

APPENDIX I

TAB D

In The Matter Of:

*Tammy Kitzmiller, et al. v.
Dover Area School District, et al.*

*Donald Bonsell
March 10, 2005*

*Filius & McLucas Reporting Service, Inc.
1427 East Market Street, York, PA
4309 Linglestown Road, Harrisburg, PA*

(717) 845-6418 or (717) 236-0623

*Original File DB031805.TXT, 50 Pages
Min-U-Script® File ID: 1397883712*

Word Index included with this Min-U-Script®

[1] IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

[2]
[3] TAMMY KITZMILLER; et al.,
[4] Plaintiffs . CIVIL ACTION NO.
. 04-CV-2688

[5] vs.

[6] DOVER AREA SCHOOL DISTRICT,, (JUDGE JONES)

[7] et al.,
[8] Defendants

[9]
[10] Deposition of : DONALD BONSELL
[11] Taken by : Plaintiffs
[12] Date : March 10, 2005, 10:00 a.m.
[13] Before : Vicki L. Fox, RMR,
[14] Reporter-Notary

[15] Place : 200 One Keystone Plaza
[16] North Front & Market Sts.
Harrisburg, Pennsylvania

[17]
[18] APPEARANCES:

[19] PEPPER HAMILTON LLP
[20] BY: JOSEPH FARBER, ESQUIRE
[21] For - Plaintiffs

[22] THOMAS MORE LAW CENTER
[23] BY: PATRICK T. GILLEN, ESQUIRE
[24] For - Defendants
[25]

[1] INDEX

[2] WITNESS

[3] DONALD BONSELL Examination
[4] By Mr. Farber 3

[5]
[6] EXHIBITS

[7] Plaintiff Deposition
[8] Exhibit Number Page
[9] 32. Dover Area Board of Directors, Biology 22
Curriculum Press Release, pages 000049 and
[10] 000050.
[11] 33. Home Science Catalog, Catalog No. 14, 41
pages P 00044 and P 00043.
[12] 34. Two articles from the "York Daily Record" 45
[13] Entitle Textbook Controversy Continues and
Book Is Focus of More Debate.

[14]
[15]
[16]
[17]
[18]
[19]
[20]
[21]
[22]
[23]
[24]
[25]

STIPULATION

[1] It is hereby stipulated by and between the
 [2] respective parties that sealing, certification
 [3] and filing are waived; and that all objections
 [4] except as to the form of the question are
 [5] reserved until the time of trial.

[7] DONALD BONSELL, called as a witness,
 [8] being duly sworn, was examined and testified,
 [9] as follows:

[11] BY MR. FARBER:

[12] Q: Don, my name is Joe Farber. We just met a
 [13] moment ago.

[14] A: Sure.

[15] Q: I represent plaintiffs in a case captioned
 [16] Kitzmiller vs. Dover Area School District and
 [17] Dover Area School District Board of Directors.
 [18] Have you ever been deposed before?

[19] A: I don't think so in this official capacity as
 [20] far as I remember. I don't remember, but I had
 [21] one case one time that I — it was a tenant
 [22] that sued me. We went to court on it. I guess
 [23] then I testified on my behalf.

[24] Q: You testified in court?

[25] A: Yes. That's the only time I would say I was

[1] ever deposed if you will as far as swearing to
 [2] tell the truth other than my official duties in
 [3] different positions that I have had with the
 [4] Township.

[5] Q: If I could, I will give you some background on
 [6] the deposition process so you know what to
 [7] expect today.

[8] A: Sure.

[9] Q: I will ask you questions, and you will answer
 [10] them, and the court reporter will record what
 [11] each of us says and what Mr. Gillen says.

[12] If you could answer orally without nods or
 [13] shaking of your head or saying ah-huh, that
 [14] would help the reporter record clearly what you
 [15] are saying.

[16] The reporter can only record one person
 [17] speaking at a time. So if you could let me ask
 [18] my full question before beginning to answer,
 [19] and I will try not to cut you off, that would
 [20] be helpful.

[21] A: That's fine.

[22] Q: Please answer questions only if you fully
 [23] understand them. If you give me an answer, I
 [24] will assume that you have understood the
 [25] question. Okay?

[1] A: Excuse me just a minute. I do have in my one
 [2] ear, I have a problem. I should be wearing a
 [3] hearing aid. I don't have one so I may ask you
 [4] to repeat on rare occasions since your voice is
 [5] soft. So just bring it up just a tempo if you
 [6] will.

[7] Q: Thank you for letting me know.

[8] A: Sure.

[9] Q: As I said if I ask you a question and you give
 [10] me an answer, I will assume that you have
 [11] understood the question.

[12] A: Sure.

[13] Q: Is that okay?

[14] A: Sure.

[15] Q: If you don't understand the question, please
 [16] let me know, and I will rephrase it.

[17] A: Sure.

[18] Q: And in answering questions, please don't
 [19] speculate or guess. Only answer if you know
 [20] the answer to the question.

[21] A: Yes.

[22] Q: Throughout the deposition, I will refer to the
 [23] Dover Area School District as the School
 [24] District and the Dover area High School Board
 [25] of Directors as the School Board. Is that

[1] okay?

[2] A: Sure. Yes.

[3] Q: And I will refer to the book Of Pandas and
 [4] People, The Central Question of Biological
 [5] Origin as Pandas; is that okay?

[6] A: Repeat please.

[7] Q: I will refer to the book Of Pandas and People,
 [8] The Central Question of Biological Origin as
 [9] Pandas?

[10] A: Yes. Okay, fine.

[11] Q: If you need a break at any time, please feel
 [12] free to ask, and we can arrange that.

[13] A: Fine.

[14] Q: Just for identifying information, what is your
 [15] home address?

[16] A: 5011 Harmony Grove Road, Dover, PA 17315.

[17] Q: How long have you lived in Dover?

[18] A: Since 1979. I moved there in April of '79.

[19] Q: Where did you move from?

[20] A: From Shiloh, which is approximately six, eight
 [21] miles from there. We sold our home, and we
 [22] bought a farm in 1979.

[23] Q: How old are you?

[24] A: I'm sorry. 67. I can't believe it. Anyway,
 [25] go ahead.

[1] Q: Are you married?
 [2] A: Yes. One son, and I have a daughter which is a
 [3] daughter-in-law, but we refer to her as our
 [4] daughter. And we have two grandchildren which
 [5] are just fabulous people.
 [6] Q: Did your son go to the Dover area schools?
 [7] A: No. He graduated from West York High School in
 [8] 19 something.
 [9] Q: Where is that?
 [10] A: West York is relatively close to York itself,
 [11] just on the outer skirts of the York City
 [12] boundaries. It is called West York High
 [13] School, which is approximately eight miles from
 [14] Dover School District.
 [15] Q: Did you graduate from high school?
 [16] A: Yes, I did, 1956.
 [17] Q: Did you attend college?
 [18] A: I attended college, but I attended college — I
 [19] basically did a lot of college work, but most
 [20] of it was predicated on what I needed to
 [21] succeed with the job that I was on at that
 [22] time.
 [23] I have about ten years of night school,
 [24] approximately ten years off and on.
 [25] Q: Did you graduate from college?

[1] A: No, I did not. But I had many, many seminars I
 [2] attended. I have sheets and sheets of
 [3] documents that I have successfully completed,
 [4] but I do not have a degree per se.
 [5] Q: I understand. Do you have any scientific
 [6] training?
 [7] A: Not really in the sense of other than my own
 [8] personal readings and things like that, but I
 [9] have no training per se in the sense that I
 [10] have — I never went to school or actually went
 [11] directly for it, for the specific reasoning for
 [12] the scientific reason.
 [13] Q: Do you have any particular scientific
 [14] knowledge?
 [15] A: Sure. Obviously, I read a lot. In reading a
 [16] lot, I do read many things pertaining to this.
 [17] I am very much interested in federal, state,
 [18] many things. I get like three newspapers
 [19] everyday, and I read a lot. I do a lot of
 [20] reading.
 [21] Q: Is there a field of science that you have
 [22] particular knowledge about?
 [23] A: Science, I think probably more in the medical
 [24] field than anything else. As you start getting
 [25] older in life, you start concentrating in the

[1] medical fields — what's available, what isn't,
 [2] what works, what doesn't work.
 [3] I had to concentrate — my wife and I, of
 [4] course, we have a tendency as you get older to
 [5] do that, become aware of what's out there.
 [6] Q: Are you represented by counsel today?
 [7] A: Yes.
 [8] Q: Who represents you?
 [9] MR. GILLEN: Let the record reflect that
 [10] he has indicated Mr. Gillen.
 [11] A: I'm sorry.
 [12] MR. GILLEN: Pat Gillen, Joe, you can
 [13] call me Pat. Thank you.
 [14] A: Mr. Gillen. Pat Gillen. I'm sorry. I was
 [15] thinking about the firm rather than the name.
 [16] BY MR. FARBER:
 [17] Q: How did Pat become your lawyer?
 [18] A: Through notification and through a request to
 [19] represent. I guess he represents — he
 [20] represents the school, the system. And through
 [21] that, that is how I got to know him — know him
 [22] in the sense of the way we are here today.
 [23] Q: When you first spoke or communicated, did he
 [24] contact you, or did you contact him?
 [25] A: No, he contacted me.

[1] Q: When did he contact you?
 [2] A: Approximately a week, ten days ago, something
 [3] like that. I'm not — I don't recall the date.
 [4] Q: Did he offer to represent you for purposes of
 [5] this deposition?
 [6] A: Yes.
 [7] Q: For any other purposes?
 [8] A: No.
 [9] Q: What did he say to you when he called?
 [10] A: Basically what he said is you're going to be
 [11] deposed. Is that the correct term?
 [12] Q: Yes.
 [13] A: And I will represent you when you are being
 [14] deposed. And I will be counsel for you or
 [15] something to that effect.
 [16] Q: Did you discuss anything else?
 [17] A: Not really. I mean in fact, I met him for the
 [18] first time yesterday personally in person. I
 [19] did not discuss any specifics about anything in
 [20] particular though.
 [21] Q: Have you ever spoken with — Pat, you might
 [22] have to help me here — Robert Muise?
 [23] MR. GILLEN: Correct.
 [24] A: What is the relationship? I am sorry. I don't
 [25] understand the question.

BY MR. FARBER:

[1] Q: Have you ever spoken with Robert Muise, who I
[2] will represent to you is another attorney at
[3] the Thomas More Law Center?

[4] A: No.

[5] Q: Have you ever spoken to Richard Thompson?

[6] A: No.

[7] Q: Have you ever spoken to Ron Turo?

[8] A: No. Again these are no's predicated on my
[9] memory.

[10] Q: Sure. Did you do anything to prepare for
[11] today's deposition?

[12] A: No. Nothing other than the fact — no. No.
[13] Not really. No.

[14] Q: For example, did you review any documents
[15] before coming in for today's deposition?

[16] A: No, in the sense of — no, I didn't look at one
[17] document.

[18] MR. GILLEN: Joe, if I may, I know that I
[19] have instructed you that our communications are
[20] confidential, but Joe is entitled — and not to
[21] be disclosed — but Joe is entitled to ask if
[22] we spoke prior to your coming here. I think
[23] that is what he is getting at.

[24] A: Yes. I think I answered yes. Did I not? Did

[1] I say yes?

BY MR. FARBER:

[2] Q: You did.

[3] MR. GILLEN: I just wanted to make
[4] certain.

[5] A: That is okay.

BY MR. FARBER:

[6] Q: Did you meet with Pat before coming in for
[7] today's deposition?

[8] A: Yes, last evening at my home. And we —
[9] anyway, yes.

[10] Q: Did anything that Pat said or showed you
[11] refresh your recollection of events?

[12] A: No.

[13] Q: Have you met or spoken with anyone other than
[14] Pat to prepare for this deposition?

[15] A: No.

[16] Q: Have you spoken with your son Alan in
[17] preparation for this deposition?

[18] A: No.

[19] Q: If it is all right with you, when I say Alan, I
[20] am referring to Alan Bonsell.

[21] A: Obviously, I understand. Okay.

[22] Q: Does your son Alan currently serve on the
[23] School Board?

[1] A: Yes.

[2] Q: How long has he served on the School Board?

[3] A: I think he is ending his fourth year right now.

[4] Technically it is four years as of this coming
[5] December.

[6] Q: Did he have any prior terms before this?

[7] A: No.

[8] Q: Four year terms?

[9] A: No.

[10] Q: Did he run for School Board?

[11] A: Yes.

[12] Q: Has he ever communicated to you why he ran for
[13] School Board?

[14] A: Well, I can — obviously, he was very much
[15] concerned about being a School Board member
[16] because he has got two children that go to
[17] Dover schools. He is civic minded. He wants
[18] to contribute his time and efforts to many
[19] things. One of them is the school. I really,
[20] really am very proud of that fact.

[21] Q: Has he ever discussed with you his goals as a
[22] School Board member?

[23] A: No. No. As far as his goal, no.

[24] Q: Has he ever discussed what he hoped to achieve
[25] as a School Board member?

[1] A: No. And I will predicate that on one thing is
[2] the fact that this is a group of nine. Goals
[3] are something that the group as a whole should
[4] work together. I'm sure that's the case.

[5] If there is a goal — and I am sure there
[6] are some goals — I don't know what they are
[7] necessarily.

[8] Q: Did Alan ever discuss goals or objectives
[9] related to the curriculum at the high school
[10] with you?

[11] A: See, I personally served on the Board four
[12] years prior to Alan coming on — or
[13] approximately four years prior to that. And as
[14] far as talking shop, if you will, it is a
[15] rarity because I don't bother him with that
[16] because he has enough on his plate. Plus I do
[17] go to meetings sometimes to update my own
[18] thinking on the subject.

[19] Q: Did Alan campaign for his position on the
[20] School Board?

[21] A: Yes.

[22] Q: Can you identify any of the themes of his
[23] campaign?

[24] A: Well, they had a sheet out, and they advertised
[25] their own personal reasons for running for the

[1] School Board. They were all predicated on
 [2] we're going to be a major help in the
 [3] community. That is basically the group's
 [4] theme. We want to be service to our community.

[5] There's many things that they listed. I
 [6] don't recall what they are.

[7] Q: Do you have a copy of that sheet?

[8] A: No.

[9] MR. FARBER: Pat, do you know if that
 [10] sheet has been produced?

[11] MR. GILLEN: I don't know if that sheet
 [12] exists. I would have to say right now, no. I
 [13] don't think any such sheet was produced.
 [14] Frankly, I don't think it was requested. But I
 [15] will check.

[16] MR. FARBER: Please.

[17] BY MR. FARBER:

[18] Q: Was high school curriculum a theme or issue in
 [19] Alan's campaign for School Board?

[20] A: Again?

[21] Q: Was the Dover Area High School curriculum a
 [22] theme or an issue of Alan's campaign for School
 [23] Board?

[24] A: No. As far as I know, it wasn't something that
 [25] was a full focus. I think it was an overall

[1] focus on everything regarding the school,
 [2] costs, taxpayer's money and many things. This
 [3] is a big theme at that time because he wasn't
 [4] that familiar — that's my opinion.

[5] Q: Have you ever communicated with Alan about
 [6] Creationism?

[7] A: Communicated in what respect?

[8] Q: Have you ever spoken with Alan about
 [9] Creationism?

[10] A: We have spoken many things regarding many
 [11] subjects. Over a period of years, I would
 [12] probably make the assumption I probably did.
 [13] But specifically knowing what we talked about,
 [14] I can't really give you it verbatim.

[15] Q: You can't recall the specifics of any
 [16] conversations with Alan about Creationism?

[17] A: No. Because so many times when you talk to a
 [18] son or a child — or not a child, a man — I
 [19] mean I don't see him terribly often. We
 [20] communicate about a lot of things.

[21] In general conversations, it's always
 [22] many, many different issues. Because of father
 [23] and son, we have a lot in common in the
 [24] business world and so forth. I can't
 [25] specifically give you examples.

[1] Q: Have you ever communicated with Alan about
 [2] Intelligent Design?

[3] A: I really don't think so specifically about
 [4] Intelligent Design because I was very familiar
 [5] with Intelligent Design because I attended some
 [6] of the sessions that they were discussing.

[7] Q: Which sessions do you mean?

[8] A: The School Board. I go when I am not a
 [9] Township Supervisor. I have one meeting a
 [10] month that I don't go to, and I usually try to
 [11] attend the School Board.

[12] Q: You have attended School Board sessions where
 [13] Intelligent Design was discussed?

[14] A: Yes.

[15] Q: Do you remember the dates even approximately of
 [16] those sessions?

[17] A: It has probably been the last two months
 [18] sometime. I don't know. I don't really recall
 [19] what the dates would have been.

[20] Q: Do you recall any of the content of the
 [21] discussion of Intelligent Design?

[22] A: I remember that we had a particular resident at
 [23] that time that was very adamant about it, and
 [24] there was a lot of discussion within the room
 [25] with different people.

[1] Q: What was said during that discussion?

[2] A: Like all — like anything else, everybody has
 [3] their own idea regarding the issue and so
 [4] forth. And being specific other than that
 [5] particular individual, a person by the name of
 [6] Barrie Callahan, she was very adamant and very
 [7] confrontational with the Board regarding the
 [8] issue as I recall.

[9] Q: What was Barrie Callahan's position on
 [10] Intelligent Design to your recollection?

[11] A: Well, my recollection is the fact obviously she
 [12] disagreed with the introduction of it as I
 [13] recall.

[14] Q: What do you mean by the introduction of
 [15] Intelligent Design?

[16] A: Meaning that the Board had the Intelligent
 [17] Design, and they were talking about it openly
 [18] with the people because there were questions
 [19] regarding it from many of the folks that were
 [20] there.

[21] She was very, very — I mean the conduct
 [22] and so forth was just — she used to be on the
 [23] School Board. Then she was — she did not win
 [24] reelection. And she has become quite
 [25] confrontational with the issue regarding

[1] basically anything regarding the school.

[2] **Q:** Do you recall if the School Board meetings you
[3] have attended where Intelligent Design was
[4] discussed were after October 18th, 2004 or
[5] before?

[6] **A:** I'm sorry, sir. I don't recall dates. I would
[7] speculate, and I can't do that.

[8] **Q:** If it would refresh your recollection October
[9] 18th, 2004 was the date that the resolution
[10] introducing Intelligent Design into the
[11] curriculum was passed?

[12] **A:** If you say so, I'll believe that.

[13] **Q:** Given that, do you remember if the Board
[14] meetings you have attended where Intelligent
[15] Design was discussed were before or after
[16] October 18, 2004?

[17] **A:** I honestly can't tell you one way or the other.
[18] I don't recall. Dates are really immaterial to
[19] me when I go to meetings like that.

[20] **Q:** Have you ever discussed the place of religion
[21] in schools with Alan?

[22] **A:** I am sorry?

[23] **Q:** Have you ever discussed the place of religion
[24] in schools with Alan?

[25] **A:** The place?

[1] **Q:** Have you ever discussed the proper role of
[2] religion in schools with Alan?

[3] **A:** Specifically in generalities, I don't recall.
[4] Like I said, I have a lot of conversation with
[5] family members and outside people. I have a
[6] dialogue going with a lot of people due to the
[7] fact of my position.

[8] Just the other night, we had over a
[9] hundred some people there at a meeting. This
[10] is on the Township Supervisor position I carry.

[11] **Q:** When you said because of your position, you
[12] were referring to the Township Supervisor
[13] position?

[14] **A:** I am sorry?

[15] **Q:** In response to a previous question, you said
[16] because of your position.

[17] **A:** People many times will approach me, especially
[18] on subjects regarding the Township and so forth
[19] if they see me out.

[20] **Q:** Your position then is Township Supervisor?

[21] **A:** I am presently serving my sixth year, sixth
[22] year on a term of six years. I am presently
[23] serving my last year before reelection which is
[24] coming up in the primary in May.

[25] **Q:** In general, do you recall any of the content of

[1] discussions you might have had with Alan about
[2] the proper place of religion in schools?

[3] **A:** Are you asking for my personal on this? Are
[4] you asking for a general response?

[5] **Q:** I am asking if you personally recall any of the
[6] general content of your discussions with Alan
[7] about the place of religion in schools?

[8] **A:** As far as my personal, I will use my personal
[9] self. And that is I personally feel that if
[10] the law states that subjects or particular
[11] issues are going to be taught, that's the way
[12] it is. I have no problem with that.

[13] Because if a particular curriculum is
[14] there and it is mandated by the state or the
[15] federal government, so be it. That is the law,
[16] and that is what we adhere to. I don't
[17] encourage anybody dissecting that or bypassing
[18] that.

[19] **Q:** Have you ever discussed the views you just
[20] expressed with Alan?

[21] **A:** Specifically, no. In generalities, perhaps.
[22] Again, these are topics that I hear at the
[23] Boards when I go. And very rarely do I bring
[24] them home to roost because he has got — you
[25] know, he has got some responsibility. And I

[1] don't add to that responsibility. Being the
[2] father, I don't take that privilege.

[3] **Q:** In generalities, what was the content of your
[4] discussion with Alan on these matters?

[5] **A:** That's like I was saying, what did I discuss
[6] with him. As far as generalities is concerned,
[7] I believe if I was again trying to recall —
[8] and I don't recall verbatim what we discussed.
[9] I'm certain that my son is pretty well in focus
[10] with my beliefs. And that doesn't mean we
[11] always coincide. We don't always agree.

[12] In this case, he is a law-abiding man, and
[13] he will adhere to the rules of the school, as
[14] well as the state and the government because
[15] his position is that. His position, I'm sure
[16] he takes very seriously.

[17] (Plaintiffs Exhibit 32 was marked.)

[18] **BY MR. FARBER:**

[19] **Q:** I would like to introduce Plaintiffs Exhibit
[20] 32. Don, do you recognize this document?

[21] **A:** I recognize — I remember specific more about
[22] the fact of what Dr. Nilsen said. I saw this
[23] document. I really didn't study it in detail
[24] other than the fact that at the end of it, Dr.
[25] Nilsen is speaking.

[1] The Doctor has directed the teachers will
[2] teach Intelligent Design. I am only repeating
[3] a few of the sentences. That is all. It is
[4] not necessary.

[5] Q: Do you see at the top of the document the title
[6] Dover Area Boards of Directors Biology
[7] Curriculum Press Release?

[8] A: Yes. I understand that.

[9] Q: Did I read that correctly?

[10] A: It appears you did. Biology Curriculum Press
[11] Release, yes.

[12] Q: Do you see the first indented paragraph:
[13] Students will be made aware of gaps/problems in
[14] Darwin's Theory and of other theories of
[15] evolution including, but not limited to,
[16] Intelligent Design. The Origins of Life is not
[17] taught.

[18] A: Yes, I see it.

[19] Q: Do you recognize that language?

[20] A: I recognize it in the sense that I am just
[21] refreshing myself. If I would have been asked
[22] to quote what is here, I probably wouldn't have
[23] been able to due to the fact that it has been
[24] some time since I have seen the document.

[25] What is your specific question?

[1] Q: Do you recognize this language as the text of
[2] an October 18th, 2004 resolution passed by the
[3] School Board?

[4] A: Students will be made aware of gaps/problems in
[5] Darwin's Theory and other theories of evolution
[6] including, but not limited, to Intelligent
[7] Design. The Origins of Life is not taught. I
[8] recognize that.

[9] Q: Do you recognize it as the text of a resolution
[10] passed by the Dover School Board?

[11] A: Be specific. What am I looking for?

[12] Q: The first indented paragraph on the first page
[13] that you just read.

[14] A: Okay.

[15] MR. GILLEN: Can we take a break, Joe?

[16] MR. FARBER: Sure.

[17] MR. GILLEN: I am not sure he understands.

[18] (A recess was taken.)

[19] AFTER RECESS
[20] BY MR. FARBER:

[21] Q: Don, again if I could direct your attention to
[22] the first indented paragraph on Plaintiffs
[23] Exhibit 32 which reads students will be made
[24] aware of gaps/problems in Darwin's Theory and
[25] of other theories of evolution included, but

[1] not limited to, Intelligent Design. The

[2] Origins of Life is not taught.

[3] Do you recognize that passage as the text
[4] of a School Board resolution that was passed?

[5] A: I did not participate in this document or any
[6] parts of it. Okay? So recognizing portions of
[7] it or all of it really, I honestly cannot tell
[8] you that I am familiar with it to be able to
[9] discuss it.

[10] Q: Do you remember the School Board ever passing a
[11] resolution related to Intelligent Design?

[12] A: I don't recall. And I don't recall anything
[13] pertaining to that because again, I go to Board
[14] meetings, but there are many times it is only
[15] in and out. So I cannot tell you anything
[16] other than that.

[17] Q: Sitting here today, are you aware that the
[18] School Board passed a resolution relating to
[19] Intelligent Design?

[20] A: According to what you are saying, apparently it
[21] was true. I don't know or I don't recall.

[22] Q: Did you learn that the School Board passed that
[23] resolution by reading Plaintiffs Exhibit 32, or
[24] did you know that they passed the resolution
[25] some time before reading Plaintiffs Exhibit 32?

[1] A: Again, I don't recall specific times or dates
[2] regarding this issue, no.

[3] Q: I am not asking for a specific time or date.
[4] Before today, were you aware that the School
[5] Board passed a resolution relating to
[6] Intelligent Design at any time?

[7] A: I don't recall.

[8] Q: Did you ever discuss with Alan a potential
[9] School Board resolution related to Intelligent
[10] Design?

[11] A: Not to my knowledge.

[12] Q: Did you ever discuss a School Board resolution
[13] related to Intelligent Design with anyone other
[14] than Alan?

[15] A: Not that I recall.

[16] Q: Have you ever discussed with Alan potential
[17] changes to the high school biology curriculum?

[18] A: No. Not that I recall.

[19] Q: Have you ever discussed with Alan the high
[20] school curriculum in any respect?

[21] A: No. I would say no. Just simply no.

[22] Q: Have you ever discussed the high school
[23] curriculum with any current or former members
[24] of the School Board?

[25] A: If I did, I don't recall the specifics of it.

[1] Q: Have you ever discussed the high school
[2] curriculum with William Buckingham?

[3] A: No.

[4] Q: With Sheila Harkins?

[5] A: I don't recall if I did.

[6] Q: With Angie Zeigler-Yingling?

[7] A: No.

[8] Q: With Jane Cleaver?

[9] A: No.

[10] Q: With Heather Geesey?

[11] A: No.

[12] Q: With Noel Wenrich?

[13] A: Again, the no is premised on the fact of my
[14] memory.

[15] Q: I understand.

[16] A: Okay.

[17] Q: With Jeff or Carol Brown?

[18] A: Again, I would simply have to say if I did, it
[19] is not a recollection that I can bring and
[20] focus on.

[21] Q: Have you ever discussed selection of high
[22] school biology textbooks with Alan?

[23] A: I am sorry?

[24] Q: Have you ever discussed the selection of high
[25] school biology textbooks with Alan?

[1] perhaps have a chance to evaluate it if they
[2] want to.

[3] Q: Do you know if Alan supported the School Board
[4] resolution relating to Intelligent Design?

[5] A: I would have to make that assumption, but I
[6] don't know specifically anything regarding his
[7] thoughts on it other than the fact that the
[8] record will speak for itself.

[9] Q: Do you know why he supported the resolution?

[10] A: Why he supported it? I guess because obviously
[11] the Board, I guess, were interested in
[12] presenting it. I don't know. I wasn't privy

[13] to it. I am not privy to their personal
[14] meetings, their personnel meetings and whatever
[15] they may have discussed behind closed doors.

[16] Q: If I could direct your attention to the fourth
[17] paragraph on Plaintiffs Exhibit 32, the Biology
[18] Curriculum Press Release, could you take a
[19] moment to read that paragraph please? It
[20] begins the District also received.

[21] A: I have it. Thank you. (Witness complies.)
[22] Fine. Question?

[23] MR. FARBER: Pat, could we stipulate that
[24] Of Pandas and People in that paragraph refers
[25] to the book Of Pandas and People, The Central

[1] A: No.

[2] Q: Have you ever discussed the selection of high
[3] school biology textbooks with anyone other than
[4] Alan?

[5] A: Not specific, no.

[6] Q: Have you ever discussed the selection of high
[7] school biology texts with any current or former
[8] School Board members?

[9] A: If I did, I don't recall the particulars about
[10] it.

[11] Q: Do you recall if you supported the School Board
[12] resolution regarding Intelligent Design before
[13] or at the time of its passage?

[14] A: In what respect?

[15] Q: Did you think it was a good idea?

[16] A: Well, as far as my personal opinion on it, as
[17] far as putting this and making it available in
[18] the context that it is, I saw nothing wrong
[19] with that.

[20] Q: When you say making this available, what are
[21] you referring to?

[22] A: In the sense of the Intelligent Design. As far
[23] as giving it to where the students — perhaps I
[24] think it was going to be put into the library
[25] or something, whatever, so that they could

[1] Question of Biological Origins?

[2] MR. GILLEN: Most certainly.

[3] MR. FARBER: Published by The Foundation
[4] For Thoughts and Ethics?

[5] MR. GILLEN: So far as I know. I agree
[6] that certainly that reference there is to the
[7] text that you described at the outset of the
[8] deposition.

[9] MR. FARBER: Thanks.

[10] MR. GILLEN: You are welcome.

[11] BY MR. FARBER:

[12] Q: Don, what do you know about the book Of Pandas
[13] and People?

[14] A: I personally have never read it so I really am
[15] not an expert on it.

[16] Q: How did you learn of the book Of Pandas and
[17] People?

[18] A: Well, obviously through conversation that you
[19] hear when you attend the meetings.

[20] Q: Which meetings do you mean?

[21] A: Whenever I attended some of the School Board
[22] meetings, you would hear the word Pandas and
[23] Intelligent Design, whatever.

[24] Q: You first heard of the book Of Pandas and
[25] People at a public meeting of the School Board?

[1] A: To the best of my knowledge, I would say that
 [2] is probably true because I don't recall exactly
 [3] when I did hear it or the time or the date. It
 [4] wasn't something that was of terrible
 [5] importance to me at that time.

[6] Q: Who first mentioned the book Of Pandas and
 [7] People?

[8] A: I don't recall. It was part of the whole
 [9] conversations that you hear when you are there.
 [10] It has been brought up I am sure several times.
 [11] I don't recall when.

[12] Q: The first time you heard Pandas mentioned, was
 [13] it mentioned by a School Board member?

[14] A: I don't recall.

[15] Q: Have you ever discussed Pandas with Alan?

[16] A: Not that I can recall.

[17] Q: Did you donate copies of Pandas to the high
 [18] school?

[19] A: Excuse me. Intelligent Design?

[20] MR. GILLEN: He is referring to the text
 [21] Of Pandas.

[22] A: Okay.

[23] BY MR. FARBER:

[24] Q: Did you donate copies of Pandas to the high
 [25] school?

[1] A: Let us have a moment, will you please? Just a
 [2] two minute break.

[3] MR. FARBER: Sure.

[4] MR. GILLEN: Sure.

[5] (A recess was taken.)

[6] AFTER RECESS

[7] A: I am sorry.

[8] BY MR. FARBER:

[9] Q: Don, I will represent to you that Of Pandas and
 [10] People is a book about Intelligent Design.

[11] A: Fine.

[12] Q: Did you donate Pandas to the high school?

[13] A: Yes.

[14] Q: Why did you do that?

[15] A: The event that occurred during the one
 [16] particular meeting, again, we are going back to
 [17] Barrie Callahan who was an ex Board meeting.
 [18] Barrie Callahan served on the Board.

[19] When they mentioned this in the meeting,
 [20] right away she came forward and said this is
 [21] going to cost the school system money. And she
 [22] was very much concerned about the materialistic
 [23] part of this from the sense of dollars.

[24] And after hearing that, and she always
 [25] made — she always makes very big issues about

[1] anything that she can possibly make issues
 [2] from. I don't know her motivation other than
 [3] the fact I heard it.

[4] And I said well, after that, I said to my
 [5] son, I said your mother and I will buy the
 [6] books. That's fine. We will take that off the
 [7] table.

[8] Because this is not the first time I
 [9] helped the school system. When I was on School
 [10] Board, I donated other things to the school. I
 [11] was happy to do this for the school because I
 [12] think it is important that the community helps
 [13] them wherever possible.

[14] Q: What other things have you donated when you
 [15] were on the School Board?

[16] A: When I was a School Board member, I donated a
 [17] large truckload of lumber that I brought to
 [18] them and said here is a gift for your shop.
 [19] And they unloaded it.

[20] I have a large trailer that I pulled in
 [21] with my truck. I just took it over to the
 [22] shop. And without any fanfare, they unloaded
 [23] it and said thanks, Don, and went on.

[24] Q: Have you donated anything else?

[25] A: I attempted one time to donate seven — I

[1] purchased from a distributor seven handicap
 [2] water coolers, the handicap style, which are
 [3] fairly expensive because it fits against the
 [4] wall in such a way that the handicapped in
 [5] their wheelchairs can use it.

[6] I attempted to do that. I spent about
 [7] twelve hours at one particular location waiting
 [8] for these handicaps to come up, and I purchased
 [9] them for \$125.00. And they are worth about
 [10] \$700.00 apiece, and they were brand new.

[11] This was a warehouse where a man was going
 [12] out — a bankruptcy sale, but it was all new
 [13] merchandise, stainless steel. I took the
 [14] \$125.00 slip into the school system, and said I
 [15] got you a treat.

[16] Except at this particular time since I
 [17] spent so much time, the only thing I wanted
 [18] reimbursed for was the \$125.00, and I had the
 [19] slip that I paid for. They refused it. I
 [20] don't know.

[21] Larry Reeser then was, of course — he was
 [22] the head of grounds. He looked at them and
 [23] identified them as what I said they would be.
 [24] And I said, well, okay. So obviously they went
 [25] out — and I guess that was the previous School

[1] Board that I was on. They went out and spent
 [2] apparently \$4200.00 worth of — I don't know.
 [3] I don't know that mentality. I can't
 [4] understand it. I had this canceled check and
 [5] everything else to prove my purchase.

[6] **Q:** Have you ever donated anything else to the
 [7] School District?

[8] **A:** I donated a lot of time helping wherever I
 [9] could and so forth. Mostly being a School
 [10] Board member, your time is a major thing that
 [11] you have to contribute to it. Not have to, but
 [12] should and do. That is the nature of the
 [13] School Board position.

[14] **Q:** Did you donate the books by yourself or with
 [15] others?

[16] **A:** No. We paid for the books ourselves, but there
 [17] was one other donation.

[18] **Q:** Who did that donation come from?

[19] **A:** Mr. Buckingham, meaning a donation in the sense
 [20] that it came to us.

[21] **Q:** Did Mr. Buckingham contribute money towards
 [22] paying for the books?

[23] **A:** I have no idea, sir. The only thing I know is
 [24] he gave us money towards the purchase of the
 [25] books. I don't know where the money originated

[1] from, if it was his personally or not. I
 [2] didn't ask him.

[3] **Q:** But Mr. Buckingham gave you money towards the
 [4] purchase of Pandas?

[5] **A:** Yes. He gave us a check.

[6] **Q:** How did you divide payment for Pandas between
 [7] yourself and Mr. Buckingham?

[8] **A:** I just simply made up the difference. And
 [9] obviously, I think you have it probably, the
 [10] receipt for what I paid.

[11] **Q:** I'm not sure I do. Do you recall the price
 [12] that you paid for Pandas?

[13] **A:** Twelve hundred and some odd dollars I believe.
 [14] I think it was right around that. It was 60
 [15] books at something like 20 dollars apiece or 20
 [16] some dollars apiece.

[17] **Q:** Do you recall how much Mr. Buckingham
 [18] contributed towards the twelve hundred or so
 [19] dollars?

[20] **A:** In the seven hundred dollar range probably. I
 [21] don't recall exact number. I really don't
 [22] because it didn't matter to me because I was
 [23] going to do it anyway.

[24] **Q:** Did you ever discuss the donation of Pandas to
 [25] the high school with Mr. Buckingham?

[1] **A:** No. In the sense of — no. I volunteered to
 [2] do it. Obviously, the volunteer went out, and
 [3] somebody knew that I was going to be buying the
 [4] books and apparently gave me the check.

[5] I didn't discuss anything with him, where
 [6] the money came from or anything else.

[7] **Q:** How did you receive the check from
 [8] Mr. Buckingham?

[9] **A:** I'm not positive. It was either — I have a
 [10] lot of rental properties. Many times, our
 [11] folks drop checks off indiscriminately. Many
 [12] times, we usually use a wooden box on our front
 [13] porch. Normally, they just drop it into the
 [14] box.

[15] In this particular case, it was either in
 [16] the screen door or the box. I don't recall.

[17] **Q:** I apologize if I have asked this before, but
 [18] did you ever communicate in any way with Alan
 [19] about the donation of Pandas?

[20] **A:** Nothing specific as I remember other than the
 [21] fact I told him we would be interested in
 [22] purchasing the books.

[23] **Q:** When did you tell him that?

[24] **A:** At the time when Barrie Callahan came forward
 [25] and made such a loud statement regarding the

[1] school, and the school was going to be
 [2] responsible and so forth and so on.

[3] I wanted to take it. I just wanted then
 [4] to do it because this is the way my wife and I
 [5] are. If we can help in any way to ease the
 [6] burden of the taxpayers, we will do it.

[7] **Q:** Did you tell Alan at a School Board meeting —

[8] **A:** No.

[9] **Q:** — that you would donate Pandas?

[10] **A:** Not to my knowledge. I'm sure it would have
 [11] been probably either in a break or something
 [12] like that. I just mentioned to him that we
 [13] will take care of the books with no fanfare.
 [14] It wasn't something we announced.

[15] **Q:** What did he say in response to your offer to
 [16] take care of the books?

[17] **A:** That is up to you, dad, as I recall.

[18] **Q:** Anything else?

[19] **A:** Not that I recall.

[20] **Q:** Was Alan in favor of the introduction of Pandas
 [21] into the school?

[22] **A:** That is something that I can't respond to due
 [23] to the fact that I think this is something that
 [24] Alan personally would have to reply to.

[25] **Q:** Do you know if Alan was in favor of the

[1] introduction of the books, the Pandas books
 [2] into the school?
 [3] **A:** The same response. It is something that he
 [4] would have to respond to. I don't like to
 [5] quote somebody. That's all.
 [6] **Q:** I'm not asking for a quotation from Alan.
 [7] **A:** I understand.
 [8] **Q:** I am just asking if you know whether he was in
 [9] favor of the introduction of Pandas into the
 [10] school?
 [11] **A:** I really can't answer that because I am not
 [12] positive. I am not sure.
 [13] **Q:** Do you think he was in favor of the
 [14] introduction of Pandas into the high school?
 [15] **A:** Same response.
 [16] **Q:** How did Mr. Buckingham find out that you were
 [17] interested in donating copies of Pandas to the
 [18] high school?
 [19] **A:** I would have to make the assumption it was
 [20] known after I told my son I was interested in
 [21] doing it. How he acquired that information, I
 [22] don't know. I didn't go around telling
 [23] everybody about my donation. I don't do that.
 [24] **Q:** Did you tell anyone other than your son that
 [25] you were interested in donating copies of

[1] Pandas to the high school?
 [2] **A:** Obviously, I told my wife. We discussed it
 [3] before. She is totally aware of it. Like I
 [4] said again, I don't go around telling people my
 [5] donations to charity or to anything else.
 [6] **Q:** Is it fair to say that to your recollection you
 [7] didn't tell anyone about your interest in
 [8] donating Pandas to the high school in this
 [9] case?
 [10] **A:** Like I said, all I had to do was mention it to
 [11] my son. And obviously whatever he did with the
 [12] information, it was up to him.
 [13] But he had — obviously, they were aware
 [14] of it, meaning he was aware of it. I think at
 [15] that time, he was board President if I'm not
 [16] mistaken. Again, I did not make an
 [17] announcement about this.
 [18] **Q:** So you didn't speak to any other members about
 [19] your interest in donating Pandas to the high
 [20] school?
 [21] **A:** Not that I recall.
 [22] **Q:** To any School District employees?
 [23] **A:** Not that I recall.
 [24] **Q:** Who did you order Pandas from?
 [25] **A:** I am not sure. I would have to look at the

[1] document.
 [2] **Q:** I have a document that might help.
 [3] **A:** You have it there. I don't recall exactly who
 [4] it was from. We just simply called and gave
 [5] them a credit card number.
 [6] **MR. GILLEN:** Can we go off the record for
 [7] a second?
 [8] (An off-the-record discussion was had.)
 [9] (Plaintiffs Exhibit 33 was marked.)
 [10] **BY MR. FARBER:**
 [11] **Q:** Don, do you recognize Plaintiffs Exhibit 33
 [12] entitled "Home Science Catalog"?
 [13] **A:** I honestly don't recall ever seeing this.
 [14] **Q:** Have you ever seen —
 [15] **A:** This specific, I don't remember seeing it.
 [16] **Q:** Have you seen the second page?
 [17] **A:** Again, I will have to say the same thing. I
 [18] don't recall ever seeing it. Sorry.
 [19] **Q:** How did you find out — I am sorry. Did you
 [20] order Pandas or did someone else order the
 [21] book?
 [22] **A:** No, we ordered them as far as I know. We
 [23] called, and they said give us your credit card
 [24] I guess is the way it worked. And we ordered
 [25] the 60 books.

[1] Specifically who, when and so forth is
 [2] between my wife and I.
 [3] **Q:** Who did you call to order the books?
 [4] **A:** Whatever the ad — whomever, whatever that
 [5] document says. I don't recall specifics on it
 [6] without looking at the actual bill or whatever
 [7] we have.
 [8] **Q:** How did you find out who to call to order the
 [9] books?
 [10] **A:** Most likely somebody that was knowledgeable
 [11] about it. And it is conceivable it was my son,
 [12] but I don't recall the details of it because I
 [13] know she got the information from someplace.
 [14] We're just very much interested in helping.
 [15] **Q:** Did your wife find out who to order the books
 [16] from?
 [17] **A:** Between the two of us, one of us found out. I
 [18] don't recall which one because it was — it
 [19] really wasn't something that I was interested
 [20] in pursuing, you know, where do we get the
 [21] information, as long as we got it.
 [22] **Q:** Before you ordered the books, or your wife
 [23] ordered the books, did you know anything about
 [24] the book's publisher?
 [25] **A:** No. I had never — to the best of my

[1] knowledge, I never read the book or was party
[2] to the book as far as knowledge.

[3] Q: Do you now know anything about the book's
[4] publisher?

[5] A: Publisher?

[6] Q: Yes.

[7] A: No, I never pursued the publisher or anything
[8] pertaining to the publisher.

[9] Q: If it would refresh your recollection, I will
[10] represent to you that Pandas publisher is the
[11] Foundation for Thought and Ethics.

[12] A: Okay. I will take your word for it.

[13] Q: Do you know anything about the Foundation for
[14] Thought and Ethics?

[15] A: No, I am not familiar with it.

[16] Q: After the Pandas books were ordered, were they
[17] shipped to you personally?

[18] A: Yes, as far as I recall. I don't know in what
[19] vehicle they came or how they were delivered.
[20] They were delivered I know.

[21] Q: Did they arrive at your house?

[22] A: As far as I know they did, yes.

[23] Q: What did you do with the books after they
[24] arrived?

[25] A: As far as I know, they were given to the Board.

[1] I don't remember who got them. We just made
[2] sure that they were available. I don't know
[3] the particulars of it.

[4] Q: Did someone come to pick the books up from your
[5] house?

[6] A: I don't know. I really don't know. I don't
[7] recall.

[8] Q: Would your wife know if someone came to pick
[9] the books up from your house?

[10] A: I have no idea. We really never — it was
[11] never entered into our conversation who is
[12] going to get the books and how and so forth.

[13] There was never a discussion between us
[14] other than ordering the books. And I
[15] sanctioned that, and obviously she agreed.

[16] Q: After the books were picked up, did they go
[17] first to the School Board or a School Board
[18] member?

[19] A: I really cannot say because I don't recall. I
[20] wasn't — I didn't deliver them myself. And
[21] again, these are things I am just simply

[22] frankly telling you the way it is. That's all.

[23] Q: Do you know if the books, the Pandas books ever
[24] arrived at the high school?

[25] A: I have no idea where the point of origin went.

[1] In other words, I don't know who they were
[2] delivered to. I don't recall.

[3] Q: So you don't know if the books are in the high
[4] school now?

[5] A: I really would make the assumption they are
[6] someplace between my place and the high school.
[7] Somebody got them, and I don't recall who did
[8] because I wasn't party to it.

[9] Q: Did you attend any School Board meetings in
[10] June of 2004?

[11] A: 2004, June? I really don't know, sir. I don't
[12] recall.

[13] (Plaintiffs Exhibit 34 was marked.)

[14] BY MR. FARBER:

[15] Q: I would like to introduce Plaintiffs Exhibit
[16] 34.

[17] Don, I will represent to you that these
[18] are copies of an article from the "York Daily
[19] Record" entitled Textbook Controversy Continues
[20] dated June 14, 2004, and an article from the
[21] "York Daily Record" entitled Book Is Focus of
[22] More Debate dated June 15, 2004.

[23] A: This is page 22. What page are you on? I am
[24] sorry. The dates?

[25] Q: If you remove the paper clip, you will see

[1] there are two separate stapled documents.

[2] A: Okay. Go ahead.

[3] Q: Do you see that one is entitled Textbook
[4] Controversy Continued?

[5] A: Yes.

[6] Q: And the other is entitled Book Is Focus of More
[7] Debate?

[8] A: Yes.

[9] Q: Do you recognize these documents?

[10] A: I really don't recognize them per se because I
[11] don't recall because there was so much in the
[12] newspapers that I would glance at a lot of it.
[13] I really didn't pay too much attention to it
[14] because there was always something. I don't
[15] have specific knowledge of when —

[16] MR. GILLEN: Joe, just for the record, and
[17] I know this is sort of covered by our
[18] stipulation, but to be entirely clear, I am
[19] going to have a hearsay objection to the
[20] newspaper reports and statements therein.

[21] MR. FARBER: Fair enough.

[22] MR. GILLEN: Good enough.

[23] BY MR. FARBER:

[24] Q: Do you read the "York Daily Record"?

[25] A: Read in the sense of occasionally, I will look

[1] at it. Usually, I only look at certain
[2] segments of it.

[3] Q: Do you have a subscription to the "York Daily
[4] Record"?

[5] A: Right now, they are giving us a year
[6] subscription for nothing. They volunteered to
[7] do that, and I said fine.

[8] Q: If I could direct your attention to the second
[9] paragraph of the article entitled Textbook
[10] Controversy Continues.

[11] A: The second paragraph, okay.

[12] Q: It says at last Monday's School Board meeting,
[13] Board member William Buckingham said as part of
[14] a search for a new biology book, he and others
[15] are looking for one that offers balance between
[16] Christian views of creation and Darwin's Theory
[17] of Evolution.

[18] Did I read that correctly?

[19] A: It appears that you have, yes.

[20] Q: Do you recall Mr. Buckingham ever making that
[21] statement?

[22] A: No, I do not. If he made it, I don't recall
[23] that he made it. Plus I had to be at the
[24] meeting, and I'm not sure if I was.

[25] Q: Did Mr. Buckingham ever say anything similar to

[1] that statement?

[2] A: Not to my knowledge.

[3] Q: Skipping down two paragraphs, does this
[4] paragraph read: "This country wasn't founded on
[5] Muslim beliefs or evolution," he said. "This
[6] country was founded on Christianity, and our
[7] students should be taught as such"?

[8] A: Does it read that?

[9] Q: Yes.

[10] A: Yes, of course.

[11] Q: Do you recall Mr. Buckingham ever making that
[12] statement?

[13] A: No, I don't recall that.

[14] Q: Do you recall Mr. Buckingham ever making a
[15] statement similar to that?

[16] A: Not to my knowledge.

[17] Q: Do you recall any School Board member making a
[18] statement similar to that?

[19] A: No, I don't, no. Not to the best of my
[20] knowledge.

[21] Q: Skipping to the article entitled Book Is Focus
[22] of More Debate.

[23] A: Okay. Go ahead.

[24] Q: Does the third paragraph state: Nowhere in the
[25] Constitution does it call for a separation of

[1] Church and state?

[2] A: Yes, that is what it says.

[3] Q: Do you recall Mr. Buckingham making a statement
[4] similar to that?

[5] A: No, I don't recall that.

[6] Q: Do you recall any School Board member making a
[7] statement similar to that?

[8] A: No, I don't recall anything like that being
[9] said. Just one quick thing. I had to be there
[10] probably. I did not necessarily attend every
[11] meeting.

[12] Q: I understand. Skipping to the sixth paragraph.

[13] A: I'm sorry. What is that?

[14] MR. GILLEN: Would you like us to take a
[15] moment or two, Joe?

[16] (The deposition was concluded 11:39 a.m.)

[17]
[18]
[19]
[20]
[21]
[22]
[23]
[24]
[25]

[1] COMMONWEALTH OF PENNSYLVANIA :

[2] COUNTY OF CUMBERLAND :

[3]

I, Vicki L. Fox, Reporter and Notary Public

[4] in and for the Commonwealth of Pennsylvania and

County of Cumberland, do hereby certify that

[5] the foregoing testimony was taken before me at

the time and place hereinbefore set forth, and

[6] that it is the testimony of:

[7]

DONALD BONSELL

[8]

[9] I further certify that said witness was by

me duly sworn to testify the whole and complete

[10] truth in said cause; that the testimony then

given was reported by me stenographically, and

[11] subsequently transcribed under my direction and

supervision; and that the foregoing is a full,

[12] true and correct transcript of my original

shorthand notes.

[13]

I further certify that I am not counsel for

[14] nor related to any of the parties to the

foregoing cause, nor employed by them or their

[15] attorneys, and am not interested in the subject

matter or outcome thereof.

[16]

Dated at Camp Hill, Pennsylvania, this 24th

[17] day of March, 2005.

[18]

[19]

[20] Vicki L. Fox

Reporter - Notary Public

[21]

[22]

(The foregoing certification does not apply to

[23] any reproduction of the same by any means

unless under the direct control and/or

[24] supervision of the certifying reporter.)

[25]

COMMONWEALTH OF PENNSYLVANIA :
 : ss.
COUNTY OF CUMBERLAND :

I, Vicki L. Fox, Reporter and Notary Public in and for the Commonwealth of Pennsylvania and the County of Cumberland, do hereby certify that the foregoing is the testimony of:

Donald Bonsell

I further certify that said witness was by me duly sworn to testify the whole and complete truth in said cause; that the testimony then given was reported by me stenographically, and subsequently transcribed under my direction and supervision; and that the foregoing is a full, true and correct transcript of my original shorthand notes.

I further certify that the transcript was submitted to the deponent either by counsel or through our office and was available to be reviewed after March 28, 2005 for a period of approximately 30 days. Included with the transcript was a certificate-correction form, instructions for reading and signing said form, and a stamped self-addressed envelope.

As of this date, the aforementioned certificate-correction form has not been returned to our office for inclusion with the original transcript.

Dated at Camp Hill, Pennsylvania this 28th
day of April, 2005.

Vicki L. Fox
Reporter - Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Vicki L. Fox, Notary Public
Camp Hill Boro. Cumberland County
My Commission Expires Apr. 1, 2008

Member, Pennsylvania Association Of Notaries

\$

\$125.00 34:9, 14, 18
 4200.00 35:2
 \$700.00 34:10

1

11:39 49:16
 14 45:20
 15 45:22
 17315 6:16
 18 19:16
 18th 19:4, 9; 24:2
 19 7:8
 1956 7:16
 1979 6:18, 22

2

20 36:15, 15
 2004 19:4, 9, 16; 24:2;
 45:10, 11, 20, 22
 22 45:23

3

32 22:17, 20; 24:23;
 25:23, 25; 29:17
 33 41:9, 11
 34 45:13, 16

5

5011 6:16

6

60 36:14; 41:25
 67 6:24

7

79 6:18

A

a.m 49:16
 able 23:23; 25:8
 According 25:20
 achieve 13:24
 acquired 39:21
 actual 42:6
 actually 8:10
 ad 42:4
 adamant 17:23; 18:6
 add 22:1
 address 6:15

adhere 21:16; 22:13
 advertised 14:24
 Again 11:9; 15:20; 21:22;
 22:7; 24:21; 25:13; 26:1;
 27:13, 18; 32:16; 40:4, 16;
 41:17; 44:21
 against 34:3
 ago 3:13; 10:2
 agree 22:11; 30:5
 agreed 44:15
 ah-huh 4:13
 ahead 6:25; 46:2; 48:23
 aid 5:3
 Alan 12:18, 21, 22, 24;
 14:8, 12, 19; 16:5, 8, 16;
 17:1; 19:21, 24; 20:2; 21:1,
 6, 20; 22:4; 26:8, 14, 16,
 19; 27:22, 25; 28:4; 29:3;
 31:15; 37:18; 38:7, 20, 24,
 25; 39:6
 Alan's 15:19, 22
 always 16:21; 22:11, 11;
 32:24, 25; 46:14
 Angie 27:6
 announced 38:14
 announcement 40:17
 answered 11:25
 apiece 34:10; 36:15, 16
 apologize 37:17
 apparently 25:20; 35:2;
 37:4
 appears 23:10; 47:19
 approach 20:17
 approximately 6:20;
 7:13, 24; 10:2; 14:13;
 17:15
 April 6:18
 Area 3:16, 17; 5:23, 24;
 7:6; 15:21; 23:6
 around 36:14; 39:22;
 40:4
 arrange 6:12
 arrive 43:21
 arrived 43:24; 44:24
 article 45:18, 20; 47:9;
 48:21
 assume 4:24; 5:10
 assumption 16:12; 29:5;
 39:19; 45:5
 attempted 33:25; 34:6
 attend 7:17; 17:11; 30:19;
 45:9; 49:10
 attended 7:18, 18; 8:2;
 17:5, 12; 19:3, 14; 30:21
 attention 24:21; 29:16;
 46:13; 47:8
 attorney 11:3
 available 9:1; 28:17, 20;
 44:2
 aware 9:5; 23:13; 24:4,
 24; 25:17; 26:4; 40:3, 13,
 14
 away 32:20

B

back 32:16
 background 4:5
 balance 47:15
 bankruptcy 34:12
 Barrie 18:6, 9; 32:17, 18;
 37:24
 basically 7:19; 10:10;
 15:3; 19:1
 become 9:5, 17; 18:24
 beginning 4:18
 begins 29:20
 behalf 3:23
 behind 29:15
 beliefs 22:10; 48:5
 best 31:1; 42:25; 48:19
 big 16:3; 32:25
 bill 42:6
 Biological 6:4, 8; 30:1
 Biology 23:6, 10; 26:17;
 27:22, 25; 28:3, 7; 29:17;
 47:14
 Board 3:17; 5:24, 25;
 12:25; 13:2, 10, 13, 15, 22,
 25; 14:11, 20; 15:1, 19, 23;
 17:8, 11, 12; 18:7, 16, 23;
 19:2, 13; 24:3, 10; 25:4,
 10, 13, 18, 22; 26:5, 9, 12,
 24; 28:8, 11; 29:3, 11;
 30:21, 25; 31:13; 32:17,
 18; 33:10, 15, 16; 35:1, 10,
 13; 38:7; 40:15; 43:25;
 44:17, 17; 45:9; 47:12, 13;
 48:17; 49:6
 Boards 21:23; 23:6
 BONSELL 3:8; 12:22
 book 6:3, 7; 29:25; 30:12,
 16, 24; 31:6; 32:10; 41:21;
 43:1, 2; 45:21; 46:6; 47:14;
 48:21
 book's 42:24; 43:3
 books 33:6; 35:14, 16,
 22, 25; 36:15; 37:4, 22;
 38:13, 16; 39:1, 1; 41:25;
 42:3, 9, 15, 22, 23; 43:16,
 23; 44:4, 9, 12, 14, 16, 23,
 23; 45:3
 bother 14:15
 bought 6:22
 boundaries 7:12
 box 37:12, 14, 16
 brand 34:10
 break 6:11; 24:15; 32:2;
 38:11
 bring 5:5; 21:23; 27:19
 brought 31:10; 33:17
 Brown 27:17
 Buckingham 27:2;
 35:19, 21; 36:3, 7, 17, 25;
 37:8; 39:16; 47:13, 20, 25;
 48:11, 14; 49:3
 burden 38:6
 business 16:24

buy 33:5
 buying 37:3
 bypassing 21:17

C

call 9:13; 42:3, 8; 48:25
 Callahan 18:6; 32:17, 18;
 37:24
 Callahan's 18:9
 called 3:8; 7:12; 10:9;
 41:4, 23
 came 32:20; 35:20; 37:6,
 24; 43:19; 44:8
 campaign 14:19, 23;
 15:19, 22
 can 4:16; 6:12; 9:12;
 13:14; 14:22; 24:15;
 27:19; 31:16; 33:1; 34:5;
 38:5; 41:6
 canceled 35:4
 capacity 3:19
 captioned 3:15
 card 41:5, 23
 care 38:13, 16
 Carol 27:17
 carry 20:10
 case 3:15, 21; 14:4;
 22:12; 37:15; 40:9
 Catalog 41:12
 Center 11:4
 Central 6:4, 8; 29:25
 certain 12:5; 22:9; 47:1
 certainly 30:2, 6
 certification 3:3
 chance 29:1
 changes 26:17
 charity 40:5
 check 15:15; 35:4; 36:5;
 37:4, 7
 checks 37:11
 child 16:18, 18
 children 13:16
 Christian 47:16
 Christianity 48:6
 Church 49:1
 City 7:11
 civic 13:17
 clear 46:18
 clearly 4:14
 Cleaver 27:8
 clip 45:25
 close 7:10
 closed 29:15
 coincide 22:11
 college 7:17, 18, 18, 19,
 25
 coming 11:16, 23; 12:8;
 13:4; 14:12; 20:24
 common 16:23
 communicate 16:20;
 37:18
 communicated 9:23;
 13:12; 16:5, 7; 17:1
 communications 11:20
 community 15:3, 4;
 33:12
 completed 8:3
 complies 29:21
 conceivable 42:11
 concentrate 9:3
 concentrating 8:25
 concerned 13:15; 22:6;
 32:22
 concluded 49:16
 conduct 18:21
 confidential 11:21
 confrontational 18:7, 25
 Constitution 48:25
 contact 9:24, 24; 10:1
 contacted 9:25
 content 17:20; 20:25;
 21:6; 22:3
 context 28:18
 Continued 46:4
 Continues 45:19; 47:10
 contribute 13:18; 35:11,
 21
 contributed 36:18
 Controversy 45:19;
 46:4; 47:10
 conversation 20:4;
 30:18; 44:11
 conversations 16:16,
 21; 31:9
 coolers 34:2
 copies 31:17, 24; 39:17,
 25; 45:18
 copy 15:7
 correctly 23:9; 47:18
 cost 32:21
 costs 16:2
 counsel 9:6; 10:14
 country 48:4, 6
 course 9:4; 34:21; 48:10
 court 3:22, 24; 4:10
 covered 46:17
 creation 47:16
 Creationism 16:6, 9, 16
 credit 41:5, 23
 current 26:23; 28:7
 currently 12:24
 curriculum 14:9; 15:18
 21; 19:11; 21:13; 23:7, 10
 26:17, 20, 23; 27:2; 29:1;
 cut 4:19

D

dad 38:17
 Daily 45:18, 21; 46:24;
 47:3
 Darwin's 23:14; 24:5, 2
 47:16

date 10:3; 19:9; 26:3; 31:3
dated 45:20, 22
dates 17:15, 19; 19:6, 18;
26:1; 45:24
daughter 7:2, 4
daughter-in-law 7:3
days 10:2
Debate 45:22; 46:7;
48:22
December 13:5
degree 8:4
deliver 44:20
delivered 43:19, 20; 45:2
deposed 3:18; 4:1;
10:11, 14
deposition 4:6; 5:22;
10:5; 11:12, 16; 12:9, 16,
19; 30:8; 49:16
described 30:7
Design 17:2, 4, 5, 13, 21;
18:10, 15, 17; 19:3, 10, 15;
23:2, 16; 24:7; 25:1, 11,
19; 26:6, 10, 13; 28:12, 22;
29:4; 30:23; 31:19; 32:10
detail 22:23
details 42:12
dialogue 20:6
difference 36:8
different 4:3; 16:22;
17:25
direct 24:21; 29:16; 47:8
directed 23:1
directly 8:11
Directors 3:17; 5:25;
23:6
disagreed 18:12
disclosed 11:22
discuss 10:16, 19; 14:8;
22:5; 25:9; 26:8, 12; 36:24;
37:5
discussed 13:21, 24;
17:13; 19:4, 15, 20, 23;
20:1; 21:19; 22:8; 26:16,
19, 22; 27:1, 21, 24; 28:2,
6; 29:15; 31:15; 40:2
discussing 17:6
discussion 17:21, 24;
18:1; 22:4; 41:8; 44:13
discussions 21:1, 6
dissecting 21:17
distributor 34:1
District 3:16, 17; 5:23,
24; 7:14; 29:20; 35:7;
40:22
divide 36:6
Doctor 23:1
document 11:18; 22:20,
23; 23:5, 24; 25:5; 41:1, 2;
42:5
documents 8:3; 11:15;
46:1, 9
dollar 36:20
dollars 32:23; 36:13, 15,
16, 19

Don 3:12; 22:20; 24:21;
30:12; 32:9; 33:23; 41:11;
45:17
DONALD 3:8
donate 31:17, 24; 32:12;
33:25; 35:14; 38:9
donated 33:10, 14, 16,
24; 35:6, 8
donating 39:17, 25; 40:8,
19
donation 35:17, 18, 19;
36:24; 37:19; 39:23
donations 40:5
door 37:16
doors 29:15
Dover 3:16, 17; 5:23, 24;
6:16, 17; 7:6, 14; 13:17;
15:21; 23:6; 24:10
down 48:3
Dr 22:22, 24
drop 37:11, 13
due 20:6; 23:23; 38:22
duly 3:9
during 18:1; 32:15
duties 4:2

E

ear 5:2
ease 38:5
effect 10:15
efforts 13:18
eight 6:20; 7:13
either 37:9, 15; 38:11
else 8:24; 10:16; 18:2;
33:24; 35:5, 6; 37:6; 38:18;
40:5; 41:20
employees 40:22
encourage 21:17
end 22:24
ending 13:3
enough 14:16; 46:21, 22
entered 44:11
entirely 46:18
entitled 11:21, 22; 41:12;
45:19, 21; 46:3, 6; 47:9;
48:21
especially 20:17
Ethics 30:4; 43:11, 14
evaluate 29:1
even 17:15
evening 12:10
event 32:15
events 12:13
everybody 18:2; 39:23
everyday 8:19
evolution 23:15; 24:5,
25; 47:17; 48:5
ex 32:17
exact 36:21
exactly 31:2; 41:3
examined 3:9

example 11:15
examples 16:25
except 3:5; 34:16
Excuse 5:1; 31:19
Exhibit 22:17, 19; 24:23;
25:23, 25; 29:17; 41:9, 11;
45:13, 15
exists 15:12
expect 4:7
expensive 34:3
expert 30:15
expressed 21:20

F

fabulous 7:5
fact 10:17; 11:13; 13:20;
14:2; 18:11; 20:7; 22:22,
24; 23:23; 27:13; 29:7;
33:3; 37:21; 38:23
fair 40:6; 46:21
fairly 34:3
familiar 16:4; 17:4; 25:8;
43:15
family 20:5
fanfare 33:22; 38:13
far 3:20; 4:1; 13:23;
14:14; 15:24; 21:8; 22:6;
28:16, 17, 22; 30:5; 41:22;
43:2, 18, 22, 25
FARBER 3:11, 12; 9:16;
11:1; 12:2, 7; 15:9, 16, 17;
22:18; 24:16, 20; 29:23;
30:3, 9, 11; 31:23; 32:3, 8;
41:10; 45:14; 46:21, 23
farm 6:22
father 16:22; 22:2
favor 38:20, 25; 39:9, 13
federal 8:17; 21:15
feel 6:11; 21:9
few 23:3
field 8:21, 24
fields 9:1
filing 3:4
find 39:16; 41:19; 42:8,
15
fine 4:21; 6:10, 13; 29:22;
32:11; 33:6; 47:7
firm 9:15
first 9:23; 10:18; 23:12;
24:12, 12, 22; 30:24; 31:6,
12; 33:8; 44:17
fits 34:3
focus 15:25; 16:1; 22:9;
27:20; 45:21; 46:6; 48:21
folks 18:19; 37:11
follows 3:10
form 3:5
former 26:23; 28:7
forth 16:24; 18:4, 22;
20:18; 35:9; 38:2; 42:1;
44:12
forward 32:20; 37:24

found 42:17
Foundation 30:3; 43:11,
13
founded 48:4, 6
four 13:4, 8; 14:11, 13
fourth 13:3; 29:16
Frankly 15:14; 44:22
free 6:12
front 37:12
full 4:18; 15:25
fully 4:22

G

gaps/problems 23:13;
24:4, 24
gave 35:24; 36:3, 5; 37:4;
41:4
Geesey 27:10
general 16:21; 20:25;
21:4, 6
generalities 20:3; 21:21;
22:3, 6
gift 33:18
Gillen 4:11; 9:9, 10, 12,
12, 14, 14; 10:23; 11:19;
12:4; 15:11; 24:15, 17;
30:2, 5, 10; 31:20; 32:4;
41:6; 46:16, 22; 49:14
Given 19:13; 43:25
giving 28:23; 47:5
glance 46:12
goal 13:23; 14:5
goals 13:21; 14:2, 6, 8
good 28:15; 46:22
government 21:15;
22:14
graduate 7:15, 25
graduated 7:7
grandchildren 7:4
grounds 34:22
group 14:2, 3
group's 15:3
Grove 6:16
guess 3:22; 5:19; 9:19;
29:10, 11; 34:25; 41:24

H

handicap 34:1, 2
handicapped 34:4
handicaps 34:8
happy 33:11
Harkins 27:4
Harmony 6:16
head 4:13; 34:22
hear 21:22; 30:19, 22;
31:3, 9
heard 30:24; 31:12; 33:3
hearing 5:3; 32:24
hearsay 46:19
Heather 27:10

help 4:14; 10:22; 15:2;
38:5; 41:2
helped 33:9
helpful 4:20
helping 35:8; 42:14
helps 33:12
hereby 3:2
High 5:24; 7:7, 12, 15;
14:9; 15:18, 21; 26:17, 19,
22; 27:1, 21, 24; 28:2, 6;
31:17, 24; 32:12; 36:25;
39:14, 18; 40:1, 8, 19;
44:24; 45:3, 6
home 6:15, 21; 12:10;
21:24; 41:12
honestly 19:17; 25:7;
41:13
hoped 13:24
hours 34:7
house 43:21; 44:5, 9
hundred 20:9; 36:13, 18,
20

I

idea 18:3; 28:15; 35:23;
44:10, 25
identified 34:23
identify 14:22
identifying 6:14
immaterial 19:18
importance 31:5
important 33:12
included 24:25
including 23:15; 24:6
indented 23:12; 24:12,
22
indicated 9:10
indiscriminately 37:11
individual 18:5
information 6:14; 39:21;
40:12; 42:13, 21
instructed 11:20
Intelligent 17:2, 4, 5, 13,
21; 18:10, 15, 16; 19:3, 10,
14; 23:2, 16; 24:6; 25:1,
11, 19; 26:6, 9, 13; 28:12,
22; 29:4; 30:23; 31:19;
32:10
interest 40:7, 19
interested 8:17; 29:11;
37:21; 39:17, 20, 25;
42:14, 19
into 19:10; 28:24; 34:14;
37:13; 38:21; 39:2, 9, 14;
44:11
introduce 22:19; 45:15
introducing 19:10
introduction 18:12, 14;
38:20; 39:1, 9, 14
issue 15:18, 22; 18:3,
25; 26:2
issues 16:22; 21:11;
32:25; 33:1

J

Jane 27:8
 Jeff 27:17
 job 7:21
 Joe 3:12; 9:12; 11:19, 21,
 22; 24:15; 46:16; 49:15
 June 45:10, 11, 20, 22

K

Kitzmiller 3:16
 knew 37:3
 knowing 16:13
 knowledge 8:14, 22;
 26:11; 31:1; 38:10; 43:1, 2;
 46:15; 48:2, 16, 20
 knowledgeable 42:10
 known 39:20

L

language 23:19; 24:1
 large 33:17, 20
 Larry 34:21
 last 12:10; 17:17; 20:23;
 47:12
 Law 11:4; 21:10, 15
 law-abiding 22:12
 lawyer 9:17
 learn 25:22; 30:16
 letting 5:7
 library 28:24
 life 8:25; 23:16; 24:7; 25:2
 likely 42:10
 limited 23:15; 24:6; 25:1
 listed 15:5
 lived 6:17
 location 34:7
 long 6:17; 13:2; 42:21
 look 11:17; 40:25; 46:25;
 47:1
 looked 34:22
 looking 24:11; 42:6;
 47:15
 lot 7:19; 8:15, 16, 19, 19;
 16:20, 23; 17:24; 20:4, 6;
 35:8; 37:10; 46:12
 loud 37:25
 lumber 33:17

M

major 15:2; 35:10
 makes 32:25
 making 28:17, 20; 47:20;
 48:11, 14, 17; 49:3, 6
 man 16:18; 22:12; 34:11
 mandated 21:14
 many 8:1, 1, 16, 18;

13:18; 15:5; 16:2, 10, 10,
 17, 22, 22; 18:19; 20:17;
 25:14; 37:10, 11

marked 22:17; 41:9;
 45:13
 married 7:1
 materialistic 32:22
 matter 36:22
 matters 22:4
 may 5:3; 11:19; 20:24;
 29:15
 mean 10:17; 16:19; 17:7;
 18:14, 21; 22:10; 30:20
 Meaning 18:16; 35:19;
 40:14
 medical 8:23; 9:1
 meet 12:8
 meeting 17:9; 20:9;
 30:25; 32:16, 17, 19; 38:7;
 47:12, 24; 49:11
 meetings 14:17; 19:2,
 14, 19; 25:14; 29:14, 14;
 30:19, 20, 22; 45:9
 member 13:15, 22, 25;
 31:13; 33:16; 35:10;
 44:18; 47:13; 48:17; 49:6
 members 20:5; 26:23;
 28:8; 40:18
 memory 11:10; 27:14
 mentality 35:3
 mention 40:10
 mentioned 31:6, 12, 13;
 32:19; 38:12
 merchandise 34:13
 met 3:12; 10:17; 12:15
 might 10:21; 21:1; 41:2
 miles 6:21; 7:13
 minded 13:17
 minute 5:1; 32:2
 mistaken 40:16
 moment 3:13; 29:19;
 32:1; 49:15
 Monday's 47:12
 money 16:2; 32:21;
 35:21, 24, 25; 36:3; 37:6
 month 17:10
 months 17:17
 more 8:23; 11:4; 22:21;
 45:22; 46:6; 48:22
 most 7:19; 30:2; 42:10
 Mostly 35:9
 mother 33:5
 motivation 33:2
 move 6:19
 moved 6:18
 much 8:17; 13:14; 32:22;
 34:17; 36:17; 42:14;
 46:11, 13
 Muise 10:22; 11:2
 Muslim 48:5
 myself 23:21; 44:20

N

name 3:12; 9:15; 18:5
 nature 35:12
 necessarily 14:7; 49:10
 necessary 23:4
 need 6:11
 needed 7:20
 new 34:10, 12; 47:14
 newspaper 46:20
 newspapers 8:18; 46:12
 night 7:23; 20:8
 Nilsen 22:22, 25
 nine 14:2
 no's 11:9
 nods 4:12
 Noel 27:12
 Normally 37:13
 notification 9:18
 Nowhere 48:24
 number 36:21; 41:5

O

objection 46:19
 objections 3:4
 objectives 14:8
 Obviously 8:15; 12:23;
 13:14; 18:11; 29:10;
 30:18; 34:24; 36:9; 37:2;
 40:2, 11, 13; 44:15
 occasionally 46:25
 occasions 5:4
 occurred 32:15
 October 19:4, 8, 16; 24:2
 odd 36:13
 off 4:19; 7:24; 33:6; 37:11;
 41:6
 off-the-record 41:8
 offer 10:4; 38:15
 offers 47:15
 official 3:19; 4:2
 often 16:19
 old 6:23
 older 8:25; 9:4
 one 3:21, 21; 4:16; 5:1, 3;
 7:2; 11:17; 13:19; 14:1;
 17:9; 19:17; 32:15; 33:25;
 34:7; 35:17; 42:17, 18;
 46:3; 47:15; 49:9
 only 3:25; 4:16, 22; 5:19;
 23:2; 25:14; 34:17; 35:23;
 47:1
 openly 18:17
 opinion 16:4; 28:16
 orally 4:12
 order 40:24; 41:20, 20;
 42:3, 8, 15
 ordered 41:22, 24; 42:22,
 23; 43:16
 ordering 44:14

Origin 6:5, 8; 44:25
 originated 35:25
 Origins 23:16; 24:7; 25:2;
 30:1
 others 35:15; 47:14
 ourselves 35:16
 out 9:5; 14:24; 20:19;
 25:15; 34:12, 25; 35:1;
 37:2; 39:16; 41:19; 42:8,
 15, 17
 outer 7:11
 outset 30:7
 outside 20:5
 Over 16:11; 20:8; 33:21
 overall 15:25
 own 8:7; 14:17, 25; 18:3

P

PA 6:16
 page 24:12; 41:16; 45:23,
 23
 paid 34:19; 35:16; 36:10,
 12
 Pandas 6:3, 5, 7, 9;
 29:24, 25; 30:12, 16, 22,
 24; 31:6, 12, 15, 17, 21,
 24; 32:9, 12; 36:4, 6, 12,
 24; 37:19; 38:9, 20; 39:1,
 9, 14, 17; 40:1, 8, 19, 24;
 41:20; 43:10, 16; 44:23
 paper 45:25
 paragraph 23:12; 24:12,
 22; 29:17, 19, 24; 47:9, 11;
 48:4, 24; 49:12
 paragraphs 48:3
 part 31:8; 32:23; 47:13
 participate 25:5
 particular 8:13, 22;
 10:20; 17:22; 18:5; 21:10,
 13; 32:16; 34:7, 16; 37:15
 particulars 28:9; 44:3
 parties 3:3
 parts 25:6
 party 43:1; 45:8
 passage 25:3; 28:13
 passed 19:11; 24:2, 10;
 25:4, 18, 22, 24; 26:5
 passing 25:10
 Pat 9:12, 13, 14, 17;
 10:21; 12:8, 12, 16; 15:9;
 29:23
 pay 46:13
 paying 35:22
 payment 36:6
 People 6:4, 7; 7:5; 17:25;
 18:18; 20:5, 6, 9, 17;
 29:24, 25; 30:13, 17, 25;
 31:7; 32:10; 40:4
 per 8:4, 9; 46:10
 perhaps 21:21; 28:23;
 29:1
 period 16:11
 person 4:16; 10:18; 18:5

personal 8:8; 14:25;
 21:3, 8, 8; 28:16; 29:13
 personally 10:18; 14:11;
 21:5, 9; 30:14; 36:1; 38:24;
 43:17
 personnel 29:14
 pertaining 8:16; 25:13;
 43:8
 pick 44:4, 8
 picked 44:16
 place 19:20, 23, 25; 21:2,
 7; 45:6
 plaintiffs 3:15; 22:17, 19;
 24:22; 25:23, 25; 29:17;
 41:9, 11; 45:13, 15
 plate 14:16
 Please 4:22; 5:15, 18;
 6:6, 11; 15:16; 29:19; 32:1
 Plus 14:16; 47:23
 point 44:25
 porch 37:13
 portions 25:6
 position 14:19; 18:9;
 20:7, 10, 11, 13, 16, 20;
 22:15, 15; 35:13
 positions 4:3
 positive 37:9; 39:12
 possible 33:13
 possibly 33:1
 potential 26:8, 16
 predicate 14:1
 predicated 7:20; 11:9;
 15:1
 premised 27:13
 preparation 12:19
 prepare 11:11; 12:16
 presenting 29:12
 presently 20:21, 22
 President 40:15
 Press 23:7, 10; 29:18
 pretty 22:9
 previous 20:15; 34:25
 price 36:11
 primary 20:24
 prior 11:23; 13:6; 14:12,
 13
 privilege 22:2
 privy 29:12, 13
 probably 8:23; 16:12, 12
 17:17; 23:22; 31:2; 36:9,
 20; 38:11; 49:10
 problem 5:2; 21:12
 process 4:6
 produced 15:10, 13
 proper 20:1; 21:2
 properties 37:10
 proud 13:20
 prove 35:5
 public 30:25
 Published 30:3
 publisher 42:24; 43:4, 5
 7, 8, 10
 pulled 33:20

purchase 35:5, 24; 36:4
purchased 34:1, 8
purchasing 37:22
purposes 10:4, 7
pursued 43:7
pursuing 42:20
put 28:24
putting 28:17

Q

quick 49:9
quite 18:24
quotation 39:6
quote 23:22; 39:5

R

ran 13:12
range 36:20
rare 5:4
rarely 21:23
rarity 14:15
rather 9:15
read 8:15, 16, 19; 23:9;
24:13; 29:19; 30:14; 43:1;
46:24, 25; 47:18; 48:4, 8
reading 8:15, 20; 25:23,
25
readings 8:8
reads 24:23
really 8:7; 10:17; 11:14;
13:19, 20; 16:14; 17:3, 18;
19:18; 22:23; 25:7; 30:14;
36:21; 39:11; 42:19; 44:6,
10, 19; 45:5, 11; 46:10, 13
reason 8:12
reasoning 8:11
reasons 14:25
recall 10:3; 15:6; 16:15;
17:18, 20; 18:8, 13; 19:2,
6, 18; 20:3, 25; 21:5; 22:7,
8; 25:12, 12, 21; 26:1, 7,
15, 18, 25; 27:5; 28:9, 11;
31:2, 8, 11, 14, 16; 36:11,
17, 21; 37:16; 38:17, 19;
40:21, 23; 41:3, 13, 18;
42:5, 12, 18; 43:18; 44:7,
19; 45:2, 7, 12; 46:11;
47:20, 22; 48:11, 13, 14,
17; 49:3, 5, 6, 8
receipt 36:10
receive 37:7
received 29:20
recess 24:18, 19; 32:5, 6
recognize 22:20, 21;
23:19, 20; 24:1, 8, 9; 25:3;
41:11; 46:9, 10
recognizing 25:6
recollection 12:13;
18:10, 11; 19:8; 27:19;
40:6; 43:9
record 4:10, 14, 16; 9:9;

29:8; 41:6; 45:19, 21;
46:16, 24; 47:4
reelection 18:24; 20:23
Reeser 34:21
refer 5:22; 6:3, 7; 7:3
reference 30:6
referring 12:22; 20:12;
28:21; 31:20
refers 29:24
reflect 9:9
refresh 12:13; 19:8; 43:9
refreshing 23:21
refused 34:19
regarding 16:1, 10; 18:3,
7, 19, 25; 19:1; 20:18;
26:2; 28:12; 29:6; 37:25
reimbursed 34:18
related 14:9; 25:11; 26:9,
13
relating 25:18; 26:5; 29:4
relationship 10:24
relatively 7:10
Release 23:7, 11; 29:18
religion 19:20, 23; 20:2;
21:2, 7
remember 3:20, 20;
17:15, 22; 19:13; 22:21;
25:10; 37:20; 41:15; 44:1
remove 45:25
rental 37:10
repeat 5:4; 6:6
repeating 23:2
rephrase 5:16
reply 38:24
reporter 4:10, 14, 16
reports 46:20
represent 3:15; 9:19;
10:4, 13; 11:3; 32:9; 43:10;
45:17
represented 9:6
represents 9:8, 19, 20
request 9:18
requested 15:14
reserved 3:6
resident 17:22
resolution 19:9; 24:2, 9;
25:4, 11, 18, 23, 24; 26:5,
9, 12; 28:12; 29:4, 9
respect 16:7; 26:20;
28:14
respective 3:3
respond 38:22; 39:4
response 20:15; 21:4;
38:15; 39:3, 15
responsibility 21:25;
22:1
responsible 38:2
review 11:15
Richard 11:6
right 12:21; 13:3; 15:12;
32:20; 36:14; 47:5
Road 6:16
Robert 10:22; 11:2

role 20:1
Ron 11:8
room 17:24
roost 21:24
rules 22:13
run 13:10
running 14:25

S

sale 34:12
same 39:3, 15; 41:17
sanctioned 44:15
saw 22:22; 28:18
saying 4:13, 15; 22:5;
25:20
School 3:16, 17; 5:23, 23,
24, 25; 7:7, 13, 14, 15, 23;
8:10; 9:20; 12:25; 13:2, 10,
13, 15, 19, 22, 25; 14:9,
20; 15:1, 18, 19, 21, 22;
16:1; 17:8, 11, 12; 18:23;
19:1, 2; 22:13; 24:3, 10;
25:4, 10, 18, 22; 26:4, 9,
12, 17, 20, 22, 24; 27:1,
22, 25; 28:3, 7, 8, 11; 29:3;
30:21, 25; 31:13, 18, 25;
32:12, 21; 33:9, 9, 10, 11,
15, 16; 34:14, 25; 35:7, 9,
13; 36:25; 38:1, 1, 7, 21;
39:2, 10, 14, 18; 40:1, 8,
20, 22; 44:17, 17, 24; 45:4,
6, 9; 47:12; 48:17; 49:6
schools 7:6; 13:17;
19:21, 24; 20:2; 21:2, 7
science 8:21, 23; 41:12
scientific 8:5, 12, 13
screen 37:16
se 8:4, 9; 46:10
sealing 3:3
search 47:14
second 41:7, 16; 47:8, 11
seeing 41:13, 15, 18
segments 47:2
selection 27:21, 24; 28:2,
6
self 21:9
seminars 8:1
sense 8:7, 9; 9:22; 11:17;
23:20; 28:22; 32:23;
35:19; 37:1; 46:25
sentences 23:3
separate 46:1
separation 48:25
seriously 22:16
serve 12:24
served 13:2; 14:11; 32:18
service 15:4
serving 20:21, 23
sessions 17:6, 7, 12, 16
seven 33:25; 34:1; 36:20
several 31:10
shaking 4:13

sheet 14:24; 15:7, 10, 11,
13
sheets 8:2, 2
Sheila 27:4
Shiloh 6:20
shipped 43:17
shop 14:14; 33:18, 22
showed 12:12
similar 47:25; 48:15, 18;
49:4, 7
simply 26:21; 27:18;
36:8; 41:4; 44:21
Sitting 25:17
six 6:20; 20:22
sixth 20:21, 21; 49:12
Skipping 48:3, 21; 49:12
skirts 7:11
slip 34:14, 19
soft 5:5
sold 6:21
somebody 37:3; 39:5;
42:10; 45:7
someone 41:20; 44:4, 8
someplace 42:13; 45:6
sometime 17:18
sometimes 14:17
son 7:2, 6; 12:18, 24;
16:18, 23; 22:9; 33:5;
39:20, 24; 40:11; 42:11
sorry 6:24; 9:11, 14;
10:24; 19:6, 22; 20:14;
27:23; 32:7; 41:18, 19;
45:24; 49:13
sort 46:17
speak 29:8; 40:18
speaking 4:17; 22:25
specific 8:11; 18:4;
22:21; 23:25; 24:11; 26:1,
3; 28:5; 37:20; 41:15;
46:15
specifically 16:13, 25;
17:3; 20:3; 21:21; 29:6;
42:1
specifics 10:19; 16:15;
26:25; 42:5
speculate 5:19; 19:7
spent 34:6, 17; 35:1
spoke 9:23; 11:23
spoken 10:21; 11:2, 6, 8;
12:15, 18; 16:8, 10
stainless 34:13
stapled 46:1
start 8:24, 25
state 8:17; 21:14; 22:14;
48:24; 49:1
statement 37:25; 47:21;
48:1, 12, 15, 18; 49:3, 7
statements 46:20
states 21:10
steel 34:13
stipulate 29:23
stipulated 3:2
STIPULATION 3:1; 46:18

Students 23:13; 24:4, 23;
28:23; 48:7
study 22:23
style 34:2
subject 14:18
subjects 16:11; 20:18;
21:10
subscription 47:3, 6
succeed 7:21
successfully 8:3
sued 3:22
Supervisor 17:9; 20:10,
12, 20
supported 28:11; 29:3,
9, 10
Sure 3:14; 4:8; 5:8, 12,
14, 17; 6:2; 8:15; 11:11;
14:4, 5; 22:15; 24:16, 17;
31:10; 32:3, 4; 36:11;
38:10; 39:12; 40:25; 44:2;
47:24
swearing 4:1
sworn 3:9
system 9:20; 32:21; 33:9;
34:14

T

table 33:7
talk 16:17
talked 16:13
talking 14:14; 18:17
taught 21:11; 23:17;
24:7; 25:2; 48:7
taxpayer's 16:2
taxpayers 38:6
teach 23:2
teachers 23:1
Technically 13:4
telling 39:22; 40:4; 44:22
tempo 5:5
ten 7:23, 24; 10:2
tenant 3:21
tendency 9:4
term 10:11; 20:22
terms 13:6, 8
terrible 31:4
terribly 16:19
testified 3:9, 23, 24
Textbook 45:19; 46:3;
47:9
textbooks 27:22, 25;
28:3
texts 28:7
Thanks 30:9; 33:23
theme 15:4, 18, 22; 16:3
themes 14:22
theories 23:14; 24:5, 25
Theory 23:14; 24:5, 2
47:16
therein 46:20
thinking 9:15; 14:18

third 48:24
Thomas 11:4
Thompson 11:6
though 10:20
Thought 43:11, 14
thoughts 29:7; 30:4
three 8:18
Throughout 5:22
times 16:17; 20:17;
25:14; 26:1; 31:10; 37:10,
12
title 23:5
today 4:7; 9:6, 22; 25:17;
26:4
today's 11:12, 16; 12:9
together 14:4
told 37:21; 39:20; 40:2
took 33:21; 34:13
top 23:5
topics 21:22
totally 40:3
towards 35:21, 24; 36:3,
18
Township 4:4; 17:9;
20:10, 12, 18, 20
trailer 33:20
training 8:6, 9
treat 34:15
trial 3:6
truck 33:21
truckload 33:17
true 25:21; 31:2
truth 4:2
try 4:19; 17:10
trying 22:7
Turo 11:8
twelve 34:7; 36:13, 18
two 7:4; 13:16; 17:17;
32:2; 42:17; 46:1; 48:3;
49:15

U

understands 24:17
understood 4:24; 5:11
unloaded 33:19, 22
up 5:5; 20:24; 31:10; 34:8;
36:8; 38:17; 40:12; 44:4, 9,
16
update 14:17
use 21:8; 34:5; 37:12
used 18:22
usually 17:10; 37:12;
47:1

V

vehicle 43:19
verbatim 16:14; 22:8
views 21:19; 47:16
voice 5:4

volunteer 37:2
volunteered 37:1; 47:6
vs 3:16

W

waiting 34:7
waived 3:4
wall 34:4
wants 13:17
warehouse 34:11
water 34:2
way 9:22; 19:17; 21:11;
34:4; 37:18; 38:4, 5; 41:24;
44:22
wearing 5:2
week 10:2
welcome 30:10
Wenrich 27:12
West 7:7, 10, 12
what's 9:1, 5
wheelchairs 34:5
Whenever 30:21
wherever 33:13; 35:8
whole 14:3; 31:8
whomever 42:4
wife 9:3; 38:4; 40:2; 42:2,
15, 22; 44:8
William 27:2; 47:13
win 18:23
within 17:24
without 4:12; 33:22; 42:6
witness 3:8; 29:21
wooden 37:12
word 30:22; 43:12
words 45:1
work 7:19; 9:2; 14:4
worked 41:24
works 9:2
world 16:24
worth 34:9; 35:2
wrong 28:18

Y

year 13:3, 8; 20:21, 22,
23; 47:5
years 7:23, 24; 13:4;
14:12, 13; 16:11; 20:22
yesterday 10:18
York 7:7, 10, 10, 11, 12;
45:18, 21; 46:24; 47:3

Z

Zeigler-Yingling 27:6