



**KELVIN J. COCHRAN vs. CITY OF ATLANTA, ET AL.**  
Alex S. Wan on 02/23/2017

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Also Present: Kelvin J. Cochran

Videographer: Brandon Brantley

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1 THE VIDEOGRAPHER: This is the  
2 beginning of Media Number 1 in the  
3 deposition of Alex Wan in the matter of  
4 Kelvin Cochran versus City of Atlanta,  
5 et al., Case Number 1:15-cv-00477.

6 Today's date is February 23rd, 2017.  
7 The time on the monitor is 2:21 p.m. My  
8 name is Brandon Brantley, and I'm the  
9 videographer. The court reporter is  
10 Suzanne Beasley. We are here with Huseby  
11 Global Litigation.

12 Counsel, please introduce yourselves,  
13 after which the court reporter will swear  
14 in the witness.

15 MS. HINTON: Kathryn Hinton for the  
16 Defendants.

17 MR. THERIOT: Kevin Theriot, Ken  
18 Connelly, and Christiana Holcomb for the  
19 Plaintiff.

20 (The signature of the witness to the  
21 deposition was reserved.)

22 ALEX S. WAN,  
23 having been duly sworn, was examined and testified  
24 as follows:

25

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1 EXAMINATION

2 BY MR. THERIOT:

3 Q. Mr. Wan, I'm Kevin Theriot. I'm one of  
4 the counsel for Mr. Cochran, and we met earlier.

5 Would you please state your full name for  
6 the record?

7 A. Sure. It's Alexander Wan.

8 Q. Any aliases that you've gone by  
9 previously?

10 A. No.

11 Q. Have you been deposed before?

12 A. About 30 years ago.

13 Q. So you kind of know how it works. It's a  
14 little awkward because you can't just engage in a  
15 conversation like you normally would, although we all  
16 have a tendency to do that. So the biggest thing is  
17 waiting for each other to finish and making sure that  
18 I finish my question before you answer, and you  
19 finish your answer before I ask another question.  
20 I'll do my best. But it's just sort of a take-turns  
21 thing that is a little awkward.

22 If you need a break, you're certainly  
23 welcome to take one. I just ask that you don't do it  
24 while a question is pending. In all of this that's  
25 being taken down here, what -- we're being recorded

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1 and of course what's being -- the stenographer is  
2 taking down is under oath, and it will be just like  
3 you're testifying in a court of law.

4 Does that make sense?

5 A. Yes.

6 Q. And you caught yourself. You have to  
7 actually say yes or no. The other thing, verbal cues  
8 don't work as much -- I mean nonverbal cues.

9 So what is your current address?

10 A. 640 Sherwood Road, Northeast, Atlanta,  
11 Georgia 30324.

12 Q. How long have you lived there?

13 A. Almost 23 years.

14 Q. How old are you?

15 A. Forty-nine. I had to think about that.

16 Q. Yeah. I have to think about it, too. And  
17 I'm smiling, too, because we actually had one  
18 witness, this -- didn't want to answer, which I  
19 thought was -- I'd never had that before. I thought  
20 it was pretty funny, and we were happy to not make  
21 her answer.

22 Marital status?

23 A. Single.

24 Q. What level of education have you  
25 completed?

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1           A.       I have an undergraduate degree and a  
2     master's.

3           Q.       Where did you get those degrees in --

4           A.       Undergraduate -- sorry. Undergraduate  
5     degree from Georgia Tech. Master's from the  
6     University of Pennsylvania.

7           Q.       What did you study?

8           A.       At Georgia Tech, industrial engineering,  
9     and at UPenn it was business, MBA.

10          Q.       So tell me a little bit about your job  
11     history.

12          A.       Okay. So after I got my master's degree I  
13     worked for a small firm here in Atlanta called  
14     Optima, Incorporated. It was an engineering  
15     consulting firm.

16                 In 2009 I left that and worked for a small  
17     nonprofit called Jerusalem House as a director,  
18     development director.

19                 And in 2012 worked -- changed jobs to  
20     Emory University, where I work as a development  
21     director as well.

22                 And then the city council position, I was  
23     sworn in in January of 2010, but it's a part-time  
24     position.

25          Q.       It is. So you still work at Emory?

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1 A. I do.

2 Q. And development director?

3 A. Fundraising.

4 Q. Oh, okay. I thought that's what it was,  
5 but I wasn't sure.

6 Have you reviewed any documents in  
7 preparation for this deposition?

8 A. Some, yes.

9 Q. And what were those?

10 A. Mostly correspondence that I had regarding  
11 this matter.

12 Q. Correspondence with whom?

13 A. Just e-mails. That's pretty much it.

14 Q. Okay. Any e-mails that, as far as you  
15 know, have not already been provided to us?

16 A. Yeah, there is one that I'm not sure. I  
17 know that on February 16th -- 11th of 2016 we had  
18 provided to the City's law department all of our  
19 documents that we had. So I just did a search from  
20 that day forward, and I found one that I don't know  
21 if it has been turned over or not, and that's it  
22 right here (indicating).

23 MR. THERIOT: Do you mind if I see  
24 that?

25 MS. HINTON: Sure.

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1 MR. THERIOT: Let's take a look at  
2 this. As a matter of fact, instead of me  
3 sitting here studying, let me let my  
4 co-counsel do that, and we'll go on and  
5 then we'll go back to it if we need to.

6 BY MR. THERIOT:

7 Q. Any other documents besides those that  
8 you've either disclosed or just disclosed to us?

9 A. No.

10 Q. Have you spoken with anyone in preparation  
11 for this deposition?

12 A. Just the counsel, legal counsel.

13 Q. And you are represented today?

14 A. Correct.

15 Q. As far as you know, have there been any  
16 other previous claims against the City for employment  
17 discrimination while you've been a member of the  
18 council?

19 A. I do not know.

20 Q. And that was 2010 that you got elected?

21 A. That's correct.

22 Q. Any claims for violation of freedom of  
23 speech against the City that you're aware of?

24 A. I do not know.

25 Q. Any claims for violation of religious

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1 rights?

2 A. I do not know either.

3 Q. Any claims at all against yourself or the  
4 City that you're aware of while you've been a city --  
5 a member of the council?

6 A. I am not aware of any against me.

7 Q. Okay. Any against the City that you're  
8 aware of, particular lawsuits that stand out?

9 A. I know that we get sued every day.

10 Q. Oh, you do? Okay. But none that you're  
11 aware of for violation of First Amendment rights,  
12 freedom of speech or freedom of religion?

13 A. I'm not aware of any.

14 Q. I believe you testified -- and maybe I  
15 just assumed that you're a member of the council with  
16 the City of Atlanta --

17 A. That's correct.

18 Q. -- and have been since 2010.

19 Have you ever worked in any other position  
20 with the City?

21 A. I have not.

22 Q. All right. How would you describe your  
23 responsibilities as a member of the council for the  
24 City of Atlanta?

25 A. It's primarily legislative. We are the

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1 ones that deliberate and pass resolutions or  
2 ordinances. We also, as part of that process,  
3 control the -- approve the budget, the annual budget.  
4 And we advocate for citizens on issues and City  
5 operations.

6 Q. And you're -- correct me if I'm wrong, but  
7 with your position with Emory University, that is a  
8 fundraising position?

9 A. That is correct.

10 Q. What kinds of groups do you work with in  
11 that position?

12 A. In that position, donors, alumni, and  
13 other just supporters of the university.

14 Q. Any particular types of donors?

15 A. Anyone that's willing to give money.

16 Q. The kind with money.

17 Was Chief Cochran the fire chief when you  
18 took office?

19 A. No, he was not.

20 Q. Were you involved in the process of hiring  
21 Chief Cochran?

22 A. Council confirmed his appointment as part  
23 of our process when the mayor appoints members to his  
24 leadership team or certain positions within the  
25 administration.

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1 Q. Do you recall anything about any  
2 discussion that went on when Chief Cochran was  
3 confirmed?

4 A. We deliberated discussions. We -- council  
5 had deliberations on his appointment. That was just  
6 pretty much a matter of course for us.

7 Q. Any discussion of his qualifications or  
8 his career?

9 A. Talked about his career, talked about his  
10 appointment in Washington and his return to the City.  
11 And that was all that I really remember.

12 Q. Any details about his employment in  
13 Washington and how he came to return to the City that  
14 you recall?

15 A. No. The mayor had made a comment that was  
16 part of his appointment -- communications package  
17 that was presented to us.

18 Q. Did you hear anything about his religious  
19 beliefs?

20 A. No.

21 Q. Anything else you recall from the process  
22 of the council confirming Chief Cochran?

23 A. I don't recall anything else of substance,  
24 no.

25 Q. After he was confirmed, did you have any

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1 interactions with Chief Cochran as fire chief, either  
2 professionally or informally?

3 A. Yeah. So he would appear before council  
4 regarding -- an example is during budget time when  
5 they would present their budget requests to the city  
6 council for approval.

7 We also had a conversation about a  
8 specific fire station in my district.

9 And I also worked with him in a  
10 Leadership Atlanta -- we served on the same planning  
11 committee for a Leadership Atlanta programming day.  
12 I don't remember the year of that, but we did work  
13 together on that outside of the City.

14 Q. How did the budget process work or how  
15 does it work with regard to the fire department?

16 A. So that we get presented the mayor's  
17 proposal for the annual budget sometime in late  
18 April, and then we go through each departments'  
19 budget requests. They come and present to us and  
20 defend the requests that they are making. We ask  
21 questions about specific line items, about their  
22 overall initiatives, and then at the end of that  
23 process, we can make amendments to their budget or  
24 all of the budgets and then vote it up or down.

25 Q. Were there ever any concerns about the

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1 fire department's budget under Chief Cochran?

2 A. I don't recall anything specific. We kind  
3 of go through all the budgets and ask questions and  
4 talk about what their priorities are, but nothing  
5 stands out in my mind.

6 Q. Do you recall ever getting any requests  
7 from the fire department for budget items regarding  
8 technology that were approved or denied?

9 A. Not -- well, so a lot of our conversation  
10 was around staffing levels, equipment, and  
11 obviously -- well, I shouldn't say obviously. During  
12 the course of the year there would be papers or  
13 legislative items that would come before us for  
14 approval or rejection with specific requests for  
15 things, but I don't specifically remember any  
16 technology necessarily.

17 Q. Well, what would -- what do you recall  
18 regarding staffing and the need for staffing in the  
19 fire department?

20 A. We always had conversations about vacant  
21 positions, about whether or not there needed to be  
22 salary adjustments and increases. With public  
23 safety, we're always talking about annual increases  
24 or predictable annual increases, that sort of thing.

25 Q. Were there positions that had been -- that

1 were not filled that needed to be filled for extended  
2 periods of time?

3 A. I don't recall specifically. You know, we  
4 just kind of looked at the overall number of  
5 positions we were authorizing, and we would talk  
6 about, you know, the vacancies, and that would be  
7 about the extent of our discussion.

8 Q. Were there any vacancies that had occurred  
9 as a result of an economic downturn that still needed  
10 to be filled once you took office?

11 A. I'm trying to remember specifically. I  
12 know that our first budget and subsequent budgets,  
13 we've always been kind of reacting to the decisions  
14 that were made by the previous administration, but it  
15 was more in the context of what -- you know, what we  
16 thought the appropriate staffing level would be for  
17 the department based on what they were proposing to  
18 us, based on the number of stations we had, based on  
19 the number of equipment.

20 So again, it's nothing ever that -- I  
21 don't recall anything specific about conversations  
22 about restaffing or building the staff back up. It  
23 was just what we could afford that year and what we  
24 thought the appropriate levels would be and what the  
25 funding priorities should be.

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1 Q. What about equipment? Was there any  
2 discussion of equipment and the need to update  
3 equipment because it had been several years since it  
4 had been updated?

5 A. Well, as I've learned with the  
6 departments, very frankly, everybody wants new and  
7 fresh stuff, and there's always a need. So that's a  
8 recurring conversation that we have with all the  
9 departments every year.

10 Q. Nothing specific regarding the fire  
11 department communications equipment?

12 A. Communications equipment?

13 Q. Yes.

14 A. No, I don't recall anything about that.

15 MR. THERIOT: Let's mark this

16 Plaintiff's Exhibit --

17 THE REPORTER: 102.

18 MR. THERIOT: -- 102.

19 (Exhibit 102 was marked for  
20 identification.)

21 BY MR. THERIOT:

22 Q. Mr. Wan, the court reporter's handed you  
23 what's been marked as Plaintiff's Exhibit 102. This  
24 is -- do you recognize this e-mail dated March 16th,  
25 2015?

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1 A. Yes.

2 Q. What is it?

3 A. It is a request for the -- a welcome  
4 letter for the HRC dinner program book.

5 Q. I'm sorry. You said the HRC dinner  
6 program?

7 A. Book.

8 Q. What is the program book?

9 A. It's just a book that they provided for  
10 every attendee. I has a lot of information in it.  
11 It's just like a -- it's a program.

12 Q. So this was for 2015. It looks like that  
13 you've done a welcome letter for them previously,  
14 correct?

15 A. That's correct.

16 Q. Have you done it more than twice?

17 A. Yes. I've done it every year I've been on  
18 the city council.

19 Q. Since 2010?

20 A. Correct.

21 Q. Do you usually attend the gala?

22 A. I do if I'm in town.

23 Q. Is that something you do as a member of  
24 the city council or in your private capacity?

25 A. I do it as a member of the city council.

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1 Q. Is there a fee that's paid in order to  
2 attend?

3 A. Yes, there is.

4 Q. How much is that?

5 A. I am a federal club member of the Human  
6 Rights Campaign, which means I give them \$1,200 or  
7 more a year. I'm a donor, so my tickets to this  
8 event are \$100 apiece.

9 Q. I see. And you pay for those yourself, or  
10 does the City pay for those?

11 A. No, the City does not pay for those. I  
12 pay for those from my campaign account.

13 Q. Anyone else from the City attend -- well,  
14 let's just take the gala in 2015; is that right?

15 A. Yes.

16 Q. 2015. Did anyone else from the city  
17 council attend that gala?

18 A. I do not remember, to be honest with you.

19 Q. Do you know if any -- do you remember if  
20 any attended previous galas?

21 A. I'm trying to remember specifically. I  
22 would be -- I honestly would be guessing. I --

23 Q. They may have?

24 A. They may have.

25 Q. Anybody from the mayor's office attend the

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1 gala in 2015?

2 A. In 2000 -- I don't remember. I mean,  
3 honestly, it's been -- I go every year, so they kind  
4 of meld in my mind together, so it's hard for me to  
5 remember exactly who was and was not there in 2015.

6 Q. So let me ask it a little more broadly --

7 A. Okay.

8 Q. -- if you don't mind. Have you ever seen  
9 a member of the mayor's cabinet attend the gala?

10 A. Cabinet?

11 Q. And by the mayor's cabinet -- well, let me  
12 be more specific.

13 Have you ever seen Robin Shahar at one of  
14 the galas?

15 A. Shahar. I'm sorry, there are so many  
16 different events in the community that I'm just  
17 trying to remember specifically if I've seen her at  
18 this one or at others. So I don't know.

19 Q. You don't --

20 A. I can't answer definitively. I'm sorry.

21 Q. So possibly?

22 A. Possibly.

23 Q. What about Ms. Byrd, same question?

24 A. Possibly.

25 Q. Ms. Mullinax?

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1 A. Again, possibly.

2 Q. Ms. Yancy?

3 A. I can't answer with -- I don't recall  
4 specifically. Possibly.

5 Q. The mayor himself?

6 A. I have seen the mayor at an HRC dinner  
7 before. I don't recall which year.

8 Q. What about Mr. Geisler, former COO?

9 A. Possibly.

10 Q. If you would, just give me, as a member of  
11 the HRC, just a quick summary of what the HRC's  
12 purpose and stance on the issues is.

13 A. Yeah. The Human Rights Campaign is the  
14 largest organization, national organization,  
15 advocating for LGBT rights, and they -- that's pretty  
16 much what they do. They advocate for LGBT rights  
17 across the country.

18 Q. They do that in courts of law or in  
19 legislatures?

20 A. Both.

21 Q. Public opinion also?

22 A. Correct.

23 Q. Are they a private organization?

24 A. They -- there are multiple -- the  
25 organization is comprised of a number of multiple

1 groups. I think there is a 501(c)(4) and a 501(c)(3)  
2 based on whatever specific activity they're doing.

3 Q. Have you done letters of support like  
4 you've done for HRC with other organizations? For  
5 other organizations, correct my own question.

6 A. I'm trying to think through. I have a  
7 folder on my hard drive of remarks and letters, and  
8 I'm trying to think specifically. I do one for  
9 Pride, Atlanta Pride.

10 Q. And you've done that --

11 A. Every year.

12 Q. Every year?

13 A. Correct.

14 Q. Give me a summary of what Atlanta Pride --

15 A. Atlanta Pride is --

16 Q. -- stands for.

17 A. They -- I'm sorry.

18 (Reporter requests clarification.)

19 THE WITNESS: So Atlanta Pride, they  
20 host a Pride festival every year, and it's  
21 just a celebration of the community. They  
22 do advocacy as well.

23 BY MR. THERIOT:

24 Q. Any particular community that they're  
25 celebrating?

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1 A. The LGBT community.

2 Q. Does that involve a parade?

3 A. Yes, it does.

4 Q. Do you participate in that parade, in the  
5 festival?

6 A. I do if I'm in town, yes.

7 Q. You -- how do you participate in the  
8 parade and festival?

9 A. I have a car, and I walk the parade route.

10 Q. Say that again?

11 A. There's -- we have a car that we put our  
12 campaign -- or not -- our city council magnets on,  
13 and then I walk the parade route.

14 Q. I see. And the car has your --

15 A. Correct.

16 Q. I see. Good.

17 And any other -- can you recall any other  
18 council members attending the parade, the Pride  
19 festival parade?

20 A. Yes. Carla Smith, Mary Norwood, Kwanza  
21 Hall, Ceasar Mitchell, Keisha Bottoms last year,  
22 Michael Bond, Andre Dickens. That's the ones that  
23 come to mind.

24 Q. What about members of the mayor's cabinet  
25 attending?

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1 MS. HINTON: Form.

2 MR. THERIOT: You're right. That's a  
3 poor question.

4 BY MR. THERIOT:

5 Q. What other members -- are there any  
6 members of the mayor's cabinet that you recall that  
7 attended the Pride parade or festival in the past?

8 A. Cabinet, I don't recall.

9 I take that back. I have seen the police  
10 chief, George Turner. That's one that comes to mind  
11 immediately, but it's possible there are others.

12 Q. Did Chief Turner, was he in uniform when  
13 he was there?

14 A. Yes, he was.

15 Q. Have you -- let's -- strike that.

16 Let's look again at Exhibit 102. The last  
17 page of that looks like an example of one of the  
18 letters. Is that the one you probably sent in 2014?  
19 I didn't see a date on it.

20 A. I'm not certain, but "26th annual" in the  
21 opening paragraph would indicate what year it was.

22 Q. Well, the only reason why I'm suggesting  
23 that, if you look on page 1, it says in the e-mail  
24 from -- it looks like from Mr. Freedman, it says, "I  
25 have included your 2014 letter as a reference."

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1 A. Okay.

2 Q. So that may be the one that you sent in  
3 2014?

4 A. It's possible. I don't know for certain.

5 Q. Do you have any reason to believe that  
6 this is not one of the letters that you sent?

7 A. Oh, it's definitely a letter I've sent. I  
8 just don't know what year.

9 Q. In the second-to-the-last paragraph, you  
10 urge people to become a member; is that right?

11 A. Correct. Yes, correct.

12 Q. And is there -- are there other  
13 organizations that you encourage people to join?

14 A. To join. I cannot think of any at this  
15 moment.

16 Q. Any other organizations that you encourage  
17 people to donate to?

18 A. Yes. I did one year for AIDS Walk.  
19 Obviously in my Emory work capacity, I ask folks to  
20 donate to Emory.

21 Q. Right.

22 A. And when I was working for Jerusalem  
23 House, I would ask them to donate to Jerusalem House.  
24 No other specifics come to mind.

25 Q. Can you give me a brief description of

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1 Jerusalem House?

2 A. Jerusalem House provides housing for  
3 homeless and low-income individuals and families  
4 affected by HIV and AIDS.

5 Q. And are they independent or are they  
6 affiliated with any particular --

7 A. They're independent.

8 (Exhibit 103 was marked for  
9 identification.)

10 BY MR. THERIOT:

11 Q. Mr. Wan, you've been handed what the court  
12 reporter has marked Plaintiff's Exhibit 103. "Print  
13 clips. Subject: City of Atlanta Government, Clips  
14 4/26/2013." Looks like it's an e-mail that we  
15 received from the City as part of our discovery.

16 I think what I'm particularly interested  
17 in -- let's look at page 1 first. Let me just ask  
18 you about this. This is 2014. If you look at  
19 paragraph 1, it says, "As proposed, the budget  
20 continues a trend during Mayor Kasim Reed's  
21 administration of less spending."

22 Is that a trend that you've noticed?

23 A. Well, we -- it started increasing the  
24 budget in the last couple of years, but I do know  
25 when we first all got on council, yes, that was the

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1 trend.

2 Q. And why was -- and so that was in 2010?

3 A. When we joined council, yes.

4 Q. What was your understanding of the reason  
5 for that trend?

6 A. Declining revenues.

7 Q. And the declining revenues were probably  
8 the result of economic downturn; is that right?

9 A. A number of factors, but yes.

10 Q. What else besides economic downturn?

11 A. Declining property values was the biggest  
12 component of that.

13 Q. Which may -- I mean, I don't pretend to be  
14 an economist, but that may be as a result of the  
15 economic downturn also?

16 A. Correct.

17 Q. If you'll look at -- there are page  
18 numbers down at the bottom -- 1644. If you look at  
19 the bottom right is what I'm looking at, which is the  
20 Bates stamp down there. This is an article entitled  
21 "Battle Over Cheshire Bridge Road: Zoning Proposal  
22 Pits Gay City Council Member Against Critics."

23 Sounds like that you had -- you were  
24 involved in trying to rezone some particular areas  
25 and there was some pushback against that. Can you

1 give me a little background on that?

2 A. No, we were not trying to rezone. The  
3 underlying zoning was already established, and the  
4 adult businesses were a nonconforming, unallowed use  
5 within that. What we were attempting to do with my  
6 legislation was to create a specific timeline within  
7 which those uses would be sunset, because at the time  
8 of the zoning, they existed, they were grandfathered.

9 Q. Uh-huh.

10 A. But we were -- the legislation proposed to  
11 set a specific deadline for that grandfathering to  
12 end. So we were not changing the zoning.

13 Q. I see. So the reporter, looks like they  
14 got it wrong and said they were rezoning when, in  
15 fact, you were doing something not quite so drastic;  
16 is that correct?

17 A. We were not rezoning, so if that's what  
18 the reporter was stating, that's incorrect.

19 Q. If you'll look on page 1645, about the  
20 middle of the page, it quotes you as saying that it's  
21 time -- well, actually it doesn't quote you. I'm not  
22 sure what it means.

23 "And Wan said it is time for LGBT people  
24 to move beyond advocating for porn and sex shops."

25 Apparently that's a summary of what you

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1 said. Does that sound accurate?

2 A. I'm not sure I said that.

3 Q. Apparently you didn't, or they would have  
4 put it in quotes.

5 A. Yeah.

6 Q. I actually just noticed it wasn't in  
7 quotes just now. That's kind of interesting. But  
8 they said that you said it and then didn't put it in  
9 quotes. Isn't that interesting? Anyway, we won't  
10 comment on it.

11 A. Okay.

12 Q. The next paragraph, though, it is a quote,  
13 "All of this has become a personal attack on my  
14 perceived morals and values and that's not the case."

15 Does that sound like something that you  
16 said?

17 A. Yes.

18 Q. And what did you mean by that?

19 A. Exactly what it says. I was getting  
20 attacked personally and attacks were about my  
21 personal morals and belief, and I did not think that  
22 was an accurate representation of what was happening.

23 Q. What perceived morals and values were you  
24 speaking of?

25 A. I really was speaking -- the attacks were

1 that I was opposed to activities -- you know, adult  
2 businesses and their operations. That -- I mean,  
3 that was pretty much it. That I was very  
4 conservative, I guess.

5 Q. Is that inaccurate then to say that your  
6 morals and values were driving your position on this  
7 legislation?

8 A. That it was or was not driving?

9 Q. Yeah.

10 A. My morals were not driving me on this  
11 legislation.

12 Q. I see. If you look down at the next  
13 paragraph, yes. It says, "At the same time, I kind  
14 of take issue with this belief that I've turned on my  
15 community. Look at what I've done over the past  
16 three years, the passage of a resolution by the city  
17 council to support same-sex marriage and Mayor Kasim  
18 Reed coming out in favor of marriage equality."

19 Does that look like an accurate statement?

20 A. Yes.

21 Q. Did you have conversations with Mayor Reed  
22 about marriage equality and same-sex marriage?

23 A. Not in-depth. This was coming off of the  
24 2009 election where he had made a comment about his  
25 support or nonsupport for marriage equality. We had

1 passing comments and remarks about it since then, and  
2 I -- largely in the national context of, you know,  
3 what was happening legally, court challenges and the  
4 like.

5 Q. All right. So was there any time where  
6 you spoke face-to-face with the mayor about his  
7 position on same-sex marriage?

8 A. No, no.

9 Q. So how did those interactions take place,  
10 via e-mail?

11 A. No, it was just in passing. In  
12 conversation, face-to-face in certain contexts, but  
13 not in written form.

14 Q. Tell me the first one of those that you  
15 remember occurring.

16 A. I can't remember specifically. We will be  
17 in situations a lot where there are conversations  
18 going on about a multitude of topics, and I can't  
19 remember specifically one instance where we were at  
20 or the specific context.

21 Q. So what would you have said to him in  
22 those instances?

23 A. Again, it would be a conversation about,  
24 you know, you're aware of what's happening at the  
25 national level with lawsuits or Supreme Court cases.

1 That would be about the extent of it.

2 Q. Did you encourage him to change his  
3 position on same-sex marriage?

4 A. No, I did not.

5 Q. Did he ever articulate what his position  
6 was on same-sex marriage?

7 A. No, he did not.

8 Q. You say that you've -- so when you say  
9 "look at what I've done over the past three years,"  
10 and then as part of that where you reference  
11 Mayor Kasim Reed coming out in favor of marriage  
12 equality, did you mean that you had anything to do  
13 with Mayor Kasim Reed coming out in favor of marriage  
14 equality?

15 A. Well, the context of this was largely  
16 because the mayor used the passage of the marriage  
17 equality resolution when he signed it to affirm his  
18 position on it. So it did provide the opportunity or  
19 context for him to publicly make that statement where  
20 he had not done it before.

21 Q. So what was your involvement in the  
22 passage of the resolution by the city council to  
23 support same-sex marriage?

24 A. I was the writer -- cowriter and sponsor  
25 of the legislation.

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1 Q. And did that pass unanimously?

2 A. No, it passed 11 to 2.

3 Q. Which council members voted against it?

4 A. Councilmember Martin and Councilmember  
5 Shook.

6 Q. Did you have any conversation with the  
7 mayor's staff about his position on same-sex  
8 marriage?

9 A. Robin Shahar was the one who helped me  
10 craft this legislation. I think there was discussion  
11 about whether or not the mayor would veto this with  
12 regard to process, and that was the extent of it.

13 Q. What did she say regarding whether he  
14 would veto?

15 A. I don't recall specifically, but it wasn't  
16 enough for me to stop moving this through.

17 Q. What do you mean by "with regard to  
18 process"?

19 A. Because when we pass legislation, the  
20 mayor has the opportunity to either sign it, veto it,  
21 or let it become law without his signature. So that  
22 is the context in which -- you know, if he were to  
23 veto it, then we -- the council would have the  
24 opportunity to override his veto with two-thirds  
25 vote. So that was just trying to chart out what

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1 potential paths this could take.

2 Q. When was that -- when did that resolution  
3 get passed?

4 A. I believe it was December 2014.

5 Q. Any other conversations with members of  
6 the mayor's staff besides Robin Shahar about the  
7 resolution regarding same-sex marriage?

8 A. I don't recall any others.

9 Q. Any meetings that you had with someone on  
10 the mayor's staff about the resolution?

11 A. No.

12 Q. Any meetings that you had with the mayor's  
13 staff about the mayor's position on same-sex  
14 marriage?

15 A. No.

16 Q. That's Exhibit 103 we were just  
17 discussing, right?

18 A. Yes.

19 MR. THERIOT: Please mark this as  
20 Plaintiff's Exhibit 104.

21 (Exhibit 104 was marked for  
22 identification.)

23 BY MR. THERIOT:

24 Q. Mr. Wan, the court reporter has handed you  
25 what's been marked as Plaintiff's Exhibit 104. It's

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1 an e-mail dated June 9th, 2015, or actually the one  
2 at the top is dated June 9th, 2015, but it's a series  
3 of e-mails. If you would just familiarize yourself  
4 with that exhibit. Have you taken a look at it?

5 A. Yes.

6 Q. What is the Georgia Diversity Council?

7 A. I do not know specifically.

8 Q. Have you ever had any interactions with  
9 them before you were the -- well, strike that  
10 question.

11 So let's kind of start at the beginning.  
12 So if you look at the last page of Exhibit 104, it  
13 mentions that you were going to be the keynote  
14 speaker at a June 6th, 2015 event, correct?

15 A. Correct.

16 Q. And were you the keynote speaker?

17 A. I was.

18 Q. Was that your first exposure to Georgia  
19 Diversity Council?

20 A. Yes.

21 Q. And it looks like it was their very first  
22 summit. It says inaugural. Is that your  
23 understanding?

24 A. That's correct.

25 Q. If you look on page 2, which is actually

1 386, if you look at page 386 at the Bates stamp below  
2 in the bottom right corner, it says, "It would be  
3 absolutely" -- about the middle paragraph of the  
4 e-mail there dated May 29th. The paragraph begins  
5 with "I would," but the sentence about five lines  
6 down that I'm interested in says, "It would be  
7 absolutely wonderful for the Atlanta City Council to  
8 have a large presence at the event, so please let me  
9 know if the council is interested in sending  
10 attendees or stepping up as a supporting sponsor in  
11 some way."

12 Did anyone other than you attend the event  
13 from the city council?

14 A. From the city council, no.

15 Q. Anybody from the mayor's office attend the  
16 event?

17 A. From the mayor's office, not that I  
18 recall.

19 Q. Did the City step up as a supporting  
20 sponsor in some way?

21 A. Not that I'm aware of.

22 Q. What was your keynote address about?

23 A. I do not recall.

24 Q. The theme of the summit, if you look on  
25 the first page of Exhibit 104, is "Advocacy in the

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1 workplace and community."

2 What were they speaking about when  
3 they -- advocacy for what?

4 A. I don't recall specifically. And I'll be  
5 honest with you, I was only there for my presentation  
6 and then a bit of the second presentation, the one by  
7 Mr. Kimer. And if I recall, the beginning of his  
8 presentation was largely on demographic data, LGBT  
9 workforce information, buying power, the like.

10 The reason why I don't -- that was the day  
11 that the Supreme Court decision came down for  
12 marriage equality, and so once that announcement came  
13 down, I left.

14 Q. Did you reference that in your keynote  
15 address, as you recall?

16 A. It happened after I spoke, or the  
17 announcement was released after I spoke.

18 Q. What do you recall Mr. Kimer saying in his  
19 remarks?

20 A. All I remember was what I shared with you  
21 earlier, that there was a lot of demographics  
22 numbers, buying power. That's really all I recall.

23 Q. Was there -- looks like there was a fee  
24 for the summit. Did you pay a fee?

25 A. I did not.

1 Q. Since you were the keynote speaker?

2 A. Correct.

3 Q. It seems unfair for them to charge you a  
4 fee. Did they pay you an honorarium?

5 A. They did not.

6 Q. But based on the last page of Exhibit 104,  
7 it appears like they were talking about advocacy for  
8 LGBT rights, correct?

9 A. Your guess is as good as mine, based on  
10 the subjects.

11 Q. And if you look at the second-to-last  
12 page, number 387, I mean, it's a pretty safe  
13 assumption to say that LGBT diversity in the  
14 workplace, LGBT generation struggles and success,  
15 leveraging partners in the community to promote LGBT  
16 allies, it seems pretty safe to assume that's an LGBT  
17 advocacy event, correct?

18 MS. HINTON: Object to form.

19 You can answer.

20 THE WITNESS: Like I said, your guess  
21 is as good as mine.

22 BY MR. THERIOT:

23 Q. Any reason to think it wouldn't be an LGBT  
24 event?

25 A. I mean, if this -- well, the second one

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1 you talked about, importance of diversity and  
2 inclusion, there's a lot more to diversity than just  
3 LGBT.

4 Q. That was just one of the topics on the  
5 agenda; is that right?

6 A. Correct.

7 Q. If you look on page 1 of Exhibit 104, you  
8 mentioned in paragraph 3 of the second e-mail there  
9 dated June 5th, 2015, "I will have Sheila in my  
10 office schedule a time next week to talk."

11 Do you know if that meeting actually  
12 happened?

13 A. I don't recall.

14 Q. Who is Sheila?

15 A. Sheila is my chief of staff in my council  
16 office.

17 Q. Does she handle your schedule?

18 A. We do it together.

19 Q. What do you mean by that?

20 A. She compiles a list of folks that want to  
21 meet with me or invitations or meeting requests. A  
22 lot of times she would -- just general guidance, she  
23 will schedule those if they're kind of routine  
24 department meetings. If they're one-offs or unusual,  
25 we'll huddle about when we can put them in, if it's

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1 appropriate to meet at city hall or out in the  
2 district. And so that's why I say we work on it  
3 together.

4 Q. Do you have an administrative assistant  
5 that also helps with your calendar?

6 A. No. No, it's just Sheila.

7 Q. Does she have to be aware of your  
8 personal -- what's the word I'm looking for --  
9 commitments in order to be able to help you with your  
10 schedule?

11 A. My personal commitments. Explain.

12 Q. So the calendar that you're talking about  
13 that you and Sheila work on together, does that only  
14 include events that have to do with being a member of  
15 the city council?

16 A. That's correct, yes.

17 Q. So you wouldn't have "meet with family,  
18 dinner on Saturday night" on there?

19 A. She would not schedule that. I would put  
20 that on my calendar so she would know to not schedule  
21 around that.

22 Q. Right.

23 A. I do that myself.

24 Q. But you do that. You never ask her, oh,  
25 make sure you have the thing with my parents on

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1 Friday night?

2 A. No.

3 Q. How do you communicate with Sheila about  
4 events to go on your calendar?

5 A. We do it by phone and in person and  
6 sometimes by e-mail.

7 Q. Does she ever field any communication to  
8 you, like e-mails or calls?

9 A. She will, yes, answer the question, my  
10 city council phone. She has access to my e-mails,  
11 but she does not respond on my behalf.

12 Q. Which e-mail accounts does she have access  
13 to?

14 A. Just my city council account.

15 Q. Doesn't have access to your Atlanta -- I'm  
16 sorry. Doesn't have access to your personal account?

17 A. No.

18 Q. Do you ever have personal calls come in to  
19 your office as city council member?

20 A. It's possible.

21 Q. And she would field those on occasion?

22 A. Correct.

23 Q. I think I already asked you about that.  
24 When did you first meet Stephen Borders?

25 A. I don't recall a specific date. It was in

1 the course of council activity, committee meeting, I  
2 would presume.

3 Q. What kind of committee meeting would that  
4 have been?

5 A. Either public safety committee, I served  
6 on that for one year. And the other possibility is  
7 finance executive committee.

8 Q. So public safety and finance?

9 A. Executive.

10 Q. Executive. What kind of issues did you  
11 talk about in the public safety committee? Seems  
12 like a silly question, but I'm going to ask it  
13 anyway.

14 A. Sure.

15 Q. In the public safety committee.

16 A. The public safety, the police, fire and  
17 corrections and the courts report to that committee  
18 to address legislation associated with those topics  
19 as well as budget.

20 Q. Why would Mr. Borders have appeared before  
21 that committee?

22 A. The unions will come before committees to  
23 advocate for or against legislation, so that would  
24 likely have been the -- and for budget requests. So  
25 that's likely possibilities. Really the only

1 possibilities.

2 Q. Right. The union actually asks for budget  
3 requests from the City?

4 A. They don't ask for budget requests, but  
5 they will advocate for things like salary increases,  
6 budget requests, sometimes hiring and firing an  
7 employee, employment issues as well.

8 Q. Did -- how many people are on that  
9 committee?

10 A. There's usually seven. Some committees  
11 have six, but usually it's seven council members.

12 Q. Did you have any interaction with  
13 Mr. Borders in that committee that was just  
14 one-on-one or is all before all the members of the  
15 committee?

16 A. In the committee it was before all of the  
17 committee members. However, now I'm thinking about  
18 finance committee. Oftentimes they're in budget.  
19 You know, as you're walking through the halls of city  
20 hall, members, staff, even committee members will  
21 come up to you in the hallway and just start talking  
22 about specific issues.

23 Q. Did Mr. Borders ever come up to you and  
24 speak to you about specific issues apart from  
25 your -- apart from being in a committee meeting?

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1 A. Yes.

2 Q. What were those issues?

3 A. About compensation. We had a long  
4 conversation about compression within the department,  
5 both that and police. The police unions and the fire  
6 unions were working together to try and advocate for  
7 council to help craft a solution for that.

8 And by "compression," it's members in a  
9 department where a supervisor is making less than the  
10 people he or she is managing, or people with  
11 different tenure or education or training are making  
12 less or equal to others with different  
13 qualifications. So that was an ongoing conversation  
14 between 2000 -- well, I don't -- it's been many, many  
15 years, and we finally got it resolved last year.

16 Q. How often did you speak with Mr. Borders  
17 about those -- that issue?

18 A. It's hard -- I couldn't even guess.

19 Q. More than five?

20 A. Total?

21 Q. Yes.

22 A. Yes.

23 Q. More than ten times?

24 A. Individually?

25 Q. Yes.

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1 A. Perhaps.

2 Q. Did -- I'm sorry. You go ahead and  
3 answer. I interrupted you.

4 A. Many of these conversations were in a  
5 group setting outside of committee where, like I  
6 said, the fire union would be there, the police union  
7 would be there with one or more council members.

8 Q. Those were formal meetings or informal  
9 meetings that were set up on the fly? How would  
10 those take place?

11 A. Both. There would be some that were  
12 officially scheduled and there would be others that  
13 just would happen in the hallway.

14 Q. When did you first hear that Chief Cochran  
15 had written a book?

16 A. When Mr. Borders brought it to me.

17 Q. When did he bring it to you?

18 A. I don't recall the specific date. It was  
19 either October or November of -- it would have been  
20 2014, I guess.

21 Q. Uh-huh.

22 A. He -- during a committee meeting, it was  
23 finance executive which I was chairing, he said he  
24 wanted to talk to me after the meeting. And so when  
25 the meeting wrapped, I took him back to my office,

1 and that's when he presented me with the book.

2 Q. What did he say to you at that time?

3 A. He told me that it had been brought to him  
4 by another member of the fire staff. He showed me --  
5 there were two passages that were -- there were  
6 Post-its in the book, and he just handed it to me and  
7 explained to me that the police chief -- I mean,  
8 sorry, the fire chief had written it and that there  
9 was concern about it. At which point, I took it and  
10 I read it, and I agreed with him that there was  
11 concern. I had concerns.

12 Q. What were the two passages that he  
13 referenced?

14 A. The two specific ones were in reference to  
15 the gay and lesbian community. One about  
16 uncleanliness, and there was another one about -- I  
17 don't recall the specific language, but it discussed  
18 a man having sex with someone outside of marriage  
19 with somebody of the opposite sex, same sex. And I  
20 can't remember the other one, but those were the two.

21 Q. Those were the two passages that concerned  
22 you?

23 A. Well, those were the two that he showed me  
24 that I read.

25 Q. Did you read any other passages from the

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1 book?

2 A. I did not.

3 Q. Did you -- since then have you read any  
4 other passages from the book?

5 A. I have not.

6 Q. Would --

7 A. Wait. Let me correct that. So in some of  
8 the articles that have been written about it online  
9 that I've read, there have been other excerpts, but  
10 that's the only readings that I've had. I have not  
11 read from the book directly.

12 Q. What did you say to Mr. Borders during  
13 that meeting?

14 A. I thanked him for bringing it to me. I  
15 expressed my concern, and that while I didn't know  
16 what to do right on that moment, that I would keep  
17 the book and I would determine the next step about  
18 this. And that was pretty much the end of that  
19 conversation.

20 Q. Did you have any conversations with  
21 Mr. Borders about the book after that conversation?

22 A. I did tell him after I'd taken the book to  
23 Commissioner Yancy, that -- I did tell him that I had  
24 done that, and that was about it. That's all I  
25 recall.

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1 Q. Was that by phone?

2 A. No, it was in person.

3 Q. It was in person?

4 A. Uh-huh.

5 Q. Was that approximately the end of  
6 November?

7 A. I don't recall the date on that, but it  
8 must have -- if I recall the timeframe, that's  
9 entirely plausible.

10 Q. What did he say to you after you told him  
11 that?

12 A. I don't recall. I think it was more just  
13 an acknowledgement from both our sides that we had  
14 done what we needed to do.

15 Q. In the initial conversation that you had  
16 with Mr. Borders, what did he say was the reason that  
17 he was concerned?

18 A. He expressed concern about the content.  
19 He also expressed concern that it had been  
20 distributed with staff or that it was getting into  
21 the hands of the firefighters.

22 Q. Did he say why he was concerned about  
23 that?

24 A. You know, I think we had a conversation  
25 just about the concern about the -- I'm trying to

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1 find the right word. Just the impact it would have  
2 on LGBT members on the fire staff.

3 Q. What was -- what exactly was the concern  
4 about the impact it would have on LGBT members on the  
5 fire staff?

6 A. I think just a concern -- I mean, just  
7 like -- well, a concern about discrimination,  
8 about -- yeah, that's really it in a nutshell.

9 Q. By "discrimination," you mean not -- you  
10 mean treating them differently based upon LGBT?

11 A. Correct.

12 Q. And did you know of any instances where  
13 someone had been discriminated against by  
14 Chief Cochran?

15 A. I did not know of any.

16 Q. Had you heard of any?

17 A. I had not heard of any.

18 Q. I think the initial question I asked you  
19 was why was Mr. Borders concerned. You also said  
20 that you were concerned.

21 Were you concerned for the same reasons as  
22 Mr. Borders, or did you have other concerns?

23 A. No, that was my concern.

24 Q. Did you make any marks in the copy of the  
25 book that Mr. Borders gave you?

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1 A. I did not.

2 Q. After -- have you told me everything you  
3 recall about that conversation you had with  
4 Mr. Borders at this time?

5 A. I believe so.

6 Q. You told me everything about the  
7 conversation that you had with Mr. Borders after you  
8 gave the book to Ms. Yancy?

9 A. I believe so.

10 Q. Have you had any other conversations with  
11 Mr. Borders since the conversation you had with  
12 Ms. Yancy?

13 A. About this topic?

14 Q. Let's start with this topic, yes.

15 A. I don't recall. I don't recall any other  
16 specific conversations. I don't recall any.

17 Q. Have you had other conversations with  
18 Mr. Borders that don't -- not addressing  
19 Mr. Cochran's book?

20 A. I'm trying to -- the reason why I'm  
21 pausing here is I don't recall when Mr. Borders left  
22 the City, because obviously there were still  
23 continued conversations about the fire compensation  
24 matter. There were also conversations about the  
25 pension lawsuit. And so, you know, if Mr. Borders

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1 was still at the City, we invariably would have had  
2 conversations about those two other topics, but I  
3 don't know when he left. I don't recall.

4 Q. How you doing?

5 A. Fine.

6 Q. You good?

7 A. Good.

8 Q. Maybe we'll take a break in about ten  
9 minutes.

10 A. I'm --

11 Q. We don't even need to take one then if you  
12 don't have --

13 A. I'm good.

14 Q. So let's -- I'm just moving to another  
15 topic, so --

16 A. Sure.

17 Q. -- I wanted to -- well, next conversation,  
18 let's try it that way.

19 So you -- at some point I believe you  
20 testified you had a conversation with Ms. Yancy.

21 A. Correct.

22 Q. Why did you take the book to Ms. Yancy?

23 A. Well, based on the concerns that I had  
24 about the content, to me it was an HR matter. That  
25 was my natural or just my reaction to who should

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1 address this. And so her being the commissioner of  
2 HR, I took it directly to her.

3 Q. Did Mr. Borders ever mention anything  
4 about taking it to HR in his conversation with you?

5 A. I don't recall.

6 Q. Did you ever mention anything to  
7 Mr. Borders about HR?

8 A. Before I did it?

9 Q. Yes.

10 A. No.

11 Q. Any idea why Mr. Borders came to you  
12 instead of HR?

13 A. Probably because I'm gay.

14 Q. What did you tell Ms. Yancy when you  
15 talked with her about the book?

16 A. Broadly I think I just expressed my  
17 concern about what I had read and that I felt it  
18 needed to be reviewed and that whatever appropriate  
19 actions or process from that point on, you know, I  
20 would leave it in her hands.

21 Q. When did that -- did that conversation  
22 occur by phone?

23 A. No, in person.

24 Q. How did that meeting get set up?

25 A. If I recall correctly, I either phoned her

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1 or e-mailed her and said I needed to see her. I  
2 didn't say what it was about. And I went and  
3 delivered the book to her in person in her office.

4 Q. All right. So I just want to get a little  
5 more detail if I can about in the office. So when  
6 you delivered the book to her --

7 A. Uh-huh.

8 Q. -- what did you say to her?

9 A. I said that a firefighter had brought this  
10 to me with concerns about its content and that I had  
11 the same concerns. You know, I expressed the concern  
12 about the fact that it said the author had identified  
13 himself as the Atlanta fire chief; that I didn't know  
14 process-wise where to go or how this should be  
15 handled. Again, like I said, I expressed my concern,  
16 and that was pretty much the extent of it.

17 Q. Did you express your concern about the two  
18 passages that you and Mr. Borders reviewed?

19 A. Correct.

20 Q. And that was the one on uncleanliness and  
21 the one on sex outside of marriage?

22 A. Correct.

23 Q. Did you mention anything else to her  
24 during that conversation?

25 A. I don't recall anything substantive aside

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1 from what I've shared with you.

2 Q. And did you mention the fact that you were  
3 concerned that there might be -- this book might  
4 indicate that there was some discrimination going on  
5 in the fire department?

6 A. I don't believe I said that.

7 Q. Did you mention anything to her about a  
8 hostile work environment?

9 A. I did not.

10 Q. Did you suggest that any action be taken  
11 against Chief Cochran --

12 A. I did not.

13 Q. Let me finish the question.

14 A. Okay.

15 Q. I know it's tough. Let me see if I can  
16 finish the question.

17 Did you suggest to Ms. Yancy that any  
18 action be taken against Chief Cochran for writing  
19 this book?

20 A. No.

21 Q. It's awkward, isn't it?

22 A. Yes.

23 Q. Didn't mention to her that he should be  
24 suspended?

25 A. No.

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1 Q. Did you mention that -- did you indicate  
2 that an investigation should take place?

3 A. No.

4 Q. When did you first hear that Chief Cochran  
5 would be suspended?

6 A. When the administration announced it.

7 Q. Anything else about your conversation with  
8 Ms. Yancy that you recall?

9 A. No.

10 Q. So you heard about his suspension when  
11 they first announced it. And I'll represent to you  
12 that was on November 24th, 2014. Does that sound  
13 right?

14 A. That sounds right.

15 Q. Who announced it?

16 A. If I recall, the mayor announced it.

17 Q. How -- go ahead.

18 A. As I recall.

19 Q. Did he announce it -- did you see him  
20 announce it via video? Was it via e-mail? Was  
21 it --

22 A. I was not present when he announced it,  
23 which leads me to believe I read about it.

24 Q. What do you recall he said in that  
25 announcement?

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1           A.     I recall the 30-day time frame. I recall  
2 the announcement of Interim Chief Baker. I recall an  
3 investigation, and that's pretty much it.

4           Q.     Did you speak with anybody in the mayor's  
5 office after you heard that announcement?

6           A.     I don't recall. I don't believe so. Not  
7 immediately after, no.

8           Q.     Did you speak with -- did you convey that  
9 announcement to anybody, any of your constituents or  
10 any of your friends?

11          A.     Oh, well, I definitely shared it with my  
12 friends.

13          Q.     How did you do that?

14          A.     Conversation. If for no other reason,  
15 they we were approaching me once they saw the news,  
16 so --

17          Q.     So was that via phone, face-to-face?

18          A.     All of the above.

19          Q.     All of the above. E-mail, text?

20          A.     I don't know so much e-mail as more phone,  
21 in person.

22          Q.     Who are those individuals that you spoke  
23 to? If you could just give me an example.

24          A.     Just friends, people at the gym, people at  
25 a coffee shop.

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1 Q. Any particular groups that you spoke to,  
2 like HRC?

3 A. I did speak to Jeff Graham, who is the  
4 executive director of Georgia Equality. Nobody from  
5 HRC. Yeah, I think he's really the only identifiable  
6 person that I spoke with.

7 Q. What did you say to Mr. Graham?

8 A. Just wanted to make sure he was aware of  
9 what was happening with this situation.

10 Q. What did he say to you?

11 A. That he too was very troubled by it and to  
12 keep him posted.

13 Q. Did he say that HRC was going to take any  
14 steps regarding the suspension?

15 A. Sorry. So he's with Georgia Equality, not  
16 HRC.

17 Q. I'm sorry.

18 A. That's okay. No, he did not.

19 Q. Were you consulted by anybody from the  
20 legal department or the mayor's office during  
21 Chief Cochran's suspension?

22 A. No.

23 Q. Did anyone ask you during the  
24 investigation what your role in delivering the book  
25 to Ms. Yancy was?

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1 MS. HINTON: Object to form.

2 THE WITNESS: No.

3 BY MR. THERIOT:

4 Q. Did you ever speak to Mr. Godfrey,  
5 Bob Godfrey, about the effect that the book may have  
6 had on the fire department?

7 A. No.

8 Q. As far as you know, you weren't consulted  
9 or spoken to during the investigation at all; is that  
10 right?

11 A. Correct.

12 Q. Okay. When did you first hear that  
13 Chief Cochran would be terminated?

14 A. A few hours before the mayor's press  
15 conference.

16 Q. How did you hear?

17 A. I received a phone call saying that there  
18 would be an announcement about the investigation and  
19 that if I wanted to participate, I should come down  
20 to city hall.

21 Q. Who phoned you?

22 A. I don't recall specifically. It was  
23 either Robin Shahar or Katrina Taylor-Parks.

24 Q. What did they say to you?

25 A. Exactly what I just said.

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1 Q. Okay. Why do you think -- did they  
2 express why they called you -- why they called you  
3 other than so that you could participate if you  
4 wanted to?

5 A. That was all they said. They didn't even  
6 say which -- what the decision was.

7 Q. Prior to the termination and after you  
8 spoke with Ms. Yancy, who else did you speak with  
9 about the book?

10 A. Within the City?

11 Q. Let's start with -- within the City.

12 A. I had brief conversations with  
13 Commissioner Yancy, but more -- it wasn't  
14 substantive. It was more about -- she just would say  
15 the investigation is still going.

16 Q. Did you contact her or did she contact  
17 you?

18 A. These were conversations that occurred  
19 either in a committee room, before or after meetings,  
20 or in the hallway when we passed each other.

21 Q. Do you have any e-mails or texts with  
22 Ms. Yancy?

23 A. No, not that I recall.

24 Q. Any phone conversations?

25 A. Not that I recall.

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1 Q. What about during that same time period  
2 with Robin Shahar?

3 A. Not that I recall.

4 Q. Any conversations with the mayor between  
5 the time he was suspended and the time he was  
6 terminated?

7 A. No.

8 Q. All right. Any e-mails or phone calls or  
9 texts with the mayor?

10 A. No.

11 Q. Apparently he doesn't e-mail much.  
12 Any -- what about with Robin Shahar?

13 A. No, not about this topic.

14 Q. Okay. What other topics would you have  
15 spoken to Ms. Shahar about during that time period?

16 A. I don't believe there were any.

17 Q. Did you have any conversations or exchange  
18 any e-mails or texts with anyone from the  
19 Antidefamation League during the time period between  
20 when he was suspended and when he was terminated?

21 A. No.

22 Q. Did you have any conversations with the  
23 Human Rights Campaign about Chief Cochran or any  
24 other matter during the time period when  
25 Chief Cochran was first suspended to when he was

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1 terminated?

2 A. No.

3 Q. Same question with regard to Georgia  
4 Equality?

5 A. I pause on this one. Jeff Graham and I,  
6 we see each other frequently. I wouldn't say  
7 frequently, but on occasion, and this obviously was a  
8 big topic during that time. So I can't rule out if  
9 in one of those encounters we might have said  
10 something to each other about this, but I don't  
11 recall anything specific about his plans, Georgia  
12 Equality's plans around this.

13 Q. Were you aware of any of Georgia  
14 Equality's plans outside of your interaction with  
15 Jeff?

16 A. No.

17 Q. What about with HRC? Did you become aware  
18 of any plans that they had regarding Chief Cochran  
19 during this time?

20 A. No.

21 Q. Same question with regard to the  
22 Anti-Defamation League?

23 A. Same answer. No.

24 Q. Cindy Thompson, is that a name that's  
25 familiar to you?

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1 A. Yes.

2 Q. Have you ever had any conversations with  
3 her?

4 A. Yes.

5 Q. When?

6 A. She has sent me Facebook messages and I  
7 believe an e-mail with her perspective on this as a  
8 retired firefighter.

9 Q. When did she send those to you?

10 A. It was during this time period after the  
11 story broke.

12 Q. During his suspension?

13 A. Yes. Well -- and I don't recall if the  
14 story actually got out before the suspension was  
15 announced, but when she became aware of it, she  
16 reached out to me.

17 Q. That was prior to his termination?

18 A. Correct.

19 Q. What did she say to you? Start with the  
20 Facebook messages first.

21 A. She expressed her displeasure with the  
22 book and what she knew about it. She made comments  
23 about her perception of homophobia in the department,  
24 and I think she asked if there was anything she could  
25 do.

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1 Q. What did you tell her when she asked if  
2 there was anything that she could do?

3 A. I told her that the investigation at that  
4 point was underway, and that's all I knew.

5 Q. What did she say were her concerns about  
6 the book?

7 A. That it was offensive to her as a lesbian.

8 Q. Which portions?

9 A. The portions that I had seen that had been  
10 referenced in the media.

11 Q. Okay. And those were the portions  
12 regarding cleanliness and -- uncleanliness, I'm  
13 sorry, and same-sex marriage?

14 A. Not same-sex marriage, but same sex -- sex  
15 with the same sex.

16 Q. Sex with the same sex?

17 A. Correct.

18 Q. And what did she say about homophobia  
19 within the Atlanta Fire and Rescue Department?

20 A. She said that she had experienced it, was  
21 aware of firefighters that had concerns, LGBT  
22 firefighters that had concerns about it. That was  
23 pretty much the gist of what she said.

24 Q. Did she specifically speak about  
25 Chief Cochran and his participation in homophobia?

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1 A. I don't recall.

2 Q. What did she say -- how did that  
3 homophobia manifest itself within the department?

4 A. I don't recall if she said any specific  
5 instances or examples or manifestations. I don't  
6 recall.

7 Q. But those would be in Facebook messages  
8 from her to you?

9 A. Correct.

10 Q. What about e-mails? She also e-mailed  
11 you. What did she say in the e-mail?

12 A. I believe she e-mailed me. It would have  
13 been the same messaging. I mean, that was the  
14 summation of our correspondence on this matter. And  
15 I may be mistaken. There may not have necessarily  
16 been an e-mail.

17 Q. Did she say whether she had spoken to  
18 anybody else about her concerns?

19 A. I don't recall.

20 Q. Did she talk about any plans that she had  
21 with regard to Chief Cochran's book and the concerns  
22 that she had?

23 A. Not that I recall.

24 Q. Did she say how she found out about the  
25 book?

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1           A.     I don't believe I asked or I don't believe  
2 she said.

3           Q.     Did you speak with any other employees  
4 within the fire and rescue department or former  
5 employees besides Cindy Thompson?

6           A.     Stephen Borders.

7           Q.     And we've already talked about all your  
8 conversations with him, correct?

9           A.     Correct.

10          Q.     Did you speak with any other council  
11 members about the book during the time of his  
12 suspension?

13          A.     I don't recall specific conversations. I  
14 recall -- and I don't recall specifically with  
15 who -- some general conversations about how  
16 unfortunate it was for this to be happening, but that  
17 was about -- that was about it.

18          Q.     So you don't know who you spoke with?

19          A.     I don't recall. There are a handful of  
20 council members that I -- we sit and talk all the  
21 time about a number of topics.

22          Q.     Were there any council members who  
23 advocated or expressed the opinion that Chief Cochran  
24 ought to be disciplined because of the book?

25          A.     No.

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1 Q. Were there any council members that you  
2 spoke with that had said that he should not be  
3 disciplined because of the book?

4 A. No. There was a committee meeting, I  
5 believe it was a zoning committee meeting where there  
6 was a council member who made a comment about  
7 Mr. Cochran. I believe it was Councilmember Young,  
8 because I could not hear what was going on. I wasn't  
9 on the committee, but I heard reference to it. And  
10 by the time I got into the committee room to listen,  
11 the comment was over.

12 Q. What did you hear was the substance of the  
13 comment?

14 A. The impression I got from what I could  
15 pick up from the monitors that were on in chambers  
16 were they were comments in support of Mr. Cochran's  
17 performance as the fire chief.

18 Q. Okay. Did the comments mention the book  
19 at all?

20 A. I don't recall. Not what I heard.

21 MR. THERIOT: Let's mark this as  
22 Plaintiff's Exhibit 105. Is that correct?

23 THE REPORTER: Uh-huh.

24 (Exhibit 105 was marked for  
25 identification.)

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1 BY MR. THERIOT:

2 Q. Let me ask him about one -- let me ask you  
3 about this one and then we can take a break. Is that  
4 okay?

5 A. That's fine.

6 Q. I think everybody probably needs one,  
7 including me.

8 Mr. Wan, I'm going to represent to you  
9 that what's been marked as Plaintiff's Exhibit 105  
10 are responses to interrogatories that the City has  
11 given to counsel for Plaintiff.

12 If you look at Interrogatory Number 21 to  
13 the City of Atlanta, you can read that whole thing if  
14 you like just so you have the context, but what I'm  
15 particularly interested in is about the middle four  
16 lines where your name is mentioned.

17 A. Okay.

18 Q. So it says that "After giving the book to  
19 Human Resources Commissioner Yvonne Yancy during an  
20 equally brief meeting and later receiving a call from  
21 the mayor acknowledging receipt of the information  
22 about the Plaintiff's book and indicating that the  
23 matter was being looked into, Councilmember Wan  
24 received numerous unsolicited communications relating  
25 to the Plaintiff."

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1           The first question I have is did you  
2 receive a call from the mayor acknowledging receipt  
3 of the information?

4           A.     I did.

5           Q.     Tell me about that conversation.

6           A.     It was just he acknowledged that he was  
7 aware of the book, of the situation, that they were  
8 taking the appropriate process of addressing it. I  
9 expressed my concerns and my displeasure with the  
10 contents of what I saw, and that was it.

11          Q.     When did that phone call take place?

12          A.     It was between the period I gave the book  
13 to Commissioner Yancy and the announcement of the  
14 suspension.

15          Q.     And did the mayor initiate that call?

16          A.     Yes, he did.

17          Q.     Anything else you recall that he said  
18 during that conversation?

19          A.     No.

20          Q.     Did he mention that he was concerned about  
21 the book?

22          A.     Yes, he did.

23          Q.     What did he say, what his concerns were?

24          A.     I don't know that he said anything  
25 specific, but I think he said that he was concerned

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1 as well. I don't know that he said anything specific  
2 or anything he was specifically concerned about.

3 Q. And you mentioned the same concerns that  
4 you've -- we've already spoken about the uncleanness  
5 and the sex outside of marriage?

6 A. I don't believe that I specifically  
7 recited those, but I did express my concerns about  
8 the impact it might have on the LGBT members of the  
9 fire department as well as city life.

10 Q. What specifically did you say about the  
11 impact it might have on LGBT members?

12 A. Just the concern about discrimination and  
13 discriminatory behavior.

14 Q. That the book would result in  
15 discriminatory behavior or the discrimination had  
16 already taken place?

17 A. No. I don't think I was specific about  
18 that, about -- I was just concerned about  
19 discriminatory behavior.

20 Q. Were you concerned --

21 A. I would say I was -- what I would have  
22 communicated to him would have been the culture or  
23 the work environment it would create for LGBT members  
24 going forward. I don't believe or recall saying  
25 anything about discriminatory behavior in the past.

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1 Q. And the environment going forward, you  
2 were concerned that the book would change that --

3 A. Correct.

4 Q. -- environment?

5 A. Correct.

6 Q. And how would it change it?

7 A. And this was not what I communicated with  
8 the mayor, but my concerns are if, as an LGBT  
9 employee, I know that my superior has the thoughts  
10 and opinions that he has expressed, he or she has  
11 expressed in a book he or she has authored,  
12 discriminatory or negative thoughts about my sexual  
13 orientation, this just -- the level of uneasiness  
14 that it would create in a work environment, you know,  
15 if it would create discrimination with work  
16 decisions.

17 Q. Are you concerned that it would create  
18 discrimination or that it might?

19 A. That it might.

20 Q. And is there -- are you concerned that  
21 members of the LGBT community, once they knew of his  
22 beliefs, could not work for him; is that right?

23 A. I suppose it goes both ways.

24 Q. What do you mean by that?

25 A. So I was more concerned about the impact

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1 it would have for an employee, not so much what the  
2 employee -- the employee's ability or inability to  
3 work for that person going forward. It was just more  
4 concerned about the culture and the environment, the  
5 work environment it would -- the impact it would have  
6 on that.

7 Q. Was the concern that the environment would  
8 make it difficult to work there?

9 A. Correct.

10 Q. And then last question, and then we'll  
11 take a break.

12 It says there on Exhibit 105 that  
13 "Councilmember Wan received numerous unsolicited  
14 communications relating to the Plaintiff."

15 What did -- do you know what that's  
16 referring to?

17 A. Oh, yes.

18 Q. What is it referring to?

19 A. Hate phone calls, hate e-mails.

20 Q. When did that start?

21 A. As soon as the news broke out.

22 Q. And so that was November 24th?

23 A. Correct.

24 Q. Where did those come from?

25 A. All over the world.

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1 MR. THERIOT: I think we can take a  
2 break.

3 THE WITNESS: Okay.

4 MR. THERIOT: Get into more --

5 THE VIDEOGRAPHER: This concludes  
6 Media Number 1 in the video deposition of  
7 Alex Wan. We're off the record at  
8 3:49 p.m.

9 (A recess was taken.)

10 THE VIDEOGRAPHER: This begins Media  
11 Number 2 in the deposition of Alex Wan.  
12 We're back on the record at 3:59 p.m.

13 BY MR. THERIOT:

14 Q. All right. Mr. Wan, you understand you're  
15 still under oath?

16 A. I do.

17 Q. Were you interviewed by WSB on the day  
18 that Chief Cochran was suspended for his book?

19 A. I believe so. I was interviewed by a  
20 number of folks that day.

21 Q. A number of folks that day? Which ones  
22 besides WSB?

23 A. I don't recall.

24 Q. Do you recall what you said to them?

25 A. I do. That I supported the mayor's

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1 decision. That I thought it was an important  
2 statement for LGBT employees.

3 Q. You supported the mayor's decision to  
4 suspend Chief Cochran?

5 A. Oh, I'm sorry. The suspension?

6 Q. Yes, I'm talking about the suspension.

7 A. Gosh, now I'm sorry. I've fast-forwarded  
8 to the announcement of his termination.

9 Q. I know. It's confusing.

10 A. You'll have to fresh my memory on WSB.

11 Q. I was hoping you'd refresh -- I actually  
12 have a note there, and I don't know where I got it,  
13 so I just asked.

14 So you don't recall being interviewed by  
15 WSB the day he was suspended?

16 A. Not specifically.

17 Q. Do you recall being interviewed by any  
18 media outlet the day he was suspended?

19 A. I don't recall specifically.

20 Q. But you may have been?

21 A. I may have been, yes.

22 MR. THERIOT: Well, let's get to the  
23 ones we know about then. This -- let's  
24 have this marked as Plaintiff's Exhibit  
25 106.

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1 (Exhibit 106 was marked for  
2 identification.)

3 BY MR. THERIOT:

4 Q. Mr. Wan, the court reporter has handed you  
5 what's been marked as Plaintiff's Exhibit 106. It's  
6 a news release dated -- well, January 6th, 2015. It  
7 mentions contact Dexter Chambers. Who's  
8 Dexter Chambers?

9 A. Communications director for city council.

10 Q. Does he handle all of the press releases  
11 that you do as a member of city council?

12 A. Yes, he does.

13 Q. How does that process work?

14 A. Either Dexter will contact council member  
15 or members or a council member can approach him with  
16 a press release idea, and he helps craft it and then  
17 distribute it once it's approved.

18 Q. Did he craft this one?

19 A. I believe we worked together on this one.

20 Q. Who did the initial draft?

21 A. I don't recall.

22 Q. What prompted you to do a -- to issue a  
23 press release?

24 A. I anticipated a number of media folks  
25 would want to talk to me or interview me for a story.

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1 This was a way to try and mitigate those requests and  
2 put something out there that they could use without  
3 having to speak to me directly.

4 Q. You say that "I support the  
5 administration's decision to terminate Kelvin  
6 Cochran's employment with the City of Atlanta."

7 Why did you support that decision?

8 A. I supported it for the reasons -- the next  
9 two sentences. Like I said, I was concerned about  
10 the knowledge that LGBT employees in his department  
11 had of his -- of what he had put in terms of his  
12 beliefs and thoughts into his published book. I  
13 thought that would create a difficult work  
14 environment for them.

15 I also was concerned for other LGBT  
16 employees in the city and just wanted to make sure  
17 that, you know, I affirmed from my perspective that I  
18 would always advocate for inclusion and  
19 nondiscrimination in the workplace.

20 Q. I believe you testified earlier that you  
21 never mentioned when you gave the book to Ms. Yancy  
22 anything about possible discipline or termination; is  
23 that correct?

24 A. Correct.

25 Q. When did you begin to support the idea

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1 that Chief Cochran should be terminated?

2 A. I don't know of a specific moment. I knew  
3 that was an option. You know, I was curious to see  
4 when the investigation came out, what the findings  
5 were. I wanted -- I was going to let that inform my  
6 final position on this.

7 But again, that was kind of an option all  
8 along that had its pros and its con. I mean, it  
9 would eliminate the concerns or -- that I had about  
10 that difficult work environment, but terminations are  
11 never -- yeah, to me those are always last resort.

12 Q. Did you ever talk to anybody at the City  
13 about your support for his termination before he was  
14 terminated?

15 A. No, no.

16 Q. Did you mention that to any of your  
17 friends at Georgia Equality or the Human Rights  
18 Campaign?

19 A. I did not.

20 Q. Did you mention it to anybody?

21 A. I don't believe so.

22 Q. I believe you testified that you were  
23 waiting to see what the investigation determined to  
24 inform your opinion about whether he should be  
25 terminated or not --

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1 A. Correct.

2 Q. -- is that fair?

3 A. Correct.

4 Q. Did you see the investigation report  
5 before he was terminated?

6 A. I did not.

7 Q. Were you aware that the investigation  
8 report determined that he -- determined that  
9 Chief Cochran had never discriminated against anyone?

10 A. I learned that after the termination, yes.

11 Q. Did that affect your opinion about your  
12 support for his termination?

13 A. No.

14 Q. How -- "His actions made it a difficult  
15 work environment for lesbian, gay, bisexual, and  
16 transgender employees" is the second sentence in the  
17 Exhibit 106.

18 What actions are you speaking of?

19 A. The opinions that he expressed in the book  
20 he published and then distributed to staff.

21 Q. What's your understanding of what staff he  
22 distributed it to?

23 A. I have nothing more specific than members  
24 of the fire department.

25 Q. Did you think that he gave it to everyone?

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1 A. I did not.

2 Q. Who did you think he gave it to?

3 A. I knew it was a limited number of people,  
4 but I did not know whom, what level.

5 Q. Did you think that he gave it to anybody  
6 that was a member of the LGBT community?

7 A. I did not know.

8 Q. Did you have any reason to believe that he  
9 did give it to somebody who was a member of the LGBT  
10 community?

11 A. I have no reason to believe either way.

12 Q. Who is Sheila Parrott or Parrott  
13 (pronouncing)?

14 A. Parrott.

15 Q. Parrott. I was given the French  
16 pronunciation. Parrott.

17 A. She's my chief of staff.

18 Q. We've already spoken about her, correct?

19 A. Yes.

20 Q. And you gave her a copy of this press  
21 release at some point just so that she would be  
22 informed of your position?

23 A. Probably, yes.

24 Q. Okay.

25 A. She also, as city council staff, receives

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1 the press releases when they go out. So I don't know  
2 what you're referencing there, but if it was an  
3 e-mail from me with it attached, then, yes, it was so  
4 she could be informed. But if it was just in her  
5 e-mail she has one -- a copy, it's because she  
6 received it.

7 Q. Yeah, it's -- I mean, it's irrelevant, but  
8 it's the latter. I was just curious who she was.

9 A. Okay.

10 Q. I don't think there's any need to  
11 introduce it as an exhibit. I can show it to you,  
12 but -- if you want to see it. That's what I was  
13 referring to.

14 MR. THERIOT: Let's mark this as  
15 Plaintiff's Exhibit 106.

16 THE REPORTER: 107.

17 MR. THERIOT: 107. I'm sorry. And  
18 it's a -- just so I -- since I screwed that  
19 up, let me just identify a little better.  
20 It's an e-mail dated February 19th, 2015,  
21 Plaintiff's Exhibit 107.

22 (Exhibit 107 was marked for  
23 identification.)

24 BY MR. THERIOT:

25 Q. Mr. Wan, the court reporter has handed you

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1 what's been marked Plaintiff's Exhibit 107. It's an  
2 e-mail -- a series of e-mails that your counsel  
3 provided us.

4 What I'm interested in is on page -- it's  
5 Bates stamped 25999, which I believe is the second  
6 page of the exhibit. There's an e-mail from you  
7 about midway down to Jeremy Campbell. I believe you  
8 say that -- make sure I know what I'm talking about  
9 here.

10 In the first sentence, "I'm sure it's  
11 convenient for them to have a face/person to attach  
12 to the parts of Cochran's book that sparked the  
13 controversy in the first place."

14 What parts of the book sparked the  
15 controversy in the first place?

16 A. So I was referencing the passages that I  
17 had read about the LGBT community.

18 Q. And you mentioned there that "I've gotten  
19 a couple of nasty e-mails."

20 I believe you've already testified that  
21 those started from -- on November 24th of 2014?

22 A. Yes.

23 Q. Okay. You have, you say, a couple. Were  
24 there more than a couple?

25 A. There were more than a couple.

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1 Q. About how many did you get?

2 A. Voice messages, I don't know. E-mails,  
3 between 50 and 75.

4 Q. Did you get any texts?

5 A. No. They did not have my personal cell  
6 phone.

7 Q. Are you a Twitter guy?

8 A. Yes.

9 Q. So did you get any tweets? Am I using the  
10 right term there?

11 A. I don't recall. I don't believe so.

12 Q. Okay.

13 A. I don't believe so.

14 Q. Did you send any tweets? Is that what you  
15 do, or post? What do you do with tweets?

16 A. You tweet.

17 Q. Did you tweet any about Chief Cochran's  
18 book?

19 A. I did not tweet, no, about Chief Cochran.

20 Q. It just seems weird to say.

21 About how many of the e-mails that you got  
22 were unfavorable and how many were favorable? Just a  
23 rough estimate.

24 A. Between 85 and 90 percent were  
25 unfavorable.

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1 Q. Of the 10 to 15 percent that were  
2 favorable, who were those from, in general?

3 A. Not people that I knew. And either  
4 members or advocates of the LGBT community from  
5 across the country.

6 MR. THERIOT: Let's mark this as  
7 Plaintiff's Exhibit 108. Wrong one. There  
8 we go.

9 (Exhibit 108 was marked for  
10 identification.)

11 BY MR. THERIOT:

12 Q. Mr. Wan, the court reporter's handed you  
13 what's been marked as Plaintiff's Exhibit 108. The  
14 first section is an e-mail dated November 11th, 2015.  
15 You can take a minute to familiarize yourself with it  
16 if you haven't already recognized it.

17 Is this an example of one of the negative  
18 e-mails you received?

19 A. Yes, it is.

20 Q. You say in the second paragraph of the  
21 initial e-mail -- not the initial e-mail, but the  
22 e-mail on the first page, so it would probably be the  
23 most recent e-mail. "I would be right there with you  
24 protesting, just as I would if someone had been  
25 distributing a book he/she had written and published

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1 condemning Christianity."

2 Did you protest Chief Cochran's book?

3 A. I did not. Oh, no. Not -- are you  
4 talking physically protesting?

5 Q. Let's start with physically, yes.

6 A. I did not.

7 Q. Did you protest in any other way other  
8 than physical?

9 A. I did in the form of expressing my opinion  
10 about what I had read in interviews and in articles.  
11 I believe I said on occasion that I was hurt and  
12 offended by what I read, so I consider that -- I  
13 mean, that's a form of protest.

14 Q. When did you begin to engage in that form  
15 of protest? Was it at the -- before his suspension  
16 or afterwards?

17 A. It would have been after the suspension,  
18 because I believe that's when the interviews or the  
19 media inquiries began, I believe.

20 Q. Any idea about how many media inquiries  
21 you've responded to?

22 A. I don't recall. I don't -- I really don't  
23 recall. It was probably between 10 and 20. It  
24 wasn't unreasonable.

25 Q. That's fair.

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1           You say there in the top e-mail, "I  
2    respect each individual's right to have their own  
3    thoughts, beliefs and opinions, but when you are a  
4    City employee and those thoughts, beliefs and  
5    opinions are different from the City's, you have to  
6    check them at the door."

7           You said that on more than one occasion,  
8    correct?

9           A.     Correct.

10          Q.     Make sure I'm not getting out of order.  
11    What thoughts and beliefs and opinions did  
12    Chief Cochran have that are different from the  
13    City's?

14           MS. HINTON: Object to form.

15           You can answer.

16           THE WITNESS: In the context that I  
17    said it, it was specifically around the  
18    passages in the book regarding the LGBT  
19    community. I saw that as an expression of  
20    discrimination against the LGBT community,  
21    which is not in keeping with the City's  
22    nondiscrimination ordinance. And that's  
23    how I saw it.

24    BY MR. THERIOT:

25          Q.     And the nondiscrimination ordinance

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1 prohibits discrimination in what context?

2 A. It covers sex. It covers race, gender,  
3 sexual orientation and employment housing. It covers  
4 a number of things.

5 Q. And that applies to whom?

6 A. It applies to the City. It applies to  
7 housing providers within the city, and I can't  
8 remember specifically other classes that are covered  
9 by that as well.

10 Q. And are there any other ways that the  
11 City's thoughts and beliefs would be articulated  
12 besides the nondiscrimination law that you're  
13 speaking of?

14 MS. HINTON: Object to form.

15 Go ahead.

16 THE WITNESS: Okay. The City, at  
17 least the city council, will pass  
18 resolutions stating our opinions and  
19 beliefs. There are some that are codified  
20 as ordinances and then there are some that  
21 are, as I understand, documented in  
22 policies and procedures within the  
23 departments.

24 BY MR. THERIOT:

25 Q. Is it possible to have these beliefs and

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1 not discriminate?

2 A. Yes.

3 Q. What did you mean by "you have to check  
4 them at the door"?

5 A. That they should not be brought into the  
6 workplace in any form of expression. And  
7 specifically in this instance, it was in the form of  
8 a book that was published with passages and then  
9 distributed to subordinates.

10 Q. So I believe we've already talked about  
11 your thoughts and beliefs that these -- your thoughts  
12 and beliefs differ than the chief's thoughts and  
13 beliefs; is that correct?

14 MS. HINTON: Object to form.

15 BY MR. THERIOT:

16 Q. Maybe I should ask it differently then.

17 Do your thoughts and beliefs regarding  
18 LGBT issues differ than the chief's thoughts and  
19 beliefs?

20 A. I disagree about categorizing LGBT members  
21 as unclean, so I disagree with him there.

22 Q. Go ahead.

23 A. I also disagree with the insinuation that  
24 or statement that members of the same sex having sex  
25 is wrong. And that's paraphrasing, but I disagree

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1 with that.

2 Q. Are those beliefs based upon any  
3 particular religious conviction or world view?

4 A. Not -- not any of those two, no.

5 Q. What are they based upon?

6 A. My beliefs. I mean, in my life. I don't  
7 know how best to answer that or better to answer  
8 that.

9  
10  
11

12 Q. Is there any overarching teaching that  
13 you -- that your beliefs -- thoughts and beliefs  
14 comport with?

15 MS. HINTON: Object to form.

16 THE WITNESS: Yeah, I'm not sure I  
17 understand your question.

18 BY MR. THERIOT:

19 Q. Something that's not religion but  
20 resembles a form of religion.

21 A. Not in this instance, no. That's not  
22 what's driving this.

23 Q. In other instances?

24 MS. HINTON: Object to form.

25 THE WITNESS: Yeah, you're confusing

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1 me.

2 BY MR. THERIOT:

3

4

5

6

7 Q. So oftentimes people associate thoughts  
8 and beliefs with either a religious conviction or a  
9 philosophical conviction or a political conviction.  
10 Do any of those -- is there any particular political  
11 or philosophical conviction that you subscribe to  
12 that would inform your thoughts and beliefs on LGBT  
13 issues?

14 A. No. Beyond what my mama and my daddy  
15 taught me? No.

16 MR. THERIOT: Mark this as  
17 Plaintiff's Exhibit 109.

18 (Exhibit 109 was marked for  
19 identification.)

20 BY MR. THERIOT:

21 Q. Mr. Wan, the court reporter has handed you  
22 what's been marked as Plaintiff's Exhibit 109. It  
23 appears to be an e-mail from you to yourself; is that  
24 right?

25 A. Correct.

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1 Q. Can you just explain to me what that is?

2 A. These were -- as I was listening to  
3 voicemails, I was trying to transcribe them. So  
4 these are not my words, but other people's. And I  
5 was just trying to get a record of them or my staff  
6 and I were trying to get a record of them.

7 Q. When did you begin receiving these  
8 voicemails?

9 A. When the suspension began.

10 Q. There are no dates on them, but I'm  
11 assuming that they're -- you could -- are they  
12 throughout the dates of his suspension possibly?

13 A. I believe by looking at the date of this  
14 that it was after his termination. We did not  
15 record -- actively record voicemails during the  
16 period between suspension and termination.

17 Q. So you got some voicemails, but you didn't  
18 keep them; is that correct?

19 A. That is correct.

20 (Exhibit 110 was marked for  
21 identification.)

22 BY MR. THERIOT:

23 Q. Mr. Wan, the court reporter has handed you  
24 what's been marked as Plaintiff's Exhibit 110. This  
25 is an e-mail from Brandon Joseph. Did you have any

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1 previous acquaintance with Mr. Joseph prior to  
2 receiving this e-mail?

3 A. I don't recall.

4 Q. Did you ever respond to the e-mail?

5 A. I don't believe I did.

6 Q. Did you ever appear on the Michael Graham  
7 show?

8 A. I don't believe I did.

9 Q. All right. Who is Joe Echely?

10 A. Bechely.

11 Q. Bechely.

12 A. It's my partner.

13 Q. You don't mean business partner. You  
14 mean --

15 A. No.

16 Q. Okay. Do you have a City e-mail  
17 account?

18 A. Yes.

19 Q. I think we've already discussed all this,  
20 haven't we?

21 A. I believe so.

22 Q. And a personal e-mail account, that's  
23 right. Yeah, I think we have. That's why I was  
24 trying to figure out why I wanted to reference this,  
25 that was why.

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1 Do you have any other City-issued  
2 equipment?

3 A. Yes.

4 Q. What is that?

5 A. My cell phone. I have a -- I have two  
6 Microsoft Surface tablets and the desktop in my  
7 office.

8 Q. Do you ever send e-mails to Joe on your  
9 tablets or on your -- or any of the other equipment  
10 issued by the City?

11 A. All three devices are linked to the same  
12 City account --

13 Q. Okay.

14 A. -- so if I write one from one device, it's  
15 captured on all. It's all held in the server, the  
16 City's e-mail server.

17 Q. But sometimes you send Joe e-mails from  
18 your City e-mail account?

19 A. Yes.

20 Q. And do you ever talk to him about -- talk  
21 to him on your City phone about non-City-related  
22 business?

23 A. Yes.

24 MR. THERIOT: Why don't we take about  
25 five minutes, and I think I can wrap it up.

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1 Just want to consult with them. Maybe even  
2 three minutes, make sure there's not  
3 anything else I want to ask, and I think  
4 we're really close to being done.

5 THE WITNESS: Okay.

6 THE VIDEOGRAPHER: The time is  
7 4:29 p.m. We're off the record.

8 (A recess was taken.)

9 THE VIDEOGRAPHER: The time is now  
10 4:37 p.m. We're back on the record.

11 BY MR. THERIOT:

12 Q. Mr. Wan, is it your understanding that  
13 your activities with the City are governed by the  
14 ethics code?

15 A. Yes, I am.

16 Q. Are you familiar with that code?

17 A. Yes.

18 Q. If you have questions about the code, who  
19 do you talk to?

20 A. Ethics officer.

21 Q. Have you ever had occasion to do that?

22 A. Yes, I have.

23 Q. When was that and what was the issue?

24 A. There was some legislation coming before  
25 us. I was concerned about my partner's business

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1 relationship, and I wanted to make sure it was okay  
2 for me to vote on that.

3 I had another piece of legislation similar  
4 about my work, my employment, and whether or not I  
5 needed to abstain from the legislation.

6 Q. I see. And the ethics officer was able to  
7 give you some advice that you could follow?

8 A. Correct.

9 Q. Have you ever heard of anyone being  
10 disciplined or any other action taken against them  
11 for violating the ethics code?

12 A. Yes, I have.

13 Q. And what situations are those?

14 A. I've had colleagues on council who have  
15 been disciplined by the ethics commission for -- or  
16 ethics office for improperly filing disclosures.  
17 That's the first thing that comes to mind.

18 Q. What kind of discipline was handed down  
19 for that?

20 A. Fines.

21 MR. THERIOT: I don't have any other  
22 questions.

23 MS. HINTON: Okay. I just have a  
24 couple.

25

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1 EXAMINATION

2 BY MS. HINTON:

3 Q. Mr. Wan, what involvement did you have in  
4 the decision to suspend Mr. Cochran?

5 A. None.

6 Q. And what involvement did you have in the  
7 decision to terminate Mr. Cochran?

8 A. None.

9 Q. What involvement did you have in the  
10 investigation between the suspension and termination  
11 of Mr. Cochran?

12 A. I had none.

13 MS. HINTON: That's all I have.

14 Thank you.

15 MR. THERIOT: Are you going to read  
16 and sign?

17 MS. HINTON: Yes. Read and sign your  
18 transcript.

19 THE WITNESS: Okay. Yeah.

20 THE VIDEOGRAPHER: This concludes  
21 Media Number 2 and the video deposition of  
22 Alex Wan. We're off the record at  
23 4:39 p.m.

24 (Deposition was concluded at 4:39 p.m.)

25

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E R R A T A S H E E T

Pursuant to Rule 30(e) of the Federal Rules of Civil Procedure and/or the Official Code of Georgia Annotated 9-11-30(e) any changes in form or substance which you desire to make to your deposition testimony shall be entered upon the deposition with a statement of the reasons given for making them.

To assist you in making any such corrections, please use the form below. If supplemental or additional pages are necessary, please furnish same and attach them to this errata sheet.

- - -

I, the undersigned, ALEX S. WAN, do hereby certify that I have read the foregoing deposition and that to the best of my knowledge said deposition is true and accurate (with the exception of the following corrections listed below).

Page 87 Line 9-11 should read: mark confidential

Reason for change: \_\_\_\_\_

Page 88 Line 3-6 should read: Mark confidential

Reason for change: \_\_\_\_\_

Page \_\_\_\_\_ Line \_\_\_\_\_ should read: \_\_\_\_\_

Reason for change: \_\_\_\_\_

Page \_\_\_\_\_ Line \_\_\_\_\_ should read: \_\_\_\_\_

Reason for change: \_\_\_\_\_



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1 C E R T I F I C A T E

2

3 G E O R G I A :

4 F U L T O N C O U N T Y :

5

6 I hereby certify that the  
7 foregoing deposition was reported, as  
8 stated in the caption, and the questions  
9 and answers thereto were reduced to the  
10 written page under my direction; that the  
11 foregoing pages 1 through 94 represent a  
12 true and correct transcript of the evidence  
13 given. I further certify that I am not in  
14 any way financially interested in the  
15 result of said case.

16 Pursuant to Rules and Regulations  
17 of the Board of Court Reporting of the  
18 Judicial Council of Georgia, I make the  
19 following disclosure:

20 I am a Georgia Certified Court  
21 Reporter. I am here as an independent  
22 contractor for Huseby, Inc.

23

24

25

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1 I was contacted by the offices  
2 of Huseby, Inc. to provide court reporting  
3 services for this deposition. I will not  
4 be taking this deposition under any  
5 contract that is prohibited by O.C.G.A.  
6 15-14-37 (a) or (b).

7 I have no written contract to  
8 provide reporting services with any party  
9 to the case, any counsel in the case, or  
10 any reporter or reporting agency from whom  
11 a referral might have been made to cover  
12 this deposition. I will charge my usual  
13 and customary rates to all parties in the  
14 case.

15 This, the 7th day of March, 2017.

16

17



18

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SUZANNE BEASLEY, B-1184  
My commission expires on the  
24th day of August, 2018.

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**KELVIN J. COCHRAN vs. CITY OF ATLANTA, ET AL.**

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## KELVIN J. COCHRAN vs. CITY OF ATLANTA, ET AL.

Alex S. Wan on 02/23/2017

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---

**From:** Glen Paul Freedman [gp@gpfreedman.com]  
**Sent:** 3/16/2015 11:18:49 AM  
**To:** Wan Alex [awan@AtlantaGa.Gov]  
**CC:** Alex Wan [alexwan@optima-inc.com]  
**Subject:** FW: Request: 2015 Human Rights Campaign Atlanta Gala "Welcome Letter" program book  
**Attachments:** Alex Wan\_Letter 2013.pdf

Friendly Reminder Request: Alex Wan welcome letter for the HRC Atlanta Dinner.

Thank you.

~~~~~

Glen Paul Freedman  
E: GP@GPFreedman.com  
C: 404-307-9631

**From:** Glen Paul Freedman <gp@gpfreedman.com>  
**Date:** Sunday, March 8, 2015 at 5:24 PM  
**To:** Alex Wan <awan@atlantaga.gov>, Alex Wan <alexwan@optima-inc.com>  
**Subject:** Request: 2015 Human Rights Campaign Atlanta Gala "Welcome Letter" program book

Alex ~~

The Human Rights Campaign Atlanta 2015 Gala would like to include a "Welcome Letter" from you as our elected official (Atlanta City Councilmember) for the 1,300 attendee program book.

Your welcome letter will be a full-page letter in the program book and needs to be saved in MS Word or PDF format (Un-locked) and please include a headshot picture in JPG format and send to Glen Paul Freedman ([GP@GPFreedman.com](mailto:GP@GPFreedman.com)) no later than Thursday, April 2, 2015 for the print deadline.

Details for the HRC Atlanta Gala "Welcome Letter":  
Event Name: The 28th Annual Human Rights Campaign Atlanta Gala  
Event Date: Saturday, May 2, 2015  
Event Theme: Advancing Equality

I have included your 2014 letter as a reference.

Any questions please feel free to contact my via email ([GP@GPFreedman.com](mailto:GP@GPFreedman.com)) or via phone (404-307-9631).

Thank you for your continued support.

~Glen Paul Freedman  
HRC Atlanta Gala Political Chair

~~~~~

Glen Paul Freedman



E: [GP@GPFreedman.com](mailto:GP@GPFreedman.com)

C: 404-307-9631



## ATLANTA CITY COUNCIL

ALEX WAN  
COUNCILMEMBER, DISTRICT 6  
ATLANTA CITY COUNCIL

55 TRINITY AVENUE, S.W.  
SUITE 2900  
ATLANTA, GEORGIA 30303  
MAIN (404) 330-6049  
FAX (404) 658-6073  
E-MAIL [awan@atlantaga.gov](mailto:awan@atlantaga.gov)

Greetings!

On behalf of the Atlanta City Council and the citizens of Atlanta, it is my pleasure to welcome you to the 26<sup>th</sup> Annual Atlanta Human Rights Campaign Gala Dinner & Silent Auction.

As the country's largest civil rights organization working to achieve equality for lesbian, gay, bisexual and transgendered Americans, HRC continues to play an integral role in improving the lives of LGBT people both nationally and locally.

I am a proud member of the LGBT community. I am especially proud of the Atlanta City Council's passage of a resolution last December voicing the city of Atlanta's support for marriage equality.

Though we continue to make such great strides, our work is not yet complete. The historic hearings the US Supreme Court held on marriage equality this spring, while giving our community great reason to hope for significant progress, underscore the enormity of challenges that we face in our path to full equality.

My participation in HRC shows me firsthand the impact the organization and its supporters make every single day on the lives of all LGBT Americans. As we enjoy this wonderful evening and celebrate all that makes our community special, I strongly urge you to reaffirm your passion and commitment to HRC - whether by becoming a member for the first time, stepping up your financial support, or volunteering your time and skills in advocacy and service.

Please accept my warmest regards and best wishes as we share this special occasion together.

Sincerely,

A handwritten signature in black ink that reads "Alex".

Alex Wan  
Atlanta City Council District 6

**From:** Williams, Taquan A. [TAQWilliams@AtlantaGa.Gov]  
**on behalf of** Clips [clips@AtlantaGa.Gov]  
**Sent:** 4/26/2013 10:45:58 AM  
**Subject:** Clips 4-26-2013

*Clips 4-26-2013*

*Print Clips*

**SUBJECT: City of Atlanta Government - Budget**

*The Atlanta Journal-Constitution*

**City proposes \$539 million in spending for 2014**

By Emie Suggs

The Atlanta City Council on Thursday got its first glimpse at a proposed \$539 million budget for the 2014 fiscal year Thursday, setting the stage for a summer's worth of debate and budget negotiations.

City CFO Jim Beard presented an abbreviated version of budget in a briefing during the council's spring retreat.

As proposed, the budget continues a trend during Mayor Kasim Reed's administration of less spending. The current city budget is \$542 million, which is down from \$551 million the previous year. The city's projected revenues for the year should be \$527 million and officials predict spending will be \$522 million, which would give the city a \$4.22 million surplus.

Specific details of the proposed budget were not available, and council members haven't yet been provided budget books.

"The administration just signed off on the budget [Wednesday]," Beard said, adding that the books would be delivered to the council immediately.

The proposed budget does not call for tax increases or layoffs in the 2014 fiscal year, which begins July 1.

Among the notable items, the administration proposes:

- maintaining a police force of 2,000 officers, as well as the current staffing level in the fire department, and reopening Fire Station 7 in the West End.
- maintaining the general fund reserves at or above 20 percent, or \$107 million.
- expanding the Centers of Hope program by two additional facilities.
- launching the city's 311 system to help respond and track constituent requests.



While there is a \$2.7 million proposal for "employee enhancements," the budget does not include raises for city employees.

Although no action was expected to take place at Thursday's meeting, the most vigorous debate surrounded the council's budget.

The early version of the budget called for the city council's staff, among other departments, to receive less than it currently gets.

But within hours, the issue was dealt with as Reed adjusted his proposed budget to restore the Department of Council's budget to what it currently is — \$7.62 million — and added in money for salary increases for a total of \$8.3 million.

Earlier, Beard had suggested the council's budget would be cut by between \$150,000 and \$200,000.

Council members had requested that their budget remain at the 2013 level, adding that they were never brought in to any discussions about their budget getting cut.

[http://www.myajc.com/news/news/local/city-proposes-539-million-in-spending-in-early-ver/nXXtq/?icmp=ajc\\_internallink\\_invitationbox\\_apr2013\\_ajcstubtomyajcpremium](http://www.myajc.com/news/news/local/city-proposes-539-million-in-spending-in-early-ver/nXXtq/?icmp=ajc_internallink_invitationbox_apr2013_ajcstubtomyajcpremium)

## **SUBJECT: Economic Development**

### *The Atlanta Business Chronicle*

#### **Georgia ranks sixth in exports to China**

By Ruchika Tulshyan

Georgia exported \$3.8 billion to China last year, making it sixth in a list of top U.S. state exporters to the country, according to a US-China Business Council (USCBC) report.

China is Georgia's second-largest export market, with transportation equipment being the top export to China for \$797 million. The report showed the state's exports to China skyrocketed 443 percent since 2003, with exports to the rest of the world growing 105 percent in the same period.

Georgia is among 12 states that have more than doubled exports to China since 2009.

"The US-China trade relationship strengthens America's economy and creates well-paying jobs for many American workers across the country. In 2012, China remained the United States' third-largest export market, purchasing nearly \$109 billion in US goods last year," USCBC President John Frisbie said, in a statement. "As its economy and middle class expands, China will continue to play a significant role as an export market for a wide selection of US goods. Some estimates forecast that China may have nearly 600 million middle class consumers by the end of the decade."

<http://www.bizjournals.com/atlanta/blog/peachtree-portfolio/2013/04/georgia-ranks-sixth-in-exports-to-china.html>

## *The Atlanta Business Chronicle*

### **Coca-Cola eyes big move downtown**

By Douglas Sams

The Coca-Cola Co. is about to take a big gulp of downtown Atlanta.

The beverage giant has entered final negotiations for new office space with the ownership of the 60-story SunTrust Plaza, one of Atlanta's iconic skyscrapers.

Coca-Cola (NYSE: KO) would move about 1,000 jobs, many of them IT workers from suburban Atlanta, to SunTrust Plaza and its Garden Offices. Coke would make up to a 10-year commitment and lease at least 250,000 square feet.

SunTrust Plaza has been a fixture on the skyline since the 1990s and was developed by internationally renowned architect John Portman Jr. It helps anchor a downtown business district bounded by Peachtree Center Avenue, and Peachtree, Baker and Courtland streets.

SunTrust Banks Inc. (NYSE: STI) is the majority owner of the tower. It did not comment for this story.

Trust Company of Georgia, which later became SunTrust, underwrote the initial public offering of Coca-Cola in 1919.

Coca-Cola would mark the largest downtown office lease since the American Cancer Society relocated seven years ago to what was then known as the Inforum building on Williams Street.

Such a large influx of high-paying jobs to the downtown business district would bring a buzz to an area that in recent years has largely missed out on big corporate relocations and expansions.

#### ***Significant change***

Most of the activity has been in Buckhead and Midtown.

Cities on the Atlanta Perimeter such as Roswell, Dunwoody and Sandy Springs have seen the expansions of General Motors, State Farm and AirWatch.

The trend is borne out in unemployment numbers: Metro Atlanta has recovered faster than the city.

Atlanta's jobless rate was 9.9 percent in March, according to the Georgia Department of Labor. Metro Atlanta's was 7.9 percent.

Coca-Cola, one of Atlanta's storied companies, would begin to change the dynamic. Its relocation would be as significant as one of the city's big law firms moving back into downtown.

Coke's high-paid employees would join the ever-increasing number of Georgia State students walking to downtown shops and restaurants.

Coke already has a large presence downtown.

It has spent years planning the modernization of its 35-acre campus on North Avenue.

Its World of Coke attraction helps form the heart of an entertainment district, including the Georgia Aquarium, in Centennial Olympic Park.

Coca-Cola declined comment, until a lease is finished.

“As previously reported, Coca-Cola has been evaluating commercial real estate options in the Atlanta market in connection with the upcoming expiration of an existing lease at The Towers at Wildwood Plaza,” Coke spokesman Kent Landers said in an email. “No final agreements have been reached.”

If the deal isn’t done, it would have to collapse in the final stages. That appears unlikely, insiders say.

Coke has been eyeing the relocation for months.

Last fall, Atlanta Business Chronicle reported Coca-Cola was considering whether to move its Coca-Cola Refreshments (CCR) business unit from the suburbs to an intown office building closer to Coke’s nearly 1 million-square-foot North Avenue campus.

It had circulated a request for proposals to intown building owners and began touring different towers.

Coca-Cola Refreshments was formerly part of Coca-Cola Enterprises Inc. (NYSE: CCE). Coke acquired part of Coca-Cola Enterprises in 2010, spurring speculation that a big real estate consolidation between the companies was in the offing.

Coke has continued to maintain the CCR offices in two buildings within the Wildwood towers at Interstate 75 and Windy Hill Road.

CCR leases two big chunks of Wildwood, according to real estate market data. In the 2500 building, CCR has more than 200,000 square feet. In the 3200 building, CCR has more than 150,000 square feet.

The lease at 3200 Wildwood expires this year.

### *Change of direction*

At first, CCR appeared to target Midtown.

Toward the end of 2012, it began touring downtown buildings, including SunTrust Plaza and the Garden Offices. It looked at the American Cancer Society building.

Jamestown planned to make an overture to Coke, insiders said. It hoped to relocate the company to its Ponce City Market, a mixed-use project that’s going to celebrate the history of Atlanta and incorporate those themes into its design.

SunTrust Plaza and the American Cancer Society emerged as contenders because their design appeals to tech-oriented operations.

The six-story Garden Offices is Coke’s most likely destination, insiders said.

It was completed at the tail end of the dot-com boom in 2000 and outfitted with wide-open floor plans and lots of natural light to draw high-tech workers.

Coke’s CCR unit includes a significant number of IT positions, insiders said.

Two of the city's largest commercial real estate services companies have been working on the Coke relocation. At Colliers International, Scott Nelson has been representing Coca-Cola. At Cassidy Turley it's been Carl Peak. Neither company offered comment.

<http://www.bizjournals.com/atlanta/news/2013/04/25/coca-cola-eyes-big-move-downtown.html?page=all>

## *The GA Voice*

### **Battle over Cheshire Bridge Road: Zoning proposal pits gay City Council member, critics**

BY DYANA BAGBY

Bobby Hammill sits in his office in the new BJ Roosters on Cheshire Bridge Road. Opened just last month, the gay club is twice the size of its old location just down the street. His neighbors are Jungle and Heretic, two other popular gay clubs, and the Doll House, a strip club.

"I've lived in the area for 21 years and I understand what the complaints are about from the neighborhoods," Hammill said. "But I personally feel what's going on is unfair. It's like they are prosecuting people who really aren't doing anything wrong."

What's going on, and has been going on since January, is proposed zoning changes to the Cheshire Bridge Road corridor, long considered Atlanta's red light district.

Proposed by gay Atlanta City Councilmember Alex Wan, the rezoning is an attempt to finally make real a 1999 vision statement that wanted to bring in new development and give the area a facelift that includes stripping out strip joints and other adult businesses.

In 2005, the City Council approved the zoning changes that halted any new adult businesses and ensured new businesses would pay attention to aesthetics, such as landscaping and curb appeal. Businesses such as Inseccion and Southern Nights, adult novelty stores popular with many LGBT patrons, were grandfathered in and safe from the zoning changes. Until now.

Wan, a first-tem councilman who took office in 2010, has proposed legislation to force the grandfathered-in non-conforming sex and porn shops out by 2015. Also scrubbed out of business along the thoroughfare would be car washes and auto repair businesses, which fall into non-conforming businesses in the zoning approved by the city as well.

The possible deadline may now be extended until 2017 as Wan and Neighborhood Planning Unit F seek to compromise with businesses. NPU-F includes Cheshire Bridge Road and is made up of Lindridge Martin Manor, Morningside Lenox Park, Piedmont Heights and Virginia Highland

Wan's legislation, coming during an election year, has angered critics in the LGBT community who say the sex and porn shops are part of gay Atlanta history and Wan is a traitor for wanting to rid the city of them.

"We have customers who come in and say Alex is awful. But no, that's not true. I don't think this is a gay thing. This doesn't impact us right now, but that doesn't mean it's a mute point," Hammill said.

**WAN: more to lgbt community than 'porn and sex clubs'**

Wan is doing what he needs to do to get reelected, Hammill said.

"I wish Alex all the best in the world. But is he just doing his job and representing his people? Is it a witch hunt? I don't know," Hammill said. "Every city has to have a red light district. That's essentially what we are. If a city doesn't have it, if this element of people don't have that outlet ... and they kind of need an outlet. We do offer some things."

Hammill also said he and other gay club owners have been approached by Michael Morrison, owner of Inseccion, and Galardi South Enterprises, owners of strip club Onyx, to ask for help in making the public understand gay play could be halted if the proposed legislation goes through. Hammill said they all just want to keep a low profile because their businesses are safe for now.

And Wan said it is time for LGBT people to move beyond advocating for porn and sex shops.

"All of this has become a personal attack on my perceived morals and values and that's not the case," Wan said. "This conversation that I'm being a traitor to the LGBT community because of this ... If the gay agenda is 24-hour bars and sex clubs, then the truth is I'm not the representative for that. And that's how this argument seems to be crystallizing.

"This is my trying to honor a community's vision. At the same time, I kind of take issue with this belief that I've turned on my community. Look at what I've done over the past three years — the passage of a resolution by the City Council to support same-sex marriage and Mayor Kasim Reed coming out in favor of marriage equality," Wan said.

"If all of this doesn't mean anything and all that is important to our community is supporting porn and sex clubs ... well, I would hope our community has bigger goals and objectives," he said. "If I'm going to be judged on the issue of just supporting porn and sex clubs, if that's how the community feels at large, perhaps there may be a better candidate."

**'Most liberal street in Atlanta'?**

Morrison, owner of Inseccion, who is straight and one of Wan's loudest critics, accuses Wan, among other things, of setting the LGBT movement back 30 years by trying to rid the city of adult businesses.

“This is one of the most liberal streets in Atlanta ... and our first openly gay councilman wants to set back the LGBT cause 30 years,” Morrison said. “If you go back down memory lane, this area is where more underground culture and gay clubs came about and when you come up with this kind of legislation that hurts gay businesses, we will lose some of these hard-fought battle grounds.”

Morrison said Insepection is a gay business because it is gay people who frequent the store as well as work there.

“Where does he get off becoming the voice of morality? We’re sitting in 2013,” he said.

Wan points out he made sure BJ Roosters, Jungle and Heretic — three of the most popular gay clubs in the city — are safe from proposed rezoning legislation. They are located in a patch of land between the north and south districts of the street set to be rezoned Neighborhood Commercial.

Morrison said while the gay clubs may be safe for now, there is no telling what will happen in the near future if Wan’s legislation is passed.

“I think this legislation is anti-gay and I think it’s anti-black. When Onyx became a black strip club, quite frankly the NIMBYs didn’t want to see black youths in their neighborhoods,” he added.

Morrison voted for Wan in the last election but is now thinking of helping fund another candidate to run against him.

Wan is already busy building his war chest so he can be ready for any opposition, he said.

#### **Auto repair, car washes same as adult entertainment?**

Sung Kong, owner of Kong’s Body Repair, a business opened by his father nearly 30 years ago on Cheshire Bridge Road, spits out Wan’s name when speaking about the legislation that would force his business to relocate or close.

“It’s already unconstitutional why we’re grouped in there with adult businesses,” he said.

“Seven years have passed and nothing changed and now they want to be proactive because they think developers will come,” he said. “This is stupid. I don’t know how else to say it, but it’s stupid.”

Wan said he has tried to help Kong understand that it is not him putting auto repair shops in with adult businesses as non-conforming for the changes outlined in the 1999 study and then approved in 2005 by the City Council.

“From the beginning, the legislation has focused on the objectives of the ‘Neighborhood Commercial’ zoning designation that the city created way back when,” Wan said.

**From:** Kiara Fortson [kiara.fortson@nationaldiversitycouncil.org]  
**Sent:** 6/9/2015 3:49:03 PM  
**To:** Wan Alex [awan@AtlantaGa.Gov]  
**CC:** Parrott, Sheila [SParrott@AtlantaGa.Gov]  
**Subject:** Re: One Month Away - LGBT Allies Diversity Summit  
**Attachments:** Agenda - LGBT Allies Diversity Summit.pdf; LGBT Summit Flyer.pdf

**Importance:** High

Mr. Wan,

Please pardon my delayed response as I have been traveling and out of the office as well.

We are pleased to have you participate in this inaugural event to help raise awareness of the importance of LGBT allies in the workplace and community. Please find attached an agenda for the event as well as the flyer. Your allotted time is 8:50-9:30 AM, and this time includes a 10 minute Q&A portion should you wish to have one. The theme of the Summit is "Maintaining Momentum: Advocacy in the Workplace and Community." You can speak on the theme, your journey and successes as a Council member, and the importance of advocacy groups or allies for the LGBT community.

Please let me know if you have additional questions, and I look forward to speaking with you on Friday at 10:00 AM.

Best,  
Kiara Fortson  
Coordinator  
[www.nationaldiversitycouncil.org](http://www.nationaldiversitycouncil.org) <<http://www.nationaldiversitycouncil.org/>>

On 6/5/15, 11:42 AM, "Wan Alex" <awan@AtlantaGa.Gov> wrote:

>Kiara -  
>  
>Thanks for checking in. I'm sorry I'm just getting back to you. I have  
>been on the road for much of the last couple of weeks.  
>  
>I'm thrilled to participate in this event. Thank you again for the  
>invitation.  
>  
>I will have Sheila in my office schedule a time next week to talk. In the  
>meantime, can you please refresh my memory as to the details on my part -  
>time, duration, desired messaging/talking points?  
>  
>Thanks!  
>  
>  
>Alex Wan  
>  
>Council Member, District 6  
>  
>  
>  
>(404) 330-6049 Phone  
>  
>(404) 658-6073 Fax  
>  
>[www.AtlantaDistrict6.com](http://www.AtlantaDistrict6.com)  
>  
>Stay informed! Sign up for the District 6 eNewsletter by clicking  
>here<<http://www.atlantadistrict6.com/newsletter.html>>.  
>  
>From: Kiara Fortson [kiara.fortson@nationaldiversitycouncil.org]



>Sent: Friday, May 29, 2015 10:00 AM  
>To: Wan Alex  
>Subject: One Month Away - LGBT Allies Diversity Summit  
>  
>Dear Mr. Wan,  
>  
>We are incredibly excited for you deliver the keynote address during our  
>upcoming LGBT Allies Diversity Summit, which is taking place one month  
>away from today on June 26th from 8:00 AM - 12:00 PM at Georgia Tech's  
>Student Center Theater (350 Ferst Drive NW, Atlanta, GA 30332).  
>  
>I would like to ensure that you are good to go with your  
>presentation/keynote address for the event and answer any questions that  
>you might have surrounding the event, the Georgia Diversity Council or  
>anything at all, so please let me know if your schedule permits such a  
>time for us to connect for 15-30 minutes. Also, it would be absolutely  
>wonderful for the Atlanta City Council to have a large presence at the  
>event, so please let me know if the Council is interested in sending  
>attendees or stepping up as a supporting sponsor in some way. Individuals  
>within your networks can obtain additional information about the Summit  
>at our website  
>here<<http://www.georgiadiversitycouncil.org/what-we-do/events-programs/lgbt-allies-summit/2015-2>>.  
>  
>Lastly, we would like to greatly thank the following organizations for  
>stepping up as sponsors for this event: AIG, Comcast, Georgia Tech, The  
>Home Depot, Lockheed Martin, MARTA, Popeyes, SunTrust, and Wong Fleming.  
>  
>Please let me know if you have any questions at all, and thank you again  
>for all of your time, passion, and support! I look forward to speaking  
>with you soon!  
>  
>Kiara Fortson  
>Coordinator  
>[www.nationaldiversitycouncil.org](http://www.nationaldiversitycouncil.org)<<http://www.nationaldiversitycouncil.org/>>  
>[cid:39097FED-53F0-4819-B9E3-13D44475842C]



## Inaugural LGBT Allies Diversity Summit AGENDA

8:00 AM – 8:30 AM	REGISTRATION AND BREAKFAST
8:30 AM – 8:50 AM	OPENING REMARKS
8:50 AM – 9:30 AM	KEYNOTE ADDRESS <i>Alex Wan, Council Member, Atlanta City Council</i>
9:30 AM – 10:15 AM	PRESENTATION – <b>LGBT Diversity in the Workplace and Marketplace</b> <i>Stan Kimer, President and Owner, Total Engagement Consulting by Kimer</i>
10:15 AM – 10:30 AM	BREAK
10:30 AM – 11:30 AM	PANEL SESSION <b>Engaging Allies to Promote the Importance of Diversity and Inclusion in the Workplace</b> <i>Mariela Romero, Director of Community Empowerment/On Air Talent, Univision</i> <b>LGBT Generations –Struggles and Success</b> <i>Jeff Graham, Executive Director, Georgia Equality</i> <b>Leveraging Partnerships in the Community to Promote LGBT Allies</b> <i>Mary Mullaney, Membership Advantage Team Lead, Fifth Third Bank</i>
11:30 AM – 12:00 PM	CLOSING REMARKS AND RECOGNITION OF SPONSORS



# Inaugural

# Georgia LGBT Allies Diversity Summit

**Georgia Tech  
Student Center Theater**  
350 Ferst Drive NW  
Atlanta, GA 30332

**June 26, 2015 8:00AM – 12:00PM**



INDIVIDUAL REGISTRATION — \$49  
NONPROFIT REGISTRATION — \$39  
STUDENT REGISTRATION — \$20

Keynote  
Speaker:



**Alex Wan**  
Council Member  
Atlanta City Council

Presenter:



**Stan Kimer**  
President and Owner  
Total Engagement  
Consulting by Kimer

Panelist:



**Jeff Graham**  
Executive Director  
Georgia Equality

Panelist:



**Mariela Romero**  
Community  
Empowerment Director  
Univisión

Panelist:



**Mary Mullaney**  
Membership Advantage  
Team Lead & LGBT  
BRG Chair  
Fifth Third Bank

### Topics:

- LGBT Diversity in the Workplace and Marketplace
- Engaging Allies to Promote the Importance of Diversity and Inclusion in the Workplace
  - LGBT Generations — Struggles and Success
- Leveraging Partnerships in the Community to Promote LGBT Allies

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Lesbian, Gay, Bisexual, Transgender,  
Queer, Questioning, Intersex, Asexual,  
Ally Resource Center

Register Now at [www.lgbtasummit.com](http://www.lgbtasummit.com)

For more information regarding the Summit, please contact Kiara Fortson at [kiara.fortson@nationaldiversitycouncil.org](mailto:kiara.fortson@nationaldiversitycouncil.org)



Interrogatory No. 20 to City of Atlanta: Defendant responds that any information responsive to this interrogatory, which appears to seek information about communications of all 8,000 plus employees of the City of Atlanta, that was not in connection with the decision to suspend or terminate the Plaintiff is irrelevant to the issues presented in this lawsuit. Even if deemed relevant, the information sought would be disproportionate to the needs of this case. Notwithstanding these objections, Defendant responds that responsive information can be found at Bates numbered documents COA-Cochran 002278-002282 and COA-Cochran 002374-002431.

Interrogatory No. 21 to City of Atlanta: No responsive documents or communications relating to Plaintiff or his book were solicited by Councilmember Wan. However, he recalls being approached after a committee meeting by then AFRD firefighter Stephen Borders, who followed Councilmember Wan back to his office for a very brief unscheduled meeting wherein Borders stated that someone brought Plaintiff's book to his attention, that some of his unnamed colleagues were concerned about the book's content, and that he wanted to bring the book to the attention of the administration. Firefighter Borders left a copy of the book with Councilmember Wan. After giving the book to Human Resources Commissioner Yvonne Yancy during an equally brief meeting and later receiving a call from the Mayor acknowledging receipt of the information about Plaintiff's book and indicating that the matter was being looked into, Councilmember Wan received numerous unsolicited communications relating to the Plaintiff. Councilmember Wan's aforementioned meetings with then AFRD firefighter Borders and Commissioner Yancy, and his telephone conversation with the Mayor, each spanned approximately five minutes in length. Dates of these three contacts are uncertain but would have occurred in the days immediately preceding Plaintiff's suspension in November of 2014. Documents containing information responsive to this request are found at Bates numbers COA-Cochran 001550-001552, 001555-001562, 001611-001614, 001647-001664, 001722-001723, 001729, 001732-001753, 001755-001776.

Interrogatory No. 22 to City of Atlanta: As indicated in the City's response to Interrogatory 22, Mayor Reed, City Attorney Cathy Hampton, former Chief Operating Officer Michael Geisler, Chief of Staff Candace Byrd, Deputy Chief of Staff Katrina Taylor, and Senior Advisor Melissa Mullinax were present for conversations about the topics stated in Interrogatory 22 in the context of assessing performance and deciding Plaintiff's discipline. The City notes that Commissioner of Human Resources Yvonne Yancy was inadvertently omitted from the City's original response. Additionally, communications occurred among attorneys within the Law Department which were privileged and are not described in response to this interrogatory. Dates and times beyond stating that the communications occurred in the time period immediately surrounding Plaintiff's suspension and termination were not provided because no formal meetings were scheduled and memorialized. With regard to Plaintiff's question about what occurred or was communicated at these meetings, various combinations of the aforementioned





ATLANTA CITY COUNCIL

News Release

**FOR IMMEDIATE RELEASE**

Council Communications  
Atlanta City Hall  
55 Trinity Ave. SW  
Atlanta, GA 30303

CONTACT:  
Dexter Chambers  
Council Communications Director  
404-330-6309  
dchambers@atlantaga.gov

January 6, 2015

**Atlanta City Councilmember Alex Wan releases the following statement on the termination of Atlanta Fire Rescue Chief Kelvin Cochran's employee with the City of Atlanta**

"I support the administration's decision to terminate Kelvin Cochran's employment with the City of Atlanta. His actions made it a difficult work environment for Lesbian, Gay, Bisexual, and Transgender employees within the Atlanta Fire Rescue Department. This sends a strong message to employees about how much we value diversity and how we adhere to a non-discriminatory environment."

"I pledge my full support to Interim Fire Chief Joel Baker and LGBT Community Liaison Robin Shahar in implementing whatever programs and steps they recommend to create a safe working environment for all employees within the department." – **Atlanta City Councilmember Alex Wan**

Kelvin Cochran started a month-long suspension without pay in November after some of his employees complained about internal distribution of his self-published religious book. Among other things, the book calls "homosexuality" and "lesbianism" a "sexual perversion" morally equivalent to "pederasty" and "bestiality."

###



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**From:** Wan Alex  
**Sent:** Thursday, February 19, 2015 10:23 PM  
**To:** Campbell, Jeremy  
**Subject:** RE: 11Alive Interview ON DEADLINE

I can do 3:30, but I'll be here at Emory all day.

One option is that I could swing by your studio around 12:30 -1:00 pm as I will be out running errands during that time for the event?

Alex Wan

Council Member, District 6

(404) 330-6049 Phone

(404) 658-6073 Fax

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From: Campbell, Jeremy [jcampbell@wxia.gannett.com]  
Sent: Thursday, February 19, 2015 5:21 PM  
To: Wan Alex  
Subject: RE: 11Alive Interview ON DEADLINE

How about at 3:30 on your way in? It's a 10 minute interview.

-----Original Message-----

From: Wan Alex [mailto:awan@AtlantaGa.Gov]  
Sent: Thursday, February 19, 2015 5:19 PM  
To: Campbell, Jeremy  
Subject: RE: 11Alive Interview ON DEADLINE

Jeremy -

YIKES. I just realized I have a 4pm meeting here at Emory. I'll be tied up with our event immediately after that. Can you do it any earlier in the day?

Alex Wan

Council Member, District 6



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---

From: Campbell, Jeremy [jcampbell@wxia.gannett.com]  
Sent: Thursday, February 19, 2015 5:11 PM  
To: Wan Alex  
Subject: RE: 11Alive Interview ON DEADLINE

My cell is 404-990-1122. I'll plan to be at Emory by 4pm. Just let me know where to meet tomorrow. Thanks again

-----Original Message-----

From: Wan Alex [mailto:awan@AtlantaGa.Gov]  
Sent: Thursday, February 19, 2015 4:08 PM  
To: Campbell, Jeremy  
Subject: RE: 11Alive Interview ON DEADLINE

If you can come to Emory University tomorrow afternoon between 4 and 4:30, I think I can make that work.

To your question, I'm sure it's convenient for them to have a face/person to attach to the parts of Cochran's book that sparked the controversy in the first place. Sure, I was the one who turned the book in to the administration, so I become an easy target for blame for that as well. Easier to lash out at a person, since yesterday, I've gotten a couple of nasty emails and one particularly ugly voice message that I wouldn't consider particularly "Christian," but that's just par for the course.

Let me know about tomorrow. Thanks!

Alex Wan

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---

From: Campbell, Jeremy [jcampbell@wxia.gannett.com]  
Sent: Thursday, February 19, 2015 3:47 PM  
To: Wan Alex  
Subject: RE: 11Alive Interview ON DEADLINE

Would tomorrow work? Tomorrow I'm avail from 4pm until. Today I can't make it but we could send a camera. I'd rather do the interview with you though.

Just asking (not for print)... do you feel the Alliance Defending Freedom is taking advantage of your status as an openly gay council member by pulling you in to their argument? That's what interests me in the story.

-----Original Message-----

From: Wan Alex [mailto:awan@AtlantaGa.Gov]  
Sent: Thursday, February 19, 2015 3:43 PM  
To: Campbell, Jeremy  
Subject: RE: 11Alive Interview ON DEADLINE

Hey Jeremy -

Thanks for checking in.

The only window I'll have is between 5:30 and 6:30 pm (I'll be attending the APS Superintendent address at Inman Middle School). Not sure if that works with your schedule or not.

Alex Wan

Council Member, District 6

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---

From: Campbell, Jeremy [jcampbell@wxia.gannett.com]  
Sent: Thursday, February 19, 2015 2:39 PM  
To: Wan Alex  
Subject: RE: 11Alive Interview ON DEADLINE

Any word on time today? We are slammed too with the cold weather coverage but wanted to ask

-----Original Message-----

From: Wan Alex [mailto:awan@AtlantaGa.Gov]  
Sent: Wednesday, February 18, 2015 9:14 PM  
To: Campbell, Jeremy  
Subject: RE: 11Alive Interview ON DEADLINE

Oh, how delightful.

Let me get to my desk tomorrow morning and check in with you at that point. If we can make it work, we will.

Alex Wan

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From: Campbell, Jeremy [jcampbell@wxia.gannett.com]  
Sent: Wednesday, February 18, 2015 9:11 PM  
To: Wan Alex  
Subject: RE: 11Alive Interview ON DEADLINE

No problem! Plenty of other angles to report on this today anyway. Would you be available tomorrow to comment on your being quoted by the Alliance Defending Freedom? They also used the quote and your photo in a promotional video released today.

-----Original Message-----

From: Wan Alex [mailto:awan@AtlantaGa.Gov]  
Sent: Wednesday, February 18, 2015 9:09 PM  
To: Campbell, Jeremy  
Subject: Re: 11Alive interview ON DEADLINE

Jeremy -

Sorry I am just getting back to you.

Would not have been able to connect any way. Just wrapped a meeting with Valley Brook Neighborhood and McClendon PTA regarding Atlanta annexation that started at 6:30 pm.

Perhaps next time.

Sent from my iPhone

On Feb 18, 2015, at 6:02 PM, "Campbell, Jeremy"  
<jcampbell@wxia.gannett.com<mailto:jcampbell@wxia.gannett.com>> wrote:

Good afternoon!

I would like to book an on camera interview with Councilman Wan this evening. The Alliance Defending Freedom mentioned a quote for him in their news release connected to former chief Kelvin Cochran's lawsuit. We want to ask him his reaction to that and for him to share his thoughts on the subject in general. Please call me ASAP at 404-310-8065 to book this. The story will air at 10 and 11.

Here is the quote:

"The city has publicly admitted that it fired the well-respected fire chief for his beliefs - an act that is illegal.

"I respect each individual's right to have their own thoughts, beliefs and opinions, but when you're a city employee and those thoughts, beliefs and opinions are different from the city's, you have to check them at the door," said City

Councilman Alex Wan<[http://www.myajc.com/news/news/fire-chief-suspended-without-pay-over-anti-gay-com/njFnt/?icmp=ajc\\_internallink\\_invitationbox\\_apr2013\\_ajcstbtomyajcpremium#ba0f33e4.3461033.735561](http://www.myajc.com/news/news/fire-chief-suspended-without-pay-over-anti-gay-com/njFnt/?icmp=ajc_internallink_invitationbox_apr2013_ajcstbtomyajcpremium#ba0f33e4.3461033.735561)>, a leader in the campaign to oust Cochran, to theAtlanta Journal-Constitution in November."



**From:** Wan Alex  
**To:** David E. Weisberg  
**Sent:** 11/11/2015 7:35:14 PM  
**Subject:** RE: First Amendment

You need to re-read your original email. You specifically say "When he or she is at the place of work and on the job, he or she must conform to Atlanta's rules, including rules about the kinds of sentiments he or she can express." Here is my entire quote from last fall: "I respect each individual's right to have their own thoughts, beliefs and opinions, but when you're a city employee and those thoughts, beliefs and opinions are different from the city's, you have to check them at the door." Surprise. It sounds like you and I think along the same lines.

Your cookie gift notion fails, as a cookie doesn't contradict any city policies. Now, if the cookie had a message written on it against Christianity, I can only imagine how you and your kind would react. And, ironically enough, I would be right there with you protesting, just as I would if someone had been distributing a book he/she had written and published condemning Christianity. It's pathetic you can't see that.

The courts will decide the constitutionality of the Mayor's action. I didn't fire him. Get a clue.

Alex Wan  
Council Member, District 6

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**From:** David E. Weisberg [dew47nj@yahoo.com]  
**Sent:** Wednesday, November 11, 2015 1:43 PM  
**To:** Wan Alex  
**Subject:** Re: First Amendment

Dear Mr. Wan:

So, you are telling me that the City of Atlanta has a rule that makes it a firing offense for any employee to give a gift (whether solicited or unsolicited) to another employee while both are on the job? It would have been grounds for firing Chief Cochran if he had distributed cookies to other employees? If there is such an administrative rule in Atlanta, please provide a cite to the section of Atlanta's code of regulations that sets forth that rule.

Of course, even the mayor has claimed that Mr. Cochran was fired because he failed to get prior approval for his book (which Atlanta cannot constitutionally require him to do), and also because he refused to remain silent during the investigation (which Atlanta again cannot constitutionally require him to do).

The fact is both you and the mayor are dissembling, but the two of you can't even agree on the "facts" you want to misrepresent.

Chief Cochran was fired because he has expressed views that you don't like, plain and simple. You are ignorant of the First Amendment, and that is a disgrace.

**I'll be waiting for that citation to Atlanta's regulations, the one that makes it a firing offense for an employee to give another employee a gift (whether solicited or unsolicited) while both are on the job.**

Thanks,

David E. Weisberg

---

**From:** Wan Alex <awan@AtlantaGa.Gov>  
**To:** David E. Weisberg <dew47nj@yahoo.com>  
**Sent:** Wednesday, November 11, 2015 1:09 PM  
**Subject:** RE: First Amendment

Mr. Cochran distributed his book AT WORK (which he admits and the Law Department's investigative report found).

You should learn to check your facts lest you be the one making a fool of yourself.

Alex Wan

Council Member, District 6

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From: David E. Weisberg [[dew47nj@yahoo.com](mailto:dew47nj@yahoo.com)]

Sent: Wednesday, November 11, 2015 12:25 PM

To: Wan Alex

Subject: First Amendment

Dear Mr. Wan:

It is frightening that a public official in Atlanta should be so ignorant of the rights that all Americans--including Americans who disagree with you--have under the First Amendment. You say city employees have to "check their rights at the door," but that door is the one that leads INTO an employee's place of work. When he or she is at the place of work and on the job, he or she must conform to Atlanta's rules, including rules about the kinds of sentiments he or she can express. When the employee walks through the door that leads OUT OF the workplace and returns to his or her private life, the city can place no restrictions whatsoever on speech or expression. Even if the city had a rule requiring approval of writings published by the employee during off-duty hours, that rule would be unconstitutional.

You ought to learn some constitutional law very fast, if you don't want to continue to make a fool of yourself.

Yours,

David Weisberg  
Cary, NC

**From:** [Wan Alex](#)  
**To:** [Wan Alex](#)  
**Subject:** Telephone calls  
**Date:** Thursday, January 15, 2015 10:46:31 AM

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- If you want to call me and talk to me, that's fine. I can't wait.
- Have you got that?
- American Family Association
- Your decision with city council to fire Chief Cochran just because you're a homosexual and he speaks out
- If we don't, we might be boycotting City of Atlanta as far as Christian conventions, visitors and that kind of thing
- If you have the guts to call me back, 501-680-5380 David Nicholas
- Dr. Mike Logan, Waco TX, because of your own bigotry and intolerance
- Long look in the mirror might be helpful for you sir
- We won't be voting for ya, God Bless, Bye bye.
- You cannot tolerate a Christian serving with you.
- Are we children, or what?
- I don't appreciate how y'all treat Christian people. Everyone should be treated equally.
- 740-803-0725 7489 Harness Way, OH, Change/reverse your board's action.
- Mr. Cochran has more morals in his pinky than you would ever know. He has forgotten more morals than you would ever contain in your brain... It makes me sick.
- Hello Mr. Swan. As a concerned American citizen...This gentleman needs to be treated with respect.
- John Yop, North Carolina; I'm gay but I don't think that what you have done is really fair.
- Christians can have their own views and bring them into the workplace. We're gonna keep calling your office until we get something changed on this. Oklahoma.
- There's a lot of Christophobic people who are terribly afraid of Christians. You should really thank Christians for *your* rights, because there's only liberty and freedom where there is virtue. And there is really no incentive to be virtuous unless one has a fear and respect for God. Otherwise, people are just self serving, and humanism doesn't generate people of extremely high integrity.

Alex Wan  
Councilmember, District 6  
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**From:** [Brandon Joseph](#)  
**To:** [Wan Alex](#)  
**Subject:** Interview Request- NewsRadio 106.7- The Michael Graham Show- Atlanta  
**Date:** Monday, February 23, 2015 9:21:32 AM

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Wondering if you had 5-10 mins to come on the Michael Graham Show here in Atlanta to talk about how you got roped into the Kelvin Cochran situation. My cell is 770-362-2907 we are on from 9 am to noon

-Brandon Joseph  
Producer- The Michael Graham Show  
Monday-Friday 8:30am- 12noon  
NewsRadio 106.7  
(770)362-2907

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