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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

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3 KALI MYERS,) Case No. 5:16-cv-04107-LRR
an individual,)
4 Plaintiff,)
5 vs.)
6 THE CITY OF SIOUX CITY,)
IOWA; ROBERT PADMORE, in)
7 his official capacity;)
8 and CINDY RARRAT, in her)
official capacity,)
9 Defendants.)

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30(b)(6) DEPOSITION OF
ROBERT PADMORE

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19 DATE: Wednesday, January 24, 2018

20 LOCATION: Sioux City City Hall
Legal Division, Suite 511
21 405 Douglas Street
22 Sioux City, Iowa
(712) 279-6318

23 TIME COMMENCED: 9:29 a.m.

24 TIME CONCLUDED: 10:25 a.m.

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A P P E A R A N C E S

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6

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8 ROBERT PADMORE

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S T I P U L A T I O N S

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2 It is stipulated and agreed by and between the

3 parties hereto:

4 1. That the deposition of ROBERT PADMORE may

5 be taken before Julie A. Pell, Registered

6 Professional Reporter, Certified Realtime Reporter,

7 Certified Shorthand Reporter, Certified Realtime

8 Captioner, General Notary Public, at the time and

9 place set forth on the title page hereof.

10 2. That the deposition is taken pursuant to

11 notice.

12 3. That the original deposition will be

13 delivered to Mr. Kamron Hasan, attorney for the

14 Plaintiff.

15 4. That all objections except as to form and

16 foundation are reserved until time of trial.

17 5. That the required elements of Federal

18 Rules of Civil Procedure Rule 30(b)(5)(A) and (C)

19 will be set forth within this transcript and,

20 therefore, do not need to be stated aloud on the

21 record by the court reporter.

22 6. That the testimony of the witness may be

23 transcribed outside the presence of the witness.

24 7. That the signature of the witness to the

25 transcribed copy of the deposition is not waived.

Julie A. Pell, RPR, CRR, CSR, CCR

1 ROBERT PADMORE,
 2 Of lawful age, being first duly
 3 cautioned and solemnly sworn as
 4 hereinafter certified, was examined
 5 and testified as follows:
 6 (Witness' response to oath - "Yes.")
 7 DIRECT EXAMINATION
 8 BY MR. HASAN:
 9 Q. Will you please state and spell your name
 10 for the record?
 11 A. **Yeah. It's Robert Padmore. R-o-b-e-r-t,**
 12 **P-a-d-m-o-r-e.**
 13 Q. And I mentioned earlier -- you introduced
 14 yourself as Bob -- is it okay if I call you Bob
 15 throughout this?
 16 A. **Yeah. Bob is good. Yep.**
 17 Q. My name is Kamron Hasan. Feel free to call
 18 me Kamron. I am one of the attorneys for the
 19 plaintiff in this case.
 20 A. **Okay.**
 21 Q. Are you -- have you ever had your deposition
 22 taken?
 23 A. **Yes, I have.**
 24 Q. So are you familiar with the process?
 25 A. **Yes.**
 26 Q. We'll go over some of the ground rules. I'd

1 remind you the purpose of this is to prepare the
 2 evidence for trial, to develop the case for trial.
 3 A. **Uh-huh.**
 4 Q. Do you understand that you're under oath?
 5 A. **Yes.**
 6 Q. The oath that Julie just administered?
 7 A. **Yes.**
 8 Q. It seems like you're good at this, but it's
 9 important that we give audible answers and do our
 10 best to avoid uh-huhs, huh-uhs, and head nods. So I
 11 will do my best...
 12 A. **I understand. Yes.**
 13 Q. Great. Thank you. Also, let's try not to
 14 talk over each other just because that makes Julie's
 15 job way harder. And everything is being transcribed.
 16 So I will do my best not to interrupt you. Will you
 17 agree not to -- or, to do your best not to interrupt
 18 me?
 19 A. **I will. Yes.**
 20 Q. Great. Thank you. I will do my best not to
 21 ask you any bad or confusing questions, but if I do
 22 ask you a question that you don't understand or
 23 you're confused, please let me know, and I will do my
 24 best to rephrase it so that you can better understand
 25 it or better answer it. Is that fair?

1 A. **Yes, it is.**
 2 Q. If you don't ask me to clarify, I will just
 3 assume that you understand my questions, but please
 4 just let me know if you don't.
 5 A. **Okay.**
 6 Q. If you need a break -- I don't expect this
 7 to take too long today.
 8 A. **Okay.**
 9 Q. But if you do need a break during the
 10 middle, please just let me know. I will finish my
 11 line of questioning, get to a stopping point, and you
 12 can take a break.
 13 A. **Okay.**
 14 Q. And you -- your attorney or attorneys may
 15 lodge objections to any of my questions. That
 16 doesn't -- unless your attorney instructs you not to
 17 answer, you're still under an obligation to answer.
 18 Do you understand that?
 19 A. **I do.**
 20 Q. Anything about your physical, emotional or
 21 mental condition that will prevent you from answering
 22 or understanding my questions?
 23 A. **No.**
 24 Q. Anything that will keep you from answering
 25 truthfully those questions?

1 A. **No.**
 2 Q. Are you on any medication or alcohol that
 3 will keep you from understanding my questions?
 4 A. **No, I am not.**
 5 Q. Any medication or alcohol that will keep you
 6 from answering my questions fully?
 7 A. **No.**
 8 Q. What did you do to prepare for this
 9 deposition?
 10 A. **I read the City of Sioux City ordinance and**
 11 **had just a brief conversation with our city**
 12 **attorney's office.**
 13 Q. I am not going to ask you what you discussed
 14 with the attorneys; so please don't volunteer that
 15 information.
 16 A. **Uh-huh. Uh-huh.**
 17 Q. Did you receive the 30(b)(6) deposition
 18 notice?
 19 MR. HASAN: I will have Julie mark that.
 20 A. **Yes, I did.**
 21 (Exhibit Number 5 was
 22 marked for identification.)
 23 Q. (By Mr. Hasan) All right. I am going to
 24 hand you what's been marked as Exhibit 5.
 25 MR. HASAN: Do you guys have a copy of

1 that?

2 MS. DuBOIS: Yes.

3 Q. (By Mr. Hasan) Okay. Bob, is that the
4 notice that you reviewed?

5 **A. Yes.**

6 Q. Are you prepared to offer testimony today on
7 the first bullet point that's listed on this notice?

8 **A. Yes, I am.**

9 Q. You mentioned that you -- to prepare for
10 this you reviewed the ordinance and the questions.
11 Are you familiar with the Sioux City Municipal Code?

12 **A. Yes, I am.**

13 MR. HASAN: We won't mark this unless you
14 guys want to.

15 Q. (By Mr. Hasan) I have printed off a copy of
16 the pit bulls prohibited code I will just pass you
17 for your reference. That way you're not doing any
18 guesswork or anything like that.

19 **A. Okay. Thank you.**

20 Q. You have got a copy in case you need to
21 refer to it. So are you familiar with the pit bulls
22 prohibited code sections?

23 **A. Yes, I am.**

24 Q. Are you familiar with those as part of your
25 daily duties?

1 **A. Yes. A very, very small portion of my daily
2 duties, but, yes, I am -- understand my
3 responsibilities as it relates to the code.**

4 Q. What are your responsibilities as it relates
5 to the code?

6 **A. As the hearing officer should someone appeal
7 the designation of their dog as a pit bull.**

8 Q. So do you always act as the appeal officer,
9 the hearing officer?

10 **A. I am only aware in -- I have been city
11 manager for four years. I am only aware off the top
12 of my head that we've only had one hearing in that
13 period of time, and I did serve as hearing officer.**

14 Q. I believe if you'd turn to Section 7.10

15 50 --

16 It's page three there.

17 **A. Uh-huh.**

18 Q. -- it states that the city manager or the
19 city manager's designee will act as the hearing
20 officer.

21 So under what circumstances would you
22 designate someone to be a -- the hearing officer?

23 **A. Rather than myself?**

24 Q. Yes.

25 **A. For me, personally -- I can't speak if**

1 **somebody else were in my position. That -- for me it
2 would be I just wasn't available. Either I was not
3 in the office, I was out of town or in some other way
4 incapacitated.**

5 Q. Would you provide instructions or how would
6 you designate someone? How -- what would you tell
7 them to review?

8 **A. I'd tell them to review the code to see what
9 their responsibilities are. In all likelihood, had
10 it -- if it was a plan knowing that I wouldn't be
11 there, I would sit down with them and just point out
12 what the code is and what their expectation as
13 hearing officer would be.**

14 Q. Let's talk a little bit about the appeal
15 process in general. How are the hearings conducted?

16 **A. They're -- they're recorded. They're --
17 it's a rather informal process. I serve as hearing
18 officer. Our city attorney's office is there. Our
19 animal control director and staff are there from time
20 to time, or the one hearing we had was there.**

21 **We allowed testimony from both animal
22 control but then also from the person who owns the
23 dog, both with the opportunity to provide input on --
24 in the case of animal control -- what the
25 characteristics were that led them to determine that**

1 **it was a pit bull. And then we allowed the
2 opportunity for the dog owner to dispute or refute
3 and provide other testimony.**

4 Q. Okay. I want to come back to some of that
5 in just a minute here.

6 **A. Uh-huh.**

7 Q. But you mentioned it was an informal
8 process. How did you guys develop that process?

9 **A. Just working off what we do with other -- we
10 have other hearings for other licenses. You know, we
11 have a vicious ordinance. We have a hearing to
12 determine whether a dog is vicious or high risk.**

13 **We have taxi license. When somebody is
14 denied a taxi license, we have a hearing process
15 where they can provide testimony to possibly overturn
16 their denial of license. So it just follows along a
17 pretty similar format.**

18 Q. Is there anything written down or recorded
19 to set those procedures in place?

20 **A. Not that I am aware of, no.**

21 Q. So it's one that was generally developed and
22 then you guys just follow that in your...

23 **A. Yes.**

24 Q. Was that developed when you took over four
25 years ago?

1 **A. Yes, it was.**
 2 Q. So it was already in place?
 3 **A. Yeah.**
 4 Q. Did you ever ask about why you do things
 5 that way?
 6 **A. No.**
 7 Q. Anyone ever tell you why things are done
 8 that way?
 9 **A. No.**
 10 Q. So you mentioned that you act as the hearing
 11 officer; is that right?
 12 **A. That's correct.**
 13 Q. What kind of – have you had any training
 14 regarding animal identification?
 15 **A. No.**
 16 Q. Any experience with animal identification?
 17 **A. No.**
 18 Q. Ever had any – taken any courses or any
 19 certifications regarding animal identification?
 20 **A. No.**
 21 Q. What's your experience with dogs in general?
 22 **A. I am a pet owner. I have owned a dog for 30**
 23 **years. Grew up – grew up with dogs. There's – my**
 24 **entire life I have had a pet, or one way or another**
 25 **there was a dog.**

1 Q. Just out of curiosity, when you said you
 2 have owned a dog for 30 years...
 3 MS. DuBOIS: Objection as to form. That's
 4 outside the scope of the 30(b)(6) notification for
 5 deposition.
 6 Q. (By Mr. Hasan) Okay. So you just – you
 7 mentioned dogs. Was it one dog that was 30 years
 8 old? Because that would be phenomenal.
 9 **A. No. No. No.**
 10 Q. So multiple dogs?
 11 **A. Yes, multiple dogs.**
 12 Q. Okay. So getting back to that, you said
 13 that your experience with dogs is just personal?
 14 **A. Yes.**
 15 Q. Do you have any other job responsibilities
 16 as city manager as it relates to the appeals process?
 17 **A. For pit bulls?**
 18 Q. For the pit bull...
 19 **A. No.**
 20 Q. All right. You mentioned earlier that –
 21 the process and kind of the way things are conducted.
 22 **A. I should – actually, if you'll let me?**
 23 Q. Yeah. Absolutely.
 24 **A. I should probably add some. I should**
 25 **probably add, the way the city manager form of**

1 **government works, the police chief reports to me.**
 2 **The animal control is a contract under the department**
 3 **of the – of – under the police department.**
 4 **So, technically, as city manager, those**
 5 **things that are assigned as my re- – departments**
 6 **assigned as my responsibility would technically fall**
 7 **under me. So I just wanted to clarify that.**
 8 Q. Great. Yeah. Thank you. I appreciate
 9 that. So, you know, we'll get back into the appeal
 10 process here.
 11 **A. Uh-huh.**
 12 Q. You – so you mentioned that there's a
 13 process whereby there's testimony –
 14 **A. Yes.**
 15 Q. – okay – offered. What kind of evidence
 16 is presented in these hearings? You mentioned
 17 testimony from the parties, but let's just go over
 18 all of the different evidence that's offered.
 19 **A. Uh-huh. Sure. Like I said, we've only – I**
 20 **am only aware of one that we've had, and so I can be**
 21 **pretty specific on what was presented at that**
 22 **particular hearing.**
 23 **From animal control they provided, based on**
 24 **their experience and expertise in the identification**
 25 **of dogs, the characteristics that they found that in**

1 **their mind determined that it met the character- –**
 2 **the characteristics of a pit bull, I believe included**
 3 **some pictures of the actual dog, and then they kind**
 4 **of went over the picture and pointed out those**
 5 **characteristics in that picture of the dog that led**
 6 **them to believe it had those characteristics.**
 7 **On the case of then the people filing –**
 8 **person filing the appeal, they disputed some of**
 9 **those. They provided verbal testimony that led them**
 10 **to believe that it wasn't a pit bull but that it was**
 11 **some other breed and kind of disputed what animal**
 12 **control had said.**
 13 Q. Let's focus first on animal control. You
 14 said animal control presents testimony and pictures?
 15 **A. Yeah. They provided some pictures.**
 16 Q. Anything else besides the testimony and the
 17 pictures?
 18 **A. I do not believe so, no.**
 19 Q. And talking more generally outside of this
 20 one example, since you are tasked as the hearing
 21 officer, is there anything else, any form of evidence
 22 you would consider from animal control during one of
 23 these hearings?
 24 **A. I think I would be open to – on both sides**
 25 **to the evidence provided, anything that could help me**

1 **in my decision on which way to rule.**

2 Q. Okay. So when the city officers – or,
3 sorry – the animal control officers are
4 describing – I think you said it was
5 characteristics?

6 **A. Yes.**

7 Q. So when the animal control officers are
8 describing characteristics, what do you do with that
9 testimony?

10 **A. I listen, take it into account when I am
11 making my decision.**

12 Q. When you say "take it into account," how do
13 you do that?

14 **A. Well, as they provide testimony, if they
15 say, you know, a characteristic of a pit bull is, you
16 know, a large muzzle or a large jawline and point out
17 that the – in showing the picture of this dog that
18 it meets those characteristics, I would – I would
19 take that as – into account when determining overall
20 whether it met the characteristics of a pit bull.**

21 Q. So for the characteristics of a pit bull,
22 are you assuming or taking as true what the animal
23 control officer is telling you are the
24 characteristics of a pit bull?

25 **A. Yes.**

1 Q. Do you have any other basis for determining
2 what the characteristics of a pit bull actually are?

3 **A. No.**

4 Q. Have you ever read the breed standards for
5 the three breeds that are identified in the pit bull
6 ordinance?

7 **A. No, I have not.**

8 Q. Do you have those breed standards or breed
9 identification standards in front of you when you're
10 receiving this testimony?

11 **A. No.**

12 Q. So is it essentially you taking the animal
13 control officers at their word?

14 **A. Yes.**

15 Q. Do you have any other reference materials
16 during these hearings?

17 **A. No.**

18 Q. Any other photographs of known breeds?

19 **A. No.**

20 Q. How many photographs are presented or were
21 presented at that one?

22 **A. I believe three or four.**

23 Q. Was the dog present?

24 **A. No.**

25 Q. And did they say why?

1 **A. They did not.**

2 Q. Did they say why those specific photos were
3 presented?

4 **A. They did not. No.**

5 Q. Did they tell you the circumstances
6 surrounding when those photographs were taken?

7 **A. No.**

8 Q. Tell you anything about the lighting or the
9 angles, anything like that?

10 **A. They did not. No.**

11 Q. For that one hearing, was that a purebred
12 animal, the dog?

13 **A. I do not believe it was, but I do not know
14 for sure.**

15 Q. But you believe it was a mixed-breed dog?

16 **A. Yes. Uh-huh.**

17 Q. To your knowledge was there any purebred
18 paperwork?

19 **A. To my knowledge, no. Huh-uh.**

20 Q. Did the animal control officers tell you
21 what led them to believe made the dog predominantly
22 one of those prohibited breeds?

23 **A. If I recall, in large part it had to do with
24 the jawline, facial features, position of ears,
25 po- – overall head – position of – build of the**

1 **body.**

2 Q. Did the animal control officers tell you
3 anything else regarding how they came to the
4 determination that the dog was a pit bull?

5 MS. DuBOIS: I'd object as to the form of
6 the question. It's outside of the scope of the
7 30(b)(6) deposition notice. It's asking for specific
8 information relating to one specific hearing, not to
9 the actual appeal process in general.

10 Q. (By Mr. Hasan) Please continue.

11 **A. Okay. No.**

12 Q. During an appeal process would you ask
13 anything else of the animal control officers besides
14 what they volunteer?

15 **A. I might. It depends on – as they provide
16 information or give testimony if I had a follow-up
17 question that they might – that might help me in
18 making my decision.**

19 Q. What kind of follow-up questions?

20 **A. It could be, as an example, I am – I will
21 just make something up here – they – you know, they
22 said this distinguish – the eyes on this particular
23 dog give – are distinguishing. I might ask what
24 exactly is it about, you know, the makeup of the eyes
25 or the skull that would – that in your mind makes it**

1 **a characteristic of a pit bull. More a clarifying**
 2 **question if I think I need more information other**
 3 **than, you know, I – just the face looks like a pit**
 4 **bull.**

5 Q. If you were to ask that kind of question
 6 just for clarification you don't have the breed
 7 standards in front of you to ask that question?

8 **A. I do not, no. I see it as an opportunity**
 9 **maybe to learn from somebody that does know the breed**
 10 **standard and does know the characteristics of a pit**
 11 **bull.**

12 Q. Would you ask the animal control officers
 13 whether they were referring to the breed standards
 14 when they were identifying the characteristics?

15 **A. I didn't in this one hearing, but I may, you**
 16 **know, depending on the information they were**
 17 **providing.**

18 Q. So going forward during an appeal process
 19 you may ask those questions?

20 **A. Yes, I might. Yes.**

21 Q. Anything else that you would ask of the
 22 animal control officers during a hearing?

23 **A. No.**

24 Q. Would you ask them about DNA tests?

25 **A. I would not, no.**

1 Q. Why?

2 **A. I just know – I know it's not the animal**
 3 **control or the city's policy to do DNA testing. So**
 4 **I – maybe it's a poor assumption, but I would assume**
 5 **that we hadn't done it, knowing that we don't.**

6 Q. How do you know that's the policy?

7 **A. I guess for me it would just be common**
 8 **knowledge. I know that we don't expend – the city**
 9 **doesn't expend funds on DNA testing.**

10 Q. So for the appeals is it fair to say that
 11 the animal control officer's testimony is based on
 12 visual features or characteristics of the animal?

13 **A. Yes. I believe – I believe so, but I also**
 14 **believe in the interaction with the animal because**
 15 **they're usually held at the animal control shelter.**

16 Q. Right. The animal won't be at the appeal?

17 **A. No.**

18 Q. So you're trusting the animal control
 19 officer to interpret the animal control officer's own
 20 personal opinion regarding that behavior?

21 **A. Yes.**

22 Q. Do the animal control officers present any
 23 vet records or ownership records?

24 **A. I don't believe they do, no.**

25 Q. Do they present any of the written or

1 recorded records regarding how the dog was picked up
 2 or impounded, any of those paperwork?

3 **A. I believe – I believe a summary is provided**
 4 **that shows how the dog wound up being impounded, yes.**

5 Q. Any other written documentation submitted to
 6 you by the animal control officers?

7 **A. No, not other than that. They may during**
 8 **the hearing – like I said, we've had the one. So**
 9 **they may during future hearings provide written**
 10 **information, you know, to back up their – their**
 11 **testimony.**

12 Q. Anything else that you would consider from
 13 the animal control officers?

14 **A. I think it – I think I have pretty much**
 15 **covered it.**

16 Q. Let's go over to the owners.

17 **A. Uh-huh.**

18 Q. Tell me about what the owners would present
 19 to you.

20 **A. They have the ability to provide their own**
 21 **pictures of the animal. We allow them to talk about,**
 22 **you know, the demeanor of the animal, how it –**
 23 **they ex- – you know, they talk about how long**
 24 **they've had the pet, the animal as a pet, the**
 25 **demeanor.**

1 **They've provided pictures. In the – in the**
 2 **one hearing we had they provided – on her phone she**
 3 **showed a video of, you know, how the dog interacts**
 4 **with people in her house and just to kind of give an**
 5 **overall from their – from their standpoint, one, why**
 6 **they don't feel the dog should be impounded, but,**
 7 **two, also that they don't feel that it met the**
 8 **characteristics of a pit bull.**

9 Q. So you mentioned the video. As we're
 10 talking about the owners, I want to focus on that
 11 first.

12 **A. Uh-huh.**

13 Q. But then I am going to go back to the animal
 14 control officers.

15 **A. Yeah.**

16 Q. Do you take into consideration – bless you.

17 Do you take into consideration what the
 18 owner tells you the behavior of the dog is?

19 **A. A little bit, yes, but, ultimately, the way**
 20 **our – the way our code is, it's all about the**
 21 **characteristics and look of the dog.**

22 Q. So the same question going to the animal
 23 control officers. Do you consider what they tell you
 24 the behavior of the animal is?

25 **A. No more than the plaintiff. The video was**

1 shown in that case as much for the behavior but more
2 so to show that the plaintiff felt that the pictures
3 of the dog as provided by animal control didn't
4 necessarily reflect what they felt the dog looked
5 like.

6 And so they showed the video as an example
7 of showing, here's a – here's what the dog looks
8 like, you know, outside of a still picture, but in
9 motion and interacting. Here's what – here's what
10 this dog looks like.

11 Q. Okay. And, again, when that happens, any
12 reference to other known breeds or the breed
13 characteristics, anything like that when you're
14 looking at the video?

15 A. No. I believe in this one case one of the
16 people re- – that was there at the appeal made the
17 claim that it was a different breed of dog and that
18 that picture would show that.

19 Q. If the owner testified that they thought it
20 was a different breed of dog, what would you do in
21 response?

22 A. I would – I would take that into
23 consideration, you know, ask what the – ask what the
24 basis of their assumption was. In this case I
25 believe information was provided by others that

1 pointed to the dog possibly being of a different
2 breed.

3 Q. What kind of information?

4 A. Written documentation, I – from – I – I
5 can't recall who it's from, saying that they – that
6 this dog wasn't a pit bull but that it was – you
7 know, it was a mixed-breed dog.

8 Q. Vet records?

9 A. I believe in this case they – there were
10 initial – you know, when they take the puppy to the
11 vet, you know, for shots and stuff that identified it
12 at as a certain dog.

13 Q. So ownership records then?

14 A. Yeah. Uh-huh.

15 Q. Would that maybe include adoption records?

16 A. Yes.

17 Q. I mentioned vet records.

18 A. Yes.

19 Q. Maybe registration records?

20 A. Yes.

21 Q. Anything else you can think of as far as
22 written documentation from the owner?

23 A. Shot records. I believe that was it.

24 Q. Would you consider DNA records presented by
25 the owner?

1 A. I would, yes.

2 Q. You mentioned earlier that the city doesn't
3 do that. Why would you consider it from the pet
4 owner?

5 A. Why would I con-...

6 Q. (Nods head up and down.)

7 A. Knowing that the city doesn't do it, as
8 you – as you can probably guess, as somebody that's
9 owned pet – dogs my whole life, I am a – I am a –
10 very much a dog person. I understand the toll that
11 losing your pet has on an individual.

12 I would want to give them every available
13 avenue, if they chose to do it, to show that their
14 dog wasn't a pit bull or it didn't meet the standards
15 of a pit bull.

16 Q. What other evidence would you consider from
17 your pet owner?

18 A. Like I said, pictures, testimony, just
19 anything that they could provide that would help me
20 make my decision.

21 Q. If the owner – this is an assumption
22 because there is a hearing going on.

23 A. Uh-huh.

24 Q. But if the owner disputes that the dog is a
25 pit bull and says, I think it's this other breed,

1 would you go back and ask animal control about that?

2 A. Yes.

3 Q. What would you ask?

4 A. In that case if they – if they said, you
5 know, it's not a pit bull, it's a Golden Retriever, I
6 would ask then animal control, who's got experience
7 with identifying dogs, what was it that they saw that
8 led them to believe that it was a pit bull rather
9 than the breed that it was claimed to be by the – by
10 the person filing the appeal.

11 Q. Okay. In that moment do you – going back
12 to the talking about the evidence that's been
13 presented, would you rely on the photographs that
14 have been submitted?

15 A. Yes.

16 Q. All right. So we talked about the animal
17 control officers and the owners presenting evidence.
18 Is there any other evidence during a hearing that you
19 would consider before advancing to the determination
20 stage?

21 A. I believe that would be it.

22 Q. Talking about the determination, how would
23 you come to that?

24 A. Based on the testimony and information
25 provided, I would render a decision based on what I

1 **felt was the most compelling argument.**
 2 Q. Would you say that it's just based on whose
 3 argument was more compelling?
 4 **A. Yes.**
 5 Q. Are you familiar with the -- well, who would
 6 you say has to prove that to you?
 7 **A. It's my understanding -- it's my**
 8 **understanding the way the code is written the -- I**
 9 **think it's called the poundmaster, but it's the**
 10 **animal control department has to provide the**
 11 **compelling information.**
 12 Q. So how would you...
 13 **A. They have the burden of -- I don't know if**
 14 **it's the correct word. They have the burden of proof**
 15 **to show that it met the characteristics of a pit**
 16 **bull, not the person filing the appeal.**
 17 Q. Let's just -- actually, let's just look at
 18 the language. I don't mean to lead you around here.
 19 Let's just look at it.
 20 **A. Yeah.**
 21 Q. I think I am on page three of Exhibit -- oh,
 22 we didn't mark it as an exhibit. I am on page three
 23 of the document that's in front of you.
 24 **A. Uh-huh.**
 25 Q. This is code Section 7.10.050, the

1 impoundment, Subsection 2. Up at the top there --
 2 and you can review this. I will just read out the
 3 portion of it. So we've got, if the owner of the pit
 4 bull disputes the classification of the animal as a
 5 pit bull, disputes the issuance of a warning and/or
 6 disputes whether the pit bull is exempted from
 7 Section 7.10.030, the owner of any pit bull may file
 8 a written request for a hearing with the city manager
 9 or the city manager's designee within seven calendar
 10 days after impoundment. The poundmaster shall bear
 11 the burden of proof to show the dog is a pit bull as
 12 defined in 7.10.010 by clear, convincing and
 13 satisfactory evidence.
 14 Did I read that right?
 15 **A. Yes.**
 16 Q. Is that what you were talking about as far
 17 as it's the animal control that bears the burden?
 18 **A. Yes.**
 19 Q. So how would you come to the determination
 20 they've met their burden by clear, convincing and
 21 satisfactory evidence?
 22 **A. Through their testimony and other**
 23 **information that they've provided.**
 24 Q. How would you weigh the evidence provided by
 25 animal control versus the evidence provided by the

1 dog owner?
 2 **A. I would expect that animal control provide**
 3 **more convincing evidence than the plaintiff or the**
 4 **appellant would.**
 5 Q. What would make it more convincing?
 6 **A. More backup information such as pictures of**
 7 **the dog, their testimony and -- and their history of**
 8 **identifying dogs, their working with dogs, and just**
 9 **their overall testimony that -- to show that why in**
 10 **their mind they saw that it met the characteristics**
 11 **of a pit bull.**
 12 Q. Ultimately, is it the animal control
 13 officer's word against the owner's word?
 14 **A. To some extent, yes.**
 15 Q. And you're assuming or trusting that the
 16 animal control officer knows what he or she is
 17 talking about --
 18 **A. Yes.**
 19 Q. And that in knowing what he or she is
 20 talking about, knows better than the owner does?
 21 **A. Yes.**
 22 Q. What would happen if the owner presented DNA
 23 evidence that showed that the dog was not one of --
 24 not predominantly one of the three listed breeds?
 25 **A. It would -- definitely it would help -- it**

1 **would help the pet owner in the decision. The way**
 2 **the code is, though, it doesn't say it has to be one**
 3 **of those three breeds. It says it has to have the**
 4 **characteristics.**
 5 **That being said, if the dog came back as**
 6 **predominantly something other than one of those three**
 7 **breeds, I would very much take that into account.**
 8 Q. When you say "very much take that into
 9 account," I want to kind of nail that down.
 10 **A. Uh-huh.**
 11 Q. Is that if you believe the animal control
 12 officer's testimony that this dog is displaying the
 13 visual characteristics that are predominantly one of
 14 those purebred animals?
 15 **A. Uh-huh.**
 16 Q. I mean, you assume that that testimony is
 17 true from the animal control officer, but the pet
 18 owner comes back with the DNA test that shows, no,
 19 that's not true. What's the determination look like?
 20 **A. I -- you know, I think it would depend.**
 21 **And, you know, whether I like it or not, I am bound**
 22 **to what the ordinance says. And if in the expert**
 23 **testimony of animal control they say it's got the**
 24 **characteristics of a pit bull, this ordinance tells**
 25 **me that I have to find that it is a pit bull.**

1 **But it's not – it's not that easy for me.**
 2 **It's – it's if, you know, through the testimony it**
 3 **came down to, sure, it – you know, in – in**
 4 **listening to animal control, yeah, that has the**
 5 **characteristics of a pit bull, but people provide**
 6 **evidence that it's – do a DNA test that shows it's a**
 7 **lab/sheltie mix, there's a good chance I am going**
 8 **to – I am going to say it's not a pit bull.**
 9 Q. Well, you mentioned that one specific breed.
 10 I want to talk more generally about different breeds,
 11 though, because I think that when you...
 12 **A. Uh-huh.**
 13 Q. You're calling out a dog that would be, you
 14 know, probably significantly smaller or –
 15 **A. Yeah.**
 16 Q. -- that most anyone who's experienced dogs
 17 would look at and go, that can't be a pit bull.
 18 **A. Yeah.**
 19 Q. If I am talking more along the lines of the
 20 call where, you know, visually looking at the dog
 21 it's a close call –
 22 **A. Uh-huh.**
 23 Q. -- are you taking animal control's word over
 24 the DNA test?
 25 MS. DuBOIS: Objection as to form.

1 that this dog visually meets the outward
 2 characteristics of a pit bull, that that testimony
 3 would be sufficient to trump a DNA test?
 4 MS. DuBOIS: Objection as to form.
 5 **A. Yes. Based on the characteristics, yes.**
 6 Q. (By Mr. Hasan) So it would be the animal
 7 control officer's word against the DNA test?
 8 **A. Yes.**
 9 Q. What was the outcome of that appeal that you
 10 mentioned that you handled?
 11 **A. It was upheld as a pit bull.**
 12 Q. Why?
 13 **A. Base – the evidence provided by animal**
 14 **control was, in my mind, convincing enough through**
 15 **the pictures and the testimony. The testimony**
 16 **provided by the person filing the appeal, while it**
 17 **had merit, didn't overcome – they didn't dispute the**
 18 **characteristics of the dog. And so based on that it**
 19 **was – it was upheld.**
 20 Q. Would you consider if – if the owner
 21 brought in, say, a veterinarian or another individual
 22 who had been – I am going to generally use the term
 23 "trained" to identify the breed of a dog based on
 24 visual characteristics, would you consider that
 25 testimony from a dog owner?

1 **A. That's where – that's where it gets to the**
 2 **characteristics definition. If it – in the...**
 3 Q. (By Mr. Hasan) May I interrupt you there
 4 just for a second?
 5 **A. Yeah.**
 6 Q. Because you said "the characteristics
 7 definition." You testified earlier that you hadn't
 8 reviewed that. So it's what the animal control
 9 officers are telling you the characteristics
 10 definition is?
 11 **A. That's correct.**
 12 Q. Okay. So sorry. Please continue.
 13 **A. No. If in the – you know, according to the**
 14 **definition for characteristics, if it met the**
 15 **characteristics of a pit bull in a – in a level**
 16 **of – it – to me with a level of comfort that it**
 17 **outweighed what the DNA, I believe by the ordinance I**
 18 **am bound to find that, well, because of the**
 19 **characteristics that it – that it be determined to**
 20 **be a pit bull.**
 21 Q. So going back to what the ordinance says
 22 about clear, convincing and satisfactory evidence –
 23 **A. Uh-huh. Yes.**
 24 Q. -- are you testifying that if the animal
 25 control officer personally says, I know dogs, I know

1 **A. Yes. Absolutely.**
 2 Q. How would you weigh that against the animal
 3 control officer testimony?
 4 **A. Depending on the background of the person**
 5 **they brought in, I would give it equal or in some**
 6 **cases probably even higher credence.**
 7 Q. So what happens during the appeal process?
 8 You have got -- you've received all of the evidence.
 9 You have got this burden that the poundmaster has to
 10 show by clear, convincing and satisfactory evidence
 11 that the dog's a pit bull. What happens next?
 12 **A. I take – I take that all into account and**
 13 **issue – make a decision and issue a written ruling.**
 14 Q. What do you put in the written rulings?
 15 **A. You know, the date of the hearing, the**
 16 **background provided by both sides, the relevant**
 17 **sections of the code and why I am doing what I am**
 18 **doing, and then ultimately the decision.**
 19 Q. Do you put down the evidence that was
 20 received?
 21 **A. I summarize it, yeah.**
 22 Q. Do you state why you believe they meet
 23 their -- they met their burden?
 24 **A. Yes. It – and it might be something as**
 25 **simple as, based on the evidence provided I feel the**

1 **standard of the characteristics have been – having**
2 **been met, so it's been denied.**

3 Q. When you say that the characteristics have
4 been met, do you put down specifically the
5 characteristics that...

6 **A. No.**

7 Q. You don't put down the physical
8 characteristics that the animal control officer
9 identified?

10 **A. No.**

11 Q. Such as jawline or head size I think are the
12 ones you mentioned earlier; is that right?

13 **A. Yeah. No, I do not.**

14 Q. Do you put down any of the evidence that was
15 received from the owner?

16 **A. I do, yes.**

17 Q. Do you put any explanation about why that
18 evidence was not...

19 **A. I should clarify. I don't – I don't go**
20 **into great detail. I put into the letter, you know,**
21 **evidence was received from the plaintiff –**
22 **I am going to call them the plaintiff.**

23 Q. Sure.

24 **A. – you know, that disputed the findings, but**
25 **I don't go into detail about what that was. I might**

1 **say a video was provided a video and pictures and**
2 **oral testimony was provided, but I don't get into**
3 **detail of what that is.**

4 Q. What's the next step after you have this
5 written notice?

6 **A. It's my understanding they can provide**
7 **notice that they intend – you know, if it – if the**
8 **ban is upheld that the – they can provide notice**
9 **that they're going to proceed with it, and then it**
10 **goes to district court.**

11 Q. What's your role with that part of the
12 appeal?

13 **A. I am – to be honest, I am not sure we've**
14 **never – it's never gone that far.**

15 Q. Is it – would it be within your scope as
16 the city manager, the hearing officer, to handle –
17 to be a part of that appeal?

18 **A. Like I said, I don't know. My guess would**
19 **be I might be called to testify on why I – why I**
20 **ended up with the decision that I did.**

21 Q. If you were to be called in that
22 circumstance, what would you tell at the next level
23 of appeal? What would you tell the district court?

24 MS. DuBOIS: Objection as to form. It's
25 outside of the 30(b)(6) notice.

1 **A. Well, I guess it's similar to what we're**
2 **doing today. They would ask me what my expertise is**
3 **and how I reached the decision I did, and I would**
4 **provide that testimony.**

5 Q. (By Mr. Hasan) So at that step of the
6 appeal would you essentially say that you're relying
7 on the animal control officers?

8 **A. Yes.**

9 Q. What the animal control officer's personal
10 opinion is as to the outward characteristics of that
11 dog?

12 **A. Yes.**

13 Q. Anything else you can tell me about the
14 appeal process?

15 **A. Not that I can think of, no.**

16 MR. HASAN: Okay. I don't have anything
17 else.

18 MS. DuBOIS: I just have a few questions,
19 Bob.

20 THE WITNESS: Okay.

21 CROSS-EXAMINATION

22 BY MS. DuBOIS:

23 Q. As the hearing officer that we've talked
24 about this in this appeal process, you're essentially
25 acting as the judge; is that correct?

1 **A. Yes.**

2 Q. Okay. And as a judge in any other action,
3 let's say for district court, example, complex
4 construction case, do you believe a judge would have
5 to be a construction expert to render a decision?

6 **A. No.**

7 Q. All right. You're relying on evidence
8 that's presented by both sides in making a
9 determination?

10 **A. That's correct.**

11 Q. Okay. Now, when animal control provides
12 testimony and evidence as to the physical
13 characteristics and an explanation as to what the dog
14 presents to them, do you believe that they're relying
15 on the recognized breed standards for what a pit bull
16 is?

17 **A. I think so. I would – I would assume so,**
18 **yes.**

19 Q. All right. Do they provide background
20 information as to what they've determined --
21 characteristics they've determined would meet those
22 breed standards?

23 **A. Yes.**

24 Q. Now, if the animal control – or, the animal
25 owner brought in a veterinarian, I believe you have

1 indicated that you would consider that testimony?
 2 **A. I would. Yes.**
 3 Q. All right. We've gone through an example of
 4 the one appeal that you have heard; correct?
 5 **A. (Witness nods head up and down.)**
 6 Q. And the owner at that time just didn't bring
 7 in another expert; is that right?
 8 **A. She brought in some paperwork but did not**
 9 **bring in an expert, no.**
 10 Q. In addition to an expert, they could bring
 11 in anyone that they determined would provide valuable
 12 information to you; is that right?
 13 **A. Yes. In this case I believe she brought her**
 14 **mother.**
 15 Q. Okay.
 16 **A. In that case it was to attest, I think, more**
 17 **to the demeanor of the dog but not to the physical**
 18 **characteristics of the dog.**
 19 Q. And we talked about the photos that were
 20 brought in by animal control.
 21 **A. Uh-huh.**
 22 Q. Do you believe that that's the only thing
 23 that they were relying on in making their
 24 determination?
 25 MR. HASAN: Foundation.

1 **A. No. Part of their testimony was that they**
 2 **had spent time with the dog. I mean, the dog's at –**
 3 **was at animal control. So they made visual, you**
 4 **know, contact with the dog, spent time with the dog,**
 5 **looked over the dog to kind of back up the – here's**
 6 **what the pictures show, but we also – you know, we**
 7 **also spent time with the dog and here are the**
 8 **characteristics of the dog that lead us to believe**
 9 **that it met the standard of a pit bull.**
 10 Q. (By Ms. DuBois) All right. And the
 11 testimony that you gave regarding an additional
 12 appeal beyond the matter that you would hear if it
 13 went to district court –
 14 **A. Uh-huh.**
 15 Q. – you're not testifying in a legal capacity
 16 as to what that process would look like; correct?
 17 **A. No, because I am – once it – once it goes**
 18 **to the city's appeals process, it's the courts. I am**
 19 **not sure what that process is.**
 20 MS. DuBOIS: Okay. That's all that I have.
 21 REDIRECT EXAMINATION
 22 BY MR. HASAN:
 23 Q. I have just a couple quick follow-ups.
 24 **A. Sure. Uh-huh.**
 25 Q. One thing you were just asked about was the

1 paperwork versus bringing in an expert like a
 2 veterinarian.
 3 **A. Yeah.**
 4 Q. And earlier you testified about how you'd
 5 weigh considerably a veterinarian's testimony.
 6 **A. Uh-huh.**
 7 Q. Right?
 8 **A. Yes.**
 9 Q. So if the owner brings in paperwork from the
 10 veterinarian that identifies it as a different breed,
 11 what's the difference between that and actually
 12 bringing in the veterinarian to say it's a different
 13 breed?
 14 **A. To the – I don't think...**
 15 MS. DuBOIS: I am going to stop you one
 16 second.
 17 THE WITNESS: Okay.
 18 MS. DuBOIS: Could you read the question
 19 back? I missed that. I am sorry.
 20 (The pending question was
 21 read by the court
 22 reporter.)
 23 **A. I don't think there is any difference. If**
 24 **they brought in a statement from Dr. Whoever, the**
 25 **veterinarian, that said in their expert opinion, in**
 their history of dealing and identifying breeds that

1 **this didn't meet the – this wasn't a pit bull or it**
 2 **wasn't a Staffordshire Terrier or whatever, an**
 3 **American – whatever the bree – various breeds are,**
 4 **I would very definitely take that into account.**
 5 Q. (By Mr. Hasan) How about vet paperwork that
 6 showed – I am thinking of, like, vet records that
 7 show vaccination and up at the top it says, dog name,
 8 Fido, dog gender, female, dog breed, and then it's
 9 got the breed listed from the vet. Would that be the
 10 same as a vet testifying in front of you?
 11 **A. Depending on what it said. In the ca- – in**
 12 **the case of the hearing, I think what it showed**
 13 **was – it just said mixed. It didn't define any**
 14 **breed at all, which then falls back to the**
 15 **characteristics. But if they could – you know, I**
 16 **have purebred Golden Retrievers. That's what we've**
 17 **always had.**
 18 **If they came in with paperwork that showed**
 19 **it was registered through the AKC as a Rottweiler or**
 20 **some other dog, you know, that maybe had some similar**
 21 **characteristics to a pit bull but didn't meet the**
 22 **definition for our ban, I would definitely consider**
 23 **that.**
 24 Q. Okay. But how about if it said something
 25 like Boxer mix, where it identifies what the vet

1 thinks is the predominant breed and then says it's a
2 mixed-breed dog? Would that be the same thing as a
3 veterinarian writing out something saying that I
4 think this is a Boxer mix?

5 **A. No, but what – because it says mix, I would
6 then have to rely on testimony as it gets to the
7 characteristics that caused animal control to find
8 that it had a set of characteristics that led them to
9 believe it would be classified as a pit bull.**

10 Q. So going back to how you're weighing the
11 veterinarian's opinion versus the animal control
12 officer's opinion, under what circumstances would
13 you – would that veterinarian's opinion carry that,
14 I think you said, significant or considerable weight?

15 MS. DuBOIS: Objection as to form.

16 **A. I think it would be the level of detail. If
17 it was a vaccination record from a six-week-old dog
18 that said Boxer mix, I would give that probably less
19 emphasis versus a recent letter from the vet saying,
20 you know, I've seen the – I've seen this dog since
21 it was a puppy. It's now two. It has – in my
22 expert opinion it has all of the characteristics of a
23 Boxer and not a pit bull or it has all of the
24 characteristics of this and here's what I see those
25 characteristics as being.**

1 Q. (By Mr. Hasan) The other topic I wanted to
2 mention from Nicole's questions was the animal
3 control officers experiencing the dog in real life.

4 **A. Uh-huh.**

5 Q. You talked about that, didn't you?

6 **A. (Witness nods head up and down.)**

7 Q. And I am going to summarize, and I am going
8 to ask you if my summary is fair. You summarize --
9 you testified that the animal control officer may
10 present you with a picture to say, here's the
11 picture, but I – since I experienced the dog, here's
12 what real life shows that the picture doesn't.

13 **A. Uh-huh.**

14 Q. Is that fair?

15 **A. Yes.**

16 Q. You mentioned also that the pet owner may
17 come in and show a video or a picture and similarly
18 say, this is why the picture doesn't show the
19 physical characteristics that are the same as real
20 life.

21 **A. Uh-huh.**

22 Q. Is that right?

23 **A. Yes.**

24 Q. At that point does it come down to you
25 believing the animal control's word over the owner's

1 word with regard to the real-life characteristics as
2 opposed to the picture characteristics?

3 MS. DuBOIS: Objection as to form.

4 **A. I would – to some extent, but I would also
5 take the other information provided. I wouldn't just
6 rely on their word versus the owner's, you know,
7 interaction. I would take into account what other
8 things they provided which led them to believe that
9 it had the characteristics.**

10 Q. (By Mr. Hasan) Sure. So the animal
11 control's word saying, here is why I think this meets
12 the characteristics –

13 **A. Yes.**

14 Q. – versus the owner's word saying here's why
15 I don't think that this thing meets the
16 characteristics?

17 **A. Well, I'd take into account the experience
18 that the animal control has versus the experience
19 that the pet owner had in identifying those
20 characteristics.**

21 Q. So because the animal control officer may
22 have more years of dealing with dogs versus the pet
23 owner having more years dealing with dogs?

24 **A. Yes.**

25 Q. For that experience dealing with dogs, would

1 you ask the animal control officers if they had --
2 themselves had received training on identification of
3 dogs?

4 **A. I didn't in this case, no.**

5 Q. Would you?

6 **A. I could, yes.**

7 Q. Under what circumstances?

8 **A. It – to me it would be – come down to how
9 clear cut or how close it was in my decision. You
10 know, the – if the evidence provided by the
11 plaintiff is to the point where I have some question
12 about what animal control is saying I'd ask, what is
13 your experience in doing – in identifying those
14 characteristics.**

15 Q. Would it weigh in your determination if you
16 learned that the animal control officers had never
17 received any formal training in any capacity aside
18 from daily interaction with dogs?

19 **A. It may a little, but I – you know, what I
20 know from our animal control officer, the person that
21 runs our animal control, she has extensive history.
22 May – I don't know if it's formal or not, but she
23 has extensive history in breeds, in dogs, and
24 identifying those characteristics.**

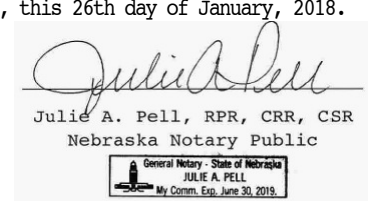
25 Q. Let's talk on that. That's Cindy Rarrat?

1 **A. Yes.**
 2 MS. DuBOIS: Objection as to form and
 3 outside the scope of cross.
 4 Q. (By Mr. Hasan) So Cindy Rarrat is the
 5 individual who would be the animal control officer
 6 testifying in the hearing?
 7 **A. Yes. Her or her husband.**
 8 Q. Her or her husband?
 9 **A. Yeah.**
 10 Q. Would you speak to the animal control
 11 officers that actually picked up the animal?
 12 **A. If they came to the hearing, yes.**
 13 Q. Would it – actually, I will strike that.
 14 Does the individual that's coming in to
 15 testify, do they provide you with information that
 16 they, personally, were the one to make the
 17 determination that the animal was a pit bull?
 18 **A. In this – in this particular case, the one**
 19 **hearing we had, yes, they did.**
 20 Q. Would you require that in every hearing?
 21 **A. I think so, yes.**
 22 Q. So if Cindy said that it was someone else
 23 who made that determination and she was relaying that
 24 information to you during an appeal process, would
 25 that be sufficient?

1 **A. No. I would expect that person would then**
 2 **be at the hearing as well.**
 3 Q. It has to be the individual who actually
 4 made the visual determination?
 5 **A. Yes. Yes.**
 6 Q. In that hearing that you mentioned, the one
 7 hearing during an appeal, was it Cindy or was it
 8 Chris?
 9 **A. I think they were both there.**
 10 Q. Did you take in both of their testimony?
 11 **A. I believe I did, yes.**
 12 Q. How did you weigh their respective
 13 testimony?
 14 MS. DuBOIS: Objection again as to form.
 15 It's outside the notice that was provided to
 16 Mr. Padmore.
 17 **A. I believe I gave them equal emphasis. I**
 18 **will say, in my memory, Cindy provided the bulk of**
 19 **the testimony, but Chris was there.**
 20 MR. HASAN: All right. Okay. That's all.
 21 Thank you.
 22 THE WITNESS: Okay.
 23 MS. DuBOIS: No further questions from me.
 24 THE WITNESS: Thanks.
 25 MR. HASAN: Thanks a lot, Bob.

1 THE WITNESS: Yeah. Nice to meet you.
 2 MR. HASAN: Nice meeting you too. Bob, you
 3 have the right to review and sign the transcript that
 4 Julie's going to prepare there; so if you have any
 5 changes or any edits that you'd like to make --
 6 THE WITNESS: Okay.
 7 MR. HASAN: -- you can do that.
 8 THE WITNESS: Okay.
 9 MR. HASAN: You also have the right to
 10 waive that.
 11 MR. CHRISTOPHERSON: He'll review and sign.
 12 MS. DuBOIS: It's up to you, Bob, if you...
 13 THE WITNESS: I will review and sign. I
 14 don't anticipate anything, but...
 15 MS. DuBOIS: Okay.
 16 (The deposition concluded at 10:25 a.m.)
 17
 18
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 25

1 C E R T I F I C A T E
 2 I, Julie A. Pell, RPR, CRR, CSR, CRC, duly
 3 commissioned, qualified, and acting under a general
 4 notarial commission within and for the State of
 5 Nebraska, do hereby certify that:
 6 ROBERT PADMORE
 7 was by me first duly sworn to tell the truth, the
 8 whole truth, and nothing but the truth; that the
 9 foregoing deposition was taken by me at the time and
 10 place herein specified and in accordance with the
 11 within stipulations; that I am not counsel, attorney,
 12 or relative of either party or otherwise interested
 13 in the event of this suit.
 14 IN TESTIMONY WHEREOF, I have hereunto set my
 15 hand officially and attached my notarial seal at
 16 Lincoln, Nebraska, this 26th day of January, 2018.
 17
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 23
 24
 25



1 AMENDMENT TO DEPOSITION
 2 CASE: Kali Myers v. City of Sioux City, et al.
 3 WITNESS: ROBERT PADMORE _____ No Changes
 4 The Witness herein states that he/she wishes
 5 to make the following changes in his/her deposition:
 6 PAGE LINE CURRENTLY SHOULD REASON
 7 READS READ FOR CHANGE
 8 _____
 9 _____
 10 _____
 11 _____
 12 _____
 13 _____
 14 _____
 15 _____
 16 _____
 17 _____
 18 DEPONENT'S SIGNATURE _____
 19 ACKNOWLEDGEMENT State of _____
 20 County of _____
 21 The foregoing instrument was acknowledged
 22 before me this _____ day of _____, 20____.
 23 _____
 24 ^ Affix Seal Here ^ GENERAL NOTARY PUBLIC
 25

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