

IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR PIERCE COUNTY

GILLIAN MARSHALL,)
)
 Plaintiff,)
 vs) No. 19-2-11120-3
)
 THE STATE OF WASHINGTON,)
 UNIVERSITY OF WASHINGTON, a)
 State Agency, DIANE YOUNG,)
 individually, and TOM DIEHM,)
 individually,)
 Defendants.)

VIDEOTAPED REMOTE DEPOSITION OF RICHARD FURMAN, Ph.D
Taken at the instance of the Plaintiff

Tuesday, November 17, 2020
 11:30 a.m. to 11:41 a.m.
 Virtual Videotaped Zoom Deposition
 Washington

Anita Mitchell, Court Reporter

BRIDGES REPORTING & LEGAL VIDEO
 Certified Shorthand Reporters
 1312 N. Monroe Street
 Spokane, Washington 99201
 (509) 456-0586 - (800) 358-2345

1 BE IT REMEMBERED that the deposition of
2 RICHARD FURMAN, Ph.D, was taken on behalf of the
3 Plaintiff, pursuant to the Washington Rules of Civil
4 Procedure before Anita Mitchell, Certified Shorthand
5 Reporter for Washington, on Tuesday, the 17th day of
6 November, 2020, in Washington State, commencing at the
7 hour of 11:30 a.m.

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APPEARANCES:

For the Plaintiff:

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ALSO PRESENT:

Dr. Gillian Marshall - Plaintiff
Dr. Diane Young - Defendant
Tony Dondero_- Legal Assistant

Shannon Glover - Videographer
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I N D E X

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(No Exhibits)		

1 situation?

2 A. I don't remember that being the sequence, but I
3 did vote against her third-year appointment to the best
4 of my knowledge.

5 Q. All right. Did there come a time that you
6 were -- did there come a time that you and other faculty
7 met with Jill Purdy, to discuss her reasoning in
8 overturning the vote of the faculty?

9 A. Yes.

10 Q. And were you in attendance there?

11 A. I was.

12 Q. All right. Is it fair to say that during that
13 meeting, you suggested that she -- that Dr. Marshall was
14 aloof?

15 A. I don't recall.

16 Q. Okay. Do you recall somebody making that
17 suggestion?

18 A. No.

19 Q. Okay. And it's -- do you know what implicit bias
20 is?

21 A. Yes.

22 Q. What is it?

23 A. Implicit bias, well, it's complicated. Implicit
24 bias, I would suggest, is structural -- it's a couple of
25 things. It's structural impediments to someone's

1 success, based on a protected category. It's probably
2 the best answer I can give.

3 Q. Okay. And could you tell us, at that meeting
4 that we were just discussing, where I asked you if she
5 said she was aloof, at that meeting, did Jill Purdy
6 suggest in response to, to discussions by faculty, that,
7 that one way to address this issue, the fact that she
8 had overruled your vote, is to create policies to assess
9 collegiality?

10 A. I don't know. I don't know if that -- those two
11 were connected in that meeting. I have no idea.

12 Q. Okay. Did there come a time that that was raised
13 as a possible solution to the problem?

14 A. What problem? You're suggesting -- so what I'm
15 hearing, to be clear, just so I can understand, that,
16 that during that meeting -- well, can you rephrase your
17 question in a way that I can answer it.

18 Q. I hope so. We'll take a shot.

19 A. Okay.

20 Q. All right. So at the meeting, is it true that,
21 that Jill Purdy said words to the effect, that one way
22 to address this concern, the fact that she had
23 overturned the vote of the faculty regarding whether
24 Dr. Marshall could continue, would be to create policies
25 to assess -- that assess congeniality?

1 A. I don't recall --

2 Q. No, I just said it wrong, I'm sorry. I have to
3 say this whole long thing again. Okay. So at the
4 meeting, Jill Purdy said that one of the ways to address
5 the fact that she overturned the vote of the faculty,
6 would be to address policies to address collegiality?

7 A. I don't recall.

8 Q. Okay. Did there ever come a time that there was
9 a discussion involving the faculty on whether or not
10 they should change the policies to assess collegiality?

11 A. Was there a time where, at some meeting, faculty
12 suggested that we should change policies in order to
13 improve collegiality?

14 Q. I'll ask it that way.

15 A. Policies, no, not that I know.

16 Q. Okay. If I delete the word, "policies" -- let me
17 ask this, have there been discussions about assessing
18 collegiality in the tenure process?

19 A. No, not to my, not to my knowledge.

20 Q. Has congeniality -- strike that. Has
21 collegiality come up at all in discussions regarding
22 tenure?

23 A. Regarding tenure, not to my knowledge.

24 Q. How about regarding a third-year reappointment
25 review?

1 A. No. I've never heard any discussion of
2 collegiality and faculty assessment.

3 Q. Okay. How about for management or the
4 administration?

5 A. Could you say the question. I'm not clear.

6 Q. Yeah. So have you ever heard from anyone in the
7 administration, discussions regarding collegiality?

8 A. Yes, we hear discussions of collegiality all the
9 time, but not in relationship to evaluation, tenure,
10 promotion and those things, yeah.

11 Q. How about whether or not you could change some
12 aspect of the third-year appointment review to include
13 consideration as to whether or not the candidate is a
14 good fit within the organization?

15 A. Have those discussions occurred, is that --

16 Q. Yes.

17 A. Not to my knowledge.

18 Q. Okay. All right. I have no further questions.
19 Thanks for your time.

20 MR. EWART: Nothing from me at this time.
21 Thanks.

22 MR. SHERIDAN: I did it. All right. See
23 everybody at 1:30. Thank you, Doctor.

24 THE VIDEOGRAPHER: This concludes -- this
25 concludes the video deposition of Richard Furman,

1 consisting of one tape. The time is approximately 11:41
2 a.m. The original tapes of today's testimony will
3 remain in the custody of Bridges Reporting & Legal
4 Video.

5 (The deposition concluded at 11:41 a.m.)

6 (Signature Reserved)

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2 STATE OF WASHINGTON)
3 COUNTY OF KITSAP) ss.
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5 I, Anita Mitchell, do hereby certify that at the
6 time and place heretofore mentioned in the caption of
7 the foregoing matter, I was a Certified Shorthand
8 Reporter for Washington; that at said time and place I
9 reported in stenotype all testimony adduced and
10 proceedings had in the foregoing matter; that thereafter
11 my notes were reduced to typewriting and that the
12 foregoing transcript consisting of 14 typewritten pages
13 is a true and correct transcript of all such testimony
14 adduced and proceedings had and of the whole thereof.

15 I further certify that I am herewith securely
16 sealing the said original deposition transcript and
17 promptly delivering the same to Jack Sheridan.

18 Witness my hand at Kitsap County, Washington, on
19 this 2nd day of December, 2020.
20
21

22 _____
23 Anita Mitchell
24 CSR NO. 2586
25 Certified Shorthand Reporter