

1 OFFICE OF THE ATTORNEY GENERAL

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4 IN RE: STANKOSKI/STOUT EEO
COMPLAINT INVESTIGATION

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8 CONFIDENTIAL INTERVIEW OF

9 DOUG ARMBRUST

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11 Taken at the offices of
The State of Ohio
12 180 East Broad Street
11th Floor, Room A
13 Columbus, Ohio 43215

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on April 21, 2008, at 2:17 p.m.

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17 Reported by: Sara S. Clark, RPR/CRR/CCP/CBC

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1 PRESENT:

2 Ben Espy, Esq.
Executive Assistant Attorney General
3 Administration
30 E. Broad Street, 17th floor
4 Columbus, Ohio 43215

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6 Julie M. Pfeiffer, Esq.
Assistant Attorney General
7 Employment Law
150 East Gay Street
8 Columbus, Ohio 43215

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1 INDEX OF EXAMINATION

2 PAGE

3 BY MS. PFEIFFER: 4
BY MR. ESPY: 45

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APRIL 21, 2008**

1 MR. ESPY: Mr. Armbrust, I'm Ben Espy,
2 executive assistant to Marc Dann, Attorney
3 General; this is Julie Pfeiffer, she's a senior
4 attorney in the employment section.

5 And we were asked on April the 8th to
6 investigate certain allegations regarding the
7 hostile work environment and sexual harassment
8 by one Anthony Gutierrez.

9 Your name's been mentioned as a person
10 who can give us some information regarding those
11 particular charges and allegations. And we are
12 taking testimony under oath. We cannot assure
13 you of the confidentiality of this
14 investigation, as certain records are considered
15 public documents.

16 And if you raise your right hand, we'll
17 swear you in by the court reporter.

18 DOUG ARMBRUST

19 being first duly sworn, as hereinafter

20 certified, deposes and says as follows:

21 EXAMINATION

22 BY MS. PFEIFFER:

23 Q. Doug, what's your position for the

24 general services?

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1 A. Facilities manager.

2 Q. And what do you do as a facility

3 manager?

4 A. Pretty much when I was hired, I was to

5 oversee the preventive maintenance for the

6 office, and I do furniture purchasing, a lot of

7 purchasing stuff just throughout the State and

8 different things. Leasing issues, you know,

9 variety of facilities, whatever else is asked of

10 me, pretty much.

11 Q. Okay. When you say facilities, is that

12 all of the physical facilities of -- for the

13 Attorney General?

14 A. Yes.

15 Q. Does that include BCI?

16 A. Yeah, I do preventive maintenance for

17 BCI. I do contracts for different areas all

18 throughout the state, housekeeping, making sure

19 that they're -- the offices are complying with

20 the rules of the AG's office.

21 MR. ESPY: You have to keep your voice

22 up so she can hear you down here.

23 Q. When did you become employed by the

24 Attorney General's office?

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1 A. '91.

2 Q. When did you become a facilities

3 manager?

4 A. I believe it was June of last year.

5 Q. Okay. What were you prior to being a

6 facilities manager?

7 A. Office services specialist.

8 Q. Is that a promotion?

9 A. Yeah, a little bit.

10 Q. Okay. And when you became facilities

11 manager, who was your direct supervisor?

12 A. Charlie Rosol.

13 Q. Was he your direct supervisor as the

14 office services specialist?

15 A. He was. And then Marsha Woods came in,

16 and she was my supervisor for a little while.

17 Q. Did you know Tony Gutierrez?

18 A. Yes.

19 Q. Okay.

20 A. You mean prior to him starting here, or

21 just as -- through working here, yes, I knew

22 him.

23 Q. Through working here.

24 Did you know him prior?

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1 A. No.

2 Q. Okay. I'm sure, as you're aware, Cindy
3 Stankoski and Vanessa Stout have made some
4 complaints about some harassment going on in the
5 workplace by Tony Gutierrez. In fact, Cindy
6 identified you as a witness in some sense to her
7 complaints. And so that's why we've brought you
8 here today.

9 We've also gained a little bit of
10 information, so we wanted to talk to you about
11 that. We've been told that Cindy kind of used
12 you as a confidante, talked to you about
13 issues --

14 A. No.

15 Q. -- going on in the workplace.

16 No?

17 A. No, no. Sometimes she would come in and
18 say -- and think she was going to say something,

19 and I told her I did not want to know anything.

20 She can even tell you that. When she would come

21 in, I would say, I don't want to know anything

22 about what's going on. So I was not a

23 confidante at all.

24 Q. What did -- you said, I don't want to

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1 know. What do you think she was trying to talk
2 to you about?

3 A. Just because I had heard, you know,
4 people saying that there was allegations and
5 things, and I just didn't want to be part of
6 everything that is now happening, I guess. So I
7 just didn't want to be part of it, you know.

8 Q. When did this occur, that she would come
9 to you?

10 A. It wasn't really that she would come to
11 me. We just -- she just -- it's probably been,
12 you know, a few months ago, few months back.
13 But I wouldn't say she would come to me about
14 this. Just if it was brought up, I'd say, you
15 know, I just don't want to be part of it.

16 Q. What was brought up?

17 A. If it was brought up that she tried to
18 say, you know, can you believe what he said, or

19 something like that. I would say, I don't even

20 want to know. I would say, I don't want to

21 know.

22 Q. He, who?

23 A. Tony.

24 Q. Okay.

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1 A. She would ask me on occasion what I
2 thought she should do, and I just -- you know, I
3 would tell her, I don't know. I just told her,
4 you have to do what you feel is right.

5 Q. What was she asking you about, what she
6 should do?

7 A. Just about her feeling like she's being
8 harassed, you know. She would ask me what I
9 thought she should do, you know. I would say,
10 you know, I just -- she has to do what she feels
11 is right, and that's all.

12 Q. Okay. Did she describe for you how she
13 felt harassed?

14 A. Not really. I think everybody kind of
15 just knew what was going on, you know, kind of
16 felt there was a general feeling of she was
17 uncomfortable, or she felt like he was looking
18 at her weird, things like that. And I don't

19 remember her ever actually saying that to me.
20 But I know there was a -- everybody kind of knew
21 about it. And I even had -- I've had other
22 people that said, you know, did you hear about
23 this or hear about that or try to tell me
24 something. I would tell them, I don't even want

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1 to know about it, you know.

2 I try to just do my job and stay out,
3 because, you know, Tony and Marc are neighbors,
4 friends and everything like that, it just makes
5 it uncomfortable for -- I feel the less I knew,
6 the better off I was, because I just didn't want
7 to be involved in, you know, anything political
8 at all.

9 Q. Okay. It's our understanding that there
10 was a happy hour at Club 185 where a lot of
11 general services people were there.

12 A. Uh-huh.

13 Q. And it's been told to us that from
14 that -- at least from that happy hour, people
15 suspected that you and she were having a
16 relationship.

17 A. Yeah.

18 Q. Is that true?

19 A. No. No. Office rumors, you know.

20 Q. Were you guys kissing at that Club 185?

21 A. No.

22 Q. Holding hands?

23 A. Huh-uh. I don't know. I think there

24 was probably some flirting and stuff like that.

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1 Q. Did you socialize with her outside of
2 the workplace?

3 A. No, no.

4 Q. Okay. Did you ever go have drinks with
5 her after work, anything like that?

6 A. Hmm. Just besides -- well, we have a
7 couple times, you know, just everybody, you
8 know, going from the office and stuff like that.

9 MR. ESPY: You have to keep your voice
10 up. You're talking to her, but you're mumbling
11 your words.

12 THE WITNESS: Sorry.

13 Q. You said a couple people would go out.

14 A. Yeah.

15 Q. You would go with a couple people.

16 When did that occur?

17 A. It's been a couple different times we've
18 gone. We went to Brothers one time, and we went

19 to another bar right on the corner of High

20 and -- what was it, Broad and Front Street.

21 Q. Okay. Was that after work?

22 A. Uh-huh.

23 Q. Who went?

24 A. The time on the -- see, the one at

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1 Brothers was Erika; intern, Lindsay; Charlie,
2 his wife; Dustin, intern.

3 Q. Was Cindy there?

4 A. Yes. Yeah.

5 And the other time was Amanda, James
6 Ford, was at the one on Front Street. Who else
7 was there? My wife was there, actually. And --
8 oh, Cari Stillwell, from -- used to be
9 employment law. Now she's in civil rights.

10 Q. Okay. Was Cindy there, too?

11 A. Yes. Yeah.

12 Q. Was Vanessa there?

13 A. No.

14 Q. Was Tony at either of these places?

15 A. No.

16 Q. Okay. It's my understanding that at
17 some of these happy hours where people would get
18 together Cindy would get extremely intoxicated.

19 Did you ever see that?

20 A. Yeah, I've seen her get just a little

21 crazy. I don't know how intoxicated. But I

22 think that's just kind of her personality, if

23 you talked with her or met her, she's just a

24 little -- she's outgoing.

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1 Q. Okay. But you're at a happy hour.

2 A. Yeah.

3 Q. I wouldn't think that being outgoing
4 would be cause for any kind of concern. What
5 I've been told is that she would become more
6 intoxicated than what you would think an average
7 individual at a happy hour would be.

8 A. Yeah, I guess she probably could be,
9 yeah. I have, too, though, you know? Not so
10 much happy hours, but -- yeah, I guess she's
11 gotten drunk before, yeah.

12 Q. Okay. Did you assist her in getting --
13 going home or anything like that?

14 A. Huh-uh.

15 Q. Do you know if anybody -- any of the
16 other coworkers assisted her in going home?

17 A. Huh-uh. Not that I know of.

18 Q. You were talking before about how Cindy

19 would approach you at various occasions and

20 attempt to talk to you about problems that she

21 was having -- allegedly having with Tony; is

22 that right?

23 A. Uh-huh.

24 Q. Okay. And as Ben said before, you can't

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1 turn your ears off, so we're thinking that you
2 might know a little bit about what she was
3 saying, even though you may not have wanted to
4 hear it. You may not have gotten involved, but
5 you probably heard it.

6 A. Well, I heard that she thought he was --
7 he would look at her, and he would stare at her
8 chest while he was -- while he was talking to
9 her instead of looking at her in the eyes or
10 something like that.

11 Q. Okay.

12 A. Sorry if I'm being too quiet.

13 Q. Okay.

14 A. Yeah, it's -- I mean, that, and -- you
15 know, I hadn't really heard anything about
16 what -- I had heard that they had gone out
17 for -- gone to Cincinnati one time or something,
18 and that he had said something to her about wear

19 something nice, he was going to take her to

20 dinner or something like that.

21 Q. She told you about that?

22 A. Yeah, I think -- and I can't remember if

23 she told me about it or somebody else told me

24 about it, or if maybe I even heard it from -- I

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1 can't recall where I heard that. But, yeah, I
2 remember that.

3 Q. And your advice to her was, do whatever
4 you feel you need to do?

5 A. I don't think she was asking for advice.

6 It was just kind of like, you know, I don't -- I

7 guess I don't recall who it came from. But I

8 think it was -- I just don't recall who it came

9 from. I don't recall if it was from her or not.

10 I don't know if I gave her any advice for that.

11 Q. She was hired in August of 2007. To the

12 best of your recollection, when was the first

13 time she came to you with these issues?

14 A. Again, I don't think she ever really

15 came to me as, like, a confidante, like you

16 said. I think it was just like if somebody said

17 something, she would just be like, oh, that's

18 disgusting, he's disgusting, things of that

19 nature.

20 It was never really -- we didn't sit

21 there and talk about it. Like I told her, I

22 didn't really want to be -- I didn't want to be

23 her confidante at all. So we just didn't really

24 discuss it that much.

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1 Q. You stated before that she came to you.

2 Was she -- she talked to you about him staring

3 at her chest, that kind of stuff.

4 A. Yeah.

5 Q. Okay. Those kinds of --

6 A. I'm not sure she even came to me and

7 said that or if it was just, again, stuff that

8 people had said.

9 Q. So now you're saying --

10 A. I just don't recall. It's been so long

11 ago. I think a lot of stuff happened --

12 Q. Well, she's claiming she's talking to

13 you. So I don't know -- I mean --

14 A. The only thing she's ever really said

15 was when we were going into -- we were coming

16 from that -- you know, I can't even -- I just

17 don't -- I have a terrible memory, first of all.

18 I just don't -- I know that they did something

19 when they -- she had text messaged me a couple
20 times when they -- I think it was the time
21 coming back from Cincinnati, where she was at a
22 bar, and she wanted me to stop by on the way
23 home, because I was driving right by there. I
24 said, I'm driving by there, and she said stop

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1 in. She wanted me to stop in with my friends
2 because she felt uncomfortable with him there.
3 We talked through text message about that stuff.

4 Q. On that day?

5 A. Yeah, that day.

6 Q. Did you keep those text messages?

7 A. No.

8 Q. Okay. What did -- to the best of your
9 recollection, what did those text messages say?

10 A. She said something like, he's gross, he
11 grosses me out or something. I just remember --
12 I remember those words stuck out in my head,
13 said something like that, he grosses me out or
14 he's disgusting. I seem to remember her saying
15 something about he's so close to her that he was
16 spitting on her, you know, in one of her text
17 messages. And --

18 Q. What did you text back to her?

19 A. I think I recall saying that she should
20 just tell him to go, you know, she wants to go
21 or do whatever she felt she needed to do, you
22 know.

23 Q. Okay. And did she -- do you know if she
24 did that, or did she talk to you later on?

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1 A. I actually don't recall. I don't know
2 if that's the same night they went to -- that
3 I've heard in the news or whatever that they
4 went to Marc's place. I'm not sure if that's
5 the same night. All I know is -- I just don't
6 recall if that's the same night or not. It may
7 have been.

8 Q. Okay. There's an incident that occurred
9 where she went out with Tony Gutierrez and then
10 ended up at his apartment.

11 A. That's what I'm -- yeah.

12 Q. That was on September 10th of 2007.
13 Okay? There's a Cincinnati trip that you're
14 talking about, that did not occur the same day.
15 It was a month later.

16 A. Then I'm thinking two different times,
17 yeah.

18 Q. To the best of your recollection, these

19 text messages that she was sending you, was it
20 when she was out with him in September or out
21 with him --

22 A. I think it was coming back from
23 Cincinnati, because I remember they were coming
24 up from Cincinnati and they stopped by Grove

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1 City on the way through.

2 Q. Okay.

3 A. So that's the only reason I remember

4 that was coming from Cincinnati.

5 Q. Did you stop in?

6 A. No, huh-uh.

7 Q. Why?

8 A. I was -- my wife was making dinner. I

9 was heading home.

10 Q. Okay. Did you tell her, no, I can't --

11 I'm not going to meet you there?

12 A. Yeah. Yeah, I just -- yeah. I just --

13 I wasn't going. I think I actually recall

14 telling her that my wife's making dinner.

15 Q. Okay. Did you talk to her after that

16 about the incident, the next day or anything

17 like that?

18 A. Not that I recall. Not really. That

19 was probably a Friday night, and I don't recall

20 speaking with her about that. We may have. I

21 just -- it's been so long, I just don't recall.

22 I'm sorry.

23 Q. The incident with September 10th, 2007,

24 did she text you at all during that incident,

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1 during that evening?

2 A. No. If that's not the same one, she

3 didn't, no.

4 Q. Do you two work together, you as a

5 facility manager and her, I think, as

6 telecommunications assistant?

7 A. Not directly, no.

8 Q. Did she text message you a lot?

9 A. Here and there we would text message

10 stuff, send goofy jokes back and forth.

11 Q. Did you think that was odd, she was text

12 messaging you when she was at the bar with Tony?

13 A. I don't think it was odd. She was

14 looking for somebody to go up there with her so

15 she wouldn't feel so uncomfortable. I had

16 things going on that night. I just -- she

17 seemed like a pretty strong person, too. I

18 figured she could take care of herself and say,

19 if she wanted to go, say she wanted to go.

20 Q. Prior to the Cincinnati trip, do you

21 recall, when you were receiving those text

22 messages, had she mentioned to you prior to that

23 that she was uncomfortable around him or he was

24 somehow coming on to her, anything like that?

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1 A. I just remember one time something --
2 saying something about he said the reason she
3 got her job was because of her ass or something
4 like that, because she had a -- you know, I
5 remember that, and --

6 Q. She told you that he said that?

7 A. Yeah, I believe she told me that.

8 Q. Okay.

9 A. But as far as any other time, coming on
10 to her, I don't think so. He would joke around
11 and say stuff. I don't recall all the time what
12 was said. It seemed like just a lot of back and
13 forth, joking around. But I couldn't tell if --
14 I mean, I don't know if she was a part of it or
15 not, you know.

16 Q. You don't know if she was part of it?

17 A. Like she didn't like it, you know, or
18 didn't -- you know, I just -- and I don't recall

19 what was said. I just recall the feeling that

20 there was some joking around going on.

21 Q. Okay.

22 A. I think it was -- I just didn't see a

23 whole lot of it.

24 Q. Well, they're alleging that Tony

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1 Gutierrez was vulgar in the workplace, made
2 comments about their body parts, meaning Vanessa
3 and Cindy.

4 A. Yeah. See, I didn't really see that
5 much of that.

6 Q. Did you see any of that?

7 A. Not really at work, no. I mean, no, not
8 really at all.

9 Q. Okay. Did you ever see -- did Tony
10 Gutierrez ever tell you -- make any comments to
11 you about Cindy Stankoski?

12 A. Not really, no.

13 Q. Not really, or no?

14 A. Well, I mean, no, not saying -- no,
15 huh-uh. I mean, I would think he would say
16 something about, you know, the reason she got
17 her job -- no, I don't even think he ever
18 mentioned anything to me about it.

19 Q. Okay. So your testimony is no, he never

20 made any comments to you?

21 A. Huh-uh.

22 Q. Okay. How about Vanessa Stout?

23 A. Huh-uh. Did she make any comments to me

24 about it? No.

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1 Q. Did he make any comments to you about
2 Vanessa?

3 A. Huh-uh, no. We didn't really talk
4 about -- I don't know. I wouldn't really talk
5 to him about things like that. I wouldn't think
6 it would be appropriate, you know.

7 Q. Did you have a relationship with Tony?
8 Were you friendly with him?

9 A. Yeah, just as a -- he's my boss, you
10 know.

11 Q. Did you experience in the workplace that
12 he used vulgar language, anything like that?

13 A. Yeah, he was -- he used some language.
14 Yeah, definitely.

15 Q. Like what kind? Give me an example.

16 A. Oh, just -- you know, the F word a lot.
17 Just about everything, really, you know.

18 Q. Okay. Apparently when any -- when one

19 of the females in the office might be eating
20 something, he'd say, well, you know where that's
21 going to go, that's going to go straight to your
22 ass, or something like that. Did you ever hear
23 him say that?
24 A. No, never heard him say that. But I do

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1 know that -- I think one time when he was --
2 Cindy was in the kitchen, and he walked right
3 behind her in the kitchen, and then when she
4 came out of the kitchen, he -- he left, and she
5 came out of the kitchen and came to my office,
6 because my office is right across from the
7 kitchen, and she said something like something
8 about what you're saying, that's going to go to
9 your ass, or you know what's going to happen
10 with that. I do recall that. It wasn't like we
11 talked about it. She just came in and goes, oh,
12 it just made her mad or bothered her and she
13 went back over to her own desk.

14 Q. What did you say to her in response?

15 A. Nothing. What I always did, pretty much
16 like, you know, I don't -- I don't recall what I
17 said to her at all. But, I mean, I just -- if I
18 was to guess what I said to her, I'd be like,

19 you know, really, or just shake my head or

20 something like that.

21 Q. Did you ever have any discussions with

22 Charlie Rosol about Cindy's conversations with

23 you about Tony?

24 A. Not really. We did one time about what

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1 he said -- you know, he said he had told her
2 that she should go to HR, and he had asked me
3 what I told her, and I told her to do whatever
4 she felt was right. I wasn't going to go to HR
5 or whatever. Tony's my boss, so I'm not going
6 to do anything to jeopardize my job, so I'm not
7 going to be getting fired because of something
8 like that. Charlie said he told her to go to HR
9 about it.

10 As far as any certain comments or
11 anything like that, Charlie never talked about
12 it.

13 Q. I'm just going to tell you what my
14 problem is, because I'm kind of having a hard
15 time understanding, because you're telling me
16 that you haven't seen anything, and nobody
17 really said anything to you, but then you have
18 this conversation with Charlie. And I'm

19 thinking, if you haven't seen anything, and you
20 didn't know anything, how are you having a
21 conversation with Charlie about the problems
22 Cindy's having.
23 A. Well, I just -- just hearing the rumors
24 and stuff like that, you know, and -- and he

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1 would say, you know, she's -- has she ever said
2 anything to you about it? Yeah, we talked about
3 it, just like I said, you know.

4 Q. You said she talked to you one time
5 about a comment he made to her in the kitchen.

6 A. Uh-huh.

7 Q. You had some text messages with her on
8 October 3rd, when she was coming up from
9 Cincinnati. Did you -- do you remember anything
10 else?

11 A. Not really. I mean, I -- if I keep
12 talking about it, I can -- things will jog my
13 memory, but I just --

14 Q. Well, have you been following what's
15 been going on in the papers?

16 A. I haven't read -- I've read part of
17 maybe one story, you know. I don't really --

18 Q. Because if you're not thinking about it,

19 you're probably the only person that's not
20 thinking about it.
21 A. You just don't -- we have so much going
22 on right now at work. My wife has made more
23 about it than I have. She says, have you seen
24 this? I'm like, no. I saw my name as a witness

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1 on the news the other day. But, you know, I --
2 I haven't read any of the -- something in the
3 Dayton paper -- a little bit of the Dayton
4 paper. But every time I sit down to read
5 something in the news, it's like I get a
6 telephone call and I'm going back to doing
7 something.

8 Q. So you haven't followed it?

9 A. A little here and there. Everything
10 that I've heard in the newspaper is things that
11 I've pretty much heard already, as far as the --
12 from what I have read, at least, about the trip
13 to Cincinnati. I heard about, you know,
14 something about Marc's place. But I thought
15 that was the same night. And like I said,
16 honestly, I didn't want to be involved.

17 Vanessa even one time said -- I said to
18 her, what's going on? And she said, do you

19 really want to know? I was like, no, I just

20 don't. I just don't know. I told her, I don't

21 want to know, because I --

22 Q. When was this?

23 A. Back when -- right before she was moved,

24 I believe, or maybe just after she was moved.

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1 Q. She came up to you and said do you want
2 to hear --

3 A. Well, we were walking out, and I said,
4 you know, are you all right? Or is everything
5 all right? And she's like, can you keep a
6 secret? I was like, I don't even want to know,
7 because if it's going to be something like that,
8 I don't even want to know. I don't even want to
9 be involved.

10 Q. Cindy alleges now that allegedly Tony
11 Gutierrez -- well, she woke up in his apartment
12 with three buttons unbuttoned.

13 A. (Witness nods head.)

14 Q. Prior to perhaps learning about it in
15 the papers right around March and April of this
16 year, had you ever heard her tell you that
17 prior?

18 A. No. No, but I -- no. Not -- nothing

19 about buttons unbuttoned or anything like that.

20 Q. Did you hear that from anybody else?

21 A. No. But I -- now that we're talking

22 about it, I think I recall somebody --

23 Mariellen, when she was working there, she

24 had -- there were some text messages, I heard

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1 something about some text messages going back
2 and forth about that. Again, I guess I was
3 under the impression that was the same night as
4 Cincinnati. But I -- no, I actually heard that
5 she had slept in his car, slept in Tony's car.
6 I don't know if that's the case or not. But I
7 read that -- actually, I didn't -- nothing I
8 read really said that -- how she got home that
9 night, that I can recall.

10 Q. My question to you is: Prior to
11 learning about that here within the last month
12 or two, did you hear from Cindy or anyone else
13 that she had woken up in Tony's apartment with
14 some buttons unbuttoned?

15 A. No.

16 Q. Did Cindy discuss the night of September
17 10th, 2007, where she went back to Tony's
18 apartment with you at all?

19 A. No, no. Like I said, I thought that was
20 the Cincinnati night. And that was the night
21 they were at that bar. I didn't even know it
22 was a different night.

23 Q. Do you know Vanessa Stout?

24 A. Yeah.

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1 Q. She was transferred out of general
2 services in January of this year.

3 A. Uh-huh.

4 Q. Do you recall ever learning of the
5 reason that she moved?

6 A. No. It was really -- everybody -- they
7 kept it quiet. I heard something about a text
8 message that was sent to maybe Tony's wife or
9 somebody got a text message, and that was all I
10 knew about why she was transferred.

11 Q. Did you ever talk to Tony about it?

12 A. No, huh-uh.

13 Q. Will did Tony ever say -- did you ever
14 hear him say either to you or somebody else that
15 the move was temporary?

16 A. I don't -- I think it was supposed to be
17 temporary. I thought they had a project or
18 something going on over there. And then I

19 learned later that maybe it was -- had something

20 to do with text messages or something.

21 Q. Tony had a birthday in December of 2007.

22 Do you recall that?

23 A. I -- yeah. It was the subs. We had the

24 subs. We had subs, I think that was his

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1 birthday. Some people have talked about it
2 through the office just recently here, about
3 that they had a party for Tony's birthday, and
4 they also had one for Charlie, and I think it
5 was for Pete, as well.

6 Q. Okay. Do you recall whether or not --
7 if Cindy organized the party for Tony's birthday
8 in December?

9 A. I think she did, because I've heard
10 people talking about she did. But I don't
11 recall whether she did or not. I think maybe it
12 was Vanessa and her both, because I remember she
13 got subs and got lost when they were getting
14 subs, and they were at the wrong Subway or
15 something. And just through people talking
16 about it in the last week or so. I didn't
17 even -- I guess I didn't realize that was the
18 same party or whether -- if that was Charlie's

19 party or Tony's party. But now I heard through

20 people talking about it, it was Tony's party.

21 Q. Do you remember if you chipped in?

22 A. I don't recall.

23 Q. Were you there?

24 A. Yes.

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1 Q. Have you spoken to Cindy Stankoski in
2 the last month or so?

3 A. Uh-huh.

4 Q. Okay. Has she discussed with you her
5 complaints?

6 A. Not really, no.

7 Q. Not really?

8 A. No.

9 Q. At all?

10 A. Only thing she says, you know, he's --
11 you know, she would tell me it's all -- it's all
12 out now. It's all out now. And that's about
13 all she's ever said. She knows -- she even came
14 in my office one day, she came in, and she
15 wanted to talk about it. And she put her
16 fingers in her ears and went, nah, nah, nah.
17 She goes, I know you didn't want to be involved
18 in it. So when she went to say something, that

19 was the amount of the conversation.

20 Q. Did she tell you she put you down as a

21 witness and you talked about that?

22 A. She did say that, yes.

23 Q. Did she say why she put you down as a

24 witness?

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1 A. She told me because of the text
2 messaging and -- what was it -- something
3 about -- oh, something else. I don't recall
4 what it was. About -- oh, a Las Vegas trip.
5 And that is something that I didn't even
6 mention. She said it was something he had
7 said -- given her a pamphlet of Las Vegas or
8 something and said to pick a day or something
9 like that to Las Vegas. I recall that when it
10 happened, you know. But I didn't really -- I
11 just didn't even think about it, really. It was
12 just something in passing.

13 Q. Did you hear him do that? Were you
14 present when he did it?

15 A. No. I think she told me that he did --
16 he said something about it.

17 Q. Was she -- just recently, was she trying
18 to get you to remember that she told you, that

19 or --

20 A. No. She had said she put me down as a

21 witness. She said it was because -- she goes,

22 remember when he said this or said that. And I

23 mean, I -- it jogged my memory then. But I -- I

24 hadn't really thought about it, you know.

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1 Q. So she put you down as a witness because
2 she thought you had information regarding Las
3 Vegas?

4 A. Yeah. And the text messaging.

5 Q. Okay. Anything else?

6 A. I'm sure if we keep talking, might
7 remember something else, you know. But not
8 right offhand. We just -- I didn't even talk
9 about any of this with Tony. I just didn't want
10 to be part of it at all, you know, and tried to
11 avoid the whole situation, just because I didn't
12 want -- like I said, Marc and Tony are really
13 close, and I just came out of a union job, going
14 to the pleasure job, and didn't want to
15 jeopardize any of that. So I just tried to
16 steer clear of the whole thing.

17 Q. Were you in OCSEA?

18 A. Yes.

19 Q. Okay. You said Marc and Tony. Marc

20 Dann?

21 A. Uh-huh.

22 Q. And Tony are close.

23 A. Uh-huh.

24 Q. How do you -- how are you aware of that?

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1 A. Well, I know Tony would say he was
2 friends with Marc, you know. Plus I know they
3 were neighbors, because, you know, I've been to
4 Tony's house before, dropped off things, dropped
5 off a car, picked up a car one time from up
6 there --

7 Q. Okay.

8 A. -- in Youngstown. We were doing the
9 Youngstown -- putting that together.

10 Q. You picked up a car in Youngstown, is
11 that what you said?

12 A. Yeah. I believe we picked up a car from
13 Tony's house.

14 Q. Who is we?

15 A. Well, Tony and I were together, you
16 know. I can't remember if that's the reason we
17 were there or not. I know I -- I was there
18 picking up a gas grill one time, too, to -- a

19 gas grill that was Tony's and he wanted to bring
20 back to Columbus for the -- you know, Marc and
21 Tony's apartment. So I grabbed that, too.

22 Q. Okay. You were up in Youngstown with
23 Tony. Had you spent the night, or was it a day
24 trip?

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1 A. No, I spent -- I spent about a week up
2 there, because I was doing -- when we were doing
3 the office -- getting it all together, the
4 Youngstown office, we had a week to get it all
5 done, you know, get all the furnishings put in
6 place, all the furniture put in. They were
7 still finishing up construction. We were doing
8 that. We had to get blinds in. We had to
9 get -- just punch-out stuff, just finishing up
10 the office to get ready to be moved into.

11 Q. Who were you up there with?

12 A. I was up there pretty much with Tony.
13 And I think Pete was up there part of the time.
14 There was IT folks up there part of the time, as
15 well. Just off and on, different people were in
16 and out of the office. I think John Hatheway
17 was up there at that time.

18 Q. Where were you staying?

19 A. I stayed in a hotel, like Econo Lodge --

20 or Comfort Inn, that's what it was.

21 Q. Did you and Tony go out --

22 A. No.

23 Q. -- in the evenings --

24 A. Huh-uh.

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1 Q. -- while you were there?

2 A. No. It was pretty much 7:00 in the
3 morning until, you know, 8:00 at night or later,
4 and then just worked like crazy every day. I
5 had people -- modular companies coming in,
6 delivering stuff, furniture companies delivering
7 furniture. It was just busy every day.

8 Q. So you said you dropped off --

9 A. You know, I did -- one night, though, I
10 did go out with him and his family to get pizza.
11 I saw his son play baseball. I was up there --
12 oh, Dave Benz was another guy that was there,
13 too. He was in my position before -- you know,
14 before he left, I took over his position. When
15 I was doing this, I was in office services.

16 But, yeah, I did go out and we had pizza
17 after his -- we watched his son play a little
18 baseball and then went and had pizza afterwards

19 with his family.

20 Q. Okay. Did you say you drove a State car

21 to his house to pick up a grill or --

22 A. No, I had -- oh, yeah. I had a van.

23 State van.

24 Q. Was he with you?

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1 A. I think I had delivered -- no, I don't

2 think he was with me that time.

3 Q. So he said, go to my house and pick up a

4 grill and take it back?

5 A. I think I followed him, yeah.

6 Q. Is that when you learned -- I think you

7 said you knew they were neighbors, Marc Dann and

8 Tony.

9 A. He's like, me and Marc lived down the

10 road. It was common knowledge in our department

11 pretty much. Everybody knew. He said they were

12 neighbors.

13 Q. Did you ever hear him talk about any

14 kind of ties that he had to the Mafia or

15 anything like that?

16 A. No.

17 Q. It's been reported to us that he

18 oftentimes would try to throw his weight around

19 and would use his close association with Marc

20 Dann as a way to, you know, maybe intimidate

21 people, that kind of stuff.

22 A. Right.

23 Q. Did you see that?

24 A. Yeah. Yeah, I guess a lot of times I

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1 would see that. Say if somebody doesn't like
2 it, they can bring it up with Marc because, you
3 know, this is what Marc wants or something. And
4 I feel a lot of times -- I mean, Marc and him,
5 they rode together back and forth to work, and
6 they would discuss work-related issues, so he
7 would come in on Monday and say, Marc wants to
8 get this done and just -- you know.

9 Q. Bring up his name a lot, Marc's name?

10 A. Yeah. Just like -- like I said, I think
11 they wanted to get things done, you know.
12 Certainly Marc wanted to get things done. And
13 through Tony, you know, those things would get
14 accomplished. General services, you know,
15 pretty much has their hands in all kinds of
16 stuff throughout the state. So try to make
17 things happen, you know.

18 Q. It's been reported that he has some kind

19 of private business on the side. I don't know
20 whether it's through his wife or his, it's
21 perhaps a construction business or something.
22 Did he ever ask you to work or do
23 anything in conjunction with that --
24 A. Huh-uh.

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1 Q. -- personal business?

2 A. No.

3 Q. Did you ever work on any blueprints or
4 anything?

5 A. Huh-uh.

6 Q. Do you know whether or not he kept a gun
7 in his vehicles?

8 A. Uh-huh.

9 Q. Okay. How do you know that he did that?

10 A. I saw it in there. We -- I saw the
11 case. I'm not sure whether it had a gun in it
12 or not all the time.

13 Q. Where was the case located?

14 A. Usually -- he had some mail tubs full of
15 documents and things, and he would -- it would
16 usually be sitting inside of there.

17 Q. What vehicle did you see this in?

18 A. The Suburban or Yukon or Tahoe or

19 whatever it was. The black one he drove.

20 Q. He actually -- throughout his time here,

21 he had four cars.

22 A. Probably in -- I mean, I know the

23 burgundy one, and the truck that -- the Yukon or

24 whatever that was, and the black one, for sure.

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1 But I don't know. I don't recall ever seeing --

2 I think it's somewhere along the way, he had

3 gotten his concealed carry or was working on

4 getting that, and that's why he had it.

5 Q. But you saw it in at least two different

6 cars?

7 A. Uh-huh.

8 Q. Would that have -- can you give me a

9 time frame as to when that would have been?

10 A. I just -- probably within the last six

11 months, you know.

12 Q. Okay.

13 A. I know however long he's had his black

14 one.

15 Q. Well, I believe he started out with a

16 black one, which would have been February of

17 '07.

18 A. That was a different one, though.

19 Q. That ended up being the Sunshine

20 Express, I think, the first one.

21 A. Yeah.

22 Q. Okay. Were you involved at all in

23 taking that car and converting it into the

24 Sunshine Express?

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1 A. No. I saw all the stuff in his office
2 and gave my opinion, but that was about it.

3 Q. What was your opinion?

4 A. I thought they were joking, when I first
5 saw it. I thought they were joking.

6 Q. You said you saw a gun case in at least
7 two vehicles. Did you ever say anything to him
8 about, is that your gun or anything?

9 A. (Witness shakes head.)

10 Q. Did you think that was odd?

11 A. (Witness shakes head.)

12 Q. Is that -- can you give me a verbal.

13 A. Yes.

14 Q. You didn't even make any references to
15 it?

16 A. Not that I recall, really. I mean,
17 we -- you know, I know he always had that --
18 those tubs, and whenever he would switch cars,

19 and there was a problem with a car or something,
20 we always moved the stuff from one car to
21 another car. He used to have, like, four-or-so
22 boxes of different things. And it was like just
23 stuff for the Youngstown office, I think he had
24 some Cleveland project going on up there, just

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1 boxes of stuff he would keep with him at all
2 times, and that was just on the top there.

3 Q. Were you involved -- let me start back
4 here. Apparently he had his office
5 soundproofed.

6 A. Uh-huh.

7 Q. Do you remember that?

8 A. I recall them having it done, yeah. I
9 wasn't involved in having it done. But I do
10 recall them having it done. It was over a
11 weekend or something.

12 Q. Do you know why?

13 A. No.

14 Q. Did you talk to Tony about it?

15 A. Huh-uh. I just -- Tony was kind of -- I
16 think he was a little paranoid. It seemed like
17 he -- I think -- I had heard that he felt
18 somebody was getting in his office or something

19 like that on the weekends and stuff, and I don't
20 know. He was a little paranoid about things. I
21 had heard he had it done. But then again, I
22 don't know for sure it was ever done, because I
23 don't think it ever made a difference in there.
24 You could still hear talking.

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1 Q. Okay. But you weren't involved in that?

2 You don't know --

3 A. No.

4 Q. -- what that involved or anything?

5 A. No. I heard something about maybe up in

6 the ceiling there was some dampeners or

7 something put up in there. I'm not sure.

8 Q. Did you have any conversations with Tony

9 or do you have any knowledge as to whether or

10 not he wrecked one or all of the cars that he

11 had assigned to him?

12 A. I know I read in the paper they said he

13 wrecked the Suburban -- or the black one. I

14 don't know if that's the Suburban or Yukon. I

15 think it might be a Tahoe. I don't know. But I

16 read that he had wrecked it. But I -- I thought

17 that one of the interns wrecked it. That's what

18 I was thinking, when it got wrecked. Charlie's

19 the fleet guy, he would know more about all that

20 stuff, what happened with the fleet.

21 Q. Did Tony ever mention to you, oh, I

22 wrecked the car or anything like that?

23 A. Not that I recall, no.

24 Q. Did he ever talk to you about, oh, I

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1 went out last night and got really drunk and had
2 a hard time getting home, anything like that?

3 A. No. I read about that in the paper,
4 but --

5 Q. He didn't --

6 A. He didn't, no.

7 Q. Now, from your perspective, being a
8 general services employee, being in that
9 workplace, did you perceive that Tony exhibited
10 favoritism towards Vanessa Stout and Cindy
11 Stankoski?

12 A. Not really. He joked around with them.
13 They joked around with each other and stuff,
14 too. And from where I'm sitting in my office, I
15 just -- I can't see what goes on out there in
16 their area. But not really any favoritism.

17 Q. Okay.

18 MS. PFEIFFER: I don't think I have

19 anything else.

20 MR. ESPY: Off the record.

21 (Discussion held off the record.)

22 EXAMINATION

23 BY MR. ESPY:

24 Q. You met Cindy Stankoski in September?

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1 A. Uh-huh.

2 Q. And do you recall when you met her, how
3 you met her?

4 A. Work, I guess. Is that -- yeah.

5 Q. In what context did you meet her? Did
6 you go up to her desk and say welcome to the
7 Attorney General's office or what?

8 A. Probably. She started with the office
9 and everybody -- she -- you know, she's right
10 there.

11 Q. When was the first time you had a social
12 outing with Cindy and anybody else?

13 A. Club 185.

14 Q. And that occurred when?

15 A. Probably couple months -- month or so
16 after she started.

17 Q. After she started?

18 A. Yeah.

19 Q. And was that for a special occasion?

20 A. Just a -- no, just a get-together.

21 Q. And during that get-together, were you

22 pretty -- did you drink quite a bit?

23 A. Uh-huh.

24 Q. You have to answer yes or no.

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1 A. Yes.

2 Q. And did she drink quite a bit?

3 A. I believe so, yes.

4 Q. Now, you described before there's a lot

5 of flirting going on. Is that -- is that

6 typically how you would describe your

7 interaction that particular day?

8 A. That day or that evening?

9 Q. That evening.

10 A. Probably that evening, yeah.

11 Q. Describe the flirting for me.

12 A. I don't know. She just was drinking,

13 kind of leaning on me a lot and things like

14 that. She grabbed my hand a couple times, you

15 know, was just like -- you know, patting it like

16 and talking, and we would go our separate ways

17 and go somewhere else.

18 Q. You were going separate ways and go

19 somewhere else like what?

20 A. Just talk with other people. And then

21 we would see each other again and same kind of

22 thing.

23 Q. I'm sorry. I didn't hear the last part.

24 A. If we would see each other again, run

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1 into each other again in the bar -- because

2 there was a bunch of us from work. It wasn't

3 just her and I.

4 Q. Did you have occasion to drink with her

5 again after Club 185, any other occasion?

6 A. Yeah, a couple times at Brothers and

7 then at the corner bar on front and Broad.

8 Q. Do you know the name of the bar at Front

9 and Broad?

10 A. I don't recall, no.

11 Q. And at those bars that, did you all have

12 a closeness that --

13 A. No.

14 Q. -- developed?

15 A. No, huh-uh.

16 Q. So you don't -- it would be a mistake to

17 characterize you as the confidante of Cindy

18 Stankoski?

19 A. I don't think I was a confidante at all.
20 Like I said, when she came in my office that
21 time, you know, and she stuck her fingers in her
22 ears and made fun of because I didn't want to
23 hear what she said. Literally, it was because I
24 did not want to hear what was going on with any

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1 of that stuff. I didn't want to be involved.

2 Q. Have you talked to her since they filed
3 the complaint?

4 A. Briefly, you know.

5 Q. Did you contact her or she contact you?

6 A. She came in, you know, and she was
7 crying one day, and she -- you know, she sat in
8 my office and kind of just cried. I went
9 outside, you know. She had to use -- she used
10 a -- she went in my office and called her
11 attorney one time. I left. And then just
12 briefly, you know, talked. I didn't get into
13 anything because I didn't really know what we're
14 allowed to be talking about.

15 Q. She was talking to her attorney during
16 the course of her day, the business day?

17 A. Yeah. She had just gotten -- I think
18 she had just gotten a letter from -- I believe a

19 letter from you, saying she needed to come over.

20 Q. To testify?

21 A. Yeah.

22 Q. And so you left the room when she talked

23 to her attorney, you said?

24 A. Uh-huh.

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1 Q. Why would you not consider yourself one
2 of her confidantes? She's telling you things
3 like -- about some of these events, and you keep
4 saying, I don't want to hear it, but she keeps
5 telling you about it. Did you cover your ears
6 the whole time?

7 A. No, I didn't cover my ears.

8 Q. Would she quit talking?

9 A. I would just tell her I didn't want to
10 be involved. And she knew. You can ask her
11 that, and she'll tell you. I just didn't want
12 to be involved in whatever is going to happen
13 and go on with all this stuff, because I just --
14 if she, you know, filed something against Tony,
15 and Tony being friends with Marc, I just came
16 out of a -- being in the union, I'm always
17 scared to be in this type of position. And here
18 I am -- I find myself right here in the middle

19 of it right now. But apparently that didn't do

20 me any good. I mean, she --

21 Q. Go ahead.

22 A. She knew that I didn't -- you know, I

23 didn't want to hear what was going on. And

24 even -- you can ask Kristi August, she'll tell

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1 you the same thing, I did not want to be
2 involved. I've got my work to do, that's what
3 I'm doing. I'm keeping out of whatever outside
4 business they have going on, you know.

5 Q. And you say you're a facilities manager.
6 Would you not know if something is being done in
7 these facilities, like soundproofing the offices
8 and things like that?

9 A. Tony handled that stuff, you know. He
10 was -- he made calls like that. He did
11 things -- he did a lot of stuff on his own.

12 Q. But you still need approval for that
13 kind of work, don't you?

14 A. That would be Tony, yeah. He would do
15 approvals for that.

16 Q. Up to a certain dollar amount, don't you
17 have to have approvals?

18 A. Oh, yeah.

19 Q. Do you know what something like that

20 would cost?

21 A. I have no idea, no. I think OBA did it.

22 Q. What?

23 A. The building came in to do it.

24 Q. OBA?

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APRIL 21, 2008**

1 A. Yeah. I've never had an office
2 soundproofed before, so I have no idea what that
3 cost would be.

4 Q. Would you say that in your particular
5 section that Cindy -- say of all the males in
6 your section, that Cindy would probably migrate
7 towards you to tell you things more than any
8 other males in that section?

9 A. No. I would say more Charlie.

10 Q. Charlie?

11 A. Yeah.

12 Q. And I think you testified, too, that you
13 never heard about her pants being unbuttoned.

14 A. I never heard about that until I saw it
15 in the paper, or read it, or saw it on the news
16 maybe. I'm not sure which one I heard.

17 Q. Were you surprised this complaint was
18 filed?

19 A. No, I just -- I know she had -- there
20 had been something done in HR, and I don't think
21 that was -- there was any outcome of that at
22 all.

23 Q. What was done in HR?

24 A. I heard they had -- she had filed

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1 something in HR, but nothing happened out of
2 that.

3 Q. Did she tell you what she filed?

4 A. No. I actually thought it was Mariellen
5 that did something, that filed it.

6 Q. Are you surprised that Cindy and Vanessa
7 are complaining about sexual harassment against
8 Tony?

9 A. Not at all, no.

10 Q. Why aren't you surprised?

11 A. Just because, you know, I mean, what
12 I've heard -- I've heard, you know, her say
13 about him looking at her weird and things like
14 that.

15 Q. You said her. Are you talking about
16 Cindy now?

17 A. Yeah, about what -- looking at her
18 breasts. And from that one night, that one

19 night alone when she was coming back from
20 Cincinnati was enough. That, and the Las Vegas
21 thing. And one night alone coming back from
22 Cincinnati, I thought it was weird that whole
23 time, because I didn't think he had a reason for
24 her to go.

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1 Q. Did she know you were married?

2 A. Yeah.

3 Q. And she still texted you to say come and
4 get her at a bar?

5 A. Uh-huh. I was driving right by. I told
6 her I was driving right by there.

7 Q. You told her what?

8 A. I was driving right by.

9 Q. You were driving right by the bar?

10 A. Yeah. It's on Stringtown Road. I live
11 in Grove City.

12 Q. But when she texted you, where were you
13 located then?

14 A. I was getting off the Stringtown Road
15 exit in Grove City.

16 Q. How would she know that?

17 A. Because we were -- she had texted,
18 saying, he's -- I'm with Tony, and, you know,

19 I -- get one of your friends and come up here,
20 because I'm not -- I don't feel comfortable or
21 something. We had just -- a couple texts
22 probably. I was probably texting on the Friday.

23 Q. Texting while driving?

24 A. Yes. I'm pretty good with it now, with

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1 the BlackBerry and everything.

2 Q. Is that the State -- the State

3 BlackBerry?

4 A. Yeah, BlackBerry is State. But the

5 texting, I text on my personal phone.

6 Q. Does she text on her personal phone,

7 too?

8 A. Yeah.

9 Q. She doesn't have a BlackBerry, does she?

10 A. No.

11 Q. Is there anything else you want to share

12 with us to help us in this investigation?

13 A. Huh-uh.

14 Q. There's nothing else?

15 A. (Witness shakes head.)

16 MR. ESPY: Well, if you think of

17 something else, or you'd like to correct the

18 record in any way, make sure you give me a call

19 or give Ms. Pfeiffer a call.

20 THE WITNESS: Okay.

21 MR. ESPY: You have our e-mails and

22 telephone numbers. Okay?

23 THE WITNESS: Okay.

24 MR. ESPY: Thanks for coming over.

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1 Appreciate it.

2 THE WITNESS: Okay. Thanks.

3 --0--

4 Thereupon, the sworn interview of Doug
5 Armbrust, April 21, 2008, was concluded at 3:17
6 p.m.

7 --O--

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1 CERTIFICATE

2 STATE OF OHIO :

SS:

3 COUNTY OF FRANKLIN :

4 I, Sara S. Clark, RPR/CRR/CCP/CBC, a
Notary Public in and for the State of Ohio, duly
5 commissioned and qualified, do hereby certify
that the within-named DOUG ARMBRUST was first
6 duly sworn to testify to the truth, the whole
truth, and nothing but the truth in the cause
7 aforesaid; that the testimony then given was
reduced to stenotypy in the presence of said
8 witness, afterwards transcribed; that the
foregoing is a true and correct transcript of
9 the testimony; that this interview was taken at
the time and place in the foregoing caption
10 specified.

11 I do further certify that I am not a
relative, employee or attorney of any of the
12 parties hereto; that I am not a relative or
employee of any attorney or counsel employed by
13 the parties hereto; that I am not financially
interested in the action; and further, I am not,
14 nor is the court reporting firm with which I am
affiliated, under contract as defined in Civil
15 Rule 28(D).

16 In witness whereof, I have hereunto
set my hand and affixed my seal of office at
17 Columbus, Ohio, on this day
of , 2008.

18

19

Sara S. Clark, RPR/CRR/CCP/CBC

20

Notary Public, State of Ohio.

21 My commission expires: March 10, 2013

22

23

24

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