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Marc DePree

Part 3

Deliberate Indifference

Q. Okay. When did you first learn that a tape of the may four [2007] hearing [faculty meeting] existed?

A. I don't know that it does exist, it was alleged to exist in some of the letters I believe.

Q. You were present in court when we had the TRO hearing, weren't you?

A. I was.

Q. Did you not hear portions that were played at that time?

A. I don't remember.

Q. Have you not set down and listened to you haven't sat down and listened to the tape?

A. No.

Q. Do you recall the testimony of Mixon and Depree regarding the occurrences at that?

A. I do.

Q. Meeting?

A. I do.

Q. They do not at all agree with the description that the faculty gave you, do they?

A. I'm sorry. Say that again.

Q. The descriptions of Depree and Mixon from the stand under oath during the TRO hearing?

A. Correct.

Q. Do not at all agree with the description that was provided you by the faculty members via the letter that they gave [you] August of [07]?

A. Night and day.

Q. Different?

A. Different.

Q. Wouldn't you think that the tape would give you tremendous insight as to the validity of the assertion that is are made in these letters?

A. I believe it could.

Q. But you haven't bothered to read it excuse me. Listen to it?

A. No.