

1 THE CLERK: Raise your right hand.

2 JIM SINGLETON, PLAINTIFF'S WITNESS, SWORN

3 THE CLERK: Sir, please be seated in the witness box.

4 For the record, would you please state your full name, your
5 address, and spell your last name.

6 THE WITNESS: Very well. My name is Jim Singleton.
7 My address is 222 West Seventh Avenue -- in fact, down the
8 hall -- and my last name is spelled S-i-n-g-l-e-t-o-n.

9 THE CLERK: Thank you.

10 DIRECT EXAMINATION

11 BY MR. BOTTINI:

12 Q Good morning, Your Honor.

13 A Good morning.

14 Q Judge Singleton, you are a United States District Court
15 Judge here in the District of Alaska, are you not?

16 A I am.

17 Q All right. When were you appointed to the Federal Bench?

18 A Probably sometime in May of 1990. I took office in 1990.

19 Q All right. I'm wondering if you could recount for Judge
20 Enright your experience as a judicial officer before your
21 appointment to the Federal Bench.

22 A I was appointed to the Alaska Superior Court in November
23 of 1970 and took office in December of 1970. I stayed on the
24 State Superior Court until I was appointed to the Alaska Court
25 of Appeals, which is a court of criminal appeals. I nominally

1 took office when that Court was organized in September of
2 1980; however, I still had my trial calendar, so I didn't
3 begin doing that work full-time until probably February of
4 1981. And then I remained in that position until becoming a
5 United States District Judge in August of 1990.

6 Q All right, thank you. Are your chambers located here in
7 the Federal Building?

8 A Yes, they are. They're out that door and down the hall.

9 Q All right. Let me ask Deputy Marshall Guinn to hand you
10 an exhibit that's been marked as Number 1 for identification.

11 A Thank you.

12 Q Judge, does that diagram accurately depict the floor plan,
13 if you will, of Courtrooms 1, 2, and 3 and the chambers area
14 corresponding to this courtroom here in the Federal Building?

15 A Well, let me get organized here. All right. It appears
16 to, yes.

17 Q All right.

18 MR. BOTTINI: We'd move 1 into evidence, Your Honor.

19 THE COURT: Any objection?

20 MS. GEDDES: No objection, Your Honor.

21 THE COURT: It may be received as marked.

22 (Plaintiff's Exhibit 1 admitted)

23 BY MR. BOTTINI:

24 Q Could you show Judge Enright, Judge Singleton, where on
25 that diagram your chambers are located?

1 A Well, I think I can. Let's see now. Where --

2 THE COURT: Counsel, feel free to move around as you
3 like.

4 MS. GEDDES: Thank you, Your Honor.

5 A Okay. All right. My -- my chambers would be here in
6 this -- this vicinity. If this is Courtroom 3, then I'm
7 directly behind it, out to side.

8 THE COURT: Indicating the lower left portion of
9 Plaintiff's 1?

10 A Yes.

11 THE COURT: Good. Thank you.

12 A Very well.

13 BY MR. BOTTINI:

14 Q Judge Singleton, what is your secretary's name?

15 A Ardel Burritt. Ms. Ardel Burritt.

16 Q Is her work station located in your chambers?

17 A Yes, it is. The chambers consist of essentially three
18 offices. As a person exits from the courtroom, Courtroom 3,
19 into the hall, and enters chambers, the law clerk's area is to
20 the right. There's a counter -- the extern sits on the --

21 Q Actually, Judge Singleton, if I could interrupt there.

22 We --

23 A Yeah.

24 Q -- have a diagram, actually, of your chambers area. If I
25 can ask Deputy Guinn to present that to you. That's been

1 marked for identification as Exhibit 2. Does that diagram
2 basically outline the floor plan of your office area, your
3 chambers area?

4 A Yes, it does.

5 MR. BOTTINI: We'd move 2 into evidence, Your Honor.

6 THE COURT: Any objection?

7 MS. GEDDES: No, Your Honor.

8 THE COURT: It may be received --

9 MR. BOTTINI: Perhaps we could use that diagram --

10 THE COURT: -- as marked.

11 (Plaintiff's Exhibit 2 admitted)

12 MR. BOTTINI: -- Judge -- I'm sorry.

13 THE COURT: May be received as marked.

14 BY MR. BOTTINI:

15 Q If you could use that diagram and explain to Judge Enright
16 the various areas in your chambers.

17 A Okay.

18 THE COURT: That's fine. You can lay it right down
19 there, it'd be fine, sir.

20 A Okay. The access to Courtroom 3 is over here. Pointing
21 to --

22 THE COURT: Indicating the right-hand side?

23 BY MR. BOTTINI:

24 A Right-hand corner, right. And as -- as you exit the door
25 and come in, there's a door directly here which is marked A-

1 265. And as you walk in on the right, through the door that
2 is marked A-262-A, you go into the law clerk's area. Standing
3 in the doorway to your immediate left is the extern station.
4 Then there's the counter. And then proceeding through the
5 little swinging door into the main area straight ahead, which
6 has the number 390 in it, is Ms. Burritt's office. And then
7 as you turn to your left and walk through a door that's marked
8 A-270-B, you come into the area that -- my office.

9 Q Thank you, Judge Singleton. Directing your attention to
10 the morning of June 29th of this year, 1994, were you hosting
11 a meeting of the Joint Federal-State Court Gender Equality
12 Task Force?

13 A Yes.

14 Q And are you a member of that body?

15 A Yes.

16 Q Do you know who Theresa Obermeyer is?

17 A Yes.

18 Q Is she here in the courtroom with us today?

19 A Yes, she is.

20 Q She's seated over here to my left at the defense table?

21 A Yes, she's seated next to Ms. Geddes.

22 THE COURT: The record may show he's identified the
23 named defendant; is that correct, ma'am?

24 MS. GEDDES: Yes, Your Honor.

25 THE COURT: Fine, thank you. The record may so show.

1 BY MR. BOTTINI:

2 Q To your knowledge, is Dr. Obermeyer a member of the task
3 force?

4 A To my knowledge, she is not.

5 Q Now, was the meeting that morning scheduled to be held in
6 your chambers?

7 A Yes, it was.

8 Q All right. And in your interoffice area; is that correct?

9 A Yes. In fact, we tend -- yes.

10 Q And do you generally host these meetings?

11 A Yes.

12 Q Why is that?

13 A When Chief Justice Moore and Chief Judge Holland set up
14 the task force with the concurrence of the Federal-State
15 Judicial Council, they did not budget any money for it. So
16 the expenses are all met through donations of one kind or
17 another. And our Clerk of Court, Ms. Phyllis Rhodes, arranged
18 for us to use the federal telephone system to conduct tele-
19 phone conferences statewide, so that the men and women who
20 belong to the task force but reside in areas outside of
21 Anchorage could participate by telephone with the committee.

22 And it was felt to be -- we had really two options. We
23 could have had the meetings in Courtroom 3 or in chambers.
24 And it was felt that in chambers, we got better telephone
25 reception and people could understand each other better. But

1 that basically is the reason why we come here as opposed to
2 going somewhere else.

3 Q All right. And I take --

4 A If we went somewhere else, we would have to pay for
5 telephone -- teleconferences, and we don't have the money.

6 Q And I take it your chambers area, specifically your
7 interoffice area, has capabilities of teleconferencing?

8 A That's correct --

9 Q All right.

10 A -- as does Courtroom 3.

11 Q What time was the meeting scheduled to begin that morning;
12 do you recall?

13 A Seven-fifteen.

14 Q Seven-fifteen. What else did you have on your calendar
15 that morning?

16 A At nine o'clock, I was scheduled to begin a judge-tried
17 case, Michael Bice versus -- I believe it's The American
18 Adjustment Company. Judge-tried proceeding.

19 Q And did you still need to do some preparation for that
20 trial?

21 MS. GEDDES: Objection; leading.

22 THE COURT: No. Well, I'll note your objection, I'll
23 overrule it. If you understand that, sir, you can answer it.

24 BY MR. BOTTINI:

25 A Well, the counsel were not being given as much time on the

1 calendar as they would have liked because of the press of
2 other business. And as a result, I had agreed with them to
3 view a number of videotapes of depositions prior to trial, so
4 that they could simply proceed with the presentation of oral
5 evidence on the assumption that I had successfully reviewed
6 these videotape depositions. And I had borrowed a -- a
7 television monitor from Judge Sedwick so that I could do that.
8 And my plan was to begin at 8:15 when the meeting was normally
9 scheduled to end, and use that 45 minutes to complete the
10 review of those video depositions.

11 Q Thank you. Did Dr. Obermeyer show up at the meeting?

12 A Dr. Obermeyer was present at the meeting, that --

13 Q All right.

14 A -- is correct.

15 Q Do you know why she was there?

16 A I don't have any recollection of having -- I was under the
17 impression from my secretary that --

18 MS. GEDDES: Your Honor, I'm going to object.

19 THE COURT: I'll sustain it.

20 MR. BOTTINI: All right.

21 THE COURT: Go ahead.

22 BY MR. BOTTINI:

23 Q Was she admitted into your chambers?

24 A I was asked if it was all right for her to come in, and
25 I -- I authorized her to be present, yes.

1 Q Okay. What happened when Dr. Obermeyer first came back to
2 your chambers?

3 A I greeted her. It is my recollect- -- I have a recollect-
4 tion of having met Dr. Obermeyer on earlier occasions,
5 although I'm not sure where. But I did know her and she knew
6 me. She came in, she sat down. We were having the meeting in
7 order to make use of the telephone, of the conference tele-
8 phone, along a conference table that sits just inside the door
9 which on your Exhibit 2 is marked A-270-B. And it runs
10 parallel to the wall that has the -- the number 390 along it,
11 again on the same exhibit.

12 The members -- the present members of the task force sat
13 around the --

14 MS. GEDDES: Excuse me, Your Honor, I'm going to
15 object on the narrative response.

16 THE COURT: Right. You might ask the next question.
17 About how many people were present in your chambers at that
18 time, sir?

19 A I have no direct memory. I do have the minutes of the
20 meeting that I could refresh my recollection.

21 THE COURT: More than six?

22 A Physically present at the time; I'm not sure.

23 THE COURT: Okay. Go ahead, sir.

24 BY MR. BOTTINI:

25 A I think there were definitely more than that eventually,

1 but I don't remember.

2 Q All right. Did the meeting begin at the time it was
3 scheduled to commence?

4 A Approximately.

5 Q All right. What --

6 A There -- takes some time to make contact with the men and
7 women around the state. But we got -- got off pretty well.

8 Q All right. So you had a number of people actually physi-
9 cally attending and a number of people attending by telecon-
10 ference; is that correct?

11 A That's correct.

12 Q All right. Any incidents that you recall during the
13 meeting?

14 A Nothing that I recall during the meeting. A minor inci-
15 dent prior to the beginning of the meeting, but nothing
16 afterwards.

17 Q And what was that?

18 A As people were gathering, Dr. Obermeyer sought to engage
19 me in conversation about her husband. I declined to be
20 engaged, excused myself, and went out and got a cup of coffee.
21 When I returned Ms. Burritt had made the arrangements through
22 the teleconference and we began the meeting without further
23 incident.

24 Q When you say she sought to engage you in a conversation
25 about her husband, do you recall specifically what she was

1 saying?

2 A I don't know what -- what her initial comment was. I
3 remember my response was, "I really have nothing -- no control
4 or no involvement in that." And she became mildly irate and
5 said, "Oh, yes, you do," and -- and then started to harangue
6 me, and I walked out.

7 Q This was --

8 A I excused myself first.

9 Q This was before the meeting began, is that --

10 A This was before the meeting began. But again, it -- it
11 did not develop into anything at that time.

12 Q What time did the meeting conclude, Your Honor, do you
13 remember?

14 A The meeting concluded early. It concluded at eight
15 o'clock. Judge Weeks and Judge Fabe had appointments, and so
16 we stopped early.

17 Q And what did you plan to do at the -- after the meeting
18 was over?

19 A My plan was to watch videotapes and prepare for the Bice
20 case scheduled to begin at nine o'clock that morning.

21 Q What happened when the meeting concluded?

22 A Well, I -- I remember excusing those who were not on --
23 not present, the -- those who were participating by telephone,
24 and called the meeting to an end. Dr. Obermeyer expressed
25 concern that there had been no opportunity for public comment.

1 Q All right. And what was your -- was she addressing those
2 comments to you?

3 A Well, she expressed an uncertainty as to who was chairing
4 the meeting. As a practical matter, Ms. Carns was chairing
5 the meeting, although Judge Hunt and I are the nominal co-
6 chair. I think I was the one who said the meeting is over and
7 that we're adjourning. And then at -- it was at that point
8 that Dr. Obermeyer addressed me.

9 Q And what did you tell her?

10 A That the meeting was over.

11 Q All right. Now --

12 A Probably also that we'd lost our quorum, because the --
13 the --

14 MS. GEDDES: Your Honor, I'm going to object, if
15 there's speculation as to what was said.

16 THE COURT: No. I'll note your objection, overrule
17 it. You may cross-examine it in this area. You may finish
18 your answer, sir.

19 BY MR. BOTTINI:

20 A Well, I -- as a matter of fact, I do remember telling Dr.
21 Obermeyer that one of the reasons the meeting was over was
22 everybody had hung up.

23 Q All right. And then what happened?

24 A Well, Dr. Obermeyer began a tirade. And it at various
25 times had -- had different themes. But the initial theme was

1 that this was kind of a silly committee and that we -- we were
2 not very formal, which probably is true; and that she couldn't
3 understand why we were wasting time doing what we were doing
4 when there were very serious matters not being adequately
5 addressed by the judicial system. And the very serious matter
6 that she immediately alluded to was her husband's difficulty
7 in becoming admitted to practice law in this jurisdiction.

8 Q Now, when you say she began a tirade, in what tone of
9 voice was she speaking, Judge?

10 A Well, it shifted and changed, but she was speaking loud,
11 in a -- in a loud of tone of -- louder tone of voice than
12 earlier, at that point.

13 Q Did she appear upset?

14 A Quite.

15 Q Did you respond to these comments that she was making?

16 A Well, I -- I did and Judge Fabe did, and I don't know in
17 what order we did. But my statement to Dr. Obermeyer was very
18 similar to the statement that I'd made to her prior to the
19 beginning of the meeting; that I had no authority whatsoever
20 over her husband's Bar admission; that I had no authority to
21 grant him a license; that the Gender Equality Task Force had
22 no authority to do anything in that area. Definitely had no
23 authority over the Bar Association. And really, we could
24 not -- we -- well, we being the task force, could not do
25 anything in the area that she was concerned about.

1 Q How did she react to your telling her this?

2 A Well, she was not prepared to accept that. She said I was
3 a liar and that -- she said I was a liar and that I was a
4 disgrace to the bench and that I should quit, and it -- I
5 think it -- that was the first time she interjected into the
6 conversation her belief that I was a public servant, that as
7 such, she paid my wages, that she in effect paid rent on my
8 office, and that it was a -- a travesty that I did not admit
9 her husband to practice law.

10 Q Now, was Judge Fabe present at this time?

11 A Judge Fabe was present and initially had been seated
12 across the table from me. I was seated on one side of the
13 table with my back to the wall -- the wall is a bookcase --
14 looking across at Dr. Obermeyer. Judge Fabe was seated on the
15 opposite side of the -- the conference table facing me, with
16 her back to Dr. Obermeyer. Dr. Obermeyer was seated about
17 at -- at the head of the -- the table but back a ways, in a
18 chair next to the couch.

19 Q Was she directing any of these comments towards Judge Fabe
20 as well?

21 MS. GEDDES: I'm going to object; leading question.

22 THE COURT: No. I'll note your objection; overruled.
23 You may answer that, sir, if you understand it.

24 BY MR. BOTTINI:

25 A Dr. Obermeyer was addressing Judge Fabe and I, kind of at

1 the same time. I think she did, at least when she issued her
2 ultimatum, was speaking to both of us.

3 Q Now, when you say she issued her ultimatum, is that her
4 demand that her husband -- that you sign -- you or Judge Fabe
5 sign an order to permit her husband to practice law by five
6 o'clock that day?

7 A That's correct.

8 Q All right. Did you ask her to leave your office at some
9 point, Judge Singleton?

10 A A number of times. Initially, after I explained to her
11 that I had no authority to issue a certificate and after she
12 discussed -- well, she made another -- another series of
13 demands, I told her that I could not honor any of those
14 demands. And that was -- I think with reference to explaining
15 to her children why I was keeping her husband out of the
16 practice of law and so on.

17 And then -- then we got up, and -- and I told her that --
18 about my -- my case and about how I had to view those deposi-
19 tions, and how the time was getting away, and that I needed
20 the time to prepare for the matter, and that the meeting was
21 at an end, and there was nothing further to be done, and
22 consequently, everyone would have to go.

23 Q Did she leave when you asked her to leave?

24 A Not initially. She -- well, at that point, she began to
25 attack verbally the two externs who had volunteered -- two

1 young law students who volunteered time to the -- to the
2 committee, the task force. And so at that point, Dr.
3 Obermeyer was simply ignoring my request that she leave. And
4 she said that -- to them that it was an outrage that they were
5 doing work of a legal nature when they were still in law
6 school, and that we were making them comfortable -- referring
7 to a statement I'd made earlier -- when her husband
8 couldn't -- wasn't permitted to practice law. And it -- it
9 was at that time I became a little apprehensive.

10 Q Now, at some point during this, did Judge Fabe leave?

11 A Sometime, but I'm not certainly exactly when.

12 Q Did Dr. Obermeyer eventually appear willing to leave your
13 chambers?

14 A She did. She -- she expressed her upset, but she did.
15 She did seem like she was going to leave.

16 Q What happened then after -- did you actually see her
17 leaving your chambers?

18 A I walked out with her.

19 Q Okay. What happened after that?

20 A Well, I thought she was going, so I turned around and went
21 back in to get my videotapes and get the machine set up. And
22 I heard more commotion, so I walked out again.

23 Q And what did you see?

24 A Well, what I saw was Dr. Obermeyer coming right at me.
25 She -- she was marching on me with fire in her eye and -- it

1 was interesting.

2 Q Where were you at this point? Were you --

3 A I was --

4 Q -- in your inner office?

5 A Well, I -- I was either in the door or just inside the
6 door. And the door I'm referring to is the one that on your
7 chart is marked A-270-B.

8 Q Okay. And that would be the door to your inner office, is
9 that correct?

10 THE COURT: Would you point to that, sir?

11 A Yeah, it's right in here.

12 THE COURT: Okay.

13 BY MR. BOTTINI:

14 A And she was here. When I first saw her, she -- she had
15 brushed past Ms. Burritt and I believe Ms. Carns, and coming
16 at me full-bore.

17 Q Was she saying anything at this time?

18 A Yes. But I don't -- she was in a tirade, but I don't
19 remember her words at that point.

20 Q Did she actually come back into your inner office then?

21 A Yes, and I -- I got away. I didn't try to block her way.

22 Q What happened after that?

23 A Then she told me she wasn't going to leave and that --
24 reiterated her earlier comment that I was a public servant,
25 that she paid my wages and she paid rent on that office, and

1 she had as much right to be there as I did.

2 Q At some point did court security personnel arrive in your
3 chambers?

4 A Yes.

5 Q Any idea how soon after Dr. Obermeyer reentered your
6 office that the court security personnel got there?

7 A I was paying more attention to her than I was to them. My
8 impression is that they were almost right on her heels, but
9 I'm -- I'm not -- I'm not certain of that.

10 Q What happened when the court security personnel arrived?

11 A Well, Dr. Obermeyer -- to my recollection, and I -- I -- I
12 don't know if they were in there, but I -- I do remember Dr.
13 Obermeyer reiterating her demand that I meet with her children
14 and explain to them why a person of her husband's obvious
15 intelligence had been kept out of the practice of law. And
16 she felt I owed her that. And I explained to her, I just
17 didn't have the time.

18 And then she seemed to be willing to leave if I would
19 escort her to her car. I remember she made that demand. And
20 I told -- and by that time, the security people were there,
21 although I frankly don't remember who. But there -- there
22 were more than -- more than one individual. And so I said,
23 well -- oh, and then she said that -- and -- and maybe I --
24 I'm repeating myself, but at that point she demanded that I
25 escort her to her car again. And I said, "Well, Dr.

1 Obermeyer, I can't do that. I've got to go watch these
2 videotapes. But if you'd like, I'll have one of the court
3 security people go with you." And then she became very angry
4 and started yelling at me. And I don't remember what she was
5 yelling, really.

6 Q At some point, did the -- well, you indicated there was
7 more than one court security person there; is that correct?

8 A It -- yeah, it was my -- my recollection.

9 Q Were they asking Dr. Obermeyer to leave your chambers?

10 MS. GEDDES: Objection; hearsay.

11 THE COURT: No. I'll note your objection. I'll
12 overrule it. You can answer it if you understand it, sir.

13 BY MR. BOTTINI:

14 A My recollection -- my recollection was that the only
15 person that was asking Dr. Obermeyer to please leave my office
16 was me, and that the statements I heard -- bearing in mind
17 that I was concentrating on her because she was shouting in my
18 face. But what I heard, the court -- I believe one of the
19 Marshals -- was trying to soothe her; you know, trying to --
20 and I do remember making the statement, because she -- she was
21 literally on the verge of going totally out of control. And I
22 remember saying to her, Dr. Obermeyer -- and I -- I remember,
23 every time I addressed her I used "Doctor," because that was
24 very important to her. She made a -- made a -- I made the
25 mistake, I think, on -- on one or more occasions that morning

1 of addressing her "Mrs.," and she exploded each time.

2 So I made a point of always referring to her by her title,
3 because that seemed to soothe her. And I -- I told her, "No
4 one's going to hurt you." Because I thought, you know,
5 maybe -- maybe with people milling around -- I know by that
6 time, Ms. Carns was there and Ms. Burritt, the couple of law
7 clerks, my extern, David Mayberry; there were a lot of people
8 there. And I thought she might -- I didn't want a -- a scene
9 in my office if any further scenes could be avoided, and --
10 but I do remember saying that. And then she became very angry
11 and demanded that everyone provide her identification -- I
12 assume she was referring to the officers -- and that she
13 wasn't going to leave until she had a full apology and a full
14 explanation and all this business.

15 Q Did she eventually appear to agree to go with the court
16 security personnel from your chambers?

17 A Well, they kind of -- kind of flowed out of -- out of the
18 chambers together. No one was touching her at the time. So
19 yes. That -- it was my feeling that she'd finally ventilated
20 her feelings and was on her way; at least I hoped.

21 Q Did Dr. Obermeyer's conduct that morning disrupt your
22 chambers?

23 MS. GEDDES: Objection; rule -- that is leading
24 question.

25 THE COURT: No. I'll note your objection. I'll

1 overrule it. You may cross-examine this area. If you under-
2 stand it, sir, you can answer it.

3 A Well, the trial that was scheduled to begin at nine
4 o'clock began at 9:20. I did not get any videotapes viewed.
5 Bearing in mind that I'd already viewed some, so I mean,
6 there -- but I -- I was delayed in being prepared for the
7 upcoming trial, and of course, that -- that was work that then
8 had to be done at a later time, a less -- a less -- less
9 propitious time, because when the testimony -- oral testimony
10 was put on that morning, of course, I hadn't seen the -- the
11 videotapes, so I wasn't as oriented as I probably should have
12 been.

13 So yes. And of course, you had an awful lot of men and
14 women standing around because of the disruption, chatting
15 about it, when they probably should have been occupied with
16 more productive activity. And to that extent, everything was
17 kind of fouled up for, you know, that morning.

18 MR. BOTTINI: All right. Judge Singleton, thank you.
19 That's all the questions I have.

20 THE COURT: You may inquire, ma'am.

21 MS. GEDDES: Thank you, Your Honor.

22 **CROSS-EXAMINATION**

23 BY MS. GEDDES:

24 Q Good morning.

25 A Good morning.

- 1 Q Among the individuals who were present in your office on
2 June 29th were ^{TERI} Terry Carns; correct?
- 3 A That's correct.
- 4 Q And Jennifer Angstrom?
- 5 A That's correct.
- 6 Q And Sarah Josephson?
- 7 A That's correct.
- 8 Q And Dana Fabe?
- 9 A That's correct.
- 10 Q And at the time that you were talking to Theresa Obermeyer
11 following the hanging up of the teleconference calls, isn't it
12 true that those individuals had remained in your office as
13 well?
- 14 A Some of those individuals were definitely there.
- 15 Q ^{TERI} Terry Carns was still present?
- 16 A ^{TERI} Terry Carns was present through the entire activity, but
17 I'm not sure she was in my office. My recollection was that
18 most of the times that I saw Ms. Carns, she was with Ms.
19 Burritt. But I -- again, I'm not certain exactly where she
20 was. Dr. Obermeyer had my full attention.
- 21 Q And Judge Fabe had remained after the close of the meeting
22 in your office as well; isn't that correct?
- 23 A Not for the entire time, but for -- for a part of the
24 time. She was -- she was there at the end of the meeting,
25 and -- I remember that.

1 Q And in fact, you had asked her to remain after the end of
2 the meeting, did you not?

3 A I personally do not have a recollection of that. But that
4 might be true.

5 Q When Theresa Obermeyer asked if there was an opportunity
6 for public comment, or I guess first asked who was chairing
7 the meeting, you identified yourself as that individual; isn't
8 that right?

9 A Dr. Obermeyer asked who the chair was. Because as a
10 practical matter, Ms. Carns was chairing the meeting. And I
11 did tell her I was.

12 Q Thank you. And when she asked if there was an opportunity
13 for the public to also speak --

14 A Mm-hm (affirmative).

15 Q -- you did not at that juncture tell her no, there was no
16 such opportunity, did you?

17 A My statement to her was, the meeting was over, the people
18 had hung up. But I don't have any recollection of specific-
19 ally saying there is no opportunity for public comment.

20 Q And in fact, you -- at that juncture, in response to her
21 question, you were engaged in a discussion with her at that
22 juncture; isn't that correct? You told her about the task
23 force; told her a little bit about the task force and how it
24 operated. Isn't that correct?

25 A My recollection -- my -- my recollection of what I said

1 was that the task force had -- well, let me back up for a
2 second in order to respond to your question, Ms. Geddes. My
3 recollection is that I didn't say anything until Dr. Obermeyer
4 began her tirade about her husband not being admitted. And it
5 was at that point that I remarked about the task force not
6 having anything to do with the -- with Bar-related things.
7 And I may have -- I may have in -- in a general way summarized
8 what the task force did do. But I think the -- the thrust of
9 my response was, the task force had no power over the Bar
10 Association, no authority to effect or accomplish a Bar
11 admission.

12 Q Judge Singleton, when Theresa Obermeyer asked if there was
13 an opportunity for public comment and then began speaking, you
14 didn't stand up and move to the door and direct her out the
15 door, did you?

16 A I stood up and I tried to interrupt her, indicating to her
17 that -- the reason I'm having trouble responding to your
18 question, Ms. Geddes, is that there seemed to -- in my mind as
19 I sit here, there's a -- a very brief time lag between Dr.
20 Obermeyer first inquiring about public comment and her begin-
21 ning her tirade about her husband. And in that interval, it
22 is possible that I might have -- have asked her what -- what
23 she wanted to comment about. But I do have a -- a recollec-
24 tion that prior to saying that, I told her that the meeting
25 was over and that other participants had hung up, so that the

1 meeting in effect was over.

2 But once she got off on the husband, I -- I -- I was
3 standing up, and I believe Judge Fabe was standing up behind
4 me at one of those occasions. And I definitely made it clear
5 to her that neither the task force nor myself had anything to
6 do with Bar admissions, and that I didn't want to talk to her
7 about Bar admissions.

8 Now, if you're asking me, did I immediately say get out of
9 the office, no. I -- I walked around the table and it was
10 at -- at that point that -- after some other conversation that
11 I first asked -- well, my recollection was, I told her the
12 meeting was over and "You'll have to go. Everyone will have
13 to go."

14 Q At the time that you told her that the meeting had ended,
15 that you had lost your quorum, no longer had the speakers on
16 the line, did you indicate to her at that point that she would
17 have to leave the office; yes or no?

18 THE COURT: He can say yes or no and he can qualify
19 his answer as he likes.

20 MS. GEDDES: Certainly, Your Honor.

21 THE COURT: With that in mind, you may respond, sir.

22 MS. GEDDES: Thank you, Your Honor.

23 A Somewhere in that stream of consciousness and discussion,
24 yes. But I do recollect --

25 THE COURT: I think your question was at that point

1 time, was she asked to leave?

2 BY MS. GEDDES:

3 A I -- as -- as part of the same sequence of -- of discus-
4 sions, but not immediately.

5 Q And following the -- providing the information to her that
6 the meeting was over or you had lost your quorum, isn't it
7 true that you actually sat down with her at the table and
8 asked Judge Fabe to do the same --

9 A I have no recollection of that.

10 Q And is it also your testimony that you have no recollec-
11 tion of asking Judge Fabe to stay and -- with you while you
12 talked with Dr. Obermeyer?

13 A I may have. When -- when Dr. Obermeyer had proceeded
14 beyond, "Aren't you going to allow any public comment?" and
15 got into the question of her husband's Bar admission, by that
16 time, Judge Fabe, who'd previously told me that she had an
17 appointment, had to leave, and we had to end the meeting at
18 eight o'clock in order for her to meet her -- make her
19 appointment, had circled around the table and was standing
20 behind me. I -- I was still seated at that time. As Dr.
21 Obermeyer launched into the, "Why isn't my husband a lawyer?"
22 tirade, I stood up, and I may at that point have asked Judge
23 Fabe not to desert me. I certainly did not suggest that she
24 sit down and we -- we discuss anything with Ms. -- Dr.
25 Obermeyer, because Dr. Obermeyer only wanted to talk about her

1 husband, and I was absolutely adamant that I was not going to
2 discuss her husband with her.

3 Q So your recollection is that you showed her absolutely no
4 receptivity to sitting down and having a conversation with
5 her?

6 A Absolutely none.

7 Q Now, Judge Singleton, you were concerned -- you were
8 concerned even prior to her admission to your office about her
9 attendance of the task force; isn't that true?

10 A I was late getting there. I arrived at probably about
11 7:11 or 7:12.

12 MS. GEDDES: Your Honor, I'm going to --

13 THE COURT: I think it's --

14 MS. GEDDES: -- strike the answer.

15 THE COURT: I think it's probably good. Did you have
16 any reservations when you first heard of her attendance? I
17 think that was your question, is that --

18 MS. GEDDES: Yes.

19 BY MS. GEDDES:

20 A I was surprised. I had -- I had no foreknowledge that she
21 was going to be there.

22 Q And in fact, your secretary expressed some concern to you,
23 did she not, regarding Dr. Obermeyer seeking admission to the
24 task force meeting?

25 A My recollection is that -- that she met me in the hall as

1 I was coming in, and said that Theresa Obermeyer is out there
2 and wants to come in. I remember that.

3 Q Okay. And when Judge Fabe arrived, you also met her in
4 the hallway prior to her going into chambers; isn't that
5 correct?

6 A I may have. I was milling around.

7 Q Okay. And you told Judge Fabe that Theresa Obermeyer had
8 shown up at the task force meeting; isn't that correct?

9 A I definitely did that.

10 Q And you told Judge Fabe that you were concerned about her
11 reasons for attending the meeting; isn't that correct?

12 A I probably did, yes. And incidentally, this was before
13 the -- Dr. Obermeyer said anything to me.

14 Q Okay.

15 A Yeah.

16 Q So even prior to Judge -- to Dr. Obermeyer saying anything
17 to you, you were expressing some concern to Judge Fabe about
18 Theresa Obermeyer, she's here, and your concerns were, what's
19 she going to do? Isn't that correct?

20 A That's correct.

21 Q So you already had an assumption that Theresa Obermeyer
22 was going to create some problems in this meeting; isn't that
23 correct?

24 A I thought there was a risk of that.

25 Q Okay --

1 A A verbal -- a verbal tirade or something, yes. I thought
2 there was a risk of that.

3 Q Okay. And that was because you had formed an opinion
4 about Theresa Obermeyer and her conduct already, prior to this
5 meeting?

6 A I wouldn't go that far, Ms. Geddes. I -- I -- I've been
7 on Dr. Obermeyer's mailing list for quite a while. I cer-
8 tainly was aware of her public reputation. But I wouldn't say
9 that I had any form -- formed any opinion. I certainly didn't
10 alert security, if that's what you're -- you're driving at.

11 Q Now, would it -- is it customary that Ardel Burritt would
12 ask you for permission prior to admitting an attendee to the
13 Task Force on Gender Equality to your chambers?

14 A If they weren't a member of the task -- the -- well, let
15 me back up. There would be no common practice, because it
16 never happened before. The only people who'd ever attended
17 the meeting had been members of the task force or people who
18 had been expressly invited to come.

19 Q Okay. So you didn't have any prior experience with any
20 public attendees --

21 A None --

22 Q -- to the task force meeting?

23 A None whatsoever.

24 Q Okay. And you under -- however, Stephanie Angstrom was
25 not a member of the task force, was she?

