



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
) No. 1:CV-05-0351
)

7 YORK COUNTY DISTRICT ATTORNEY)
8 H. STANLEY REBERT, et al.)
9 Defendants)

10 --oOo--

11 DEPONENT: Marsha Hallman

12 TAKEN BY: Plaintiffs

13 DATE: Thursday, May 25, 2006

14 TIME: 1:29 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

21 --oOo--

22 KEY REPORTERS
23 keyreporters@suscom.net

24 1300 Garrison Drive, York, PA 17404
25 (717) 764-7801 Fax (717) 764-6367

1 A No.
 2 Q You heard Mr. Rutter testify that, in
 3 fact, he recalls discussing with you the fact
 4 that Miss Downing had expressed to you that she
 5 had complained about the process or procedure or
 6 the practice of Mr. Rebert receiving fair
 7 tickets.
 8 A Yes.
 9 Q And that he believed that that
 10 occurred while Miss Downing was in his employ.
 11 Do you recall having that discussion with Mr.
 12 Rutter?
 13 A Yes.
 14 Q And do you recall -- Let's first
 15 start with what you may have said to Mr. Rutter.
 16 Do you recall that conversation?
 17 A Basically, that Miss Downing said she
 18 had a problem with the District Attorney getting
 19 free passes and that we should not do it.
 20 Q Okay. What was Mr. Rutter's
 21 response?
 22 A I just mentioned it to him and left.
 23 Q Okay. Now, going back to the
 24 conversation that you had with Miss Downing
 25 where that was expressed, do you recall when

1 that occurred?
 2 A She reminded me when we had our
 3 previous meeting that it was during the fair
 4 when they came out for their annual meeting.
 5 Q Okay. But do you remember it
 6 occurring?
 7 A Yes, I remember her mentioning it to
 8 me.
 9 Q Okay. And do you recall what --
 10 anything further as far as the substance of the
 11 conversation that you had with Miss Downing?
 12 A No.
 13 Q Do you recall her indicating to you
 14 that Mr. Rebert shouldn't be doing this?
 15 A She said we shouldn't be giving him
 16 passes. She had a problem with that.
 17 Q And at that time do you recall making
 18 the statement, something to the effect that
 19 there's nothing that --
 20 A Yes.
 21 Q -- can be done about that?
 22 A No. I said, there's nothing I can do
 23 about it --
 24 Q Okay.
 25 A -- but that I would pass her feelings

1 along.
 2 Q And did you pass her feelings along
 3 at that time?
 4 A I'm sure I did, but Mr. Rutter is a
 5 very busy person so, you know, it's like, you
 6 mention it and leave.
 7 Q Fair enough. So you mentioned it,
 8 left, and you don't know anything that happened
 9 or transpired after that?
 10 A No, I do not.
 11 Q Okay. Do you recall Miss Downing
 12 indicating to you that while Mr. Rebert may
 13 participate in this practice, neither she nor
 14 her detectives are going to participate in the
 15 practice?
 16 A Yes.
 17 Q Okay. In regard to the Exhibit
 18 Number 1, which -- If you can take a look at
 19 Exhibit Number 1, and if we could dig in there
 20 to the one page, which I believe you know what
 21 I'm referring to --
 22 A Yeah, the white-out page.
 23 Q Right. Can you explain to me what --
 24 how that white-out ended up on that page, if you
 25 know?

1 A Well, as you saw the original
 2 documents, there was a lot of white-out on those
 3 pages. And people write -- When passes are
 4 issued they're not always written in the book
 5 immediately, because there's many people -- When
 6 we get busy -- We have a very small staff. So
 7 many people are issuing passes, for whatever
 8 reason; baking contests, school exhibits,
 9 sponsors that show up when you're not ready for
 10 them, that kind of thing. And when someone
 11 wrote them in the book, we tried to keep them in
 12 numerical order as best we can. It doesn't
 13 always work.
 14 But where you have a group of
 15 numbers, and as you can see, the numbers that
 16 follow where it says, schools, Terry Lehr,
 17 they're consecutive with the ones the District
 18 Attorney's office would have gotten.
 19 Q Let's go across the line from the
 20 D.A.'s office --
 21 A Okay.
 22 Q -- and it says 16251; am I correct?
 23 A Right.
 24 Q And then it says 16200?
 25 A No, that's 16051. See, they wrote

1 over that.
 2 Q Oh, okay.
 3 A That's 16051 to 16200, which is the
 4 150.
 5 Q Okay.
 6 A And then it's 16201.
 7 Q Okay. Now, in regard to the
 8 white-out, I believe that the entry for the
 9 D.A.'s office now ends in a T; am I correct?
 10 A Well, that's what it looks like.
 11 Q Did it used to say underneath the
 12 word office Rebert?
 13 A No. I'm sure not.
 14 Q Do you know what it said under there?
 15 A No. But I can -- You know, you just
 16 have to -- I'm assuming that somebody wrote the
 17 wrong entry there, realized that they had
 18 consecutive numbers, whited it out.
 19 MR. TARLOW: Do you have a good guess
 20 as to what you think it might have been?
 21 THE DEPONENT: No, I have no idea.
 22 MR. TARLOW: Okay.
 23 BY MR. JACOB:
 24 Q So, is your answer actually that you
 25 have no idea what's underneath there?

1 A Correct.
 2 Q Okay. Do you have the --
 3 (Mr. Blakey and Mr. Hutchinson
 4 conferring.)
 5 MR. JACOB: I'm sorry. Did you
 6 have --
 7 MR. BLAKEY: That was to me; not to
 8 you.
 9 MR. JACOB: Oh, okay.
 10 BY MR. JACOB:
 11 Q Do you have the original document
 12 here today?
 13 A No.
 14 Q But it is preserved, correct?
 15 A Correct.
 16 MR. JACOB: I'll just ask that it be
 17 preserved for trial purposes. I have nothing
 18 further.
 19 MR. BLAKEY: I have no questions.
 20 MR. HUTCHINSON: No questions.
 21 THE DEPONENT: I'm done?
 22 MR. JACOB: Yes, you are. And
 23 actually, I have no questions in light of the
 24 testimony here today for Mr. Melhorn.
 25 (At or about 1:35 p.m., the

1 deposition concluded.)
 2 (Whereupon, the deposition of Mr.
 3 Melhorn was held, and then further questions
 4 were directed to Ms. Hallmark, and contained
 5 hereafter.)
 6 EXAMINATION
 7 BY MR. BLAKEY:
 8 Q You said that Becky said she didn't
 9 want any tickets or said it was improper for her
 10 to have any, or words to that effect.
 11 A What she said -- Other than what she
 12 said about the District Attorney, what she said
 13 was, that she didn't want any of her deputies
 14 putting them -- make a hit on us for free
 15 tickets.
 16 Q Had she received any free tickets
 17 prior to her telling you that?
 18 A No, she did not.
 19 Q The other clarification, you were
 20 asked when you had this conversation and I
 21 didn't hear an answer as to the year. Do you
 22 recall what year it might have been?
 23 A No, I don't.
 24 Q Well, now, tickets were cut off in
 25 2005. If I understood Mr. Rutter's testimony,

1 there were no free tickets in 2005.
 2 A I really had nothing to do with it in
 3 2005.
 4 Q Was there a conversation with you a
 5 long time before the tickets were cut off or a
 6 short time before?
 7 A It was -- I really don't know. You
 8 know, we're very busy and time goes. I just
 9 don't know.
 10 MR. BLAKEY: Fine.
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