

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

RACHEL TUDOR,

Plaintiff-Intervenor,

v.

Case No. CIV-15-324-C

SOUTHEASTERN OKLAHOMA STATE
UNIVERSITY, and

THE REGIONAL UNIVERSITY SYSTEM
OF OKLAHOMA,

Defendants.

DEFENDANTS' NOTICE OF DEPOSITION

To: All Counsel of Record:

PLEASE TAKE NOTICE, that pursuant to Fed. R. Civ. P. 30(b)(6) and other applicable rules, Defendants, by and through counsel, will take the deposition upon oral examination of Plaintiff, United States of America, through one or more of its officers, directors, managing agents, employees or other person(s) designated to testify on its behalf, with respect to the subject matter contained as outlined below.

The deposition will take place on the 24th day of August, 2016, and each day thereafter as necessary, beginning at 9:30 a.m., at the offices of D&R Reporting, 400 N. Walker, Ste. 160, Oklahoma City, Oklahoma 73102. The deposition will be before an individual authorized by law to administer oaths and will be recorded by stenographic means and be utilized for the purposes permitted under the Federal Rules of Civil Procedure and the Federal Rules of

Evidence, including, without limitation, discovery, cross-examination, and preservation of testimony for use at trial.

Defendants request that three (3) days prior to the deposition, Plaintiff provide the undersigned with a written designation of the name and position of the person(s) designated to testify on its behalf. Defendants reserve the right to supplement this deposition notice to set forth additional areas of testimony.

Pursuant to Fed. R. Civ. P. 30(b)(6) and 34, you are further directed to bring to the deposition all business and personal documents within your possession, access, or control which have not been previously produced (or even if produced, substantially relied upon by you in formulating your responses to the areas of inquiry) that relate to any of the subject matters outlined below.

You are further advised that the person(s) you designate will need to provide testimony on the following:

- ◆ Dollar amounts claimed by Plaintiff, itemized/broken down by item(s) or dollar amounts, for Dr. Tudor including “the damages [Tudor] has suffered including, but not limited to, lost income, loss of enjoyment of life, and damage to her professional reputation,” as well as “any further relief necessary to make Dr. Tudor whole;” and the “United States’ costs and disbursements in this action.”
- ◆ The new policies, practices, and programs Plaintiff seeks to be implemented by RUSO and SEOSU.
- ◆ The specific training Plaintiff wants RUSO and SEOSU to provide to employees.
- ◆ Documents containing, reflecting, or referencing communications between USA/Equal Employment Opportunity Commission (“EEOC”) and Tudor prior to the EEOC’s issuance of its Determination regarding Tudor’s charge.

- ◆ Documents containing, reflecting, or referencing communications between USA/EEOC and Tudor after the EEOC's issuance of its Determination regarding Tudor's charge, but prior to EEOC's conclusion that conciliation had failed.
- ◆ Documents containing, reflecting, or referencing communications between USA/EEOC and any RUSO or SEOSU employee prior to the EEOC's issuance of its Determination regarding Tudor's charge.
- ◆ Documents containing, reflecting, or referencing communications between USA/EEOC and any RUSO or SEOSU employee after the EEOC's issuance of its Determination regarding Tudor's charge, but prior to EEOC's conclusion that conciliation had failed.
- ◆ The identity of all persons involved in making decisions on behalf of (a) USA, (b) EEOC, and (c) Tudor with respect to the conciliation process for the EEOC Charge.
- ◆ Each specific action taken by RUSO and/or SEOSU which USA contends constituted discrimination in violation of Title VII.
- ◆ The facts USA believes support the contentions in the lawsuit.
- ◆ Information regarding health care professionals who have treated Tudor in the last ten years.
- ◆ The identity of the persons interviewed by Plaintiff, the time/date(s) those interviews took place, and who was present for each.
- ◆ Oral or written statements by RUSO or SEOSU, (or their employees), that Plaintiff believes evince or support any allegation or claim.
- ◆ Information about Plaintiff-Intervenor's physical, mental, or emotional condition, treatment, care, counseling, treatment, and/or hospitalizations over the past ten years.
- ◆ Tudor's communications with the United States Department of Justice ("DOJ") and/or other offices, departments, or agencies of Plaintiff.
- ◆ The statutes, rules, regulations, "dear colleague letters," policies, position statements, and/or other guidance relied upon by Plaintiff in making its determinations regarding Tudor's charge.

- ◆ The statutes, rules, regulations, “dear colleague letters,” policies, position statements, and/or other guidance issued by DOJ in the years 2006 through present specifically regarding the protection of transgender persons’ rights in employment and education, and all such rules or guidance actually issued by DOJ specifically to institutions of higher education regarding transgender issues from 2006 through present.
- ◆ All lawsuits filed (or threatened to be filed) by Plaintiff against institutions of higher education in which reinstatement and or an award of tenure was sought by Plaintiff.
- ◆ All lawsuits filed (or threatened to be filed) by Plaintiff seeking relief based on individuals’ transgender status.
- ◆ All consent decrees and/or settlement agreements entered by DOJ with any party(ies) from 2006 to present regarding claims or charges of discrimination based on individuals’ transgender status.

Respectfully submitted,

/s/ Dixie L. Coffey

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of July 2016, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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