



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

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

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11 DEPONENT: Edward Melhorn  
12 TAKEN BY: Defendants  
13 DATE: Thursday, May 25, 2006  
14 TIME: 1:36 p.m.  
15 PLACE: Lavery Faherty Young & Patterson, P.C.  
16 225 Market Street, Suite 304  
17 Harrisburg, Pennsylvania 17108  
18 York, Pennsylvania  
19 REPORTER: Karen J. Meister  
20 Reporter, Notary Public

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1 Q The state police also?  
 2 A Right.  
 3 Q The reason for that is that they were  
 4 out there being of value?  
 5 A Right. Well, basically, it's to get  
 6 their family in. They can get in, but it's to  
 7 get their family into the fair.  
 8 Q If they wear the uniform, they can  
 9 walk right in?  
 10 A Right.  
 11 MR. BLAKEY: Thank you.  
 12 MR. JACOB: I just have a follow-up  
 13 question.  
 14 THE COURT REPORTER: Could I have his  
 15 name, your first name on the record, please?  
 16 THE DEPONENT: Edward Melhorn,  
 17 M-E-L-H-O-R-N.  
 18 EXAMINATION  
 19 BY MR. JACOB:  
 20 Q So, do you know the quantity of  
 21 tickets that were given to any of those  
 22 agencies?  
 23 A They have one auto driver to get the  
 24 car and driver in, plus two general passes.  
 25 Q And that's to each person working

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1 MR. TARLOW: Let him finish.  
 2 MR. JACOB: Okay, I thought he was  
 3 finished.  
 4 THE DEPONENT: I don't issue the --  
 5 That just comes under a different heading for  
 6 the chiefs. I issue to the policemen, to the  
 7 policemen themselves.  
 8 BY MR. JACOB:  
 9 Q So the tickets that you were issuing  
 10 were to the persons working there or their  
 11 families to get in?  
 12 A That is correct.  
 13 Q That is separate and different from  
 14 the 150 passes that were given to Mr. Rebert; is  
 15 that correct?  
 16 A There's no connection.  
 17 Q No connection at all?  
 18 A No.  
 19 Q Okay. Now, do you know or can  
 20 anybody here, since this is a 30(b)(6)  
 21 deposition, testify as to, did any other head of  
 22 those particular law enforcement agencies  
 23 receive similar passes in a pack of 150 like Mr.  
 24 Rebert did?  
 25 MR. TARLOW: Or some other number.

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1 there for that agency, correct?  
 2 A That is correct.  
 3 Q So if an agency had five people  
 4 there, there would be that for each of the five  
 5 persons?  
 6 A That is correct.  
 7 MR. TARLOW: I think his other  
 8 question too that he's referring to is, were  
 9 there are also passes for -- day passes given.  
 10 THE DEPONENT: That is gate passes.  
 11 Oh, I'm sorry. That's gate passes.  
 12 MR. TARLOW: Day passes, for family.  
 13 THE DEPONENT: I didn't understand  
 14 the question.  
 15 MR. JACOB: I'll just ask the  
 16 questions, if I have them, I promise you.  
 17 BY MR. JACOB:  
 18 Q In regard to this -- Aside from those  
 19 that were given to the persons who were actually  
 20 working there, did any of those law enforcement  
 21 agencies, the heads of those agencies receive a  
 22 pack of 150 tickets or anything in that regard?  
 23 A I don't issue those to the chiefs.  
 24 I'd have to refer that to --  
 25 Q And how about free --

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1 THE DEPONENT: To best of my  
 2 knowledge, no.  
 3 BY MR. JACOB:  
 4 Q No. And how about the free concert  
 5 tickets? Did any other head of any of those law  
 6 enforcement agencies receive similar free  
 7 concert tickets?  
 8 A To the best of my knowledge, no. I  
 9 have nothing to do with that area.  
 10 MR. JACOB: Okay. Does anybody else  
 11 here, since everybody is here --  
 12 MR. TARLOW: I can tell you we didn't  
 13 look --  
 14 MR. JACOB: Okay.  
 15 MR. TARLOW: -- because nobody -- I  
 16 mean, that wasn't part of the document request.  
 17 THE DEPONENT: It didn't come from my  
 18 authorization.  
 19 MR. BLAKEY: I didn't hear what you  
 20 said, Marc.  
 21 MR. TARLOW: I said we didn't look to  
 22 see who else we gave -- you know, if we had  
 23 given them to other policemen, or whatever. I  
 24 know there are complimentary tickets given out,  
 25 but we didn't specifically look for this.

1 MR. JACOB: To the heads of law  
 2 enforcement agencies?  
 3 MR. TARLOW: Yeah.  
 4 MR. JACOB: Okay. Well, since this  
 5 is a 30(b)(6) deposition and Mr. Rutter is  
 6 here --  
 7 EXAMINATION  
 8 BY MR. JACOB:  
 9 Q Mr. Rutter, do you have any knowledge  
 10 now that we've drawn a distinction that the  
 11 150 passes were separate from the ones given to  
 12 like York or West Manchester, any other heads of  
 13 law enforcement agencies receive a pack of  
 14 150 tickets or free concert tickets?  
 15 A As far as tickets, no. As far as  
 16 concert tickets, if they have their uniforms on  
 17 and they're working for us, they can go right in  
 18 and watch it, if they're working.  
 19 MR. JACOB: If they're working, okay.  
 20 I have no further questions.  
 21 MR. BLAKEY: I want to ask one more  
 22 question to Miss Hallman. We're bouncing  
 23 around a bit.  
 24 (Whereupon, questions were directed  
 25 to Ms. Hallmark and contained in her

1 deposition.)  
 2 MR. JACOB: Just one follow-up in  
 3 this exchange.  
 4 MR. TARLOW: Then I'm going to have  
 5 these guys escape --  
 6 MR. JACOB: That's fine.  
 7 MR. TARLOW: -- before we play round  
 8 robin the rest of the day.  
 9 RE-EXAMINATION  
 10 BY MR. JACOB:  
 11 Q This goes to the president, Mr.  
 12 Rutter. Why is it that York Fair ceased in 2005  
 13 to provide tickets to Mr. Rebert?  
 14 A They were just not issued, period.  
 15 Q But it had been a long-standing  
 16 practice. What was the decision process that  
 17 came about that resulted in that decision?  
 18 A I guess because of the headlines and  
 19 everything else we decided not to do it.  
 20 MR. JACOB: Okay. I have nothing  
 21 further. And I appreciate everybody's  
 22 cooperation and attendance here today.  
 23 (At or about 1:43 p.m., the  
 24 deposition concluded.)  
 25 \* \* \* \*

1 CERTIFICATE  
 2 I, Karen J. Meister, Reporter, Notary  
 3 Public, duly commissioned and qualified in and  
 4 for the County of York, Commonwealth of  
 5 Pennsylvania, certify that there came before me  
 6 the witnesses, who were duly sworn by me to  
 7 testify to the truth of his/her knowledge  
 8 concerning the matters in controversy in this  
 9 cause.  
 10 The questions and answers were recorded  
 11 by me in stenotype and subsequently reduced to  
 12 computer printout under my supervision. This  
 13 transcript is a true and correct record of the  
 14 testimony given by the witnesses at the time and  
 15 place indicated herein.  
 16 I further certify that I am not a  
 17 relative or employee of counsel or the parties  
 18 hereto, nor financially or otherwise interested  
 19 in the outcome of this action.  
 20 Dated this 8th day of June, 2006.  
 21  
 22  
 23 Karen J. Meister - Reporter  
 24 Notary Public  
 25 My commission expires  
 10/19/06