

1 OFFICE OF THE ATTORNEY GENERAL

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4 IN RE: STANKOSKI/STOUT EEO  
COMPLAINT INVESTIGATION

5

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8 CONFIDENTIAL INTERVIEW OF

9 ANGELA SMEDLUND

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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 17, 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

5

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

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4 INDEX OF EXHIBITS

5 EXHIBIT DESCRIPTION PAGE

6 21 4-7-08 e-mail communication 31  
7 with Stout brought by  
8 Smedlund

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APRIL 17, 2008

1 MR. ESPY: Angela, of course you know  
2 I'm Ben Espy, the executive assistant to the  
3 Attorney General; and this is Julie Pfeiffer,  
4 senior attorney with the employment section.

5 On April the 8th, 2008, the Attorney  
6 General requested we look into the allegations  
7 concerning alleged sexual harassment by one  
8 Anthony Gutierrez. So the purpose of this  
9 interview is to see what information you could  
10 give us to help us resolve or complete the  
11 investigation.

12 We have asked that your testimony be  
13 under oath. And we cannot promise you  
14 confidentiality in terms of your answers,  
15 because it may be considered public record and  
16 could be released.

17 THE WITNESS: Okay.

18 MR. ESPY: I ask that you keep your

19 voice up so the court reporter can record

20 your -- the information.

21 THE WITNESS: Okay.

22 MR. ESPY: We'll go from there.

23 ANGELA SMEDLUND

24 being first duly sworn, as hereinafter

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1 certified, says as follows:

2 EXAMINATION

3 BY MR. ESPY:

4 Q. Would you state your full name and spell

5 your last name for the reporter.

6 A. Angela Smedlund, S-m-e-d-l-u-n-d.

7 Q. And, Ms. Smedlund, where are you

8 employed?

9 A. Ohio Attorney General's office.

10 Q. And in what capacity are you employed?

11 A. I'm the EEO officer and assistant to the

12 chief operating officer, Joyce Chapple.

13 Q. And how long have you been employed at

14 the Attorney General's office?

15 A. For a year and three months.

16 Q. You were hired in January of 2007?

17 A. Correct.

18 Q. And how did you come about getting this

19 job?

20 A. I contacted Bev Staten and inquired if

21 they needed help with the transition team and

22 volunteered time with the transition team, and

23 therefore was given a position -- permanent

24 position after that.

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1 Q. And how did you know Bev Staten before  
2 you worked here?

3 A. A friend of mine worked in the Senate  
4 with her.

5 Q. She did not know you personally before  
6 you began working here?

7 A. We had done some events together outside  
8 of the office in a political capacity, so I knew  
9 her from that.

10 Q. Okay. And what is your background?

11 A. I have -- I am a JD, going to be taking  
12 the bar in July. I have worked in television  
13 before going to law school. And I was a  
14 campaign manager for Senator Teresa Fedor, out  
15 of Toledo, prior to working with the Attorney  
16 General.

17 Q. Where did you go to law school?

18 A. Hamline University in St. Paul,

19 Minnesota.

20 Q. Hamilton?

21 A. Hamline, H-a-m-l-i-n-e.

22 Q. Okay. You're taking the bar this coming

23 July --

24 A. Correct.

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1 Q. -- 2008?

2 And when you were hired -- what was your

3 title when you were first hired?

4 A. Administrative assistant.

5 Q. And what were the duties of

6 administrative assistant?

7 A. I kind of was a floater at that time,

8 helped out in various capacities with Craig

9 Mehall, when he was in general services, and

10 then also with the transitioning from one --

11 from one administration to another, and

12 eventually I became permanent, if you will,

13 assisting Joyce Chapple.

14 Q. And when did you take over the EEO

15 duties?

16 A. It was, I believe, March of last year.

17 Q. And prior to March of 2007, had you had

18 any experience before in EEO matters?

19 A. No.

20 Q. Or EEO laws, procedures?

21 A. I had a little bit of experience just

22 from my studies, but I didn't have any thorough

23 training. Upon getting the position, I did

24 complete some training through the EEOC, and I

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1 had also been in contact with a former EEO  
2 officer, Maura Jaite, with any training issues  
3 and questions I may have had. I also completed  
4 EEO training through DAS just recently.

5 Q. Who was the former EEO officer that you  
6 were in touch with?

7 A. Maura Jaite.

8 Q. March?

9 A. Maura, M-a-u-r-a.

10 Q. M-a-u-r-a?

11 A. Uh-huh.

12 Q. What's the last name?

13 A. Jaite, J-a-i-t-e.

14 Q. Where is she located now?

15 A. She's now out at BCI.

16 Q. Okay. And you had all this training

17 since March, 2007?

18 A. Uh-huh.

19 Q. When you were hired in last year at the  
20 AG's office, did you have a chance to review the  
21 policies and procedures of the office?

22 A. Yes.

23 Q. And at that time, had the new Attorney  
24 General, Marc Dann, prepared policies and

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1 procedures, or were you looking at the policies  
2 and procedures of his predecessor?

3 A. I was -- when I first came, it was of  
4 his predecessor. I was actually on the policy  
5 and procedures committee, so I was involved in  
6 the updating of the new policies.

7 Q. And did you update the policies for this  
8 Attorney General's office?

9 A. Yes.

10 Q. And I want to show you the -- what's  
11 purported to be the policies -- excuse me for  
12 throwing that over there. I want to ask you if  
13 you can identify that particular document. Is  
14 that the new policy and procedures --

15 A. Yes, it is.

16 Q. -- or what purports to be?

17 A. Uh-huh.

18 Q. Is there a date and year at the bottom

19 of that first page?

20 A. July -- I'm sorry. January, 2008.

21 Q. So prior to January, 2008, you were

22 using the policies from the previous

23 administration?

24 A. Correct.

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1 Q. And since January of '08, we now have  
2 new policies in the office; is that correct?

3 A. Correct.

4 Q. When you were -- became EEOC director in  
5 March of 2007, did you review the policies  
6 regarding the duties of an EEOC officer -- EEO  
7 officer?

8 A. I reviewed our policies, yes.

9 Q. At that time?

10 A. Yes.

11 Q. Were those policies changed through the  
12 new policy manual?

13 A. The only thing that was changed and that  
14 I found out needs to be rechanged was the  
15 encouraging to put a complaint in writing. We  
16 changed -- it used to be that they were  
17 mandatory to be in writing, and they changed it  
18 to encouraged to be in writing. And I found out

19 through Laura Lubow in public records that that

20 has to be in writing. So that will be changed

21 again. But that was the only portion. The

22 policies themselves did not change.

23 Q. You were informed by Laura Lubow that

24 the complaint has to be in writing?

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1 A. Uh-huh.

2 Q. You cannot take an oral complaint from  
3 anyone?

4 A. According to her, the law states that it  
5 has to be in writing.

6 Q. Okay. Do you know what the old policy  
7 said?

8 A. It said it has to be in writing.

9 Q. Okay. And who is it in writing to? Who  
10 is the person they give it to, a complaint?

11 A. Myself, HR, a supervisor.

12 Q. And if they give it to HR, who is  
13 responsible for investigating the complaint?

14 A. Usually it could either be the HR --  
15 somebody within HR, or they would give it to the  
16 EEO officer.

17 Q. Is that what the policy says?

18 A. Policy says that the EEO officer will

19 investigate, and I believe it says -- do you

20 mind if I look at the policy?

21 Q. Which one are you looking at?

22 A. The new one.

23 Q. Sure.

24 A. The EEO -- report it to the officer,

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1 director of human resources, immediate

2 supervisor, or next level management.

3 Q. What does it say about who will

4 investigate?

5 A. Should be submitted to the EEO officer.

6 Q. To do what?

7 A. To investigate.

8 Q. There's nothing in there about HR should

9 investigate, is there?

10 A. They can take complaints, though.

11 Q. But there's nothing in there to say

12 HR --

13 A. Correct.

14 Q. -- can investigate?

15 A. Correct. Not in our policy, correct.

16 Q. Okay. And in the fall of 2007, how did

17 you -- how would you take in a complaint?

18 A. Usually somebody would either call or

19 e-mail me. I would have them -- we would set up  
20 a meeting. I would ask them to send me an  
21 e-mail, stating what the issues were so that I  
22 could prepare a little bit before we would meet.  
23 I would meet with somebody, we would sit down  
24 and talk, and I would go the next step.

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1 Q. Which is?

2 A. Questioning other people about the

3 instances, see if they had been witness to

4 anything.

5 Q. Okay. That's the investigation part?

6 A. Correct.

7 Q. You said they can either call you or

8 e-mail you.

9 A. Correct.

10 Q. And you asked them to e-mail you some

11 facts?

12 A. Correct.

13 Q. And then they come in?

14 A. Correct.

15 Q. At what step, the phone call or the

16 e-mail to you, or when they come in to see you,

17 at what step has a complaint been filed?

18 A. In my opinion, it would be the e-mail --

19 when they send the e-mail to me, stating what's

20 going on.

21 Q. So if --

22 A. The e-mail contact.

23 Q. -- they would send you an e-mail about

24 the facts, that is your official complaint?

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1 A. Yes. I would go from that, yes.

2 Q. Okay. In this case here -- and you're

3 familiar with Cindy Stankoski?

4 A. Correct.

5 Q. And you're familiar with Vanessa Stout?

6 A. Correct.

7 Q. When did they file a complaint?

8 A. They -- I e-mailed them and asked them

9 to send me information. They did not send me

10 any information. I would say that the initial

11 contact of me speaking with them, asking for

12 information. They sent me a little bit of

13 information, and I believe you do have those

14 e-mails. I would say that that would be the

15 complaint that they -- they were -- wanted to

16 discuss the complaint with me.

17 Q. So you do not consider the fact that

18 they had a long interview with HR on the 6th of

19 March, telling them all of the allegations they  
20 had, you don't consider that a complaint, under  
21 those rules?

22 A. It could be, yes, but I still had to  
23 speak with them.

24 Q. Speak with whom?

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1 A. With Cindy and Vanessa.

2 Q. But does that policy say that they can  
3 file a complaint with HR?

4 A. Yes, it does.

5 Q. So on May 6 -- March 6th and 7th, when  
6 they came in to see HR, told them everything  
7 they knew, and HR took notes on that, are you  
8 saying that's not a complaint, or it is a  
9 complaint?

10 A. It's not a complaint in writing. I  
11 would say that, according to our policy, the way  
12 that it is, yes, it could be considered a  
13 complaint, because they had gone to HR.

14 Q. And they're only encouraged to put it in  
15 writing, under our policy --

16 A. Correct.

17 Q. -- even though it may be wrong?

18 A. Correct.

19 Q. So for purposes of this conversation,  
20 let's say that March the 6th and the 7th was the  
21 complaint.

22 A. Okay.

23 Q. Okay? Are you aware that HR received  
24 allegations from these two individuals around

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1 the 6th or 7th of March?

2 A. I was aware that something -- that  
3 somebody had gone to HR. I was not aware of who  
4 had gone to HR.

5 Q. Okay. If I tell you that it was Cindy  
6 Stankoski and Vanessa Stout that went to HR on  
7 the 6th or 7th and made certain allegations, and  
8 we've agreed to some extent that could be the  
9 complaint time --

10 A. Uh-huh.

11 Q. -- when were you contacted about their  
12 appearance in HR?

13 A. It was the Thursday or -- Wednesday or  
14 Thursday before March 30th. Stephanie came to  
15 me about -- saying that I needed to do an  
16 investigation. And I contacted Joyce, and we  
17 agreed that we needed to do an investigation,  
18 and I began the process.

19 Q. Did you ask Stephanie why it took her so  
20 long to bring it to your attention?

21 A. I did not.

22 Q. Did you think it was too long?

23 A. I knew she had been in consultation with  
24 Joyce about issues. Once again, I really didn't

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1 know what was going on. I was kind of kept out  
2 of the loop of that. So I knew that she had  
3 been in consultation with Joyce and Ed.

4 Q. So you knew nothing until approximately  
5 around about March the 27th?

6 A. The extent, correct.

7 Q. What?

8 A. The extent of the allegations. I knew  
9 that there was some sort of allegations. I  
10 didn't know exactly what it was until that time.

11 Q. And you said you had no idea who it  
12 involved before that time?

13 A. No, I didn't. Not -- I knew it was  
14 somebody in general services, and I think by  
15 deduction, I imagined that it was Cindy, but  
16 that was about the extent.

17 Q. You knew Cindy, though, prior to her  
18 filing a complaint; did you not?

19 A. Uh-huh. She works in general services,

20 yes.

21 Q. Pardon me?

22 A. Yes, because she works in general

23 services.

24 Q. Hadn't you seen her socially before --

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1 A. No.

2 Q. -- that time period?

3 A. No.

4 Q. You had never seen her outside in a bar

5 somewhere?

6 A. No.

7 Q. What about Vanessa Stout?

8 A. No.

9 Q. So socially, you never had any

10 involvement with them before that time?

11 A. Correct.

12 Q. And had you heard any rumors at all

13 about the harassment charges that involved

14 Anthony Gutierrez?

15 A. Not until they -- I heard that somebody

16 had made allegations. I had not heard of any

17 harassment -- of what exactly until people came

18 to me.

19 Q. Okay. And when they came to you, what

20 did you do?

21 A. It was at that time, that March 27 time

22 period, I immediately contacted Joyce and got in

23 contact with Tom and Ed and began the process.

24 Q. And what was the process?

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1 A. I told all of them that I was going to  
2 be starting an investigation, contacted both  
3 Cindy and Vanessa, asking them to give me an  
4 e-mail account of the issues that had been  
5 taking place, set up a time to sit down with  
6 them. And also received the notes from Aleatha  
7 and Stephanie, as well as the text message  
8 e-mail -- text messages, and then sat down with  
9 Cindy and Vanessa and interviewed both of them.

10 Q. And after you conducted the interview,  
11 then what occurred?

12 A. I talked with Charlie Rosol after the  
13 interview. I was in contact with Ed Simpson and  
14 Joyce Chapple. And I did talk with Anthony  
15 Gutierrez after that. And I was in consultation  
16 with Joyce and Ed throughout the whole process.

17 Q. And then what occurred?

18 A. I had gone out for two days, and that --

19 I'm sorry, for a day and a half. And that

20 Sunday was when the newspaper article ran that

21 the information had been -- gone to the press.

22 Q. Do you know how the information got to

23 the press?

24 A. I do not.

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1 Q. What you saw in the press, did any of it  
2 sound like your notes that you had taken?

3 A. Yes, it did. Some of it did.

4 I need to mention also that because I  
5 had both Cindy -- because both Cindy and Vanessa  
6 did not send me e-mail accounts, they said they  
7 would just talk with me about it, I had them  
8 sign off to the validity of my notes. I  
9 reviewed the notes with them after we had  
10 talked, and they signed off that the notes were  
11 correct. And they asked -- because they signed  
12 off on them, they asked for copies of them, so  
13 they did have copies of my notes.

14 Q. So what's called here equal employment  
15 opportunity file document complaint statement,  
16 that was given to them?

17 A. Uh-huh.

18 MR. ESPY: Off the record a second.

19 (Discussion held off the record.)

20 BY MR. ESPY:

21 Q. So you said the article came out on

22 Sunday?

23 A. Correct.

24 Q. What happened after that?

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1 A. Ed phoned me. I was out of town that  
2 day. Ed phoned me -- or e-mailed me to phone  
3 him, and I phoned him. We discussed it. He  
4 asked me about some statements that were made in  
5 the article. And then the following Monday, met  
6 with Joyce and Ed. It was at that time that I  
7 felt it was proper for me to recuse myself from  
8 some of those statements that were made in the  
9 article, because I felt that I could not be  
10 impartial at that point.

11 Q. What particular statements are you  
12 referring to?

13 A. The statements that were made that I had  
14 said that the administration would do anything  
15 to cover up this situation and keep it out of  
16 the public, which is not true.

17 Q. What's the truth?

18 A. The truth is, when I sit down with

19 anybody, and I did the same for both Cindy and  
20 Vanessa, I explained to them our confidentiality  
21 policy. I explained to them that I'll keep --  
22 that I will keep the information as confidential  
23 as I can, and that I asked them not to speak  
24 with anybody. They both mentioned the press to

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1 me. I said that any matters of the office needs  
2 to go through the communications department, so  
3 they should not speak to the press. I also told  
4 them -- I have it -- I will give you this. I  
5 have this, which is a checklist, and I go over  
6 the different issues on this (indicating).

7 Q. I think I saw that.

8 A. And it talks about public records, and I  
9 told them both that these are subject to public  
10 records upon the completion of the  
11 investigation. And I explained everything to  
12 them, the statements about they could go to the  
13 OCRC or the EEOC, as well, that they had those  
14 options. Just kind of explained everything.

15 And then I also -- in that checklist, it  
16 talks about informal resolutions. I discussed  
17 with them that there is an option for an  
18 informal resolution, to resolve it before full

19 investigation is completed. And so it was on --  
20 I cannot remember the date. It might have been  
21 on Wednesday, so that would have been the 2nd, I  
22 had spoken with Cindy and I explained to her we  
23 have an option for an informal resolution and  
24 that I wanted to discuss with her to see if

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1 there was any resolution that she would deem as  
2 proper. She stated to me that she wants to keep  
3 her job. She doesn't want to be transferred,  
4 and she doesn't want to work for Tony Gutierrez.

5 It was at that time that I said if Tony  
6 was transferred, would that be a possibility,  
7 and she said yes. I said okay, well, I have to  
8 go discuss this with some other people. I'll be  
9 in touch with you.

10 Discussed it with Ed and Joyce. And I  
11 must -- let me back up one step. I did -- when  
12 I was in consultation with Ed and Joyce, Ed said  
13 that -- because we have the informal resolution,  
14 we should talk -- I should go talk with them and  
15 see if they wanted an informal resolution and to  
16 see if they would -- how they would feel about  
17 transferring Tony.

18 So then I talked -- so after I talked

19 with Cindy, I talked with Vanessa the next  
20 morning, asked her -- gave her the same  
21 information that we have this informal  
22 resolution process, that it's a way that we can  
23 resolve the issue. Asked her what she would  
24 consider to be a proper resolution. She at that

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1 time told me that she had to consult her  
2 counsel. Obviously since she at that time said  
3 she had counsel, I said okay.

4 She came and met with me later in that  
5 day and said that she wanted a meeting with Marc  
6 Dann and Tony Gutierrez. She wanted her former  
7 job back, and she wanted back-pay, which at that  
8 time, I questioned her on that, because she made  
9 a lateral move from general services to IT. She  
10 told me she was promised to get a raise when she  
11 moved over to IT. She said that Tony had  
12 promised her a raise. So I told her at that  
13 time, thank you very much. I will be in contact  
14 with you. And I relayed the information to Ed.

15 And then Sunday is when the newspaper  
16 article came out, and that's when it said that I  
17 was -- that I had said that I would do anything  
18 to push it under the rug and keep it out of the

19 public. I never said that. I said that -- the  
20 confidentiality, but I also said it was subject  
21 to public records, and also talked about the  
22 informal resolution process.

23 Q. What did you show them regarding the  
24 informal resolution?

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1 A. I gave them this packet, which is the  
2 confidentiality policy, and then all of the EEO  
3 policies, including the discrimination and  
4 harassment complaint procedures, which has the  
5 informal resolution in there. And I gave them  
6 this and said, you know, these are for you,  
7 please review these documents. These are our  
8 policies. And I explained to them that -- what  
9 an informal resolution was when I went over that  
10 checklist with them.

11 Q. So you were misquoted in the paper,  
12 basically by the complainants?

13 A. Yes.

14 Q. That's why you feel you cannot be  
15 subjective anymore?

16 A. Correct.

17 Q. So your investigation really didn't take  
18 off at all.

19 A. Huh-uh. It didn't have a chance to.

20 Q. And you interviewed Tony also; is that

21 correct?

22 A. I did.

23 Q. And we had his somewhere. He basically

24 disputed everything they said?

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1 A. Most of it. He admitted to some of it,  
2 I believe, but most of it he did dispute.

3 Q. Did you bring any documentation with you  
4 that we don't have for this investigation?

5 A. No. Just -- oh, I do have -- this is  
6 the last correspondence I had with Vanessa. She  
7 had e-mailed me on the Monday after the article  
8 had ran and said that she needed to speak with  
9 me. It was at that time that we were trying to  
10 figure out what steps I would be taking in the  
11 process. And that was the extent of the  
12 conversation right there.

13 Q. Back in October, we had an interview  
14 with -- when I say we, HR had an interview with  
15 Cindy --

16 MR. ESPY: Cindy?

17 MS. PFEIFFER: March?

18 MR. ESPY: October.

19 MS. PFEIFFER: Mariellen Aranda.

20 BY MR. ESPY:

21 Q. -- Mariellen Aranda. Were you aware of

22 that?

23 A. I was only aware of that after the fact.

24 I didn't -- wasn't aware of that until later on.

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1 Q. Later on after you were involved in the  
2 investigation, or what?

3 A. I'd say it was probably about maybe a  
4 month ago that I found out she had gone to HR.  
5 I'm not exactly sure.

6 Q. Well, the question is between October  
7 and March 27th, no one ever contacted you about  
8 these allegations before --

9 A. Correct.

10 Q. -- from HR?

11 A. I was aware there were allegations, but  
12 I was never given -- in all honesty, I was told  
13 that Joyce and Ed were going to be handling the  
14 situation, that upper management would be  
15 handling the situation.

16 Q. Who told you that?

17 A. Joyce had told me there was something  
18 going on. She didn't say what it was, but she

19 said she would be handling it with Ed.

20 Q. When did she tell you that?

21 A. Probably in March sometime. Middle of

22 March.

23 Q. Between March 6th and March 27th?

24 A. I would believe so, yes.

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1 Q. She told you that she and Ed were going  
2 to take care of it?

3 A. That there was something going on and  
4 that I didn't need to know about it right now.

5 Q. And they would take care of it?

6 A. They would take care of the situation,  
7 yes. I don't know what she meant by that. I  
8 don't know what they meant by that.

9 Q. Do you report directly to Joyce Chapple?

10 A. Correct.

11 Q. How many EEO complaints have you had  
12 since you took over this position?

13 A. There's been about 17 or 19, and that  
14 includes two position statements that were  
15 written. One was written by me in  
16 conjunction -- well, not by me, I take that  
17 back -- by employment law, but I did help with  
18 employment law on that one. The position

19 statements go to the EEOC. The other one was  
20 written by Maura Jaite because it was an OPOTA  
21 issue that I felt I just -- that issue was way  
22 out my league. And she's general counsel for  
23 law enforcement, so she was more qualified to  
24 write that one.

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1 Q. How many sexual harassment complaints  
2 have you had since you became EEO director?

3 A. I had three last year, and this one.

4 Q. And the other three resolved informally?

5 A. We had one that resolved informally.

6 The woman was transferred out of the section,  
7 because there was retaliation issues going on  
8 based upon her coming to me. And then the other  
9 two, it was found that the complaint was not  
10 founded, because the nature of the complaint was  
11 that an employee was searching the Web for a  
12 female intern after hours and sent a link to  
13 that female's Web page or some Web page that she  
14 had to other employees. And it just didn't rise  
15 to the level of being a sexual harassment  
16 complaint, but that particular person, he was  
17 disciplined for other issues.

18 All three of those complaints came out

19 of the revenue recovery collections enforcement  
20 section. There was another complaint that was  
21 sexually explicit language. I advised Rae Ann  
22 Estep from revenue recovery that there is an  
23 issue with the woman who was making the sexually  
24 explicit comments. And at that time, I had done

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1 the -- done sexual harassment training for  
2 revenue recovery and collections enforcement,  
3 and I recommended that the woman be disciplined  
4 because she had already had the training and she  
5 was at that time on notice that any of that  
6 behavior was unacceptable.

7 Q. Have you had any other complaints in  
8 general services?

9 A. Not to my knowledge, no. No, I did have  
10 one complaint in general services. Marsha  
11 Woods, who was the office services manager, she  
12 was transferred to 150 Gay. She filed a  
13 complaint with me against Tony and Charlie  
14 Rosol, stating that she was transferred because  
15 of -- because of her sex, her race, her age.  
16 And that was unfounded. She was transferred  
17 over there for an operational need, not for --  
18 she didn't lose any money. She didn't lose any

19 status or anything. She just moved to another

20 building.

21 Q. I don't know if we have these documents

22 or not that you brought in. We should get them

23 marked anyway.

24                    --0--

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1 (Exhibit 21 marked.)

2 --0--

3 BY MR. ESPY:

4 Q. I'm showing you what's been marked as  
5 Exhibit 21 for identification and ask if you can  
6 look at those documents and see if they're what  
7 they purport to be, e-mails that you submitted  
8 today.

9 A. Yes, they are.

10 Q. And you brought that in with you today,  
11 correct?

12 A. Correct.

13 Q. What does that reflect?

14 A. It reflects the last contact I had with  
15 Vanessa Stout on Monday, April 7th.

16 Q. Okay. There's a statement on sexual  
17 harassment released on April the 7th, 2008 --

18 A. Uh-huh.

19 Q. -- signed by Ed Simpson.

20 A. Uh-huh.

21 Q. Did you prepare that?

22 A. No, I did not.

23 Q. Do you know who prepared that document?

24 A. I believe it was Ed. I was not aware of

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1 that statement until after it went out to the  
2 office.

3 Q. Did you see anything wrong with that  
4 statement?

5 A. No, I did not.

6 Q. Did you check -- when you saw this  
7 statement, did you check and see if this was  
8 consistent with our present policies?

9 A. I did not hold the two next to each  
10 other, but I had been in consultation with Ed  
11 and Joyce about the policies, and I had given  
12 them both a copy of the policies.

13 MR. ESPY: Off the record again for a  
14 second.

15 (Discussion held off the record.)

16 BY MR. ESPY:

17 Q. Is there anything we should know that  
18 you're aware of that maybe we haven't asked you

19 about today of your knowledge or involvement?

20 A. Huh-uh. Not that I can think of, no.

21 You have all my notes, which that's as far as

22 I've gotten. That's as much as I know about

23 those situations. I don't really know much of

24 anything else.

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1 MR. ESPY: Do you have any questions,

2 Julie?

3 MS. PFEIFFER: No, I don't have any.

4 MR. ESPY: Okay. Thanks for coming in.

5 THE WITNESS: Thank you.

6 MR. ESPY: If you think of anything, you  
7 can always contact either one of us and we'll go

8 from there. All right?

9 THE WITNESS: Thank you.

10 --0--

11 Thereupon, the sworn interview of  
12 Angela Smedlund, April 17, 2008, was concluded  
13 at 2:57 p.m.

14 --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 ANGELA SMEDLUND 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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