. WORSEK: Objection. Calls for	11:42:05
6	speculation, form.	11:42:06
7	Q You can answer the question.	11:42:09
8	A Again, it's speculation. And as I've	11:42:13
9	previously stated, it's an internal and informal use	11:42:16
10	of the word that's used by my team.	11:42:19
11	Q And why is it speculation?	11:42:23
12	A Your question was why did the Mayor not	11:42:28
13	include it in her letter, and I'm saying I can't	11:42:31
14	speculate as to why it's not in the letter.	11:42:34
15	Q Okay.	11:42:36
16	THE TECHNICIAN: Excuse me. Nathan? I'm	11:43:00
17	sorry. Nathan? Sorry, everyone I dropped off. My	11:43:02
18	Internet went out.	11:43:06
19	MR. BEKESHA: Can we continue or do we	11:43:14
20	need to --	11:43:15
21	THE VIDEOGRAPHER: I'm sorry. I was on	11:43:15
22	mute. I heard you. I was on mute. Sorry.	11:43:18
23	THE TECHNICIAN: That's all right. Yeah.	11:43:19
24	Sorry, Counsel. I just need to get host back from	11:43:19

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

45

1	Nathan so that I can continue my recording.	11:43:24
2	THE VIDEOGRAPHER: All right. Let me --	11:43:28
3	MR. BEKESHA: Okay. Can we go off the	11:43:31
4	record, please, while this is done?	11:43:32
5	THE VIDEOGRAPHER: Sure. We are off the	11:43:36
6	record at 11:42.	11:43:37
7	We are back on the record at 11:43.	11:44:38
8	BY MR. BEKESHA:	11:44:43
9	Q Great, thank you. Ms. LeFurgy, why didn't	11:44:44
10	-- did the Mayor identify this Press Tour during her	11:44:49
11	press conference on May 20th, 2021?	11:44:54
12	A What do you mean by identify the Press	11:44:59
13	Tour?	11:45:01
14	Q Did -- did she state during the press	11:45:03
15	conference that all the interviews took place during	11:45:05
16	a Press Tour?	11:45:09
17	A Again, I don't have a transcript in front	11:45:13
18	of me. However, she did address the questions, and	11:45:15
19	I believe she said something about how this was	11:45:20
20	limited for her two-year anniversary; that reporters	11:45:24
21	get the chance to ask her questions all the time,	11:45:28
22	and that it was limited in -- into that time frame,	11:45:31
23	as well as the subject matter.	11:45:35
24	Q Are you aware that the Mayor has provided	11:45:38

1	interviews since May 20th, 2021, where she has	11:45:44
2	talked about this policy?	11:45:49
3	A Yes.	11:45:52
4	Q Do you know if she referenced the Press	11:45:57
5	Tour in any of these interviews?	11:45:59
6	A What do you mean by referenced the Press	11:46:02
7	Tour?	11:46:06
8	Q Did -- did she state that these interviews	11:46:08
9	only took place during a series of interviews that	11:46:11
10	were limited to a limited period of time?	11:46:16
11	A I believe so.	11:46:21
12	Q Do -- do you know so?	11:46:28
13	A I don't have a transcript, and I don't	11:46:31
14	have a photographic memory to -- to know every word	11:46:35
15	she's given in every interview.	11:46:38
16	Q Are you aware that the Counsel for the	11:46:43
17	Mayor spoke to plaintiffs' attorneys twice on the	11:46:46
18	phone about this matter?	11:46:52
19	A No.	11:46:56
20	MR. WORSEK: Objection to form.	11:47:00
21	Q Do you know why the Mayor's counsel's	11:47:04
22	office did not identify to plaintiffs' attorneys the	11:47:08
23	existence of a Press Tour during those two calls?	11:47:13
24	MR. WORSEK: Objection to form.	11:47:17

1	Q	You may answer that question.	11:47:19
2	A	I don't want to speculate on that.	11:47:21
3	Q	Did you ask Mayor's counsel about why they	11:47:25
4		did not reference Press Tour in their letters in	11:47:29
5		preparation -- I'm sorry -- in their conversations	11:47:35
6		in preparation for today's testimony?	11:47:38
7		MR. WORSEK: Objection to form. And also,	11:47:41
8		this question call for an answer going to matters	11:47:43
9		protected by the attorney-client privilege. And so	11:47:46
10		I would instruct the witness not to answer for that	11:47:48
11		reason.	11:47:51
12		MR. BEKESHA: I asked her a question she	11:47:53
13		asked of you. I did not ask for your response.	11:47:55
14		They wouldn't be protected under attorney-client in	11:48:01
15		that case.	11:48:04
16		MR. WORSEK: Well, I -- I disagree with	11:48:05
17		that premise. Under the circumstances, it could	11:48:06
18		very well be covered.	11:48:09
19		MR. BEKESHA: You instructed her not to	11:48:13
20		answer?	11:48:15
21		MR. WORSEK: Yes.	11:48:15
22		MR. BEKESHA: Okay.	11:48:16
23	Q	Ms. LeFurgy, are you aware that in the --	11:48:16
24		in the course of this litigation counsel for the	11:48:20

1	Mayor wrote a letter to plaintiffs' counsel about	11:48:28
2	this case?	11:48:32
3	A No.	11:48:38
4	Q Do you know why defendant -- the Mayor's	11:48:44
5	counsel in that letter did not identify this Press	11:48:47
6	Tour?	11:48:52
7	MR. WORSEK: Objection to form.	11:48:56
8	Q You may answer that question.	11:49:00
9	A I -- I can't speculate on that.	11:49:03
10	Q Okay. Do you know who would know that	11:49:06
11	information?	11:49:16
12	A No.	11:49:20
13	MR. WORSEK: Michael, I just want to note	11:49:23
14	for the record, in between questions here as well,	11:49:25
15	that, I mean, you've asked a series of questions	11:49:28
16	characterizing communications between us and you in	11:49:30
17	the course of the lawsuit, and obviously those	11:49:34
18	communications speak for themselves. I don't want	11:49:36
19	to argue with you now about what the letter said or	11:49:39
20	didn't say, or how they should be read or not read.	11:49:41
21	But obviously, you know, those documents speak for	11:49:42
22	themselves, and we do not necessarily agree with	11:49:47
23	your characterization of the content of those	11:49:52
24	communications.	11:49:55

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

49

1	MR. BEKESHA: Sure. Thank you.	11:49:56
2	Q Ms. LeFurgy, when was it decided that the	11:49:58
3	Press Tour would be limited to a 24-hour period?	11:50:25
4	MR. WORSEK: Objection. Goes to the issue	11:50:32
5	of the development of the challenge parameters, and	11:50:36
6	I would instruct the witness not to answer for the	11:50:39
7	reasons previously stated.	11:50:42
8	Q Ms. Lefurgy, did you prepare declarations	11:51:13
9	in conjunction with this lawsuit?	11:51:16
10	A Yes.	11:51:19
11	Q How many declarations did you prepare?	11:51:25
12	A I believe two.	11:51:29
13	Q Why did you do not include -- why, in your	11:51:33
14	first declaration, did you not include the 24-hour	11:51:42
15	period in which the Press Tour was conducted?	11:51:47
16	MR. WORSEK: Objection to form, and also	11:51:54
17	to the extent it would call for the disclosure of	11:51:57
18	attorney-client communications, but if the witness	11:52:01
19	can answer subject to that limitation, then she's	11:52:05
20	free to answer.	11:52:07
21	A Again -- again, it was the -- it was the	11:52:10
22	set of interviews that we had scheduled, which were	11:52:18
23	limited to those two sets of interview time that we	11:52:22
24	were given.	11:52:26

1	MR. BEKESHA: Let's pull up for plaintiff	11:52:45
2	Exhibit 2, what I have titled second declaration.	11:52:47
3	THE TECHNICIAN: Please stand by.	11:52:52
4	(Exhibit 2 was marked for identification	11:52:55
5	and is attached to the transcript.)	11:52:55
6	Q Ms. Lefurgy, if you could take a minute	11:53:30
7	and review this document.	11:53:33
8	A I'm done with the first page. I don't	11:53:50
9	think I have the ability to scroll through.	11:53:52
10	THE TECHNICIAN: I can give her control,	11:53:55
11	Mr. Bekesha.	11:53:58
12	MR. BEKESHA: That would be -- that would	11:53:59
13	be great. Thank you.	11:54:01
14	THE TECHNICIAN: Okay, great.	11:54:02
15	MR. WORSEK: Michael, while the witness is	11:54:02
16	reading the document, I just want to note for the	11:54:04
17	record that as far as I can tell, based on what's	11:54:07
18	showing up on my screen, this exhibit constitutes	11:54:09
19	only the declaration itself and not the attachments	11:54:13
20	that were attached to the declaration; is that	11:54:17
21	right?	11:54:19
22	MR. BEKESHA: That's correct.	11:54:21
23	MR. WORSEK: Okay, thanks.	11:54:22
24	A Okay. I've reviewed.	11:54:47

1	Q	Thank you. Do you recognize this	11:54:51
2		document?	11:54:53
3	A	Yes.	11:54:56
4	Q	Is this your second declaration that you	11:54:58
5		submitted or that was submitted in conjunction with	11:55:02
6		this lawsuit?	11:55:06
7	A	Yes.	11:55:07
8	Q	Okay. Let's turn to Paragraph 8.	11:55:10
9		Paragraph 8, the first sentence reads, the entirety	11:55:26
10		of the Press Tour was conducted in the 24-hour	11:55:29
11		period beginning at 9:30 a.m. on May 19th -- or	11:55:31
12		May 19. Do you see that?	11:55:37
13	A	Yes.	11:55:41
14	Q	When was it decided that the Press Tour	11:55:43
15		would be conducted in that 24-hour period?	11:55:46
16	MR. WORSEK:	Objection. Michael, I think	11:55:55
17		this is a question you asked a few questions ago, or	11:55:57
18		similar to it. It goes to the development of the	11:56:00
19		challenge parameters. And so I would instruct the	11:56:03
20		witness not to answer for the reasons previously	11:56:06
21		stated.	11:56:08
22	Q	Looking at Paragraph 9, it says, all of	11:56:24
23		the interviews that were part of the Press Tour were	11:56:27
24		requested before May 20, 2021. Do you see that?	11:56:30

1	A	Yes.	11:56:36
2	Q	Is that an accurate statement?	11:56:37
3	A	Yes.	11:56:45
4	Q	Okay. I -- earlier you testified that	11:56:46
5		your office reached out to some journalists about	11:56:52
6		participating in the Press Tour; is that correct?	11:56:57
7	A	Yes.	11:57:00
8	Q	Okay. After you reached out to them, did	11:57:04
9		they -- did those journalists have to send a request	11:57:07
10		asking for an interview during the Press Tour?	11:57:11
11	A	No.	11:57:18
12	Q	Okay. So how were those interviews	11:57:21
13		requested by the journalist if -- if your office	11:57:31
14		reached out to them?	11:57:35
15	A	As I mentioned previously, there were two	11:57:41
16		types of ways that we determined interviews for	11:57:43
17		this, one with which they were requested, and the	11:57:46
18		second with which we reached out to.	11:57:49
19	Q	Right.	11:57:51
20	A	Scheduling interviews was incredibly	11:57:51
21		informal.	11:57:54
22	Q	Okay. And -- and referring to the ones	11:57:55
23		that you reached out to you, how were they -- how	11:57:57
24		were those interviews requested by those	11:58:02

1	journalists?	11:58:05
2	MR. WORSEK: Objection to form.	11:58:08
3	Q You may answer the question.	11:58:09
4	A We called them and said, would you like to	11:58:12
5	interview, and they said, yes, we'd love to -- we'd	11:58:19
6	love to interview the Mayor, and I -- I take that as	11:58:22
7	a request.	11:58:25
8	Q A request from them or from you?	11:58:26
9	A A lot of times interviews are mutually	11:58:31
10	agreed upon.	11:58:33
11	Q Okay. If we turn to Paragraph 10, you	11:58:35
12	testified the parameters used for the Press Tour as	11:59:13
13	set forth in the -- in the Mayor's May 19 letter	11:59:17
14	have not been used in any decision by the Mayor's	11:59:20
15	press office regarding the granting of one-on-one	11:59:23
16	interviews or other interviews or events with the	11:59:26
17	press since the Press Tour. Do you see that?	11:59:30
18	A Yes.	11:59:34
19	Q Is that still an accurate statement?	11:59:36
20	A Yes.	11:59:40
21	Q After May 20th, 2021, did the Mayor	12:00:20
22	provide interviews about her two-year -- two-year	12:00:24
23	anniversary?	12:00:31
24	MR. WORSEK: Objection to form.	12:00:34

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

54

1	A	After that date the Mayor gave interviews	12:00:40
2		where she could have been asked about it by a	12:00:43
3		reporter. Again, I don't dictate what questions a	12:00:46
4		reporter can ask.	12:00:49
5	Q	Did your office sit up -- set up	12:00:51
6		interviews in which the reporters were going to ask	12:00:53
7		questions about the two-year anniversary?	12:00:58
8	A	Can you be more specific?	12:01:03
9	Q	Sure. Since May 20th, 2021, has -- has	12:01:05
10		the communications office set up interviews with	12:01:11
11		journalists about the two-year anniversary?	12:01:15
12	A	No.	12:01:23
13	Q	If you were to set up interviews, would	12:01:29
14		they be on the occasion of the two-year anniversary?	12:01:31
15		MR. WORSEK: Objection to form.	12:01:37
16	A	No.	12:01:40
17	Q	And would it -- so I guess I'm trying to	12:01:43
18		understand. You said on the occasion of the	12:01:47
19		two-year anniversary was a limited scope; that they	12:01:50
20		had meaning, but the interviews were supposed to be	12:01:55
21		in a limited scope; is that correct?	12:01:58
22	A	What do you mean by limited scope?	12:02:03
23	Q	I'm sorry. I thought that was your	12:02:06
24		testimony?	12:02:08

1	A	By limited scope, I mean time and subject	12:02:11
2		matter, yes.	12:02:15
3	Q	By subject matter, okay. So what is the	12:02:16
4		subject matter as you see it contained within the	12:02:20
5		phrase on the occasion of the two-year anniversary?	12:02:27
6	A	Subjects relating to her two-year	12:02:32
7		anniversary.	12:02:35
8	Q	Okay. So are all questions about her	12:02:36
9		two-year anniversary part of that subject?	12:02:43
10		MR. WORSEK: Objection to form.	12:02:51
11	Q	You may answer that question.	12:02:53
12	A	Yeah. Yes.	12:02:56
13	Q	Okay.	12:02:58
14		MR. WORSEK: I'm sorry could -- I didn't	12:03:04
15		catch the witness's full answer, I don't think. It	12:03:07
16		died out toward the end. Could the reporter read it	12:03:09
17		back, please?	12:03:11
18		COURT REPORTER: (Answer read back.)	12:03:17
19		MR. WORSEK: Okay, thank you.	12:03:22
20	Q	Let's -- can we pull up as -- actually,	12:03:36
21		before we go there, let's turn to Paragraph 16 of	12:03:40
22		your declaration. In Paragraph 16 you testify, at	12:03:46
23		the time the complaint was filed, the parameters	12:04:10
24		used for the Press Tour were not in use, they have	12:04:13

1	not been used since at any time since the filing of	12:04:16
2	the complaint, and there are no plans to use them in	12:04:19
3	the future. Do you see that?	12:04:21
4	A Yes.	12:04:24
5	Q Okay. As of today, have the parameters	12:04:25
6	used for the Press Tour not been in -- have not been	12:04:33
7	used at any time prior to -- sorry. Let me rephrase	12:04:39
8	that. Have the parameters used for the Press Tour	12:04:43
9	been used at any time since the filing of the	12:04:49
10	complaint and today?	12:04:53
11	A No.	12:04:56
12	Q Are there any plans to use the parameters	12:05:03
13	in the future?	12:05:06
14	A No.	12:05:10
15	Q Is it possible that the -- that the	12:05:19
16	parameters will be used in the future?	12:05:23
17	MR. WORSEK: Objection to form.	12:05:26
18	Q You may answer that question.	12:05:28
19	A I can't speak in to -- in hypotheticals,	12:05:32
20	or I don't have a magic ball to look into the	12:05:36
21	future, but what I can tell you is, from my	12:05:38
22	perspective, no.	12:05:41
23	Q Are you aware that the Mayor sat down for	12:05:47
24	an interview with the New York Times that was	12:05:50

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

57

1	published on May 19th, 2021?	12:05:53
2	A Yes.	12:05:59
3	Q Are you aware --	12:06:00
4	MR. WORSEK: I'm sorry. Michael, just to	12:06:02
5	clarify, you said May 19th, 2021?	12:06:05
6	MR. BEKESHA: Yes.	12:06:09
7	MR. WORSEK: Okay.	12:06:10
8	MR. BEKESHA: And I think that's the wrong	12:06:12
9	date, so --	12:06:13
10	MR. WORSEK: Right.	12:06:15
11	MR. BEKESHA: It's July 26th, 2021. Thank	12:06:17
12	you -- thank you, Drew.	12:06:21
13	MR. WORSEK: Sure.	12:06:23
14	Q Are you aware that the Mayor sat down for	12:06:24
15	an interview with the New York Times that was	12:06:26
16	published on July 26th, 2021?	12:06:28
17	A Yes.	12:06:32
18	Q All right. Are you aware that during that	12:06:34
19	interview when asked about the May 19th letter and	12:06:36
20	the policy, the Mayor responded, I would absolutely	12:06:40
21	do it again, I would absolutely do it again?	12:06:44
22	MR. WORSEK: Objection to form.	12:06:49
23	Q You may answer that question.	12:06:50
24	A I don't have the transcript in front of	12:06:53

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

58

1	me, but I am familiar with that.	12:06:55
2	Q Okay. Would it be helpful to have the	12:06:58
3	transcript in front of you?	12:07:00
4	A Yes, please.	12:07:01
5	Q Okay.	12:07:04
6	MR. WORSEK: If we can mark as Exhibit 3,	12:07:05
7	New York -- marked as New York Times or NYT	12:07:06
8	interview transcript.	12:07:14
9	THE TECHNICIAN: Please stand by.	12:07:19
10	(Exhibit 3 was marked for identification	12:07:20
11	and is attached to the transcript.)	12:07:20
12	Q Ms. Lefurgy, if you could take a moment	12:07:45
13	and look at this. I had a real difficult time	12:07:47
14	trying to get it into some type of printed form, and	12:07:51
15	so this was my best ability. But just curious if	12:07:54
16	you -- if you recognize this interview, and if it --	12:07:59
17	if it helps refresh your recollection.	12:08:04
18	MR. WORSEK: Michael, I'm going to object	12:08:09
19	to the document, you know, insofar as the foundation	12:08:10
20	for it is not apparent to me. I'm not sure. I'm	12:08:14
21	not saying it's not an accurate representation of	12:08:17
22	the transcript, but I don't know that it is. So I'm	12:08:20
23	noting that for the record. You can proceed to ask	12:08:24
24	the witness about it, but I do want to state that	12:08:28

1	foundation objection.	12:08:31
2	MR. BEKESHA: Sure. Absolutely.	12:08:33
3	Q More specifically, if you just want to	12:08:36
4	turn to Page 3?	12:08:38
5	MR. WORSEK: And sorry, Michael. Just add	12:08:48
6	a final point in my objection. As far as I could	12:08:52
7	tell from the document, there's nothing on its face	12:08:55
8	that would indicate it's an official transcript	12:08:58
9	published by the New York Times either.	12:09:01
10	MR. BEKESHA: Sure.	12:09:07
11	Q If you could just take a moment and read	12:09:10
12	that page. Ms. Lefurgy, does this help refresh your	12:09:13
13	memory about this interview?	12:09:37
14	A Yes.	12:09:38
15	Q Okay. Do you -- do you -- do you now	12:09:43
16	recall the Mayor stating that she would absolutely	12:09:52
17	do it again? I would absolutely do it again?	12:09:55
18	MR. WORSEK: Objection to form.	12:09:59
19	Q You may answer that question.	12:10:00
20	A Yes.	12:10:03
21	Q Okay.	12:10:05
22	MR. BEKESHA: We can take that exhibit	12:10:06
23	down. Thank you.	12:10:08
24	Q Did the Mayor mean that when she said it?	12:10:13

1	MR. WORSEK: Objection to form. Calls for	12:10:17
2	speculation.	12:10:19
3	Q You may answer the question.	12:10:21
4	A Well, I can't speculate the meaning of --	12:10:23
5	of her words. My reading of it is, if asked if she	12:10:26
6	would have done it again on May 19th and 20th, I	12:10:32
7	would view it as a past description as opposed to	12:10:35
8	forward-looking.	12:10:39
9	Q And is that you speculating, or is that	12:10:41
10	what the Mayor told you?	12:10:43
11	A That's my reading of those words.	12:10:48
12	Q Okay. Have you spoken with the Mayor	12:10:51
13	about what she meant when -- in the -- in the New	12:10:53
14	York Times interview?	12:10:57
15	A No.	12:11:01
16	Q Okay. Do you -- do you know if anyone --	12:11:02
17	do you know who would know what the Mayor meant in	12:11:07
18	that interview?	12:11:10
19	MR. WORSEK: Objection to form.	12:11:12
20	Q You may answer the question.	12:11:15
21	A No.	12:11:17
22	Q Do you think, would the Mayor know what	12:11:19
23	the Mayor meant when she said those words in the	12:11:21
24	interview?	12:11:24

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

61

1	MR. WORSEK: Objection to form.	12:11:33
2	Q You can answer the question.	12:11:36
3	A Yes.	12:11:38
4	Q All right. If the Mayor ordered the	12:11:38
5	communications department to -- to set up another	12:11:45
6	series of interviews with journalists -- exclusively	12:11:52
7	with journalists of color, would the office	12:11:56
8	implement that instruction?	12:12:00
9	MR. WORSEK: Objection to form.	12:12:04
10	Q You may answer the question.	12:12:18
11	A I can't speculate.	12:12:21
12	Q Does the communications office work for	12:12:25
13	the Mayor?	12:12:28
14	A Yes.	12:12:30
15	Q If the Mayor orders the communications	12:12:35
16	department to do something, does the communications	12:12:38
17	department do it?	12:12:41
18	A Not always.	12:12:44
19	Q If the Mayor were to order the	12:12:53
20	communications department to implement a policy to	12:12:55
21	exclusively provide interviews to journalists of	12:13:02
22	color, would the communications department implement	12:13:06
23	the policy?	12:13:11
24	MR. WORSEK: Objection to form.	12:13:14

1	Q	You may answer the question.	12:13:15
2	A	I can't speculate on that.	12:13:17
3	Q	Who is the head of the communications	12:13:22
4		department?	12:13:24
5	A	I am.	12:13:26
6	Q	All right. If the Mayor ordered you to do	12:13:29
7		that, would you -- would you do it?	12:13:32
8		MR. WORSEK: Objection to form.	12:13:35
9	Q	You may answer that question.	12:13:37
10		MR. WORSEK: And asked and answered. This	12:13:39
11		is about the third or fourth time you've asked this	12:13:41
12		question.	12:13:43
13	Q	You can answer the question.	12:13:45
14	A	I don't work in hypotheticals.	12:13:48
15	Q	Okay. What reasons would you not follow	12:13:52
16		the order?	12:13:57
17		MR. WORSEK: Objection to form.	12:14:00
18	Q	You may answer the question.	12:14:02
19	A	Again, this is a hypothetical situation,	12:14:05
20		and I can't speculate.	12:14:08
21	Q	Have you thought about whether or not this	12:14:21
22		policy should be implemented again?	12:14:24
23		MR. WORSEK: Objection to form.	12:14:28
24	Q	You may answer the question.	12:14:30

1	A	No.	12:14:33
2	Q	Does the Mayor intend to provide	12:14:52
3		exclusively -- to exclusively provide interviews to	12:14:55
4		journalists of color again?	12:14:59
5		MR. WORSEK: Objection to form.	12:15:02
6	A	Again, that's a hypothetical question.	12:15:05
7	Q	It's not a -- I -- I asked does the Mayor	12:15:08
8		intend to do so.	12:15:12
9		MR. WORSEK: Same objection.	12:15:15
10	Q	You can answer the question.	12:15:16
11	A	Again, I can't read her mind, and I can't	12:15:19
12		speak in hypotheticals.	12:15:22
13	Q	I'm not asking you to speak in	12:15:24
14		hypotheticals. I'm asking you if the Mayor intends	12:15:26
15		to do something, does -- does the Mayor intend to	12:15:29
16		exclusively provide interviews to journalists of	12:15:37
17		color in the future?	12:15:40
18		MR. WORSEK: Objection to form.	12:15:44
19	Q	You may answer that question.	12:15:44
20	A	I can't read her mind, but this was --	12:15:51
21		this particular event that we're discussing was	12:15:53
22		limited in scope and subject matter to the 19th and	12:15:58
23		20th.	12:16:03
24	Q	Have you asked the -- have you spoken to	12:16:04

1	the Mayor about whether or not she intends to	12:16:05
2	exclusively provide one-on-one interviews with	12:16:08
3	journalists of color in future?	12:16:14
4	A No.	12:16:16
5	Q Who would know whether or not -- who would	12:16:16
6	know whether the Mayor intends to provide -- to	12:16:25
7	exclusively provide one-on-one interviews to	12:16:28
8	journalists of color in the future?	12:16:32
9	A I don't know.	12:16:35
10	Q Would the Mayor know her intentions?	12:16:37
11	MR. WORSEK: Objection to form.	12:16:43
12	Q You may answer the question.	12:16:45
13	MR. WORSEK: Michael, I would just note	12:16:46
14	for the record, you know, this is a 30(B)(6)	12:16:49
15	deposition, and this is, I don't know, the fourth or	12:16:51
16	fifth, or sixth time you've asked this witness about	12:16:52
17	what -- who would know what the Mayor might be	12:16:56
18	doing. I just think these are kind of -- you've	12:16:57
19	asked them. You've gotten answers, and you keep	12:16:59
20	asking the same question, and it's really sort of	12:17:03
21	getting outside of the scope of what is this	12:17:06
22	deposition was authorized to be about. But the	12:17:09
23	witness can answer.	12:17:13
24	Q You may answer that question.	12:17:14

1	A	Yes.	12:17:16
2	Q	Would -- would anybody else?	12:17:19
3	A	I don't know.	12:17:21
4		MR. BEKESHA: Let's mark as the next	12:17:29
5		exhibit what I have entitled starting June 3rd.	12:17:46
6		COURT REPORTER: Please stand by.	12:17:51
7		MR. BEKESHA: Thank you.	12:17:53
8		(Exhibit 4 was marked for identification	12:17:54
9		and is attached to the document.)	12:17:54
10		MR. BEKESHA: And if you want to give	12:18:14
11		control of the document to the witness so she can	12:18:15
12		scroll through the three pages, that would be great.	12:18:18
13		Thank you.	12:18:21
14	Q	Ms. Lefurgy, do you recognize this	12:18:43
15		document?	12:18:45
16	A	Yes.	12:18:47
17	Q	And what is this document?	12:18:50
18	A	It's a memo for the Mayor.	12:18:53
19	Q	And who is this memo from?	12:18:57
20	A	The communications team.	12:19:00
21	Q	Okay. And what is the purpose of this	12:19:05
22		memo?	12:19:08
23	A	To provide the Mayor background on	12:19:10
24		interviews she's going to give.	12:19:15

1	Q	Okay. And if you see under purpose, it	12:19:17
2		says, you are participating in an interview with	12:19:24
3		Craig Dellimore regarding your two-year anniversary	12:19:28
4		and follow-up media inquiries with August Weekly and	12:19:32
5		Chicago Defender. Do you see that?	12:19:36
6	A	Yes.	12:19:40
7		MR. WORSEK: Michael, I just want to jump	12:19:41
8		in here and make a foundation objection to the	12:19:43
9		document. There's been no document production in	12:19:47
10		the case, so I'm not clear of the derivation of this	12:19:53
11		document. So I make that objection.	12:19:56
12		MR. BEKESHA: Okay.	12:19:59
13	Q	Does the communications office respond to	12:20:04
14		Freedom of Information Act requests on behalf of --	12:20:07
15		of the Mayor?	12:20:11
16	A	Yes.	12:20:16
17	Q	Do you recall producing this document?	12:20:18
18		Does the communication office -- as the head of the	12:20:25
19		communications office, are you aware that this	12:20:27
20		document was produced to Judicial Watch in response	12:20:29
21		to a Freedom of Information Act request?	12:20:35
22	A	I -- I'm aware that there were documents	12:20:40
23		produced in response to a FOIA request, yes.	12:20:43
24	Q	Okay. Do you know if this document was	12:20:47

1	one of them?	12:20:48
2	A I can't speak for certain, but I believe	12:20:51
3	so.	12:20:56
4	Q Going -- going back to -- to the purpose	12:20:58
5	line of the memo, was this interview with	12:21:02
6	Mr. Dellimore -- what was that interview -- what	12:21:07
7	were the parameters of that interview?	12:21:16
8	A Mr. Dellimore has a weekly radio show, and	12:21:20
9	he had originally asked to speak with the Mayor back	12:21:22
10	in the end of April, I believe. So it was going to	12:21:27
11	be an interview with Craig about today's events.	12:21:31
12	Q Was the -- was the interview -- sorry.	12:21:36
13	A As in not today as in this date, but in	12:21:40
14	the state of affairs at the time, like the day --	12:21:45
15	the news of the day.	12:21:47
16	Q Okay. So being June 3rd? Is that a yes?	12:21:49
17	A Yes. That's a yes.	12:21:55
18	Q Thank you. I just wanted to make sure it	12:21:57
19	was clear for the court reporter.	12:21:59
20	And that interview was going to be about	12:22:01
21	her two-year -- the Mayor's two-year anniversary; is	12:22:04
22	that correct?	12:22:06
23	MR. WORSEK: Objection to form.	12:22:09
24	Q You may answer the question.	12:22:11

1 A I believe the original request, as it came
2 in, was around back in April or early May -- was
3 around the two-year anniversary. And it might have
4 been a question that he asked about in the
5 interview.

6 Q Okay. If the -- if the interview wasn't
7 focused on the Mayor's two-year anniversary, why did
8 the communications department send the Mayor a memo
9 stating that she had an interview with Craig
10 Dellimore regarding your two-year anniversary?

11 A Is an inartful description of what the
12 actual interview was about. These are created for
13 -- for the Mayor with very basic information, and I
14 don't think it's quite an accurate description of
15 what the interview was -- was to be about.

16 Q Was the interview -- did Mr. Dellimore
17 request an interview on the occasion of her two-year
18 anniversary?

19 A Mr. Dellimore reached out to our office,
20 as I mentioned, end of April, early May to interview
21 the Mayor.

22 Q And -- and he ended up interviewing her on
23 June 3rd of 2021?

24 A That is correct. He -- we tried to

1 schedule him. We had some scheduling conflicts. He 12:23:47
2 had some flexibility, and we were able to 12:23:51
3 accommodate him on June 3rd. 12:23:53

4 Q Were the criteria outlined in the 12:23:55
5 May 19th, 2021, letter -- did they apply to this 12:23:58
6 interview with Mr. Dellimore? 12:24:02

7 A When he had originally reached out around 12:24:07
8 the two-year anniversary, we were trying to plan it 12:24:11
9 for the -- the two-year anniversary. However, that 12:24:14
10 didn't work out because of scheduling, given the 12:24:16
11 Mayor's limited amount of time. This interview 12:24:19
12 happened, I believe, two, three weeks later. So it 12:24:22
13 was less about that -- it was not about -- that on 12:24:25
14 the occasion of. It was more of a generic interview 12:24:29
15 about the news of the day. 12:24:32

16 Q So going into the interview, did the Mayor 12:24:35
17 know that this memo didn't really mean what it said 12:24:45
18 when it said regarding your two-year anniversary? 12:24:48

19 MR. WORSEK: Objection to form. 12:24:52

20 Q You may answer that question. 12:24:55

21 A You know, again, I can't read the Mayor's 12:24:55
22 mind. She gets a lot of memos, many of which she 12:25:00
23 does not read. So I -- I don't know if that was -- 12:25:03
24 if that was explained to her or not. 12:25:06

1	Q	Did the -- did the communications office	12:25:09
2		explain to her that this memo was inaccurate?	12:25:12
3		MR. WORSEK: Objection to form.	12:25:15
4	Q	You may answer the question.	12:25:16
5	A	I don't recall if those were the exact	12:25:20
6		words. However, someone on my team likely ran	12:25:22
7		through with her that it would be the news of the	12:25:26
8		day.	12:25:28
9	Q	The follow-up -- the follow-up media	12:25:43
10		inquiries with the August Weekly and Chicago	12:25:45
11		Defender, what were those follow ups to?	12:25:46
12	A	Michael Romain reached out directly to the	12:25:54
13		Mayor, and he was actually one of the first people	12:25:57
14		who interviewed the Mayor when she was seeking	12:26:01
15		office. And the publisher of the Defender had	12:26:03
16		reached out for an interview as well. The term	12:26:07
17		follow-up media inquiries is a term that we use when	12:26:12
18		we get a lot of media inquiries and we need to use	12:26:16
19		some dedicated time on the Mayor's calendar to go	12:26:16
20		through some of those interviews.	12:26:23
21	Q	And when did -- when did Ms. Sanders and	12:26:26
22		Mr. Romain ask for those interviews?	12:26:31
23	A	I don't recall.	12:26:39
24	Q	Would it be prior to May 19th or May 20th?	12:26:42

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

71

1	A	I -- I don't recall the exact date or	12:26:51
2		time.	12:26:53
3	Q	Were there interview requests on the	12:26:56
4		occasion of the Mayor's two-year anniversary?	12:27:01
5	A	What do you mean?	12:27:06
6	Q	Earlier you testified that many	12:27:14
7		journalists reached out asking to interview the	12:27:16
8		Mayor on the occasion of her two-year anniversary.	12:27:19
9		Was Ms. Sanders and Mr. Romain two of those	12:27:22
10		journalists?	12:27:26
11		MR. WORSEK: Objection to form.	12:27:27
12	Q	You may answer that question.	12:27:30
13	A	These interviews were unrelated to the	12:27:34
14		previously-scheduled interviews on the 19th and	12:27:38
15		20th.	12:27:41
16	Q	Was the -- was the interview with	12:27:45
17		Mr. Dellimore -- I'm sorry. How do you pronounce	12:27:47
18		his name? There's an extra R, so I just wanted to	12:27:52
19		make sure I was saying it correctly.	12:27:56
20	A	It's Dellimore. It's Dellimore. That's	12:27:59
21		actually a typo in the -- in the brief.	12:28:02
22	Q	Oh, okay. Thank you. I just didn't want	12:28:06
23		to get his name incorrectly. Was Mr. Dellimore's	12:28:09
24		interview related to the interviews that took place	12:28:13

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

72

1	on May 19th and May 20th?	12:28:16
2	A As I previously stated, his interview	12:28:19
3	request came in end of April, early May. It was	12:28:23
4	converging at the same time of the two-year	12:28:27
5	anniversary, which we tried to schedule. However,	12:28:30
6	you know, he still was interested after the time had	12:28:32
7	passed to do an interview with the Mayor, which is	12:28:37
8	why we scheduled it after June 3rd -- or on June	12:28:41
9	3rd.	12:28:43
10	Q Okay.	12:28:45
11	MR. BEKESHA: Why don't we take a	12:29:06
12	ten-minute break.	12:29:08
13	MR. WORSEK: Sure.	12:29:10
14	MR. BEKESHA: We can go off the record.	12:29:13
15	Come back at 11:40 your time.	12:29:13
16	MR. WORSEK: Sure, that works. If --	12:29:23
17	Nathan, can you read the time into the record,	12:29:27
18	please?	12:29:29
19	THE VIDEOGRAPHER: Oh, sorry. I was on	12:29:29
20	mute, sorry. Let me go back on real quick. Sorry	12:29:36
21	about that. Yeah, let me -- sorry about that. I	12:29:47
22	was on mute. We are off the record at 12:28.	12:29:48
23	(Whereupon, a recess was taken.)	12:29:53
24	THE VIDEOGRAPHER: We are back on the	12:43:28

1	record at 12:42.	12:43:56
2	MR. BEKESHA: I -- I'm hoping only 30	12:43:58
3	minutes more or so. So hopefully, you know, that	12:44:01
4	always depends, but that's my -- that's my rough	12:44:04
5	estimate.	12:44:07
6	MR. WORSEK: Yeah.	12:44:08
7	MR. BEKESHA: Are we all set? Okay,	12:44:13
8	great.	12:44:15
9	Q During that break, Ms. LeFurgy, did you	12:44:15
10	speak to anyone except for counsel in this case?	12:44:19
11	A No.	12:44:24
12	Q Did you review any documents during the	12:44:25
13	break?	12:44:29
14	A No.	12:44:31
15	Q How large is the communications office?	12:44:34
16	How many employees?	12:44:42
17	A I believe we're about 13.	12:44:44
18	Q Okay. And what are -- just generally,	12:44:50
19	what's the structure of the department?	12:44:58
20	A We're broken up into press, digital, and	12:45:02
21	speech writing.	12:45:09
22	Q And do you oversee all three departments?	12:45:11
23	A Yes.	12:45:15
24	Q And who do you report to?	12:45:17

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

74

1	A	The Chief of Staff.	12:45:21
2	Q	And who's the Chief of Staff?	12:45:26
3	A	Sybil Madison.	12:45:27
4	Q	Is it the same Chief of Staff as it was on	12:45:37
5		May 19th and May 20th of 2021?	12:45:40
6	A	No.	12:45:44
7	Q	Who -- who was the Chief of Staff then?	12:45:46
8	A	Maurice Classen.	12:45:48
9	Q	How frequently do you communicate with the	12:45:55
10		Mayor?	12:45:58
11	A	On a daily basis.	12:45:59
12	Q	Okay. Does anyone else in your office	12:46:04
13		frequently communicate with the Mayor?	12:46:08
14		MR. WORSEK: Objection to form.	12:46:10
15	Q	You may answer the question.	12:46:13
16	A	Yes.	12:46:15
17	Q	Who else in your office frequently	12:46:17
18		communicates with the Mayor?	12:46:20
19	A	Our press secretary.	12:46:23
20	Q	Anyone else?	12:46:28
21	A	No.	12:46:32
22	Q	And what is --what is the role of a press	12:46:35
23		secretary?	12:46:38
24	A	They're the day-to-day media contact.	12:46:42

1	Q	When journalists submit a request for an	12:46:52
2		interview, who receives those requests?	12:46:55
3	A	It depends how that request comes in. It	12:47:00
4		could be a variety of people.	12:47:04
5	Q	Okay. Who decides -- who is the ultimate	12:47:06
6		decision-maker in deciding who's granted an	12:47:10
7		interview?	12:47:16
8	A	It can be a combination of individuals.	12:47:17
9		Often times, we review the requests as a team.	12:47:22
10	Q	Okay. And does one person have the final	12:47:28
11		say in who grants an interview request?	12:47:33
12	A	As I said, the decisions are made as a	12:47:39
13		team.	12:47:44
14	Q	And who's part of that team that makes the	12:47:45
15		decisions?	12:47:48
16	A	Oftentimes it's myself, my deputy director	12:47:50
17		of communications, our press secretary, a subject	12:47:56
18		matter expert who could be a part of that.	12:47:59
19	Q	Okay. And who -- who made the decisions	12:48:03
20		to grant the interviews on the occasion of the	12:48:09
21		Mayor's second year anniversary?	12:48:16
22	A	It was a group decision.	12:48:20
23	Q	And the members of those group were the	12:48:26
24		members you just identified?	12:48:30

1 A At the time it was a different set of 12:48:33
2 people on our team. 12:48:36
3 Q Okay. Was there anybody outside of the 12:48:39
4 communications team that made the decisions? 12:48:47
5 A Part of those decisions were made likely 12:48:50
6 made in conjunction with our Chief of Staff as well. 12:48:57
7 Q And how were those -- did your 12:49:02
8 communications teams have discussions with the Chief 12:49:06
9 of Staff about the interview requests? 12:49:09
10 A Can you be more specific? 12:49:14
11 Q Sure. Did -- did the communications team 12:49:19
12 communicate with the Chief of Staff about interviews 12:49:24
13 that were being granted as part of the policy to 12:49:27
14 exclusively provide one-on-one interviews with 12:49:31
15 journalists of color? 12:49:34
16 A Yes. 12:49:37
17 Q When did those -- how many discussions 12:49:38
18 took place? 12:49:42
19 A I -- I can't recall. Maybe one or two. 12:49:45
20 Q When did those discussions take place? 12:49:50
21 A Probably a week or two prior. 12:49:53
22 Q Prior to what? 12:50:01
23 A When they were scheduled. 12:50:02
24 Q And what were those conversations about? 12:50:08

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

77

1	A	How many interviews she would give, the	12:50:17
2		timing of them, the set up.	12:50:20
3	Q	Did the Chief of Staff inform the	12:50:24
4		communications department about how many interviews	12:50:26
5		would be conducted?	12:50:31
6	A	No. That was a decision based on the	12:50:35
7		amount of time we were given, because we had a very	12:50:39
8		limited amount of time with the Mayor.	12:50:41
9	Q	Did -- during -- during those meetings did	12:50:45
10		the Chief of Staff provide the communications	12:50:47
11		department with times in which the Mayor was	12:50:50
12		available to sit down with journalists of color?	12:50:53
13	A	No. We received time from scheduling.	12:51:00
14	Q	And when did you receive those times?	12:51:05
15	A	I -- I can't recall. Likely a week -- a	12:51:07
16		week probably prior.	12:51:13
17	Q	And what time -- what was -- what times	12:51:15
18		were provided to the communications department?	12:51:18
19	A	We received a block of times for the 19th	12:51:23
20		and a block of time for the 20th.	12:51:27
21	Q	Did you receive any times outside of the	12:51:29
22		19th and 20th?	12:51:32
23	A	For this specific set of interviews, no.	12:51:35
24	Q	How come?	12:51:40

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

78

1	MR. WORSEK: Objection to form.	12:51:43
2	Q You may answer the question.	12:51:46
3	A Because this set of interviews was limited	12:51:49
4	to time and subject matter, which was her two-year	12:51:52
5	anniversary of the 20th, in addition to the Mayor	12:51:56
6	is incredibly busy, and so we were given what we	12:51:59
7	felt was an appropriate amount of time to balance	12:52:03
8	her schedule.	12:52:06
9	Q Who decided that the interviews would be	12:52:10
10	limited to the 19th and the 20th?	12:52:13
11	A On the 19th, those interviews were	12:52:14
12	conducted so they'd be embargoed for the 20th,	12:52:21
13	which was her actual two-year anniversary. So that	12:52:24
14	is how that time was decided.	12:52:27
15	Q And who made that decision?	12:52:30
16	A We did, as a team.	12:52:33
17	Q Could interviews have been conducted on	12:52:36
18	the 18th and been embargoed until the 20th?	12:52:41
19	A Again, the Mayor has an incredibly busy	12:52:48
20	schedule, and this is the time we were given.	12:52:51
21	Q Did you ask the Mayor -- was the Mayor's	12:52:54
22	scheduling office asked to provide times outside of	12:52:57
23	May 19th and May 20th?	12:53:00
24	A I don't know.	12:53:04

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

79

1	Q	Who -- who would know that information?	12:53:07
2	A	I don't know.	12:53:10
3	Q	Okay.	12:53:12
4		MR. BEKESHA: Let's pull up as the next	12:53:28
5		exhibit, which I have identified as Notice.	12:53:29
6		THE TECHNICIAN: Please stand by.	12:53:35
7		MR. BEKESHA: Not that document. There	12:53:57
8		should be another one just marked Notice, not a	12:54:02
9		response to Notice.	12:54:08
10		THE TECHNICIAN: Okay. Sorry about that.	12:54:10
11		Give me just one second.	12:54:13
12		MR. BEKESHA: No problem.	12:54:16
13		THE TECHNICIAN: There it is. Okay, we're	12:54:18
14		all set. Sorry about that.	12:54:33
15		(Exhibit 5 was marked for identification	12:54:35
16		and is attached to the transcript.)	12:54:35
17	Q	Perfect. Ms. LeFurgy, do you recognize	12:54:37
18		what's been marked as Plaintiff Exhibit 5?	12:54:43
19	A	Yes.	12:54:47
20	Q	And what is this?	12:54:49
21	A	This is the Notice of Deposition.	12:54:51
22	Q	Okay. Have you seen this document before?	12:54:55
23	A	Yes.	12:55:00
24	Q	Let's look at Paragraph 1. It states, the	12:55:05

1 policy to exclusively provide one-on-one interviews 12:55:19
2 with journalists of color, as outlined in 12:55:23
3 defendant's May 19, 2021, letter, including, but not 12:55:25
4 limited to, the development of the policy, the scope 12:55:30
5 of the policy, the duration of the policy, the 12:55:33
6 implementation of the policy, and the communication 12:55:36
7 of the policy to staff, journalists, and public. Do 12:55:39
8 you see that? 12:55:43

9 A Yes. 12:55:44

10 Q Did you prepare to testify today about the 12:55:46
11 scope of the policy? 12:55:49

12 A Yes. 12:55:52

13 Q How did you prepare to testify on that? 12:55:58

14 A I spoke with my lawyers. 12:56:02

15 Q Are you prepared -- are you prepared to 12:56:14
16 testify today to testify about the duration of the 12:56:16
17 policy? 12:56:20

18 A Yes. 12:56:23

19 Q And how did you prepare to testify about 12:56:26
20 that? 12:56:28

21 A I spoke with my lawyers. 12:56:29

22 Q Same question for the implementation of 12:56:35
23 the policy. Are you prepared to testify about that 12:56:38
24 today? 12:56:41

1	A	Yes.	12:56:43
2	Q	And how did you prepare to testify about	12:56:46
3		that?	12:56:49
4	A	I spoke with my lawyers.	12:56:51
5	Q	What about the communication of the policy	12:56:58
6		to staff, journalists, and the public? Were you	12:57:04
7		prepared to testify that about today?	12:57:07
8	A	Yes.	12:57:10
9	Q	And how did you prepare to testify about	12:57:14
10		that?	12:57:17
11	A	I spoke with my lawyers.	12:57:19
12	Q	Do you believe you have been adequately	12:57:24
13		prepared -- do you believe you are -- you were	12:57:26
14		adequately prepared to answer questions on those	12:57:30
15		topics?	12:57:34
16	A	Yes.	12:57:35
17	Q	Is there anything that you wish you would	12:57:37
18		have done in preparation to testify on those topics?	12:57:40
19		MR. WORSEK: Objection to form.	12:57:45
20	Q	You may answer the question.	12:57:47
21	A	No.	12:57:49
22	Q	Do you think you should have spoken with	12:57:51
23		the Mayor in preparation of your testimony today to	12:58:03
24		answer questions on these topics?	12:58:08

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

82

1	MR. WORSEK: Objection to form.	12:58:11
2	Q You may answer the question.	12:58:12
3	A No.	12:58:15
4	Q Why not?	12:58:18
5	A This was in regards to the occasion of the	12:58:20
6	two-year anniversary and a group of interviews we	12:58:35
7	set up. I didn't think it was necessary.	12:58:39
8	Q Was it the Mayor's decision to provide	12:58:44
9	exclusively one-on-one interviews to journalists of	12:58:47
10	color?	12:58:51
11	A It was a decision --	12:58:52
12	MR. WORSEK: Objection to form. You can	12:58:58
13	answer.	12:58:59
14	A It was a decision that we made.	12:59:04
15	Q Who -- who is we?	12:59:07
16	A The Mayor and myself.	12:59:10
17	Q Was anybody else involved in making that	12:59:21
18	decision?	12:59:23
19	A No.	12:59:25
20	Q When you made that decision, did you and	12:59:29
21	the Mayor discuss the scope of the policy?	12:59:31
22	MR. WORSEK: Objection. The question goes	12:59:38
23	to the issue of the development of the policy, and	12:59:42
24	so I would instruct the witness not to answer for	12:59:45

1	the reasons previously stated.	12:59:49
2	Q Did you and the Mayor discuss the duration	12:59:53
3	of the policy?	12:59:56
4	MR. WORSEK: Same objection and same	12:59:58
5	instruction.	13:00:00
6	Q Did you and the Mayor discuss the	13:00:01
7	implementation of the policy?	13:00:04
8	MR. WORSEK: Same objection and same	13:00:06
9	instruction.	13:00:08
10	Q Did you and the Mayor discuss the	13:00:10
11	communication of the policy to staff, journalists,	13:00:11
12	and the public?	13:00:15
13	MR. WORSEK: Same objection. Same	13:00:16
14	instruction.	13:00:17
15	Q Let's go down to Number 2. Were you	13:00:19
16	prepared to testify today about the scope of the	13:00:28
17	Press Tour as Press Tour was identified in your	13:00:31
18	declarations?	13:00:35
19	A Yes.	13:00:38
20	Q And how did you prepare for testimony on	13:00:39
21	that subject?	13:00:42
22	A I spoke with my lawyers.	13:00:44
23	Q Okay. Were you prepared to testify today	13:00:47
24	about the duration of the Press Tour?	13:00:50

1	A	Yes.	13:00:53
2	Q	And how did you -- how did you prepare for	13:00:56
3		that testimony?	13:00:59
4	A	I spoke with my lawyers.	13:01:01
5	Q	Okay. Were you prepared to testify about	13:01:04
6		the implementation of the Press Tour?	13:01:09
7	A	Yes.	13:01:13
8	Q	And how -- how did you prepare for that	13:01:14
9		testimony?	13:01:16
10	A	I spoke with my lawyers.	13:01:18
11	Q	Okay. And were you prepared to testify	13:01:19
12		about the communication for the Press Tour to staff,	13:01:23
13		journalists, and the public?	13:01:27
14	A	Yes.	13:01:29
15	Q	And how did you prepare for that	13:01:30
16		testimony?	13:01:32
17	A	I spoke with my lawyers.	13:01:33
18	Q	Do you believe that you were adequately	13:01:35
19		prepared to testify on those topics?	13:01:38
20	A	Yes.	13:01:41
21	Q	Do you believe you should have looked --	13:01:43
22		spoken to anybody -- any additional people about	13:01:46
23		those topics in preparation for today?	13:01:50
24	A	No.	13:01:54

1	Q	Okay. Why?	13:01:55
2	A	Again, this was related to the two-year	13:01:58
3		anniversary, with which this information is being	13:02:07
4		provided. I didn't think it was necessary.	13:02:10
5	Q	I guess, what do you -- what do you mean	13:02:18
6		by that?	13:02:20
7	A	I didn't think it was necessary to consult	13:02:22
8		anyone outside of my lawyers.	13:02:26
9	Q	Turning to Number 3, were you prepared to	13:02:33
10		testify today about whether Defendant's policy to	13:02:40
11		exclusively provide one-on-one interviews with	13:02:45
12		journalists of color as outlined in the May 19,	13:02:48
13		2021, letter will be used in the future?	13:02:50
14	A	Yes.	13:02:56
15	Q	And how -- how did you prepare for that	13:02:57
16		testimony?	13:02:59
17	A	I spoke with my lawyers.	13:03:01
18	Q	Okay. Do you -- do you think you were	13:03:03
19		adequately prepared to testify on that topic?	13:03:05
20	A	Yes.	13:03:09
21	Q	And why do you think that?	13:03:10
22	A	Again, as the information laid out here, I	13:03:12
23		feel as though that was adequate information.	13:03:19
24	Q	Do -- do you think you should have spoken	13:03:30

1	to anyone else in preparation of your testimony on	13:03:33
2	Number 3?	13:03:37
3	A No.	13:03:38
4	Q Do you think it would be -- would have	13:03:41
5	been helpful to speak with the Mayor to find out	13:03:43
6	whether or not she intended to use her policy in the	13:03:47
7	future?	13:03:51
8	A No.	13:03:52
9	MR. WORSEK: Objection to form. Objection	13:03:54
10	to form, and objection in that it mischaracterizes	13:03:56
11	the topic.	13:03:59
12	Q Do you think it would have been helpful to	13:04:05
13	speak with the Mayor about whether the Mayor's	13:04:08
14	policy to exclusively provide one-on-one interviews	13:04:10
15	to journalists of color as outlined in the Mayor's	13:04:14
16	May 19, 2021, letter will be used in the future?	13:04:17
17	A No.	13:04:24
18	Q Why?	13:04:29
19	A As laid out in her May 19th letter, it	13:04:30
20	was on the occasion of the two-year anniversary,	13:04:38
21	which, again, refers to the timing and the subject	13:04:41
22	matter.	13:04:44
23	Q And when you spoke to the Mayor -- when	13:04:49
24	you and the Mayor decided on this policy, you	13:04:52

1 specifically discussed the timing and subject matter 13:04:55
2 of the policy? 13:04:59

3 MR. WORSEK: Objection in that the 13:05:02
4 question goes to the development of the policy, and 13:05:06
5 I would instruct the witness not to answer for the 13:05:09
6 reasons previously stated. 13:05:12

7 Q When the Mayor wrote her letter, was it 13:05:25
8 her intention that the policy would only be 13:05:27
9 implemented for a 24-hour period from May 19th to 13:05:31
10 May 20th? 13:05:36

11 MR. WORSEK: Objection to form. 13:05:38

12 Q You may answer the question. 13:05:42

13 A Again, in the letter it states, on the 13:05:44
14 occasion of, which again, refers to the subject 13:05:48
15 matter and the timing of the interviews. 13:05:52

16 Q Where in the letter does -- does it state 13:06:09
17 that on the occasion of refers to subject matter of 13:06:12
18 the interviews? 13:06:16

19 A Again, I don't have the letter in front of 13:06:19
20 me, but it says on the occasion of. I believe it 13:06:25
21 says on the occasion of the two-year anniversary. 13:06:28

22 MR. BEKESHA: We can -- if you could pull 13:06:32
23 up Exhibit 1 again, please. 13:06:34

24 THE TECHNICIAN: Please stand by. 13:06:37

1	Q	The letter is now in front of you, if that	13:06:53
2		helps you answer the question of where in the letter	13:06:56
3		does it indicate that on the occasion of the	13:07:00
4		two-year anniversary refers to the scope of the	13:07:03
5		interviews?	13:07:09
6	A	The first line reads, on the occasion of	13:07:11
7		the two-year anniversary of my inauguration, which	13:07:14
8		is May 20th; that is the two-year anniversary of	13:07:17
9		her inauguration; that is May 20th.	13:07:22
10	Q	Were -- were you in -- well, strike that.	13:08:06
11		Are you aware that, I don't know, car dealerships	13:08:12
12		provide specials around holiday weekends?	13:08:18
13		MR. WORSEK: Objection. Beyond the scope.	13:08:29
14	Q	You can answer the question.	13:08:32
15	A	I'm -- I'm vaguely familiar with that.	13:08:34
16	Q	Okay. Have you seen commercials either on	13:08:38
17		TV or in print that says, you know, Labor Day sale?	13:08:41
18	A	I'm familiar with that.	13:08:52
19	Q	Okay. Are you aware that sometimes those	13:08:54
20		deals last for longer than Labor Day?	13:08:58
21		MR. WORSEK: Michael, I just want to make	13:09:03
22		a standing objection for the record here. And just	13:09:08
23		so I'm understanding correctly, you're asking the	13:09:11
24		city's 30(B)(6) witness on the topics outlined in	13:09:15

1	your notice a series of questions about what car --	13:09:17
2	car dealerships do as part of their sales	13:09:21
3	promotions?	13:09:24
4	MR. BEKESHA: Yes.	13:09:26
5	MR. WORSEK: Okay.	13:09:27
6	Q You can answer the -- answer the question.	13:09:32
7	A I'm not intimately familiar with -- with	13:09:36
8	deals from car dealerships.	13:09:41
9	Q Okay. I guess my question -- my question	13:09:43
10	is, in those instances where there are deals on the	13:09:50
11	occasion of Labor Day, does that mean the car dealer	13:09:55
12	-- is it your understanding that the car dealerships	13:09:58
13	are only providing sales on that specific day and	13:10:02
14	only related to labor?	13:10:06
15	A I've never purchased a car, so I -- I	13:10:09
16	don't know the answer to that, of what car	13:10:15
17	dealerships do or do not do.	13:10:17
18	Q Okay. Have you ever -- have you purchased	13:10:20
19	anything related in which there were sales on the	13:10:22
20	occasion of certain holidays?	13:10:27
21	A Possibly.	13:10:30
22	Q Okay. How long have you worked at the	13:10:35
23	Mayor's office?	13:11:06
24	A Since February of -- excuse me. Since May	13:11:07

1	of 2020.	13:11:11
2	Q Okay. And who hired you at your job?	13:11:12
3	A The previous communications director.	13:11:19
4	Q Did you interview with the Mayor during	13:11:24
5	that process?	13:11:26
6	A Yes.	13:11:29
7	Q How many times did you interview with her?	13:11:33
8	A Once.	13:11:36
9	Q When you communicated this policy to	13:12:01
10	journalists and the public, were you concerned about	13:12:04
11	what reaction you would receive to the policy?	13:12:09
12	A No.	13:12:14
13	Q When you were implementing the policy, did	13:12:17
14	you think about whether or not the policy was	13:12:20
15	constitutional?	13:12:23
16	MR. WORSEK: Objection to the extent it	13:12:25
17	calls for a legal inclusion, and to the extent it	13:12:28
18	goes into the subject matter of the development of	13:12:32
19	the policy. And to that extent, I would instruct	13:12:35
20	the witness not to answer.	13:12:38
21	MR. BEKESHA: Why don't we take a	13:12:39
22	five-minute break. Let me check my notes, and then	13:12:43
23	we should be able to wrap up.	13:12:46
24	MR. WORSEK: Okay.	13:12:49

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

91

1	THE VIDEOGRAPHER: We are off --	13:12:52
2	MR. WORSEK: Sorry. Go ahead.	13:12:56
3	THE VIDEOGRAPHER: We are off the record	13:12:56
4	at 1:11.	13:12:56
5	(Whereupon, a recess was taken.)	13:12:58
6	THE VIDEOGRAPHER: We are back on the	13:23:23
7	record at 1:22.	13:23:24
8	Q Besides Counsel, did you speak with anyone	13:23:26
9	during that break, Ms. LeFurgy?	13:23:32
10	A No.	13:23:34
11	Q Did you review any documents during that	13:23:35
12	break?	13:23:38
13	A No.	13:23:39
14	Q Is there any additional testimony that you	13:23:40
15	would like to add that we didn't cover today?	13:23:44
16	A No.	13:23:48
17	Q Okay. I have no further questions at this	13:23:51
18	time.	13:23:54
19	MR. WORSEK: We have no questions, but we	13:23:56
20	will reserve signature.	13:23:58
21	MR. BEKESHA: Okay. We are -- we are all	13:24:06
22	set.	13:24:07
23	THE VIDEOGRAPHER: We are off the record	13:24:08
24	at 1:22.	13:24:09

1 (Off the record at 1:22 p.m.)

13:24:11

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1	ACKNOWLEDGMENT OF DEPONENT	13:24:11
2	I, KATHLEEN LEFURGY, do hereby acknowledge	10:34:13
3	that I have read and examined the foregoing	10:35:08
4	testimony, and the same is a true, correct and	10:35:13
5	complete transcription of the testimony given by me	10:35:20
6	and any corrections appear on the attached Errata	10:35:25
7	sheet signed by me.	10:35:31
8		10:35:34
9		10:35:34
10	-----	10:35:34
11	(DATE)	10:35:34
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		

CERTIFICATE OF REPORTER - NOTARY PUBLIC

I, Jacalyn Mann, the officer before whom
the foregoing deposition was taken, do hereby
certify that the foregoing transcript is a true and
correct record of the testimony given; that said
testimony was taken by me and thereafter reduced to
typewriting under my direction; that reading and
signing was requested; and that I am neither counsel
for, related to, nor employed by any of the parties
to this case and have no interest, financial or
otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my notarial seal this 18th day of
OCTOBER, 2021.

My Commission Expires: December 22, 2024.

Jacalyn Mann

A			
ability	80:16, 80:19,	adequately	agreement
50:9, 58:15	80:23, 81:2,	81:12, 81:14,	2:8
able	81:5, 81:7,	84:18, 85:19	ahead
26:19, 35:16,	81:9, 83:16,	admissibility	38:22, 91:2
69:2, 90:23	83:24, 84:5,	7:8	al
about	84:12, 84:22,	advance	1:5, 3:4, 4:4,
7:23, 8:13,	85:10, 86:13,	19:24	6:7, 6:12
14:7, 16:10,	89:1, 90:10,	affairs	all
18:7, 18:11,	90:14	67:14	6:18, 7:20,
18:16, 21:12,	absolutely	affixed	9:10, 11:13,
22:19, 23:20,	57:20, 57:21,	94:13	14:9, 19:12,
23:22, 23:23,	59:2, 59:16,	after	21:1, 23:19,
23:24, 24:1,	59:17	23:5, 23:7,	26:1, 30:24,
24:4, 24:11,	accommodate	24:17, 27:5,	42:3, 44:23,
26:12, 27:16,	69:3	52:8, 53:21,	45:2, 45:15,
28:3, 28:20,	accomplished	54:1, 72:6, 72:8	45:21, 51:22,
30:8, 30:10,	16:11	again	55:8, 57:18,
30:15, 30:24,	account	12:16, 12:20,	61:4, 62:6,
31:5, 31:6,	27:22, 27:23,	12:23, 14:10,	73:7, 73:22,
31:13, 31:22,	28:23, 29:2,	16:19, 17:7,	79:14, 91:21
32:11, 32:16,	29:4, 29:14,	18:9, 21:1,	already
36:3, 36:6,	29:19	23:13, 26:3,	8:13
38:21, 39:1,	accurate	26:6, 26:15,	also
41:12, 41:18,	52:2, 53:19,	31:10, 31:17,	4:12, 8:18,
42:8, 42:12,	58:21, 68:14	32:3, 32:19,	8:21, 9:6, 11:8,
42:18, 42:19,	acknowledge	33:3, 33:9,	20:15, 47:7,
43:1, 43:8,	7:6, 7:16, 93:2	35:13, 40:10,	49:16
43:18, 45:19,	acknowledgment	40:11, 41:3,	always
46:2, 46:18,	93:1	41:8, 42:6,	18:15, 19:24,
47:3, 48:1,	act	43:12, 43:16,	61:18, 73:4
48:19, 52:5,	66:14, 66:21	44:8, 45:17,	amount
53:22, 54:2,	actual	49:21, 54:3,	26:15, 26:18,
54:7, 54:11,	68:12, 78:13	57:21, 59:17,	69:11, 77:7,
55:8, 57:19,	actually	60:6, 62:19,	77:8, 78:7
58:24, 59:13,	26:7, 55:20,	62:22, 63:4,	andrew
60:13, 62:11,	70:13, 71:21	63:6, 63:11,	3:14
62:21, 64:1,	add	69:21, 78:19,	anniversary
64:16, 64:22,	59:5, 91:15	85:2, 85:22,	14:7, 15:7,
67:11, 67:20,	addition	86:21, 87:13,	16:11, 18:11,
68:4, 68:12,	78:5	87:14, 87:19,	25:7, 25:20,
68:15, 69:13,	additional	87:23	25:23, 30:23,
69:15, 72:21,	84:22, 91:14	ago	31:1, 31:12,
73:17, 76:9,	address	51:17	32:9, 35:8,
76:12, 76:24,	45:18	agree	39:20, 40:5,
77:4, 79:10,	addressed	23:1, 48:22	40:9, 40:24,
79:14, 80:10,	26:9	agreed	41:7, 41:19,
	adequate	21:24, 22:1,	42:4, 42:12,
	85:23	22:4, 53:10	42:14, 42:19,

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

96

<p>42:20, 43:15, 45:20, 53:23, 54:7, 54:11, 54:14, 54:19, 55:5, 55:7, 55:9, 66:3, 67:21, 68:3, 68:7, 68:10, 68:18, 69:8, 69:9, 69:18, 71:4, 71:8, 72:5, 75:21, 78:5, 78:13, 82:6, 85:3, 86:20, 87:21, 88:4, 88:7, 88:8 another 9:10, 29:8, 29:13, 61:5, 79:8 answer 10:8, 11:15, 11:18, 11:22, 12:22, 13:5, 15:19, 16:18, 18:3, 19:3, 19:22, 20:7, 20:19, 20:21, 20:23, 21:15, 22:12, 27:1, 29:1, 29:11, 29:16, 30:13, 31:9, 31:16, 32:2, 33:8, 33:10, 36:9, 37:7, 38:2, 38:9, 39:9, 39:15, 40:19, 41:2, 41:20, 42:16, 42:22, 44:1, 44:7, 47:1, 47:8, 47:10, 47:20, 48:8, 49:6, 49:19, 49:20, 51:20, 53:3, 55:11, 55:15, 55:18, 56:18,</p>	<p>57:23, 59:19, 60:3, 60:20, 61:2, 61:10, 62:1, 62:9, 62:13, 62:18, 62:24, 63:10, 63:19, 64:12, 64:23, 64:24, 67:24, 69:20, 70:4, 71:12, 74:15, 78:2, 81:14, 81:20, 81:24, 82:2, 82:13, 82:24, 87:5, 87:12, 88:2, 88:14, 89:6, 89:16, 90:20 answered 31:23, 32:18, 42:2, 62:10 answers 64:19 any 8:22, 9:4, 14:18, 15:15, 16:1, 18:9, 22:15, 31:2, 31:3, 32:6, 32:12, 33:18, 38:22, 46:5, 53:14, 56:1, 56:7, 56:9, 56:12, 73:12, 77:21, 84:22, 91:11, 91:14, 93:6, 94:9 anybody 14:15, 65:2, 76:3, 82:17, 84:22 anyone 18:12, 26:9, 33:16, 34:24, 60:16, 73:10, 74:12, 74:20, 85:8, 86:1, 91:8 anything 8:24, 11:7,</p>	<p>18:8, 28:14, 28:19, 33:23, 34:2, 81:17, 89:19 apparent 58:20 appear 93:6 application 24:12 apply 69:5 appropriate 18:12, 78:7 april 67:10, 68:2, 68:20, 72:3 argue 48:19 arguing 24:4 arguments 11:2 around 18:9, 39:19, 68:2, 68:3, 69:7, 88:12 asked 30:8, 30:15, 31:3, 31:7, 31:14, 31:22, 32:12, 32:17, 32:21, 33:5, 33:7, 33:11, 41:5, 41:17, 42:8, 47:12, 47:13, 48:15, 51:17, 54:2, 57:19, 60:5, 62:10, 62:11, 63:7, 63:24, 64:16, 64:19, 67:9, 68:4, 78:22 asking 9:3, 23:10, 23:22, 23:24, 24:10, 30:22,</p>	<p>33:2, 33:6, 41:11, 52:10, 63:13, 63:14, 64:20, 71:7, 88:23 associated 29:14 associations 16:22, 17:14, 17:15 attached 5:11, 9:23, 50:5, 50:20, 58:11, 65:9, 79:16, 93:6 attachments 50:19 attending 6:18 attorney-client 47:9, 47:14, 49:18 attorneys 8:5, 46:17, 46:22 audience 17:7 august 66:4, 70:10 authorized 10:18, 11:14, 23:14, 64:22 authorizing 10:19 availability 43:17 available 27:21, 77:12 aware 11:19, 11:23, 21:9, 22:23, 45:24, 46:16, 47:23, 56:23, 57:3, 57:14, 57:18, 66:19, 66:22, 88:11, 88:19</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>b) (6 10:16, 10:21,</p>
--	--	--	---

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

97

64:14, 88:24 back 11:7, 16:24, 34:6, 34:20, 34:22, 36:20, 38:4, 38:6, 39:23, 44:24, 45:7, 55:17, 55:18, 67:4, 67:9, 68:2, 72:15, 72:20, 72:24, 91:6 background 38:24, 65:23 balance 78:7 ball 56:20 based 7:9, 13:8, 15:13, 35:6, 35:13, 43:22, 50:17, 77:6 basic 68:13 basis 74:11 became 27:5 because 17:22, 36:15, 69:10, 77:7, 78:3 been 6:3, 32:22, 43:18, 53:14, 54:2, 56:1, 56:6, 56:9, 66:9, 68:4, 78:17, 78:18, 79:18, 81:12, 86:5, 86:12 before 2:8, 8:11, 9:5, 9:7, 23:5, 23:6, 35:10, 37:10, 51:24, 55:21, 79:22, 94:2	began 25:2 begin 8:11 beginning 51:11 begins 6:8 behalf 3:3, 3:13, 4:3, 29:3, 40:20, 66:14 being 10:17, 17:21, 20:2, 25:18, 27:14, 38:15, 67:16, 76:13, 85:3 bekesha 3:5, 5:4, 6:21, 7:12, 8:1, 8:3, 8:5, 23:19, 24:16, 34:5, 34:17, 39:22, 44:19, 45:3, 45:8, 47:12, 47:19, 47:22, 49:1, 50:1, 50:11, 50:12, 50:22, 57:6, 57:8, 57:11, 59:2, 59:10, 59:22, 65:4, 65:7, 65:10, 66:12, 72:11, 72:14, 73:2, 73:7, 79:4, 79:7, 79:12, 87:22, 89:4, 90:21, 91:21 believe 14:11, 27:5, 29:17, 30:15, 39:17, 41:21, 41:22, 45:19, 46:11, 49:12, 67:2, 67:10, 68:1, 69:12,	73:17, 81:12, 81:13, 84:18, 84:21, 87:20 believes 20:9 besides 9:1, 28:15, 30:3, 34:24, 91:8 best 58:15 between 48:14, 48:16 beyond 23:13, 88:13 big 15:8 bit 8:14 blankenberg 3:6 block 77:19, 77:20 both 12:7, 12:17, 13:9, 19:4, 26:6, 40:7 bounds 10:17 break 34:6, 34:23, 72:12, 73:9, 73:13, 90:22, 91:9, 91:12 brief 33:24, 38:17, 71:21 briefs 33:24 broad 31:11 broken 73:20 busy 26:17, 78:6, 78:19 <hr/> C <hr/> calendar 70:19	call 47:8, 49:17 called 53:4 calls 20:5, 44:5, 46:23, 60:1, 90:17 came 23:23, 23:24, 25:5, 68:1, 72:3 can't 8:24, 14:3, 20:8, 25:17, 27:18, 28:16, 28:18, 32:14, 35:18, 41:3, 43:12, 44:13, 48:9, 56:19, 60:4, 61:11, 62:2, 62:20, 63:11, 63:20, 67:2, 69:21, 76:19, 77:15 cannot 33:4, 33:9, 33:10 cantenacci 4:3 capacity 1:10, 6:11, 6:13 car 88:11, 89:1, 89:2, 89:8, 89:11, 89:12, 89:15, 89:16 career 15:8 carrick 4:14 case 6:14, 8:6, 10:18, 47:15, 48:2, 66:10, 73:10, 94:10 catch 55:15
--	--	--	---

catenacci 1:5, 3:3, 6:7, 6:12 cavanaugh 3:16 cease 20:2 ceased 20:11 celebratory 15:8 certain 14:3, 67:2, 89:20 certificate 94:1 certify 94:4 challenge 11:1, 11:12, 22:11, 23:12, 37:6, 49:5, 51:19 chance 45:21 channels 27:13 characterization 48:23 characterizing 48:16 charge 21:17 check 90:22 chicago 1:11, 3:17, 3:21, 6:11, 6:14, 66:5, 70:10 chicago's 29:7, 32:11 chief 74:1, 74:2, 74:4, 74:7, 76:6, 76:8, 76:12, 77:3, 77:10	choose 15:12, 17:2 chosen 13:7, 13:8 christine 4:5, 6:22 circumstances 47:17 city 1:10, 3:17, 6:11, 6:13, 30:1, 40:20 city's 88:24 clarify 57:5 classen 74:8 clear 25:18, 43:18, 66:10, 67:19 clearer 8:20 clearly 23:11 clock 34:14 color 9:16, 12:1, 18:20, 24:19, 25:12, 36:14, 37:23, 39:6, 39:19, 61:7, 61:22, 63:4, 63:17, 64:3, 64:8, 76:15, 77:12, 80:2, 82:10, 85:12, 86:15 combination 75:8 come 34:6, 39:11, 72:15, 77:24 comes 75:3 commercial 3:18	commercials 88:16 commission 94:15 communicate 27:10, 27:11, 27:12, 28:3, 28:6, 28:10, 43:16, 74:9, 74:13, 76:12 communicated 24:19, 24:22, 25:3, 26:22, 27:3, 27:6, 30:4, 90:9 communicates 28:8, 74:18 communicating 43:1, 43:7 communication 66:18, 80:6, 81:5, 83:11, 84:12 communications 21:21, 29:4, 35:24, 36:5, 36:11, 38:11, 38:13, 48:16, 48:18, 48:24, 49:18, 54:10, 61:5, 61:12, 61:15, 61:16, 61:20, 61:22, 62:3, 65:20, 66:13, 66:19, 68:8, 70:1, 73:15, 75:17, 76:4, 76:8, 76:11, 77:4, 77:10, 77:18, 90:3 compel 24:7 complaint 10:15, 55:23, 56:2, 56:10 complete 93:5	completely 30:2 computer 7:21 concerned 90:10 conduct 26:19 conducted 1:16, 2:1, 35:5, 49:15, 51:10, 51:15, 77:5, 78:12, 78:17 conference 26:8, 30:7, 30:11, 31:2, 31:4, 32:7, 45:11, 45:15 conflicts 69:1 conjunction 49:9, 51:5, 76:6 consider 42:13 constitutes 50:18 constitutional 3:18, 90:15 consult 85:7 contact 74:24 contained 55:4 content 11:3, 14:3, 21:12, 48:23 contents 41:9 context 32:23, 33:1 continue 24:2, 44:19, 45:1 continued 4:1
---	---	--	---

control 50:10, 65:11 converging 72:4 conversation 22:3, 23:1, 25:17 conversations 25:19, 47:5, 76:24 corps 13:9, 15:2, 17:4 correct 16:6, 16:7, 25:24, 50:22, 52:6, 54:21, 67:22, 68:24, 93:4, 94:5 corrections 93:6 correctly 28:12, 71:19, 88:23 couched 33:1 could 7:23, 8:6, 18:7, 32:9, 32:22, 39:22, 40:1, 47:17, 50:6, 54:2, 55:14, 55:16, 58:12, 59:6, 59:11, 75:4, 75:18, 78:17, 87:22 counsel 6:6, 6:19, 7:3, 7:7, 8:12, 34:24, 44:24, 46:16, 47:3, 47:24, 48:1, 48:5, 73:10, 91:8, 94:8 counsel's 46:21 couple 24:24, 25:1,	33:24, 35:18 course 47:24, 48:17 court 1:1, 6:24, 7:3, 7:14, 7:19, 8:2, 8:23, 8:24, 9:8, 10:18, 24:5, 24:6, 33:22, 55:18, 65:6, 67:19 court's 10:19 cover 91:15 covered 47:18 covid 31:6, 31:14, 31:22 craig 66:3, 67:11, 68:9 created 68:12 criteria 16:9, 17:10, 69:4 curious 58:15 <hr/> D <hr/> daily 74:11 date 6:15, 25:22, 40:7, 40:9, 54:1, 57:9, 67:13, 71:1, 93:11 day 19:23, 26:2, 26:8, 30:8, 35:10, 43:17, 67:14, 67:15, 69:15, 70:8, 88:17, 88:20, 89:11, 89:13,	94:13 day-to-day 74:24 days 24:24, 25:1, 35:10, 35:19, 42:5 dealer 89:11 dealerships 88:11, 89:2, 89:8, 89:12, 89:17 deals 88:20, 89:8, 89:10 dealt 33:7 december 94:15 decide 12:10, 14:21, 14:24, 16:15, 24:6 decided 19:16, 24:17, 35:4, 35:11, 37:2, 37:9, 49:2, 51:14, 78:9, 78:14, 86:24 decides 75:5 deciding 75:6 decision 53:14, 75:22, 77:6, 78:15, 82:8, 82:11, 82:14, 82:18, 82:20 decision-maker 75:6 decisions 75:12, 75:15, 75:19, 76:4, 76:5 declaration 5:14, 49:14,	50:2, 50:19, 50:20, 51:4, 55:22 declarations 49:8, 49:11, 83:18 dedicated 70:19 defendant 1:12, 3:13, 48:4 defendant's 10:23, 80:3, 85:10 defendants's 10:22 defender 66:5, 70:11, 70:15 dellimore 66:3, 67:6, 67:8, 68:10, 68:16, 68:19, 69:6, 71:17, 71:20 dellimore's 71:23 department 3:17, 36:4, 61:5, 61:16, 61:17, 61:20, 61:22, 62:4, 68:8, 73:19, 77:4, 77:11, 77:18 departments 73:22 depends 73:4, 75:3 deponent 93:1 depos 4:13, 4:14, 6:18, 7:1 deposition 1:15, 2:1, 5:12, 5:17, 6:9, 8:14, 10:21,
---	--	--	---

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

100

11:6, 21:10, 33:14, 64:15, 64:22, 79:21, 94:3 deputy 75:16 derivation 66:10 describe 36:19, 36:24, 38:5, 38:6, 38:11 described 37:3, 37:10 description 60:7, 68:11, 68:14 designee 6:10 determined 52:16 developed 24:2 development 10:13, 11:3, 20:17, 22:11, 23:12, 23:22, 24:13, 37:6, 43:24, 49:5, 51:18, 80:4, 82:23, 87:4, 90:18 dictate 18:13, 32:4, 33:3, 33:9, 42:7, 54:3 died 55:16 different 76:1 difficult 9:9, 58:13 digital 73:20 direction 94:7 directly 70:12	director 75:16, 90:3 disagree 24:9, 47:16 disc 6:8 disclosure 49:17 discovery 10:17, 10:20, 11:10, 11:11, 11:14, 23:14 discuss 82:21, 83:2, 83:6, 83:10 discussed 10:14, 22:5, 30:9, 43:18, 87:1 discussing 63:21 discussions 76:8, 76:17, 76:20 dismiss 10:23, 10:24 district 1:1, 1:2 division 1:3, 3:19 document 10:3, 50:7, 50:16, 51:2, 58:19, 59:7, 65:9, 65:11, 65:15, 65:17, 66:9, 66:11, 66:17, 66:20, 66:24, 79:7, 79:22 documents 33:18, 33:21, 48:21, 66:22, 73:12, 91:11 doing 64:18 done 9:3, 9:5, 9:6,	17:16, 17:17, 45:4, 50:8, 60:6, 81:18 down 7:20, 9:9, 22:10, 56:23, 57:14, 59:23, 77:12, 83:15 drew 9:3, 57:12 drive 4:7 dropped 44:17 duly 6:3 duration 11:1, 11:11, 12:7, 18:20, 35:8, 80:5, 80:16, 83:2, 83:24 during 12:18, 22:14, 22:24, 23:1, 25:10, 25:15, 26:14, 30:11, 31:5, 31:14, 31:23, 32:12, 32:17, 34:23, 37:17, 39:13, 41:15, 45:10, 45:14, 45:15, 46:9, 46:23, 52:10, 57:18, 73:9, 73:12, 77:9, 90:4, 91:9, 91:11	35:2, 43:23, 52:4, 71:6 early 68:2, 68:20, 72:3 ease 9:18 easier 9:8 eastern 1:3 either 25:18, 28:22, 59:9, 88:16 else 18:13, 28:14, 30:3, 33:16, 33:23, 34:2, 65:2, 74:12, 74:17, 74:20, 82:17, 86:1 embargoed 19:9, 26:5, 40:13, 78:12, 78:18 employed 94:9 employees 73:16 end 19:17, 19:18, 20:1, 20:9, 21:2, 35:3, 55:16, 67:10, 68:20, 72:3 ended 19:13, 35:3, 68:22 entirety 51:9 entitled 9:20, 65:5 erie 4:7 errata 93:6 esquire 3:5, 3:6, 3:14,
E			
e-mail 13:24, 14:3, 14:5, 28:23 e-mails 14:1 each 16:15 earlier 18:17, 20:17,			

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

101

3:15, 3:16, 4:5 estimate 73:5 et 1:5, 3:4, 4:4, 6:7, 6:12 evaluate 16:1 even 32:8 event 63:21 events 24:11, 53:16, 67:11 ever 89:18 every 25:17, 32:24, 46:14, 46:15 everyone 34:7, 44:17 everything 9:8 evidence 12:13 exact 70:5, 71:1 exactly 35:18, 43:12 examination 5:2, 6:6 examined 93:3 example 18:10 except 73:10 exclusive 38:3 exclusively 9:15, 11:24, 12:24, 13:2, 18:19, 24:18, 25:11, 30:16, 36:13, 37:22, 39:5, 39:18, 61:6, 61:21,	63:3, 63:16, 64:2, 64:7, 76:14, 80:1, 82:9, 85:11, 86:14 excuse 13:11, 19:14, 31:11, 44:16, 89:24 exhibit 5:12, 5:13, 5:14, 5:15, 5:16, 5:17, 9:19, 9:22, 39:22, 50:2, 50:4, 50:18, 58:6, 58:10, 59:22, 65:5, 65:8, 79:5, 79:15, 79:18, 87:23 existence 46:23 expert 75:18 expires 94:15 explain 18:4, 70:2 explained 69:24 expressly 10:20 extent 20:16, 49:17, 90:16, 90:17, 90:19 extra 71:18 <hr/> F <hr/> face 59:7 fact 7:10, 30:16 factors 16:1, 16:19, 17:5, 17:6,	17:11 facts 12:13 falls 20:20 familiar 9:13, 10:3, 16:22, 58:1, 88:15, 88:18, 89:7 far 50:17, 59:6 february 89:24 feel 85:23 felt 78:7 few 8:12, 51:17 fifth 64:16 filed 55:23 filing 56:1, 56:9 filled 25:6 final 59:6, 75:10 finally 9:2 financial 94:10 find 86:5 fine 24:3 finished 18:23 first 6:3, 7:24, 17:3, 24:22, 27:3, 28:9, 40:4, 43:19, 49:14, 50:8, 51:9, 70:13, 88:6	five-minute 34:6, 90:22 flexibility 69:2 florida 2:9 focused 68:7 foia 66:23 folks 15:9, 16:21 follow 62:15, 70:11 follow-up 66:4, 70:9, 70:17 follow-ups 25:10 followed 25:6 follows 6:5 foregoing 93:3, 94:3, 94:4 foremost 17:4 form 10:7, 12:21, 13:4, 15:18, 16:17, 18:2, 19:2, 19:21, 20:5, 20:15, 21:14, 26:24, 28:24, 29:10, 29:15, 30:12, 31:8, 31:15, 32:1, 36:8, 38:1, 38:8, 39:8, 39:14, 40:18, 41:1, 42:1, 42:15, 42:21, 44:6, 46:20, 46:24, 47:7, 48:7, 49:16, 53:2, 53:24, 54:15,
--	---	---	---

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

102

55:10, 56:17, 57:22, 58:14, 59:18, 60:1, 60:19, 61:1, 61:9, 61:24, 62:8, 62:17, 62:23, 63:5, 63:18, 64:11, 67:23, 69:19, 70:3, 71:11, 74:14, 78:1, 81:19, 82:1, 82:12, 86:9, 86:10, 87:11 formally 7:4 forth 11:4, 25:13, 53:13 forward 16:12 forward-looking 60:8 foundation 58:19, 59:1, 66:8 fourth 62:11, 64:15 frame 19:5, 45:22 free 20:21, 49:20 freedom 66:14, 66:21 frequently 74:9, 74:13, 74:17 front 31:10, 31:17, 39:16, 45:17, 57:24, 58:3, 87:19, 88:1 full 8:7, 55:15 further 91:17 future 56:3, 56:13,	56:16, 56:21, 63:17, 64:3, 64:8, 85:13, 86:7, 86:16 <hr/> G <hr/> gave 54:1 generally 73:18 generic 69:14 gestures 8:23 getting 64:21 give 7:22, 9:5, 36:20, 50:10, 65:10, 65:24, 77:1, 79:11 given 26:15, 26:18, 26:20, 35:14, 35:15, 35:16, 46:15, 49:24, 69:10, 77:7, 78:6, 78:20, 93:5, 94:5 gives 38:23 giving 38:3 go 7:22, 8:11, 8:14, 20:16, 23:11, 24:5, 24:9, 24:13, 34:17, 45:3, 55:21, 70:19, 72:14, 72:20, 83:15, 91:2 goes 37:5, 49:4, 51:18, 82:22, 87:4, 90:18 going 7:20, 9:3,	10:12, 11:2, 16:24, 17:20, 18:24, 22:10, 22:20, 22:24, 23:2, 36:20, 43:24, 47:8, 54:6, 58:18, 65:24, 67:4, 67:10, 67:20, 69:16 good 8:4 gotten 64:19 grant 75:20 granted 75:6, 76:13 granting 53:15 grants 75:11 great 7:14, 8:1, 9:12, 24:16, 34:22, 45:9, 50:13, 50:14, 65:12, 73:8 ground 8:12 grounds 37:5 group 75:22, 75:23, 82:6 guess 54:17, 85:5, 89:9 guidance 22:15 <hr/> H <hr/> hand 7:15, 7:20, 94:13 handle 29:6, 29:8 happen 25:15	happened 69:12 happy 8:17 head 8:22, 62:3, 66:18 hear 8:16, 11:6 heard 44:22 held 19:9 help 59:12 helpful 58:2, 86:5, 86:12 helps 58:17, 88:2 hendricks 3:15 here 6:8, 20:22, 23:11, 24:4, 48:14, 66:8, 85:22, 88:22 hereby 7:16, 93:2, 94:3 hereunto 94:12 hired 90:2 hold 8:2 holiday 88:12 holidays 89:20 homicide 32:12, 32:16 hopefully 8:13, 73:3 hoping 73:2 host 44:24
--	---	--	--

<p>hour 49:3, 49:14, 51:10, 51:15, 87:9 however 18:11, 18:14, 20:9, 33:4, 42:6, 45:18, 69:9, 70:6, 72:5 hypothetical 62:19, 63:6 hypotheticals 56:19, 62:14, 63:12, 63:14</p>	<p>80:22, 83:7, 84:6 implemented 12:7, 43:4, 62:22, 87:9 implementing 24:1, 90:13 important 8:21, 9:2 improper 23:17 inaccurate 70:2 inartful 68:11 inauguration 40:6, 88:7, 88:9 inc 3:7 include 32:9, 32:10, 44:13, 49:13, 49:14 including 27:13, 33:22, 80:3 inclusion 90:17 incorrectly 71:23 incredibly 26:17, 52:20, 78:6, 78:19 indicate 59:8, 88:3 individual 13:17, 13:18, 38:24 individuals 13:9, 13:12, 15:2, 15:11, 15:12, 16:20, 39:2, 75:8 inform 17:20, 17:24, 22:19, 26:13, 36:11, 38:13,</p>	<p>77:3 informal 44:9, 52:21 information 14:13, 14:16, 27:20, 29:23, 31:20, 35:21, 38:18, 38:20, 39:1, 48:11, 66:14, 66:21, 68:13, 79:1, 85:3, 85:22, 85:23 inquiries 66:4, 70:10, 70:17, 70:18 inquiry 16:2 insofar 58:19 instances 89:10 instead 7:5, 24:4 instruct 11:15, 11:18, 11:22, 22:12, 37:7, 44:1, 47:10, 49:6, 51:19, 82:24, 87:5, 90:19 instructed 20:18, 21:22, 47:19 instruction 22:18, 22:22, 23:4, 23:10, 37:13, 37:20, 61:8, 83:5, 83:9, 83:14 integrity 32:3 intend 63:2, 63:8, 63:15 intended 86:6 intends 63:14, 64:1,</p>	<p>64:6 intention 87:8 intentions 64:10 intents 19:12, 21:2 interest 94:10 interested 72:6 interim 13:21 internal 44:9 internet 44:18 interpretation 41:4 interview 5:15, 13:10, 13:11, 14:6, 16:5, 18:1, 18:10, 19:17, 19:19, 20:1, 20:10, 31:23, 32:7, 32:12, 33:13, 35:3, 35:5, 35:12, 38:22, 38:24, 39:2, 46:15, 49:23, 52:10, 53:5, 53:6, 56:24, 57:15, 57:19, 58:8, 58:16, 59:13, 60:14, 60:18, 60:24, 66:2, 67:5, 67:6, 67:7, 67:11, 67:12, 67:20, 68:5, 68:6, 68:9, 68:12, 68:15, 68:16, 68:17, 68:20, 69:6, 69:11, 69:14, 69:16, 70:16, 71:3,</p>
I			
<p>idea 37:15, 37:17 identification 9:22, 50:4, 58:10, 65:8, 79:15 identified 36:23, 75:24, 79:5, 83:17 identify 6:19, 17:12, 39:12, 40:1, 43:8, 45:10, 45:12, 46:22, 48:5 il 4:8 illinois 1:2, 3:21 imagine 26:16, 29:24 implement 12:5, 12:11, 12:14, 12:19, 21:22, 22:16, 22:20, 36:22, 61:8, 61:20, 61:22 implementation 21:18, 23:20, 24:10, 24:14, 36:6, 80:6,</p>			

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

104

71:7, 71:16, 71:24, 72:2, 72:7, 75:2, 75:7, 75:11, 76:9, 90:4, 90:7 interviewed 13:14, 70:14 interviewing 39:3, 68:22 intimately 89:7 involved 82:17 issue 10:12, 10:15, 11:7, 18:15, 20:16, 22:10, 23:13, 23:15, 23:16, 37:5, 49:4, 82:23 itself 11:9, 50:19	37:23, 39:6, 39:19, 52:5, 52:9, 53:1, 54:11, 61:6, 61:7, 61:21, 63:4, 63:16, 64:3, 64:8, 71:7, 71:10, 75:1, 76:15, 77:12, 80:2, 80:7, 81:6, 82:9, 83:11, 84:13, 85:12, 86:15, 90:10 judicial 3:7, 66:20 july 57:11, 57:16 jump 7:24, 66:7 june 5:16, 42:18, 65:5, 67:16, 68:23, 69:3, 72:8 jurisdictional 10:20, 11:10	14:12, 23:17, 27:19, 29:12, 29:13, 29:19, 29:22, 30:14, 31:19, 32:15, 32:19, 34:14, 35:20, 36:3, 37:21, 39:5, 46:4, 46:12, 46:14, 46:21, 48:4, 48:10, 48:21, 58:19, 58:22, 60:16, 60:17, 60:22, 64:5, 64:6, 64:9, 64:10, 64:14, 64:15, 64:17, 65:3, 66:24, 69:17, 69:21, 69:23, 72:6, 73:3, 78:24, 79:1, 79:2, 88:11, 88:17, 89:16	lawsuit 48:17, 49:9, 51:6 lawyers 33:15, 80:14, 80:21, 81:4, 81:11, 83:22, 84:4, 84:10, 84:17, 85:8, 85:17 leading 20:13, 24:11, 24:12 lefurgy 1:15, 2:1, 5:2, 6:2, 6:10, 7:11, 7:15, 8:4, 8:9, 9:24, 11:16, 11:20, 12:2, 34:23, 45:9, 47:23, 49:2, 49:8, 50:6, 58:12, 59:12, 65:14, 73:9, 79:17, 91:9, 93:2 legal 90:17 less 69:13 let's 9:19, 50:1, 51:8, 55:20, 55:21, 65:4, 79:4, 79:24, 83:15 letter 5:13, 9:14, 9:20, 10:5, 10:10, 10:13, 10:14, 11:5, 11:16, 11:20, 11:23, 12:23, 23:5, 23:6, 23:23, 27:5, 28:13, 28:15, 33:22, 36:23, 37:11, 37:15,
J	K	L	
jacalyn 1:22, 2:8, 94:2 jackie 7:1 job 1:20, 90:2 john 3:15 journalist 42:11, 52:13 journalistic 32:3 journalists 9:16, 12:1, 13:13, 14:23, 16:4, 16:16, 16:24, 17:2, 17:3, 17:19, 18:6, 18:13, 18:20, 24:19, 24:20, 24:23, 25:4, 25:5, 25:10, 25:12, 26:12, 36:13,	k-a-t-h-l-e-e-n 8:9 kane 4:13, 6:17 kathleen 1:15, 2:1, 5:2, 6:2, 6:9, 7:10, 8:9, 93:2 katie 3:6 keep 64:19 kind 64:18 knew 38:3 know 8:17, 8:19, 8:24, 10:16,	l-e-f-u-r-g-y 8:10 12 72:22 labor 88:17, 88:20, 89:11, 89:14 laid 85:22, 86:19 large 73:15 lasalle 3:20 last 19:17, 19:18, 20:1, 20:10, 35:3, 35:4, 35:12, 88:20 later 26:8, 30:7, 43:17, 69:12 law 3:17, 4:6	

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

105

39:11, 39:16, 40:1, 40:2, 40:10, 40:23, 41:9, 43:13, 44:4, 44:13, 44:14, 48:1, 48:5, 48:19, 53:13, 57:19, 69:5, 80:3, 85:13, 86:16, 86:19, 87:7, 87:13, 87:16, 87:19, 88:1, 88:2 letters 47:4 lieu 7:4 lightfoot 1:9, 3:13, 6:10, 6:12, 31:7, 39:4 lightfoot's 9:14, 25:22 likely 70:6, 76:5, 77:15 limitation 19:19, 49:19 limited 10:19, 10:21, 10:24, 11:9, 12:16, 12:18, 18:1, 18:4, 18:20, 19:4, 22:24, 23:2, 25:15, 25:19, 25:22, 26:14, 26:15, 26:18, 30:21, 39:7, 39:13, 40:2, 41:16, 43:4, 43:10, 43:20, 45:20, 45:22, 46:10, 49:3, 49:23, 54:19, 54:21, 54:22, 55:1, 63:22,	69:11, 77:8, 78:3, 78:10, 80:4 line 12:24, 67:5, 88:6 litigation 3:18, 47:24 little 8:14 long 89:22 longer 39:16, 88:20 look 56:20, 58:13, 79:24 looked 84:21 looking 16:12, 51:22 loose 36:18 loosely 38:5 lori 1:9, 3:13, 6:12 lot 9:8, 53:9, 69:22, 70:18 loud 8:22 love 53:5, 53:6 <hr/> M <hr/> made 75:12, 75:19, 76:4, 76:5, 76:6, 78:15, 82:14, 82:20 madison 74:3 magic 56:20 make 8:14, 8:19, 9:6, 9:10, 15:9,	66:8, 66:11, 67:18, 71:19, 88:21 makes 24:3, 75:14 making 7:21, 9:4, 82:17 mann 1:22, 2:8, 7:1, 94:2 many 15:20, 16:1, 16:19, 16:21, 17:11, 25:19, 49:11, 69:22, 71:6, 73:16, 76:17, 77:1, 77:4, 90:7 mark 15:8, 58:6, 65:4 marked 9:22, 10:1, 50:4, 58:7, 58:10, 65:8, 79:8, 79:15, 79:18 matter 6:11, 12:8, 12:17, 15:17, 15:24, 18:15, 19:4, 26:7, 35:9, 36:21, 39:1, 40:8, 41:15, 45:23, 46:18, 55:2, 55:3, 55:4, 63:22, 75:18, 78:4, 86:22, 87:1, 87:15, 87:17, 90:18 matters 10:22, 10:23, 16:8, 47:8 maurice 74:8 maybe 76:19	mayor's 9:20, 14:15, 18:18, 20:3, 20:12, 26:16, 27:10, 27:16, 28:2, 28:8, 28:10, 28:17, 35:6, 36:2, 40:16, 41:3, 42:24, 43:2, 43:3, 43:6, 43:19, 46:21, 47:3, 48:4, 53:13, 53:14, 67:21, 68:7, 69:11, 69:21, 70:19, 71:4, 75:21, 78:21, 82:8, 86:13, 86:15, 89:23 mayoral 15:8 mean 15:5, 18:4, 18:24, 19:6, 19:14, 21:4, 25:21, 28:5, 28:21, 30:20, 45:12, 46:6, 48:15, 54:22, 55:1, 59:24, 69:17, 71:5, 85:5, 89:11 meaning 54:20, 60:4 means 19:7, 40:7 meant 40:22, 41:6, 41:12, 41:18, 60:13, 60:17, 60:23 mechanics 12:9 media 16:1, 16:3, 27:8, 27:13, 27:14, 27:16,
---	--	--	--

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

106

28:9, 28:11, 28:13, 28:15, 28:20, 29:2, 30:3, 30:6, 43:2, 43:8, 43:13, 43:15, 43:17, 66:4, 70:9, 70:17, 70:18, 74:24 medium 15:13, 15:24, 17:8 meeting 22:6, 22:8, 22:14, 23:7 meetings 77:9 members 13:9, 13:18, 13:19, 15:1, 17:4, 75:23, 75:24 memo 5:16, 65:18, 65:19, 65:22, 67:5, 68:8, 69:17, 70:2 memory 14:2, 14:10, 46:14, 59:13 memos 69:22 mentioned 38:5, 52:15, 68:20 michael 3:5, 6:21, 7:24, 8:5, 10:11, 11:17, 22:9, 23:10, 43:22, 48:13, 50:15, 51:16, 57:4, 58:18, 59:5, 64:13, 66:7, 70:12, 88:21 might 16:22, 17:16,	64:17, 68:3 mind 21:1, 21:4, 40:14, 41:3, 63:11, 63:20, 69:22 minute 50:6 minutes 34:12, 73:3 mischaracterizes 86:10 moment 58:12, 59:11 monitor 6:16 more 8:14, 28:5, 38:10, 54:8, 59:3, 69:14, 73:3, 76:10 morning 8:4, 19:8, 19:13, 19:14, 26:6, 40:14 most 24:3 motion 10:22, 10:24, 11:9, 24:6 move 24:15 mute 44:22, 72:20, 72:22 muting 7:21 mutually 53:9 myself 7:21, 8:19, 13:21, 18:12, 75:16, 82:16 <hr/> N <hr/> name 8:4, 8:7, 71:18, 71:23	nathan 4:13, 6:17, 44:16, 44:17, 45:1, 72:17 nature 16:13, 17:9, 27:14 necessarily 48:22 necessary 82:7, 85:4, 85:7 need 44:20, 44:24, 70:18 neither 94:8 never 89:15 new 56:24, 57:15, 58:7, 59:9, 60:13 news 67:15, 69:15, 70:7 next 9:7, 16:13, 65:4, 79:4 north 3:20 northern 1:2 notarial 94:13 notary 2:9, 94:1 note 11:8, 48:13, 50:16, 64:13 notes 90:22 nothing 6:4, 59:7 notice 5:17, 10:17, 79:5, 79:8, 79:9, 79:21,	89:1 noting 58:23 number 6:8, 6:14, 83:15, 85:9, 86:2 ny 5:15 nyt 58:7 <hr/> O <hr/> object 7:8, 23:21, 24:3, 58:18 objected 10:16, 23:13 objection 10:7, 10:11, 11:17, 11:21, 12:12, 12:21, 13:4, 15:18, 16:17, 18:2, 18:22, 19:2, 19:21, 20:5, 20:15, 21:14, 22:9, 22:17, 22:21, 23:3, 23:9, 23:16, 26:24, 28:24, 29:10, 29:15, 30:12, 31:8, 31:15, 32:1, 36:8, 37:4, 37:12, 37:19, 38:1, 38:8, 39:8, 39:14, 40:18, 41:1, 42:1, 42:15, 42:21, 43:22, 43:23, 44:5, 46:20, 46:24, 47:7, 48:7, 49:4, 49:16, 51:16, 53:2, 53:24, 54:15, 55:10, 56:17,
--	---	--	--

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

107

57:22, 59:1, 59:6, 59:18, 60:1, 60:19, 61:1, 61:9, 61:24, 62:8, 62:17, 62:23, 63:5, 63:9, 63:18, 64:11, 66:8, 66:11, 67:23, 69:19, 70:3, 71:11, 74:14, 78:1, 81:19, 82:1, 82:12, 82:22, 83:4, 83:8, 83:13, 86:9, 86:10, 87:3, 87:11, 88:13, 88:22, 90:16 objections 9:4, 20:18, 20:22 obviously 20:21, 48:17, 48:21 occasion 40:5, 40:11, 40:15, 40:23, 41:6, 41:10, 41:19, 42:4, 42:13, 42:20, 43:14, 54:14, 54:18, 55:5, 68:17, 69:14, 71:4, 71:8, 75:20, 82:5, 86:20, 87:14, 87:17, 87:20, 87:21, 88:3, 88:6, 89:11, 89:20 occur 42:4 occurred 23:21, 40:12 october 1:17, 6:15, 94:14	office 14:16, 14:23, 27:10, 27:16, 28:2, 28:8, 28:10, 28:17, 30:5, 32:23, 35:24, 36:2, 36:5, 36:6, 36:11, 36:12, 36:19, 38:13, 40:17, 42:9, 42:24, 43:2, 43:3, 43:7, 43:19, 46:22, 52:5, 52:13, 53:15, 54:5, 54:10, 61:7, 61:12, 66:13, 66:18, 66:19, 68:19, 70:1, 70:15, 73:15, 74:12, 74:17, 78:22, 89:23 officer 94:2 offices 4:6 official 1:9, 6:10, 6:13, 59:8 often 75:9 oftentimes 75:16 oh 34:11, 34:15, 71:22, 72:19 on-the-record 34:9, 34:12 once 24:2, 90:8 one 6:9, 7:22, 8:5, 8:16, 8:18, 9:9, 15:20, 15:22, 15:24, 16:19, 17:10, 17:11, 18:11, 26:2,	28:9, 29:17, 30:16, 30:21, 35:10, 43:15, 52:17, 67:1, 70:13, 75:10, 76:19, 79:8, 79:11 one's 15:8 one-on-one 9:16, 12:1, 12:24, 13:3, 18:19, 24:18, 25:12, 31:5, 32:7, 36:13, 37:23, 38:4, 39:5, 39:18, 53:15, 64:2, 64:7, 76:14, 80:1, 82:9, 85:11, 86:14 one-to-one 13:10 ones 13:22, 52:22 only 8:23, 11:11, 26:1, 26:17, 26:20, 26:21, 29:2, 39:6, 40:9, 41:8, 43:3, 46:9, 50:19, 73:2, 87:8, 89:13, 89:14 open 26:8 opportunity 39:24 opposed 8:22, 60:7 order 10:19, 61:19, 62:16 ordered 61:4, 62:6 orders 61:15	original 68:1 originally 67:9, 69:7 other 7:22, 15:15, 15:22, 17:5, 17:6, 53:16 otherwise 20:19, 94:11 out 8:21, 9:13, 13:17, 13:20, 13:23, 14:21, 14:23, 14:24, 15:2, 15:10, 16:4, 17:1, 17:19, 17:21, 18:7, 44:18, 52:5, 52:8, 52:14, 52:18, 52:23, 55:16, 68:19, 69:7, 69:10, 70:12, 70:16, 71:7, 85:22, 86:5, 86:19 outcome 94:11 outlet 15:14, 17:8 outlined 69:4, 80:2, 85:12, 86:15, 88:24 outside 10:17, 11:14, 20:20, 24:7, 33:7, 42:9, 64:21, 76:3, 77:21, 78:22, 85:8 over 8:12, 9:9, 16:12 overarching 18:15 oversee 73:22
---	--	---	--

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

108

own 11:10	passed 72:7	plaintiff 1:7, 3:3, 4:3, 6:7, 10:1, 50:1, 79:18	61:23, 62:22, 76:13, 80:1, 80:4, 80:5, 80:6, 80:7, 80:11, 80:17, 80:23, 81:5, 82:21, 82:23, 83:3, 83:7, 83:11, 85:10, 86:6, 86:14, 86:24, 87:2, 87:4, 87:8, 90:9, 90:11, 90:13, 90:14, 90:19
P	past 17:17, 32:23, 33:1, 60:7	plaintiff's 11:9	political 29:17, 29:24, 30:1
page 5:3, 5:12, 50:8, 59:4, 59:12	penalties 7:7, 7:17	plaintiffs 6:22, 6:23, 8:6, 46:17, 46:22, 48:1	position 11:8, 18:18, 24:8, 40:16
pages 1:21, 65:12	people 14:19, 70:13, 75:4, 76:2, 84:22	plan 69:8	possible 14:17, 32:8, 38:10, 38:17, 42:8, 56:15
palatine 4:8	perfect 79:17	planet 4:13, 4:14, 6:18, 7:1	possibly 89:21
paragraph 51:8, 51:9, 51:22, 53:11, 55:21, 55:22, 79:24	period 12:17, 12:18, 19:13, 19:16, 23:2, 25:15, 26:14, 30:17, 46:10, 49:3, 49:15, 51:11, 51:15, 87:9	plans 56:2, 56:12	post 27:15, 27:16, 28:19
parameters 10:14, 11:1, 11:12, 15:20, 15:22, 15:23, 18:9, 20:2, 20:11, 20:13, 20:20, 22:11, 23:12, 24:12, 25:13, 26:21, 37:6, 42:10, 43:24, 49:5, 51:19, 53:12, 55:23, 56:5, 56:8, 56:12, 56:16, 67:7	perjury 7:7, 7:17	please 6:19, 7:2, 7:3, 7:15, 8:7, 8:17, 8:19, 9:4, 9:21, 34:9, 39:23, 40:1, 41:20, 45:4, 50:3, 55:17, 58:4, 58:9, 65:6, 72:18, 79:6, 87:23, 87:24	posted 27:8, 28:13, 28:14, 43:14
part 15:7, 16:9, 16:23, 17:16, 17:20, 17:22, 37:24, 39:6, 51:23, 55:9, 75:14, 75:18, 76:5, 76:13, 89:2	person 26:17, 75:10	point 11:5, 23:18, 24:14, 59:6	premise 47:17
participating 21:10, 52:6, 66:2	personal 28:23	policy 12:5, 12:6, 12:15, 12:16, 19:20, 20:17, 22:16, 22:20, 22:24, 23:2, 23:22, 23:24, 24:2, 26:22, 27:11, 27:17, 28:4, 28:10, 28:20, 30:4, 30:11, 35:3, 36:7, 36:23, 40:2, 43:1, 43:3, 43:8, 43:9, 46:2, 57:20, 61:20,	preparation 14:19, 21:7, 21:12, 21:13, 27:24, 47:5, 47:6, 81:18, 81:23, 84:23, 86:1
particular 63:21	perspective 56:22		prepare 33:13, 49:8, 49:11, 80:10, 80:13, 80:19, 81:2, 81:9, 83:20, 84:2,
parties 6:18, 94:9	pertinent 15:4, 15:5		
	peter 3:16		
	phone 46:18		
	photographic 14:2, 14:10, 46:14		
	phrase 55:5		
	place 19:7, 26:2, 26:5, 26:14, 32:4, 37:16, 37:17, 39:13, 45:15, 46:9, 71:24, 76:18, 76:20		

84:8, 84:15, 85:15 prepared 80:15, 80:23, 81:7, 81:13, 81:14, 83:16, 83:23, 84:5, 84:11, 84:19, 85:9, 85:19 present 4:12, 24:5 preserve 24:15 preset 40:11 press 13:9, 13:21, 15:1, 17:4, 26:8, 30:7, 30:11, 31:2, 31:4, 32:6, 36:17, 36:18, 36:22, 36:24, 37:3, 37:10, 37:18, 37:24, 38:5, 38:7, 38:15, 43:21, 44:3, 45:10, 45:11, 45:12, 45:14, 45:16, 46:4, 46:6, 46:23, 47:4, 48:5, 49:3, 49:15, 51:10, 51:14, 51:23, 52:6, 52:10, 53:12, 53:15, 53:17, 55:24, 56:6, 56:8, 73:20, 74:19, 74:22, 75:17, 83:17, 83:24, 84:6, 84:12 presupposes 12:13 pretty 25:18, 43:18 previous 90:3	previously 22:13, 37:8, 44:2, 44:9, 49:7, 51:20, 52:15, 72:2, 83:1, 87:6 previously-sched- uled 71:14 print 88:17 printed 58:14 prior 11:6, 19:18, 23:14, 24:24, 25:1, 35:19, 56:7, 70:24, 76:21, 76:22, 77:16 privilege 47:9 probably 24:3, 32:22, 35:18, 76:21, 77:16 problem 79:12 procedure 24:1, 25:7 proceed 58:23 proceeding 7:9 process 90:5 produced 66:20, 66:23 producing 66:17 production 66:9 professional 17:15 promotions 89:3 pronounce 71:17	protected 47:9, 47:14 protocol 21:18, 21:23 provide 13:2, 22:15, 53:22, 61:21, 63:2, 63:3, 63:16, 64:2, 64:6, 64:7, 65:23, 76:14, 77:10, 78:22, 80:1, 82:8, 85:11, 86:14, 88:12 provided 38:18, 38:20, 45:24, 77:18, 85:4 providing 9:15, 11:24, 12:24, 18:19, 24:18, 25:11, 36:12, 37:22, 39:5, 39:18, 89:13 public 2:9, 26:23, 27:4, 27:5, 27:7, 27:11, 27:12, 28:3, 28:6, 28:9, 28:11, 30:4, 43:1, 43:7, 43:9, 43:16, 80:7, 81:6, 83:12, 84:13, 90:10, 94:1 publicly 41:14 published 57:1, 57:16, 59:9 publisher 70:15 pull 9:19, 39:22, 50:1, 55:20,	79:4, 87:22 purchased 89:15, 89:18 purpose 11:20, 65:21, 66:1, 67:4 purposes 19:12, 21:2 pursuant 2:8 put 7:20, 18:9, 43:12
Q			
qualifications 15:15 question 7:24, 9:7, 10:8, 10:12, 11:13, 12:22, 13:5, 15:19, 16:18, 18:3, 19:3, 19:22, 20:7, 20:24, 21:5, 21:15, 24:11, 27:1, 29:1, 29:11, 29:16, 30:13, 31:3, 31:9, 31:16, 32:2, 32:10, 32:21, 32:24, 36:9, 37:4, 38:2, 38:9, 39:9, 39:15, 40:19, 41:2, 41:17, 41:20, 42:2, 42:12, 42:13, 42:16, 42:22, 43:5, 44:7, 44:12, 47:1, 47:8, 47:12, 48:8, 51:17, 53:3, 55:11, 56:18, 57:23, 59:19, 60:3, 60:20, 61:2,			

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

110

61:10, 62:1, 62:9, 62:12, 62:13, 62:18, 62:24, 63:6, 63:10, 63:19, 64:12, 64:20, 64:24, 67:24, 68:4, 69:20, 70:4, 71:12, 74:15, 78:2, 80:22, 81:20, 82:2, 82:22, 87:4, 87:12, 88:2, 88:14, 89:6, 89:9 questions 8:16, 8:18, 9:3, 18:7, 18:13, 23:11, 23:19, 24:9, 26:9, 30:24, 31:6, 31:13, 31:22, 31:24, 32:5, 32:11, 32:16, 32:18, 32:20, 33:2, 33:6, 33:8, 33:9, 33:11, 42:19, 45:18, 45:21, 48:14, 48:15, 51:17, 54:3, 54:7, 55:8, 81:14, 81:24, 89:1, 91:17, 91:19 quick 72:20 quite 23:11, 68:14	raise 7:15, 11:2, 20:21 raised 10:22, 10:23, 11:5, 20:17, 43:23 ran 70:6 range 15:9, 31:11 rates 32:12, 32:16 rather 24:13 rationale 11:3 reach 13:19, 13:23, 14:21, 14:24, 17:7 reached 13:17, 13:23, 14:23, 15:2, 15:10, 16:4, 17:18, 17:19, 17:21, 18:7, 52:5, 52:8, 52:14, 52:18, 52:23, 68:19, 69:7, 70:12, 70:16, 71:7 reaching 26:11 reaction 90:11 read 38:17, 39:24, 41:3, 48:20, 55:16, 55:18, 59:11, 63:11, 63:20, 69:21, 69:23, 72:17, 93:3 reader 21:1, 21:4 reading 40:21, 50:16,	60:5, 60:11, 94:7 reads 40:14, 51:9, 88:6 ready 7:22 real 58:13, 72:20 really 64:20, 69:17 reason 47:11 reasons 11:13, 22:12, 37:7, 44:2, 49:7, 51:20, 62:15, 83:1, 87:6 recall 25:17, 25:18, 27:18, 28:16, 28:18, 35:18, 38:16, 43:12, 59:16, 66:17, 70:5, 70:23, 71:1, 76:19, 77:15 recalling 28:12 receive 16:2, 77:14, 77:21, 90:11 received 77:13, 77:19 receives 75:2 recess 34:19, 72:23, 91:5 recognize 51:1, 58:16, 65:14, 79:17 recollection 58:17 record 8:8, 8:23, 8:24, 24:15,	34:18, 34:21, 45:4, 45:6, 45:7, 48:14, 50:17, 58:23, 64:14, 72:14, 72:17, 72:22, 73:1, 88:22, 91:3, 91:7, 91:23, 92:1, 94:5 recording 45:1 reduced 94:6 refer 44:3 reference 9:19, 33:22, 47:4 referenced 46:4, 46:6 referred 38:15 referring 10:5, 43:20, 52:22 refers 86:21, 87:14, 87:17, 88:4 refresh 58:17, 59:12 regard 11:8, 24:13 regarding 42:9, 53:15, 66:3, 68:10, 69:18 regards 82:5 related 34:1, 36:21, 41:15, 71:24, 85:2, 89:14, 89:19, 94:9 relating 40:8, 55:6 relevant 36:15
R			
race 15:17, 16:15, 17:10, 17:12, 17:22 rachel 4:14 radio 67:8			

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

111

remotely 6:18 repeat 43:5 rephrase 56:7 report 73:24 reported 1:22, 27:9, 30:6 reporter 6:24, 7:2, 7:3, 7:5, 7:14, 7:19, 8:2, 8:23, 8:24, 9:8, 31:3, 32:5, 32:20, 33:3, 33:10, 34:9, 54:3, 54:4, 55:16, 55:18, 65:6, 67:19, 94:1 reporters 17:13, 33:2, 42:7, 45:20, 54:6 represent 6:20 representation 58:21 representing 6:17, 6:22, 6:23, 7:1, 8:6 request 13:16, 52:9, 53:7, 53:8, 66:21, 66:23, 68:1, 68:17, 72:3, 75:1, 75:3, 75:11 requested 13:15, 51:24, 52:13, 52:17, 52:24, 94:8 requests 25:5, 66:14, 71:3, 75:2, 75:9, 76:9	reserve 91:20 respond 8:21, 66:13 responded 32:22, 57:20 response 9:5, 47:13, 66:20, 66:23, 79:9 responsibility 32:20 restate 8:17 review 27:23, 33:18, 33:20, 33:23, 34:2, 50:7, 73:12, 75:9, 91:11 reviewed 33:21, 33:24, 50:24 right 7:15, 7:20, 41:11, 44:23, 45:2, 50:21, 52:19, 57:10, 57:18, 61:4, 62:6 road 22:10 role 74:22 romain 70:12, 70:22, 71:9 rough 73:4 rules 8:12 run 29:4	45:19, 48:19, 53:4, 53:5, 54:18, 57:5, 59:24, 60:23, 69:17, 69:18, 75:12, 94:5 sale 88:17 sales 89:2, 89:13, 89:19 same 11:17, 11:21, 22:17, 22:21, 23:3, 23:9, 37:12, 37:19, 63:9, 64:20, 72:4, 74:4, 80:22, 83:4, 83:8, 83:13, 93:4 sanders 70:21, 71:9 sat 56:23, 57:14 say 14:1, 14:3, 30:10, 39:17, 43:14, 48:20, 75:11 saying 44:13, 58:21, 71:19 says 40:2, 40:4, 40:10, 41:10, 51:22, 66:2, 87:20, 87:21, 88:17 schedule 26:16, 35:6, 35:17, 69:1, 72:5, 78:8, 78:20 scheduled 21:2, 49:22, 72:8, 76:23 scheduling 26:12, 35:7,	35:14, 36:3, 36:4, 36:6, 36:12, 36:16, 52:20, 69:1, 69:10, 77:13, 78:22 scope 10:16, 10:21, 10:24, 11:11, 11:14, 12:17, 18:1, 18:5, 20:18, 22:10, 23:14, 23:16, 24:7, 28:3, 28:10, 41:16, 43:23, 54:19, 54:21, 54:22, 55:1, 63:22, 64:21, 80:4, 80:11, 82:21, 83:16, 88:4, 88:13 screen 9:24, 39:23, 50:18 scroll 50:9, 65:12 seal 94:13 second 50:2, 51:4, 52:18, 75:21, 79:11 seconds 7:23, 34:12 secretary 13:21, 74:19, 74:23, 75:17 see 9:24, 51:12, 51:24, 53:17, 55:4, 56:3, 66:1, 66:5, 80:8 seek 12:4, 12:14, 12:19, 13:14 seeking 11:9, 70:14
	<div>S</div>		

<p>seen 79:22, 88:16 select 17:2 selected 13:12, 17:3 selection 10:14 self-identified 16:20 self-identify 17:14 send 52:9, 68:8 sense 9:10, 24:4 sentence 40:4, 51:9 separate 30:2 series 23:10, 38:23, 40:3, 43:4, 43:10, 46:9, 48:15, 61:6, 89:1 serious 43:20 set 19:23, 25:13, 26:3, 36:19, 36:24, 37:2, 37:9, 38:14, 39:7, 39:13, 40:11, 49:22, 53:13, 54:5, 54:10, 54:13, 61:5, 73:7, 76:1, 77:2, 77:23, 78:3, 79:14, 82:7, 91:22, 94:12 sets 49:23 several 26:4 shaking 8:22</p>	<p>she'd 16:11, 39:5 she'll 9:15, 12:24 sheet 93:7 short 12:7, 30:17 should 48:20, 62:22, 79:8, 81:22, 84:21, 85:24, 90:23 show 67:8 showing 50:18 sic 13:11 side 29:18, 30:1 signature 91:20, 93:11 signature-mig2k 94:16 signed 41:9, 93:7 signing 94:8 similar 51:18 since 46:1, 53:17, 54:9, 56:1, 56:9, 89:24 sit 54:5, 77:12 situation 62:19 sixth 64:16 smoothly 8:15 social 27:8, 27:13, 27:16, 28:9, 28:11, 28:13, 28:15, 28:19,</p>	<p>29:2, 30:3, 43:2, 43:7, 43:13, 43:15 some 14:8, 14:22, 15:10, 17:19, 52:5, 58:14, 69:1, 69:2, 70:19, 70:20 somebody 36:3 someone 34:10, 35:23, 42:6, 70:6 something 42:8, 45:19, 61:16, 63:15 sometimes 36:21, 88:19 sorry 14:22, 18:22, 19:14, 33:13, 44:17, 44:21, 44:22, 44:24, 47:5, 54:23, 55:14, 56:7, 57:4, 59:5, 67:12, 71:17, 72:19, 72:20, 72:21, 79:10, 79:14, 91:2 sort 64:20 sought 11:10, 13:10, 13:14, 16:5, 17:1 speak 14:18, 18:16, 21:7, 21:11, 29:3, 32:14, 33:16, 34:24, 36:5, 40:20, 41:8, 48:18, 48:21, 56:19, 63:12, 63:13, 67:2, 67:9, 73:10, 86:5,</p>	<p>86:13, 91:8 speaking 9:5, 9:7 specials 88:12 specific 28:5, 31:13, 54:8, 76:10, 77:23, 89:13 specifically 14:6, 25:14, 32:14, 38:16, 59:3, 87:1 speculate 20:8, 44:14, 47:2, 48:9, 60:4, 61:11, 62:2, 62:20 speculating 60:9 speculation 20:6, 44:6, 44:8, 44:11, 60:2 speech 73:21 spell 8:7 spoke 15:10, 33:15, 46:17, 80:14, 80:21, 81:4, 81:11, 83:22, 84:4, 84:10, 84:17, 85:17, 86:23 spoken 9:1, 41:11, 41:18, 60:12, 63:24, 81:22, 84:22, 85:24 staff 34:10, 74:1, 74:2, 74:4, 74:7, 76:6, 76:9, 76:12, 77:3, 77:10, 80:7, 81:6,</p>
---	---	---	---

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

113

83:11, 84:12 stand 9:21, 50:3, 58:9, 65:6, 79:6, 87:24 standing 88:22 standpoint 32:4 start 43:20 starting 65:5 state 2:9, 6:20, 8:7, 14:5, 34:9, 43:3, 45:14, 46:8, 58:24, 67:14, 87:16 stated 11:24, 12:6, 18:18, 22:13, 37:8, 44:2, 44:9, 49:7, 51:21, 72:2, 83:1, 87:6 statement 23:15, 52:2, 53:19 states 1:1, 9:15, 10:20, 40:10, 79:24, 87:13 stating 59:16, 68:9 still 53:19, 72:6 stipulate 7:4, 7:13 street 3:8, 3:20 strictly 24:1 strike 88:10 structure 73:19 subject 12:8, 12:17,	15:24, 16:8, 18:15, 19:4, 26:7, 30:16, 30:19, 30:20, 30:21, 30:22, 35:9, 36:21, 39:1, 40:7, 41:15, 45:23, 49:19, 55:1, 55:3, 55:4, 55:9, 63:22, 75:17, 78:4, 83:21, 86:21, 87:1, 87:14, 87:17, 90:18 subjects 55:6 submit 75:1 submitted 33:21, 51:5 substance 21:12 suite 3:9, 3:20 supposed 54:20 sure 7:21, 9:6, 15:9, 18:6, 27:21, 43:6, 45:5, 49:1, 54:9, 57:13, 58:20, 59:2, 59:10, 67:18, 71:19, 72:13, 72:16, 76:11 svenson 4:5, 4:6, 6:22 sw 3:8 swear 7:2 swearing 7:4 sworn 6:3 sybil 74:3	T take 9:8, 17:20, 23:15, 26:2, 26:14, 34:5, 37:16, 37:17, 39:24, 50:6, 53:6, 58:12, 59:11, 59:22, 72:11, 76:20, 90:21 taken 24:14, 34:19, 72:23, 91:5, 94:3, 94:6 taking 11:7, 39:13 talk 9:9 talked 8:13, 46:2 talking 16:10, 24:10, 26:12 team 13:15, 13:18, 13:19, 21:19, 21:20, 21:21, 22:2, 23:7, 29:4, 29:24, 38:11, 44:10, 65:20, 70:6, 75:9, 75:13, 75:14, 76:2, 76:4, 76:11, 78:16 teams 76:8 technical 34:10 technician 4:14, 9:21, 44:16, 44:23, 50:3, 50:10, 50:14, 58:9, 79:6, 79:10, 79:13, 87:24	tell 6:3, 20:9, 25:9, 25:14, 32:20, 50:17, 56:21, 59:7 ten-minute 72:12 term 36:18, 38:11, 70:16, 70:17 terms 11:10 testified 6:4, 35:2, 52:4, 53:12, 71:6 testify 55:22, 80:10, 80:13, 80:16, 80:19, 80:23, 81:2, 81:7, 81:9, 81:18, 83:16, 83:23, 84:5, 84:11, 84:19, 85:10, 85:19 testimony 7:6, 7:16, 18:17, 21:8, 21:13, 27:24, 47:6, 54:24, 81:23, 83:20, 84:3, 84:9, 84:16, 85:16, 86:1, 91:14, 93:4, 93:5, 94:5, 94:6 th 6:15, 9:14, 19:8, 19:9, 19:10, 19:13, 19:14, 20:1, 20:10, 20:13, 20:14, 23:6, 25:16, 26:4, 26:5, 26:6, 26:19, 26:20, 30:8, 30:11,
--	--	---	---

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

114

<p>35:4, 36:14, 36:23, 37:11, 37:15, 37:21, 38:14, 38:15, 39:4, 39:11, 39:20, 40:3, 40:6, 40:7, 40:12, 40:13, 40:14, 43:10, 43:11, 44:4, 45:11, 46:1, 51:11, 53:21, 54:9, 57:1, 57:5, 57:11, 57:16, 57:19, 60:6, 63:22, 63:23, 69:5, 70:24, 71:14, 71:15, 72:1, 74:5, 77:19, 77:20, 77:22, 78:5, 78:10, 78:11, 78:12, 78:18, 78:23, 86:19, 87:9, 87:10, 88:8, 88:9, 94:13 thank 7:19, 8:1, 8:11, 9:12, 24:16, 34:16, 34:22, 45:9, 49:1, 50:13, 51:1, 55:19, 57:11, 57:12, 59:23, 65:7, 65:13, 67:18, 71:22 thanks 50:23 themselves 6:20, 48:18, 48:22 thereafter 94:6 they'd 78:12 things 16:11, 16:13,</p>	<p>17:8, 24:11, 27:13, 27:14 think 10:11, 14:15, 18:12, 21:6, 23:17, 24:9, 35:2, 41:17, 50:9, 51:16, 55:15, 57:8, 60:22, 64:18, 68:14, 81:22, 82:7, 85:4, 85:7, 85:18, 85:21, 85:24, 86:4, 86:12, 90:14 third 62:11 thomas 1:5, 3:3, 4:3, 6:7, 6:12 thought 15:3, 18:22, 54:23, 62:21 three 7:23, 16:21, 65:12, 69:12, 73:22 through 27:12, 28:7, 28:11, 43:1, 43:4, 50:9, 65:12, 70:7, 70:20 thumbs 7:23 thursday 6:15 time 6:16, 12:7, 12:17, 12:18, 16:5, 19:5, 19:13, 19:15, 19:19, 23:18, 25:16, 26:14, 26:16, 26:18, 26:20, 26:21, 30:17, 32:6,</p>	<p>34:9, 34:11, 34:13, 34:14, 35:13, 41:16, 45:21, 45:22, 46:10, 49:23, 55:1, 55:23, 56:1, 56:7, 56:9, 58:13, 62:11, 64:16, 67:14, 69:11, 70:19, 71:2, 72:4, 72:6, 72:15, 72:17, 76:1, 77:7, 77:8, 77:13, 77:17, 77:20, 78:4, 78:7, 78:14, 78:20, 91:18 times 5:15, 35:16, 53:9, 56:24, 57:15, 58:7, 59:9, 60:14, 75:9, 77:11, 77:14, 77:17, 77:19, 77:21, 78:22, 90:7 timing 26:7, 77:2, 86:21, 87:1, 87:15 titled 50:2 today 6:17, 7:1, 14:19, 21:8, 21:10, 21:13, 23:15, 27:24, 42:12, 56:5, 56:10, 67:13, 80:10, 80:16, 80:24, 81:7, 81:23, 83:16, 83:23, 84:23, 85:10, 91:15 today's 6:15, 11:6,</p>	<p>33:13, 47:6, 67:11 told 60:10 took 19:7, 26:5, 45:15, 46:9, 71:24, 76:18 topic 31:12, 32:8, 85:19, 86:11 topics 81:15, 81:18, 81:24, 84:19, 84:23, 88:24 tour 36:17, 36:18, 36:22, 36:24, 37:3, 37:10, 37:18, 37:24, 38:5, 38:7, 38:15, 43:21, 44:4, 45:10, 45:13, 45:16, 46:5, 46:7, 46:23, 47:4, 48:6, 49:3, 49:15, 51:10, 51:14, 51:23, 52:6, 52:10, 53:12, 53:17, 55:24, 56:6, 56:8, 83:17, 83:24, 84:6, 84:12 toward 55:16 towards 17:22 transcript 5:11, 7:8, 9:23, 24:5, 31:10, 31:17, 45:17, 46:13, 50:5, 57:24, 58:3, 58:8, 58:11, 58:22, 59:8, 79:16,</p>
---	--	--	--

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

115

94:4 transcription 93:5 tried 68:24, 72:5 true 7:6, 7:17, 93:4, 94:4 truth 6:3, 6:4 try 8:19, 9:6 trying 54:17, 58:14, 69:8 turn 51:8, 53:11, 55:21, 59:4 turning 85:9 tv 88:17 twice 46:17 twitter 27:21, 27:23, 28:23, 29:6, 29:8, 29:13, 29:19 two 16:12, 16:13, 26:5, 32:23, 33:1, 35:10, 40:13, 42:5, 42:9, 46:23, 49:12, 49:23, 52:15, 69:12, 71:9, 76:19, 76:21 two-day 23:2 two-year 13:11, 14:7, 15:7, 16:11, 18:11, 25:7, 25:20, 25:22, 30:23, 31:1, 31:12, 32:9,	35:8, 39:19, 40:5, 40:24, 41:7, 41:19, 42:4, 42:12, 42:14, 42:19, 42:20, 43:14, 45:20, 53:22, 54:7, 54:11, 54:14, 54:19, 55:5, 55:6, 55:9, 66:3, 67:21, 68:3, 68:7, 68:10, 68:17, 69:8, 69:9, 69:18, 71:4, 71:8, 72:4, 78:4, 78:13, 82:6, 85:2, 86:20, 87:21, 88:4, 88:7, 88:8 type 8:22, 18:13, 32:5, 58:14 types 52:16 typewriting 94:7 typo 71:21 <hr/> U <hr/> ultimate 75:5 umbrella 31:12, 32:8 under 7:7, 7:17, 32:22, 47:14, 47:17, 66:1, 94:7 underscored 30:15 understand 8:18, 24:8, 54:18 understanding 19:24, 20:4,	20:12, 88:23, 89:12 united 1:1 unrelated 71:13 until 9:3, 9:4, 9:6, 78:18 ups 70:11 use 16:1, 38:11, 44:9, 55:24, 56:2, 56:12, 70:17, 70:18, 86:6 uses 29:9, 36:19 using 38:16 <hr/> V <hr/> vague 12:12 vaguely 88:15 variety 27:13, 28:7, 75:4 verbal 25:18 verbatim 30:14 verified 7:10, 29:3 versus 6:12 via 11:5, 13:24 videographer 4:13, 6:8, 6:17, 6:24, 34:11, 34:15, 34:20, 44:21, 45:2, 45:5, 72:19, 72:24, 91:1, 91:3,	91:6, 91:23 videotaped 6:9 view 60:7 virtually 1:16, 2:2 voice 6:19 <hr/> W <hr/> wait 9:2, 9:4, 9:6 want 39:24, 47:2, 48:13, 48:18, 50:16, 58:24, 59:3, 65:10, 66:7, 71:22, 88:21 wanted 14:6, 15:9, 67:18, 71:18 washington 3:10 watch 3:7, 66:20 way 7:9, 9:13, 12:6 ways 28:8, 52:16 we'll 24:4 we're 26:15, 34:12, 63:21, 73:17, 73:20, 79:13 we've 17:17 week 76:21, 77:15, 77:16 weekends 88:12 weekly 66:4, 67:8, 70:10 weeks 69:12
--	---	---	---

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

116

<p>welcome 34:22 went 44:18 whereof 94:12 whereupon 34:19, 72:23, 91:5 whether 24:7, 32:6, 38:23, 62:21, 64:1, 64:5, 64:6, 85:10, 86:6, 86:13, 90:14 whole 6:4 widely 27:9, 30:6 wish 81:17 within 33:1, 55:4 witness 7:2, 7:5, 7:10, 7:18, 11:15, 11:18, 11:22, 20:18, 20:20, 22:12, 37:7, 42:2, 44:1, 47:10, 49:6, 49:18, 50:15, 51:20, 58:24, 64:16, 64:23, 65:11, 82:24, 87:5, 88:24, 90:20, 94:12 witness's 55:15 word 44:10, 46:14 words 38:17, 60:5, 60:11, 60:23, 70:6 work 17:16, 61:12,</p>	<p>62:14, 69:10 worked 16:20, 89:22 works 34:8, 72:16 wouldn't 47:14 wrap 90:23 writing 23:16, 73:21 written 10:10, 23:5, 23:6, 23:23, 27:14, 37:15 wrong 57:8 wrote 11:16, 37:11, 37:14, 40:23, 41:6, 41:12, 48:1, 87:7</p> <hr/> <p>Y</p> <hr/> <p>yeah 30:3, 44:23, 55:12, 72:21, 73:6 year 75:21 years 16:12, 16:13, 16:21, 32:23, 33:1, 42:9 york 56:24, 57:15, 58:7, 59:9, 60:14</p> <hr/> <p>0</p> <hr/> <p>02852 1:8, 6:14</p> <hr/> <p>1</p> <hr/> <p>1 91:4, 91:7, 91:24, 92:1 10 1:18, 6:16,</p>	<p>53:11 11 34:15, 34:21, 45:6, 45:7, 72:15, 91:4 12 73:1 13 34:15, 73:17 14 1:17, 6:15 16 55:21, 55:22 18 78:18, 94:13 19 9:14, 19:8, 19:9, 19:13, 20:13, 23:6, 25:16, 26:4, 26:19, 36:14, 36:23, 37:11, 37:15, 37:21, 38:14, 39:4, 39:11, 40:3, 40:12, 43:10, 44:4, 51:11, 51:12, 53:13, 57:1, 57:5, 57:19, 60:6, 63:22, 69:5, 70:24, 71:14, 72:1, 74:5, 77:19, 77:22, 78:10, 78:11, 78:23, 80:3, 85:12, 86:16, 86:19, 87:9 1:-cv 1:8, 6:14 1st 42:18</p> <hr/> <p>2</p> <hr/> <p>20 19:8, 19:10, 19:14, 20:1, 20:10, 20:13,</p>	<p>20:14, 25:16, 26:5, 26:6, 26:20, 30:8, 30:11, 35:4, 36:14, 38:15, 39:20, 40:3, 40:6, 40:7, 40:13, 40:14, 43:11, 45:11, 46:1, 51:24, 53:21, 54:9, 60:6, 63:23, 70:24, 71:15, 72:1, 74:5, 77:20, 77:22, 78:5, 78:10, 78:12, 78:18, 78:23, 87:10, 88:8, 88:9 20024 3:10 202 3:11 2020 9:14, 90:1 2021 1:17, 6:16, 23:6, 37:11, 37:15, 37:21, 39:4, 39:11, 42:18, 45:11, 46:1, 51:24, 53:21, 54:9, 57:1, 57:5, 57:11, 57:16, 68:23, 69:5, 74:5, 80:3, 85:13, 86:16, 94:14 2024 94:15 21 1:8, 6:14, 45:11, 46:1, 51:24, 53:21, 54:9, 74:5 22 91:7, 91:24,</p>
---	---	---	--

Transcript of Kathleen LeFurgy
Conducted on October 14, 2021

117

92:1, 94:15 24 49:3, 49:14, 51:10, 51:15, 87:9 26 34:21, 57:11, 57:16 28 72:22 29 20:13 2900 4:9 <hr/> 3 <hr/> 30 10:16, 10:21, 51:11, 64:14, 73:2, 88:24 312 3:22, 4:9 34 1:18 345 4:7 36 6:16 38 34:12 3rd 3:8, 5:16, 65:5, 67:16, 68:23, 69:3, 72:8, 72:9 <hr/> 4 <hr/> 40 72:15 403647 1:20 42 45:6, 73:1 425 3:8 43 45:7 467 4:9	48 5:14 <hr/> 5 <hr/> 5172 3:11 520 3:20 53 34:12 56 5:15 <hr/> 6 <hr/> 60067 4:8 60602 3:21 62 5:16 646 3:11 <hr/> 7 <hr/> 7129 3:22 744 3:22 76 5:17 <hr/> 8 <hr/> 800 3:9 89 1:21 <hr/> 9 <hr/> 9 51:11	
---	---	--



OFFICE OF THE MAYOR
CITY OF CHICAGO

LORI E. LIGHTFOOT
MAYOR

May 19, 2021

Good morning,

By now, you may have heard the news that on the occasion of the two-year anniversary of my inauguration as Mayor of this great City, I will be exclusively providing one-on-one interviews with journalists of color. As a person of color, I have throughout my adult life done everything that I can to fight for diversity and inclusion in every institution that I have been a part of and being Mayor makes me uniquely situated to shine a spotlight on this most important issue. I wanted to reach out to you directly to ensure you understand my thinking behind that decision.

As the first Black woman mayor of Chicago, and the first openly gay mayor, my election in 2019 was hailed for breaking barriers to the halls of power that had existed in our city for generations. I ran to break up the status quo that has failed so many residents across our city. And that failing status quo did not apply simply to City Hall and City government. It pertains and exists in all public and private institutions.

In the time since I was elected, our country has faced an historic reckoning around systemic racism. Organizations, corporations, educational institutions and more all across our city, our state and our country have declared new efforts to address the deep-seated legacies of institutionalized racism. In looking at the absence of diversity across the City Hall press corps and other newsrooms, sadly it does not appear that many of the media institutions in Chicago have caught on and truly have not embraced this moment.

I have been struck since my first day on the campaign trail back in 2018 by the overwhelming whiteness and maleness of Chicago media outlets, editorial boards, the political press corps, and yes, the City Hall press corps specifically. In the year 2021, with a Black, lesbian Mayor, a Black woman City Treasurer, a Latinx woman City Clerk and a majority Black and Latinx City Council, the group of reporters assigned to cover City Hall is practically all white. Many of them are smart and hard-working, savvy and skilled. But mostly white, nonetheless. Indeed, there are only a handful of beat reporters of color in the City Hall press corps. While there are women of color who sometimes cover my administration, there are zero women of color assigned to the City Hall beat. Zero. I find this unacceptable and I hope you do too.

The press corps is the filter through which much of what we do in government is dissected and explained to the public. It is essential for a healthy democratic society and an accountable government. And yet, despite the many talents and skills of our reporting corps, I fear this arm of our democratic system is on life support. The Chicago media leadership must evolve with the times, in order to be a true reflection of the vibrant, vast diversity of our city. Diversity matters and without it, how can you as the media truly speak to the needs and interests of the diverse and nuanced constituency you claim to serve until you do the work necessary to reflect that constituency.

There is almost no one in the editorial board rooms or in the City Hall press corps who has themselves lived the experience of a woman of color in the City of Chicago. The Crain's Chicago Business editorial board is entirely white. There are zero women of color on the Chicago Tribune editorial board. Almost all the major television networks in Chicago covering City Hall are led by white News Directors.

Exhibit #

Plaintiff-1

10/14/21- RC

exhibitster.com

It is impossible for this glaring lack of diversity not to be reflected in the daily coverage of government, politics and city life every single day.

We are working hard to do our part. We host ethnic media roundtables, and work hard to prioritize outlets led by people of color. I or others from my administration regularly appear on Black and Latinx TV and radio stations, and we've also focused paid public service media ad dollars in that direction. We have worked to build diversity into our own communications team--our Digital Director is a Latinx woman and our lead Digital Strategist is an African American woman; our Deputy Communications Director is African American; our lead speechwriter is an African American woman; and two of our Deputy Press Secretaries are African American.

We have more to do, but as I always have said, equity and inclusion are the north stars of this administration, and that includes our own communications efforts.

Still, Black or Brown community leaders often reach out to me or my team to call our attention to implicit--or explicit--bias in one piece of coverage or another from your outlets. For the past two years, more often than not, we have debated internally, then chosen to say nothing, to let it go, lest we be accused of whining about negative coverage or of "playing the race card." And the truth is, it is too heavy a burden to bear, on top of all the other massive challenges our city faces in this moment, to also have to take on the labor of educating white, mostly male members of the news media about the perils and complexities of implicit bias. This isn't my job. It shouldn't be. I don't have time for it. But as with so many festering problems, it has only gotten worse with time. So here I am, like so many other Black women before me, having to call your attention to this problem. I have no power to make you change, but I hope that you will not just cover and express your opinion about the great and historic racial awakening that is rippling across all parts of our society. I hope that you too will see it for the opportunity that it is and embrace it by reflecting the change across your organizations.

We'll start here. At the two-year anniversary of my inauguration, I am issuing a challenge to you. Hire reporters of color--and especially women of color--to cover Chicago politics, and City Hall in particular. If you only have a white reporter covering City Hall, make sure there's a person of color working with them as well.

There are plenty of talented women reporters of color in Chicago for you to hire from, and that pool of talent is growing all the time.

Does your institution have an initiative set up to intentionally cultivate, recruit, support and retain young reporters of color in your ranks? Are there any people of color in your leadership teams or on your editorial boards? Are there qualified people of color on your team that could cover City Hall, but simply haven't been given the chance? Have you analyzed your own coverage to identify and root out implicit bias?

My team will always be responsive to your inquiries. We will always be transparent. But if the answer to these questions is no, be advised that I will continue to press for that to change.

I look forward to hearing your response as to what you plan to do to address this concern.

Sincerely,



Mayor

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS CATENACCI, *et al.*,

Plaintiffs,

v.

**LORI LIGHTFOOT, in Her Official Capacity
As Mayor of the City of Chicago,**

Defendant.

Case Number: 21-cv-02852

SECOND DECLARATION OF KATHLEEN LEFURGY

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is Katheen LeFurgy. I am over 18 years of age. I have personal knowledge of the facts set forth in this Declaration, and if called upon to testify to those facts I could and would competently do so.

2. I am the Communications Director for the Office of the Mayor of Chicago, a position I have held since February 1, 2021. In my current role, I lead the Mayors Press Office, which is responsible for all communications of the Mayor and Mayor's Office, including but not limited to, press communications; social media; and speechwriting. My duties include, but are not limited to, reviewing and approving press inquiries, including requests for interviews, and press statements; reviewing and approving remarks; and reviewing and approving social media content.

3. On May 19, 2021, and the morning of May 20, 2021, to commemorate the Second Anniversary of Mayor Lightfoot's inauguration as Mayor of Chicago, Mayor Lightfoot participated in a Press Tour (the "Press Tour") which consisted of eight one-on-one interviews, six on May 19, 2021, and two on May 20, 2021, with Mayor Lightfoot and members of the Chicago

Exhibit #

Plaintiff-2

10/14/21- RC

exhibitsticker.com

11. On May 20, 2021, at approximately 4:23 p.m. and more than six hours after the conclusion of the Press Tour, the Mayor's Press Office general inquiries email inbox received an

email from Plaintiff Catenacci's email account requesting an interview with Mayor Lightfoot "regarding a number of topics pertaining to Chicago's handling of the coronavirus," and listing specific issues relating to the pandemic. Catenacci also wrote: "Let me know if we can set up a time to speak." A true and correct copy of this email is attached hereto at Exhibit 2.

12. The staff member for the Mayor's Press Office responsible for monitoring the general inquiries email inbox forwarded this email to me at 4:51 p.m. on May 20, 2021.

13. The general inquiries email box received follow up emails from Catenacci's email address on May 21, and May 24, 2021. True and correct copies of these emails are attached hereto at Exhibits 3 and 4 respectively.

14. The Mayor's Press Office did not apply the parameters outlined in the Mayor's May 19th letter to Catenacci's request, as the Press Tour had ended by the time of Catenacci's request.

15. I have reviewed the Complaint in the above captioned matter that was filed on May 27, 2021. I have also reviewed the Amended Complaint in the above captioned matter that was filed on July 2, 2021.

16. At the time the Complaint was filed, the parameters used for the Press Tour were not in use, they have not been used at any time since the filing of the Complaint, and there are no plans to use them in the future.

17. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury, that the foregoing is true and correct.

Executed this 2 day of August, 2021.

Kathleen LeFurgy

Kara Swisher

We'll be back in a minute. If you like this interview and want to hear others, follow us on your favorite podcast app. You'll be able to catch up on "Sway" episodes you may have missed, like my conversation with Miami Mayor Francis Suarez. And you'll get new ones delivered directly to you. More with Chicago Mayor Lori Lightfoot after the break.

Back in May, Mayor Lightfoot announced that on the occasion of the two-year anniversary of her inauguration, she would grant one-on-one interviews exclusively to journalists of color. She faced a lot of heat for it. How do you feel about the reaction to that? You're being sued. Some people, including prominent journalists of color, called it a stunt. Why did — tell me why you did that. Why are you talking to me? Like, I'm a white lady.

Lori Lightfoot

So here's the bottom line for me. To state the obvious, I'm a Black woman mayor. I'm the mayor of the third largest city in the country. Obviously, I have a platform. It's important to me to advocate on things that I believe are important. And going back to why I ran — to disrupt the status quo. The media is critically important to our democracy. You know this better than I do. The media is in a time of incredible upheaval and disruption. But our city hall press corps looks like it's 1950 or 1970. When I look across the podium, whether I'm in a formal press conference or I'm out in the neighborhood, the reporters who show up are invariably overwhelmingly white. Intentionality around diversity and inclusion is crucial. People that make the hiring decisions have to be focused on diversity.

In Chicago, we have a huge amount of diverse media talent. We've got schools that are of journalism that are best in class across the country, and I would say, really, across the world. So the absence of journalists of color,

Exhibit #

Plaintiff-3

10/14/21- RC

exhibits.trckr.com

covering the mayor of the third largest city in a country is absolutely unacceptable. And so I decided to say something about it.

Kara Swisher

You're talking about the mainstream media.

Lori Lightfoot

Correct.

Kara Swisher

I agree with you. I just taught at the University of Chicago. You have amazing diverse journalists studying there that I taught. And I agree with the need for more diversity in media. But politicians don't get to choose who covers them. Is there a different way to do this, talking to smaller outlets —

Lori Lightfoot

It's not —

Kara Swisher

— talking to —

Lori Lightfoot

No, it's not about me choosing who covers me, right? I gave exclusive interviews. And we do get to choose who we talk to in exclusives. I gave exclusive interviews with journalists of color, right? One 24-hour period and it was like people's heads exploded. I had journalists saying, does the mayor think I'm racist? No, it's not about individuals.

It's about systemic racism. It's about calling it like I see it and challenging the heads of the media companies here in town to do a better job of

bringing journalists of color, women into the fray. That's what this is about. And so, yeah, I could have been quiet and sat back and said, well, I don't like this. I think they could do better, but kept it to myself. But why should I? If not me, who?

I have, I believe, a responsibility. These are issues that I care deeply about. And what I heard from most journalists of color and particularly Black journalists, thank you, mayor. We've been trying to have these conversations in our newsrooms with our producers, with our president. And we couldn't get traction until now. And I've seen it —

Kara Swisher

So has it worked?

Lori Lightfoot

One of the business journals here —

Kara Swisher

Would you do it again?

Lori Lightfoot

— that — I would absolutely do it again. I would absolutely do it again. I'm unapologetic about it because it spurred a very important conversation, a conversation that needed to happen, that should have happened a long time ago. But I don't want just a conversation. I want results. I want to see these networks, these companies, these producers, the decision makers take this seriously, because it's a serious issue.

Kara Swisher

100%.

Lori Lightfoot

As I said before, the media plays a very important role in our democracy. And if the only voices in the media are white guys, that's a problem because it, again —

Kara Swisher

That covers tech, so I'm aware of this problem quite substantively.

Lori Lightfoot

Yeah, so I'm just saying, we need to have a variety of voices bringing different perspectives to interpreting events of the day so that we have a balanced, diverse approach to issues. If we only have a perspective that doesn't share the lived experience of a city that's 2/3 people of color, that does a disservice to our city.

Kara Swisher

The question is whether it will work. I mean, I've been banging on this in tech, and it honestly hasn't worked. I'll tell you, it hasn't.

Lori Lightfoot

But if you're not diligent, if you don't keep banging on that door, change is never going to happen. It's too easy to say no.



MEMORANDUM for Mayor Lori E. Lightfoot

Re: Press Tour
Address: City Hall, 121 N. LaSalle
Date and Time: Thursday, June 3, 2021 1:00-2:00PM
From: Communications

PURPOSE

YOU are participating in an interview with Craig Dellimore regarding your two-year anniversary and follow up media inquiries with August Weekly and Chicago Defender.

SEQUENCE OF EVENTS

1:00 p.m. YOU participate in a radio interview with Craig Dellimore (In Person).
1:30 p.m. YOU participate in an interview with Danielle Sanders (Zoom).
1:45 p.m. YOU participate in an interview with Michael Romaine (Zoom).

PARTICIPANTS

- Craig Dellimore, WBBM
- Danielle Sanders, Chicago Defender
- Michael Romaine, August Weekly

Mayoral Staff:

- Communications Director Kate Lefurgy
- Deputy Communications Director Ryan Johnson

BIOGRAPHIES



Craig Dellimore, WBBM Radio

Dellimore is the Political Editor for Newsradio WBBM, a post he has held since 2001.

Craig joined the station in 1983 after working for several years with the Associated Press Radio Network in Washington D.C.

During his time at WBBM, Craig has performed a variety of jobs, including anchor, managing editor, legislative correspondent and suburban bureau chief.



Some of Craig's most memorable stories have included assignments outside of the political realm. He covered the tragedy of the 1994 crash of American Eagle Flight 4184 in Roselawn, Indiana. He reported on the resilience of farmers and other Illinois residents along the Mississippi as they recovered from widespread flooding. And, over nearly two years, he periodically reported on a west suburban woman as she waited and waited for a lung transplant—and eventually received it.

Craig has won awards for his work from the Illinois Associated Press, the Chicago Society of Professional Journalists and more.



Danielle Sanders, Chicago Defender

Danielle Sanders is a journalist, and content creator. She is currently the Interim Managing Editor at the Chicago Defender. Member NABJ, SPJ.

With more than 15 years experience as a writer and content creator, she focuses on news, entertainment and music. She is the owner and founder of “Black Widow’s Web”, a website dedicated to the Chicago Music Scene and Culture. In addition to her website she also serves as the president and founder of Black Bloggers Chicago, an organization dedicated to supporting, educating and connecting Chicago Content Creators and Bloggers of Color.



Michael Romain, August Weekly

Michael Romain is a writer for online publication August Weekly.

PRESS PLAN

The event is NOT open to the press.



DETAILS

Format:	Interview
Setup:	N/A
Visuals:	Backdrop: LED screen
Attire:	Business professional

TALKING POINTS

See press guidance.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS CATENACCI, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case Number: 1:21-cv-02852
)	Honorable John Z. Lee
)	
LORI LIGHTFOOT, in Her Official Capacity)	
As Mayor of the City of Chicago,)	
)	
Defendant.)	
_____)	

AMENDED NOTICE OF DEPOSITION PURSUANT TO FED. R. CIV. P. 30(B)(6)

Please take notice that pursuant to the Rule 30(b)(6) of the Federal Rules of Civil Procedure and the Court’s August 20, 2021 Order, Plaintiff will take the deposition of Defendant, on oral examination before a Notary Public, or some other official authorized by law to administer oaths, commencing at the place, date and time shown below.

Defendant is requested to designate person or persons to testify on behalf of Defendant regarding:

1. The policy to exclusively provide one-on-one interviews with journalists of color as outlined in Defendant’s May 19, 2021 letter, including, but not limited to, the development of the policy, the scope of the policy, the duration of the policy, the implementation of the policy, and the communication of the policy to staff, journalists, and the public;
2. The “Press Tour” as identified by the declarations of Kathleen Lefurgy, including, but not limited to, the development of the “Press Tour,” the scope of the “Press Tour,” the duration of the “Press Tour,” the implementation of the “Press Tour,” and the communication of the “Press Tour” to staff, journalists, and the public; and
3. Whether Defendant’s policy to exclusively provide one-on-one interviews with journalists of color as outlined in her May 19, 2021 letter will be used in the future.



The testimony of the deponent(s) will be recorded by audiovisual and stenographic means.

DATE AND TIME: **October 14, 2021; 9:00 am CT**

PLACE: **Virtual**

Also please take notice that 1) the court reporter will report the deposition from a location separate from the witness; 2) counsel for the parties and their clients will be participating from various, separate locations; 3) the court reporter will administer the oath to the witness remotely; 4) the witness may be required to provide government-issued identification satisfactory to the court reporter, and this identification must be legible on camera; 5) each participating attorney may be visible to all other participants, and their statements will be audible to all participants; 6) all exhibits will be provided simultaneously and electronically to the witness and all participants; 7) the court reporter will record the testimony; 8) the deposition may be recorded electronically; and 9) counsel for all parties will be required to stipulate on the record to their consent to this manner of deposition and to their waiver of any objection to this manner of deposition, including any objection to the admissibility at trial of this testimony based on this manner of deposition.

Dated: September 30, 2021

Respectfully submitted,

/s/ Christine Svenson
Christine Svenson
Ill. Bar No. 6230370
SVENSON LAW OFFICES
345 N. Eric Drive
Palatine, IL 60067
Tel: (312) 467-2900

/s/ Michael Bekesha
Michael Bekesha
Admitted *Pro Hac Vice*
JUDICIAL WATCH, INC.
425 Third Street, S.W., Suite 800
Washington, DC 20024
Tel: (202) 646-5172

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2021, I served the forgoing **NOTICE OF DEPOSITION PURSUANT TO FED. R. CIV. P. 30(B)(6)** by electronic mail on the following:

John Hendricks (john.hendricks@cityofchicago.org)
Andrew Worseck (andrew.worseck@cityofchicago.org)
Peter Cavanaugh (peter.cavanaugh@cityofchicago.org)
City of Chicago, Department of Law
Constitutional and Commercial Litigation Division
2 North LaSalle Street, Suite 520
Chicago, Illinois 60602

/s/ Michael Bekesha _____