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IN THE COURT OF COMMON PLEAS
PHILADELPHIA COUNTY, PENNSYLVANIA

- - -

RACHEL RANDOLPH : MAY TERM, 2006
v. :
KHEPERA CHARTER SCHOOL : NO. 002850

COPY

- - -

November 16, 2006

- - -

Oral deposition of THEODORE G. ROBINSON, JR., taken pursuant to notice, was held at the law offices of REGER, RIZZO, KAVULICH & DARNALL, LLP, Cira Centre, 13th Floor, 2929 Arch Street, Philadelphia, Pennsylvania, commencing at 2:05 p.m., on the above date, before Tracey Cox, Professional Reporter and Notary Public.

- - -

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Theodore G. Robinson, Jr.

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APPEARANCES:

LAW OFFICES OF LEON WILLIAMS
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Representing the Plaintiffs

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Representing the Defendants

ALSO PRESENT: RACHEL RANDOLPH

Theodore G. Robinson, Jr.

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I N D E X
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Testimony of: THEODORE G. ROBINSON, JR.

By Mr. Williams 5

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E X H I B I T S
- - -

| NO. | DESCRIPTION | PAGE |
|------|-------------|------|
| None | | |

Theodore G. Robinson, Jr.

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DEPOSITION SUPPORT INDEX

Direction to Witness Not to Answer

Page Line Page Line Page Line

None

Request for Production of Documents

Page Line Page Line Page Line

None

Stipulations

Page Line Page Line Page Line

5 1

Question Marked

Page Line Page Line Page Line

None

Theodore G. Robinson, Jr.

1 (It is hereby stipulated
2 and agreed by and between counsel
3 that signing, sealing, filing and
4 certification are waived; and
5 that all objections, except as to
6 the form of questions, be
7 reserved until the time of
8 trial.)

9 - - -
10 THEODORE G. ROBINSON,
11 JR., after having been duly
12 sworn, was examined and testified
13 as follows:

14 - - -
15 EXAMINATION
16 - - -

17 BY MR. WILLIAMS:

18 Q. Okay. Good afternoon, Mr. Robinson.

19 A. Good afternoon.

20 Q. I'll just ask a few questions. First, I
21 want to ask you, do you have a position with the
22 Khepera Charter School at this time?

23 A. No. I haven't been at their meetings
24 for quite a while.

Theodore G. Robinson, Jr.

1 Q. As far as you know, are you still listed
2 as the treasurer of the school?

3 MR. FOSTER: Secretary.

4 BY MR. WILLIAMS:

5 Q. Secretary. I'm sorry. Secretary.

6 A. Not as far as I know. I was the
7 secretary, but then that job was given to some
8 consultants that were doing some consulting work
9 for the board, so --

10 Q. Do you remember the last time you were
11 secretary of the Khepera Charter School?

12 A. Oh, probably, at the end of last year.
13 I would say, just before the school ended, May or
14 April. Something like that.

15 Q. May or April --

16 A. Yeah.

17 Q. -- of '05?

18 MR. FOSTER: When you say last
19 year, do you mean last school
20 year or last calendar year?

21 THE WITNESS: Last school
22 year. Just before the summer.
23 May or April. I wasn't keeping
24 any -- no. As a matter of fact,

Theodore G. Robinson, Jr.

1 the president of the board was
2 doing that work.

3 BY MR. WILLIAMS:

4 Q. May or April of '05?

5 A. '06.

6 Q. '06?

7 A. He was doing that work.

8 Q. Now, are you aware that you are still
9 listed as treasurer -- secretary in the 2005-2006
10 annual report?

11 A. No.

12 Q. Did you do anything to officially
13 resign?

14 A. No.

15 Q. Did you tell anybody that you would no
16 longer be the secretary?

17 MR. FOSTER: Or trustee I think
18 is what he resigned from.

19 MR. WILLIAMS: Yes.

20 THE WITNESS: No, not
21 officially.

22 BY MR. WILLIAMS:

23 Q. Do you know Rachel Randolph?

24 A. No.

Theodore G. Robinson, Jr.

1 Q. Okay. Were you involved at all in any
2 board discussions or decision regarding the
3 termination of Rachel Randolph?

4 A. The only discussions I recall was
5 discussions pertaining to an executive assistant
6 position, and the position -- and that discussion
7 came from our president of the board, and his
8 comments were that that position was not
9 authorized.

10 Q. Okay. Did those discussions happen
11 during a board meeting?

12 A. Yes.

13 Q. The November 10th, 2004?

14 A. I would say -- I think so. I'm not --
15 you know, at this time, it's been a while.

16 Q. Okay. And to your knowledge, was there
17 any investigation to determine whether or not Ms.
18 Randolph was actually operating as executive
19 administrative assistant?

20 A. To my knowledge, I don't -- I don't
21 remember any specific investigation being
22 undertaken. I just remember some discussion by
23 the president of the board, the position was
24 existing, but it wasn't authorized, and it needed

Theodore G. Robinson, Jr.

1 to be eliminated.

2 Q. All right. Is it true that you
3 sponsored a resolution to terminate Rachel
4 Randolph --

5 A. No.

6 Q. -- the position of --

7 A. No, I didn't sponsor any resolution.

8 Q. You didn't?

9 A. No.

10 Q. Okay. Now, prior to November 10th,
11 2004, did you have -- okay. Take a look at that
12 document there.

13 MR. WILLIAMS: For the record,
14 that is P-2 of the Carnley
15 deposition.

16 BY MR. WILLIAMS:

17 Q. Did you sponsor that resolution -- those
18 are board minutes?

19 A. Right. My name is down here as
20 secretary, but I don't remember --

21 MR. FOSTER: Are you looking at
22 the right -- this is the motion
23 that he's referring to.

24 THE WITNESS: No, I don't

Theodore G. Robinson, Jr.

1 remember this. I don't remember
2 making that motion.

3 BY MR. WILLIAMS:

4 Q. Okay. That -- so would it be accurate
5 to say that you did not make the motion?

6 A. I'll say I don't remember making the
7 motion.

8 Q. You may have, but you just don't
9 remember?

10 A. I don't remember, yeah.

11 Q. Okay. So you said you don't remember
12 any discussion prior to November 10th, 2004
13 regarding the executive administrative position?

14 A. Not that I was a part of.

15 Q. Do you know whether or not anybody
16 invited Rachel Randolph to make comments about
17 this issue at the board meeting or any other
18 time?

19 A. I don't recall her being there at the
20 board meeting, and I don't remember any
21 discussion about her being invited there.

22 Q. Do you know if any board member,
23 yourself or anybody else, questioned Rachel
24 Randolph about this issue before the motion?

Theodore G. Robinson, Jr.

1 A. I can't speak of any other board member.
2 I know I didn't question her at all.

3 Q. Do you know whether or not you or any
4 board member questioned the former CEO about this
5 issue?

6 A. No. I know I didn't question anything
7 from the CEO.

8 Q. And the only information that you had
9 about this new position was what Mr. -- the
10 president, the chairman --

11 A. Yeah.

12 Q. -- told you?

13 A. That's correct.

14 Q. Okay. Was it -- did you think it was
15 coincidental that the former CEO, who is Ms.
16 Randolph's sister, was terminated around the same
17 time as she?

18 A. I don't know whether I gave it any
19 consideration, whether it was coincidental or
20 not. Matter of fact, I don't recall even knowing
21 that that was her sister at the time we had these
22 discussions.

23 Q. So in that -- the meeting of November
24 10th, 2004 regarding executive administrative

Theodore G. Robinson, Jr.

1 position, Carrie Bailey never came up, the issue
2 of Carrie Bailey never came up?

3 MR. FOSTER: At what --

4 MR. WILLIAMS: The
5 November 10th, 2004 meeting.

6 MR. FOSTER: In relation
7 to the termination of Rachel
8 Randolph or at any time during
9 the meeting?

10 MR. WILLIAMS: The first
11 question is, did it come up at
12 all during the meeting.

13 MR. FOSTER: Okay.

14 THE WITNESS: It was two
15 years ago. I don't remember.

16 BY MR. WILLIAMS:

17 Q. Okay. Now, as your position as
18 secretary, were you involved at all in preparing
19 or filing an annual report?

20 A. No.

21 Q. Did you read the 2005-2006 annual
22 reports or the 2004-2005 annual reports?

23 A. No.

24 Q. Do you have any information of whether

Theodore G. Robinson, Jr.

1 or not any -- any information was deliberately
2 left out of these reports?

3 A. No.

4 Q. Okay. Are you familiar with any rule
5 that requires the Khepera Charter School to
6 report to the School District of Philadelphia any
7 information on teachers who -- who were dismissed
8 who would be returning to the Philadelphia School
9 District, do you have any information on that at
10 all?

11 A. No. We never discussed that issue, that
12 rule, as I recall.

13 Q. Okay.

14 A. Primarily, all the day-to-day operations
15 were -- as a board member, I wasn't involved with
16 the daily operation of the school system.

17 Q. Okay. Do you know whether or not the
18 CEO is authorized to -- to give additional duties
19 to teachers that they weren't hired to do?

20 A. The only knowledge I would have of that
21 is if it was discussed at a board meeting. I
22 don't remember.

23 MR. FOSTER: I think the
24 question was, is it your

Theodore G. Robinson, Jr.

1 understanding that the CEO has
2 the authority to do that on her
3 own without consulting with the
4 board.

5 MR. WILLIAMS: Yes.

6 THE WITNESS: No, I don't
7 know whether that was within her
8 purview or not.

9 BY MR. WILLIAMS:

10 Q. You don't know if that was --

11 A. No, I do not.

12 Q. And you really don't know if the CEO
13 actually appointed Rachel Randolph as executive
14 administrative assistant, right?

15 A. No, I don't.

16 Q. Okay. Did you actually see the budget
17 of 2004-2005? Did you take a look at it?

18 A. Yeah. That budget was just at the
19 meeting, but I don't remember the details of it.

20 Q. Do you remember whether or not it said
21 anything about this executive administrative
22 assistant job?

23 A. Two years later, no.

24 MR. WILLIAMS: I may be done.

Theodore G. Robinson, Jr.

1 Let me have a minute. Okay?

2 MR. FOSTER: Sure.

3 (A recess occurred.)

4 BY MR. WILLIAMS:

5 Q. Just a few more questions, Mr. Robinson.

6 To your knowledge, was there any consideration

7 taken by board members of dealing with this issue

8 in another way? Like, say, for instance, instead

9 of terminating Rachel Randolph, was there any

10 alternative discussed, like, allowing her to go

11 back to the teaching position?

12 A. No, I don't remember that.

13 Q. You don't remember any discussion of any

14 alternative --

15 A. I don't remember a discussion at the

16 board meeting. I don't know whether it was

17 discussed or not. But I don't remember it

18 discussed in my presence.

19 Q. Do you remember whether or not, at this

20 board meeting on November 10th, 2004 -- the

21 contributions of Rachel Randolph to the school,

22 was that ever discussed?

23 A. It -- it could have been. I don't

24 remember. I don't recall discussing any

Theodore G. Robinson, Jr.

1 contributions.

2 Q. And you don't recall whether or not
3 those contributions were taken into account in
4 the decision?

5 A. No.

6 Q. Do you know Mr. Dean?

7 A. The name doesn't sound familiar. Who is
8 Mr. Dean?

9 Q. Somebody who apparently was hired as a
10 teacher to do the job -- reportedly, to do the
11 job that Rachel Randolph was hired to do.

12 A. Oh, really. No, I don't know Mr. Dean.
13 Like I said, there was a lot of -- how do you
14 call it -- organizational, operational activity
15 going on that I don't recall discussing every
16 hiring decision at the board. We would meet and
17 discuss who was hired, and that was it. But I
18 don't remember Mr. Dean.

19 MR. WILLIAMS: Okay. That's all
20 I have.

21 (Witness excused.)

22 (Deposition concluded at
23 approximately 2:40 p.m.)

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Theodore G. Robinson, Jr.

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CERTIFICATE

I HEREBY CERTIFY that the witness was duly sworn by me and that the deposition is a true record of the testimony given by the witness.

Tracey Cox, Professional Reporter
Notary Public
Dated December 1, 2006

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