



1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
3

4 M. REBECCA DOWNING, et al.,)
5 Plaintiffs)
6 VS) Civil Action - Law
7) No. 1:CV-05-0351
8 YORK COUNTY DISTRICT ATTORNEY)
9 H. STANLEY REBERT, et al.)
10 Defendants)

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12 DEPONENT: Teri Kodish
13 TAKEN BY: Plaintiffs
14 DATE: Thursday, May 18, 2006
15 TIME: 1:45 p.m.
16 PLACE: Lavery Faherty Young & Patterson, P.C.
17 225 Market Street, Suite 304
18 Harrisburg, Pennsylvania 17108
19 York, Pennsylvania
20 REPORTER: Karen J. Meister
21 Reporter, Notary Public
22

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1 severance package and that they wanted a release
2 in return?

3 A No, I can only tell you what I know
4 about that. Stan and I contacted Sharon from
5 his office at that time with Becky's request.
6 Becky (sic) I know immediately contacted the
7 commissioners at that point in time.

8 Q Becky or Sharon?

9 A I'm sorry.

10 Q That's all right.

11 A Did I say Sharon (sic)? I meant --
12 Yeah, I meant Sharon. Immediately contacted the
13 commissioners and called us back and said she
14 had contacted the commissioners. And because it
15 was an offer of something else, we now needed to
16 go to the separation agreement, which then went
17 back to Sharon. I have no knowledge of --

18 Q Okay. So you don't --

19 A -- what they agreed. I did see a
20 draft of the separation agreement at one point
21 later than that, because it took some time
22 because the document had to be constructed, you
23 know what I mean. So this was not something
24 that happened right then at that moment in time.

25 Q Okay. So then you don't have any

1 will say this and I'm sure Becky and Paul would
2 say the same thing. When I entered that meeting
3 and that session that day, Sharon Luker had
4 indicated to me, and I indicated to Becky and I
5 indicated to Stan, any conversation that we had
6 had no effect whatsoever on workers' comp.

7 Q Okay.

8 A Whether she took the resignation or
9 whether she took the termination, there would be
10 no effect whatsoever on the workers' comp claim.

11 Q In your position with -- or in your
12 former position with Human Resources, can you
13 think of any reason why a termination or a
14 resignation would have an effect on --

15 A No, it would not.

16 Q Let me finish the question. And I
17 apologize to you, but just so it's clear on the
18 record, can you think of any reason why a
19 termination or a resignation would somehow
20 affect an open workers' comp claim?

21 A No.

22 Q Okay. Did you come to learn what
23 happened to Miss Downing's workers' comp
24 benefits?

25 A Only, you know, probably within the

1 knowledge about a request for a release from
2 liability or anything like that?

3 A I know, again, just from general
4 information that that was included in the
5 separation agreement. That now we were offering
6 her something in return for that -- which would
7 be pretty standard. In return for that offer
8 something should be provided back.

9 Q Now, at some point in time --

10 A There was not a -- I want to be clear
11 about this. When Stan and I talked to Becky
12 with the first two offers there was no waiver or
13 no requirements along that line.

14 Q Okay. That the release came up after
15 the fact once the commissioners were --

16 A Once we were adding additional
17 elements to the package the waiver came up.
18 Prior to that there was no waiver.

19 Q Fair enough. At some point in time,
20 am I correct, Keith Wentz was contacted about
21 the workers' comp benefits?

22 A Now, I only know about this after the
23 fact.

24 Q Okay.

25 A What I want to be clear, and Stan

1 last couple of months or so.

2 Q And did you come to learn either
3 directly from Mr. Wentz or through the
4 commissioners or through some other party that
5 Mr. Wentz indicated that when Miss Downing's
6 employment would end with York County so would
7 the workers' comp benefits?

8 A Only through conversation.

9 Nothing -- I've never had a conversation with
10 Keith Wentz about Becky's workers' comp.

11 Q Okay. Who did you learn it from then
12 that this statement had been made by Mr. Wentz?

13 A Sharon.

14 Q And were you surprised then to learn
15 that Miss Downing's workers' comp benefits were
16 in any way affected by her separation with the
17 county?

18 A I reaffirmed with --

19 MR. HUTCHINSON: Objection.

20 THE DEPONENT: I'm sorry.

21 MR. HUTCHINSON: Go ahead.

22 THE DEPONENT: I reaffirmed with

23 Sharon that at the time I met with Becky and at
24 the time I met with Stan that we were both under
25 the understanding this would have no impact on