VOLUME II

UNITED STATES OF AMERICA
MERIT SYSTEM PROTECTION BOARD
WASHINGTON REGIONAL OFFICE

TERESA C. CHAMBERS,	x	
	:	
APPELLANT,	:	
vs.	:	DOCKET NUMBERS:
	:	DC-1221-04-0616-W-1
DEPARTMENT OF THE INTERIOR,	:	DC-0752-04-0642-I-1
	:	
AGENCY.	x	

Washington, D.C.

Monday, August 30, 2004

CONTINUED TELEPHONE DEPOSITION OF:

DONALD W. MURPHY,

a witness, was re-called for further examination by counsel for the appellant, pursuant to continuance from Wednesday, August 11, 2004, and agreement of the parties as to time and date, beginning at approximately 3:20 o'clock, p.m., at the offices of Public Employees for Environmental Responsibility, 2001 S Street, N.W., Suite 570, Washington, D.C. 20009, before Belinda D. Lomax, a court reporter and Notary Public in and for the District of Columbia,

when were present on behalf of the respective parties:

APPEARANCE OF COUNSEL:

FOR THE APPELLANT:

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I-N-D-E-X

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P-R-O-C-E-E-D-I-N-G-S

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THEREUPON:

DONALD W. MURPHY,

was called for examination by counsel for the appellant, and after having been duly sworn by the Notary Public, was examined and testified as follows:

EXAMINATION BY COUNSEL FOR THE APPELLANT

BY MR. HARRISON: (resumed)

Q. Now, I think you will recall, Mr. Murphy, that you signed a document dated December 17th, 2003, which was a proposed removal of Ms. Chambers. Are you recalling that document?

A. Yes.

Q. Charge 1 in that document had to do with what was described as improper budget communications. I'm wondering specifically what was the rule or the law or procedure that you felt was violated or circumvented by Ms. Chambers that made her communications to Ms. Weatherly on

November the 3rd improper, in your view?

A. Well, it's primarily her failure to follow instructions. We had past conversations with respect to the budget and what she was supposed to be communicating. So, that's all that referred to, was really her failure to follow my instruction.

Q. Regarding communicating about the budget with Congress?

A. In regard to communicating specifically with Ms. Weatherly on the subject matter referred to in Charge 1.

Q. Okay. Now, Charge 2 had to do with making public remarks regarding security on the Federal Mall, and specifically with reference to the Washington Post article of December 2nd, 2003. Do you recall that?

A. Yes, sir, I do.

Q. Was there something, a rule, a law, a written procedure that you felt had been violated by Ms. Chambers in the remarks she made to the Washington Post regarding the security matter?

A. Again, it really had to do with failure to follow instructions and the document from which that information came from, which was labeled law enforcement sensitive.

Q. What information was it that you're referring to that came from the document labeled law enforcement sensitive?

A. It was an appendix which showed the staffing levels and staffing profiles in that document. Those same staffing levels and profiles were specifically mentioned in the Post article.

Q. So, this, I believe, is the document that is dated September 30, 2003, to Larry Parkinson through Mr. Manson, Ms. Mainella from Teresa Chambers, subject: Inspector General, September 23rd, 2003, Assessment of Security at the Washington, D.C. Area National Park Service Icons. Is that the one?

A. I don't have it in front of me but it sounds correct.

Q. Was there any written, and I take it from your answer there was not, but I just want to

be clear. Apart from this document, which I believe to be the document I just named from Ms. Chambers to Mr. Parkinson, was there any rule of law that you felt that Ms. Chambers had violated in her remarks to the Post regarding security?

A. Specifically, again, what was done there was the failure to follow instructions with respect to documents that are labeled law enforcement sensitive. I think we had had previous discussions about what is law enforcement sensitive. We labeled those documents that way specifically so that that information would not be made public because it would compromise security.

Q. My question, sir, is was there a law that you're saying was violated?

A. No.

Q. Is there a written procedure that you could point me to that you believe was violated by Ms. Chambers' remarks regarding security to the Washington Post?

A. The only thing I would point to is the written procedure, the fact that the document

is clearly labeled law enforcement sensitive, and that means that it's not to be shared with the public.

Q. Did you believe that Ms. Chambers had shared this document with the Washington Post on December 2nd or prior to?

A. Information from it, yes.

Q. Not the document itself?

A. I don't know.

Q. So, you didn't base your proposed removal on a belief that the document itself had been disclosed, did you?

A. I based it had on the information that was in the document being in the press.

Q. So, the answer to my question is no, isn't it? Are you with me, sir?

A. I am. You have to ask me the question again so I can answer it.

Q. Okay. Your proposed removal decision for Ms. Chambers was not based on any belief on your part that Ms. Chambers had actually disclosed the document you're referring to to the

Washington Post?

A. No.

Q. Now, is it your position that once a particular document has been labeled law enforcement sensitive by someone, that every piece of information that happens to be in that document is law enforcement sensitive?

A. Yes.

Q. So, if I showed you a Department of Interior document labeled law enforcement sensitive and within that document it listed the number of port-a-potties at a particular facility, would you consider the number of port-a-potties to be law enforcement sensitive?

A. It would only depend on whether it directly related to the security.

Q. Well, the answer is that the port-a-potties information would not be law enforcement sensitive, would it?

A. It could be.

Q. It could be? Are you serious in saying that it could be?

A. Yes, if it's labeled law enforcement sensitive.

Q. Do you believe that it is proper to label the number of port-a-potties law enforcement sensitive?

A. No.

Q. Now, have you ever authorized any official in the National Parks Service or U.S. Park Police to exercise authority to classify documents either for national security or law enforcement sensitive purposes?

A. Have I -- repeat the question.

Q. Yes, sir. Have you ever authorized any official of the National Parks Service or the U.S. Park Police to exercise authority to classify documents for either national security purposes or as law enforcement sensitive?

A. Yes, under their general authority and under their general duties and responsibilities, yes.

Q. You're saying you have specifically delegated someone to do that?

A. Yes, as part of their normal duties and responsibilities. The answer is yes.

Q. So, who did you delegate to do that?

A. What do you mean, throughout the entire service?

Q. Within the U.S. Park Police or any line authority over the U.S. Park Police.

A. Chief certainly had that authority or her assistant chief, my associate director for law enforcement and security, the various regional directors or chief rangers that are in the field developing security plans for their particular areas of responsibility.

Q. Now, Mr. Murphy, are you saying that you specifically communicated to Chief Chambers or assistant chief and the others you named and told them in writing or verbally that you were delegating to them authority to classify documents like I have asked?

A. No.

Q. Are you saying that you believe they have the inherent authority to do that?

A. Yes.

Q. Is there any document you can point me to that would reflect any written delegation to any official in the U.S. Park Police or any line authority above them to classify documents for national security purposes or for law enforcement sensitive purposes?

A. Not that I'm aware of right at this moment.

Q. Has any official superior to you ever delegated to you the authority to classify documents for national security purposes?

A. Just under my general duties and responsibilities.

Q. Now, my question is did someone specifically delegate that authority to you? Is your answer yes?

A. No.

Q. Do you believe you have the inherent authority to do that?

A. Yes.

Q. Are you not aware that the

classification of national security sensitive documents is controlled by Federal statute?

A. Yes, I'm aware of that.

Q. Do you understand that only officials who have been delegated authority to classify documents may do so?

A. I'm aware that there are provisions in the law that have to do with the classification of documents, yes.

Q. Do you know whether the Secretary of Interior herself has authority to classify documents for national security purposes?

A. No, I do not.

Q. I take it the secretary has never delegated that authority explicitly to you?

A. You mean in writing or verbally?

Q. Let's start in writing.

A. No.

Q. Have you ever spoken with the secretary and she told you verbally that she wanted to give you the authority to classify documents for national security purposes?

A. No.

Q. Did anyone in a line authority below the secretary and above you ever give you that same communication?

A. No.

Q. The document that you're referencing that you were relying on for this Charge 2 regarding Chief Chambers, do you know who actually put the designation on that document law enforcement sensitive?

A. No.

Q. And if you don't know who did it, do you know precisely why they did it?

A. Because it contained sensitive information with respect to security staffing at the icons on the mall here in Washington, D.C.

Q. Could you repeat your answer, sir? The Reporter didn't quite catch that.

A. Because it contained sensitive law enforcement and security information for the icons here in Washington, D.C.

Q. Do you know that from talking with

the person who stamped it law enforcement sensitive?

A. I know that from being involved in the reviews that were done here on the mall and being involved in the security production that went on here in the development of the security plan.

Q. Sir, I'm talking about a particular document, not other law enforcement matters or security matters generally.

A. I wasn't talking about other matters generally. I'm talking about specifically here on the mall.

Q. I'm talking about specifically this one document. You don't know who classified the document law enforcement sensitive. So, how did you come to know why that person classified it law enforcement sensitive, or are you assuming?

A. No. As I said, I know that the information was sensitive information because of my involvement with the development of security plans and the knowledge of the security needs on the mall.

Q. That's not my question, sir. I'm not asking whether you think it's incentive or why you think it's incentive. I'm asking why the person who classified it classified it as sensitive. Do you know the answer to that question?

A. They classified it as sensitive because of the security sensitivity on the mall at the icon.

Q. How do you know that? Did you talk to the person?

A. I said I talked to a number of people, including the people that developed that document during the course of our security planning here on the mall.

Q. Well, this document seems to say it's from Teresa Chambers. Who did you talk to?

A. I discussed it with Teresa, the I.G., Larry Parkinson, Chief Holm, Deputy Chief Dwight Pettiford.

Q. Did you discuss with Chief Chambers why this document might be marked law enforcement

sensitive?

A. Yes.

Q. When was that?

A. I don't remember the specific date.

Q. Who was present?

A. Chief Chambers, former Chief Chambers and myself.

Q. Anyone else?

A. Not that I recall.

Q. Did the subject of classification of this document as law enforcement sensitive come up.

A. Yes.

Q. What was said?

A. I don't recall exactly what was said except the material in there is law enforcement sensitive and shouldn't be shared with the public.

Q. Are you telling me that Chief Chambers told you that?

A. We certainly had discussions about all of our law enforcement sensitive documents, including that one, yes.

Q. I'm talking about just this one.

Did Chief Chambers tell you that this document was classified law enforcement sensitive and --

A. Yes.

Q. Please don't interrupt me, sir. Did Chief Chambers tell you that this document was classified as law enforcement sensitive and state the reason for that classification that you just stated? You may answer now.

A. Yes.

Q. When was that?

A. I don't recall the exact date. Around the time that it would have been developed.

Q. Was the document in front of you at the time?

A. I beg your pardon?

Q. Was the document in front of you, in your possession at that time?

A. I don't recall.

Q. So, you don't know if you had a copy before you that was stamped law enforcement sensitive when you were talking about it?

A. I don't recall if it was right in

front of me at the time. It may have been that Ms. Chambers was holding it. I don't remember if it was right in front of me.

Q. Ms. Chambers didn't tell you, did she, that the mere fact that there were four officers posted at a particular monument, two of which might be guards without weapons and two officers with weapons, all of which was publicly observable, she didn't tell you that was law enforcement sensitive per se, did she?

A. I don't recall her saying specifically that.

Q. You never issued any directive yourself to require this particular document to be classified law enforcement sensitive, did you?

A. No.

Q. Do you know Mr. Phil Beck?

A. Yes.

Q. Did you ever talk to him about why this document might be stamped law enforcement sensitive?

A. No, I don't recall talking to Mr.

Beck about that.

Q. Is there any document you could point me to that would state what categories or specifics of police staffing information would or would not be law enforcement sensitive as either a rule of law or a policy statement for the Department of Interior?

A. No.

Q. If I ask the same question for the National Park Service, would the answer be the same?

A. Yes.

Q. If I ask the same question for the U.S. Park Police, would the answer be the same?

A. Yes.

Q. Apart from this document we have been discussing, which is apparently the Agency Sharing Exhibit Number 4, which I described earlier, is there any other document that you believe reflects a rule, procedure or policy that Ms. Chambers may have violated in making comments regarding security to the Washington Post?

A. Not that I know of, no.

Q. Regarding your Charge Number 3 in your December 17th proposed removal, there is a reference to Office of Management and Budget Circular A-11 for 2003. It states -- you have actually quoted about six lines there in your proposal. Do you recall that?

A. Yes.

Q. It says, "The nature and amounts of the President's decision in the underlying materials are confidential. " Do you know what it means by "the President's decisions and underlying materials?"

A. Yes.

Q. How did you come to know that?

A. By the way our budget is developed, instructions I have received since I have been here.

Q. How do you know what OMB meant by "the underlying materials?"

A. It was described to me by our budget officer, our chief financial officer, and our

budget specialist for the Department of the Interior.

Q. Are you talking about Mr. Bruce Schaffer?

A. Yes.

Q. What do you understand this OMB circular to mean by "the President's decisions?"

A. The decisions with respect to the budget and the development of the budget.

Q. Decisions made by whom?

A. His administration.

Q. What does that mean? What people are included within his administration? Are we talking about Chief Chambers?

A. We're talking about all of those people that are responsible for budget development in the President's administration.

Q. So, you think the President's decisions includes what Ms. Chambers would have decided was needed by the U.S. Park Police budget-wise?

A. No.

Q. Ms. Chambers can't make a final decision on the budget, can she?

A. No.

Q. So, is there anything Ms. Chambers would do that would be included in the term "President's decisions?"

A. No.

Q. Is there anything that you would do that would be included in the term "President's decisions?"

A. No.

Q. How about Mr. Schaffer?

A. No.

Q. How about anyone other than the President of the United States?

A. No.

Q. Now, do you understand the phrase "the President's decisions and the underlying materials" to mean the decisions made by the President or the President's delegated authority on the budget and the materials relied on by the President or the President's delegated person?

A. Yes.
Q. When is it in the budget process that there actually is a president's decision that exists on the budget?
A. When the president announces the budget, and it's usually shortly after the first of the year.
Q. Okay.
A. There is a formal announcement of the president's budget.
Q. Have you received any training on what information can be released and what information should not be released regarding budget deliberations under this OMB circular?
A. No.
Q. Did you direct that Ms. Chambers receive any training regarding that same matter?
A. No.
Q. Do you know whether Ms. Chambers did receive any training regarding that matter?
A. No, I do not.
Q. When Ms. Chambers was first hired as

the chief of the United States Park Police from outside the agency, do you know that there was a decision made by some authority higher than Ms. Chambers that she was to receive certain training on the agency regulations and procedures, and that Mr. Michael Fogerty was to provide that training?

A. No.

Q. You didn't know that?

A. No, sir, I did not.

Q. Do you know what training Mr. Fogerty may have given if such an instruction was made at the time of the chief's hire?

A. No.

Q. Did you ever interview Mr. Fogerty before you made the decision to propose to remove Chief Chambers?

A. No.

Q. Was it your understanding in proposing to remove Chief Chambers that Chief Chambers had referenced some budget figure or amount that was identical to some amount requested of the Congress by the President's decisions on the

budget?

A. I'm not sure I understand the question.

Q. Well, I can help you. The President would make a request to Congress for an appropriation for the Department of Interior generally and the U.S. Park Police specifically at some point in time. Would you agree?

A. Yes.

Q. And that happens for each fiscal year?

A. Yes.

Q. Did you have an understanding, did you believe, when you proposed the removal of Chief Chambers, that Chief Chambers had referenced some budgetary figure, an amount of money that was identical to some amount the President was requesting of Congress?

A. No.

Q. Did you have a belief at the time you proposed to remove Chief Chambers that the chief had used, in her references to the Washington

Post, some amount of money that was identical to some amount that the Office of Management and Budget had proposed for Fiscal Year '05?

A. No.

Q. Did you believe that Chief Chambers had disclosed to the Washington Post some specific amount of money that was needed or requested for the U.S. Park Police for Fiscal Year '05 that was identical to some amount of money that was requested from the Department of Interior to the Office of Management and Budget for Fiscal Year '05?

A. Yes.

Q. That was yes?

A. Yes.

Q. And what was the exact amount in question?

A. I don't remember exactly, but I believe it was eight million.

Q. Would that amount be stated specifically in the Washington Post article?

A. Yes.

Q. When you proposed to remove Chief Chambers, did you review the budget documents submitted by the Department of Interior to the Office of Management and Budget and identify an $8 million figure in those documents?

A. Yes.

Q. Who provided those documents to you to review?

A. I had them since the beginning of budget development. They are provided by our budget office.

Q. Do you happen to have those copies with you today?

A. No.

Q. Do you remember exactly what document would have had the $8 million figure in it?

A. It would have been the documents that we prepared for our budget submission documents that was prepared by our budget office.

Q. Now, our and we is a bit ambiguous in this context because we have different levels, I

think you would agree, that the budget moves up through for the U.S. Park Police. It goes from the Park Police to the National Park Service, from the National Park Service to the Department of Interior, from the Department of Interior to the Office of Management and Budget.

When you say, "It was in the documents we would have produced or was in our request," are you talking about the Department of Interior to the Office of Management and Budget?

A. Yes, I am.

Q. Now, is it your testimony that in a budget request from the Department of Interior to the Office of Management and Budget, there is an $8 million figure that is to be found per se somewhere in that document?

A. Yes.

Q. What do you understand that $8 million figure is meant to represent in the document you're referencing, $8 million for what exactly?

A. I don't have that budget document in

front me. So, it is divided into a number of different categories. I don't recall specifically what category that would be.

Q. Did you understand at the time you proposed to remove Chief Chambers what category that $8 million figure was in?

A. At the time, yes.

Q. Did you believe that that $8 million figure was used in that document for the same purpose or same use as the figure Ms. Chambers used to the Washington Post?

A. Yes.

Q. What was it that Ms. Chambers said to the Washington Post that she needed $8 million for?

A. I don't have the article right here in front of me. So, I mean, I can't quote it exactly.

Q. Okay. Let me give you a quote from the article.

A. Okay.

Q. I'm quoting now. "She said a more

pressing need is an infusion of Federal money to hire recruits and pay for officers' overtime. She said she has to cover a $12 million shortfall for this year and has asked for $8 million more for next year. She also would like $7 million to replace the force's aging helicopter." Now, in that context, what did you think that $8 million was being referenced for by Ms. Chambers?

A. An increase in the operating budget for the U.S. Park Police.

Q. For Fiscal Year '05?

A. Correct.

Q. Did you know whether or not, in Ms. Chambers's communications with the Washington Post, she also was expressing the need for an increase of an additional 12 million because the Park Police were $12 million deficient from Fiscal Year '04, which she had every reason to believe would continue to be the case for Fiscal Year '05? Did you know?

A. I'm sorry. I don't quite understand the question. Did I know what? I'm sorry.

Q. We're talking about what Ms. Chambers said to the Washington Post. I realize you don't have a document in front of you, but the paragraph I read you was is not in quotation marks. It is a paraphrase.

Did you know exactly what Ms. Chambers said to the Washington Post when she referenced this 12 million figure, the 8 million figure, and the 7 million figure as to the total amount Ms. Chambers was representing was needed for a budgetary increase for Fiscal Year '05?

A. You're asking me did I know exactly what she said? That's what you're asking me, right?

Q. Did you know exactly what Ms. Chambers said in regard to the total amount she felt she needed for an increase for Fiscal Year '05 given that she made these three different references to various needs?

A. All I knew is what I was reading in the paper at the time and what was referenced there.

Q. Did you ask Ms. Chambers, before proposing her removal, what she meant by those three figures and what she had said to the Post?

A. Yes.

Q. You asked her that personally?

A. I sent her a message and said, "What did you say," and I didn't get back a reply.

Q. I see. Was this after Ms. Chambers was placed on administrative leave?

A. No.

Q. When was that exactly?

A. It was shortly after the Post article came out. The next day probably or the same day. I don't recall exactly.

Q. Is that document something that you can put your hands on if you were asked to before this trial starts?

A. I don't know. Possibly.

Q. Have you seen it recently?

A. No.

Q. Now, do you understand that Mr. John Wright made an inquiry, some months after you

proposed Ms. Chambers' removal, to the Washington Post try to find out exactly what Chief Chambers had told them?

A. No.

Q. You don't know that?

A. No.

Q. Did you ever ask anybody to inquire with the Washington Post to see exactly what Chief Chambers would have said before you proposed her removal?

A. I asked to meet with the reporter.

Q. Did you?

A. No.

Q. Why not?

A. Because the reporter never returned my call.

Q. I see.

A. Never responded.

Q. Would you have any way of knowing whether or not Mr. Chambers had asked for -- pardon me -- Ms. Chambers had told the Washington Post that what she needed for Fiscal Year '05 was an

additional 12 million compared to Fiscal Year '04 because of the shortfall that had been experienced, plus 8 million more for overtime, plus 7 million more for a helicopter? Do you know whether she said that or not? Are you thinking?

A. Yes.

Q. Don't think too long. Mr. Murphy, you have an appointment to go to. Don't use my time waiting in silence.

A. Okay. Again, I knew what was stated in the newspaper and what had been stated in television interviews.

Q. But other than that, you had no way of knowing what was spoken to the Post?

A. That's correct.

Q. For Charge 4, you refer to improper lobbying, and you cite your regulation 43 CFR 20.506(b). Am I correct in presuming that you were not the one who came up with that citation for this charge?

A. I don't understand what you mean. I didn't come up with it?

Q. Yeah. Are you the one who came up with the idea that that specific regulation was violated, or did it come from somebody else?

A. This was discussed with legal counsel.

Q. That's not my question. My question is did you come up with it yourself?

A. Well, yes. Yes, I came up with it as a result of my own research, yes.

Q. Now, does that regulation state that a statement to a newspaper is improper lobbying?

A. Not that I recall.

Q. Do you know whether Chief Chambers was ever trained on that regulation?

A. No.

Q. Do you know of anyone in the National Park Service who has ever been disciplined for speaking to the press because of an alleged violation of that particular regulation?

A. No.

Q. When you proposed to remove Chief Chambers and you articulated Charge Number 6,

failure to follow the chain of command regarding the detailing of Ms. Pamela Blythe, did you understand at that time that Ms. Blythe -- pardon me -- that Ms. Chambers had previously discussed with you her position on that particular issue of detailing Ms. Blythe?

A. Yes.

Q. Had you communicated to Ms. Chambers, prior to instructing Ms. Blythe to report for that detail on August 25th, had you communicated to Ms. Chambers that Ms. Blythe was in fact to report for her detail on August 25th?

A. Yes.

Q. When did you give Ms. Chambers the August 25th date for the beginning of that detail?

A. I don't remember exactly, but it was in the prior week.

Q. Did you do so in writing?

A. I don't believe so. I did it verbally.

Q. Was there a witness besides you and Ms. Chambers?

A. Not that I recall, no.

Q. Did you know that Ms. Chambers had communicated with Director Mainella prior to the instruction from you to Ms. Blythe to report for her detail, and that Director Mainella had communicated to Ms. Chambers that she would defer to you, Mr. Murphy, on any decision on that detail?

A. Yes.

Q. So, did you believe that, notwithstanding that direction from Director Mainella that she would defer to you on that decision, that Ms. Chambers should have gone to Director Mainella again to complain of your detailing Ms. Blythe nonetheless to avoid a chain of command problem?

A. Yes.

Q. Was that one of the bases for your proposing to remove Ms. Chambers, that she had not gone to Director Mainella again on that issue?

A. Yes.

Q. Was it one of your bases for proposing to remove Ms. Chambers on Charge 6, that

Ms. Chambers had not communicated with Mr. Craig Manson prior to going to Mr. Griles on the detailing issue?

A. Yes. I took that into consideration, yes.

Q. At the time that you proposed to remove Chief Chambers on that Charge 6, did you know that Chief Chambers had called Mr. Craig Manson prior to approaching Mr. Griles on that matter?

A. I'm thinking.

Q. Okay. I feel like we're in a basketball game but we're in a stall for the last few minutes.

A. I just don't recall when I knew that.

Q. So, you may or may not have known it prior to issuing your proposed removal?

A. Yes.

Q. Do you recall making an inquiry with Mr. Manson to determine what Mr. Manson may have received in communication from Chief Chambers

before the chief contacted Mr. Griles?

A. Yes, we talked about it.

Q. Did you do so before your proposed removal decision?

A. Yes.

Q. When did you do that?

A. Shortly after a meeting that we all had in Mr. Griles' office. What I mean we, the director, myself, Mr. Griles, Mr. Manson, Secretary Starlett.

Q. So, at least at that point, you knew that the chief had made an effort to contact Mr. Manson before going to Mr. Griles; did you not?

A. Yes.

MR. HARRISON: We don't have any further questions for you, sir. Thank you for taking the time today. Thank you very much. Appreciate it. Take care.

(Thereupon, signature having been waived, the deposition concluded at approximately 4:00 o'clock, p.m.)

* * * * *

REPORTER'S CERTIFICATE

I, BELINDA D. LOMAX, Professional Reporter, certify:

That the foregoing proceedings were taken before me at the time and place therein set forth, at which time the witness was put under oath by me;

That the testimony of the witness and all objections made at the time of the examination were recorded stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney of any of the parties nor financially interested in the action.

_____