

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA - HAYWARD HALL OF JUSTICE

AMBROSE AGU, Individually and)	
as Successor-in-Interest to)	
the ESTATE OF TED AGU; and)	
EMILIA AGU, Individually,)	
)
Plaintiffs,)	
)
vs.)	Case No. RG14735588
)
THE REGENTS OF THE UNIVERSITY)	
OF CALIFORNIA, et al.,)	
)
Defendants.)	
)

VIDEO DEPOSITION OF STEPHANIE MARTINEZ
1300 Clay Street, Suite 600
Oakland, California
Wednesday, November 5, 2014

Reported by: Carrie Hewerdine
California CSR No. 4579
Nevada CCR No. 820

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF ALAMEDA - HAYWARD HALL OF JUSTICE

AMBROSE AGU, Individually and)
as Successor-in-Interest to)
the ESTATE OF TED AGU; and)
EMILIA AGU, Individually,)

)
Plaintiffs,)

)
vs.) Case No. RG14735588
)

THE REGENTS OF THE UNIVERSITY)
OF CALIFORNIA, et al.,)
)

)
Defendants.)
)

Video Deposition of STEPHANIE MARTINEZ, taken
on behalf of the Plaintiff, at 1300 Clay Street, Suite
600, Oakland, California, beginning at 9:16 a.m., on
Wednesday, November 5, 2014, before Carrie Hewerdine,
Certified Shorthand Reporter No. 4579.

I N D E X

STEPHANIE MARTINEZ

Examination By:
Mr. Murphy

Page
6

E X H I B I T S

Defendant's Description

Page

Exhibit 1 CAD Operations Report

12

Exhibit 2 Incident Report

17

APPEARANCES OF COUNSEL:

For the Plaintiffs:

THE YERRID LAW FIRM
BY: C. STEVEN YERRID, ESQ.
101 East Kennedy Boulevard.
Bank of America Plaza, Suite 3910
Tampa, Florida 33602
Telephone: (813) 222-8222
E-mail: Syerrid@yerridlaw.com

and JEFFREY D. MURPHY, ATTORNEY AT LAW
BY: JEFFREY D. MURPHY, ESQ.
800 W. De Leon Street
Tampa, Florida 33606
Telephone: (813) 443-5553
E-mail: Jm@jeffmurphyllaw.com.

For the Defendants:

LOMBARDI, LOPER & CONANT
BY: MARIA M. LAMPASONA, ESQ.
1999 Harrison Street
Suite 2600
Oakland, California 94612
Telephone: (510) 433-2600
E-mail: Mlampasona@llcllp.com

Also present:

MATT MILLER, Videographer

Oakland, California

Wednesday, November 5, 2014, 9:16 a.m. - 9:46 p.m.

THE VIDEOGRAPHER: Good morning. Here begins
the video recorded deposition of Stephanie Martinez,
Media 1, Volume 1 in the matter of Ambrose Agu versus
the Regents of the University of California, et al., in
the Superior Court of the State of California, County
of Alameda, Hayward Hall of Justice. The case number
is RG14735588.

Today is Wednesday, November 5th, 2014. The
time on the video monitor is 9:18 a.m.

The video operator is Matt Miller, and the
court reporter is Carrie Hewerdine here on behalf of
Hahn & Bowersock Court Reporters. Today's deposition
is being taken on behalf of the Plaintiff and is being
taking place at the 1300 Clay Street, Suite 600 in
Oakland, California.

Counsel and all present, please introduce
yourselves and state whom you represent.

MR. MURPHY: Jeff Murphy and Steve Yerrid for
the Agu family.

MS. LAMPASONA: Maria Lampasona for
Defendant, the Regents and for the witness, Stephanie

<p>1 Martinez.</p> <p>2 THE VIDEOGRAPHER: Will the court reporter</p> <p>3 please swear in the witness.</p> <p>4 THE REPORTER: Raise your right hand, please.</p> <p>5</p> <p>6 STEPHANIE MARTINEZ,</p> <p>7 Called as a witness on behalf of the Plaintiff, and having</p> <p>8 been first duly sworn by the Certified Shorthand Reporter,</p> <p>9 was examined and testified as follows:</p> <p>10 THE WITNESS: I do.</p> <p>11 THE VIDEOGRAPHER: Please proceed.</p> <p>12</p> <p>13 EXAMINATION</p> <p>14 BY MR. MURPHY:</p> <p>15 Q Ma'am, please state your name for us.</p> <p>16 A Stephanie Martinez.</p> <p>17 Q Okay. Ms. Martinez, do you go by "Officer</p> <p>18 Martinez"?</p> <p>19 A Stephanie Martinez is fine.</p> <p>20 Q Okay. My name is Jeff Murphy. Along with</p> <p>21 Steve Yerrid, I represent the family of Ted Agu, and I</p> <p>22 want to ask you some questions regarding your</p> <p>23 investigation or your involvement in the investigation</p> <p>24 of his death on February 7th, 2014.</p> <p>25 If there's anything I ask you that you don't</p>	<p>1 you respond on the weekends?</p> <p>2 A I -- that's my shift currently.</p> <p>3 Q Okay.</p> <p>4 A I'm on a weekend graveyard shift right now.</p> <p>5 Q I understand. Thank you.</p> <p>6 A So it's.</p> <p>7 Q Have you ever responded to any emergencies on</p> <p>8 the Cal campus relating to football players?</p> <p>9 A I have, and the one in question was the one</p> <p>10 that I responded to (cell phone ringing), and -- but</p> <p>11 other than that, not very often, no.</p> <p>12 Q Are you referring to the incident with Ted</p> <p>13 Agu?</p> <p>14 A Yes.</p> <p>15 Q That's the only incident you can recall</p> <p>16 responding to on the Cal campus regarding the football</p> <p>17 team?</p> <p>18 A Correct. Recently there's --</p> <p>19 MS. LAMPASONA: Well --</p> <p>20 THE WITNESS: Yeah.</p> <p>21 MS. LAMPASONA: I'm just going to object</p> <p>22 as -- to subsequent incidents as not being reasonably</p> <p>23 calculated.</p> <p>24 BY MR. MURPHY:</p> <p>25 Q Okay. You can answer the -- you can go ahead</p>
<p>1 understand, please let me know, and I'll rephrase it</p> <p>2 for you. Okay?</p> <p>3 A Okay.</p> <p>4 Q Have you ever given a deposition before?</p> <p>5 A No.</p> <p>6 Q Okay. Where do you work?</p> <p>7 A I work at U.C. Berkeley Police Department.</p> <p>8 Q And how long have you worked at U.C.</p> <p>9 Berkeley?</p> <p>10 A Two years. My anniversary date is coming up.</p> <p>11 So three years in two weeks.</p> <p>12 Q Who is your employers?</p> <p>13 A U.C. Berkeley.</p> <p>14 Q Okay. And what do you do in the police</p> <p>15 department there?</p> <p>16 A In the police department I'm a police</p> <p>17 officer, and I work patrol. That's my assignment.</p> <p>18 Q Okay. When you say "patrol," can you</p> <p>19 generally tell us what that means.</p> <p>20 A I'm not investigations, and I'm not -- so I'm</p> <p>21 just taking calls and responding as a shift on the</p> <p>22 weekends right now.</p> <p>23 Q Okay. So are you part-time?</p> <p>24 A Full-time.</p> <p>25 Q Okay. I misunderstood you then. You said</p>	<p>1 and tell me what you were going to tell me, subject to</p> <p>2 her objection.</p> <p>3 A Just -- I'm usually at football games. So we</p> <p>4 provide scene security there.</p> <p>5 Q Okay. Sometimes there are incidents at</p> <p>6 football games?</p> <p>7 A Right.</p> <p>8 Q Okay. I'm talking about with actual football</p> <p>9 players, though, involving players. Have you been</p> <p>10 involved in any other incident involving players?</p> <p>11 A None that I can recall other than Agu.</p> <p>12 Q Okay. Did you have any involvement in the</p> <p>13 investigation of Ted Agu's death on February 7th?</p> <p>14 A I was the responding officer at the scene.</p> <p>15 Q What kind of -- just before we talk about Ted</p> <p>16 and his death, what kind of calls do you respond to,</p> <p>17 any and all calls?</p> <p>18 A Generally, yes. At U.C. Berkeley we respond</p> <p>19 to all calls involving fire and medical, responding to</p> <p>20 our campus. Any time they come to our campus, we</p> <p>21 respond and take a report, an incident report.</p> <p>22 Q Okay. Is it only with respect to fire and</p> <p>23 medical type emergencies that you're called on?</p> <p>24 A Generally, yes.</p> <p>25 Q Okay.</p>

<p>1 A And then we also do -- I mean, anything 2 involving crime, and then -- as well as -- depending on 3 the situation, we'll respond to incidents on campus 4 that someone calls in.</p> <p>5 Q What -- generally, what's your standard 6 procedure? What do you do when you respond to a 7 medical emergency?</p> <p>8 A Usually we get information on the victim, so 9 whoever the main person is that needs the medical 10 services, and get basic background as to what happened.</p> <p>11 We assist in providing fire a little more 12 direction when we're there. So we'll show them into a 13 room or open a door if they need to get in, and then 14 we'll get any information on scene as to any involved 15 parties that are necessary for our report.</p> <p>16 Q Okay.</p> <p>17 A And then we generally write, at the end, a 18 disposition -- disposition as to what happened to the 19 victim, were they transported to a hospital or did 20 they -- did they decline medical.</p> <p>21 Q Okay. Is it important for you, at -- when 22 you arrive to a scene of a medical emergency, to pay 23 close attention to everything you see?</p> <p>24 A Yes. I mean, that's part of the job is just 25 to be aware of what's going on and limit any other</p> <p style="text-align: right;">10</p>	<p>1 they saw something?</p> <p>2 A Yes, if it's necessary to do so.</p> <p>3 Q Okay. Let me first show you what was 4 produced by your attorneys yesterday, and it's titled 5 "CAD Operations Report." And why don't I want you 6 generally to -- you already have a copy there.</p> <p>7 Take a look at that and just generally tell 8 me what that is, please.</p> <p>9 A This is a report that is constructed pretty 10 much by the dispatcher. This is a program that they 11 use in order to make their notations or to even 12 timestamp things that they get in.</p> <p>13 Q Okay. And this came from the Cal Berkeley 14 Police Department with respect to the incident 15 involving Ted Agu?</p> <p>16 A Correct.</p> <p>17 MR. MURPHY: I'd like to get this marked as 18 Plaintiff's Exhibit 1. And, for the record, it 19 consists of three pages Bates stamped number 676, 677, 20 and 678.</p> <p>21 (Deposition Exhibit No. 1 marked)</p> <p>22 BY MR. MURPHY:</p> <p>23 Q Ms. Martinez, when you look at this 24 document -- if you don't know the answer -- I know this 25 isn't your document, but, you know, tell me if you</p> <p style="text-align: right;">12</p>
<p>1 danger to the scene or to the individual.</p> <p>2 Q And is part of your job, when you prepare 3 your report, to document what you saw?</p> <p>4 A Right.</p> <p>5 Q And I take it you also talk to people, 6 witnesses or people who were at the scene when you go 7 to the scene?</p> <p>8 A Yes.</p> <p>9 Q And is it important to properly document what 10 those witnesses tell you that they saw?</p> <p>11 A As much as we can, because I think our report 12 is a very basic one, since we are the initial 13 responders on the scene. We really just get names, 14 provide any medical services if needed.</p> <p>15 And then as far as getting very detailed 16 information, we are just there as an initial responding 17 officer, so as much as we can do in that moment.</p> <p>18 Q If you go to a scene and a witness tells you, 19 "I saw X happen at such and such time," that's 20 something that's important for you to put in your 21 report?</p> <p>22 A If it's pertinent information, correct, yes, 23 we put in the report.</p> <p>24 Q You try to be as accurate as possible when 25 you're putting down what time the witness told you that</p> <p style="text-align: right;">11</p>	<p>1 don't know. But when you look at the document on the 2 top right there under "call detail information" --</p> <p>3 A Yes.</p> <p>4 Q -- it says "Date and time received, February 5 7, 2014" --</p> <p>6 A Uh-huh.</p> <p>7 Q -- "6:51 and 15 seconds?"</p> <p>8 A Uh-huh.</p> <p>9 Q What does that refer to?</p> <p>10 MS. LAMPASONA: Objection. Calls for 11 speculation. The document speaks for itself.</p> <p>12 If you know, answer.</p> <p>13 THE WITNESS: I would be speculating. For 14 us -- for me, I just write what's on the report. I 15 don't know exactly how they get the information, but 16 for this call it is all based on a call. So whenever 17 they get a call in, they initiate a timestamp from 18 then on.</p> <p>19 BY MR. MURPHY:</p> <p>20 Q Okay. Who is -- I notice a name here, on 21 this document, "Peppers"?</p> <p>22 A Yes.</p> <p>23 Q Who that's?</p> <p>24 A That is a dispatcher.</p> <p>25 Q What is his or her name?</p> <p style="text-align: right;">13</p>

<p>1 A Her name is Constance Peppers. 2 Q Does she still at university police? 3 A Yes. 4 Q Would she be a better person to ask about the 5 what the things on this document mean? 6 A Yes. 7 Q Go to the second page, there, please. 8 A Okay. 9 Q And in the bottom section it has "Call log." 10 Do you recognize, just from looking at these calls on 11 this log, as to whether any of them pertain to you? 12 A Yes, on the -- for this one, it will list -- 13 there's a little section that says "Officer." So those 14 are badge numbers. And my badge number is on there a 15 few times, because I'm badge number 56. 16 And so I know with these portions of this 17 document, there's usually timestamp things such as our 18 status at the time. And usually -- I haven't been 19 trained on how to use this. I've just kind of figured 20 out, myself, things -- 21 Q Okay. 22 A -- things I've seen on it. 23 Q Would this be like -- for instance, you 24 called back to the office and say, "okay" -- you say, 25 "Okay. I'm doing this now," and then they would</p> <p style="text-align: right;">14</p>	<p>1 A From the information that I received, this 2 looks similar. Yes, that was the entire report. 3 Q Okay. You're not aware of any other 4 documents that are out there, other than what's sitting 5 in front of you -- 6 A Correct. 7 Q -- right now? Okay. You can hand that back 8 to me, please. 9 A (Witness complying) 10 Q Now, I went through this document looking for 11 things that you were involved in -- 12 A Mm-hmm. 13 Q -- and I had limited it to three pages. And 14 I might be wrong, but the three pages I have are Bates 15 numbers 141 through 143, and it appears to be an 16 incident report with a narrative prepared by you. 17 Would you please take a look at that. 18 A Yes. 19 Q Have you seen that document before? 20 A Yes. 21 Q That's your incident report and your 22 narrative? 23 A Yes. 24 MR. MURPHY: I'd like to get that marked as 25 Plaintiff's Exhibit Number 2.</p> <p style="text-align: right;">16</p>
<p>1 record -- 2 A This is all via radio, generally, for the 3 most part. So I'll, umm, advise when I'm on scene, 4 advise when fire or medical have arrived, and those are 5 generally timestamped by a dispatcher. 6 Q Okay. 7 A Via me telling them by radio. 8 Q What does "SHPCBRK" mean? 9 MS. LAMPASONA: Objection. Calls for 10 speculation. Lacks foundation. 11 BY MR. MURPHY: 12 Q If you know. 13 A I don't know. 14 Q Okay. all right. Next I'd like to show you 15 documents that were produced to me by counsel, Bates 16 numbers 138 through 2779, and just ask you to briefly 17 take a look at those. They were produced to us as 18 being UC California Police Department records regarding 19 the Ted Agu incident. You don't need to look through 20 every page. I just want to generally know if you know 21 what that is. 22 A Yes. 23 Q Do you have any knowledge as to whether 24 that's the entire police report that Cal has on the Ted 25 Agu incident?</p> <p style="text-align: right;">15</p>	<p>1 (Deposition Exhibit No. 2 marked) 2 BY MR. MURPHY: 3 Q There are any other documents in that stack I 4 just handed you, Bates numbered 138 through 279, other 5 than those three documents -- pages, that were prepared 6 by you? 7 A These are the only ones that were prepared. 8 Q Exhibit 2 that we just marked? 9 A Yes. 10 Q Okay. Now, let's talk about the Ted Agu 11 incident. 12 A Mm-hmm. 13 Q Do you recall being dispatched to the scene? 14 A Yes. 15 Q Tell me what you remember. 16 A I remember being dispatched to the scene, and 17 I arrived on scene with -- as a passenger in a 18 sergeant's car, because it was towards the end of my 19 shift. So, umm -- 20 Q Sergeant Wing? 21 A Sergeant Wing, correct. Upon arriving I 22 got -- I brought my AED once I arrived on scene and 23 approached and then saw two athletics trainers 24 providing emergency medical for Ted Agu. And at that 25 time he was on the ground. They were in the process of</p> <p style="text-align: right;">17</p>

<p>1 CPR, and they had the AED hooked up at the time that I 2 arrived.</p> <p>3 Q And where was Ted lying down?</p> <p>4 A The -- he was on the -- kind of like the 5 north end of the stadium. So there's -- it was a 6 large -- there's a large stadium, and then, where we 7 drove into, it's a small parking lot that leads into 8 the stadium on the north end. And so he was pretty 9 much on the edge of that stadium on the ground.</p> <p>10 Q Was he lying on his back?</p> <p>11 A On his back.</p> <p>12 Q And how far from this actual stadium was he?</p> <p>13 A Umm, he was very close. So he was -- because 14 the stadium, it has a kind of like a plaza level that's 15 ground level that goes around, but he was very close to 16 the edge of the stadium.</p> <p>17 Q What time were you dispatched to the scene?</p> <p>18 A I don't recall the exact time. I would have 19 to look at the document.</p> <p>20 Q Oh, I'm sorry. I thought -- you have it 21 right there.</p> <p>22 A Yeah.</p> <p>23 Q Take your time and look through it and tell 24 me if you know at what time you were dispatched.</p> <p>25 A At approximately 6:53.</p> <p style="text-align: right;">18</p>	<p>1 speculation.</p> <p>2 THE WITNESS: I -- I would -- from my 3 information, I would just imagine being the time on the 4 CAD, but other than that ...</p> <p>5 BY MR. MURPHY:</p> <p>6 Q That would be the time received up here in 7 the top right hat says 6:51 and 15 seconds?</p> <p>8 MS. LAMPASONA: Same objection. The document 9 speaks for itself.</p> <p>10 THE WITNESS: Yes, I believe so.</p> <p>11 BY MR. MURPHY:</p> <p>12 Q When you got to the scene, after you observed 13 what you already told me, what did you do, if anything?</p> <p>14 A Umm, when I got to the scene, I made sure 15 that the people that were providing emergency services 16 for Ted Agu, that they didn't need anything. So I had 17 offered if, umm, they needed I can step in and do 18 compressions or do breaths, and they were -- they 19 didn't need to. So they had him taken care of.</p> <p>20 And then mainly my main focus was just scene 21 security, so making sure that they had enough space 22 to -- to provide medical services for him, and then 23 that was involving keeping the football team at a safe 24 distance away.</p> <p>25 Q Did you have any discussions with any of the</p> <p style="text-align: right;">20</p>
<p>1 Q So what generally happens? Does the call 2 come into Cal police, and then they send it out to 3 officers out on patrol, like you?</p> <p>4 A Generally that's what happens. Umm, I 5 don't -- I'm not positive on this incident, because 6 sometimes it will be -- it could be transferred into 7 our department via BPD, another department locally. So 8 generally that's what happens, but on this specific 9 incident, I'm not sure.</p> <p>10 Q Okay. When you got to the scene, what time 11 was it?</p> <p>12 A I arrived on scene -- I believe it was just 13 shortly after we received the call, umm, approximately 14 five minutes after. Usually the CAD printout shows the 15 time that I arrived and timestamped.</p> <p>16 Q Okay. Let me look at the CAD and let me 17 know, please, if it shows you when you arrived on 18 scene.</p> <p>19 A This one says approximately 6:57.</p> <p>20 Q Okay. So within five minutes of when you --</p> <p>21 A So --</p> <p>22 Q -- from when you got the call?</p> <p>23 A Correct.</p> <p>24 Q And do you know when Cal police got the call?</p> <p>25 MS. LAMPASONA: Objection. Calls for</p> <p style="text-align: right;">19</p>	<p>1 football players at that time about what had happened?</p> <p>2 A Nothing too long. It was just, umm, telling 3 them to, you know, stay right here and don't go any 4 farther than a -- and then every once in a while they 5 would just ask what was going on and wanted to know how 6 Agu was doing.</p> <p>7 Q Okay. Did you at some point learn who the 8 two men were who were helping -- or with Mr. Agu on the 9 ground?</p> <p>10 A Yes. After fire arrived, I was able to speak 11 to them for a short time, and I -- at that point I got 12 their -- made sure of their full name and then their -- 13 their work title.</p> <p>14 But before that point, I had an idea that 15 they were athletics trainers. I just didn't know their 16 title.</p> <p>17 Q How did you have that idea?</p> <p>18 A Uh, the -- the mainly the clothing that they 19 were wearing.</p> <p>20 Q And were those two men Robbie Jackson and 21 Mike Jones?</p> <p>22 A Uh, yes.</p> <p>23 Q If we look on page 1, here, of Exhibit Number 24 2, down there at the bottom left it says "Stephanie 25 Martinez." It says "2/8/14," it looks like 12:50 a.m.</p> <p style="text-align: right;">21</p>

1 A Yes.
2 Q What does that refer to?
3 A That refers to the -- let's see. 2 -- I have
4 to look just to make sure.
5 To the time that I completed the report and
6 submitted it for final review.
7 Q Okay. So within 24 hours of the incident you
8 submitted your narrative --
9 A Correct.
10 Q -- and your incident report?
11 A Yes.
12 Q Let's look at the narrative, which is the
13 third page of Exhibit 2 Bates numbers 143.
14 Have you had a chance to look at that
15 narrative before your deposition this morning?
16 A Yes.
17 Q All right. And this says, as you indicated
18 earlier, that at approximately 6:53 you were dispatched
19 to the scene?
20 A Yes.
21 Q And you mentioned that the male subject --
22 that's Ted Agu?
23 A Correct.
24 Q He had a pre-existing medical condition?
25 A Mm-hmm.

22

1 Q What does that refer to?
2 A That refers to the information that I had
3 before I arrived on the scene.
4 Q What information did you have before arrived
5 on scene?
6 A That he had a pre-existing medical condition
7 and, umm, that I -- it was most likely at the time -- I
8 believed it to be, uh, Sickie Cell, but at that point
9 for my report it's generally not needed to write down
10 what exactly it was. I just knew pre-existing medical
11 condition.
12 Q So you were told, before you even arrived at
13 the scene, that Ted had Sickie Cell trait?
14 A Yes.
15 Q Who told you that?
16 A That, I'm not positive. I don't remember. I
17 do remember for our information, when we get, it's
18 usually given to us by dispatch -- dispatch or -- I
19 arrived on scene with my sergeant, but I -- I don't
20 remember exactly who.
21 Q So either your sergeant or the actual
22 dispatch, the police department, would have told you
23 that Ted had Sickie Cell Trait before you arrived on
24 scene?
25 A Yes.

23

1 Q Then the second paragraph, here, of your
2 narrative, it talks about what you already told me,
3 that you saw the trainers with Ted. Were they trying
4 to perform CPR?
5 A Umm, they were performing CPR.
6 Q Okay. And then at some point -- when they
7 were done -- well, strike that.
8 Was your unit the first police unit, fire
9 unit, EMS unit, the first official agency to arrive on
10 the scene?
11 A Yes.
12 Q Okay. And do you remember what time the fire
13 department or the ambulance arrived?
14 A I don't remember, but I -- usually we -- when
15 I -- I'll advise when they arrive, via radio, and then
16 that's usually timestamped by dispatch.
17 Q Did you get a chance to talk with Mike Jones
18 and Robbie Jackson?
19 A Uh, I did get to talk with them shortly
20 after.
21 Q Did you talk to them there at the scene?
22 A Yes, at the scene.
23 Q Okay. After the --
24 A After --
25 Q After the EMS people arrived?

24

1 A Yes.
2 Q And did you talk to them both at the same
3 time or did you talk to them separately?
4 A Umm, I don't recall very well. I know at the
5 time there was a rush to get Ted Agu onto, umm, the
6 ambulance and with fire. So when I spoke with them, it
7 was kind of a mixture of whatever I had on scene. So
8 sometimes I was able to talk to, umm, them together or
9 separate. It was a mix of --
10 Q Okay. Did you take notes of your
11 conversation?
12 A Yes.
13 Q Do you have those notes?
14 A No. Usually what I do with notes, umm -- we
15 have a confidential shredder. So any time I take
16 notes, I put them in that bin.
17 Q That's standard procedure?
18 A For us, yes.
19 Q Whatever that was in your notes, that was
20 important, you put into your narrative?
21 A Correct.
22 Q Did you speak with anybody else, that you can
23 recall, other than Robbie Jackson and Mike Jones?
24 A Uh, I very well could have. There was other
25 training staff on scene at the time.

25

<p>1 Q As you sit here today, do you remember what</p> <p>2 any other trainers, other than Robbie and Mike might</p> <p>3 have told you?</p> <p>4 A No. Anything that would be of pertinent</p> <p>5 nature, anything that was -- I would put in the report.</p> <p>6 But -- you know, not that -- I don't remember anything</p> <p>7 specifically.</p> <p>8 Q And Robbie and Jack -- Robbie Jackson and</p> <p>9 Mike Jones told you that approximately 6:30 a.m., that</p> <p>10 Robbie noticed that Agu was having trouble with the run</p> <p>11 and appeared to be short of breath, correct?</p> <p>12 A Correct. I -- one of them had mentioned</p> <p>13 that.</p> <p>14 Q Okay. So either Robbie or Mike told you that</p> <p>15 at about 6:30 a.m., Robbie Jackson had noticed that Ted</p> <p>16 was having trouble with the run and appeared to be</p> <p>17 short of breath?</p> <p>18 A Correct.</p> <p>19 Q And as a result, at or about 6:30 a.m., he</p> <p>20 removed Ted from the run and drove him in a golf cart</p> <p>21 toward the Simpson Center?</p> <p>22 A Correct. One of them or even one of the</p> <p>23 trained staff members.</p> <p>24 Q A University of California employee told you</p> <p>25 that?</p> <p style="text-align: right;">26</p>	<p>1 Q And anything that any other trainers or any</p> <p>2 other Cal employees, that you deemed to be important,</p> <p>3 is in your narrative?</p> <p>4 A Yes.</p> <p>5 Q Who was the lead investigator regarding Ted's</p> <p>6 death?</p> <p>7 A Umm --</p> <p>8 Q I'm not trying to trick you. I saw Officer</p> <p>9 Benningson.</p> <p>10 A Benningson, yeah.</p> <p>11 Q Benningson?</p> <p>12 A Benningson.</p> <p>13 MR. MURPHY: B-E-N-N-I-N-G-S-O-N, I believe.</p> <p>14 THE REPORTER: Thank you.</p> <p>15 BY MR. MURPHY:</p> <p>16 Q Do you have any involvement, whatsoever, in</p> <p>17 assisting Officer Benningson with the investigation?</p> <p>18 A No.</p> <p>19 Q Did you have any more involvement with Ted</p> <p>20 Agu's death after you drove Mike Jones to the hospital</p> <p>21 that morning?</p> <p>22 A No.</p> <p>23 Q Do you recall any discussions with either</p> <p>24 Robbie Jackson or Mike Jones regarding Sickie Cell</p> <p>25 Trait?</p> <p style="text-align: right;">28</p>
<p>1 A Correct. Correct. Yes.</p> <p>2 Q Okay. What else did you do at the scene that</p> <p>3 you recall?</p> <p>4 A Umm, at the scene we just -- once fire</p> <p>5 arrived, and then they pretty much transitioned. So</p> <p>6 they transitioned with the trainers on scene and got</p> <p>7 any information that they could have. And then when</p> <p>8 Agu was taken to Alta Bates Hospital, I later on, with</p> <p>9 my sergeant, we drove over, umm, Jones to the hospital</p> <p>10 as a -- someone to wait there for emergency contact and</p> <p>11 things like that.</p> <p>12 So we drove him to the hospital after the</p> <p>13 scene -- after we left the scene.</p> <p>14 Q Who did you drive to the hospital? Sorry.</p> <p>15 A Jones.</p> <p>16 Q Okay. Mike Jones. Did you have any further</p> <p>17 discussions with him that you can recall?</p> <p>18 A In the car it was mainly just asking if he</p> <p>19 was okay, because he had just been working and doing</p> <p>20 chest compressions for a while on Ted Agu. So offering</p> <p>21 him water and he -- I believe, things like that.</p> <p>22 Q So everything that Robbie or -- or Mike told</p> <p>23 you, that you deemed to be important is in your</p> <p>24 narrative?</p> <p>25 A Correct.</p> <p style="text-align: right;">27</p>	<p>1 A No.</p> <p>2 Q Have you ever heard anybody say that there</p> <p>3 was any video cameras, like security cameras, either</p> <p>4 outside the stadium or outside of Boalt Hall that might</p> <p>5 have recorded this incident?</p> <p>6 A No.</p> <p>7 Q Nobody has ever talked to you about that?</p> <p>8 A No.</p> <p>9 Q Do you personally know Robbie Jackson or Mike</p> <p>10 Jones?</p> <p>11 A No.</p> <p>12 Q What about any of the coaches at Cal Berkeley</p> <p>13 football?</p> <p>14 A No.</p> <p>15 Q Do you have any personal relationship with</p> <p>16 any of the players?</p> <p>17 A No.</p> <p>18 MR. MURPHY: One moment, please.</p> <p>19 (Proceedings paused briefly)</p> <p>20 BY MR. MURPHY:</p> <p>21 Q Okay. Do you remember any discussions with</p> <p>22 Robbie Jackson or Mike Jones regarding the extent of</p> <p>23 Ted's struggles on the hill? Your narrative says that</p> <p>24 Robbie told you that Ted was having trouble was short</p> <p>25 of breath.</p> <p style="text-align: right;">29</p>

1 A Mm-hmm.
2 Q Were there any other discussions you had?
3 A No.
4 Q Any more detail?
5 A No.
6 MR. MURPHY: That's all I have. Thank you,
7 ma'am.
8 THE WITNESS: Okay. Thank you.
9 MS. LAMPASONA: All right. Thanks.
10 MR. MURPHY: For your first time, sir --
11 MR. YERRID: You're one of the --
12 THE VIDEOGRAPHER: This is the end of Media
13 1, Volume 1 of the deposition of Stephanie Martinez.
14 The original media will be retained by Hahn & Bowersock
15 Court Reporters.
16 We're going off the record. The time on the
17 monitor is 9:46 a.m.
18 (Proceedings concluded at 9:46 a.m.)
19
20
21
22
23
24
25

30

1
2
3 ***
4
5 I do solemnly declare under penalty of
6 Perjury, under the laws of the State of California,
7 that the foregoing is my deposition under oath; that
8 these are the questions asked of me and my answers
9 thereto; that I have read same and have made the
10 necessary corrections, additions, or changes to my
11 answers that I deem necessary.
12 In witness thereof, I hereby subscribe my
13 name this _____ day of _____, 20__.
14
15
16
17
18
19 _____
20 Witness Signature
21
22
23
24
25

31

1 CERTIFICATION
2 OF
3 CERTIFIED SHORTHAND REPORTER
4
5 I, the undersigned, a Certified Shorthand
6 Reporter of the State of California do hereby certify:
7 That the foregoing proceedings were taken
8 before me at the time and place herein set forth; That
9 any witnesses in the foregoing proceedings, prior to
10 testifying, were placed under oath; that a verbatim
11 record of the proceedings was made by me using machine
12 shorthand which was thereafter transcribed under my
13 direction; further, that the foregoing is an accurate
14 transcription thereof.
15 I further certify that I am neither
16 financially interested in the action nor a relative or
17 employee of any attorney of any of the parties.
18 IN WITNESS WHEREOF, I have this date _____
19 subscribed my name Carrie Hewerdine
20 Carrie Hewerdine
21
22 Dated: __ November 14, 2014 _____
23 Certificate Number: 4579
24
25

32