

Exhibit B

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X
4 DAVID FLOYD, et al.,

5 PLAINTIFFS,

6 -against- Case No.:
7 08 Civ. 01034

8 CITY OF NEW YORK et al.,

9 DEFENDANTS.
-----X

10 DATE: February 9, 2011

11 TIME: 10:00 a.m.

12

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14 EXAMINATION BEFORE TRIAL of an Expert

15 Witness, JEFFREY A. FAGAN, Ph.D., on behalf of Plaintiffs,

16 taken by the Defendants, pursuant to a Notice, and to the

17 Federal Rules of Civil Procedure, held at the office of

18 Special Federal Litigation, New York City Law Department,

19 100 Church Street, New York, New York 10007, before John A.

20 Lugo, a Notary Public of the State of New York.

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FAGAN

1 Q. If, at any time, you give me an answer that I'm
2 not quite sure about, I'll ask you to clarify it. And in
3 that respect, I'll ask your indulgence since you are the
4 expert here and we are just lawyers. Is that agreeable to
5 you?

6 A. Sure.

7 Q. Professor, do you have a law degree?

8 A. No.

9 Q. Do you have any formal legal training?

10 A. No.

11 Q. Have you ever taken courses at any law school?

12 A. No.

13 Q. You're a professor at Columbia Law School,
14 correct?

15 A. Correct.

16 Q. And what courses do you receive?

17 A. I teach Law and Social Science, Juvenile Justice,
18 Drug Policy, Policing, Criminal Law, Juvenile Law. I think
19 that's about it. Seminar in Criminology.

20 Q. And do each of those courses have its own
21 syllabus?

22 A. Yes.

23 Q. And could I ask you to provide your counsel for
24 production to us a syllabus for fall 2010 and spring 2011
25 for the courses you teach?

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1 A. Physical disorder was converted from the 55 PUMAs
2 into the 75 precincts.

3 Q. And so your findings, then -- I just want to make
4 sure I understand this.

5 The variables that you used, I take it, were
6 precinct specific; is that correct?

7 A. We constructed precinct specific measures of
8 physical disorder.

9 Q. Now, you controlled in your analysis for crime,
10 obviously, correct?

11 A. Yes.

12 Q. What was the benchmark that you used to control
13 for crime?

14 A. The number of crime complaints.

15 Q. Crime complaints per precinct?

16 A. Yes, in the time period, in each of time periods
17 that we tested.

18 Q. Now, if you controlled for crime, why did you
19 also control independently for factors that are known to be
20 associated with crime, such as social and physical
21 disorder?

22 MR. HELLERMAN: Object to the form of the
23 question.

24 A. In our previous research we had found that these
25 factors themselves were associated with stop patterns

FAGAN

1 before. It's an accurate rendering of crime in a
2 particular place relative to other places and relative to
3 other times. Whether it's an accurate count of the actual
4 number of crimes, no.

5 Q. You don't agree with that?

6 A. No.

7 Q. And why do you believe that arrest data is not
8 necessarily an accurate picture of the level of crime?

9 A. Because the capacity of police departments who
10 would investigate crimes and make arrests based on probable
11 cause is quite variable. Clearance rates range from 23
12 percent to 78, 80 percent.

13 Q. Clearance rates are rarely 100 percent, right?

14 A. They're never 100 percent.

15 Q. And since clearance rates are never 100 percent,
16 there's always going to be some missing data there about
17 crimes, correct?

18 MR. HELLERMAN: Object to the form of the
19 question.

20 A. By definition that's the case.

21 Q. Now, in the JASA study, correct me if I'm wrong,
22 you concluded that the arrest rate was the best available
23 measure of the race-specific crime rate, correct?

24 A. We make that statement, yes.

25 Q. Did you agree with that statement, at the time?

FAGAN

1 A. Yeah.

2 Q. Did you agree with it today?

3 A. No. Well, I'd have to think about it. Best
4 available where? And for which types of crime?

5 Q. New York City for any type of crime.

6 A. New York City, I think the best available data
7 for race-specific crime, they're probably all bad. So if I
8 said anyone was superior to another, I'd be talking about
9 the difference between the Houston Rockets and the New
10 Jersey Nets.

11 Q. Now, why do you believe that all of the available
12 measures, race-specific measures of crime, are bad in New
13 York City?

14 A. Well, arrest data as a measure of crime is
15 confined to -- the accuracy depends on the severity of the
16 crime for robberies, et cetera. It's probably more
17 accurate than for larcenies and for larcenies more accurate
18 than say for misdemeanor assaults, but these are relatively
19 low rates.

20 For other measures based on suspect descriptions
21 provided by victims, we know from the data provided in this
22 case, for example, that that's a fairly low rate of suspect
23 race identification.

24 Q. Well, would you agree that for severe crimes,
25 violent crimes, robbery, rape, assault, first-degree

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1 *New York City in the previous year, 1997, as recorded by*
2 *the Division of Criminal Justice Services (JCDS) of New*
3 *York State, and categorized by ethnic group and crime type.*
4 *This was deemed to be the best available measure of the*
5 *local crime rates categorized by ethnicity and directly*
6 *addressed concerns such as safir's, S-A-F-I-R-'S, that stop*
7 *rates be related to the ethnicity of crime suspects.*

8 Did I read the article correctly?

9 A. Yes.

10 Q. Did you qualify your use of race-specific arrest
11 rates as a measure of race-specific crime rates?

12 MR. HELLERMAN: In the language you just
13 quoted?

14 A. In this language?

15 Q. Did you in the --

16 MR. LARKIN: Well, before I repeat myself,
17 please don't do that again. All right. Please
18 don't do that again, Counsel. Really. I object
19 to comments on the record. You know it's not
20 appropriate. Come on, you know. Please.

21 Q. In the portion that I just read, did you qualify
22 your use of race-specific arrest data as a measure of the
23 race-specific crime rate?

24 A. No.

25 Q. Did you anywhere else in the article qualify your

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1 descriptions, correct?

2 A. Yes.

3 Q. And there were a significant proportion of
4 reported crimes for which there was no suspect description,
5 right?

6 A. Right.

7 Q. If you had all the data for suspect descriptions
8 for the reported crimes, in theory, would that have
9 assisted you in your analysis, in this case?

10 A. If we had perfect data on a suspect description?

11 Q. Yes.

12 A. Sure.

13 Q. And in what way would it have assisted you?

14 A. We would have used that as an additional --
15 probably would have used it as a sensitivity check.

16 Q. And how would you have used it as a sensitively
17 check exactly?

18 A. We probably would have included in a sensitively
19 run instead of the crime complaint data, we probably would
20 have used separate measures of the different crime
21 complaint categories by race.

22 Q. Would you have used as a control for crime the
23 racial breakdown based on suspect descriptions, assuming
24 perfect data for suspect descriptions?

25 A. If it was perfect data?

FAGAN

1 Q. Yes.

2 A. I believe that's what I just said.

3 Q. Okay. I'm sorry if I missed that.

4 A. It's your time.

5 Q. Now, you state in your report at page 18 --

6 A. What page?

7 Q. Take a look at page 18, if you could.

8 A. Okay.

9 Q. You state at the top of page 18, "There is no
10 valid basis for extrapolation of suspect race information
11 from the small number of cases where offender case is known
12 to the larger number of reported cases -- well, offender
13 race is known to those cases where the suspect race is
14 unknown, I think it's what you're saying, correct?

15 MR. HELLERMAN: Object to the form.

16 A. That's what it says.

17 Q. Tell us, in your own words, what that means?

18 MR. HELLERMAN: You just read his own words.

19 MR. LARKIN: All right, you know --

20 A. It means what it says. I'm not sure what part of
21 it you need me to clarify.

22 Q. Why do you believe that there's no basis to
23 extrapolate suspect race from the universe of cases where
24 it's known to those where it's unknown?

25 A. If you know the suspect race in say one-third of

FAGAN

1 the cases, that leaves you two-thirds where you don't know.
2 What would -- I mean, you know, I realize I'm not supposed
3 to turn the tables, but I cannot imagine an algorithm that
4 would allow me to accurately and confidently make any
5 assumptions about what we know from those cases to the
6 larger body of unknown cases, cases where suspect race is
7 unknown.

8 There's no theory that would tell us that. If we
9 did make such assumptions, the assumptions would be fraught
10 with error. There's no way to confirm or disconfirm them.
11 And if I tried to publish it, I would be relegated to a
12 fifth-tier journal.

13 Q. Now, is there any other data that you looked at
14 in this case that might inform the question what is the
15 suspect description, the racial breakdown of suspect
16 descriptions in cases where its unknown?

17 A. Are there any other data that we actually
18 analyzed and reported?

19 Q. Any other data that you looked at in this case,
20 that you saw?

21 A. I don't recall. No, I don't think so.

22 Q. Would arrest data, race-specific arrest data
23 assist in that process?

24 A. Up to a point it could, but I'd have to analyze
25 the data and see what the consistencies and inconsistencies

FAGAN

1 were of those data.

2 Q. What would you look at in the data? What would
3 you do?

4 A. I'd want to look at a distribution by location,
5 by month, by type of crime, by age, gender of the suspect,
6 et cetera, et cetera.

7 Q. The city has a share of inmates in the upstate
8 prison population, right?

9 A. Yes.

10 Q. Would the racial breakdown of the city's share of
11 the prison population, the state prison population, inform
12 the question of the racial breakdown of suspects in crimes?

13 MR. HELLERMAN: Object to the form.

14 A. In a minor and unreliable way.

15 Q. Why?

16 A. Minor because only a fraction of the persons
17 arrested for crimes were sentenced to state prison. In an
18 unreliable way because many of the variables that predict
19 who goes to prison and who don't have nothing to do with
20 the crime. It has to do with the quality of
21 representation, the judge's preferences, statute.

22 Q. Is that true for violent crime?

23 A. Sure. Well, what do you mean by violence crime?

24 Q. Robbery, assault, murder --

25 A. Armed robbery or Robbery 3.

FAGAN

1 Q. Armed robbery -- let's stick to felonies. Armed
2 robbery --

3 A. Robbery 3 is a felony, Counselor.

4 Q. Well, let's say --

5 MR. HELLERMAN: Let him ask his question.

6 Q. --- any armed robbery, a felony assault, murder,
7 any shooting, those types of crimes, would you say that the
8 upstate prison population, the racial breakdown of the
9 upstate prison population is some reliable measure of the
10 racial breakdown of crime?

11 A. It's more reliable than looking at the total
12 inmate population, probably, but still it has weaknesses
13 and is prone to error, for some of the same reasons I said
14 before.

15 Q. Now, with respect to violent crimes, there is a
16 greater proportion of reports for which we have a suspect
17 description, right?

18 MR. HELLERMAN: Object to the form.

19 A. To the best of my recollection. There's a table
20 actually somewhere and I --

21 Q. Just take a look at page 76 of your report, Table
22 18.

23 A. Right.

24 Q. Okay. You've divided crimes into *other* and
25 *violent*, right?

FAGAN

1 A. Correct.

2 Q. And with regards to violent crimes for the year
3 2005, the suspect race is missing in just over 45 percent
4 of the cases, right?

5 A. Correct.

6 Q. So you've got a suspect description for the
7 majority of cases, true?

8 A. Yes. Technically, yes.

9 Q. For violent crimes in 2005, right?

10 A. Yes.

11 Q. And with respect to violent crimes in 2006,
12 again, according to your table, we have a missing suspect
13 description, that is we don't have a race for the suspect
14 in 46.56 percent of the cases, right?

15 A. Correct.

16 Q. And that means you've got a suspect description
17 for the majority of those cases, right?

18 A. Right, 54 --

19 Q. Plus?

20 A. Percent, give or take.

21 Q. About. Given the fact that you have a suspect
22 description in the majority of crimes that you've
23 categorized as violent, would you consider suspect
24 descriptions to be some reliable indicator of the
25 race-specific crime rate?

FAGAN

1 A. Let me explain why not. Let's assume that
2 there's 45, nearly 46 percent of the cases where race is
3 unknown in 2005. Let's assume under one set of conditions
4 that all of those cases come from neighborhoods that have
5 let's say 50 percent or more are black population, or where
6 the racial composition of the victims was more than
7 60 percent black.

8 Under those conditions, I might be willing to
9 consider the possibility that a disproportionate share or a
10 proportionate share of the unknowns would match up to the
11 victim race. And there's a simple answer, that seems to be
12 the way the criminological data work out.

13 But let's assume that all of those cases come
14 from places that are where the local residential population
15 is highly variable. We would have no basis rationally for
16 making an assignment of any particular case or a collection
17 of cases to a particular racial category for the suspect.

18 So, in other words, when I say to you we need to
19 know a lot more, we need to know things like where are
20 these cases from, what are the crimes that are charged,
21 what are the known probabilities, et cetera, et cetera.

22 Q. As part of your work in this case, did you look
23 at the racial makeup of suspect descriptions on a precinct
24 by precinct basis?

25 A. I don't recall doing that.

FAGAN

1 crime.

2 Q. It certainly would not be unreasonable for that
3 officer to be thinking about a possible violent crime,
4 would it?

5 MR. HELLERMAN: Objection.

6 A. I can't answer that.

7 Q. Forgive me if you've answered this question, and
8 I apologize, Professor, but, would it have assisted you in
9 your analysis to determine the suspect descriptions in the
10 crime complaints where you found the highest racial
11 disparities? Do you think it would have assisted you in
12 your --

13 A. I'm sorry? Could you repeat the question.

14 Q. Sure. You had crime complaint data broken down
15 by precinct, right?

16 A. Correct.

17 Q. And you had suspect description information for
18 all those crime complaints, correct?

19 MR. HELLERMAN: Objection.

20 A. Well, we had suspect crime information that was
21 missing in a fairly large number of the cases.

22 Q. So, to the extent that the police department had
23 suspect descriptions, you had that information, also,
24 right?

25 MR. HELLERMAN: Object to the form.

FAGAN

1 A. We knew the percentage of cases where they had a
2 suspect description that was not missing or unknown.

3 Q. Fair enough. Okay. Would it have assisted you
4 in any way in breaking down precinct by precinct the racial
5 or ethnic background of the suspect descriptions to the
6 extent it was known?

7 A. I can't speculate if it would have assisted us
8 because we didn't do it.

9 Q. Did you make a decision not to do it or was it
10 something you just didn't think to do, or something else?

11 A. I think we decided, given the high rate of
12 missing and unknown data, that it wouldn't have been
13 useful, so we didn't do it.

14 Q. Now, turning to the JASA study, once again.
15 Turn to page 815 of the study, if you would,
16 Professor. Now, there's a paragraph on the left-hand
17 column that begins *however*; do you see that?

18 A. Yup.

19 Q. And at the very end you've got a clause that
20 reads as follows: "Few studies can control for all of the
21 variables that police consider in deciding whether to stop
22 or search someone." Do you see that?

23 A. Correct.

24 Q. What did you mean by that?

25 A. Well, specifically, in this case, we don't

FAGAN

1 Q. When you say *a lot*, is it more than 50 percent or
2 less than 50 percent?

3 A. Less than 50.

4 Q. Would it be less than 25 percent for 2004?

5 A. At a minimum.

6 Q. You would agree, even today, that few studies can
7 control for all the variables that police consider in
8 deciding whether to stop or search someone, true?

9 A. All?

10 Q. Yes.

11 A. Sure, nobody can control for all of them.

12 Q. Do you believe that in connection with your work
13 in this case you controlled for all of the relevant
14 variables?

15 A. Yes.

16 Q. You state in the JASA study on page 815, that
17 your approach there --

18 A. Where are you looking?

19 Q. I'm sorry. Looking at page 815, the column on
20 the right, there's a paragraph -- the second full paragraph
21 begins *we consider hit rates briefly*; do you see that?

22 A. Yes.

23 Q. And you state, as follows: "But our main
24 analysis attempts to resolve these supply side or omitted
25 variable problems by controlling for race-specific rates of

FAGAN

1 the targeted behaviors in patrolled areas, assessing
2 whether stop and search rates exceed what we would predict
3 from knowledge of the crime rates of different racial
4 groups." Did I read that correctly?

5 A. Yes.

6 Q. What exactly does that mean? Can you tell me in
7 your own words?

8 MR. HELLERMAN: Object to the form.

9 A. It means what it says.

10 Q. Did you undertake the same analysis in your work
11 in this case?

12 A. No, we did not use race-specific rates of the
13 targeted behaviors.

14 Q. Why not?

15 A. We used the overall rates. Because, as we've
16 already discussed, we don't have a good measure of the
17 race-specific participation in criminal behaviors other
18 than the arrest data.

19 At the time of the JASA study, the arrest data
20 was what was available to us. At the time of this study,
21 we made a determination to use overall crime data because
22 that was the most comprehensive measure of crime.

23 Q. At any time, did you use any model in connection
24 with your work in this case based on arrest data?

25 A. Did we use a model?

FAGAN

1 MR. LARKIN: Withdraw the question.

2 Q. At any time, did you analyze data in connection
3 with your work in this case using race-specific arrest
4 rates?

5 MR. HELLERMAN: Object to the form.

6 A. No, we didn't, because we knew that the --
7 because the clearance rates were so variable from one place
8 to the next, that it wouldn't have been a reliable measure.

9 Q. Now, further down in that paragraph you state
10 that "this approach requires estimates of the supply of
11 individuals engaged in the targeted behaviors." Do you see
12 that?

13 A. Yup.

14 Q. As part of your work in this case, did you try to
15 come up with an estimate of the supply of individuals who
16 were engaged in the targeted behaviors?

17 MR. HELLERMAN: Object to the form.

18 A. We used a measure of the percentage of the total
19 crime complaints that were specific to the model that we
20 were estimating of rationale for the stops or reason for
21 the stop.

22 Q. So you would come up with some estimate of the
23 supply of persons engaged in the targeted behaviors
24 precinct by precinct; is that fair?

25 A. Yes.

FAGAN

1 state as follows: "Since crime and race are correlated,
2 indexing or benchmarking to crime should account for race
3 simultaneously. Any significant effects for the racial
4 composition of the area suggest racial disproportionality
5 above and beyond any disproportionality that is explained
6 by crime." Did I read that correctly?

7 A. Yes.

8 Q. Did indexing for crime satisfy your concern that
9 there was a need for measures of the race-specific crime
10 rates in each precinct, as you stated in your original
11 report?

12 A. It helped.

13 Q. Do you believe that the controls for crime in
14 your report were sufficient to account for the racial mix
15 of crime, as well?

16 A. Within each precinct?

17 Q. Yes.

18 A. Precinct by precinct?

19 Q. Yes.

20 A. It helped.

21 Q. Do you think that the controls for crime were
22 sufficient for your purposes in conducting the study?

23 A. I think it allowed us to make the inferences that
24 we made.

25 Q. Why, in this case, did you not control for the

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1 then I could take data -- I could re-run their data with
2 the additional variables.

3 Q. Now, why did you include in the JASA study
4 parameters for racial population composition and precinct
5 effects?

6 A. I think I already answered that.

7 Q. Can you indulge my ignorance one last time.

8 MR. HELLERMAN: Objection. Asked and
9 answered.

10 THE WITNESS: You want me to answer?

11 MR. HELLERMAN: One last time.

12 Q. Summarize it. I didn't mean to interrupt you,
13 Professor. Go ahead. I'm sorry.

14 A. Because the enterprise that we're doing here is
15 to try and estimate the stop patterns based on the
16 available populations to be stopped, and also the
17 parameters of crime that would shape police behavior, what
18 they look for, and how aggressively they would look for it.

19 Q. On a precinct by precinct basis, right?

20 A. Correct.

21 Q. Does the RAND analysis, as it appears in the RAND
22 study, reflect any precinct by precinct assessment of
23 racial disparity?

24 A. Well, if the RAND people said that they used our
25 data and our models, and so I assume that they used

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1 give the written detail results, other than like these
2 guys.

3 For the second three rows, we think it's
4 unreliable because of the -- as we said on several
5 occasions, the failure to use -- well, the fact that they
6 use violent crime suspect data which is missing in almost
7 80 percent of the cases.

8 Q. Now, I think you said Table 7 in your report
9 replicates JASA; is that right?

10 A. I believe so, yes. Or attempts to replicate
11 JASA. There are differences between Table 7 and this
12 report and what the JASA analysis did.

13 Q. And is Table 7 a replication of that equation
14 four in the JASA study, but using data produced in this
15 case?

16 A. Yes.

17 Q. And does Table 7 reflect racial bias, in your
18 view?

19 A. Yes. Well, let me answer, it reflects a
20 disparate racial treatment. We're fairly careful about
21 bias, as you know.

22 Q. And does Table 7 reflect statistically
23 significant disparate racial treatment, in your opinion?

24 A. Oh, yes.

25 Q. And Table 7 covers stops for the entire time

FAGAN

1 *exercise of their stop authority.*

2 Did I read that sentence correctly?

3 A. Yes.

4 Q. Were you trying to come up with some estimate of
5 the number of people in any precinct during any period of
6 time who would be engaged in behavior that might arouse the
7 suspicion of a police officer and who were available to be
8 stopped?

9 A. We would like to have been able to come up with
10 -- we did come up with an estimate of the people who were
11 engaged in the behavior. That's the measure of crime,
12 that's the criminal activity measure.

13 The people who were available to the police to be
14 potential targets who were stopped, that's people that live
15 in the place and who were on the street and available to be
16 stopped.

17 Q. So you used the crime conditions as the sole
18 basis to come up with the number of people, that is the
19 supply of individuals, engaged in the targeted behaviors;
20 do I have that right?

21 A. That was a proxy for that, yes.

22 Q. Did you, at any time in your study, account for
23 people who were engaged in behavior that did not rise to
24 the level of a crime, but that rose to the level of
25 reasonable suspicion?

FAGAN

1 A. There were no such data available.

2 Q. And does the absence of such data impair or
3 affect, in any way, the reliability of your conclusions?

4 A. I don't think so. Our conclusions, with respect
5 to the 14th Amendment, are fairly straight forward. You
6 know, setting aside the question of suspicion for the
7 moment, the stop rate seems to be indexed over and above
8 the crime rate to racial composition of people in the
9 neighborhood; over and above the crime rate. So that
10 accounts for the supply of individuals, because we include
11 population, and it includes the level of criminal activity.

12 So one would assume that there a proportion of
13 that population is engaged in criminal activity, and the
14 racial composition of the neighborhood.

15 Q. Couldn't the stop rate also reflect not only the
16 criminal activity, but the activity of individuals in that
17 precinct who were engaged in behavior that arouses
18 reasonable suspicion?

19 A. If you go back to Table 16, that's what we did.
20 Not 16. I'm sorry. This one. If you go back to Table 13,
21 we took the runs from Tables 5 and added into those runs
22 measures of reasonable suspicion.

23 One assumes that when the police encounter people
24 in a neighborhood who are engaged in suspicious behavior
25 that the police made a stop. Maybe they had looked at

FAGAN

1 MR. HELLERMAN: Objection.

2 A. I won't even touch that question.

3 Q. I mean, crime happens in a variety of
4 circumstances, at any time of day, it depends on the
5 specifics of any given place, any given time, and the
6 people who are present --

7 A. Is there a question, Counselor?

8 Q. Is that true?

9 MR. HELLERMAN: Objection.

10 A. Yeah, there's a big variety of crime, sure. They
11 make for good TV shows.

12 Q. And an officer contemplating whether to stop a
13 citizen has to take into account all the circumstances and
14 all the information that he has, at that time, right?

15 MR. HELLERMAN: Objection.

16 A. The officer should be taking into account the
17 indicia of reasonable suspicion in deciding whether or not
18 to stop somebody.

19 Q. Now, how can you control for all the
20 individualized circumstances that might give rise to
21 reasonable suspicion in any sociological study?

22 MR. HELLERMAN: Objection.

23 A. I don't think that's pertinent to what our
24 endeavor was about. We simply looked at the categories of
25 reasonable suspicion as interpreted and implied by the

FAGAN

1 officers, how they classified and what categories they fell
2 into based on our scheme.

3 Q. Who, if anyone, assisted you in writing your
4 report and supplemental report, Professor?

5 A. My research assistants.

6 Q. And how many research assistants did you have?

7 A. Well, there were different assistants at
8 different points in time. One was Amanda Geller. Another
9 was Steven Clark. I had a series of research assistants
10 who help developed the coding scheme for suspected crime.
11 Erin Kelly, Edith Beerdsen, Garth Davies.

12 Q. Was there anyone else?

13 A. Not that I recall.

14 Q. And what role did Ms. Geller play?

15 A. She assisted in running the models.

16 Q. Did she assist in developing the models?

17 A. She worked with me in developing the models.

18 Q. And you've published, co-authored articles with
19 Ms. Geller before, correct?

20 A. Correct.

21 Q. And she's a professor?

22 A. She's research scientist at Columbia University.

23 Q. And what role did Mr. Clark play?

24 A. He was a research assistant.

25 Q. What did he do for you?