



IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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4 M. REBECCA DOWNING, et al., )  
Plaintiffs )  
5 VS ) Civil Action - Law  
6 YORK COUNTY DISTRICT ATTORNEY )  
H. STANLEY REBERT, et al. ) No. 1:CV-05-0351  
7 Defendants )  
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10 DEPONENT: David Duffy  
11 TAKEN BY: Plaintiffs  
12 DATE: Wednesday, May 24, 2006  
13 TIME: 1:40 p.m.  
14 PLACE: Lavery Faherty Young & Patterson, P.C.  
15 225 Market Street, Suite 304  
16 Harrisburg, Pennsylvania 17108  
17 York, Pennsylvania  
18 REPORTER: Karen J. Meister  
Reporter, Notary Public  
19  
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1 reason for the termination was. I know she was  
 2 terminated from there.  
 3 Q Did you read anything about the  
 4 termination before the lawsuit was filed in the  
 5 newspapers?  
 6 A Little bit, yep.  
 7 Q Do you remember what you read in the  
 8 newspapers?  
 9 A There's been a bunch of articles  
 10 about it, of which I was in one.  
 11 Q In fact, at some point in time you  
 12 did send a letter to Miss Downing basically  
 13 uninviting her to meetings; is that correct?  
 14 A Correct.  
 15 (Duffy Exhibit Number 1 was marked  
 16 for identification)  
 17 Q I'm showing you an exhibit that's  
 18 been marked as Duffy Number 1. Can you tell  
 19 me -- Or, do you recognize that document?  
 20 A Yes.  
 21 Q And what is this?  
 22 A It's the letter that I sent to Becky  
 23 Downing.  
 24 Q And what was the reason you sent this  
 25 letter?

1 A To let her know in writing that she  
 2 was not invited to attend further meetings of  
 3 the association.  
 4 Q And who made this decision?  
 5 A I did.  
 6 Q And what was the basis for this  
 7 decision?  
 8 A That it was interfering with our  
 9 relationship with the District Attorney's office  
 10 in attending meetings.  
 11 Q And how so?  
 12 A That Stan Rebert didn't feel  
 13 comfortable coming to or sending someone to the  
 14 meetings if Becky was there.  
 15 Q And how did you know that?  
 16 A Through Randy Whitson.  
 17 Q So you never met with Mr. Rebert  
 18 about this or talked to him about it?  
 19 A Nope.  
 20 Q You never reviewed any  
 21 correspondence?  
 22 A I did not see any correspondence, no.  
 23 Q Was the correspondence read to you?  
 24 A Parts of it were read to me.  
 25 Q And based on the parts that were read

1 to you, you came to the decision that Miss  
 2 Downing needed to be uninvited, correct?  
 3 A Correct.  
 4 Q Why didn't -- I'm just curious. Was  
 5 one of our options to simply write Mr. Rebert  
 6 and say, you both have a membership status here  
 7 and basically this has nothing to do with the  
 8 association, so you can have your new chief  
 9 attend and Miss Downing can remain as an  
 10 affiliate member and just leave us out of it?  
 11 MR. HUTCHINSON: Objection.  
 12 THE DEPONENT: I'm sure there were a  
 13 variety of options. This is one that I chose.  
 14 BY MR. JACOB:  
 15 Q And why? Why did you chose this  
 16 option?  
 17 A It was the simplest for me.  
 18 (Duffy Exhibit Number 2 was marked  
 19 for identification)  
 20 Q I'm showing you an exhibit that's  
 21 been marked as Exhibit Number 2. Have you ever  
 22 seen this document?  
 23 A No.  
 24 Q This is the letter that I understand  
 25 was shredded by Chief Whitson.

1 A Okay.  
 2 Q Why don't you go ahead and take a  
 3 moment to familiarize yourself with the letter.  
 4 And then let me know if any -- what portions of  
 5 this letter you were saying were read to you or  
 6 stated to you.  
 7 A (Deponent complies.) Parts of the  
 8 first and second paragraph.  
 9 Q Why don't you read the portions that  
 10 were shared with you.  
 11 A I don't remember exactly which  
 12 portions.  
 13 Q Okay. How about the third paragraph?  
 14 A I don't remember.  
 15 Q How about the last two sentences of  
 16 the second-to-last paragraph?  
 17 A I recall hearing words to that effect  
 18 from Chief Whitson.  
 19 Q Do you know if anybody instructed  
 20 Chief Whitson to destroy the letter that's in  
 21 front of you?  
 22 A No.  
 23 Q Do you know if anybody else in the  
 24 association, or in York County for that matter,  
 25 has received a copy of this letter?