



PohlmanUSA[®]
**Court Reporting and
Litigation Services**

Stan Roux

February 11, 2020

Susan Norwood

vs.

United Parcel Service, Inc.



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
AT KANSAS CITY

SUSAN NORWOOD,)	
)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:19-cv-02496-
)	DDC-JPO
)	
UNITED PARCEL)	
SERVICE, INC.,)	
)	
Defendant.)	

QUESTIONS FOR CERTIFICATION
IN THE
DEPOSITION OF STAN ROUX
Taken on behalf of the Plaintiff
February 11, 2020

Carolyn Sue Howser, CCR, RPR, CSR(MO), CSR(IL)
MISSOURI CCR CERTIFICATE NO. 0147
ILLINOIS CSR CERTIFICATE NO. 084.004679

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE DISTRICT OF KANSAS
 3 AT KANSAS CITY

3	SUSAN NORWOOD,)	
4)	
5	Plaintiff,)	
6)	
7	v.)	Case No. 2:19-cv-02496-
8)	DDC-JPO
9	UNITED PARCEL)	
10	SERVICE, INC.,)	
11)	
12	Defendant.)	

9
 10 QUESTIONS FOR CERTIFICATION IN THE
 11 DEPOSITION OF STAN ROUX, produced, sworn and
 12 examined on behalf of the Plaintiff, on
 13 February 11, 2020, between the hours of eight
 14 in the forenoon and five in the afternoon of
 15 that day, at the law offices of Ogletree,
 16 Deakins, Nash, Smoak & Stewart, P.C., 7700
 17 Bonhomme Avenue, Suite 650, Clayton, Missouri,
 18 63105, before Carolyn S. Howser, a Certified
 19 Court Reporter, Certified Shorthand Reporter
 20 and Registered Professional Reporter, and
 21 Notary Public within and for the State of
 22 Missouri.

18 A P P E A R A N C E S

19 The Plaintiff was represented by Mr.
 20 Luther O. Sutter, Esq., of the law firm of
 21 Sutter & Gillham, PLLC, 310 West Conway Street,
 22 Benton, Arkansas, 72015.

23 The Defendant was represented by Ms.
 24 Shelley I. Ericsson, Esq., of the law firm of
 25 Ogletree, Deakins, Nash, Smoak & Stewart, P.C.,
 4520 Main Street, Suite 400, Kansas City,
 Missouri, 64111.

Also Present: Susan Norwood, Calvin
 Norwood, Pamela Pfeifer, and Eric Day.

1 DEPOSITION COMMENCES AT 9:31 A.M.

2

3 STAN ROUX

4 of lawful age, being produced, sworn and
5 examined on behalf of the Plaintiff, testifies
6 as follows:

7

8 QUESTIONS FOR CERTIFICATION

9 CERTIFIED QUESTION NO. 1

10

11 Q. (By Mr. Sutter) All right. So, Mr.
12 Roux, what did you and your lawyer talk about
13 just now?

14 MS. ERICSSON: Object to the form of
15 the question. Attorney-client privilege. It's
16 not discoverable in this jurisdiction.

17 MR. SUTTER: So are you instructing
18 him not to answer?

19 MS. ERICSSON: Yes, I am.

20 MR. SUTTER: Certify the question.

21 Q. (By Mr. Sutter) Mr. Roux, you took a
22 break with your lawyer?

23 A. Yes.

24 Q. And you had certain discussions?

25 A. Yes.

1 Q. And were those discussions about the
2 substance of the deposition?

3 MS. ERICSSON: Object to the form of
4 the question. You're asking for attorney-
5 client privileged information. Don't answer
6 the question.

7

8

9

000

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 CERTIFIED QUESTION NO. 2

2

3 Q. (By Mr. Sutter) Mr. Roux, we took a
4 break. Did you talk to anybody about your
5 testimony on the break?

6 MS. ERICSSON: Object to the form. It
7 calls for attorney-client privilege. Don't
8 answer the question.

9 MR. SUTTER: All right. So there was
10 conversation? You had conversation with him
11 during the break?

12 MS. ERICSSON: Did you have a
13 conversation with your client over the break?

14 MR. SUTTER: My client is not under
15 examination.

16 MS. ERICSSON: This is not Arkansas.
17 There are different rules in Kansas than
18 Arkansas.

19 MR. SUTTER: Well, we'll see.

20 MS. ERICSSON: You can't ask about
21 those types of communications.

22 MR. SUTTER: Well, I'll do the
23 research.

24 MS. ERICSSON: If you're asking him
25 what he and I talked about, I'm going to tell

1 him not to answer.

2 MR. SUTTER: I am asking what you and
3 he talked about.

4 MS. ERICSSON: Okay. Don't answer the
5 question.

6 MR. SUTTER: And so it's against the
7 rule. If y'all can do it up here, then so be
8 it, but I just don't know, so I'll research it
9 and if I think otherwise, we'll certify that
10 question, so go ahead and certify that question
11 anyway.

12 All right. By the way, the notice was
13 for 9. I apologize. For some reason I had it
14 in my head at 9:30.

15

16 000

17

18

19

20

21

22

23

24

25

1 CERTIFIED QUESTION NO. 3

2

3 Q. Did you talk about your testimony over
4 the break?

5 MS. ERICSSON: Object to the form of
6 the question. Calls for attorney-client
7 privilege. Don't answer.

8 MR. SUTTER: Certify the question.

9 I've spoken with local counsel and
10 they differ with your interpretation, so we'll
11 be moving forward with the motion. Is there
12 any other consultation you think we need to do?

13 MS. ERICSSON: No.

14 MR. SUTTER: All right. Thanks.

15

16 000

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I, CAROLYN SUE HOWSER, RPR, CCR, CSR (MO),
CSR (IL), and Missouri Notary Public do hereby
certify that there came before me at the law
offices of Ogletree, Deakins, Nash, Smoak &
Stewart, P.C., 7700 Bonhomme Avenue, Suite 650,
Clayton, Missouri, 63105,

STAN ROUX

who was by me duly sworn; that the witness was
carefully examined; that said examination was
reported by myself; translated and proofread
using computer-aided transcription, and the
above transcript of the certified questions is
a true and accurate transcript of my notes
taken at the time of the examination of this
witness.

I further certify that I am neither
attorney nor counsel for nor related nor
employed by any of the parties to the action in
which this examination is taken; further, that
I am not a relative or employee of any attorney
or counsel employed by the parties hereto, or
financially interested in this action.

Dated this 13th day of March, 2020.

Carolyn Sue Howser,
RPR #6038, CCR #0147, CSR #084.004679
Notary Public #12487505

A	G	O	S
A.M 3:1 accurate 8:10 action 8:13,15 afternoon 2:11 age 3:4 ahead 6:10 answer 3:18 4:5 5:8 6:1,4 7:7 anybody 5:4 anyway 6:11 apologize 6:13 Arkansas 2:20 5:16,18 asking 4:4 5:24 6:2 attorney 8:13,14 attorney- 4:4 attorney-client 3:15 5:7 7:6 Avenue 2:13 8:4	consultation 7:12 conversation 5:10,10,13 Conway 2:20 counsel 7:9 8:13 8:15 Court 1:1 2:1,14 CSR 1:15 8:2,2,21 CSR(IL) 1:14 CSR(MO) 1:14	Gillham 2:20 go 6:10 going 5:25	S 2:13,18 see 5:19 SERVICE 1:7 2:7 Shelley 2:22 Shorthand 2:14 Smoak 2:12,22 8:3 spoken 7:9 STAN 1:10 2:10 3:3 8:6 State 2:15 STATES 1:1 2:1 Stewart 2:12,22 8:4 Street 2:20,23 substance 4:2 Sue 1:14 8:2,21 Suite 2:13,23 8:4 Susan 1:3 2:3,24 Sutter 2:19,20 3:11,17,20,21 5:3,9,14,19,22 6:2,6 7:8,14 sworn 2:10 3:4 8:7
B	D	H	P
behalf 1:11 2:10 3:5 Benton 2:20 Bonhomme 2:13 8:4 break 3:22 5:4,5 5:11,13 7:4	Dated 8:17 day 2:12,25 8:17 DDC-JPO 1:6 2:6 Deakins 2:12,22 8:3 Defendant 1:8 2:8 2:21 deposition 1:10 2:10 3:1 4:2 differ 7:10 different 5:17 discoverable 3:16 discussions 3:24 4:1 DISTRICT 1:1,1 2:1,1 duly 8:7	head 6:14 hereto 8:15 hours 2:11 Howser 1:14 2:13 8:2,21	P 2:18,18 P.C 2:12,22 8:4 Pamela 2:25 PARCEL 1:6 2:6 parties 8:13,15 Pfeifer 2:25 Plaintiff 1:4,11 2:4 2:10,19 3:5 PLLC 2:20 Present 2:24 privilege 3:15 5:7 7:7 privileged 4:5 produced 2:10 3:4 Professional 2:14 proofread 8:8 Public 2:15 8:2,22
C	E	I	Q
C 2:18 calls 5:7 7:6 Calvin 2:24 carefully 8:8 Carolyn 1:14 2:13 8:2,21 Case 1:5 2:5 CCR 1:14,14 8:2 8:21 certain 3:24 CERTIFICATE 1:14,15 8:1 CERTIFICATION 1:9 2:9 3:8 certified 2:13,14 3:9 5:1 7:1 8:9 certify 3:20 6:9,10 7:8 8:3,12 City 1:2 2:2,23 Clayton 2:13 8:4 client 4:5 5:13,14 COMMENCES 3:1 communications 5:21 computer-aided 8:9	E 2:18,18 eight 2:11 employed 8:13,15 employee 8:14 Eric 2:25 Ericsson 2:22 3:14,19 4:3 5:6 5:12,16,20,24 6:4 7:5,13 Esq 2:19,22 examination 5:15 8:8,10,14 examined 2:10 3:5 8:8	IL 8:2 ILLINOIS 1:15 information 4:5 instructing 3:17 interested 8:15 interpretation 7:10	question 3:9,15 3:20 4:4,6 5:1,8 6:5,10,10 7:1,6 7:8 questions 1:9 2:9 3:8 8:9
F	J	K	R
February 1:11 2:11 financially 8:15 firm 2:19,22 five 2:11 follows 3:6 forenoon 2:11 form 3:14 4:3 5:6 7:5 forward 7:11 further 8:12,14	jurisdiction 3:16	Kansas 1:1,2 2:1 2:2,23 5:17 know 6:8	R 2:18 reason 6:13 Registered 2:14 related 8:13 relative 8:14 reported 8:8 Reporter 2:14,14 2:14 represented 2:19 2:21 research 5:23 6:8 right 3:11 5:9 6:12 7:14 Roux 1:10 2:10 3:3,12,21 5:3 8:6 RPR 1:14 8:2,21 rule 6:7 rules 5:17
L	M	N	U
law 2:12,19,22 8:3 lawful 3:4 lawyer 3:12,22 local 7:9 Luther 2:19	Main 2:23 March 8:17 Missouri 1:14 2:13,15,23 8:2,4 MO 8:2 motion 7:11 moving 7:11	N 2:18 Nash 2:12,22 8:3 need 7:12 neither 8:12 Norwood 1:3 2:3 2:24,25 Notary 2:15 8:2 8:22 notes 8:10 notice 6:12	UNITED 1:1,6 2:1 2:6
Q	P	R	V
talk 3:12 5:4 7:3 talked 5:25 6:3 tell 5:25 testifies 3:5 testimony 5:5 7:3 Thanks 7:14 think 6:9 7:12 time 8:10 transcript 8:9,10 transcription 8:9 translated 8:8 true 8:10 types 5:21	privilege 3:15 5:7 7:7 privileged 4:5 produced 2:10 3:4 Professional 2:14 proofread 8:8 Public 2:15 8:2,22	reason 6:13 Registered 2:14 related 8:13 relative 8:14 reported 8:8 Reporter 2:14,14 2:14 represented 2:19 2:21 research 5:23 6:8 right 3:11 5:9 6:12 7:14 Roux 1:10 2:10 3:3,12,21 5:3 8:6 RPR 1:14 8:2,21 rule 6:7 rules 5:17	v 1:5 2:5
R	S	T	W
question 3:9,15 3:20 4:4,6 5:1,8 6:5,10,10 7:1,6 7:8 questions 1:9 2:9 3:8 8:9	State 2:15 STATES 1:1 2:1 Stewart 2:12,22 8:4 Street 2:20,23 substance 4:2 Sue 1:14 8:2,21 Suite 2:13,23 8:4 Susan 1:3 2:3,24 Sutter 2:19,20 3:11,17,20,21 5:3,9,14,19,22 6:2,6 7:8,14 sworn 2:10 3:4 8:7	taken 1:11 8:10 8:14 talk 3:12 5:4 7:3 talked 5:25 6:3 tell 5:25 testifies 3:5 testimony 5:5 7:3 Thanks 7:14 think 6:9 7:12 time 8:10 transcript 8:9,10 transcription 8:9 translated 8:8 true 8:10 types 5:21	way 6:12 we'll 5:19 6:9 7:10 West 2:20 witness 8:7,11
S	T	U	X
State 2:15 STATES 1:1 2:1 Stewart 2:12,22 8:4 Street 2:20,23 substance 4:2 Sue 1:14 8:2,21 Suite 2:13,23 8:4 Susan 1:3 2:3,24 Sutter 2:19,20 3:11,17,20,21 5:3,9,14,19,22 6:2,6 7:8,14 sworn 2:10 3:4 8:7	taken 1:11 8:10 8:14 talk 3:12 5:4 7:3 talked 5:25 6:3 tell 5:25 testifies 3:5 testimony 5:5 7:3 Thanks 7:14 think 6:9 7:12 time 8:10 transcript 8:9,10 transcription 8:9 translated 8:8 true 8:10 types 5:21	UNITED 1:1,6 2:1 2:6	

Y				
y'all 6:7				
Z				
0				
0147 1:14 8:21 084.004679 1:15 8:21				
1				
1 3:9 11 1:11 2:11 12487505 8:22 13th 8:17				
2				
2 5:1 2:19-cv-02496- 1:5 2:5 2020 1:11 2:11 8:17				
3				
3 7:1 310 2:20				
4				
400 2:23 4520 2:23				
5				
6				
6038 8:21 63105 2:13 8:4 64111 2:23 650 2:13 8:4				
7				
72015 2:20 7700 2:12 8:4				
8				
9				
9 6:13 9:30 6:14 9:31 3:1				