

Page 69

1 A. Not within two days.  
2 Q. Okay.  
3 A. But I was contacting -- I remember contacting some  
4 people to look into that, and I think I went to the EEO. I'm  
5 not sure.  
6 Q. Okay. Did you --  
7 A. And --  
8 Q. Okay.  
9 A. And I don't -- I was instructed -- well, I don't  
10 know if it was someone in the EEO -- that I could appeal that.  
11 I had -- this case was -- this was appealable because it was  
12 not 30 days.  
13 Q. Well, let's back up. Now you went to EEO. Did you  
14 --  
15 A. Um-hum.  
16 Q. Did you respond to anybody in your chain of  
17 supervision at the Federal Protective Service concerning the  
18 first Record of Infraction, Exhibit Number 7?  
19 MS. HARDNETT: Objection, asked and answered. I'd  
20 also like to object -- we can step outside the room if you  
21 want to. I'd like to object to the fact that --  
22 MS. FIELDS: Okay. Ms. Hardnett, if he could just  
23 step outside.  
24 MS. HARDNETT: Well, I want the record to reflect  
25 that. Mr. Short, would you step outside the room, please, for

Page 70

1 a minute?  
2 WITNESS: Yeah.  
3 MS. FIELDS: Okay. You can step outside, please,  
4 sir. Thank you. Thank you.  
5 MS. HARDNETT: I'd like the record to reflect,  
6 number 1, that I'm objecting to this document, number 2, that  
7 on the document it says no statement at this time, that the  
8 first page of the document is the only -- the page that  
9 counsel has labeled number 1 is the only document that  
10 contains and the only page that contains Mr. Short's  
11 signature. The other documents do not contain Mr. Short's  
12 signature, and I will object to the use of all these documents  
13 for the record.  
14 I'd also like the record to reflect that on the  
15 fifth page of the document it says I, George A. Short. Mr.  
16 Short did not sign this. It says that it's requesting two  
17 days to respond and there's no signature on this page by Mr.  
18 Short. This is the page that counsel has labeled -- opposing  
19 counsel has labeled page number 5.  
20 MS. FIELDS: What was my pending question?  
21 REPORTER: I'm sorry?  
22 MS. FIELDS: What was my pending question, if you  
23 could?  
24 (OFF THE RECORD)  
25 (ON THE RECORD)

Page 71

1 BY MS. FIELDS:  
2 Q. All right, and you're still under oath, Mr. Short.  
3 A. Um-hum.  
4 Q. Did you discuss your testimony with anyone while you  
5 were out -- Mr. Short?  
6 A. No.  
7 Q. Okay. Now going to Defendant Exhibit Number 7, I  
8 think I had asked you whether or not after you got the Record  
9 of Infraction and after June 26th, 2002, prior to the time of  
10 your suspension, did you make any reply concerning this  
11 Exhibit 7, Record of Infraction, to anyone in the Federal  
12 Protective Service, not EEO?  
13 A. Okay. I think this has two days. Is this the one  
14 that had two days to it?  
15 Q. There was -- you can look at page -- take your time.  
16 A. The last page.  
17 Q. Take your time.  
18 A. If this is the one with two days, no, I didn't reply  
19 to that because the time had went -- yeah, yeah, yeah, that's  
20 the one.  
21 Q. So Number 7 you did not reply to, is that correct?  
22 A. No, no, no.  
23 Q. Okay. And --  
24 A. And the four days either. I don't think I replied  
25 to that one either because the time had expired.

Page 72

1 Q. And Defendant's Exhibit Number 8, you did not reply  
2 to --  
3 A. Right.  
4 Q. -- anybody within the Federal Protective Service  
5 concerning this Record of Infraction, is that correct?  
6 A. Because of the time, yeah.  
7 Q. Okay. Yes, you did not?  
8 A. Right.  
9 Q. Okay.  
10 REPORTER: Number 9.  
11 (Whereupon, the document that was referred to as Exhibit  
12 Number 9 was marked for identification.)  
13 BY MS. FIELDS:  
14 Q. Exhibit Number 9, if you would take a look at that,  
15 please, the first page. Do you recognize that document, the  
16 first page?  
17 A. Yes, uh-huh.  
18 Q. And what is this?  
19 A. It's a leave request.  
20 Q. And is this your leave request?  
21 A. Yes.  
22 Q. And the handwriting on it, do you recognize the  
23 handwriting?  
24 A. Yes.  
25 Q. Whose handwriting is on it?

1 A. It's mine.  
 2 Q. Okay. And the second page, do you recognize that  
 3 document?  
 4 A. Yes.  
 5 Q. Okay. What is that?  
 6 A. Wait a minute, wait a minute. No, I never seen this  
 7 before.  
 8 Q. You've never seen the second page?  
 9 A. No.  
 10 Q. But the first page you recognize?  
 11 A. Right.  
 12 Q. Okay. So the first page is a request for leave or  
 13 approved absence --  
 14 A. Right.  
 15 Q. -- and it's signed by you, is that correct?  
 16 A. Yes.  
 17 Q. And it's dated June the 17th, 2002?  
 18 A. Yes.  
 19 Q. Okay. And it's a request for leave on June the  
 20 29th, is that correct?  
 21 A. Yes.  
 22 Q. From 3 p.m. to 11 p.m.?  
 23 A. Yes.  
 24 Q. Is that your duty time, 3 p.m. to 11 p.m.?  
 25 A. Yes.

1 that you called into your office on June the 29th and  
 2 requested leave. Did that occur?  
 3 A. Yes.  
 4 Q. Okay. And the reason that you requested leave, it  
 5 indicates, was personal. It says you requested EA, leave  
 6 denied. Do you know what EA could be?  
 7 A. Emergency annual.  
 8 Q. Did you request emergency annual leave on the 29th?  
 9 Did you talk to Lieutenant Thomas on that day?  
 10 A. I'm not sure. No, I didn't talk to Lieutenant  
 11 Thomas, no.  
 12 Q. Who did you talk to?  
 13 A. I'm not sure who the person that took the -- this  
 14 should have been filled out by the person that took the call.  
 15 Q. The Report of Absence is normally filled out by the  
 16 person who took the call?  
 17 A. Yes.  
 18 Q. Okay. But you don't think it was Lieutenant --  
 19 A. No.  
 20 Q. Is this Lieutenant Art Thomas written down there?  
 21 A. Yes, uh-huh, yeah.  
 22 Q. But you don't think he was the person who took the  
 23 call?  
 24 A. No.  
 25 Q. Okay. What do you remember telling the person who

1 Q. And it says Remarks, wedding, family.  
 2 A. Yes.  
 3 Q. And so were you going to a wedding or were you  
 4 planning to go to a wedding?  
 5 A. Yes, uh-huh.  
 6 Q. Whose wedding?  
 7 A. It was a friend of my wife's.  
 8 Q. Who's that?  
 9 A. I don't know this person. It's a coworker of hers.  
 10 Q. Coworker of your wife?  
 11 A. I don't know them personally.  
 12 Q. You don't know the people personally?  
 13 A. No, no.  
 14 Q. Do you know their name?  
 15 A. I don't remember their name.  
 16 Q. Where was the wedding?  
 17 A. I think it was -- I'm not sure. It was supposed to  
 18 have been in Baltimore, I believe. I'm not sure.  
 19 Q. You have wedding, family. Why did you write family  
 20 there?  
 21 A. Well, when I put family on there, but they wasn't  
 22 family.  
 23 Q. Okay. Did you go to the wedding?  
 24 A. No.  
 25 Q. Now page 2, which you don't recognize, indicates

1 took the call?  
 2 A. I need the emergency annual.  
 3 Q. Did you tell them what it was for?  
 4 A. Yeah. Well, yes. When you get emergency annual,  
 5 you have to give --  
 6 Q. When you called in --  
 7 A. They don't have my --  
 8 Q. When they called in [sic], did you tell them why you  
 9 needed emergency annual leave? And what did you tell the  
 10 person?  
 11 A. I don't -- no -- yes.  
 12 Q. And what did you tell the person?  
 13 A. I'm trying to recall who was CDO at the time.  
 14 Q. I'm sorry. What's CEO mean?  
 15 A. CDO.  
 16 Q. What does CDO mean?  
 17 A. The person that's in charge of the office because we  
 18 had regular guys there and --  
 19 (OFF THE RECORD)  
 20 (ON THE RECORD)  
 21 WITNESS: I told him that I had to -- that I was  
 22 ill, and that I would be going to the doctor for the illness,  
 23 you know.  
 24 BY MS. FIELDS:  
 25 Q. On the 29th?