



Excerpts from the Deposition of David Pauken

June 7, 2022

Committee on Oversight and Reform
U.S. House of Representatives
oversight.house.gov

On June 7, 2022, the Committee conducted a deposition of David Pauken, the former Chief Operating Officer at the Washington Commanders from 2001 to 2006. Below are key excerpts from the deposition.

Dan Snyder Protected Coaching Staff from Sexual Harassment Allegations to “Make the Problem Go Away” (pp. 167-68)

- Q: You mentioned a sexual harassment incident. What are you referring to?
- A: That was fall of 2002. There was a member of the public relations staff that was groped by a member of the coaching staff at an event. I believe it may have occurred on a bus. It was an evening event. And it got reported to me. I don't know if it came in through [REDACTED] or how it came in, but it got to me. And I talked to Dan about it, and I knew what we were going to do and—which was nothing. And we told the person to just stay away from the coach, we would do our best to keep the coach away from you, but stay away from the coach. Obviously, that is not right. That's what we did.
- Q: Did you talk with the coach about the allegations?
- A: No.
- Q: And when you say that you knew what we were going to do, how did you come to an understanding of what you were going to do?
- A: Well, I had spent, at that point, six years with Dan. I knew the importance of things that were important to him. This was a new coach and we weren't going to disrupt that new coach. And so we were going to make the problem go away as best we could.
- Q: The problem being the public relations staff?
- A: Yeah.
- Q: Did Mr. Snyder tell you not to take action?
- A: He told—he told me—together, he and I came up with, like, we weren't going to confront the coach, and keep this person away from the coach. Together we came up with that plan.

Female Staff Were Fired for Violating a Non-Fraternization Personnel Policy While Male Staff Faced No Consequences; Mr. Snyder “Wanted the Problem to Go Away” (pp. 129-131)

- Q: Is it your testimony today that this policy regarding prohibited relationship with football players did not just apply to cheerleaders, but to front office employees?
- A: Yes.
- Q: Do you recall any instances of employees who were not cheerleaders who violated this policy?
- A: Yes, I do.
- Q: Can you tell me about that?
- A: Yeah, I can think of two stories. One involved—both involved women and on the front office side, and people on the coaching staff.
- Q: Can you tell me more about those?

- A: One of them involved a woman in a leadership role on the front office side who engaged in a regular and active sexual relationship with a senior member of the coaching staff. And we discovered that. And when we discovered it, we briefed Dan Snyder on it, and the conclusion was made to terminate the woman involved. We—the evidence that we had was incontrovertible, in that it was described in detail in hundreds of emails. Yeah.
- Q: What happened to the coaching staff?
- A: Nothing. We didn't say anything to the coach involved.
- Q: Why not?
- A: We didn't want the coach to have any distractions. We just wanted the problem to go away, as it were. So when we terminated the woman involved, the termination was done by me and Norm Chirite together. And we gave the employee no reason why we were terminating her. She pressed hard, she speculated that we knew. We did not admit that we knew, and just informed her that today was her last day, and gave her an agreement to sign that involved some amount of severance with an NDA, nondisclosure.
- Q: Anything else?
- A: To that story? No, nothing else.
- Q: Did Mr. Snyder know?
- A: He knew. He knew as soon as I discovered it. Actually, it was discovered by [REDACTED], the CFO. [REDACTED] informed me, I reviewed the evidence, I immediately informed Dan. The decision to terminate this person took minutes to make that decision and was done within 24 hours.
- Q: Who made that decision?
- A: Dan Snyder made that decision. I agreed with it. I'm not saying that's right, but I agreed with it.

Dan Snyder Approved the Firing of Cheerleader for Having a Relationship with Football Player, but No Action Was Taken Against Player (pp. 93-97)

- Q: Mr. Pauken, you mentioned earlier that prior to your arriving at the Commanders, you believed that there was a policy that perhaps governed the conduct of cheerleaders; is that correct?
- A: Yes.
- Q: Can you tell me about that policy?
- A: I believe when I got there, there was some policy in place which, as I mentioned, I reviewed and edited. And it covered the conduct of the cheerleaders and perhaps other matters I can't recall. Included in there was a prohibition against relationships with football players, other team staff, and I don't know—I don't recall how far it went in the definition of relationships, but it included not having sex with players. That was the intent of it.
- ...
- Q: Do you know if that policy was ever violated during your tenure?
- A: It was.
- Q: Do you recall when?

A: Yes. This would have been the 2005 season. There were two cheerleaders involved, [REDACTED]. And the player involved—and I mention this because this is all publicly reported, was Chris Cooley. It came to my attention, and I don't recall how, that [REDACTED] had been involved in a sexual relationship with Chris Cooley. It was credible information. I had Donald Wells confront [REDACTED] about it, [REDACTED] reported to Donald Wells and validated what was happening. And it was a violation of the policy with the cheerleaders to have sex with a player. I talked to Dan about it, and he said that we should fire [REDACTED] and I agreed with him. Frankly, I agreed with him we should fire [REDACTED]. And then told Donald to fire [REDACTED], and we did.

...

And unfortunately, this was a situation where the female employee was treated differently than the male. The female employees were fired, the male employee was—there were no repercussions other than he was restricted from additional sex with the cheerleaders. This story is fairly widely publicized.

Q: Was Chris Cooley ultimately hired by Dan Snyder to work on the business side of the Washington Commanders?

A: Yes, I believe that he was after I left. He was in some capacity.

Mr. Snyder's Description of Himself as a "Hands-Off" Owner Was "Not a True Statement" (pp. 108-109)

Q: Now, Mr. Pauken, what was your reaction when you read Mr. Snyder's statement that he was a hands-off owner?

A: My reaction was that that is not a true statement.

Q: Why not?

A: Because I have no experience with him, nor do any of my colleagues, where he was hands off.

Q: Was Mr. Snyder hands off when it came to the Commanders marketing and sales strategy, in your experience?

A: No, never. He was always very actively involved in suite sales, who we were selling suites to, in sponsorships, who we were selling sponsorships. He even got involved in helping do negotiation of the larger deals. I already discussed there were cheerleaders that we fired that we discussed with him. I talked to him about the personnel policy.

Dan Snyder Said to "Keep Cheerleaders Skinny and With Big Tits" (pp. 64-65)

Q: Do you recall what year?

A: Yeah, when I took over the cheerleaders in 2001, so that was the 2001 calendar. While I was there, Donald and Melanie would organize the calendar shoot which would normally happen in a tropical island somewhere or Mexico, or someplace like that. And—look, I was always fighting, I felt like I was always fighting Dan and Donald Wells on the sexualization of the cheerleaders. I told Donald and I

told Melanie, and it wasn't really Melanie's responsibility. It was more Donald, but they were in my office together.

I said, look, I want tops and bottoms on every girl. And, fine. They took that direction. And they would go take the calendar shoots and they would come and they would present the photos that they want to pick from—I don't want to say they, I want to say Donald would want to pick for the calendar. And, okay, the girls had tops and bottoms, but one ankle was on the left, and the other ankle was on the right. And did that comply that there was a top and a bottom? Yes. But was it to my standard on what I was looking for on not oversexualizing something that was already sexual? No. And I remember killing that shot.

So—and I would tell Dan these stories and, you know, he would tell me to leave Donald alone and tell Donald to keep the cheerleaders skinny and with big tits.

Q: Did you relay that message to Donald?

A: I did. And Donald told me that Dan had told him the same thing directly.

Mr. Snyder Invited Mr. Pauken and Others on Weekend Trip Where “We’ve Got Girls Lined Up,” Which Mr. Pauken Believed Were Prostitutes (pp. 142-45)

Q: When you would travel with Mr. Snyder on trips that were related to work and/or pleasure, even if it was a mixture of both, did you ever witness him engaging in conduct that you believed was unprofessional, unfitting for an owner of a team, a leader, manager, executive? I think the NFL describes it often as conduct detrimental. Did you ever witness him engaging in any behavior like that?

A: Yes, I did. You're asking me for an example?

Q: Please.

A: Okay. There was an instance in the spring of 2001. The University of Maryland had made it to the Final Four. The game was played in Minneapolis. So this is all a matter of public record on when that was. It was the spring of 2001. And Dan said to me, hey, I'm going to—me and some of his friends are going to go see the game, we're going to go have a day trip to Minneapolis, go there, watch the game, come home.

And like I'm working a lot, I've got three kids, et cetera, and I'm leaving to go on a day trip on a Saturday, I think it was on a Saturday. I'm pretty sure it was a Saturday. And so I go. I get on the plane, and I get in the air. And I'm told that we're going to be gone for a couple of days.

And I said, hey, Dan, you told me this was a day trip. I told [REDACTED]—[REDACTED] is my wife—I would be home tonight. And also, I have no luggage. I didn't bring anything. And, look, to Dan, these are irrelevant details, okay, because you can call your wife and say you'll be a few days, and you can have somebody go out and buy you some clothes when you get to Minneapolis. These are just like not even relevant details.

And he said, we've got girls lined up, and there's one for you. And to be honest, I wasn't sure what to do with that, other than to know I was in trouble here and needed to figure out a way out. And we get to Minneapolis, we get over to the hotel that we're staying in. And there are a number of beautiful women in this

hotel suite who are physically very affectionate and they—nobody said they were prostitutes. I assumed they were prostitutes. They had flown in from Dallas. And so we sat around, had drinks. I did my best to avoid being touched by them. They were very affectionate to Dan and other men who were with us. And when it came time to go to the game, they had tickets that were in a different place than our tickets because Dan's a public figure, he's not going to be sitting there next to these women.

I also was given tickets not near Dan, and that night or midway through the game, I walked out of the arena, got in a cab, went over to the Minneapolis airport and got the last flight from Minneapolis back to DC, and told my wife what had happened, which was not an easy conversation to have with one's wife.

That's one story for you.

...

Q: Now, you mentioned that these girls were flown in from Dallas. How do you know that?

A: Dan mentioned that they flew in from Dallas. I found out from him.

Q: Do you know who would have arranged that travel?

A: I don't.

Q: You mentioned that the women were affectionate?

A: Mm-hmm.

Q: What do you mean by that?

A: I mean, like putting their arm around one's back, and rubbing fingers through hair, sitting thigh to thigh while doing that.

“And He Would Ask Me for \$500 ... It Happened Again in 2005. And I Put It on My Expense Report to Get Reimbursed \$500 Plus a \$1.50 Charge” (pp. 147-49)

Q: Do you recall any other instances where Mr. Snyder brought girls to events on work travel or personal travel, or used girls' services?

A: Yeah, I—so there was an instance in—I think, again, it was in 2001, and I know it happened again in 2005, where he and I were in New York. And we would be at a dinner, and we were walking back to the hotel. And he would ask me for \$500. And I said, Dan, I don't have \$500. And I know better than to ask Dan if he has \$500. Number one, he wouldn't be asking me if he had it. And number two, I know he didn't really carry much cash, typically. And he said, well, can you get me \$500 from a money machine?

Now, he has a money card. He can get \$500, but he asked me to get it. So I did. And it's late at night, and I give him the money and he goes to his room. And he says, I'll see you in the morning. And, look, I wasn't born yesterday. I'm not—there's not too many things you need \$500 for at 11:00 at night, where you're staying at the St. Regis, where you can put anything on the tab that you might need.

And in my marriage, my wife keeps the checkbook and I don't ever pull \$500 out. I'll pull 200 out, and it would be very unusual for me to pull \$500 out in the evening. And she would notice that. She has an attention to detail. So I called her that night and told her what had happened.

After that, I told [REDACTED] and [REDACTED] that whenever I traveled, and they would know when I'm traveling, I wanted somebody to put at least \$1,000 in cash in my hand, so that if I was ever asked for cash, I had it. And I didn't want to be in a situation where I needed to call my wife again.

I think in 2005 or—I don't know what happened, but I—the same thing happened. We were in New York and I pulled \$500 out of a Citibank. And I know this because I have my 2005 expense reports. I have my 2005 calendar. And there's a receipt for a withdrawal at Citibank and—on my calendar that clearly says I flew to New York with Dan on Thursday and was with him all day on Friday. So it happened again in 2005. And I put it on my expense report to get reimbursed \$500 plus a \$1.50 charge. I can keep going.

Q: Please.

A: Also sitting in expense reports, there was an expense report from Karl Swanson that has no receipts attached, but is asking for roughly \$1300. I think two components, one 700, one 500, from Karl Swanson, from which there are no receipts and indicate they're for Dan Snyder.

And why do I have that expense report? Well, I'm not sure how it got in my stack of expense reports, but it would have been given to me. There's a note on there from my assistant, [REDACTED], to please note there was no receipt. So it was given to me because the accounting was not going to reimburse Karl without my signature. So that's why it got to me. So I would, of course, approved that because I know what that's for. And I know it's not right for Karl to be out that money.

“There Wasn't a Year That Went By” That Daniel Snyder Didn't “Push” Mr. Pauken to Allow Sponsors and Suiteholders Access to Cheerleader Photo Shoots (pp. 65-66)

Q: Was it your understanding that Mr. Wells, in oversexualizing the cheerleading program, was trying to appease the owner of the team?

A: Yes. I felt like—I knew Dan's view and Donald knew Dan's view, and neither view was consistent with my view. And as I said earlier, I felt all the time like it was me against Dan and Donald when it came to the cheerleaders.

And, look, Dan had me in charge of it, because I had, I think, reasonably good operating skills. And I was able to make money with it. But I was always, I felt like, holding the line. There wasn't a year that went by where Dan didn't push me to allow Dennis Greene or other people in the sales and marketing staff to allow sponsors or other paying guests to attend a calendar shoot. And I never allowed it.

Dan Snyder Called Cheerleaders “Ugly” and Harassed Mr. Pauken about Their Looks (p. 70-71)

Q: Did you ever have any discussions with Mr. Snyder about his desire to make the calendar more risqué, so to speak?

A: Not the calendar, no. The cheerleaders, yes.

Q: How so?

A: Two things come to mind. Before a game, hours before a game, the cheerleaders were out on the field and would do practice. We'd be at the stadium early on gameday. And on more than one occasion, two or three seasons at least, maybe four, Dan would call me in to the owner's box. He would be in the owner's box. He would be sitting there and there would be somebody else, a friend of his who was with him at that time, just sitting there relaxing before the game. And they're watching the cheerleaders practice out on the field. And I would get called in and he would say to his friend, hey, do you think Dave is gay? And his friend would say, yeah, he must be gay. And Dan would say, yeah, he has to be gay. As ugly as these cheerleaders are. Pauken, are you gay? You must be gay. How could you have a cheerleading squad that looked like this?

The Culture Was "How Dan Wanted the Culture at the Time" (pp. 91-92)

Q: Did you ever try to implement these kinds of changes—outside of the code of conduct policy that you implemented with the front office staff, were there other ways that you tried to change this culture?

A: No.

Q: Can you tell me why not?

A: The—because the culture was how Dan wanted the culture at the time. And I wasn't going to go against his wishes. It's not that on occasion I wouldn't. I would try on occasion. But on a major cultural shift, I wasn't going to do that. I just wasn't going to take it on with him. In the end, I don't think I would have been at the company.

Why Congress Should be Involved in This Investigation (p. 155)

Q: But yet you still think that Congress is the right place for transparency of the private work place?

A: I think absent the NFL doing something, which they didn't with the Beth Wilkinson investigation, yeah.

Q: Is there a currently ongoing investigation by the NFL?

A: It is. And it only happened because of this Committee. Because this Committee brought Tiffany Johnston in, and she told her story and it wasn't until after that, that this investigation occurred. And my belief is that this Congress has a right and an obligation to workplace safety and oppression. And if there's a role to help the American worker in that, then you have a role in it.

1 ALDERSON COURT REPORTING

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10 DEPOSITION OF: DAVID PAUKEN

11 TUESDAY, JUNE 7, 2022

12 U.S. HOUSE OF REPRESENTATIVES

13 COMMITTEE ON OVERSIGHT AND REFORM

14 WASHINGTON, D.C.

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25 The Interview Commenced at 10:00 a.m.

26 Appearances:

27 For the COMMITTEE ON OVERSIGHT AND REFORM:

28

29 For the DEMOCRATIC STAFF:

30 [REDACTED], Majority

31 Counsel

32 [REDACTED], Majority Counsel

33 [REDACTED], Majority Counsel

34

35 For the REPUBLICAN STAFF:

36 [REDACTED], Minority Counsel

37 [REDACTED], Minority Counsel

38 [REDACTED], Minority Counsel

39

40 For the WITNESS:

41 DANIEL GROOMS, ESQ.

42 Cooley, LLP

43 1299 Pennsylvania Avenue, N.W.

44 Suite 700

45 Washington, DC 20004

46

47

48

49 Also Present:

50 [REDACTED], Majority Intern

51 [REDACTED], Majority Intern

52 [REDACTED], Summer Associate, Cooley

53

54 Exhibits:

55	Majority Exhibit No.	Page
56	1 - Subpoena	5
57	3 - The Washington Post	
58	August 26, 2020 article, Lewd	
59	cheerleader videos, sexist rules:	
60	Ex-employees decry Washington's	
61	NFL team workplace	115
62	4 - Document Bates stamped 997332	125
63	5 - Memo dated June 23, 2003, to	
64	Personnel file of Dennis Green	
65	from [REDACTED] Bates NFL-00097350	129
66	6 - Code of Conduct for Employees with	
67	the Redskins Organization,	
68	Pro-Football, Inc. and WFI	
69	Stadium, Inc., Bates commencing	
70	NFL-00102480	138
71		
72	Minority Exhibit	Page
73	A - Report to the National Football	
74	League on the Washington Football	
75	Team's Implementation of	
76	Recommendations, dated	
77	January 29, 2022	98
78		

79 P R O C E E D I N G S

80 [REDACTED]. It is 10:00. Good morning.

81 The Witness. Good morning.

82 [REDACTED]. This is the deposition of David Pauken

83 conducted by the House Committee on Oversight and Reform.

84 The deposition is occurring under subpoena issued by

85 Chairwoman Carolyn Maloney on June 12, as part of the

86 Committee's investigation into the Washington Commanders

87 toxic work environment and the NFL's handling of that

88 matter.

89 The person transcribing this deposition is a House

90 stenographer and a notary public authorized to administer

91 oaths. The stenographer will now place you under oath.

92 Before we begin, I will mark the subpoena as Exhibit 1 and

93 enter it into the record.

94 (Majority Exhibit No. 1 was

95 identified for the record.)

96 Whereupon,

97 DAVID PAUKEN,

98 having been duly sworn by the Notary Public, was examined

99 and testified as follows:

100 [REDACTED]. Would the witness please state his full
101 name and spell his last name for the record?

102 The Witness. David Brian Pauken, P-A-U-K-E-N.

103 [REDACTED]. Mr. Pauken, my name is [REDACTED], and

104 I have been designated Majority counsel for this deposition.
105 I am accompanied by [REDACTED]. He is Majority counsel for
106 this Committee. I am also accompanied by [REDACTED], who
107 is Majority counsel for this Committee.

108 At this time, I will ask the additional individuals in
109 the room to introduce themselves for the record, starting
110 with the Majority staff.

111 [REDACTED], Majority intern.

112 [REDACTED], Majority intern.

113 [REDACTED], counsel for the Minority.

114 [REDACTED], counsel for the Minority.

115 [REDACTED]. And [REDACTED] counsel for the
116 Minority.

117 EXAMINATION BY COUNSEL FOR THE COMMITTEE

118 BY [REDACTED]

119 Q Because this witness is compelled to be here
120 by subpoena, we are operating pursuant to Committee rules,
121 specifically Rules 15 and 16, which cover the guidelines for
122 today's deposition. We previously provided Mr. Pauken's
123 personal counsel with a copy of these rules. I have a copy
124 of these rules here today with us if you would like to
125 review them at any time. I will now briefly review the
126 ground rules for today's deposition.

127 The way the questioning will proceed today is as
128 follows: The deposition will begin with the Majority asking

129 questions of you for up to one hour; thereafter, the
130 Minority will have the opportunity to ask you questions for
131 an equal period of time. We will rotate back and forth, one
132 hour per side, until we are out of questions.

133 If you need a break for any reason at any time, please
134 do let us know. We are happy to accommodate you.
135 Ordinarily, we take a five-minute break at the end of each
136 hour of questioning, but if you need a break before that,
137 just let us know. To the extent there is a pending
138 question, I would just ask that you finish answering the
139 question before you take a break.

140 Do you understand?

141 A I understand.

142 Q Under the Committee's rules, you are allowed
143 to have an attorney present to advise you. Do you have an
144 attorney present with you today?

145 A I do.

146 [REDACTED]. Would counsel for Mr. Pauken please
147 identify themselves for the record?

148 Mr. Grooms. Daniel Grooms and [REDACTED] from
149 Cooley.

150 BY [REDACTED]:

151 Q As you can see, the stenographer is taking
152 down everything that I say, and everything you say to make a
153 written record of this deposition. For the record to be

154 clear, please wait until I finish the question before you
155 begin your answer, and I will wait for you to finish your
156 response before asking you the next question. The
157 stenographer cannot record nonverbal answers, such as
158 shaking your head. So it's important that you answer each
159 question with an audible verbal answer.

160 Do you understand?

161 A I do.

162 Q You are required to answer all questions
163 unless you are asserting a privilege. To the extent you or
164 your counsel object to a question, to assert a privilege,
165 you must clearly state the specific privilege being asserted
166 and the reason for the assertion on or before the scheduled
167 date of testimony. Objections must be made in a non-
168 suggestive and argumentative manner.

169 Members of Committee staff are not permitted to raise
170 objections. You may only refuse to answer a question to
171 preserve a privilege recognized by the Committee, and not
172 for any other reason. For example, it is improper to object
173 to questions on the basis of confidentiality and/or
174 concurrent litigation interests.

175 Mr. Pauken, do you understand?

176 A I do.

177 Q The House of Representatives and the
178 Committee do not recognize common law nondisclosure

179 privileges, including but not limited to deliberative
180 process privilege, attorney-client privilege, attorney work
181 product protection, and any purported contractual privileges
182 such as nondisclosure agreements.

183 Do you understand?

184 A I do.

185 Q The only assertions of executive privilege
186 that the Chair of the Committee will consider are those made
187 in writing by an Executive Branch official authorized to
188 assert the privilege.

189 Do you understand?

190 A I do.

191 Q If you refuse to answer a question on the
192 basis of privilege, the Majority staff will either proceed
193 with the deposition or seek a ruling from the Chair on the
194 objection by telephone, or otherwise during the deposition
195 at a time of the Majority staff's choosing. If the Chair
196 overrules any such objection during deposition, you are
197 required to answer the question.

198 Do you understand?

199 A I do.

200 Q If you refuse to answer a question after
201 being directed by the Chair in writing or orally during the
202 deposition as reflected in the record, you may be subject to
203 sanction.

204 Do you understand?

205 A I do.

206 Q We want you to answer our questions in the
207 most complete and truthful manner as possible, so we are
208 going to take our time. If you have any questions or you
209 don't understand any of the questions, please do let me
210 know, we will be happy to clarify or rephrase our questions.

211 Do you understand, Mr. Pauken?

212 A I do.

213 Q If I ask you about conversations or events in
214 the past and you are unable to recall the exact words or
215 details, you should testify to the substance of those
216 conversations or events to the best of your recollection.
217 If you recall only a part of the conversation or event, you
218 should give us your best recollection of those events or
219 parts of the conversation that you do recall.

220 Do you understand?

221 A I do.

222 Q Mr. Pauken, because you have been placed
223 under oath, your testimony here today has the same force and
224 effect as if you were testifying before the Committee. If
225 you knowingly provide false testimony, you could be subject
226 to criminal prosecution for perjury, making false
227 statements, or related offenses.

228 Do you understand?

229 A I do.

230 Q Have you consumed anything, including
231 medications, alcoholic beverages, or other substances, that
232 would impair your ability to testify truthfully today?

233 A I have not.

234 Q Is there any reason that you are unable to
235 testify truthfully today?

236 A No.

237 Q Do you have any questions before we begin?

238 A I do not.

239 Q Mr. Pauken, are you currently employed?

240 A Yes.

241 Q Where are you employed?

242 A A company called Convoke, Inc., and a company
243 called Acadian Software.

244 Q What is your job title at Convoke, Inc.?

245 A Chairman of the board and CEO.

246 Q And what about at Acadian Software?

247 A CEO.

248 Q As chairman of the board and CEO at Convoke,
249 can you briefly explain what your job entails?

250 A I lead a software company that provides a
251 software as a service solution to the banking industry.

252 Q And what about at Acadian Software?

253 A I lead a software investment company that

254 makes investments in software as a service businesses.

255 Q How long have you been with Convoke?

256 A Since 2010.

257 Q And what about Acadian Software?

258 A Since December 2017.

259 Q Prior to joining Convoke in 2010, did you
260 have any other employment?

261 A Yes.

262 Q And what was that?

263 A I was chairman and CEO of a company called
264 EKA, E-K-A, Systems.

265 Q What was your job title at EKA Systems?

266 A I was chairman and CEO.

267 Q What kind of company is EKA Systems?

268 A It was a technology company that provided
269 software and hardware solutions to the utility industry.

270 Q And as president and CEO, what does your job
271 entail?

272 A Leading sales, marketing, product
273 development, engineering of EKA Systems.

274 Q How long were you at EKA Systems?

275 A From August of 2008 until starting at Convoke
276 in 2010, fall, maybe summer of 2010.

277 Q Prior to joining EKA Systems, did you have
278 any other employment?

279 A I was -- just prior to EKA Systems?

280 Q Correct.

281 A I was unemployed for two-and-a-half,
282 approximately two-and-a-half years after leaving the
283 Washington Redskins in March of 2006. I do have a question.
284 Would you prefer I refer back in that period to the team as
285 the Redskins or the Commanders? Do you have a preference on
286 the team name that I refer to for that period of time?

287 Q I will probably refer to them as the
288 Commanders, but if you slip back and forth, that's fine.

289 A Okay.

290 Q Now, prior to this period of unemployment,
291 were you employed elsewhere?

292 A Only at the Washington Commanders as the
293 chief operating officer.

294 Q When did you begin your employment with the
295 Washington Commanders?

296 A In January 2001.

297 Q What was your role?

298 A I was the chief operating officer and I was
299 responsible for a number of activities. The retail
300 business, the cheerleaders, what we called football
301 operations, finance and accounting. I also had
302 responsibilities over for a period of time player contract
303 negotiations, management of the salary cap. Not for the

304 entire time, but part of the time I was there, I had those
305 responsibilities.

306 I was also responsible for the Washington Redskins
307 Leadership Council, which was the charitable organization of
308 the team. I was not the executive director, but I did sit
309 on the board and had primary oversight responsibility for
310 the Leadership Council.

311 Q Anything else?

312 A I provided -- yeah, I was also responsible
313 for a period of time for premium seat sales from 2000
314 approximately 2003, when that was taken over by Mitch
315 Gershman, who reported to Dan Snyder. So at that time,
316 premium seat sales, I was no longer responsible for. And
317 then I was actively involved in the hostile takeover of Six
318 Flags in 2005, which was successful. And I was ultimately
319 named to the board of directors of Six Flags.

320 Q When were you named to the board of
321 directors?

322 A Whenever the takeover was consummated. I
323 can't recall if it was December of 2005, December -- or
324 January of 2006. Around that timeframe. I'm sure it's in
325 the SEC records somewhere.

326 Q Are there any other responsibilities that you
327 can recall?

328 A No.

329 Mr. Grooms. If you don't mind one moment, please.

330 The Witness. Oh, thank you.

331 Yeah, I was also responsible for human resources while
332 at the Commanders.

333 BY [REDACTED]

334 Q Is that throughout your tenure?

335 A Yes.

336 Q Now, you mentioned that you were responsible
337 for player contract negotiations only for part of the time
338 you were employed?

339 A Yes.

340 Q Why did that change?

341 A It primarily had to do with either who was
342 serving as the coach at the time or who was leading player
343 personnel at the time. So, for example, when Marty
344 Schottenheimer was the head coach, part of his
345 responsibility and authority was player personnel and
346 contract negotiations. So while Marty was the head coach,
347 he had it.

348 After Marty left, player personnel reverted back to
349 Vinny Cerrato, who was rehired by Dan Snyder. And we hired
350 an attorney by the name of Eric Schaffer, who reported to
351 Vinny. And there were some challenges within the department
352 and Dan asked for Eric to have dotted line reporting to me
353 to -- for me to perform oversight of the contract

354 negotiations and salary cap, management of the salary cap.
355 And that occurred for some number of years. I don't recall
356 if I had that all the way until my departure, but for some
357 number of years, I did have that responsibility.

358 Q You mentioned that there were some
359 challenges. What do you mean by that?

360 A Well, I think Dan Snyder was not satisfied
361 with how player personnel was negotiating and managing
362 negotiations with potential players or existing players, and
363 also management of the salary cap, which is a math exercise
364 to keep track of the numbers. And I'm pretty good with
365 numbers. And so he asked me to take over supervising Eric
366 and overseeing the calculation of where we stood on salary
367 cap. It was not an area where it's good to make mistakes.
368 It's something you needed to get right.

369 Q And when you say that it's not an area where
370 it's good to make mistakes, what do you mean by that?

371 A Well, if you exceed the salary cap, you're
372 subject to some form of discipline or ramifications from the
373 NFL. You're violating the NFL rules if you've got players
374 on your roster where if you add up everything that you're
375 paying them exceeds the salary cap. That's a violation of
376 the NFL.

377 And when it comes to negotiating a player contract,
378 as in any negotiation, there can be challenges in that. And

379 I think Dan felt like Eric and I might be able to do a
380 better job than some of the existing staff on player
381 personnel. It's certainly true that Dan Snyder was involved
382 in any significant player contract negotiation.

383 Q You also mentioned that you were involved in
384 the hostile takeover of Six Flags. What do you mean by
385 hostile takeover?

386 A It's a figure of speech coined by Wall
387 Street. And what that means, it's traditionally considered
388 an unfriendly takeover. So what you do is you go to the
389 shareholders of a public company and you put something
390 before them to vote on. And in this case, we wanted them to
391 remove the existing board of directors and install a new
392 board of directors. And if you get a majority of the
393 shareholders to vote for that, you've essentially fired the
394 existing board and management team. So Wall Street has
395 coined the term hostile, because it's not done willingly.

396 Q As the COO, was your role on the board of Six
397 Flags part of your responsibilities, or was that separate?

398 A Separate. It had nothing to do with the
399 Washington Commanders.

400 Q How many employees reported to you as the COO
401 during your tenure, if you recall?

402 A On a full-time basis, probably somewhere in
403 the neighborhood of 100. If you counted part-time, which

404 are gameday employees, there's probably somewhere between
405 500 and 1,000 gameday employees that report up to me at game
406 time.

407 Q And who did you report to?

408 A I reported to Dan Snyder.

409 Q Directly?

410 A Directly.

411 Q Prior to joining the Washington Commanders in
412 2001, did you have any other employment?

413 A Yes.

414 Q What was that?

415 A I was the chief accounting officer of a
416 company called Snyder Communications from August of 1996 to
417 December of 2000.

418 Q What did that role entail?

419 A I was responsible for -- it was a public
420 company. I was responsible for the accounting and finance
421 function, all SEC reporting, financial planning and
422 analysis. All financial directors of our subsidiaries had
423 dotted line reporting in to me.

424 The company had approximately 12,000 employees, I
425 believe, at the time it was sold to Havas, H-A-V-A-S, Havas,
426 in September of 2000. I also had a role assisting the chief
427 operating officer of Snyder Communications in implementing
428 per policies, per direction at acquired subsidiaries

429 worldwide.

430 Q Who was the chief operating officer?

431 A Michelle Snyder.

432 Q And that is the sister of Mr. Snyder?

433 A Sister of Mr. Snyder, and I reported to

434 Michelle Snyder.

435 Q Who owns Snyder Communications?

436 A It was privately held until, I think,
437 September 1996, when it went public on the New York Stock
438 Exchange. So when it went public, it was obviously public
439 shareholders plus ownership by Dan Snyder, Michelle Snyder,
440 Arlette and Gerry Snyder, Mort Zuckerman, Fred Drasner, and
441 public shareholders. They were the owners when it was
442 public. I believe that's the list. Prior to going public,
443 it would have been owned by Dan Snyder, Michelle Snyder,
444 Arlette and Gerry Snyder, Mort Zuckerman, Fred Drasner.
445 It's possible there were other minority shareholders, but I
446 can't recall.

447 Q Who is Arlette Snyder?

448 A Dan and Michelle Snyder's mother.

449 Q And what about Gerry Snyder?

450 A Dan and Michelle Snyder's father.

451 Q Do you recall who hired you at Snyder
452 Communications?

453 A Yes. Dan Snyder and his sister, Michelle,

454 together hired me.

455 Q And what about at the Washington Commanders?

456 A Dan Snyder hired me.

457 Q You mentioned that you reported to Michelle

458 Snyder while at Snyder Communications. Did that ever

459 change?

460 A No.

461 Q And approximately how long were you with

462 Snyder Communications?

463 A August 1996 to December 2000.

464 Q Prior to Snyder Communications, did you have

465 any other employment?

466 A I did.

467 Q What was that?

468 A I worked for the accounting firm Arthur

469 Andersen from July 1984 up until starting with Snyder

470 Communications in July or August of 1996, I think August of

471 1996.

472 Q And what was your role at Arthur Andersen?

473 A My last role was senior audit manager in the

474 Washington office.

475 Q What did that entail?

476 A I managed, supervised the firm's audits over

477 companies that were clients of Arthur Andersen. In my last

478 couple years there, I had only three clients. Most of my

479 time was spent on Marriott International, which was a big
480 company, a company called the Dark Group, and a
481 semiconductor company up in Long Island whose name escapes
482 me.

483 Q As the senior audit manager, did you manage
484 other employees?

485 A I did.

486 Q Approximately how many?

487 A Anywhere from five to 30 people, depending on
488 the size of the engagement.

489 Q Do you recall what other roles you held at
490 Arthur Andersen?

491 A I was on the audit staff my entire time. So
492 I started as a staff auditor, became a senior auditor,
493 became a manager, then became a senior manager all working
494 on audits of companies, the same basic role the entire 12
495 years I was there, just different levels of responsibility.

496 Q Why did you leave Arthur Andersen?

497 A I was not going to make partner, and I needed
498 to find a job. And Snyder Communications was a client of
499 Arthur Andersen. It was not a client that I worked on. And
500 when I was doing my job search, the partners in the
501 Washington office suggested that I interview with Snyder
502 Communications who was looking for a chief accounting
503 officer.

504 Q So prior to being hired at Snyder
505 Communications, is it fair to say that you did not know Dan
506 Snyder?

507 A I did not. That is fair, yes.

508 Q I want to shift focus to Snyder
509 Communications. As the chief accounting officer,
510 understanding that you reported to his sister, Michelle, did
511 you interact with Dan Snyder himself?

512 A Yes.

513 Q How often would you say you interacted with
514 him?

515 A No less than once every two days. So
516 occasionally, there would be a day where I wouldn't spend
517 time with Dan, but rarely would it ever go more than two
518 days, unless he was on extended travel. And in those cases,
519 I would speak to him over the phone.

520 Q How would you describe the nature of those
521 interactions?

522 A Focused, intentional, detailed. He would
523 have questions, he would expect answers, or he would have
524 direction and want to understand how his direction would be
525 carried out.

526 Q And in terms of the substance of those
527 interactions, how would you describe the types of things you
528 would interact with Mr. Snyder about?

529 A Well, we would interact certainly on business
530 matters for the most part. Snyder Communications was, at
531 the time, a growth company. We acquired over 40 businesses
532 from 1996 to 2000. So there's always a lot to talk about
533 from a business standpoint.

534 And with any business, there's problems and there's
535 opportunities to talk about, so we would talk about them.
536 We would also talk about earnings and public reporting
537 responsibilities that we had. And we kept very close tabs
538 on where we were and the direction we were giving the public
539 markets. So as a public company, there's a lot of pressure
540 to be responsive to the expectations of public shareholders,
541 so we worked very hard at that.

542 Q Now, you mentioned you were the chief
543 accounting officer. Was that considered an executive level
544 position?

545 A Yes, I was an officer of the company.

546 Q You also mentioned Michelle would have the
547 title of COO. Do you recall if there was an executive team?

548 A There was. It was Dan Snyder, Michelle
549 Snyder. Michelle may have also carried the title president,
550 I can't recall, but it's in the public records somewhere.
551 So Dan Snyder, Michelle Snyder, [REDACTED] was the chief
552 financial officer. He reported to Dan Snyder. And he was -
553 - his primary responsibilities were the M&A activities and

554 investor relations.

555 And then the way we were organized worldwide over
556 time, there were a lot of companies that we acquired. So we
557 had to organize them in groups, and we assigned various
558 individuals to sit on top of those groups of companies. And
559 those individuals were part of the executive team that
560 reported to Dan.

561 Q How many individuals were there,
562 approximately?

563 A At the end, probably half a dozen.

564 Q Do you recall if anyone on the executive
565 team, apart from Mr. Snyder's sister, any of the other
566 individuals were women?

567 A I do not recall if any of them were part of
568 the executive team. I do know that some of the companies
569 that we acquired did have women CEOs and some stayed and
570 some left after we acquired them.

571 Q Do you recall if any of the executives were
572 non-white?

573 A I don't believe we had any non-white
574 executives. I did have someone who ran human resources who
575 reported to me, that was [REDACTED], obviously a woman,
576 her name was [REDACTED]. She was not part of the
577 executive team, but ran human resources for Snyder
578 Communications.

579 Q During your time at Snyder Communications, do
580 you recall if Mr. Snyder had a close knit group of
581 individuals whom he trusted and relied on for advice?

582 A Yes.

583 Q Were those the same individuals that were on
584 the executive team?

585 A Yes, and they would have also included -- it
586 would also included Fred Drasner, who sat on the board of
587 directors, and Mort Zuckerman, who sat on the board of
588 directors. And, sorry, [REDACTED], it's coming to me. There
589 are two other directors, [REDACTED] [REDACTED], I
590 think it's [REDACTED], who came on the board after we
591 went public. And they were close advisers to Dan as well.

592 Q Can you repeat [REDACTED] first name?

593 A [REDACTED]

594 Q The individual, [REDACTED], I believe you
595 mentioned?

596 A [REDACTED].

597 Q Was he also part of that --

598 A Yes.

599 Q -- close circle? So everyone on the
600 executive team --

601 A Yes.

602 Q -- you would say? Would you consider that
603 executive team part of Mr. Snyder's inner circle?

604 A It would be accurate to use that phrase inner
605 circle. I think it would also include some of the leaders
606 of some of the businesses that we acquired as well. These
607 were individuals with a lot of operating responsibility for
608 a public company that had a billion dollars in revenue at
609 the time.

610 Q Do you recall who those individuals are?

611 A With some time, I could come up with their
612 names, but it's hard right now.

613 Q Now, you described Mr. Snyder's interactions
614 with yourself as focused, intentional, detailed,
615 understanding because there was a focus on growth. But how
616 would you describe his interactions with other employees,
617 including non-executives?

618 A Dan -- Dan Snyder's interaction with all
619 employees ranged from charming and polite and considerate to
620 abusive, and everything in between.

621 Q What do you mean by abusive?

622 A He would, on occasion, call people names,
623 demean them, ridicule them.

624 Q Anything else?

625 A No.

626 Q Did he ever use profanity?

627 A Yes.

628 Q Would you say that was a common occurrence?

629 A Yes.

630 Q Would he do that in front of other people?

631 A Yes.

632 Q And he would do that with both executives and
633 non-executives; is that correct?

634 A Yes.

635 Q Do you recall if any employees complained
636 about Mr. Snyder's behavior?

637 A Yes.

638 Q Do you recall who?

639 A It would have been people on my staff who had
640 interacted with him, or on occasion, members, leaders in
641 some of the business units that we had acquired that had an
642 interaction with him. They would, on occasion, talk with me
643 about something that happened. I can't recall any specifics
644 for that period of time from some of the executives.

645 For some of my staff, I had 15 or 20 counting HR
646 staff that worked for me at the Bethesda, Maryland
647 headquarters, who on occasion, not often, might end up in a
648 meeting with him. And whatever happened in some of those
649 meetings, they would ask me if I could in the future keep
650 them out of those meetings.

651 Q Would you?

652 A I would, to the best I could. If Dan
653 insisted on seeing somebody, then they presented.

654 Q Did you understand those employees to be
655 asking to be kept out of those meetings because of the way
656 Mr. Snyder was treating them?

657 A Treating them or treating others made them
658 uncomfortable.

659 Q Do you recall any specific instances where
660 employees raised concerns about Mr. Snyder's behavior and
661 making them feel uncomfortable?

662 A I don't recall a specific instance for that
663 period of time.

664 Q Now, you mentioned you had HR staff that
665 reported to you; is that correct?

666 A Yes.

667 Q I think you said that you had the --

668 A [REDACTED].

669 Q She was human resources director?

670 A She was human resources director.

671 Q Do you recall if [REDACTED] ever raised
672 concerns about Mr. Snyder's treatment?

673 A Yes.

674 Q In that instance where the human resources
675 director raises concerns with you, how would you have
676 handled that?

677 A You know, I -- at the time, the way I would
678 have handled that would have been, we need to do our best to

679 keep those people away from Dan. That's how I would have
680 handled that.

681 Q Why is that?

682 A There's -- there was -- there was no avenue
683 to confront Dan on that, where he's going to change how he's
684 going to interact. And I knew that to be true. And to go
685 into his office and make a pleading would not -- it would
686 not be a good outcome, so I didn't attempt it. And I had
687 enough interactions with Dan to know that told me that was
688 not going to be a viable strategy. He operated and managed
689 the way that he did, and that was how it was going to be.

690 And so the role that [REDACTED] played or I played would
691 have been more to protect employees from interactions as
692 much as we could. And I spent as much time as I could and
693 tried to limit the role of my staff in interactions with Dan
694 or Michelle Snyder as much as possible.

695 Q You said that had you confronted Mr. Snyder,
696 it would not have been a good outcome, and that you knew
697 that to be true. What, if any, experiences did you have
698 with Mr. Snyder where he indicated that he would not have
699 received that type of feedback?

700 A I guess from the -- look, from the day I went
701 to work for Dan and Michelle, they had a way of being
702 autocratic in their management style and having their way.
703 And if you weren't doing what he wanted, you were not going

704 to be part of the organization. It's that simple. And, I
705 mean, even the day that I was hired, he called the managing
706 partner of the Washington office on a Thursday evening and
707 said I accepted the offer, and today was my last day on
708 Arthur Andersen, and Friday is Dave's first day here. Like,
709 my very next day -- the very next was my start date.

710 And it's unusual. Normally, I'm allowed to go tell
711 my employer I've accepted a job and that I will be starting
712 in a week or two. But Dan called the office managing
713 partner of the DC office, one of the largest offices, and
714 said [REDACTED] resigned today. He starts here tomorrow.

715 So that just gives you some indicator, albeit a small
716 one, that that's how he interacts. And there were instances
717 where employees were like working a lot and needed more
718 time, and he would tell me to tell them to just get a
719 divorce and then they'll have more time.

720 These -- these types of interactions are not ones that
721 would tell you that he would be receptive to interacting
722 differently with rank and file, employees or management
723 team, for that matter.

724 Q How did you know that Mr. Snyder was not
725 making those kinds of comments in jest you just mentioned,
726 just get a divorce?

727 A There wasn't anything about his demeanor,
728 tone of voice, word choice that indicated that he was saying

729 it in jest.

730 Q Now, at Snyder Communications, would you say
731 that the human resources department was well resourced?

732 A For the staff that we had, it was a small
733 corporate staff, yes. Each of the operating companies
734 around the world had their own human resources departments
735 at those operating companies, so the human resources in
736 Bethesda was for the corporate group. Yes, I would say it
737 was adequately staffed.

738 Q Was Mr. Snyder in any way involved in the
739 operations or decisions that were made by human resources
740 personnel?

741 A If we established a policy, he would have
742 been apprised, and had a chance to express an opinion if we
743 wanted to on any policy changes.

744 Q But apart from that, he was not otherwise
745 involved?

746 A No.

747 Q Is that fair to say?

748 Do you recall if Mr. Snyder's treatment of rank and
749 file employees, as you called them, differed based on any
750 characteristics such as race, gender, national origin?

751 A I think he would be more measured when around
752 women.

753 Q What do you mean by that?

754 A Well, there's certain language that he might
755 use in front of men that he wouldn't use in front of women.

756 Q Anything else?

757 A And he would be, in my experience, generally
758 less demeaning to women when he's in front of them at Snyder
759 Communications.

760 Q The behavior you described earlier about
761 Mr. Snyder being abusive towards employees, would you say
762 that affected the way employees treated each other and the
763 culture at Snyder Communications?

764 A For certain employees, it did affect the
765 culture, in that they would take on some of those
766 characteristics.

767 Q What do you mean by that?

768 A Others, no. Others saw that it was wrong and
769 didn't adopt those behaviors. But as I said, others would -
770 - you could see the signs of that in some of the others, in
771 how they would behave in terms of demeaning language,
772 intimidation, pressure, undue pressure.

773 Q Did you notice that type of change in the
774 executives?

775 A No. [REDACTED] was always an extraordinary
776 professional. [REDACTED] was. [REDACTED] was very
777 professional. So I never saw that. It would have been some
778 of the operating executives where I would see some of the

779 behaviors. Mitch Gershman, for example, who ran one of our
780 business units called Snyder Direct.

781 Q Was Mitch Gershman part of the executive
782 team?

783 A Yeah, he ran a business unit. I wouldn't
784 consider him part of the executive team. Dan Snyder might
785 consider him part of the executive team.

786 Q How would you describe Mitch Gershman's
787 behavior at Snyder Communications?

788 A Similar to Dan Snyder's behavior.
789 Aggressive, intimidating, abusive on one hand, can be
790 charming, pleasant, and nice on the other. I did not find
791 Mitch to be trustworthy and reliable.

792 Q Why is that?

793 A I had numerous instances where he had made
794 commitments and was unable to achieve those commitments,
795 when he stated that they would be achieved. There was also
796 an instance where he had an affair with a married member of
797 the staff. And so taken together, I just over time didn't
798 find him trustworthy and reliable. And he was in a
799 leadership position at the company having an affair with a
800 married woman at the company.

801 Q Was that widely known?

802 A I wouldn't say widely known, but known by
803 more than ten people, but not -- in Mitch's company that he

804 was responsible for, there were probably hundreds of
805 employees. So they wouldn't have all known, but it would
806 have been known by at least a dozen.

807 Q Do you know if Mr. Snyder knew?

808 A He knew.

809 Q Was this employee a subordinate of
810 Mr. Gershman's, to your knowledge?

811 A Possibly. Also possibly a peer, I think.
812 She could have been in another operating group. Either a
813 subordinate or a peer.

814 Q Do you have any reason to believe that Mitch
815 Gershman managed this employee directly?

816 A I don't recall. But in any case, it was
817 completely wrong.

818 Q Mr. Gershman's behavior, you mentioned he was
819 aggressive, intimidating. Was that something that was
820 widely known within Snyder Communications?

821 A Yes.

822 Q Was that --

823 A By the corporate staff. By the corporate
824 staff.

825 Q To your knowledge, was that something that
826 was ever brought to Mr. Snyder's attention?

827 A Dan was aware of it. Dan would have liked
828 it. That's why he put Mitch in that position. That type of

829 person is somebody that Dan liked to have. I mean, he liked
830 to have other types of people, but that type of person was
831 totally consistent with the type of person Dan would like to
832 have on his staff. There wasn't anything to bring to Dan's
833 attention, because Dan would have been fully aware of it
834 already, and approved of it.

835 Q How do you know that Mr. Snyder would have
836 been aware of it?

837 A He would have heard from me or others about
838 how Mitch interacts. He would have witnessed how Mitch
839 interacts himself. If you talked to Mitch, Mitch can be
840 that way, so he would have observed it himself.

841 Q Do you recall instances where you raised
842 those concerns with Mr. Snyder directly?

843 A No, that's not something I would have done.

844 Q Why is that?

845 A There would have been no value in doing that.

846 Q What do you mean by that?

847 A He would tell me to go back to work, stop
848 wasting his time.

849 Q What's your understanding of how employees at
850 Snyder Communications felt about the work culture if you
851 have an understanding?

852 A I have an understanding. They would have --
853 they would -- they would describe the work culture as toxic

854 and abusive. It was an environment where you could learn a
855 lot and be exposed to some very interesting things, but it
856 came at a price, and many left over time. Some we could
857 keep, but some we couldn't. I think [REDACTED] and I
858 worked hard to protect people as much as we could.

859 Q What would you say Mr. Snyder's role was in
860 creating that toxic and abusive culture?

861 A Well, he was the architect. That's who he
862 is. That's what he knows. So he's responsible for it. As
863 the CEO, you're responsible for what happens in the
864 organization, in the end.

865 [REDACTED]. Off the record.

866 (Recess.)

867 [REDACTED]. Back on the record.

868 [REDACTED] I'm [REDACTED] I'll be asking you
869 questions for this next hour. But I want to start off our
870 hour by reiterating Mr. Comer's concerns with this so-called
871 investigation.

872 First, the House Oversight Committee is not the proper
873 forum for this investigation. While he and the Committee's
874 Minority members agree that the alleged behavior is
875 troubling, there is no relief for any of the aggrieved
876 parties with this Committee. The primary mission of the
877 House Oversight and Reform Committee is to root out waste,
878 fraud, abuse, and mismanagement in the federal government.

879 Unfortunately, this investigation has strayed far from
880 this mission. Committee Democrats are pursuing a private
881 company despite lacking any foundation for exercising any
882 congressional oversight authority. Meanwhile, the American
883 people are suffering. Inflation continues to spiral,
884 desperate parents cannot find baby formula on store shelves,
885 fentanyl is killing our teenagers, and our southern border
886 is broken.

887 This Committee has the jurisdiction to examine all of
888 these pressing crises, but we are not. Rather, we are using
889 valuable Committee resources pursuing a private company to
890 investigate alleged wrongs for which we can offer no remedy
891 nor redress. Further, as Mr. Comer pointed out in his
892 letter to the Chairwoman, this investigation has lacked
893 basic investigatory standards and some members have even
894 used this investigation directly as a means for raising
895 funds.

896 I want to reiterate Mr. Comer's call that the
897 Chairwoman cease this investigation and get back to working
898 for the American people during these trying times.

899 With that, I will move on to our questions this hour.
900 Thank you for your patience.

901

902 Q Since we are here to investigate the
903 workplace misconduct at the team, which I will how I will

904 refer to the Redskins team, Commanders, my questions are
905 going to focus on your time there.

906 A Okay.

907 Q So you worked for the team for about four
908 years; is that right?

909 A It would be a little over five years.

910 Q A little over five years, okay.

911 A January of 2000 and March of 2006.

912 Q Okay. Thank you for clarifying. During your
913 time with the team, did the team undergo any internal audits
914 of the financials?

915 A No. External audits.

916 Q External audits?

917 A External audits.

918 Q Did the team come in and hire someone to come
919 in and audit the books?

920 A Yes.

921 Q Who did the team hire, to the best of your
922 recollection?

923 A It would have been Ernst & Young.

924 Q Okay.

925 A And at some point, we might have changed
926 auditors, but it would have been a prominent firm.

927 Q And was it important to have a prominent firm
928 conduct those?

929 A Yes.

930 Q Can you tell me why?

931 A We wanted to have a credible accounting and
932 auditing firm perform our audit. And traditionally in the
933 marketplace, from my experience and the experience of Dan
934 Snyder, that Snyder Communications used one of the bigger --
935 at the time, big six firms to do those, because they had the
936 credibility. That was why.

937 Q And when these -- how frequently did these
938 audits occur?

939 A Annually.

940 Q Okay. If these auditors came in, would they
941 have full access to all of your financials?

942 A Yes.

943 Q Who would they go to if they had questions
944 about what they were seeing?

945 A They would start with the chief financial
946 officer who supervised providing them information for the
947 audit. Auditors also have, generally speaking, complete
948 access to anybody that they want to speak to in the
949 organization. And that would have been permitted while I
950 was there.

951 Q Would they ever come to you to ask questions?

952 A Yes.

953 Q Did they during your time there?

954 A Yes.

955 Q Who was the CFO at the time you were there?

956 A The first CFO was [REDACTED] He was CFO

957 until -- from 2000 to 2002. And late 2002 and then

958 beginning in 2003, [REDACTED] came as the CFO, and was there

959 when I left. He was still the CFO when I left in 2006.

960 Q Did you find that these audits were full and
961 accurate, as far as your understanding of the financials of
962 the team?

963 A Yes.

964 Q Would the auditors be able to tell if there
965 was something off with the books?

966 A Umm.

967 Q I can rephrase that.

968 A Well, the answer is, it depends.

969 Q Okay. And what does it depend on?

970 A It depends on whether management is providing
971 full and complete information to an auditor.

972 Q Okay.

973 A That's what it depends on. So there are --
974 and there's numerous examples in history where there were
975 inaccuracies that management disclosed or hid from auditors,
976 and they weren't discovered.

977 Q You had mentioned that during your time at
978 the team, the auditors had full and complete access to

979 everything?

980 A Yes.

981 Q So there wouldn't have been something hidden
982 from the auditors while you were there?

983 A Not that I would know of. It's possible
984 something could happen that I didn't know of.

985 Q Okay. You mentioned during the Majority's
986 questioning that you were -- part of your responsibility
987 included the financials; is that right?

988 A Yes.

989 Q So you had full access to all of the
990 financial documents that you would need as COO?

991 A Yes.

992 BY [REDACTED]

993 Q What does that mean, like you were
994 responsible for financials as the COO. How was that
995 different from what the CFO's responsibility is?

996 A Well, the CFO --

997 [REDACTED] I would like to object that under the
998 rules, there's only one counsel permitted to ask questions
999 per hour.

1000 [REDACTED]. Okay.

1001 [REDACTED] We didn't know that you were still
1002 pertaining to that under this deposition. Sorry. I will
1003 ask the question.

1004 [REDACTED].

1005 Q How were you responsibilities --

1006 A So the CFO is responsible, reported to me.

1007 And traditionally, when you're performing an audit, when an
1008 audit is being performed, there's something called a general
1009 representation letter that management must sign. It's part
1010 of every audit everywhere.

1011 And typically, the CEO's required to sign that. The
1012 CFO signs it, or in some cases the COO signs it. But
1013 there's senior level management who signs it, where the
1014 auditor is asking top management to sign in writing that
1015 they've provided -- they haven't lied, that they haven't --
1016 there's a list of things, these things can be found,
1017 complete and accurate information has been provided to the
1018 best of our knowledge. So that's where some of my
1019 responsibility would come in.

1020 Q Okay. Did you sign those affidavits for the
1021 audits?

1022 A Those rep letters, I believe I did.

1023 Q Okay.

1024 A I believe I did.

1025 Q Did the NFL conduct their own audits in
1026 addition to the ones that you commissioned?

1027 A Yeah, the NFL would come in and do reviews
1028 over certain financial matters annually, often around

1029 payments that were due the NFL. I believe they also would
1030 review salary cap calculations. So the answer is yes.

1031 Q And would the NFL auditors have the same
1032 access to financial documents?

1033 A Yes.

1034 Q And if the NFL auditors found something that
1035 they didn't like or understand, who would they talk to?

1036 A They would start with the CFO and eventually
1037 it would get to me.

1038 Q Would that ever go to other individuals in
1039 the organization or would it stay at the high level?

1040 A They could go to other individuals, but they
1041 would normally ask permission if they felt they needed to
1042 talk to someone else.

1043 Q Permission from you?

1044 A Yeah, or from the CFO, hey, can I talk to
1045 this person.

1046 Q You said that the NFL looked specifically at
1047 payments due to the NFL.

1048 A Yes.

1049 Q So they would probably scrutinize those
1050 numbers quite closely?

1051 A Yes.

1052 Q Is that fair to say?

1053 A Yes.

1054 Q Do you think that they would -- given the
1055 fact that they would have had full access to all of the
1056 financials, and would have an interest in understanding what
1057 was due to them, do you think that they would be able to
1058 tell if something was off?

1059 A It depends. If management is being
1060 forthright and the underlying records haven't been
1061 manipulated, then the NFL would have what they need to
1062 conclude that it's accurate. If underlying records had been
1063 manipulated, it would be hard to detect.

1064 Q And while you were COO, did you manipulate
1065 any documents?

1066 A I did not.

1067 Q Did you know anyone at the team to manipulate
1068 documents?

1069 A I did not.

1070 Q Were you ever instructed to either evade the
1071 team's hired auditors or the NFL auditors and not provide
1072 them any information?

1073 A Never.

1074 Q How would you advise either the CFO or other
1075 staff dealing with the auditors on their interactions with
1076 the auditors?

1077 A To provide complete and accurate information
1078 at all times. Never hide from an auditor.

1079 Q And to the best of your knowledge, is that
1080 what occurred?

1081 A Yes.

1082 Q Did anyone come to you to discuss problems or
1083 inconsistency with the audits while you were there?

1084 A No.

1085 Q As I'm sure you're aware, Beth Wilkinson
1086 conducted an investigation of the workplace at the team.
1087 Did you talk with Beth Wilkinson during the course of her
1088 investigation or anyone on her team?

1089 A I did.

1090 Mr. Grooms. If I could just interject, I don't know
1091 if you're going to ask about the substance of those
1092 discussions. My understanding is that those are subject to
1093 a claimed privilege by that team.

1094 [REDACTED] Understood. Thank you.

1095 [REDACTED]

1096 Q Did you speak with Mary Jo White in the
1097 course of her investigation?

1098 A I did.

1099 Q Have you spoken to anyone else in the course
1100 of those investigations or outside about your experiences at
1101 the team?

1102 A Yes.

1103 Q Can you tell me who?

1104 A It's a long list. I have colleagues that
1105 work with me who are former Redskins employees, I have
1106 friends who used to work at the team, and we have maintained
1107 relationships and talked for the last 20 years.

1108 Q Did you ever hear or use the term juice
1109 during your time as COO?

1110 A No.

1111 Q A former ticket salesman alleged in a prior
1112 deposition in this investigation, this investigation, I mean
1113 congressional investigation, that revenue gained by the team
1114 through financial misconduct was internally known as juice.
1115 The team, meaning the football team, responding to this
1116 allegation in a letter to the FTC or the Federal Trade
1117 Commission, stated that juice was actually a slang term
1118 internally to refer to an upside in revenue.

1119 Do you have any knowledge of that slang term?

1120 A I do not.

1121 Q Circling back just a bit to the discussions
1122 about the Wilkinson investigation and the Mary Jo White
1123 investigation.

1124 A Mm-hmm.

1125 Q Did you ever talk to anybody informally that
1126 was maybe looking into the matter?

1127 A No.

1128 Q Okay.

1129 A They were the only two, to my knowledge -- to
1130 my knowledge, other than this Committee, of course.

1131 Q How did you come to be sitting before us
1132 today?

1133 A The Committee sent me a subpoena.

1134 [REDACTED] That's going to be all we have for this
1135 hour, so we can go off the record.

1136 (Discussion held.)

1137 [REDACTED] Back on the record, 11:33.

1138 [REDACTED]

1139 Q Mr. Pauken, was Mr. Snyder involved in the
1140 daily operations of Snyder Communications?

1141 A Yes.

1142 Q How involved was he?

1143 A He was actively involved.

1144 Q What does that mean to you?

1145 A There are -- I went through details big and
1146 small with Dan Snyder as a matter of normal operating
1147 course. And he has a large capacity for a lot of details.
1148 And I covered all matters big and small with me -- with him.
1149 There are instances where employees would come to me,
1150 by way of example, and say, hey, I have something I want to
1151 talk about, but don't tell Dan. And I would say, then don't
1152 tell me. Because if you tell me, I'm going to tell Dan.
1153 And the reason why I said that is Dan would let me know that

1154 if there's anything of significance going on that he doesn't
1155 know about, that I do, I'm going to be in trouble with him.
1156 And I saw enough of those interactions to know that all
1157 issues big and small, I would discuss with him. And I spent
1158 a lot of time with him on these things.

1159 Q When you say small, what type of small
1160 matters are you referring to?

1161 A We would discuss everything from ticket
1162 prices to parking problems to financial forecasts to how
1163 much we were paying the receptionist to specific -- when we
1164 did a termination, specific individuals.

1165 There was this one example, where we were doing a
1166 layoff in 2004, and he wanted to cut some staff, and he got
1167 involved in the specific staff we would terminate, instead
1168 of leaving it to me and my management team. There was one
1169 individual who was our best -- one of our best IT persons
1170 and we wanted to keep him, and Dan didn't like him, his name
1171 was [REDACTED], and instructed us to let him go. He was a
1172 lower level IT person at the time.

1173 So there are just numerous examples throughout the
1174 years where he would be involved in issues big and small.

1175 Q And so the example that you just gave, those
1176 were at the Washington Commanders?

1177 A Yes.

1178 Q Was that your experience with Mr. Snyder at

1179 Snyder Communications as well?

1180 A Yes.

1181 Q At Snyder Communications, were there any
1182 decisions that you made that Mr. Snyder would not approve --
1183 would not need to approve?

1184 A No.

1185 Q During your time at Snyder Communications,
1186 were you aware of any questionable or potentially unethical
1187 business practices?

1188 A Yes.

1189 Q And what were those?

1190 A We had an allegation, I think it was by the
1191 State of Florida, for a practice that has a term called
1192 slamming. And it was for a business that Mr. Gershman led,
1193 where we were working for, I believe it was GTE at the time,
1194 later acquired by Bell Atlantic, which later became Verizon.

1195 And it was a marketing project we were working on for
1196 GTE, to go to a long distance customer of Sprint or AT&T,
1197 and convince them to come over to GTE. And we were paid a
1198 commission for doing that.

1199 And the consumer has to agree in writing to change
1200 long distance companies. And the State of Florida
1201 discovered many citizens who were changed from their long
1202 distance carrier from one to another, and they didn't give
1203 permission, where allegedly fraudulent signatures were

1204 obtained.

1205 And this investigation went on for a number of years,
1206 and was finally settled after Snyder Communications was sold
1207 to Havas. I believe it was in the neighborhood of 2 to \$3
1208 million. I don't think anybody admitted any wrongdoing in
1209 the settlement, but it was an allegation that had enough
1210 legs that a settlement was paid.

1211 Q Were you aware of the investigation prior to
1212 the settlement?

1213 A I was.

1214 Q You mentioned that Mr. Gershman -- strike
1215 that.

1216 What was Mr. Gershman's role in relation to the group
1217 that was responsible for engaging in this practice?

1218 A He was the operating executive with senior
1219 level responsibility over that group. He was -- didn't have
1220 the title CEO, but basically acted in that role for that
1221 business unit.

1222 Q Now, earlier, you testified that you found
1223 Mr. Gershman to be unworthy. Do you have any reason to
1224 believe that Mr. Gershman was unaware of those practices as
1225 they were happening?

1226 A I don't know if he was aware or unaware of
1227 them. I don't have any evidence, one way or the other.

1228 Q Now, Karl Swanson, a spokesperson for

1229 Mr. Snyder at the time, told The Washington Post in 2001
1230 that Mr. Snyder didn't know that his employees at Snyder
1231 Communications were breaking the rules. And once it
1232 discovered the practice, it fired the employees.

1233 Based on the level of involvement that you described
1234 Mr. Snyder had in the daily operations of Snyder
1235 Communications, do you have any reason to doubt
1236 Mr. Swanson's statement that Mr. Snyder did not know about
1237 those practices?

1238 A I think it is possible he didn't know. I
1239 think it is possible. I also think it's possible that he
1240 did know.

1241 Q And why do you think it's possible that he
1242 did know?

1243 A Because myself and others who worked for Dan
1244 made it a practice to cover any details large or small that
1245 we thought that he would want to know. That was our normal
1246 business practice.

1247 Q To your knowledge, was that also
1248 Mr. Gershman's practice?

1249 A Yes.

1250 Q Now, you mentioned that Snyder Communications
1251 was ultimately acquired by Havas?

1252 A Yes.

1253 Q Did you receive any financial benefit from

1254 the sale?

1255 A I did.

1256 Q Did you leave Snyder Communications because
1257 of the acquisition?

1258 A Yes, after the acquisition, Havas asked me to
1259 stay for, I believe it was three months. And I think the
1260 acquisition closed in September. They asked me to stay
1261 until the end of December. And I agreed to do that, and
1262 they were terminating me at that time.

1263 Q Now, I want to go back to a moment ago when
1264 you testified that you received financial benefit from the
1265 sale. What did you mean by that?

1266 A I had stock options at Snyder Communications
1267 that were vested, or vested as a result of the transaction.
1268 And all of the Snyder Communications shares were acquired by
1269 Havas, and I sold them to Havas and realized a financial
1270 benefit from the sale of those shares.

1271 Q Now, I understand that Mr. Snyder acquired
1272 the Washington Commanders in or around 1999.

1273 A That's correct.

1274 Q Were you in any way involved in Mr. Snyder's
1275 bid to acquire the Commanders?

1276 A Only tangentially involved. I was -- spent
1277 day-to-day in my responsibilities at Snyder Communications,
1278 I would occasionally talk with Dan about the strategy. It

1279 was a difficult process to acquire -- to gain approval to
1280 acquire the Redskins. If you read the history on it, with
1281 Milstein and so forth.

1282 I do recall an instance where I was on Dan's plane
1283 when he received a call -- we were on the plane and he
1284 received a call from the league that if he would increase
1285 the price by \$50 million, the team would be his. The bid
1286 was 750 and he needed to go to 800. And he told them that
1287 he would get back to them.

1288 He and I were the only two on the plane at the time,
1289 other than the flight crew. And he asked me what I thought.
1290 And I felt like the question was a test, because I know Dan
1291 knew what the answer was, but he wanted to see if I knew.
1292 So he asked me what I thought, and I told him that certainly
1293 you should pay \$50 million more.

1294 And at the time, it was the highest price ever paid
1295 for a sports franchise. So there's a certain level of
1296 discomfort when you do that. And so of course, the answer
1297 was to do that, but he wanted to know if I knew that that
1298 was the right answer. That's how I felt. And he said,
1299 yeah, that's right. And of course, he then called and told
1300 them that he would increase it the 50 million and the rest
1301 is history.

1302 So that's an example of my tangential involvement. I
1303 was not deeply involved in the negotiations or the process

1304 or anything like that.

1305 Q A moment ago, you described the history of
1306 Mr. Snyder's bid to acquire the team. I believe you used
1307 the word difficult.

1308 A Yes.

1309 Q Can you explain what you mean by that?

1310 A So the -- originally, when the original bid
1311 was made by Dan Snyder, he was partnering with a gentleman
1312 by the name of [REDACTED] The NFL would not accept
1313 the combination of Dan Snyder and [REDACTED] as owners,
1314 and rejected the bid.

1315 And the problems lied with the financing proposal,
1316 and I think [REDACTED]. You can ask the NFL. And so
1317 the bid was rejected. And then Dan -- and all of this is
1318 public, okay? So then Dan had to regroup and he organized
1319 additional funds that he had, his sister had, Michelle,
1320 Arlette and Gerry Snyder, his parents had, Fred Drasner.
1321 And at that time, he brought in Mort Zuckerman. Mort
1322 Zuckerman was not part of the original bid.

1323 And with that revised bid and Mort, I think Mort had
1324 a really strong reputation, that helped, and was ultimately
1325 successful in Dan getting approval to buy the Commanders.

1326 After that occurred, [REDACTED] sued the NFL,
1327 the Washington Commanders, and Dan Snyder, and probably a
1328 few other people for conspiring to keep him from being an

1329 NFL owner, and for damages was seeking the team as
1330 compensation.

1331 So it was an important lawsuit to win, and we needed
1332 to find counsel to help defend the Commanders. And then it
1333 was at that instance that we interviewed Dave Donovan, who
1334 is a partner at WilmerHale. That is how we came to know
1335 Dave Donovan, met Dave, hired Dave and WilmerHale to defend
1336 us. And we ultimately prevailed in that suit. So that was
1337 sort of -- there's the Cliff notes of the acquisition
1338 process.

1339 Q I note that you referred to that process as
1340 we needed to find and we interviewed Dave Donovan. As I
1341 understand it, at the time, you were employed by Snyder
1342 Communications?

1343 A Yes, I don't remember the exact timing of the
1344 [REDACTED] lawsuit. I can't recall if it occurred in 2000 or
1345 2001. But while I was at Snyder Communications, Dan had
1346 acquired the team. While I was at Snyder Communications
1347 during 2002, employed by Snyder Communications, I would help
1348 Dan Snyder on the side with various business aspects of the
1349 Commanders. And I spent, I think, hundreds of hours on the
1350 side. And at one point, Michelle Snyder asked me for her
1351 own interest to prepare -- she wanted a time log of time
1352 that I spent in 2000 on the Commanders. And I did prepare
1353 that.

1354 Q Why did she ask for that?

1355 A I don't recall.

1356 Q Were you compensated for the work that you
1357 performed for the Commanders?

1358 A No.

1359 Q In your experience, was it typical for
1360 Mr. Snyder to use employees from certain of his companies to
1361 perform work for others -- at the other companies that he
1362 owned?

1363 A It was my experience. It happened again with
1364 the Six Flags takeover. That was a -- outside the
1365 Commanders, separate side project.

1366 Q Was that to say you received no compensation
1367 for the work that you performed on the Six Flags takeover?

1368 A I was an investor in Six Flags in the company
1369 that we set up to pursue the hostile takeover, and we made
1370 an investment in Six Flags because initially the plan was to
1371 try to buy the company. So I did make an investment with my
1372 personal money, [REDACTED]

1373 And when I eventually left working for the
1374 Commanders, I received my stock back, and sold that to Dan
1375 Snyder and Dwight Schar and made money doing that. One
1376 could argue that that was my compensation, others could say
1377 that was just an investment. In terms of, like, time and
1378 effort, I wasn't compensated. So I guess it depends on how

1379 you want to look at it.

1380 Q What was the name of the company that was set
1381 up?

1382 A It was called Red Zone.

1383 Q Do you recall who the auditor was for Snyder
1384 Communications?

1385 A It was Arthur Andersen at the time.

1386 Q During your tenure?

1387 A The entire time.

1388 Q Now, I want to focus on your time with the
1389 Washington Commanders. How soon after you left Snyder
1390 Communications did you begin working for the Washington
1391 Commanders?

1392 A A matter of days. I started the first
1393 business day in January of 2001. I left the last business
1394 day in December from Havas, Snyder, and immediately started
1395 the following year.

1396 Q How did you come to work for Washington
1397 Commanders?

1398 A At some point during the year in 2000, I
1399 received a call from Michelle Snyder that Dan was going to
1400 offer me a job at the Commanders. And I think she wanted to
1401 alert me to that, because I think she knew I was out looking
1402 for a job, and wanted me to stand down on that. Within a
1403 matter of days, I did hear from Dan and he had me out to his

1404 office at his Commanders Park, and offered me a job when my
1405 Havas responsibilities were over, adding that I could help
1406 him out as required on the side between now and then, which
1407 I was doing already.

1408 Q And to be clear, was Mr. Snyder informing you
1409 that in addition to the role that you would assume, you
1410 could also continue to assist him more informally on the
1411 side with different matters?

1412 A Yes.

1413 Q And at the time, did you have any
1414 understanding that you would be compensated for that
1415 additional work you would perform on the side?

1416 A I had no understanding that I would be
1417 compensated.

1418 Q We talked about your role as the chief
1419 operating officer earlier. During the conversation with
1420 Mr. Snyder and what he explained to you would be your role,
1421 do you recall if it was different than what your role
1422 ultimately became when you began working for the team?

1423 A Yeah, it did become different.

1424 Q How so?

1425 A Which is not unusual, okay, in business. But
1426 for example, within a couple of weeks of getting to the
1427 Commanders in January, Dan told me that I would be
1428 responsible for the cheerleaders and the business of the

1429 cheerleaders. That was not previously something we had
1430 discussed.

1431 A month or two later, he told me that I would be
1432 responsible for establishing a retail business. At the
1433 time, we had one store at the stadium and he had a vision
1434 for a dozen stores in the Washington metro area. In 2002,
1435 he told me I was responsible for the salary cap and
1436 overseeing Eric Schaffer on player contracts and contract
1437 negotiations. So those are examples of when my
1438 responsibilities changed.

1439 Q What, if anything, was your reaction when
1440 Mr. Snyder told you, you would be responsible for the
1441 cheerleaders?

1442 A Well, I told him I would do it. I also told
1443 him that I was uncomfortable doing it, but that I would do
1444 it. He asked me why I was uncomfortable. And I said
1445 something to the effect that the way the NFL sexualizes
1446 cheerleaders makes me uncomfortable, and I think is
1447 inappropriate. And if you put me in charge of it, Dan, I'm
1448 going to exercise some authority over how far that goes.

1449 And on more than one occasion, I can't recall
1450 specific occasions, but on more than one occasion, I would
1451 ask him to entertain the idea of just getting rid of the
1452 cheerleaders altogether. Not all NFL teams have
1453 cheerleaders. It is possible to have a successful football

1454 team and business without cheerleaders. And I thought that
1455 maybe we would just -- it would be an idea worth
1456 entertaining to disband the cheerleaders, which he never
1457 agreed to do.

1458 Q When you told Mr. Snyder that you were
1459 uncomfortable, what was his response, if any?

1460 A He wanted to know if I liked girls.

1461 Q What did you understand him to mean by that?

1462 A That anybody who likes girls likes
1463 cheerleaders, and if you don't, if you're uncomfortable with
1464 the cheerleaders, maybe you don't like girls. That was my
1465 understanding of where he was going with that.

1466 Q So, in other words, Mr. Snyder was inferring
1467 something about your sexual orientation because of your --

1468 A Yes.

1469 Q -- level of discomfort with the team?

1470 A Yes.

1471 Q How did you respond when Mr. Snyder made that
1472 comment?

1473 A I told him that I liked girls, but I was
1474 still uncomfortable with the sexualization of the
1475 cheerleaders. Something to that effect. That wouldn't be
1476 my exact words, but it would be something like that.

1477 Q Do you recall if he had any reaction?

1478 A I don't.

1479 Q Thereafter, you assumed responsibility for
1480 the cheerleaders?

1481 A I did. And the issue primarily was the
1482 cheerleaders was a cost center. Meaning we lost money on
1483 the cheerleaders as a business, and he wanted to turn it
1484 into a profit center. In my experience at Snyder
1485 Communications, while I was responsible for financial and
1486 accounting matters, as I mentioned, I had a lot of operating
1487 responsibilities with Michelle Snyder, and that is where I
1488 learned business and how to run a business and business
1489 tactics. And he knew that. And he wanted me to turn the
1490 cheerleaders into a profit center, which is why he told me
1491 he put me in charge of it, and I did.

1492 Q Meaning that you turned it into a profit
1493 center?

1494 A I did.

1495 Q How so?

1496 A I hired a sales and marketing director. I
1497 can't recall the title of that person, that was Melanie
1498 Trainer. I think she goes by Melanie Trainer Coburn.
1499 Melanie worked for Donald Wells, who headed up the
1500 cheerleaders at the time. Donald reported to me, Melanie
1501 reported to Donald, but I spent a lot of time with Melanie.

1502 And together, me, Donald, and Melanie developed a
1503 plan to turn the cheerleaders into a profit center. And

1504 that involved a number of things. Traditionally, all we had
1505 was a calendar that we sold calendars. But what we added
1506 were appearances so various groups around the Washington, DC
1507 area for various reasons might want to have a Redskins
1508 cheerleader or cheerleaders. We would normally never send
1509 one. Come at an appearance, whether it's at a car dealer or
1510 some business-related thing. And we would get fees for
1511 those appearances. We also sold shows to the U.S.
1512 Department of Defense. And we would normally do one or two
1513 of those a year, where these are troop visits to where
1514 troops are located around the world.

1515 So it's these kinds of activities that generated
1516 revenue, and we were able to turn the cheerleading business
1517 into a profit center.

1518 Again, all of those cases, I was never comfortable
1519 with it. I did it, but I was never comfortable with it.
1520 That's why, on occasion, I would tell Dan, let's just
1521 disband the cheerleaders. Because what you're doing
1522 fundamentally when you do that is you're selling sex.
1523 That's what you're -- sex appeal. That's what you're
1524 selling. Because you're asking these young ladies to make
1525 an appearance or go see the troops with not a lot of clothes
1526 on, in my view.

1527 Now, this is a common practice in the NFL. It's not
1528 like we were unique.

1529 Q Do you recall the year that the cheerleading
1530 program transitioned from a cost center to a profit center?

1531 A I suspect we made money the first year I had
1532 it. We can go back and look, but if it wasn't the first, it
1533 would have been the second.

1534 Q When you would mention to Mr. Snyder he
1535 should consider getting rid of the program, what was his
1536 reaction?

1537 A That I must be crazy. It's the Redskins
1538 cheerleaders, are you out of your mind? Something like
1539 that. It's not a direct quote, but it would be something
1540 like that.

1541 Q What did you understand him to mean by that?

1542 A He felt like it was a traditional core part
1543 of the Commanders. And to consider getting rid of that,
1544 it's like amputating an arm. Like, how would you -- he
1545 didn't even have a category for me bringing something like
1546 that up.

1547 Q Do you recall the impetus for you raising
1548 those concerns about perhaps getting rid of the program in
1549 each of those instances?

1550 A It would have started -- before I even
1551 pursued the appearances and sponsorships, it would have
1552 started with the calendar. Okay, I can recall the calendar.
1553 Before I took over, the 2000 calendar was, in my view, very

1554 promiscuous. There was one picture in there with a
1555 cheerleader who was completely naked with rose pedals
1556 covering her nipples and pubic area, but she was obviously
1557 naked. And that was a bridge too far for me on the
1558 calendar. So it was that kind of thing that was the impetus
1559 for me to have the feelings that I had. And I took over the
1560 calendar editorial after that.

1561 Q Do you recall what year?

1562 A Yeah, when I took over the cheerleaders in
1563 2001, so that the 2001 calendar. While I was there, Donald
1564 and Melanie would organize the calendar shoot which would
1565 normally happen in a tropical island somewhere or Mexico, or
1566 someplace like that. And -- look, I was always fighting, I
1567 felt like I was always fighting Dan and Donald Wells on the
1568 sexualization of the cheerleaders. I told Donald and I told
1569 Melanie, and it wasn't really Melanie's responsibility. It
1570 was more Donald, but they were in my office together.

1571 I said, look, I want tops and bottoms on every girl.
1572 And, fine. They took that direction. And they would go
1573 take the calendar shoots and they would come and they would
1574 present the photos that they want to pick from -- I don't
1575 want to say they, I want to say Donald would want to pick
1576 for the calendar. And, okay, the girls had tops and
1577 bottoms, but one ankle was on the left, and the other ankle
1578 was on the right. And did that comply that there was a top

1579 and a bottom? Yes. But was it to my standard on what I was
1580 looking for on not oversexualizing something that was
1581 already sexual? No. And I remember killing that shot.

1582 So -- and I would tell Dan these stories and, you
1583 know, he would tell me to leave Donald alone and tell Donald
1584 to keep the cheerleaders skinny and with big tits.

1585 Q Did you relay that message to Donald?

1586 A I did. And Donald told me that Dan had told
1587 him the same thing directly.

1588 Q Do you know if Mr. Snyder gave Mr. Wells
1589 directives relating to what he wanted to see in the
1590 calendars outside of this particular directive that you just
1591 mentioned about keeping them skinny with big tits?

1592 A I didn't hear the beginning, [REDACTED] Can you
1593 repeat?

1594 Q Did Mr. Snyder give Mr. Wells directives
1595 outside of the one you just mentioned?

1596 A I don't know.

1597 Q Was it your understanding that Mr. Wells, in
1598 oversexualizing the cheerleading program, was trying to
1599 appease the owner of the team?

1600 A Yes. I felt like -- I knew Dan's view and
1601 Donald knew Dan's view, and neither view was consistent with
1602 my view. And as I said earlier, I felt all the time like it
1603 was me against Dan and Donald when it came to the

1604 cheerleaders.

1605 And, look, Dan had me in charge of it, because I had,
1606 I think, reasonably good operating skills. And I was able
1607 to make money with it. But I was always, I felt like,
1608 holding the line. There wasn't a year that went by where
1609 Dan didn't push me to allow Dennis Green or other people in
1610 the sales and marketing staff to allow sponsors or other
1611 paying guests to attend a calendar shoot. And I never
1612 allowed it.

1613 I told Donald Wells, if anybody outside the
1614 photographs and the cheerleaders were on a calendar shoot, I
1615 would probably -- I would fire them. So it never happened
1616 while I was there, but Dan asked me regularly to do that, or
1617 to allow that. I said, no. He never pushed it. He never
1618 pushed it when I said no.

1619 But it did happen for the first time in May of 2006,
1620 after I left. And there was -- I remember seeing an ad
1621 which I think at one point The Washington Post published in
1622 an article where they were selling opportunities to go on
1623 the calendar shoot for the 2006 calendar. And you could
1624 watch the shoot and have dinner with the ladies.

1625 Q Do you recall who was over the cheerleading
1626 program after you left and when that May 2006 advertisement
1627 posted?

1628 A Yes. So in January of 2006, in my final

1629 months at the Commanders, I fired Donald Wells and told Dan
1630 beforehand that I was firing him. Donald, I can't remember
1631 the circumstance, but he had pushed sexualization or some
1632 policy of mine too far for the last time. And I told Dan I
1633 was going to fire him, and that was all there was to it.
1634 Dan didn't push back, he didn't -- I don't think he agreed,
1635 but he didn't stop me. I fired Donald Wells.

1636 After I departed the Commanders in March or late
1637 February, I don't remember exactly when it was, Dan
1638 instructed [REDACTED], who was [REDACTED] at
1639 the time, [REDACTED] reported to me when I was there, Dan
1640 instructed [REDACTED] to call Donald Wells, rehire him, and
1641 tell him that it was a mistake that he had been fired. [REDACTED]
1642 called Donald, did that, rehired Donald Wells. So -- it's a
1643 long answer to your question. Donald Wells was in charge.

1644 Q And I'm going to come back to that, but I
1645 have a question about the calendar shoots. Were those
1646 calendar shoots also known as something called beauties on
1647 the beach, to your knowledge?

1648 A I think so.

1649 Q And those shoots were done annually?

1650 A Annually for a calendar each year.

1651 Q And during your tenure, Mr. Wells was
1652 responsible for selecting the cheerleaders to appear in the
1653 calendar, to your knowledge?

1654 A Yes, I think Melanie would assist him, but
1655 Donald had overall responsibility.

1656 Q Do you recall if there were ever complaints
1657 from fans or other customers about the oversexualization of
1658 the cheerleading program?

1659 A Yes.

1660 Q Can you tell me more about that?

1661 A It was the 2004, maybe '5 season. And I
1662 received a letter from a mom who had taken her teenaged son
1663 to a game. It was a handwritten letter. It was a long
1664 letter, and it went into a fair amount of detail. And this
1665 mom was recounting this dance routine that occurred where
1666 the cheerleaders were in the end zone. And at some point in
1667 the dance routine, they spread their legs, reach over and
1668 each grab an ankle, grab their ankles while there is a song
1669 playing at that moment, the lyrics are choreographed with
1670 the words, with the singers singing, "stick it in." And
1671 this mom is like, how do I take my teenaged son to an NFL
1672 game if this is what you're doing?

1673 And I remember sharing this with Dan, and he thought
1674 it was funny. And I told him that I was going after Donald
1675 on this one, and I didn't fire Donald, but I let him have
1676 it. And that dance routine ended, and that song was gone.
1677 It was just an example of Donald pushing the envelope and --
1678 yeah, that's the clearest example.

1679 Q Do you recall if any cheerleaders ever
1680 expressed discomfort with the sexualization of the program?

1681 A No, a cheerleader never did it to me, anyway.
1682 Cheerleaders are somewhat unique individuals in the NFL, in
1683 that they have a higher -- a higher level of comfort with --
1684 than maybe others might, in displaying parts of their body,
1685 for good or for ill.

1686 Q Now, during your tenure, after you were put
1687 over the cheerleading program, do you recall what
1688 Mr. Snyder's role was with respect to the team and his level
1689 of involvement?

1690 A He was always heavily involved in the team,
1691 always, in my experience. And the business operations,
1692 always heavily involved.

1693 Q And I apologize, I meant the cheerleading
1694 team or the cheerleading program.

1695 A Oh, he was not involved in selecting
1696 cheerleaders. Choreography, dance routines. He was not
1697 involved in that. You know, he wanted to understand how we
1698 were running the business, what were the sponsorships we
1699 were selling, appearances we were selling. How we were
1700 going to use the cheerleaders to visit suite holders. He
1701 wanted to understand those details, the budget of course.
1702 He would review the budget and the results, financial
1703 results.

1704 Q Going back to what you mentioned that
1705 Mr. Wells confirmed that Mr. Snyder had told him about
1706 keeping cheerleaders skinny with big tits, do you have any
1707 understanding if there were more interactions between
1708 Mr. Snyder and Mr. Wells about the cheerleading program?

1709 A I don't, no.

1710 Q You also mentioned that you opposed the idea
1711 of allowing suite holders and/or sponsors to travel with the
1712 cheerleading team to these photo shoots. Why is that?

1713 A I don't think it's -- I didn't think it was
1714 appropriate to subject these ladies to men -- because it
1715 would be men who would go -- who would pay to look at them
1716 in various stages of disrobe on a calendar shoot. Like, I
1717 just felt like that was, like a bridge too far, and would
1718 not be protective of the cheerleaders to the extent that I
1719 could. I would be exposing them to -- it seems very
1720 unprotective, to me, to do that.

1721 And I also thought that it was the kind of thing
1722 that, best case, you're going to break even. There was a
1723 high likelihood something bad could happen. Bad being a
1724 sexual assault or cheerleader feeling like she was seen in a
1725 way she didn't want. I just felt like there would be no
1726 upside to doing something like that, aside from the fact
1727 that it was just wrong, men ogling over young women.

1728 Q Did you ever have any discussions with

1729 Mr. Snyder about his desire to make the calendar more
1730 risque, so to speak?

1731 A Not the calendar, no. The cheerleaders, yes.

1732 Q How so?

1733 A Two things come to mind. Before a game,
1734 hours before a game, the cheerleaders were out on the field
1735 and would do practice. We'll be at the stadium early on
1736 gameday. And on more than one occasion, two or three
1737 seasons at least, maybe four, Dan would call me in to the
1738 owner's box. He would be in the owner's box. He would be
1739 sitting there and there would be somebody else, a friend of
1740 his who was with him at that time, just sitting there
1741 relaxing before the game.

1742 And they're watching the cheerleaders practice out on
1743 the field. And I would get called in and he would say to
1744 his friend, hey, do you think Dave is gay? And his friend
1745 would say, yeah, he must be gay. And Dan would say, yeah,
1746 he has to be gay. As ugly as these cheerleaders are.
1747 Pauken, are you gay? You must be gay. How could you have a
1748 cheerleading squad that looked like this?

1749 Another instance, this would have been in 2002
1750 because it happened with [REDACTED]. [REDACTED] reported to
1751 me until we fired him in 2003. [REDACTED] was responsible for
1752 club seat sales and reported to me at the time. And he told
1753 me back then that a similar kind of interaction had occurred

1754 with him and Dan, where Dan had called him in to the owner's
1755 box and Dan said, hey, [REDACTED], look at the cheerleaders. And
1756 what do you notice that's different from last year? And
1757 [REDACTED] looked at the cheerleaders. I don't know, Dan. I
1758 don't know, what's different? And Dan said, their tits are
1759 bigger.

1760 So those are two examples of how I know it's
1761 important, it was important to Dan how the cheerleaders
1762 looked.

1763 Q Did Mr. Snyder ever make comments to you
1764 directly about the physical appearance of cheerleaders whom
1765 you oversaw?

1766 A Probably did, but I don't recall a specific
1767 instance, sitting here -- other than what I've just
1768 described, yes.

1769 Q At the Committee's February roundtable where
1770 former employees shared their experiences at the Washington
1771 Commanders regarding the toxic work environment, we learned
1772 that there were lewd videos that were created, which showed
1773 intimate body parts of unsuspecting cheerleaders and they
1774 were created, according to these participants, for
1775 Mr. Snyder's private consumption using footage from those
1776 annual calendar shoots, otherwise known as beauty on the
1777 beach. Are you aware of those allegations?

1778 A I'm aware of those allegations.

1779 Q When did you become aware?

1780 A When it first broke in the news by the -- I
1781 think The Washington Post. I'm a subscriber of the post,
1782 so --

1783 Q What was your reaction, if any, to the
1784 allegations?

1785 A I was not surprised that something like that
1786 could occur.

1787 Q Why not?

1788 A I think I've shared a few stories that would
1789 tell you the view of the organization and Dan over the
1790 cheerleaders. And it was right after I left that they
1791 started allowing sponsors and other patrons to go on the
1792 shoots. So it's just a matter of time before something like
1793 that could happen. And so it wasn't a surprise. The
1794 other -- yeah. Yeah, I'll stop there.

1795 Q Do you have any reason to believe that the
1796 allegations that the videos were prepared for Mr. Snyder
1797 were untrue, based on your experiences with Mr. Snyder and
1798 the team?

1799 A Yeah, my -- I have no reason to believe
1800 they're untrue. And my experience with the team is
1801 something like that would never happen without Dan Snyder
1802 being aware of it. Someone -- if someone did that on their
1803 own, and he found out, there would be a lot of trouble to

1804 pay. And there are many examples of much smaller things
1805 where people got in trouble where he wasn't made aware,
1806 which I can share.

1807 [REDACTED] Go off the record.

1808 (Whereupon, at 12:34 p.m., the testimony in the
1809 above-entitled matter was recessed, to reconvene at 1:00
1810 p.m., this same day.)

1811 AFTERNOON SESSION

1812 (1:11 p.m.)

1813 [REDACTED] We can go back on the record.

1814 BY [REDACTED].

1815 Q Mr. Pauken, you've talked extensively about
1816 your time at Snyder Communications. You've made a number of
1817 criticisms about your time there, about your experience
1818 there. So when you left Snyder Communications to come work
1819 for the team, why did you want to continue to work for Dan
1820 Snyder?

1821 A At the time, the Washington Commanders was an
1822 extraordinary franchise with history, and I was being
1823 offered an opportunity to take a leadership role in arguably
1824 one of the greatest sports franchises ever. People spend
1825 their whole life trying to get a job like that, and I just
1826 wanted the opportunity to be part of that and was willing to
1827 pay the price of doing so.

1828 Q When you say pay the price, what do you mean?

1829 A Well, you indicated I had made some
1830 criticisms, which I had. So there was a price to pay in
1831 working with Dan. As I said, he can be charming, pleasant,
1832 courteous, kind. But on the other hand, he can also be
1833 highly abusive to people and others, and so that's the
1834 price.

1835 Q Why did you leave the team in 2006?

1836 A In 2006, I left for several reasons. I have
1837 three children, [REDACTED].
1838 [REDACTED]
1839 [REDACTED]. And so there was
1840 a lot going on personally, number one. Two, while I worked
1841 at the Commanders, I had -- I had never received a raise in
1842 my five years. And I felt like the contribution in terms of
1843 hours and time and commitment against compensation, I felt
1844 like I should be compensated more.

1845 And then the third reason was, I was -- frankly, I was
1846 getting bored with it, and I wanted to do something
1847 different. And I was open to doing something different with
1848 Dan, because I had been working on Six Flags on the side,
1849 and found that interesting. And if there was -- had been a
1850 way to get me involved in something different, compensate me
1851 more, give me a raise, and enable me to have more time to
1852 deal with my family situation, I would have stayed. But Dan
1853 and I covered this stuff extensively in conversations, and
1854 he was not -- he was not willing to get me where I needed to
1855 be -- yeah, where I needed to be. So I decided to leave.

1856 Q You said that you never received a raise in
1857 your tenure there. How much did you make over your entire
1858 tenure?

1859 A My base salary, I believe, [REDACTED]

1860 Q Okay.

1861 A And I think --

1862 Q Annually?

1863 A Annually. And I believe I had a bonus that

1864 was [REDACTED], one or the other. [REDACTED].

1865 Q [REDACTED] each year?

1866 A Yes.

1867 Q Okay. You said you talked with Dan

1868 extensively about your salary situation. Did he provide a

1869 reason for why --

1870 A Well, I talked to him extensively about all

1871 three of these issues.

1872 Q Okay.

1873 A Including the salary, certainly. And, no, he

1874 didn't provide a reason, he just said you're not getting

1875 paid any more, I don't owe you any more.

1876 Q You said you were getting bored with it and

1877 you were still open to doing another project with Dan?

1878 A Yeah.

1879 Q Can you tell me why, after all of the things

1880 that you've said in the last couple hours about your

1881 experience with him, you would want to continue to work with

1882 him?

1883 A Yeah, there is something about -- you can

1884 read plenty of medical evidence on this. But there is

1885 something about people who stay in abusive relationships.

1886 And I think there was something to that with me, okay? And
1887 it takes a while sometimes for people to break out of them
1888 and some longer than others. And there's lots of reasons
1889 for this, but I think it has to do with that.

1890 Q Okay.

1891 A I do recall, too, that the complexity of the
1892 [REDACTED], there was a certain, you know, security
1893 at the time of knowing that I had [REDACTED]. And
1894 the bills were never less than [REDACTED]. So
1895 there was a certain comfort in having that.

1896 Q You said that -- when I asked in our last
1897 hour, I asked how did you come to be here today. You said I
1898 was subpoenaed?

1899 A Yeah.

1900 Q Fair answer. Were you ever approached about
1901 appearing voluntarily?

1902 A I was.

1903 Q How come you couldn't appear voluntarily?

1904 A I have a separation agreement with Dan
1905 Snyder, the Redskins, and Dwight Schar that governs my
1906 separation. And in that, there is a confidentiality clause
1907 that doesn't allow me to speak about any confidential
1908 matter. And if I am asked by a government authority to
1909 speak about any confidential matter, I am required to
1910 provide notice to him and the team to respond.

1911 Q Did you want to appear voluntarily before us?

1912 If you didn't have that clause, would you have?

1913 A I would have, yes.

1914 Q How did you become aware of the investigation
1915 that Congress was overseeing?

1916 A In the press.

1917 Q And when that came out, did you reach out to
1918 the Committee?

1919 A I did not.

1920 Q When did you first start interacting with the
1921 Committee on this matter?

1922 A On this matter, it was sometime here in 2022.
1923 Lisa Banks, who had represented me in my conversations with
1924 Mary Jo White, said that --

1925 Mr. Grooms. Can I just pause to say I assume you all
1926 aren't asking for any communications between Mr. Pauken and
1927 counsel.

1928 Mr. Grooms. But, David, if you want to take a minute
1929 to talk it over, I will, but you just be mindful that if you
1930 choose to talk about something that involves with
1931 communications with counsel, you're waiving that.

1932 The Witness. Okay. Maybe we should talk for a
1933 minute.

1934 Mr. Grooms. Can we talk for a minute?

1935 [REDACTED] We can go off the record for a second.

1936 (Recess.)

1937 [REDACTED] We can go back on the record.

1938 BY [REDACTED].

1939 Q So the question was, how or when did you
1940 first start engaging with this Committee?

1941 A Sometime in 2022.

1942 Q Okay?

1943 A I came to understand that the Committee
1944 wanted to speak to me.

1945 Q Do you remember the month, the season?

1946 A Springtime.

1947 Q Okay. Have you, in your personal capacity,
1948 ever filed a lawsuit against the team or Snyder based off of
1949 your experiences with them?

1950 A No.

1951 Q I am going to move now into some of the stuff
1952 about the cheerleading program that you were talking to my
1953 colleagues about before. Can you just remind me what years
1954 you were overseeing the cheerleader program?

1955 A 2001 through the time I left in late
1956 February, early March 2006.

1957 Q Okay. And you mentioned when my colleague
1958 asked that you were uncomfortable with what you perceived to
1959 be the oversexualization of women in the program across the
1960 NFL. But that Mr. Snyder asked you to make it a profitable

1961 venture and you did.

1962 A Yes.

1963 Q Why did you continue to pursue that even if
1964 you felt that it was wrong or unethical?

1965 A I -- yeah, I felt that at least with me at
1966 the helm, the chances of mitigating the sexualization of the
1967 cheerleaders had its best chance with me, and that's why.

1968 Q You mentioned that cheerleaders were unique
1969 individuals who -- and this is a rough quote.

1970 A Yeah.

1971 Q Have a higher level of comfort displaying
1972 parts of their body. Can you explain what you meant?

1973 A Yes. So if you look at pictures of at the
1974 time Commanders cheerleaders, there's a lot of cleavage,
1975 short shorts and at least in the circles I travel in, most
1976 of the women I hang out with, they generally don't dress
1977 like that. And it takes, you know, certain individuals have
1978 a comfort level with that, others don't. And those are
1979 more -- I think that's the minority of women, actually, that
1980 are comfortable dressing like that. So that's what I meant.

1981 Q You said that none of the cheerleaders ever
1982 reported feeling oversexualized or uncomfortable to you,
1983 right?

1984 A They didn't, no.

1985 Q And at the beginning of this interview, you

1986 said, as CEO, part of your responsibilities were overseeing
1987 human resources; is that right?

1988 A Yes, that is correct.

1989 Q So if a cheerleader had reported feeling
1990 oversexualized to human resources, you would have known
1991 about it?

1992 A I would have.

1993 Q And there were no claims during your tenure?

1994 A None that I can recall.

1995 Q Okay. You said that you communicated your
1996 hesitation about the oversexualization of the cheerleaders
1997 to Dan.

1998 A Mm-hmm.

1999 Q Did you talk to anybody else about it?

2000 A I would have talked to [REDACTED] about it.

2001 Q The CFO?

2002 A The CFO. And then later [REDACTED] about it.

2003 I would have talked to [REDACTED] about it, [REDACTED]

2004 Q What was the purpose of you conveying those
2005 concerns to those individuals?

2006 A These were close business associates of mine,
2007 and I have a practice of, to the greatest extent possible,
2008 helping people that work with me or for me understand what's
2009 important to me.

2010 Q Did they agree that it was important?

2011 A Yes, they did.

2012 Q Did they have any knowledge that you didn't
2013 have that the cheerleaders were feeling uncomfortable?

2014 A No, they didn't.

2015 Q So --

2016 A And no one is saying that they were feeling
2017 uncomfortable, because nobody filed a claim, came to HR,
2018 came to me, that I'm aware of.

2019 Q So if the cheerleaders weren't uncomfortable
2020 with the sexual portrayal of their bodies --

2021 A Yeah.

2022 Q -- is it fair to say that it was just a
2023 conversation based off of your perception of the
2024 cheerleaders instead of their perception of their bodies?

2025 A It is. It is. But since I was responsible
2026 for them in that business, it's also my job to protect them.
2027 And to the extent that they go too far, they're going to
2028 open themselves up to things that they're not going to want
2029 to have happen, and that is exactly what happened after I
2030 left.

2031 Q So in your time -- or in the portion of your
2032 job that was overseeing HR, you said you worked hard to
2033 protect people, you were trying to advocate for them. Did
2034 you ever attempt to make policy changes to create a
2035 different work environment?

2036 A I did.

2037 Q Can you tell me about those?

2038 A Yes. I got to the team in January of 2001,
2039 and I had just come from a New York Stock Exchange public
2040 company and we had policies, procedures, the kinds of things
2041 you would expect a New York Stock Exchange public company to
2042 have. And we had no respectable personnel policy code of
2043 conduct. Maybe there was something rudimentary, I can't
2044 recall. But whatever it was, in my view, it was not
2045 adequate.

2046 I went to Dan and I said, hey, we should put together
2047 a code of conduct and a personnel policy and get that pulled
2048 together. And so we did that. Pulled that together, had an
2049 attorney help us, [REDACTED], the CFO reviewed it, [REDACTED]
2050 [REDACTED] we all -- the front office, as we called it, the
2051 staff reviewed it, commented, got it in a decent enough
2052 position and then I told Dan, I said I'm going to give it to
2053 Marty Schottenheimer, so the coach can look at it, circulate
2054 it among the coaching staff and see what they think.

2055 So I did that. And I'm asleep one night shortly after
2056 this, and Dan calls me and says, what are you doing? I
2057 said, well, I'm sleeping. He said turn on ESPN.

2058 And I turn it on and he said, they're doing a story
2059 about your personnel policy. What the fuck are you doing?
2060 Dan, we talked about this. It's the HR policy, code of

2061 conduct, treat people with respect, don't steal from the
2062 company, et cetera, et cetera. And he says, what, are you
2063 crazy? And the press is reporting that the owner is going
2064 to make them sign this, the coaching staff, or they will be
2065 fired. What's wrong with you? I'm like, Dan, we talked
2066 about it. He said, kill it. It's killed. I said, it's
2067 killed, done. And -- get Marty Schottenheimer. I can't get
2068 Marty. I called [REDACTED]. And I have [REDACTED] drive
2069 out to Redskins Park to find Marty and get him to talk to me
2070 or Dan.

2071 What had happened is, I had gone to Coach
2072 Schottenheimer with this and he was very nice, he was very
2073 pleasant. Marty and I had a good relationship. Nothing
2074 like this had ever been done in the NFL, to my knowledge, at
2075 any team. There was no such thing as a personnel code of
2076 conduct policy anywhere, any team, to my knowledge.

2077 And Marty went to the press, and made the claim that
2078 we were instituting this or they were going to be fired.
2079 The press bought it hook, line, and sinker, and they won and
2080 we killed the policy altogether. I think later we got the
2081 policy implemented to front office staff only, some number
2082 of years later, not football staff, not coaches, not team
2083 members. And it wasn't until 2005 when the Minnesota
2084 Vikings sex boat scandal happened on the Mississippi River
2085 that the NFL mandated all teams have a personnel policy and

2086 code of conduct.

2087 Q When you first were having these
2088 conversations with Dan about creating this policy, can you
2089 remember when that was?

2090 A That would have been -- it would have been
2091 around the time Marty Schottenheimer became our head coach,
2092 which would have been spring of 2001, around that time.

2093 Q And you helped author it; is that right?

2094 A I helped author it.

2095 Q And then you talked with Mr. Snyder about it?

2096 A Before I picked up a pen, I went to him with
2097 the idea, because I know Dan, I'm not going to go off and
2098 create a policy without him knowing I'm off creating a
2099 policy.

2100 Q And he was supportive of you creating that
2101 policy?

2102 A Yes, he was.

2103 Q And he was supportive of you sharing that
2104 policy with other staff?

2105 A Yes.

2106 Q And so it was only because of the clapback
2107 from the ESPN story and the press with this information that
2108 the policy got killed?

2109 A Yes, for the coaching and team staff. Later,
2110 I got it in for the -- you know, what we call the front

2111 office staff.

2112 Q Do you remember when?

2113 A 2002, 2003, somewhere in there.

2114 Q And --

2115 A There was a separate policy for cheerleaders,

2116 it might be worth mentioning.

2117 Q Okay. Was that something that was in place

2118 before you got there, or something --

2119 A I think it was.

2120 Q Okay.

2121 A I think it was, and I would have edited it.

2122 There was always a separate policy for the cheerleaders.

2123 Q Did you feel like -- you said you edited it.

2124 Did you feel like your edits were able to, to use your

2125 words, to protect adequately?

2126 A I don't remember. I couldn't tell you. But

2127 I know it's the kind of thing I would have reviewed and

2128 edited.

2129 Q You said you were doing this to attempt to

2130 create a better work environment; is that right?

2131 A The policy?

2132 Q The policy changes.

2133 A Yes. Plus, it's just good business practice

2134 for employees to have -- what's the policy on X, Y, and Z?

2135 Q That makes a lot of sense. Since Mr. Snyder

2136 was supportive of these policy changes, it seems that
2137 perhaps culture could have followed that kind of policy
2138 change. Do you think that's fair to say?

2139 A Could have, yes.

2140 Q And throughout the course of this interview,
2141 you've made a number of references to things that you
2142 believe Mr. Snyder knew about the work environment at the
2143 team. Did you ever discuss your concerns about the
2144 workplace environment with Mr. Snyder?

2145 A Yes.

2146 Q What did those conversations --

2147 A Look, I think over the years -- over the
2148 years, we would have conversations about how people were
2149 treated. And as far as I would take it would be, like, for
2150 example, you know, I would witness him yelling at his
2151 executive assistant. And I would advise him to lighten up
2152 on [REDACTED] or whoever the other executive assistant might
2153 be. That would be as far as I would go. He -- so on
2154 occasion, I would, but it would more be a, hey, lighten up.

2155 Q Can you remember any specific instances where
2156 you witnessed something like that or how many times?

2157 A Yeah, I -- there was one individual who we
2158 were taking in to the visiting team -- no, our team locker
2159 room, and he told this individual, when you walk in there,
2160 don't look at their dicks.

2161 Q Was that an employee?

2162 A An employee, and it was a male employee, and
2163 it's a pretty demeaning, abusive thing to say to somebody.

2164 Q Did you say anything to him?

2165 A No.

2166 Q You said you would advise him to lighten up
2167 in these sorts of instances?

2168 A I did in that case.

2169 Q Right. Can you give me an example of an
2170 instance where you saw something occur, and then had that
2171 conversation with him, just to the best of your
2172 recollection?

2173 A Yeah, I think it would occur -- Dan and I
2174 would spend many hours together alone, and it would be in
2175 the context of, we're talking about many, many different
2176 topics. And I would feel like he's in a decent enough of a
2177 mood where I would work in, hey, let's just go a little
2178 easier on this person or that, would be the context.

2179 Q Did you ever see Mr. Snyder sexually harass
2180 or sexually abuse a member or anyone?

2181 A Anyone?

2182 Q Let's start over, so we can get a clean --
2183 did you ever see him sexually harass or sexually abuse any
2184 person that worked for the team?

2185 A No.

2186 Q Did you ever see Mr. Snyder sexually harass
2187 or sexually abuse any person?

2188 A No.

2189 Q My colleagues asked you about things that had
2190 occurred after your departure, the beauties on the beach
2191 video outtakes and things like that in 2008 and forward.
2192 You're only aware of these allegations based off of
2193 reporting on them; is that right?

2194 A That is correct.

2195 Q You don't have any actual knowledge of the
2196 things that occurred after you departed?

2197 A No, I do not.

2198 Q I am going to go ahead and introduce an
2199 exhibit. We'll mark it as Minority Exhibit A.

2200 (Minority Exhibit A was
2201 identified for the record.)

2202 BY [REDACTED].

2203 Q This was an exhibit that was given to the
2204 Committee in February. It is a Vestry Laight report on the
2205 National Football League on the Washington Football Team's
2206 Implementation of Recommendations.

2207 Have you seen this report?

2208 A No.

2209 Q I am going to have you turn to -- so this is
2210 part of the results of the Wilkinson investigation and

2211 having the NFL oversee the football team and making sure
2212 that they are doing the things that they are supposed to be
2213 doing.

2214 A Okay.

2215 Q And changing the culture. I'll have you turn
2216 to the conclusion on page 23, if you don't mind.

2217 I'll give you a second.

2218 A You want me to read the conclusion?

2219 Q Yes, if you could read through the first two
2220 paragraphs, that would be helpful.

2221 A Okay, I've read the first two paragraphs.

2222 Q Thank you. So this report was released in
2223 January of 2022. And from -- I understand you have very
2224 limited knowledge of this report. But from what you just
2225 read, does it seem that the culture at the team looks more
2226 like what you would have wanted it to look like?

2227 A Yes.

2228 Q And what about that tells you that?

2229 A Well, they're doing confidential surveys and
2230 they're seeing a measurable increase in scores, and they've
2231 got a majority, a super majority, 80 percent of the
2232 employees who are responding that they've seen improvements.
2233 So I take it at face value.

2234 Q Did you ever try to implement these kinds of
2235 changes -- outside of the code of conduct policy that you

2236 implemented with the front office staff, were there other
2237 ways that you tried to change this culture?

2238 A No.

2239 Q Can you tell me why not?

2240 A The -- because the culture was how Dan wanted
2241 the culture at the time. And I wasn't going to go against
2242 his wishes. It's not that on occasion I wouldn't. I would
2243 try on occasion. But on a major cultural shift, I wasn't
2244 going to do that. I just wasn't going to take it on with
2245 him. In the end, I don't think I would have been at the
2246 company.

2247 Q You said when you did approach him about the
2248 code of conduct, he was receptive to that, right?

2249 A He was.

2250 Q So is it possible that he could have been
2251 receptive to additional changes?

2252 A It's possible. Out of character, but
2253 possible.

2254 Q And as we can see with this 2022 review from
2255 an external party, it seems that the culture has taken a
2256 significant shift in a positive direction?

2257 A Yeah. I accept that, as I said, at face
2258 value.

2259 [REDACTED] Those are all the questions I have for
2260 this hour.

2261 (Recess.)

2262 [REDACTED] Back on the record, 1:55.

2263 BY [REDACTED]

2264 Q Mr. Pauken, you mentioned earlier that prior
2265 to your arriving at the Commanders, you believed that there
2266 was a policy that perhaps governed the conduct of
2267 cheerleaders; is that correct?

2268 A Yes.

2269 Q Can you tell me about that policy?

2270 A I believe when I got there, there was some
2271 policy in place which, as I mentioned, I reviewed and
2272 edited. And it covered the conduct of the cheerleaders and
2273 perhaps other matters I can't recall. Included in there was
2274 a prohibition against relationships with football players,
2275 other team staff, and I don't know -- I don't recall how far
2276 it went in the definition of relationships, but it included
2277 not having sex with players. That was the intent of it.

2278 Q Did that policy survive after you separated
2279 from the Washington Commanders, to the best of your
2280 knowledge?

2281 A I don't know what happened to it after I
2282 left.

2283 Q Do you have any reason to believe it was not
2284 in effect at any time during your tenure?

2285 A During my tenure, it was in effect the whole

2286 time.

2287 Q Why do you think there was a policy for
2288 cheerleaders but not other employees?

2289 A Well, looking at all the NFL as a whole, it
2290 was not customary to have personnel or conduct policies at
2291 any team, because as I said, it didn't happen until 2005.
2292 But with cheerleaders, there's -- I think there was
2293 sufficient history within the league over the years where
2294 there were distractions created between players and
2295 cheerleaders. And I don't think we were the only team to
2296 have such a policy. And the goal was to minimize the
2297 distraction to the team.

2298 One of the -- that's my speculation on how this sort
2299 of thing came to be. And one of the things that I learned
2300 when I joined the organization was that, look, it's all
2301 about the team. We're trying to win football games.
2302 Everybody else is support and our job is to help the team
2303 win, and not have them bogged down with things that don't
2304 have to do with winning football games. So we're going to
2305 pay them on time, we're going to have the lights on, we're
2306 going to have food there and we're not going to have
2307 cheerleaders creating temptations.

2308 And that's why those kinds of policies existed, I
2309 think, to minimize distractions, temptations for players.

2310 Q Do you know if that policy was ever violated

2311 during your tenure?

2312 A It was.

2313 Q Do you recall when?

2314 A Yes. This would have been the 2005 season.

2315 There were two cheerleaders involved, [REDACTED]

2316 [REDACTED]

2317 [REDACTED]. And the player involved -- and I mention

2318 this because this is all publicly reported, was Chris

2319 Cooley.

2320 It came to my attention, and I don't recall how, that

2321 [REDACTED] had been involved in a sexual relationship with

2322 Chris Cooley. It was credible information. I had Donald

2323 Wells confront [REDACTED] about it, [REDACTED] reported to Donald

2324 Wells and validated what was happening. And it was a

2325 violation of the policy with the cheerleaders to have sex

2326 with a player. I talked to Dan about it, and he said that

2327 we should fire [REDACTED] and I agreed with him. Frankly, I

2328 agreed with him we should fire [REDACTED]. And then told

2329 Donald to fire [REDACTED], and we did. Or he did.

2330 Then two things happened, and I don't remember the

2331 order, but two things happened. [REDACTED]

2332 [REDACTED]

2333 [REDACTED]

2334 [REDACTED]. And separately, I received to my attention out at

2335 the park, an envelope addressed to me with incriminating

2336 evidence validating that another cheerleader was involved in
2337 a sexual relationship with Chris Cooley.

2338 Mr. Grooms. You say incriminating. Are you saying a
2339 crime was committed or there was evidence to substantiate
2340 it?

2341 The Witness. Evidence to substantiate it. Thank
2342 you.

2343 And on the sports talk radio, they were like, okay,
2344 why is one cheerleader being treated one way, and another
2345 cheerleader is still on the squad?

2346 This other cheerleader was [REDACTED]. I talked
2347 to Dan about it. I talked to [REDACTED] about it. I had
2348 also talked to [REDACTED] about [REDACTED]. And the decision
2349 was made by Dan, which I agreed with, to fire [REDACTED]
2350 [REDACTED]. So we fired [REDACTED], or I had Donald Wells
2351 do that.

2352 And at that point, it felt very much out of hand and a
2353 distraction for the team that had been achieved. It was a
2354 distraction. It's all over sports talk. There's articles
2355 in the paper. And it's decided that I am going to talk to
2356 Chris Cooley about this, which I didn't want to do because
2357 Chris Cooley does not report to me. Chris Cooley reports to
2358 the coach. But for whatever reason, [REDACTED] wanted me
2359 to talk to Cooley about it, and Dan told me to do whatever
2360 the coach wanted done.

2361 And very soon after, we were playing the New York
2362 Giants. And we -- as was our custom, we took the train when
2363 we played the Giants, and I went up to the players, where
2364 the players were sitting and grabbed Chris and sat and had a
2365 chat with him about [REDACTED] and [REDACTED], and reached an
2366 agreement with him that he would not have any more sex with
2367 any cheerleaders.

2368 And unfortunately, this was a situation where the
2369 female employee was treated differently than the male. The
2370 female employees were fired, the male employee was -- there
2371 were no repercussions other than he was restricted from
2372 additional sex with the cheerleaders. This story is fairly
2373 widely publicized.

2374 Q Was Chris Cooley ultimately hired by Dan
2375 Snyder to work on the business side of the Washington
2376 Commanders?

2377 A Yes, I believe that he was after I left. He
2378 was in some capacity.

2379 Q And with respect to Chris Cooley, the
2380 extent -- as you mentioned, the repercussion that he faced
2381 was to restrict himself from having sex with additional
2382 cheerleaders, and that's to say that there was no punishment
2383 for him. He remained on the team, correct?

2384 A Yes.

2385 Q Was the NFL aware of this incident, to your

2386 knowledge?

2387 A I didn't notify the NFL, but it was public
2388 because it was widely reported in the Post, local sports
2389 talk radio. Whether it got to the NFL, I don't know. I
2390 never heard from anybody at the NFL on it.

2391 Q Do you have reason to believe that the NFL
2392 contacted Mr. Snyder about the termination of two female
2393 employees regarding this policy?

2394 A I don't have any information that would tell
2395 me that. If they did, Dan would have told me. That would
2396 have been something he would gotten me involved in.

2397 Q Do you know why Mr. Snyder was involved in a
2398 cheerleading disciplinary issue?

2399 A I would never fire anybody without Dan Snyder
2400 knowing and having a chance to weigh in, especially when it
2401 involved -- well, just anybody. But especially when it
2402 involves the star tight end. I'm not going to make a move
2403 without him knowing.

2404 Q Sticking with the cheerleading program at the
2405 Washington Commanders, do you recall hearing about a photo
2406 shoot in Costa Rica that took place in 2013, where suite
2407 holders and sponsors were accused of gaining access to
2408 cheerleaders as part of a package that was promoted by
2409 Dennis Green?

2410 A I have read about that.

2411 Q Can you remind me what Dennis Green's role
2412 was?

2413 A Dennis -- Dennis Green, he -- his role was to
2414 sell suites. That was his role. And he reported to Dan on
2415 suite sales. That was his role.

2416 Q You mentioned that Mr. Green had requested
2417 that you provide suite holders access prior to you leaving
2418 the team, but that you rejected that idea, correct?

2419 A Yeah, he and Dan wanted access to the
2420 calendar shoots for sponsors and others -- other paying
2421 customers. It could have been a suite holder. It could
2422 have been anybody paying money would have been probably
2423 eligible. It was considered an experience that could be
2424 sold.

2425 Q Part of the accusations were that the suite
2426 holders and sponsors also selected cheerleaders who they
2427 picked personally to be their personal escorts on that
2428 particular evening at a nightclub.

2429 A On that calendar shoot?

2430 Q Correct.

2431 A I think I read that.

2432 Q Do you have any reason to believe that that
2433 did not happen?

2434 A That is entirely consistent with the Dennis
2435 Green and Dan Snyder that I know.

2436 Q Were you aware of any similar incident
2437 happening while you were at the team perhaps behind your
2438 back?

2439 A I am not.

2440 Q Are you familiar with an event called fight
2441 night?

2442 A I am.

2443 Q How are you familiar with it?

2444 A I attended fight night probably every year
2445 that we attended while I was at the Commanders. We were --
2446 if I'm not mistaken, we provided an appearance with the
2447 cheerleaders at fight night, if not one year, every year,
2448 many years. And the Commanders, we were always present in
2449 some form or fashion.

2450 Q So if you attended every year, is it fair to
2451 say that you attended fight night in 2004?

2452 A It's highly likely that I did.

2453 Q How would you describe --

2454 A I mean, it's possible I missed one year but
2455 it would have been unusual.

2456 Q How would you describe fight night in terms
2457 of the cheerleaders' role?

2458 A Well, look, fight night is -- there's boxing,
2459 pretty girls, drinking, and cigar smoking and all that comes
2460 with it. So it's not a subdued event. It's an event

2461 meant -- it raises money for a good cause, but it's meant to
2462 edge into the vices that appeal to mankind. Smoking,
2463 drinking, pretty girls. Pretty women.

2464 Q Is this one of the events that you introduced
2465 to turn the program from a cost center to a program center?

2466 A We would have -- no, we would have, since
2467 this was a charitable event, we would have offered the
2468 cheerleading squad for free at this event.

2469 Q Do you recall reading reports about a
2470 cheerleader named Tiffany Bacon Scourby, who was
2471 propositioned by Mr. Snyder on behalf of his friend Anthony
2472 Roberts, the team's official ophthalmologist?

2473 A I do recall reading that story. Tiffany was
2474 on the squad when I was there.

2475 Q According to Ms. Scourby, Mr. Snyder called
2476 her over after she finished performing and told her that we
2477 have a hotel room, in regards to his friend, and invited her
2478 to go upstairs with Mr. Roberts to get to know each other
2479 better. Do you recall reading about that?

2480 A I do.

2481 Q Did you witness that exchange at that
2482 particular fight night?

2483 A I did not.

2484 Q To the best of your recollection?

2485 A I did not.

2486 Q Do you recall witnessing any inappropriate
2487 behavior by Mr. Snyder or other team executives at that
2488 fight night or others?

2489 A No.

2490 Q Now, you mentioned earlier that there was a
2491 push by Mr. Snyder to oversexualize the cheerleading
2492 program, and that he would insult you and others if the
2493 cheerleaders didn't look a certain way. He wanted the
2494 cheerleaders to have big tits and stay skinny, or words to
2495 that effect. And he wanted the calendars to remain as they
2496 were, with women scantily clad at the annual photo shoots.
2497 So in your opinion, who was responsible for the direction
2498 and the oversexualization of the cheerleading program during
2499 your tenure and after at the Washington Commanders?

2500 A Dan Snyder.

2501 Q And for the record, what makes you say that?

2502 A Dan -- Dan ran the team and the business.
2503 That's part of it. That's how he wanted it. The stories
2504 that I've shared with you support that. And the events and
2505 allegations that occurred afterwards, which, to be honest, I
2506 don't have any real knowledge on, are also consistent with
2507 that.

2508 Q Earlier, you testified about a so-called
2509 inner circle of executives at Snyder Communications. Was
2510 that also the case at the Commanders?

2511 A Yes, we didn't use that term. In my
2512 experience, all businesses have an inner circle, a group of
2513 management personnel that are close, and we had that at the
2514 Commanders as well, yes.

2515 Q Do you recall who during your employment was
2516 part of that circle?

2517 A Yeah, it was -- it would have been -- it
2518 would have included always in every case, the head coach,
2519 whoever was running player personnel, myself, Dennis Green,
2520 and Mitch Gershman. It depends on who the general counsel
2521 was at the time, Norm Chirite or David Donovan.

2522 Q Anyone else that you can recall?

2523 A Dan, when I was there, Dwight Schar was a
2524 close adviser. And until they had a falling out, Fred
2525 Drasner was a close adviser.

2526 Q Who is Norm Chirite?

2527 A Norm Chirite was a partner at Weil Gotshal,
2528 and Weil Gotshal was our law firm at Snyder Communications.
2529 And they assisted us with the M&A activity that we pursued
2530 at Snyder Communications. At some point after Dan acquired
2531 the team and we got over there, we hired Norm away from Weil
2532 Gotshal to become the general counsel at the Commanders.

2533 Q And Dwight Schar?

2534 A Dwight Schar was a minority owner of the
2535 Commanders. We sold minority ownership, someone can check

2536 the public records, it's 2002 or 2003, when Fred Smith, Bob
2537 Rothman, and Dwight Schar became minority owners in the
2538 Commanders. Dwight is a local businessman here in the DC
2539 area.

2540 Q You mentioned Mitch Gershman. What was his
2541 role on the Commanders during your tenure?

2542 A Mitch joined the company in the summer of
2543 2003. After we sold Snyder -- Mitch was at Snyder
2544 Communications. After we sold Snyder Communications, he
2545 left. He went and worked somewhere else, I don't know
2546 where, or I can't recall where.

2547 At some point, we -- Dan was not satisfied with how I
2548 was managing, leading club seat sales. [REDACTED] was
2549 working for me, Jason Friedman reported to [REDACTED]
2550 reported to me. And Dan was not happy on what -- maybe we
2551 weren't hitting our sales goals, there may have been a good
2552 reason, and he called [REDACTED] and I into his office, and said
2553 that -- you know, basically fired [REDACTED] and that they were
2554 bringing in Mitch Gershman to head up premium seat sales.

2555 And I remember that conversation so well, because in
2556 it, Dan told [REDACTED] and I that he had more sales and
2557 marketing knowledge in his left testicle than [REDACTED] and I
2558 had in our entire bodies. And that we were off premium seat
2559 sales and Mitch was going to come in and take it over.

2560 So Mitch came in, I forget his title, and he was put

2561 in charge of premium seat sales, and he had that role until
2562 my departure, when Dan made him chief operating officer of
2563 the Commanders.

2564 Q The statement you just expressed that Dan
2565 shared with you and [REDACTED] that he had more marketing --

2566 A Sales and marketing.

2567 Q Sales and marketing in his left testicle than
2568 you both had in your entire body.

2569 A Yes.

2570 Q Are those Dan Snyder's words?

2571 A Those are Dan Snyder's words.

2572 Q Verbatim?

2573 A Verbatim. Well, as close as I can recall,
2574 but it's pretty close.

2575 Q What was your reaction to that?

2576 A That was the normal course. So I don't think
2577 I had a reaction, because like I wasn't surprised or shocked
2578 to hear him speak to me or [REDACTED] that way. That was not an
2579 unusual way of speaking. So I took it in stride.

2580 Q When my colleagues were questioning you
2581 earlier, you testified that you spent many hours alone with
2582 Mr. Snyder. And in such cases when you were having
2583 conversations about many things, those would be the
2584 situations where you would raise or potentially push back
2585 out of some concern that you had.

2586 A Mm-hmm.

2587 Q Do you recall saying that?

2588 A Yes.

2589 Q Now, you worked alongside Mr. Snyder in
2590 executive level positions in two different companies that he
2591 owned over the course of nearly a decade. Is that fair?

2592 A Yes.

2593 Q Based on your experience, would you agree
2594 that you came to know Mr. Snyder and the way he ran his
2595 businesses well?

2596 A Yes, I did.

2597 Q And how would you describe Dan Snyder as a
2598 business owner?

2599 A He is a visionary. He is very smart. He
2600 understands how to create value. And there's a lot to be
2601 learned from him. On the other hand, I find him to be
2602 overly aggressive, abusive, and demeaning to those that are
2603 around him.

2604 Q Would you describe Mr. Snyder as a hands on
2605 or hands off owner?

2606 A Both hands on.

2607 Q Meaning two of his hands?

2608 A On.

2609 (Majority Exhibit No. 3 was
2610 identified for the record.)

2611 BY [REDACTED]
2612 Q I'm now handing you what has been marked as
2613 Exhibit 2 for identification purposes.
2614 A Exhibit 3.
2615 Q Exhibit 3 for identification purposes, thank
2616 you. I want to direct your attention to the page with the
2617 orange flag. Flip one more page.
2618 A Oh.
2619 Q The first paragraph. I want to direct your
2620 attention to that first paragraph. Do you see it? I'll
2621 give you a few minutes to review it. Please let me know
2622 when you're done.
2623 A Okay. I've read it.
2624 Q Do you recognize what I just handed you?
2625 A No, I don't recognize that.
2626 Q This is an August --
2627 A Oh. I mean, I don't recognize that in Dan
2628 Snyder. That's what I'm saying.
2629 Q Do you recognize this document itself that I
2630 just handed you?
2631 A Yes, yes, I remember reading this in this
2632 paper.
2633 Q It's an August 26, 2020 Washington Post
2634 article detailing the toxic work environment at the
2635 Commanders.

2636 A Yeah.

2637 Q How do you recognize it?

2638 A Well, the Dan Snyder I know was --

2639 Mr. Grooms. May I talk to him?

2640 The Witness. I read the story. It came in the Post
2641 that day, and I read it. That's how I recognize it.

2642 BY [REDACTED]:

2643 Q Now, that paragraph that I directed your
2644 attention to, it states in his statement, Snyder said, I
2645 have admittedly been too hands off as an owner and have
2646 allowed others to have day-to-day control to the detriment
2647 of our organization. Going forward, I'm going to be more
2648 involved, and we have already made major changes in
2649 personnel bringing in new leadership to drive cultural
2650 transformation on and off the field.

2651 Do you see that?

2652 A I do.

2653 Q Now, Mr. Snyder made that statement in
2654 response to the allegations that were raised in this
2655 Washington Post article.

2656 A Mm-hmm.

2657 Q Now, Mr. Pauken, what was your reaction when
2658 you read Mr. Snyder's statement that he was a hands-off
2659 owner?

2660 A My reaction was that that is not a true

2661 statement.

2662 Q Why not?

2663 A Because I have no experience with him, nor do
2664 any of my colleagues, where he was hands off.

2665 Q Was Mr. Snyder hands off when it came to the
2666 Commanders marketing and sales strategy, in your experience?

2667 A No, never. He was always very actively
2668 involved in suite sales, who we were selling suites to, in
2669 sponsorships, who we were selling sponsorships. He even got
2670 involved in helping do negotiation of the larger deals. I
2671 already discussed there were cheerleaders that we fired that
2672 we discussed with him. I talked to him about the personnel
2673 policy.

2674 Leaving me out of it for a second, there was an
2675 instance where Dwight Schar had a suite. And the way this
2676 particular type of suite looked, if you were a guest in that
2677 suite, you left the suite, went to a bar to buy a drink and
2678 you told the bartender what suite you were in, so they knew
2679 where to charge it. And people were charging -- not in
2680 Dwight's suite were charging drinks to Dwight's suite. You
2681 would go to the bartender and say, I'm in Dwight's suite,
2682 and Dwight would get this bill.

2683 And Dwight came to [REDACTED], who ran the stadium
2684 and highlighted this problem. And together he and [REDACTED]
2685 figured out a solution to that problem, which was, whenever

2686 somebody asked for a drink, make them show their ticket, so
2687 the bartender knows what suite they're in. Pretty simple,
2688 pretty minor detail. Okay?

2689 This is an internal control issue on a dozen suites,
2690 in all the suites at the stadium. Sometime later, at an
2691 away game, [REDACTED] is at a dinner with Dan and Dwight Schar and
2692 numerous other Redskins executives. This is at an away
2693 game. And Dan says to [REDACTED], who is the owner of the
2694 Washington Redskins? And [REDACTED] responded, you are,
2695 Mr. Snyder. He said, I understand that you and Dwight are
2696 cooking up some changes on billing at the suite. Is that
2697 true? And Dwight is sitting there, Dwight's a billionaire,
2698 and he is an owner of the team. And Dan is speaking like
2699 this to Dwight and to [REDACTED] and everybody else.

2700 Yes, here's what happened and Mr. Schar and I talked
2701 about it, and we concluded -- and he said, I want you to put
2702 it back the way it was, and you don't ever make a change
2703 like that without talking to me. He humiliated [REDACTED] in
2704 front of everybody, and he humiliated Dwight Schar, his
2705 partner, who wrote a check for \$50 million to become a part
2706 owner of the team.

2707 And so I've provided some examples for me on Dan's
2708 involvement and in minor details. Here's one that doesn't
2709 have anything to do with me to show you his level of
2710 involvement in details.

2711 Q When you were chief operating officer of the
2712 Commanders, how would you describe the structure of the
2713 Commanders' human resources department?

2714 A We had a human resources person. There was
2715 one person there. That would have been the structure. And
2716 that person would have reported to the CFO, either [REDACTED]
2717 [REDACTED] or [REDACTED], who reported to me.

2718 Q Do you recall who the HR person was during
2719 your tenure?

2720 A Her name escapes me. I could find it.

2721 Q Is that to say that there was one person in
2722 the entire HR department while you were there?

2723 A I think so, yes.

2724 Q How many employees did the Commanders have?

2725 A Excluding players, I don't know, about 150,
2726 including stadium personnel. I'm not counting the gameday
2727 employees.

2728 Q If you were to count gameday employees and
2729 players?

2730 A Well, players, there's a 53-man roster and
2731 then gameday employees are -- probably 500 people on a
2732 gameday or more. But those are just part-time workers who
2733 work just for the games.

2734 Q Was the human resources department
2735 responsible for handling complaints of workplace misconduct,

2736 for example, and/or conducting investigations into such
2737 complaints?

2738 A Yes.

2739 Q What about conducting workplace trainings?

2740 A I don't recall us ever doing any workplace
2741 training. It's possible that we did, but I don't recall
2742 any. If we did, they would have done it.

2743 Q What involvement did the legal department
2744 have, if at all, in workplace misconduct complaints?

2745 A The legal department would have gotten
2746 involved. I suspect -- I don't recall briefing the general
2747 counsel on the Chris Cooley cheerleader incident --

2748 Mr. Grooms. Let me stop you for a second. I assume
2749 you're not asking for any internal discussion with legal
2750 that could be subject to a claim of privilege.

2751 [REDACTED] I have not posed a question. That was
2752 communications.

2753 Mr. Grooms. We can discuss if you have any concerns
2754 with anything.

2755 The Witness. Yeah.

2756 There are other instances where I do recall getting
2757 general counsel involved.

2758 BY [REDACTED]

2759 Q When would you get the general counsel
2760 involved, and when would you decide not to raise it with the

2761 general counsel?

2762 A If it involved a potential termination of an
2763 employee, I would get the general counsel involved because
2764 we then normally want to get the appropriate documentation
2765 in order on a separation agreement. So that would be one
2766 example. Any time there was a potential separation
2767 involved, or there was some claim of discrimination or
2768 harassment of some sort, I know we would certainly get the
2769 general counsel involved. In addition, of course, to
2770 discussing with Dan.

2771 Q So that's to say for the cheerleaders that
2772 you mentioned earlier that were terminated for violating the
2773 policy that prohibited them from having sex with football
2774 players.

2775 A Mm-hmm.

2776 Q That the general counsel would have been
2777 involved in preparing the paperwork?

2778 A I think in that case, we didn't. I don't
2779 think we did any paperwork with them. I think we just cut
2780 them from the squad, and that was it. I could be wrong, but
2781 I just don't recall. I think we just -- I told Donald to
2782 cut them loose.

2783 Q Were cheerleaders considered employees or
2784 independent contractors, to the best of your recollection?

2785 A I think we paid them -- I think we had a

2786 contract. I think we paid them \$75 a game. And then I
2787 don't know, some stipend for practice perhaps. It was very
2788 low wages at the time.

2789 Q Would you describe the human resources
2790 department as well-resourced during your employment?

2791 A I would describe them as adequately
2792 resourced. And I say that because of the resources we had
2793 in the financial staff and in the general counsel's staff to
2794 handle human resource related matters.

2795 Q So is that to say that there were employees
2796 in other departments --

2797 A That helped out. Like benefits, like how we
2798 handled benefits was done within the financial staff,
2799 getting people signed up for benefits, resolving benefit
2800 issues, things of that nature.

2801 Q Did you ever request that more resources be
2802 allocated to human resources?

2803 A I did not.

2804 Q In your view, did Mr. Snyder prioritize the
2805 human resources department as a department that needed more
2806 resources?

2807 A No.

2808 Q Why do you say that?

2809 A We prioritized anything related to the team
2810 and anything related to growing revenue, that got

2811 prioritized. And we were very good at growing revenue. By
2812 2006, it was the world's most valuable sports franchise,
2813 maybe sooner than that. By 2003, it was.

2814 Q Did you have any role specifically in
2815 workplace investigations?

2816 A Yes.

2817 Q What was your role?

2818 A I was responsible for them, if one needed to
2819 be done.

2820 Q Would you, yourself, conduct the
2821 investigation?

2822 A Or I would work for the general counsel's
2823 office or anybody else that might be appropriate to help.

2824 Q But there were instances where you would
2825 conduct investigations?

2826 A Well, for example, on the Chris Cooley
2827 matter, I made inquiries to conclude I was dealing with
2828 facts before we initiated the terminations, by way of
2829 example.

2830 Q Do you have any training in human resources
2831 or human resources certification?

2832 A Training? I have no training in human
2833 resources. I was -- you know, human resources reported to
2834 me at Snyder Communications. It reports to me at the
2835 companies I run now.

2836 (Majority Exhibit No. 4 was
2837 identified for the record.)
2838 BY [REDACTED]
2839 Q Mr. Pauken, I've handed you what has been
2840 marked as Exhibit 4 for identification purposes. The
2841 document which is Bates stamped ending in 997332 was
2842 produced to the Committee by the NFL. I will give you a few
2843 minutes to review. Please let me know when you're done.
2844 A Okay.
2845 Q Do you recognize what I just handed you?
2846 A I don't recall it, but I would have read it
2847 at the time and been informed of this.
2848 Q I handed you what appears to be a memo to
2849 file?
2850 A Mm-hmm.
2851 Q From an [REDACTED], human resources
2852 manager, to a [REDACTED]?
2853 A Mm-hmm.
2854 Q Gameday security supervisor?
2855 A [REDACTED] was the name I couldn't recall a few
2856 minutes ago.
2857 Q The memo is dated November 12, 2002. And the
2858 subject appears to be Written Warning.
2859 A Mm-hmm.
2860 Q There's several individuals who are copied.

2861 And an individual named [REDACTED]. Do you recall who that
2862 is?

2863 A I don't recall.

2864 Q [REDACTED]?

2865 A I know [REDACTED].

2866 Q And can you remind me what his title was?

2867 A [REDACTED]. He was responsible
2868 for everything that happened at the stadium, everybody
2869 reported to him.

2870 Q There's a [REDACTED]?

2871 A And [REDACTED] reported to me. [REDACTED] reported to
2872 [REDACTED]. [REDACTED] is the assistant general counsel.
2873 Norm Chirite was the general counsel, and then there's me.
2874 Ultimately -- go ahead, sorry.

2875 Q Do you know who [REDACTED] is?

2876 A I didn't know [REDACTED]. And in my capacity, I
2877 wouldn't normally know the gameday security supervisor.

2878 Q Do you know why all of these individuals are
2879 copied on this memo?

2880 A Yes.

2881 Q Why is that?

2882 A Well, we've got an incident here that's a
2883 serious incident. And it's something that I would take
2884 seriously. [REDACTED] -- everybody on this would take seriously,
2885 and we would want the general counsel's office to know.

2886 [REDACTED] and I were ultimately responsible for
2887 gameday security. And we -- it was not a joke to us. It
2888 was very, very serious, and we had a lot of protocols and
2889 training involved on security, our security personnel and
2890 processes and procedures. It was something that got a lot
2891 of time and attention, and we don't want mistakes made. And
2892 this was the kind of thing where whatever is happening here,
2893 at whatever level, is not appropriate and we weren't going
2894 to stand for it. So that's why we're all involved.

2895 And before anything like this would have been written,
2896 [REDACTED] and I would have been fully briefed and agreed that
2897 this was the right answer for this. This would not happen
2898 with [REDACTED] on her own, ever. And this is the kind of thing
2899 that I would also let Dan know, hey, I've got a situation,
2900 here's what's going on, as an FYI.

2901 Q In that -- I want to direct your attention to
2902 the third paragraph beginning with, "you will remain." Do
2903 you see that?

2904 A Mm-hmm.

2905 Q It says, "You will remain in your position at
2906 FedEx Field as a Service Level Security Supervisor.
2907 However, should we receive another formal or informal
2908 complaint of similar, you may be subject to discipline, up
2909 to and including termination of employment."

2910 A Mm-hmm.

2911 Q Do you recall whether the team had a
2912 progressive discipline policy in place?

2913 A I do not recall if we did.

2914 Q And are you familiar with the term --

2915 A Yeah.

2916 Q Progressive discipline?

2917 A Yeah.

2918 Q Is it your understanding that a document like
2919 this would have been kept in the employee's personnel file?

2920 A It should have been, yes.

2921 (Majority Exhibit No. 5 was
2922 identified for the record.)

2923 BY [REDACTED]:

2924 Q Mr. Pauken, I just handed you what has been
2925 marked as Exhibit 5 for identification purposes. This
2926 document, which is Bates stamped NFL-00097350, was produced
2927 to the Committee by the NFL. I will give you a few minutes
2928 to review. Please let me know when you are done.

2929 A Okay. I've read it.

2930 Q Do you recognize what I just handed you?

2931 A I do.

2932 Q What is it?

2933 A Yeah, there was an instance where Dennis was
2934 speaking inappropriately to [REDACTED], and she
2935 complained to -- I don't know if it was human resources or

2936 how -- where she complained, but she filed a complaint.

2937 And Norm and I spoke with Dennis about it, and we put
2938 this in his file. And I would have told -- talked to Dan
2939 about this, certainly. Dennis would make inappropriate
2940 comments about a woman's appearance, or make suggestive
2941 remarks. And that's what happened in this instance. It was
2942 either about her appearance or suggestive remarks that made
2943 [REDACTED] feel uncomfortable, and were inappropriate on any
2944 reasonable level.

2945 Q I want to direct your attention to the header
2946 where it says "From: [REDACTED]." Do you see that?

2947 A Mm-hmm.

2948 Q It's dated June 23rd, the subject is
2949 Counseling?

2950 A Mm-hmm.

2951 Q Do you recall why this memo was coming from

2952 [REDACTED]

2953 A Human resources reported to [REDACTED] who arguably
2954 had dual reporting to Dan and me. And so why it didn't come
2955 from [REDACTED] or me, I don't know. I probably asked [REDACTED] to
2956 write it and put it in Dennis's file. That's probably what
2957 happened, I would have told [REDACTED] to do it.

2958 Q I will note that there are no other employees
2959 who are copied on this memo. Do you recall why?

2960 A Probably because I didn't tell [REDACTED] to. I

2961 probably just said, write a memo that Norm and I talked to
2962 Dennis about it, because, look, Dennis had issues and this
2963 was -- I probably wanted a record, so that depending upon
2964 what happened, I could build a case and have it in writing
2965 that I had spoken to him. So I probably just told [REDACTED] to
2966 put something in Dennis's file.

2967 Q Do you recall what [REDACTED]
2968 relationship was with Mr. Green?

2969 A Yeah, it was some sales or marketing
2970 assistant role.

2971 Q Did she report to him?

2972 A I think so. But the Commanders can tell you.

2973 Q Why did you and Mr. Chirite counsel Mr. Green
2974 regarding his office conduct?

2975 A Because we wanted Dennis to know that it was
2976 serious. If I'm sitting down and Norm is sitting down with
2977 Dennis, it's not a joke. If we sent [REDACTED] in there,
2978 it's not even a fair fight against Dennis Green. And Dennis
2979 knows neither Norm or I are going to take anything off of
2980 him, and we wanted Dennis to know it's serious. That's why
2981 we're involved. He's a senior level person reporting to
2982 Dan.

2983 Q I want to direct your attention back to the -
2984 - where it says, "Re: Counseling." Is there a reason why
2985 this was counseling as opposed to a written warning, if it

2986 was serious?

2987 A Probably a failure on our part. Looking
2988 back, it's a very weak subject line, I admit.

2989 Q Did you ever receive any other complains
2990 about Mr. Green and his conduct towards women in the
2991 workplace either before or after receiving the complaint
2992 from Ms. [REDACTED]?

2993 A I don't recall any.

2994 [REDACTED] We'll go off the record.

2995 (Recess.)

2996 [REDACTED] We can go back on the record. We just
2997 have a couple of questions.

2998 BY [REDACTED].

2999 Q Is your testimony today, to the best of your
3000 knowledge, that during your tenure, the team did not hide
3001 revenue from the NFL; is that right?

3002 A Yes.

3003 Q And it's your testimony that the team did not
3004 maintain two sets of books to hide revenue from the NFL; is
3005 that right?

3006 A Yes, that is my testimony.

3007 Q The team did not engage in financial
3008 misconduct or fraud; is that right, during your tenure?

3009 A Well, it depends on how you want to define
3010 that.

3011 Q Okay.

3012 A There are instances where NFL rules were
3013 violated or other rules were violated, but I wouldn't
3014 characterize them as fraud.

3015 Q Is the NFL aware of those instances?

3016 A The NFL is aware of one of them. The other
3017 one is publicly reported. I don't know if the NFL is aware
3018 of it.

3019 Q Okay.

3020 A And I wouldn't say they're fraud. Maybe
3021 just --

3022 Q You also testified that you spoke to both
3023 Beth Wilkinson and Mary Jo White in their investigations.
3024 Did you give complete and truthful information in your
3025 conversations with them?

3026 A Yes.

3027 Q Throughout the course of this interview
3028 today, you've discussed a number of allegations against
3029 people who worked at the team, Mitch Gershman, Wells, Green.
3030 To the best of your knowledge, are any of these people still
3031 employed by the team?

3032 A They are not, to the best of my knowledge,
3033 still employed by the team. They are not.

3034 Q When I asked you a question earlier about
3035 financial misconduct or fraud, you said there was not fraud,

3036 but perhaps misconduct depending on the definition.

3037 A Mm-hmm.

3038 Q Can you clarify what you mean?

3039 A It's probably best if I could share a story.

3040 Q Okay.

3041 A There was an instance, I think in 2005, when
3042 Dan wanted us to require fans who purchased tickets to use a
3043 Redskins branded master card and only that. So the fans
3044 were required to get a MasterCard that was Redskins branded
3045 and use that to buy their tickets. They couldn't use any
3046 other Visa or MasterCard. We told him he couldn't do that.
3047 He told us to do that anyway. We did it. That is a
3048 violation of MasterCard rules. Fans got upset that they
3049 couldn't use their normal credit card to buy seats. And it
3050 hit the press and we very quickly reversed ourselves,
3051 because we were violating, by having that policy, MasterCard
3052 rules. That's one example.

3053 The other example which the NFL is aware of is after
3054 Dan bought the team, Mort Zuckerman decided he no longer
3055 wanted to be an owner of an NFL team. And he asked Dan to
3056 buy back his shares. And Dan did that with him, Fred
3057 Drasner, and I think his sister Michelle, each acquiring 5
3058 percent of Mort's 15 percent, increasing their ownership and
3059 taking Mort down to 0. And Mort was no longer a shareholder
3060 of the Redskins.

3061 It's fine to do that, as long as you have the approval
3062 of the NFL owners, and Dan did not seek approval from the
3063 NFL owners to do that, in violation of league rules. It was
3064 all done and over with by the time the league found out.
3065 And you can check with the league on this, they'll have all
3066 the details, but there was some period of time, a year or
3067 two, where our financial statements were held up because we
3068 didn't know the level of fine, if any, we would be under,
3069 what the other -- what the various ramifications would be.
3070 It took a couple of years to resolve. But it was an example
3071 where we clearly violated a league rule and they were not
3072 happy about it.

3073 Q So you said the NFL was aware of that
3074 instance, the MasterCard instance was reported publicly, so
3075 it's safe to assume the NFL was aware. In those instances,
3076 it appears that there were direct consequences to those
3077 violations, in the instance of the MasterCard you reversed
3078 the policy and everything went back to normal?

3079 A Mm-hmm.

3080 Q And in the instance of the NFL -- the NFL, it
3081 took a few years to process, but they're ultimately --

3082 A Yeah, they came to a resolution. I forget
3083 what the resolution was.

3084 Q But the league did -- they went through the
3085 normal course of business, normal course of process?

3086 A Yeah.

3087 Q So there was nothing hidden in the books?

3088 A No.

3089 Q There was nothing being misreported to them.

3090 A No, there wasn't.

3091 [REDACTED]. Those are all our questions. We can go

3092 off the record. Thank you.

3093 (Recess.)

3094 [REDACTED] Back on the record at 3:11.

3095 BY [REDACTED]

3096 Q Mr. Pauken, you just said that nothing was
3097 misreported with respect to the two incidents you mentioned,
3098 where -- one where Mr. Snyder failed to follow a league
3099 rule. And then the second where he made a decision or at
3100 least approved a decision to use a MasterCard for the
3101 purchase of tickets, and then reversed his decision based on
3102 public backlash; is that correct?

3103 A Yeah, thinking about it using the term
3104 misreported on the first one may not be accurate, because
3105 the transaction occurred with Mort Zuckerman, and it was not
3106 reported to the league. It was only later after it occurred
3107 and it was reported. The protocol is, it has to be
3108 presented to the league in advance, and NFL owners have to
3109 vote on it. You need 75 percent of the owners to say yes to
3110 a change like that.

3111 So that, it's probably not an accurate statement when
3112 I said nothing was misreported, okay? In the beginning, it
3113 was not reported. Afterwards, we came clean on it and it
3114 was open book on that at that point.

3115 Q But with respect to what you were testifying
3116 about, it had nothing to do with the allegations made by
3117 Mr. Friedman that occurred after your separation?

3118 A Yeah, nothing to do with those, yes.

3119 (Majority Exhibit No. 6 was
3120 identified for the record.)

3121 BY [REDACTED].

3122 Q Mr. Pauken, I just handed you what has been
3123 marked as Exhibit 6 for identification purposes. This
3124 document which has been Bates stamped NFL 00102480 ending
3125 with Bates stamped in 102488, was produced to the Committee
3126 by the NFL. I will give you a few minutes to review it.
3127 And please let me know when you are done.

3128 A Okay. I haven't read it, but I've got the
3129 gist of it.

3130 Mr. Grooms. Could I take just one moment?

3131 (Discussion held.)

3132 Mr. Grooms. Thank you.

3133 BY [REDACTED]:

3134 Q Do you recognize what I just handed you?

3135 A I do.

3136 Q How do you recognize it?

3137 A I think I created it, or it was created under
3138 my leadership. This would have been the document that I
3139 would have shared with the management team and Marty
3140 Schottenheimer, and -- in 2001.

3141 Q I want to direct your attention to the third
3142 page of the document ending in Bates stamp 102483.

3143 A Okay.

3144 Q Where it says, Part III - Conduct and
3145 Fraternization.

3146 Do you see that?

3147 A Mm-hmm.

3148 Q That fourth paragraph, first line, it states,
3149 "Additionally, non-football employees may not date, flirt,
3150 socialize, or fraternize with any member of the football
3151 team, coaching staff, cheerleading squad, or football-
3152 related personnel, either on or off the Redskins premises."

3153 A Mm-hmm.

3154 Q Do you see that?

3155 A Yes.

3156 Q Is this similar to the policy that you
3157 mentioned earlier that was provided to cheerleaders
3158 governing their contact and relationship with football
3159 players?

3160 A It would have been similar to that, yes.

3161 Q This document, do you recall who this
3162 document would have been distributed to and/or who it would
3163 have applied to?

3164 A This would not have been distributed to any
3165 football-related personnel, because of what happened in
3166 2001. If it got distributed to anybody, it would have been
3167 what we called front office people, finance, accounting, HR,
3168 public relations, sales and marketing, and employees over at
3169 the stadium. I would be very surprised to find that any
3170 football-related person got this.

3171 Q Is it your testimony today that this policy
3172 regarding prohibited relationship with football players did
3173 not just apply to cheerleaders, but to front office
3174 employees?

3175 A Yes.

3176 Q Do you recall any instances of employees who
3177 were not cheerleaders who violated this policy?

3178 A Yes, I do.

3179 Q Can you tell me about that?

3180 A Yeah, I can think of two stories. One
3181 involved -- both involved women and on the front office
3182 side, and people on the coaching staff.

3183 Q Can you tell me more about those?

3184 A One of them involved a woman in a leadership
3185 role on the front office side who engaged in a regular and

3186 active sexual relationship with a senior member of the
3187 coaching staff. And we discovered that. And when we
3188 discovered it, we briefed Dan Snyder on it, and the
3189 conclusion was made to terminate the woman involved. We --
3190 the evidence that we had was incontrovertible, in that it
3191 was described in detail in hundreds of emails. Yeah.

3192 Q What happened to the coaching staff?

3193 A Nothing. We didn't say anything to the coach
3194 involved.

3195 Q Why not?

3196 A We didn't want the coach to have any
3197 distractions. We just wanted the problem to go away, as it
3198 were. So when we terminated the woman involved, the
3199 termination was done by me and Norm Chirite together. And
3200 we gave the employee no reason why we were terminating her.
3201 She pressed hard, she speculated that we knew. We did not
3202 admit that we knew, and just informed her that today was her
3203 last day, and gave her an agreement to sign that involved
3204 some amount of severance with an NDA, nondisclosure.

3205 Q Anything else?

3206 A To that story? No, nothing else.

3207 Q Did Mr. Snyder know?

3208 A He knew. He knew as soon as I discovered it.

3209 Actually, it was discovered by [REDACTED], the CFO. [REDACTED]
3210 informed me, I reviewed the evidence, I immediately informed

3211 Dan. The decision to terminate this person took minutes to
3212 make that decision and was done within 24 hours.

3213 Q Who made that decision?

3214 A Dan Snyder made that decision. I agreed with
3215 it. I'm not saying that's right, but I agreed with it.

3216 Q You mentioned you had two stories.

3217 A The second one involved an assistant to [REDACTED]
3218 [REDACTED], I think, at the time, who had a relationship with
3219 a coach. And they ended up boyfriend and girlfriend. She
3220 quit and they got married. Really, nothing else to it. No
3221 allegations, no -- yeah. I mean, what she was doing was a
3222 violation of rules, but she quit her job and went and got
3223 married.

3224 Q Do you know if she quit because she suspected
3225 she would be fired?

3226 A No, I think she quit because she was going to
3227 have a relationship with a coach who is making a lot of
3228 money, and she didn't need to be an executive assistant any
3229 more. And she was fine to go be the spouse of an NFL coach,
3230 I think.

3231 Q Had she not quit, do you believe you would
3232 have terminated her?

3233 A Probably would have, yeah.

3234 Q You mentioned she was an assistant to [REDACTED]
3235 [REDACTED]

3236 A Yes.

3237 Q An executive assistant, correct?

3238 A Yeah.

3239 Q Do you recall her name?

3240 Mr. Grooms. I think he is not comfortable
3241 identifying people by name. Are you telling him he must, or
3242 is this something we can --

3243 BY [REDACTED]

3244 Q I understand that you have concerns, but it's
3245 important that we know the people that were affected by
3246 these type of policies as part of our investigation.

3247 A Okay. Her name was [REDACTED] [REDACTED] I can't
3248 remember her last name.

3249 Q And in the first story, you mentioned it was
3250 a woman in a leadership role in the front office. Do you
3251 recall her name?

3252 A Yes, that was [REDACTED]. She was the
3253 [REDACTED], which was the
3254 [REDACTED]. She reported to me.

3255 Q And you said she was in a relationship with a
3256 member of the coaching staff. Who was that individual?

3257 A That would be [REDACTED].

3258 Q Are there any other examples you could think
3259 of that we haven't discussed?

3260 Mr. Grooms. Can I just briefly talk to him?

3261 (Discussion held.)

3262 Mr. Grooms. You said is there anything else. I just
3263 want to make sure you're talking about any potential
3264 relationships among staff and -- who are not cheerleaders
3265 and the team, is that correct, is that what you're asking?

3266 BY [REDACTED]

3267 Q I'm asking, are there any other examples of
3268 individuals who would have been in violation of this policy
3269 as worded in the exhibit in front of you.

3270 A Okay. Not that I can think of.

3271 And just for clarification, even before this policy
3272 was in place, which I don't know exactly when it did go in
3273 place, the answer would have been the same. If somebody
3274 were involved in a sexual relationship with somebody on the
3275 team's staff, just the fact that we didn't have a policy
3276 governing it, we still would have probably fired that
3277 person. We wouldn't have said, oh, you can stay because we
3278 don't have a policy governing it. That's not even a thing.
3279 Because it gets at, we don't want distractions for the team.
3280 That was our thinking.

3281 Q Now, the example with [REDACTED], you
3282 mentioned that there were hundreds of emails, I believe,
3283 that were discovered, [REDACTED] discovered that email. Do
3284 you recall how that came to his attention?

3285 A Yeah, I had a belief that [REDACTED] was

3286 dishonest with me on something. I can't recall. And there
3287 had been a number of instances on expense reports that [REDACTED]
3288 had had with [REDACTED], where there was always receipts missing
3289 or petty cash that she needed for something and could never
3290 come up with a receipt, or on occasion couldn't come up with
3291 a receipt.

3292 So he had those instances, and there was some sales
3293 or marketing element where I didn't believe her. And I
3294 asked [REDACTED] I said, hey, could you check in her email, and
3295 see if my suspicions are founded or unfounded? And he
3296 looked and very quickly stumbled on to these very explicit
3297 emails between her and [REDACTED].

3298 Q Do you know of other instances where
3299 employees emails were searched based on a suspicion of some
3300 type of behavior or policy, potential policy violation
3301 occurring?

3302 A Yes.

3303 Q Was that a routine practice?

3304 A It was not routine. There was the ticket
3305 office reported to me, and at some point during my stay
3306 there, we did -- we ended up starting background checks on
3307 certain employees, okay? And particularly those that were
3308 involving -- it involved money. So I think we did a
3309 background check on the person who ran the ticket office,
3310 and his name was [REDACTED]. And the reason for that is

3311 there are millions and millions of dollars going through the
3312 ticket office. And [REDACTED] had --

3313 Mr. Grooms. Excuse me just a second.

3314 (Discussion held.)

3315 The Witness. Okay. So we discovered some things
3316 that led us to just want to investigate further. And that
3317 would have been an example where we would have looked at
3318 [REDACTED] email. So it wasn't a routine thing. It was
3319 only if we were concerned about something. We didn't find
3320 anything.

3321 BY [REDACTED]:

3322 Q And when you say you were concerned, was that
3323 based on the background check?

3324 A Yeah. And I remember there in that case, we
3325 found nothing in his emails. There was no reason to be
3326 concerned.

3327 Q If you wanted to search an employee's email,
3328 how would you make that happen?

3329 A I would tell [REDACTED] to look or -- because the
3330 IT staff all reported up through [REDACTED] and [REDACTED], [REDACTED]
3331 and [REDACTED] reported to me, or [REDACTED] reported to me, and they
3332 would just provide access, so [REDACTED] could look. Normally, I
3333 would have [REDACTED] or [REDACTED], [REDACTED] do the looking, because
3334 HR reported to them. And it was good to keep the IT staff
3335 and [REDACTED] out of it. And I would say it was a rare

3336 occurrence. It was not a routine, it was rare. If it
3337 happened, it happened a handful of times.

3338 Q I want to direct your attention to the bottom
3339 of the same page, part 4, alcohol and drug policy. Do you
3340 see that?

3341 A Mm-hmm.

3342 Q Now, turning the page, the first bullet
3343 states, "The Redskins organization will not tolerate any
3344 employees being under the influence of drugs or alcohol
3345 while on Redskins organization premises, in vehicles
3346 supplied by the Redskins organization, or in any location
3347 while on Redskins organization business."

3348 A Mm-hmm. Okay.

3349 Q In your experience, do you recall any
3350 employees or -- including executives, violating this
3351 provision of the policy?

3352 A No.

3353 Q During your tenure, do you recall if
3354 employees or including executives would consume alcohol?

3355 A Yes.

3356 Q In the office?

3357 A On occasion.

3358 Q During meetings?

3359 A On occasion, yes. Not often.

3360 Q What were the occasions where employees would

3361 be consuming alcohol in the office during a meeting?

3362 A It was pretty rare in my experience, but
3363 maybe somebody's having a beer or something of that nature.
3364 It wasn't really, you know, I just wouldn't say it never
3365 happened, but if it did, it was pretty casual and
3366 uneventful, while I was there.

3367 Q And then below that, part 5, sexual
3368 harassment policy. Do you see that?

3369 A Mm-hmm.

3370 Q I believe you testified earlier that you
3371 don't recall there being work place misconduct training. Do
3372 you recall if there was a training on handling sexual
3373 harassment complaints during your tenure?

3374 A No, I don't recall doing that.

3375 Q I want to direct your attention to the last
3376 page ending in Bates number 102488, media relations policy.
3377 Do you see that?

3378 A Mm-hmm.

3379 Q Do you know why there's a stand alone media
3380 relations policy?

3381 A Yes.

3382 Q And why is that?

3383 A When I was there, there were more reporters
3384 camped out there every day than the White House press
3385 office. That's how many reporters were there. And they

3386 were always trying to get a story and talk to anybody they
3387 could to get a story. So you needed a policy letting
3388 everybody know, if you're contacted by the press, if you're
3389 in the restroom with the press, you don't speak to that
3390 person. It all goes through media relations. That was why.

3391 Q Do you recall if Mr. Snyder was very
3392 concerned about media relations and leaks to the press?

3393 A He was always very concerned about that, yes.

3394 Q Why is that?

3395 A He never -- well, he often didn't feel that
3396 the press was accurate in its reporting, and was out to get
3397 him in one way or another from the beginning. And so it was
3398 a scenario where he was always cautious and he minimized his
3399 interactions with the press over the years to the point
3400 where I think now he rarely speaks to the press.

3401 Q If Mr. Snyder, at any time during your
3402 tenure, suspected that there was an employee who was leaking
3403 information to the press, do you recall what his reaction
3404 would have been?

3405 A Yeah, he would want us to try to find out who
3406 that is, and he would probably be terminating that person.

3407 Q How would you go about finding out who that
3408 person is?

3409 A It's really hard, really, really hard because
3410 the press won't divulge their sources. So yeah, I think --

3411 I don't know that we ever did find -- there was leaks that
3412 he was concerned about. And I can't remember ever finding
3413 the culprit and terminating somebody. But I can remember it
3414 would happen periodically, where something was written and
3415 how it got out, and he would be quite upset and very
3416 spirited.

3417 Q Do you recall if there were ever efforts to
3418 investigate employees who were suspected of being behind
3419 leaks to the media?

3420 A I mean, investigate in the sense that maybe
3421 we would ask employees if they did, if we thought a certain
3422 person. But did we take it to the point -- do I recall
3423 asking somebody for phone records or searching their email?
3424 I don't recall ever doing that.

3425 Q Did you travel -- a minute ago, you just
3426 mentioned that you've never searched phone records or emails
3427 or anything like that. Is that something you had heard of
3428 in connection with Mr. Snyder or the Commanders either
3429 during or after your tenure or even before?

3430 A I don't believe I have heard of that.

3431 Q Did you travel often for work when you were
3432 with the Commanders?

3433 A Yes, very often. Every away game, many
3434 business trips on side business activities, Six Flags, what
3435 have you. I attended every owners -- NFL owners meeting

3436 with Dan as an example. So, yes.

3437 Q When you would travel for away games, were
3438 you also traveling with Mr. Snyder?

3439 A We would travel on the team plane to the away
3440 games.

3441 Q When you say "we," are you talking about you
3442 and Mr. Snyder or were there others as well?

3443 A Yeah, other front office personnel would be
3444 on the plane. Sales and marketing staff who are meeting
3445 sponsors at an away game or staff that are responsible for
3446 the physical movement of equipment and just supporting the
3447 team operation when you get to the away game to the training
3448 staff. You know, support staff would also be on the plane.
3449 Doctors.

3450 Q Do you recall any instances of inappropriate
3451 conduct by Mr. Snyder or other executives when traveling for
3452 work trips or other events?

3453 A Could you repeat your question?

3454 (Reporter read back.)

3455 The Witness. Yes.

3456 BY [REDACTED]

3457 Q Can you explain what you mean by that?

3458 A Can I talk to --

3459 Mr. Grooms. Can we take a minute?

3460 [REDACTED] Sure.

3461 (Discussion held.)

3462 The Witness. Thank you for that.

3463 (Reporter read back.)

3464 The Witness. So two questions on that question. So
3465 inappropriate is a fairly wide area. And maybe if you could
3466 be a little bit more specific. And when it comes to work,
3467 as I worked with Dan, like everything blends together,
3468 personal and work. Like, there's no, like, trying to like
3469 draw the line between what's personal and what's not is in
3470 the eye of the beholder.

3471 So I want to be as accurate as I can, but I also want
3472 you to know that the lines are very blurred on trips, and
3473 how we would spend time together, right, on whether one
3474 would consider that work or one would consider that
3475 personal. It's not a traditional, you're at the office nine
3476 hours a day and then it's personal. Like it all sort of
3477 runs together. And I don't want to be inaccurate.

3478 BY [REDACTED].

3479 Q Let me ask you this. Would you have traveled
3480 with Mr. Snyder but for having work related to the
3481 Washington Commanders or business related prospects related
3482 to the Commanders?

3483 A I traveled with him for a wide range of
3484 activities, Commanders related, Six Flags related, sometimes
3485 both in the same trip, sometimes personal trips that don't

3486 have anything to do with Commanders or Six Flags or Red
3487 Zone, but maybe have to do with sports or other team
3488 personnel. But it's not really a business matter. Or I
3489 would -- we would be on a trip, and we would stop at his
3490 house in Aspen for the weekend. That's personal time, but
3491 there's a lot of business things that are discussed. So to
3492 me, it sort of all runs together.

3493 Q So my question is directed to -- applies to
3494 all of the above.

3495 A Okay.

3496 Q When you would travel with Mr. Snyder on
3497 trips that were related to work and/or pleasure, even if it
3498 was a mixture of both, did you ever witness him engaging in
3499 conduct that you believed was unprofessional, unfitting for
3500 an owner of a team, a leader, manager, executive? I think
3501 the NFL describes it often as conduct detrimental. Did you
3502 ever witness him engaging in any behavior like that?

3503 A Yes, I did. You're asking me for an example?

3504 Q Please.

3505 A Okay. There was an instance in the spring of
3506 2001. The University of Maryland had made it to the Final
3507 Four. The game was played in Minneapolis. So this is all a
3508 matter of public record on when that was. It was the spring
3509 of 2001. And Dan said to me, hey, I'm going to -- me and
3510 some of his friends are growing to go see the game, we're

3511 going to go have a day trip to Minneapolis, go there, watch
3512 the game, come home.

3513 And like I'm working a lot, I've got three kids, et
3514 cetera, and I'm leaving to go on a day trip on a Saturday, I
3515 think it was on a Saturday. I'm pretty sure it was a
3516 Saturday. And so I go. I get on the plane, and I get in
3517 the air. And I'm told that we're going to be gone for a
3518 couple of days.

3519 And I said, hey, Dan, you told me this was a day trip.
3520 I told [REDACTED] -- [REDACTED] is my wife -- I would be home
3521 tonight. And also, I have no luggage. I didn't bring
3522 anything. And, look, to Dan, these are irrelevant details,
3523 okay, because you can call your wife and say you'll be a few
3524 days, and you can have somebody go out and buy you some
3525 clothes when you get to Minneapolis. These are just like
3526 not even relevant details.

3527 And he said, we've got girls lined up, and there's one
3528 for you. And to be honest, I wasn't sure what to do with
3529 that, other than to know I was in trouble here and needed to
3530 figure out a way out. And we get to Minneapolis, we get
3531 over to the hotel that we're staying in. And there are a
3532 number of beautiful women in this hotel suite who are
3533 physically very affectionate and they -- nobody said they
3534 were prostitutes. I assumed they were prostitutes. They
3535 had flown in from Dallas.

3536 And so we sat around, had drinks. I did my best to
3537 avoid being touched by them. They were very affectionate to
3538 Dan and other men who were with us. And when it came time
3539 to go to the game, they had tickets that were in a different
3540 place than our tickets because Dan's a public figure, he's
3541 not going to be sitting there next to these women.

3542 I also was given tickets not near Dan, and that night
3543 or midway through the game, I walked out of the arena, got
3544 in a cab, went over to the Minneapolis airport and got the
3545 last night from Minneapolis back to DC, and told my wife
3546 what had happened, which was not an easy conversation to
3547 have with one's wife.

3548 That's one story for you.

3549 Q You mentioned there were other executives
3550 there with you.

3551 A There were no other executives from the team.
3552 They were -- they were friends of Dan that were there.

3553 Q Do you recall who those individuals were?

3554 A One of them would have been [REDACTED]

3555 [REDACTED]

3556 [REDACTED].

3557 Q The [REDACTED]?

3558 A Yes, who is [REDACTED]. Do you
3559 need to know other names?

3560 Q Anyone else?

3561 A I can't say with certainty. There were
3562 others, I can't say with certainty.

3563 Q Now, you mentioned that these girls were
3564 flown in from Dallas. How do you know that?

3565 A Dan mentioned that they flew in from Dallas.
3566 I found out from him.

3567 Q Do you know who would have arranged that
3568 travel?

3569 A I don't.

3570 Q You mentioned that the women were
3571 affectionate?

3572 A Mm-hmm.

3573 Q What do you mean by that?

3574 A I mean, like putting their arm around one's
3575 back, and rubbing fingers through hair, sitting thigh to
3576 thigh while doing that.

3577 Q Anything else that you recall?

3578 A No.

3579 Q Was that the first time that had happened?

3580 A That is the first time I was witness to that,
3581 yes.

3582 Q Did Mr. Snyder ever ask you why you left?

3583 A Oh, he made fun of me, and called me
3584 Mr. Goody Two Shoes. And that was the name that he used
3585 frequently in the years to come following.

3586 Q What do you mean by that?

3587 A Well, any time I was -- not any time.

3588 Oftentimes, when I was taking a moral stand, for example, on

3589 the cheerleaders, you know, like, hey, maybe we should think

3590 about disbanding them or maybe we should not have such

3591 risque dance routines or whatever, he would call me

3592 Mr. Goody Two Shoes. Or he would say to another executive,

3593 or friend or somebody that I don't like girls. I'm

3594 Mr. Goody Two Shoes.

3595 Q How did that affect you, if at all?

3596 A How did that?

3597 Q Affect you, if at all?

3598 A Yeah, I guess I'll answer it the way I

3599 answered [REDACTED] question earlier. It just rolled off my

3600 back. That was just part of what it was like being in an

3601 abusive relationship.

3602 Q Did you ever discuss with anyone other than

3603 your wife that incident?

3604 A Yes.

3605 Q Who?

3606 A I would have -- I would have talked to [REDACTED]

3607 [REDACTED] about it, [REDACTED], who are close friends of mine.

3608 I wouldn't immediately have talked to them about it, but I

3609 didn't wait ten years to talk to them about it. And I have

3610 told close friends of mine that story. And that's the kind

3611 of thing my wife and I had to work through, so there was
3612 people who helped us work through that. That's not a good,
3613 a story good for marital relations, so it took a little
3614 work. Particularly when I elected to stay after that.

3615 Q Do you recall any other instances where
3616 Mr. Snyder brought girls to events on work travel or
3617 personal travel, or used girls' services?

3618 A Yeah, I -- so there was an instance in -- I
3619 think, again, it was in 2001, and I know it happened again
3620 in 2005, where he and I were in New York. And we would be
3621 at a dinner, and we were walking back to the hotel. And he
3622 would ask me for \$500. And I said, Dan, I don't have \$500.
3623 And I know better than to ask Dan if he has \$500. Number
3624 one, he wouldn't be asking me if he had it. And number two,
3625 I know he didn't really carry much cash, typically. And he
3626 said, well, can you get me \$500 from a money machine?

3627 Now, he has a money card. He can get \$500, but he
3628 asked me to get it. So I did. And it's late at night, and
3629 I give him the money and he goes to his room. And he says,
3630 I'll see you in the morning. And, look, I wasn't born
3631 yesterday. I'm not -- there's not too many things you need
3632 \$500 for at 11:00 at night, where you're staying at the St.
3633 Regis, where you can put anything on the tab that you might
3634 need.

3635 And in my marriage, my wife keeps the checkbook and I

3636 don't ever pull \$500 out. I'll pull 200 out, and it would
3637 be very unusual for me to pull \$500 out in the evening. And
3638 she would notice that. She has an attention to detail. So
3639 I called her that night and told her what had happened.

3640 After that, I told [REDACTED] and [REDACTED] that
3641 whenever I traveled, and they would know when I'm traveling,
3642 I wanted somebody to put at least \$1,000 in cash in my hand,
3643 so that if I was ever asked for cash, I had it. And I
3644 didn't want to be in a situation where I needed to call my
3645 wife again.

3646 I think in 2005 or -- I don't know what happened, but
3647 I -- the same thing happened. We were in New York and I
3648 pulled \$500 out of a Citibank. And I know this because I
3649 have my 2005 expense reports. I have my 2005 calendar. And
3650 there's a receipt for a withdrawal at Citibank and -- on my
3651 calendar that clearly says I flew to New York with Dan on
3652 Thursday and was with him all day on Friday. So it happened
3653 again in 2005. And I put it on my expense report to get
3654 reimbursed \$500 plus a \$1.50 charge.

3655 I can keep going.

3656 Q Please.

3657 A Also sitting in expense reports, there was an
3658 expense report from Karl Swanson that has no receipts
3659 attached, but is asking for roughly \$1300. I think two
3660 components, one 700, one 500, from Karl Swanson, from which

3661 there are no receipts and indicate they're for Dan Snyder.

3662 And why do I have that expense report? Well, I'm not
3663 sure how it got in my stack of expense reports, but it would
3664 have been given to me. There's a note on there from my
3665 assistant, [REDACTED] to please note there was no receipt. So
3666 it was given to me because the accounting was not going to
3667 reimburse Karl without my signature. So that's why it got
3668 to me. So I would, of course, approved that because I know
3669 what that's for. And I know it's not right for Karl to be
3670 out that money.

3671 There are also -- Dan knew that I was not going to
3672 engage with prostitutes. He and I would -- on many
3673 occasions when we traveled, we would share a suite. We
3674 would be at the St. Regis, we would be at the Four Seasons.
3675 It's a presidential suite. There's a couple of rooms
3676 attached. We would share a suite. Other times, we wouldn't
3677 share the suite. I would be in a room down the hall or on a
3678 different floor. Often on those trips -- not often. On
3679 occasion on those trips, he would tell me that it's time to
3680 leave. And two or three times over the years when I'm
3681 leaving, there's a beautiful woman or women walking down the
3682 hall in the other direction.

3683 Q Did you ever see those women enter
3684 Mr. Snyder's room?

3685 A Once I did and -- once I did turn and look,

3686 yes.

3687 Q Do you know if any of the women walking to
3688 Mr. Snyder's hotel room at the St. Regis were his wife,
3689 Tanya?

3690 A They were not.

3691 Q How do you know that?

3692 A Because I know Tanya, I've spent a fair
3693 amount of time with her over the years.

3694 Q How many times would you estimate that
3695 occurred?

3696 A Two or three times.

3697 Q Did Mr. Snyder ever joke, laugh, or make
3698 comments about any of these exploits?

3699 A He would routinely make comments, jokes about
3700 hookers, having hookers, Pauken's not involved, because he's
3701 Mr. Goody Two Shoes. I can't remember a specific
3702 conversation, but that was a routine sort of dialogue over
3703 the years.

3704 Q With whom would he engage in these
3705 conversations or make these comments to?

3706 A He would be around -- you're asking for
3707 names?

3708 Q Yes.

3709 A Around [REDACTED] Norm Chirite, Karl
3710 Swanson, people like that. Others I can't -- probably.

3711 Q You've spoken about what you've observed
3712 personally. Have you heard of other incidents where
3713 Mr. Snyder engaged in similar behavior or other troubling
3714 behavior that you recall?

3715 A Sometime after I left the Commanders, I think
3716 it was somewhere between 2012 and 2014, that part of the
3717 decade, Norm Chirite and I had coffee at Katie's Coffee Shop
3718 in Great Falls, Virginia. And Norm told me this story,
3719 where he had been on Dan's boat, I believe it was in
3720 Portofino, which is the Italian Riviera. And there were --
3721 there was a wild party on that boat, with a lot of girls,
3722 drinking, who knows what else was going on.

3723 And it had gotten to a level where Norm Chirite was
3724 uncomfortable. And Norm, as he recounted this story, was
3725 counseling Dan that this could head south here if we're not
3726 careful what's going on on this boat. Whatever it was, I
3727 don't know the details. A huge fight ensued, and Dan threw
3728 him off the boat that night and told him to get a plane and
3729 fly back to the United States. It was very troubling for
3730 Norm. I believe Norm was trying to be helpful to Dan and as
3731 Norm's recounting the story to me, he was pretty upset by
3732 it.

3733 There also was this marketing, sales and marketing
3734 sort of a celebration trip that occurred, I believe in
3735 February of 2005. It could have been January. It was

3736 wintertime. Dan had us out to his house in Aspen, and it
3737 was a good time. There was a lot of fun going on, and I
3738 heard from more than one person that Dan and others had
3739 prostitutes on that trip at some point during that trip. I
3740 never saw them.

3741 Dan knew not to have me around if he was doing that,
3742 tried to mitigate that anyway. I never saw them, but people
3743 on that trip told me about it on that trip, and after that
3744 trip. I never saw it, I never confronted Dan on it, but it
3745 was told to me by people who had witnessed things.

3746 Q Do you recall who those individuals were?

3747 A I do not.

3748 [REDACTED]. Off the record.

3749 (Recess.)

3750 BY [REDACTED]

3751 Q So today during the course of your testimony,
3752 you have described several different examples of issues and
3753 problems as you observed them during your tenure there from
3754 2001 to 2006.

3755 A Mm-hmm.

3756 Q I think, looking across those examples and
3757 issues that you raised, it seems to fall within a couple,
3758 like, three different kind of categories with workplaces. I
3759 think you can ascribe some of them to problems that we have
3760 seen every workplace. Every workplace has issues, so some

3761 of them can be categorized as that. Some of them could be
3762 categorized as that. Some categorized with problems that
3763 are unique to an NFL franchise.

3764 A Mm-hmm.

3765 Q Obviously as an organization, it's a bit of a
3766 different one than a lot of different organizations at
3767 companies and workplaces across the country. And then I
3768 think a third category is ascribed to the management itself
3769 as a third category of problems that you've described today.

3770 A Mm-hmm.

3771 Q So I think from some of the problems being
3772 common, some of them because it's uniquely an NFL franchise,
3773 and some of them attributed to the management style.

3774 A Mm-hmm.

3775 Q So as you sit here today, and you've come
3776 forth to this Committee as part of this investigation, what
3777 is it you think about this particular organization, the
3778 Washington Football Team, the Washington Commanders, that
3779 has made it the subject of a congressional investigation in
3780 light of its workplace problems from many years ago?

3781 A Yeah, I think that in the end, it all stems
3782 from the owner, Dan Snyder. That's what I think. I think
3783 that the workplace culture and how he ran the business when
3784 I was there, and how I believe he ran it after I left caused
3785 the events, set the stage and caused the events to occur

3786 where the allegations that came out, whether they occurred
3787 or not, I don't know, but those are the kinds of things that
3788 led to this investigation.

3789 And then -- so it led to the NFL getting involved.
3790 Beth Wilkinson has her investigation and by all accounts, it
3791 was buried by the NFL. And it wasn't until this Committee
3792 dug further that more came to light. And I think this is a
3793 really good example where transparency is everyone's friend.

3794 Q So you think that the changes that were made
3795 post Beth Wilkinson's investigation were not enough? They
3796 came out in January of 2022, which is --

3797 A No, they very well may be enough. It is not
3798 for me to decide what is enough. They very well may be.

3799 Q So Congress -- so what remedies, then, do you
3800 think Congress can and should provide to this workplace and
3801 other workplaces in the private sector?

3802 A I think the role Congress can play is
3803 providing visibility so that those that are in a position to
3804 institute remedies will do that. Because absent visibility,
3805 no one would have done anything, in my opinion.

3806 Q But so there were actions that were taken,
3807 though, were they not, prior to this investigation? There
3808 was visibility through the press and there were a lot of
3809 individuals that were subsequently fired before this
3810 investigation took place, were they not?

3811 A Yeah, and those firings occurred right at the
3812 time The Washington Post was going to release articles,
3813 right? Like Larry Michael and Mitch Gershman, they all
3814 resigned -- I may not have the exact dates or times right,
3815 but like right before the press blows this open.

3816 Q But yet you still think that Congress is the
3817 right place for transparency of the private work place?

3818 A I think absent the NFL doing something, which
3819 they didn't with the Beth Wilkinson investigation, yeah.

3820 Q Is there a currently ongoing investigation by
3821 the NFL?

3822 A It is. And it only happened because of this
3823 Committee. Because this Committee brought Tiffany Johnson
3824 in, and she told her story and it wasn't until after that,
3825 that this investigation occurred. And my belief is that
3826 this Congress has a right and an obligation to workplace
3827 safety and oppression. And if there's a role to help the
3828 American worker in that, then you have a role in it.

3829 Q And so with the limited resources that
3830 Congress and this Committee has, then you -- it's your
3831 opinion that it's rightly placed in looking at an NFL
3832 franchise?

3833 A I think the American people --

3834 Q I mean, does the resources that this
3835 Committee has, the limited resources that this Committee

3836 has, is to be looking at a private workplace including the
3837 Washington Commanders?

3838 A Yes, this Congress can walk and chew gum. It
3839 can take care of Ukraine, it can take care of the
3840 Commanders, it can take care of fentanyl.

3841 Q I appreciate your confidence. I'm not sure
3842 the American people agree, given the problems they're
3843 facing, but I appreciate your candor in that, that we can --
3844 so provide the transparency when a number of other problems
3845 face the people, so -- so what would you like to see then as
3846 a result of this investigation.

3847 A Yeah, I am in favor of transparency so that
3848 the NFL will take whatever appropriate action they want to
3849 take, and that ultimately is in the hands of Roger Goodell
3850 and 24 of 32 owners. That's where it lies. I expect that
3851 the state authorities, Loudoun County prosecutor's office,
3852 EEOC, all the -- they've had enough time to review and have
3853 concluded either there's nothing to do here or they haven't
3854 yet done anything. I'm assuming they're all doing their
3855 jobs.

3856 [REDACTED] All right. Let's go off the record.

3857 [REDACTED]. Back on the record at 4:30.

3858 BY [REDACTED]:

3859 Q Mr. Pauken, earlier you testified about an
3860 incident that occurred in Aspen in 2005. Do you know if

3861 that's the same incident that Melanie Coburn, who is one of
3862 the Committee's roundtable participants shared with the
3863 Committee regarding a marketing event, where there were
3864 prostitutes who came into the home while she was in the
3865 basement with another colleague?

3866 A That would have been the same event.

3867 Q I believe you testified earlier that Jason
3868 Friedman reported to [REDACTED] is that correct?

3869 A Yes.

3870 Q And [REDACTED] reported to you?

3871 A Yes. Until such time as [REDACTED] was
3872 terminated, and then Jason reported to Mitch Gershwin.

3873 Q Mr. Friedman, who is a former sales executive
3874 with the team, recently informed the Committee that the
3875 Commanders concealed revenues that were owed to the NFL as
3876 part of a revenue sharing agreement with the league. He
3877 also revealed that executives may have withheld millions of
3878 dollars in refundable security deposits owed to customers
3879 upon the expiration of their seat leases, and may have taken
3880 steps to prevent customers from collecting these deposits.

3881 He also revealed that in 2009, the Commanders would
3882 tell customers that the team had sold out of general
3883 admission tickets while at the same time selling those
3884 tickets to ticket brokers in bulk and then direct the fans
3885 to the team's purported waiting list. Are you familiar with

3886 the allegations I'm referring to?

3887 A I'm familiar with them.

3888 Q Now, you worked with Mr. Snyder as the chief
3889 accounting officer for Snyder Communications for four years,
3890 and then as the chief operating officer for the Commanders
3891 for about five years. Do you have any reason to believe
3892 that the allegations that Mr. Friedman raised with the
3893 Committee are untrue?

3894 A I do not.

3895 Q Why is that?

3896 A Well, I believe that it's possible that it
3897 happened. Do I have specific knowledge that tells me it did
3898 not happen? No. Is such a thing possible? Yes.

3899 Q Why do you think that that would be possible
3900 within the Commanders organization?

3901 A A couple of reasons. I provided some
3902 examples of aggressive business practices, the Mort
3903 Zuckerman story, the MasterCard story, where we were
3904 culturally aggressive. That's number one. Number two -- or
3905 aggressive from a business standpoint. Culture is probably
3906 not the right word.

3907 Number two, the Commanders were operating under what's
3908 called a club seat waiver for 15 years. When the stadium
3909 was built in 1997, the NFL permitted certain ticket revenue
3910 to be classified as non-shareable revenue. And that lasted

3911 for 15 years, 1997 to 2012, I believe. The way that worked
3912 is you had, for example, a club seat that has a value, say
3913 that value is \$300. The NFL allowed you to subtract the
3914 premium seat portion of that club seat. Let's say that's
3915 200. I'm making up numbers here.

3916 And the remaining value was the GA value, the general
3917 admission seat value of the seat. That \$200 was not
3918 shareable with the NFL, and that was for 15 years on premium
3919 seats. It amounted to, I don't know the number, the
3920 Commanders can tell you, over \$10 million a year, a lot of
3921 money that the Commanders did not have to give to the NFL to
3922 then share with the other 31 owners for a period of 15
3923 years.

3924 The NFL would come in and they would audit that. Our
3925 outside auditors would audit that as well. And so when that
3926 expires, there's a material drop in revenue for the
3927 Commanders because now money that used to be yours, this
3928 \$200, now you have to give to the NFL. So whatever your
3929 revenue was in 2011, in 2012, it's going to drop materially.
3930 So that creates a mindset within any business, hey, my
3931 business revenue is falling, what can I do to mitigate that
3932 or not have it drop so much. And so that creates an
3933 environment where potentially inappropriate things could
3934 occur.

3935 And so what Jason described, as I read in the report

3936 to the Federal Trade Commission, was efforts to classify
3937 revenue from a shareable category to a non-shareable
3938 category. And this would be helping to alleviate the
3939 problem that I described. Whether or not that happened, I
3940 don't know, but I'm just saying if it all happened around
3941 starting in 2012, it makes sense that it would coincide with
3942 the termination of the club seat waiver.

3943 Q Mr. Friedman also told the Committee that he
3944 had preserved certain documents and information related to
3945 his allegations because he had taken blame for certain
3946 actions as a Commanders employee that he had been directed
3947 to do by Mr. Snyder or other team executives. Do you recall
3948 reading that?

3949 A I do recall reading that.

3950 Q Were you surprised to read that Mr. Snyder
3951 publicly placed blame for his decisions on other employees?

3952 A I was not surprised to read that.

3953 Q Why is that?

3954 A Well, you know, the Dan Snyder I know, and I
3955 think maybe through some of the stories that I've shared
3956 with you, he is not the kind of person that's going to
3957 accept that responsibility or blame. Like, he is going to
3958 put that on Jason Friedman and say Jason Friedman was acting
3959 alone.

3960 If you go back to the personnel policy thing with

3961 Marty Schottenheimer, that was all my fault that I got into
3962 that situation. Dan didn't take any responsibility on that
3963 when I was the one that had gone through it with him. And
3964 in the end, it was all my fault. So it makes sense to me
3965 that if something went sideways on this with Jason, if these
3966 allegations are true, that Dan would distance himself.

3967 Q You testified earlier that Ernst & Young was
3968 the auditor for the team during your employment; is that
3969 correct?

3970 A Yes.

3971 Q And was that throughout your tenure?

3972 A Yes.

3973 Q Do you recall if Ernst & Young had a suite or
3974 a box with the team?

3975 A They did. They did.

3976 Q Was it customary for the Commanders to sell
3977 suites to companies that were providing services for them?

3978 A Yes. Yes, we would almost make it a
3979 requirement. And I think at one point, we changed -- or
3980 maybe after I left, I heard they changed accounting firms
3981 because Ernst & Young wouldn't continue the suite. We did
3982 lean on vendors to buy suites or club seats, depending upon
3983 how big the vendor was, in order to do business with us.

3984 Q You mentioned also that you were over
3985 premium --

3986 A Seat sales.

3987 Q Until around 2003?

3988 A 2003, when [REDACTED] was fired.

3989 Q Did you have occasion to deal with the

3990 security deposits that were collected from --

3991 A I did. I did.

3992 Q And in your experience, did the team attempt
3993 to convert security deposits to bookable revenue during your
3994 employment?

3995 A Never inappropriately. The only thing that
3996 we did was for certain premium seat holders where their
3997 contracts had expired, and they were due a security deposit
3998 back, if they were not renewing, we went to some of those
3999 customers and said, would you like to buy one more season?
4000 And you can use your security deposit to help defray the
4001 cost of one more season.

4002 And we sold hundreds of seats that way, legitimately
4003 so, and the customers sort of liked it because they weren't
4004 cash out of pocket, they had already spent the money. So
4005 that's -- we did that some number of years. But we never,
4006 under my watch, knowingly converted security deposits
4007 inappropriately.

4008 Q And in your experience, when you were
4009 overseeing the premium suite sales, was there a push to
4010 convert security deposits to bookable revenue, even if done

4011 appropriately?

4012 A Only if done appropriately. Only if done
4013 appropriately.

4014 Q But to be clear, it was your experience that
4015 there were efforts to do that, or was the approach that
4016 whatever happened, happened, as it relates to those security
4017 deposits?

4018 A No, it was -- look, it was a defined program
4019 [REDACTED] and I worked on with Dan. And I think frankly it was
4020 his idea, which was a good one, I thought, for a customer
4021 who was actually walking away from you for whatever reason,
4022 to try to sell him one more season by using the security
4023 deposit. It was purely voluntary, nobody was pressured into
4024 it, and we sold some seats that way. And if they didn't
4025 want to renew, we returned the security deposit.

4026 To my knowledge, we did not while I was there convert
4027 security deposits to revenue without selling the person
4028 seats, actual seats. I would not have stood for it.

4029 Q Do you recall when you first learned about
4030 the allegations of the Commanders toxic workplace culture
4031 that were publicly reported in 2020?

4032 A I do recall, yes, in 2020, yes.

4033 Q At the time, were you surprised by the nature
4034 of the allegations that were detailed in the reports?

4035 A No.

4036 Q Did you speak to any of your former
4037 Commanders colleagues about the reports after they were
4038 published?

4039 A Yes.

4040 Q Do you recall who you spoke to?

4041 A I would have spoken to [REDACTED], [REDACTED]
4042 [REDACTED], [REDACTED], [REDACTED].

4043 Q How would you describe their reactions to the
4044 reports?

4045 A They were appalled, not surprised, and did
4046 not believe that Dan Snyder did not know about the video.

4047 Q Are you referring to the lewd outtake video?

4048 A Yes, I believe that was the story that broke
4049 that summer.

4050 Q Did you ever consider speaking up publicly
4051 about your experiences?

4052 A I did not -- I did consider it. I did
4053 consider it and decided against it because of my agreement
4054 with Dan Snyder, and that if I violated that agreement, I
4055 was pretty sure he would take legal action against me.

4056 Q The employees you just named, [REDACTED] [REDACTED]
4057 [REDACTED], [REDACTED], do you know whether they considered
4058 speaking out publicly, and if they didn't, why not?

4059 A They did not consider speaking out publicly
4060 and they would not consider doing that because they would

4061 fear retaliation from Dan.

4062 Q Were you contacted by the Wilkinson Stekloff
4063 law firm regarding sitting for an interview in connection
4064 with the Washington Commanders toxic workplace culture?

4065 A May I speak with Danny?

4066 (Discussion held.)

4067 The Witness. Thank you.

4068 [REDACTED]. Do you need the question read back?

4069 The Witness. Go ahead.

4070 (Reporter read back.)

4071 The Witness. I was in contact with them and they did
4072 ask for an interview.

4073 BY [REDACTED]

4074 Q Did you sit for an interview?

4075 A I did.

4076 Q Do you recall when?

4077 A I think it was in the fall of 2020. It's
4078 easy enough to check, maybe it was early 2021, but I think
4079 it was fall of 2020.

4080 Q Did you speak with them more than once?

4081 A I think we had two or three sessions.

4082 Q Did you share with Ms. Wilkinson the
4083 information we've covered here today?

4084 Mr. Grooms. I'm sorry, if I could just stop. The
4085 same thing I said earlier, it's my understanding that the

4086 substance of the internal investigation by Ms. Wilkinson is
4087 subject to a claim of privilege by the team, by the
4088 organization.

4089 BY [REDACTED]

4090 Q Mr. Pauken, have you been instructed by the
4091 team not to answer questions concerning the Wilkinson
4092 investigation?

4093 Mr. Grooms. I'll step in to say it's my
4094 understanding as his counsel that the team asserts privilege
4095 over the Wilkinson investigation, the substance of that.

4096 [REDACTED] Have they instructed him not to answer
4097 any questions regarding the Wilkinson investigation?

4098 Mr. Grooms. I would not characterize it as an
4099 instruction or direction. I would say that I confirmed that
4100 the view is that that is a privileged communication and not
4101 Mr. Pauken's to either waive or assert.

4102 BY [REDACTED]:

4103 Q Mr. Pauken, sitting here today, would you
4104 have done or handled anything differently during your time
4105 with the Commanders?

4106 A Yes.

4107 Q What's that?

4108 A It's -- I mean, it's probably a lot. I mean,
4109 if you think about some of these things, [REDACTED], the
4110 Cooley cheerleader incident, the MasterCard, there's a

4111 sexual harassment instance, there's a number of things.

4112 There's an interaction with Mark Lerner. There's a number

4113 of things that I regret. So, yes, I don't know how much

4114 time you want me to go through the list, but there's a lot

4115 of what I've shared, I would have rather done differently.

4116 Q You mentioned a sexual harassment incident.

4117 What are you referring to?

4118 A That was fall of 2002. There was a member of

4119 the public relations staff that was groped by a member of

4120 the coaching staff at an event. I believe it may have

4121 occurred on a bus. It was an evening event. And it got

4122 reported to me. I don't know if it came in through [REDACTED]

4123 [REDACTED] or how it came in, but it got to me.

4124 And I talked to Dan about it, and I knew what we were

4125 going to do and -- which was nothing. And we told the

4126 person to just stay away from the coach, we would do our

4127 best to keep the coach away from you, but stay away from the

4128 coach.

4129 Obviously, that is not right. That's what we did.

4130 Q Did you talk with the coach about the

4131 allegations?

4132 A No.

4133 Q And when you say that you knew what we were

4134 going to do, how did you come to an understanding of what

4135 you were going to do?

4136 A Well, I had spent, at that point, six years
4137 with Dan. I knew the importance of things that were
4138 important to him. This was a new coach and we weren't going
4139 to disrupt that new coach. And so we were going to make the
4140 problem go away as best we could.

4141 Q The problem being the public relations staff?

4142 A Yeah.

4143 Q Did Mr. Snyder tell you not to take action?

4144 A He told -- he told me -- together, he and I
4145 came up with, like, we weren't going to confront the coach,
4146 and keep this person away from the coach. Together we came
4147 up with that plan.

4148 Q Who was the coach you're referring to?

4149 A Are you requiring me to disclose the name?

4150 Q Yes.

4151 A It would be [REDACTED].

4152 Q And who is the staffer who was groped?

4153 A That would be [REDACTED].

4154 Q You also mentioned an interaction with Mark
4155 Lerner. What are you referring to?

4156 A This one is fairly embarrassing. Mark
4157 Lerner, prominent business, local businessperson here in the
4158 Washington area, now the owner of the Nationals -- at the
4159 time, I believe the Nationals. The Lerner family had a
4160 suite or their business had a suite at FedEx Field, and they

4161 also as real estate owners in the Washington area, they
4162 happened to own some real estate around and near FedEx Field
4163 that we needed for parking.

4164 And we completed a business deal with the Lerner
4165 that, in Dan's view, was way too much money to pay, but we
4166 needed the parking. And this happened -- the story I'm
4167 telling happened to me and it happened to [REDACTED] where
4168 Dan wanted to see Mark Lerner's suite and we go up there to
4169 his suite. This was on a non-gameday. And Dan asked me to
4170 pour milk on the carpet under the seating in Mark Lerner's
4171 suite, so that the suite would smell like sour milk when the
4172 Lerner family came in on gameday.

4173 And he had [REDACTED] do that on another occurrence.
4174 And so if you're asking me things I regret doing, that would
4175 fall under that category. I owe Mark Lerner an apology, but
4176 I did it because Dan told me to do it.

4177 Q With respect to the allegation concerning
4178 [REDACTED], you mentioned that [REDACTED] was
4179 the individual who harassed her. [REDACTED]

4180 [REDACTED]

4181 A [REDACTED] He's the [REDACTED].

4182 Q And with respect to the resolution with
4183 [REDACTED], and by resolution, I mean what was
4184 communicated back to her. Was there any kind of agreement
4185 in exchange for her silence?

4186 A No.

4187 Q Have we discussed all of the instances of
4188 workplace misconduct, and specifically sexual harassment
4189 that occurred in the Washington Commanders across the front
4190 office, coaches, professional coaching staff, players, et
4191 cetera?

4192 A I can't think of any other sexual harassment
4193 workplace misconduct that I haven't told you.

4194 Q Have we discussed all of the instances that
4195 you've experienced with Mr. Snyder and his behavior which
4196 you viewed as unbecoming, inappropriate, conduct detrimental
4197 during this deposition?

4198 A Mm-hmm.

4199 Q Is that a yes?

4200 A I think we have, yes. Just to the best of my
4201 recollection, I've covered everything. There may be other
4202 instances but to the best of my recollection.

4203 Q Now, given your experience with Mr. Snyder
4204 were he to find out what you've shared with the Committee
4205 here today, what do you expect his reaction to be, if
4206 anything?

4207 A He's going to be very surprised. And the
4208 reason I think he's going to be surprised is his experience
4209 with me was that I was a very good soldier. I may have
4210 pushed back on things at times, but by and large, I was a

4211 good and loyal soul. And his last interaction with me was a
4212 very positive one.

4213 Between 2011 and 2016, his lawyers contacted me and
4214 asked me to help him with some litigation against UBS and
4215 then Cadwalader, and I voluntarily helped in that case, and
4216 was fairly extensive, my testimony. And all I did was tell
4217 the truth, but it was very helpful truth and he won that
4218 case.

4219 And so his last interaction with me was very
4220 positive. And for me, I'm not doing anything different
4221 here. I was asked to tell the truth in that investigation,
4222 I'm being asked to tell the truth in this one. But to
4223 answer your question, because of that, his experience with
4224 me while I was there, his last interaction with me being
4225 positive, I think this will surprise him.

4226 Q One last question regarding the incident on
4227 Mr. Snyder's boat involving Norm Chirite. You testified
4228 that he was thrown off the boat. I just want to clarify,
4229 did you mean physically?

4230 A No, not physically. Asked to leave the boat.

4231 Q Thank you.

4232 [REDACTED] No further questions.

4233 [REDACTED] We just have a couple.

4234 We can go back on the record.

4235 BY [REDACTED].

4236 Q I apologize for asking you about what you
4237 described as an embarrassing event. But can you tell me
4238 when the milk incident in the Lerner suite occurred, when
4239 you poured the milk?

4240 A It was 2003 or '4.

4241 Q All right. And you testified that [REDACTED] also
4242 was asked to pour milk on the rug?

4243 A Mm-hmm.

4244 Q Were you there when he poured it there?

4245 A No, [REDACTED] told me pretty soon afterwards.
4246 Hey, Dave, you're not going to believe what happened. So
4247 this would have happened before [REDACTED] got fired, so it was
4248 probably 2002, 2003.

4249 Q Okay?

4250 A Because [REDACTED] did the same thing. [REDACTED] was
4251 fired in the summer of 2003, so it would have been before
4252 that.

4253 Q So there was -- you did it once?

4254 A And then [REDACTED]

4255 Q And then [REDACTED] told you that he did it once?

4256 A Yes.

4257 Q Was [REDACTED] there when you did it?

4258 A I don't believe he was, no.

4259 Q Okay.

4260 A He may have been, but I don't recall.

4261 Q That's okay. So Jason Friedman, we've
4262 discussed with our colleagues, has made a lot of
4263 unsubstantiated allegations about financial fraud and you
4264 agreed that those allegations could be true; is that right?

4265 A Yes.

4266 Q Do you have any evidence that those
4267 allegations are true?

4268 A No, but I think that's obtainable.

4269 Q Okay.

4270 A If it is.

4271 Q Insofar as your experience and your testimony
4272 in your time with the team, you did not witness, experience,
4273 or endorse any financial fraud?

4274 A No.

4275 Q You mentioned that the reason that you went
4276 to go work for the organization, meaning the Redskins, was
4277 that it was an incredible franchise, it was one of the best
4278 in the NFL, and that's why you chose to stay. Did you ever
4279 have an interest in buying into shares of the team?

4280 A I did. And I talked to Dan about that, about
4281 some way to have some equity interest, and it wasn't
4282 something he was interested in.

4283 Q Do you remember when he had those
4284 conversations?

4285 A In fall of 2005. And it was in the context

4286 of, are there ways to compensate me more. Okay, it wasn't -
4287 - it didn't need to be that, it could have been other ways,
4288 but it was just -- that was a way.

4289 Q Was it kind of upsetting to not be able to
4290 buy into this franchise that you loved?

4291 A No. What was upsetting for me was I felt
4292 like -- I felt like I -- it would have been nice to have a
4293 raise after five years. That's what I felt.

4294 [REDACTED] Those are our questions. We can go off
4295 the record. Okay. Thank you. 5:06.

4296 [Whereupon, at 5:06 p.m., the taking of the instant
4297 interview ceased.]

ERRATA SHEET



INSTRUCTIONS: After reading the interview transcript, please note any change, addition, or deletion on this sheet. DO NOT make any marks or notations on the actual transcript. Use additional paper if needed.

Investigation Name	NFL
Witness Name	David Panken
Date of Interview	6/7/22

PAGE	LINE	CORRECTION	APPROVED*
16	378	after NFL, add "rules"	
18	430	"per" should be "her" ←	
		2 places in the same line	
19	433	Michele is spelled with	
		one "l" Change throughout	
21	482	"Dark" should be "Dart"	
29	689	suggest deleting: "told me that"	
+ 37	905	suggest: "which is how I will"	
40	958	[REDACTED] should be [REDACTED]	
48	1173	[REDACTED] s/B [REDACTED]	
48	1173	Request redaction of [REDACTED]	
55	1349	"2002" s/B "2000"	
62	1507	"that" s/B "and"	

* For COR Majority Staff use only.

ERRATA SHEET

PAGE	LINE	CORRECTION	APPROVED*
62	1511	Delete ", come at" Add "to" instead	
64	1565	insert "was" after "that"	
68	1664	"teenaged" s/B "teenage"	
82	2002	 s/B 	
		→ Δ throughout	
103	2525	Delete "Don,"	
109	2678	"looked" s/B "worked"	
109	2681	Delete "were charging"	
		s/B "who were" ↓	
110	2692	"in" s/B "of"	
122	2991	"complains" s/B "complaints"	
155	3825	"Johnson" s/B "Johnston"	
156	3840	s/B yes, the American people expect this Congress to ...	

DATE: _____

SIGNATURE: _____

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ERRATA SHEET

INSTRUCTIONS: After reading the interview transcript, please note any change, addition, or deletion on this sheet. DO NOT make any marks or notations on the actual transcript. Use additional paper if needed.

Investigation Name	NFL
Witness Name	David Parison
Date of Interview	06/07/22

PAGE	LINE	CORRECTION	APPROVED*
71	1737	"ne'll" S/B "ne'd"	
79	1931	Insert "should" between "you" + "just"	
79	1932	Delete "with" after "involves"	
99	2415	"Green" S/B "Greene" throughout	
110	2710	Delete "and"	
112	2753	"that was" S/B "seeking those"	
115	2824	"for" S/B "with"	
134-135	3312, 3314, 3320	Repeat redaction of [REDACTED]	
142	3512	"growing" S/B "going"	
144	3547	"night" S/B "flight"	
157	3874	"Gershwin" S/B "Gershman"	
159	3922	"area" S/B "year"	
7	150	"Sam" S/B "Samantha"	

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ERRATA SHEET

PAGE	LINE	CORRECTION	APPROVED*
6	115	"Laura" S/B "Lauren"	
25	588	Insert "have" between "would" & "also"	
25	592	Insert "A" between "R" & "S"	
27	655	"presented" S/B "were present"	
30	709	"on" S/B "at"	
30	719	suggest deleting "like"	
31	744	"we" S/B "he"	
38	913	"2000" S/B "2001"	
40	977	"disclosed" S/B "did not disclose"	
45	1095	"claimed" S/B "claim of"	
61	1500	"Trainer" S/B "Treanor"	
64	1557	"pedals" S/B "petals"	
66	1611	"Green" S/B "Greene" throughout	

DATE: _____

SIGNATURE: _____

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