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salary arbitration, which was roughly a month or two, and I was not consulting for anyone and I started a new job in March of 2011.

Q. And who did you go to work for in 2011?

A. Office of the Commissioner.

Q. Who hired you at the Office of the Commissioner?

A. I was hired -- I was hired by Rob Manfred and Joe Torre.

Q. What was your title?

A. Senior Vice President Baseball Operations.

Q. Who did you report to?

A. Joe Torre.

Q. How long did you stay in the position of Senior Vice President of Baseball Operations?

A. I carried that title through April of 2018.

Q. Did your title change?

A. Yes.

Q. Now what is it?

A. Senior Vice President of On-Field

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2 A. I met with counsel.

3 Q. When was that?

4 A. Within the last -- I met yesterday,
5 and two -- roughly two weeks ago.

6 Q. Starting in 2011 through the
7 present, who at the Office of the Commissioner
8 decides which umpires go to the World Series?

9 A. The process of World Series
10 selection happens through a meeting, a number of
11 meetings -- a meeting, usually a set meeting, in
12 2000 -- excuse me, I'm going to start 2011.

13 Q. Yes.

14 A. I think it's changed slightly over
15 time, but predominantly the process is the group
16 meets, the supervisors, directors, Joe Torre,
17 myself, other umpire department members discuss
18 the umpires in a meeting, multiple days usually.
19 Umpires are asked -- I mean supervisors are
20 asked usually previously to come up with their
21 umpires that they think is deserving of the post
22 season, that post season process. And then
23 there's phone calls after that, make sure
24 everyone is kind of on the same page, the
25 supervisors, the directors, myself, usually Joe

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2 Torre, and that sets your post season.

3 Those post season umpires that work
4 in the Division Series are usually the ones that
5 are -- have the opportunity to work in or are
6 eligible to work in the World Series. Those
7 World Series umpires are then discussed, those,
8 excuse me, those Division Series umpires are
9 then discussed with the group, supervisors,
10 directors, again, to see who the best and most
11 deserving of the World Series. I discuss it
12 with Joe Torre among those groups. There's
13 recommendations that come, and Joe after
14 discussions with myself, Joe usually -- is the
15 final decision maker.

16 Q. And is Joe the final decision-maker
17 in the promotion of crew chiefs?

18 A. A similar process --

19 Q. I'm not interested in the process.

20 I just want to know is Joe Torre the
21 final decision-makers in promoting crew chiefs?

22 A. Joe gets recommendations from,
23 again, the group, and Joe and I discuss it and
24 Joe makes the final decision.

25 Q. Why are there no minority crew

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2 **A. The game evaluation reports are a**
3 **one-day snapshot; the evaluation of an umpire**
4 **comes from many different inputs. Those game**
5 **reports again are not something that, in the**
6 **process of determining crew chief, I can say**
7 **that I'm looking at.**

8 Q. I understand that one-game
9 evaluation is one snapshot of one game.

10 What I'm saying is: Do you take the
11 collective amount of the game evaluations in to
12 your consideration when promoting an umpire to
13 crew chief?

14 **A. Again, looking at -- I do not look**
15 **at game evaluations. The game evaluations as a**
16 **separate document while determining the crew**
17 **chief process.**

18 Q. Does Mr. Torre?

19 **A. I can't answer for Joe; you need to**
20 **ask him that question.**

21 Q. Well, you work with him.

22 Do you know what he considers when
23 he's deciding who should be promoted to crew
24 chief?

25 **A. Again, I know we discussed, we -- I**

1 P. Woodfork - 6/21/19

2 have not discussed with Joe Torre game
3 evaluations.

4 Q. That's not my question.

5 A. I guess I don't understand your
6 question.

7 Q. Do you know what Joe Torre considers
8 when he decides whose going to become a crew
9 chief?

10 A. IN my discussion with Joe, i talk to
11 Joe, Joe focuses on leadership. The documents
12 that he's -- the game evaluations are not
13 something that I discuss with Joe.

14 Q. Is that the only thing that Joe
15 focused, on leadership, when he decides who is
16 going to be promoted for crew chief?

17 A. Joe looks at -- my apologies for
18 that. Joe looks at the umpire; leadership is
19 part of that skill set that's important.
20 Obviously, consistency, things that go in to
21 leadership, accountability, you know, umpire,
22 being there working, he does look at, you know,
23 experience, positive experience in the role to
24 be a crew chief, all things, among other things,
25 the total evaluation of the umpire.

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2 Q. Leadership is how an umpire conducts
3 himself on and off the field, correct?

4 MR. LUPION: Objection to form.

5 BY MR. MURPHY:

6 A. Leadership, you know, how I perceive
7 leadership, you know, is their your overall
8 performance, how you handle situations, how you
9 -- results, your ownership or accountability,
10 being a or remaining a positive influence on
11 those around, all of those things help to make
12 up leadership.

13 Again, leadership is, you know,
14 those things that, it's a little different, I
15 know, for each person, but leadership skills
16 that we promote are staying above the fray,
17 handling situations, being a positive influence.

18 Those are just some of the examples.

19 Q. Handling situations means handling
20 situations on the field, right?

21 A. In all situations, show leadership
22 in handling situations on the field, handling
23 situations off the field, dealing with clubs on
24 and off -- clubs on the field, rain situations,
25 these are all parts of leadership.

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2 MR. LUPION: The question was: Did
3 you look at game evaluation reports.

4 In connection with what?

5 BY MR. MURPHY:

6 Q. Did you --

7 **A. Can I say something first?**

8 Q. Yes.

9 MR. LUPION: No, no, no, there's no
10 question pending. So there's no question
11 pending.

12 You're entitled to a clear answer,
13 counsel is going to try to formulate -- a
14 clean question, counsel is going to try to
15 formulate a clear question.

16 **A. I'm not trying to be difficult.**

17 MR. LUPION: Don't. There's no
18 question pending:

19 THE WITNESS: I understand --

20 MR. LUPION: You don't have to
21 explain yourself. There's no question
22 pending.

23 BY MR. MURPHY:

24 Q. Between 2012 and the present, do you
25 look at midyear and end-of-year evaluations of

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2 umpires when you decide what your opinions is
3 going to be on the promotion of crew chiefs?

4 A. Again, during the process, I feel
5 like from my viewpoint I have a strong feeling
6 of umpires. I've seen midyear evaluations
7 previously. I've seen year-end evaluations
8 through the process, which is usually coinciding
9 with the process of looking at crew chief
10 reviews.

11 So, again, I know the information; I
12 don't specifically put them in front of me.

13 Q. How do you know the information if
14 you don't see it?

15 A. As I said --

16 MR. LUPION: Objection to form.

17 BY MR. MURPHY:

18 Q. Go ahead.

19 A. Again, as I said, I think
20 previously, I've seen the midyear evaluations,
21 reviewed them all before they've gone out. The
22 yearend evaluations are usually in that process.
23 So I've viewed them. Again, the specific
24 question is if I'm viewing them as I'm making my
25 decision, usually not.

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2 own decision as to who should be promoted to
3 crew chief?

4 **A. Again, I -- I think it, I'm not**
5 **doing a good job of explaining it and I**
6 **apologize for that.**

7 Q. It may be just that I'm dense --

8 **A. I don't think --**

9 Q. -- if that's the case?

10 MR. LUPION: We don't need to engage
11 in this, the witness was about to answer.

12 MR. MURPHY: I was trying to be
13 gracious. I was trying to gracious.

14 MR. LUPION: You're always gracious.

15 MR. MURPHY: I try to be.

16 BY MR. MURPHY:

17 **A. I will say on the record, I will say**
18 **on the record, I don't think you're dense.**

19 Q. I appreciate it?

20 **A. I am probably not doing a great job**
21 **of explaining it.**

22 Q. I appreciate it.

23 **A. I think the process is more fluid**
24 **than the -- the one day you're established as a**
25 **crew chief or you apply as a crew chief, this**

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2 information, as I said, I look at part of the
3 midyear process, part of the yearend process and
4 part of the daily, weekly phone calls that we
5 have to discuss umpiring, discuss our umpires'
6 performance, all of that continual information,
7 it's continuous. And we're making our
8 decisions.

9 It's not a slash one moment, one day
10 decision; this is a fluid decision that happens
11 over time. People improve and you provide
12 feedback and you understand these things. And I
13 think that's probably the disconnect we're
14 having.

15 I reviewed, I understand the midyear
16 reviews, I understand the umpires, I understand
17 how they're performing on a day-to-day basis.
18 And I think that's the difference, or struggle
19 that maybe I'm having explaining.

20 Q. That one I understood, thank you.

21 A. It takes me a little while.

22 Q. Major League Baseball hires
23 supervisors and observers to watch umpires
24 during the game, correct?

25 A. Correct.

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2 BY MR. MURPHY:

3 **A. Other supervisors or observers file**
4 **game reports on games that Angel Hernandez has**
5 **worked.**

6 Q. What is the criteria to be selected
7 to be World Series?

8 MR. LUPION: Are we done with this
9 document?

10 MR. MURPHY: You can put it to your
11 left side and you'll be done, or your
12 right side.

13 MR. LUPION: I'm going to put it to
14 my right side.

15 You can put that document away.

16 **A. Do you want it back?**

17 MR. LUPION: Just leave it in front
18 of the court reporter.

19 BY MR. MURPHY:

20 **A. Excuse me.**

21 Q. What is the criteria for selecting
22 World Series umpires?

23 **A. Again, as I said, the process goes**
24 **through, we're looking at performance, both, in**
25 **the current season and past performance and**

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2 consistency in the umpires.

3 One, you know, obviously in the post
4 season, the one kind of requirement or at least
5 historically what we have done is that you have
6 worked in the Division Series.

7 Q. But it's not solely merit based, am
8 I right?

9 MR. LUPION: Objection to form.

10 A. I feel like we believe it is. I
11 mean, the detail process, but it may not be --
12 it may not be your highest performing umpire
13 that works in the World Series that year based
14 on all factors. There may be other factors like
15 the World Series previously, needs time off,
16 didn't want to work back to back World Series,
17 want to make sure that other -- that other
18 series are strong. Championship Series is an
19 important series as well, the Division Series is
20 obviously important, Wild Card is important, so
21 there is some balance that goes in to
22 evaluation.

23 That being said, they're high
24 performing umpires all the way around that work
25 the World Series.

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2 MR. MURPHY: It wasn't answered.

3 BY MR. MURPHY:

4 A. Angel has earned the opportunity to
5 run that crew. There are times when Angel
6 successfully performs in that, and there are
7 other times where he seems to struggle.

8 Q. Would you appoint someone to be an
9 interim crew chief that was not capable of
10 running a crew?

11 A. I think the goal -- the interim crew
12 chief at times, depending on how many we're
13 working with, is to give people an opportunity
14 to show people that they can manage the crew,
15 that they can run that crew.

16 So at times, you're taking people
17 that may or may not; you're not 100 percent sure
18 how it's going to turn out and I think it's that
19 opportunity that we need to provide to employees
20 to see if they can be successful.

21 So again, the hope is that that
22 person can run a crew.

23 Q. Is Kerwin Danley capable of running
24 a crew?

25 A. Kerwin Danley is serving as an

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interim crew chief right now, I think he's been working successfully.

Q. And is Alfonso Marquez capable of running a crew?

A. Alfonso has been an interim crew chief; fairly recently given that opportunity.

[REDACTED]

Q. Did Major League Baseball ever recognize at any time between 2011 and 2016, that it had a diversity problem within the umpire staff?

MR. LUPION: Objection to form.

A. How would you define your problem?

Q. Lack of minorities.

A. Again, I think we recognize that we didn't -- our goal is to have greater minority representation, I do think we represent, we recognize that we need to get greater minority

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**discussed by the directors could go in to this.
Information that -- you know, was discussed on
the conference calls on performance.**

Q. Would Matt McKendry have the right
to provide input into these comments in 2011?

**A. Matt McKendry, as far as I remember
was not in this department in 2011; that being
said --**

Q. You answered the question.
Did you --

**A. I haven't fully answered the
question if you wouldn't mind.**

**He was working in Situation
Management so he might have provided information
on Situation Management that could've been
reviewed by umpires, supervisors or directors
that comment on it.**

Q. Did you have the right to provide
input?

A. I would review and provide input.

Q. Joe Torre?

A. Joe would review.

Q. Did he provide content?

A. I don't recall on this.

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2 Q. Randy Marsh would be able to as
3 well, am I right?

4 **A. As a director, he could've provided**
5 **content that went in to this.**

6 Q. Are your answers the same for the
7 subsequent years of 2012, 2013, 2014, 2015, and
8 2016 as it relates to the individuals you just
9 mentioned?

10 MR. LUPION: Objection to form.

11 BY MR. MURPHY:

12 **A. More broadly, supervisors,**
13 **directors. Change is obviously dynamic on**
14 **different categories are filled out -- could be**
15 **filled out by different people in the**
16 **administrative component. So additional people**
17 **could've provided information or feedback on --**

18 Q. Who are those people?

19 MR. LUPION: I don't think the
20 witness was done again, Kevin. I know you
21 might be looking to make a flight, but the
22 witness is entitled to give you a complete
23 answer.

24 **A. That could provide -- administrators**
25 **on administrative issues could be providing**

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2 **feedback. That would be, you know, Cathy Davis,**
3 **Raquel Wagner, Alex Bermudez, again on the**
4 **administrative component, they would provide**
5 **information and feedback.**

6 On the plate judgment, it could be
7 **our ZE people, you know, objective data, the**
8 **supervisors and the directors. Bruce Froemming,**
9 **our special consultant, special advisor.**

10 Q. The administrative components, do
11 you have any personal information on who
12 provided the information in the second sentence
13 that says, "You need to work on your
14 communication skills with on- field personnel
15 particularly because your approach has fostered
16 a club perception that you try to put yourself
17 in the spotlight by seeing things that other
18 umpires do not."

19 **A. I do not recall.**

20 Q. If you see the comment on top of
21 1505, you received a number of exceeds for game
22 and situation management, balk calls.

23 Do you believe that that statement
24 is in conflict with fostering a club perception
25 that you try to put yourself in the spotlight by

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23/23/2017, Bates stamped DEF 8127 through 8131, marked for identification, as of this date.)

BY MR. MURPHY:

Q. All right, this one is Defendant's Exhibit 8127, Matt McKendry to Raquel Wagner.

What are our her job duties?

A. She is a manager in umpire operations, maybe a senior manager.

Q. What does a senior manager do?

A. Supports the department, she works on SURE administration. She supports the observer group. She works on administrative issues, proofreads, edits, perform, develops documents, she is --

Q. O.K.

MR. LUPION: I don't think he was done.

MR. MURPHY: I apologize.

A. Sorry, PowerPoint presentations.

Q. Very good.

MR. LUPION: Are you done with your answer?

THE WITNESS: And other factors, if

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2 that's makes it easier.

3 BY MR. MURPHY:

4 Q. In this -- well, did you receive a
5 copy of this email about the time it was sent?

6 **A. Not to my recollection.**

7 Q. Matt tells Raquel, "As discussed
8 please research these," midyear -- "As
9 discussed, please research these umpires' mid
10 year and year-end evals from the last five
11 seasons for information to support the decision
12 not to appoint them as a crew chief this
13 offseason. Below are some initial thoughts on
14 each umpire's drawbacks. See the attached
15 letter to Angel Hernandez and use it as your
16 template."

17 Is that the way MLB has notified
18 umpires who didn't get the crew chief position,
19 by pointing out reasons why they weren't
20 appointed?

21 MR. LUPION: Object to the form.

22 BY MR. MURPHY:

23 **A. I think in this, from what I can**
24 **tell, this was to send the letters to the**
25 **umpires that were requested by the Umpire**

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Association. Each umpire, my experience from my recollection, is notified verbally prior to the letter.

Q. Are these reasons being provided after the decision was made?

MR. LUPION: Object to the form.

BY MR. MURPHY:

A. I think they're provided when the decision is made and hopefully consistent with what's in their evaluations.

Q. With their game evaluations or midyear?

A. With their midyear evaluations.

[REDACTED]

[REDACTED]

Q. If an umpire gets hurt, as was the case with [REDACTED] in his career in the last couple of years, does that get held against

1 P. Woodfork - 6/21/19

2 him in the decision to become a crew chief?

3 **A. I think for umpires that are not on**
4 **the field, it's tough to evaluate them. So**
5 **missed time is something that's taken in to**
6 **account because you miss the evaluation period**
7 **or the opportunity.**

8 Q. And if you turn to the next page, it
9 lists the umpires' actual seniority.

10 Do you see that?

11 **A. Yes.**

12 Q. And Hernandez, Danley, two minority
13 umpires, were the top two in seniority, would
14 you agree?

15 **A. Yes.**

16 MR. LUPION: Object to the form.

17 (Plaintiff's Exhibit 135, email from
18 McKendry, to Woodfork, 9/18/17, Bates
19 stamped DEF 14681 through 14687, marked
20 for identification, as of this date.)

21 MR. MURPHY: This should be 134
22 right.

23 MS. REPORTER: 135.

24 MR. LUPION: 135.

25 BY MR. MURPHY:

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2 just suggestions."

3 Do you know what that means?

4 **A. I don't recall this email. I assume**
5 **he's talking about voting for World Series.**

6 Q. "Put you who and Joe want in from
7 the suggestions."

8 What does that mean?

9 MR. LUPION: Objection.

10 **A. I don't know. You'd have to ask**
11 **Rich, he's the one who sent this email.**

12 Q. We didn't see any response to this
13 that you didn't understand Rich. So, "Take
14 Angel out if you want," do you know what that
15 means?

16 **A. Again, I don't recall this email.**

17 Q. This is October 16, 2015.

18 The playoffs would be well under
19 way, correct?

20 **A. It's the same date we had our,**
21 **quote-unquote, debacle, or close to it, my**
22 **birthday.**

23 Q. With [REDACTED]

24 **A. Yes.**

25 Q. All right.

1 P. Woodfork - 6/21/19

2 Was Angel being considered in 2015
3 for the World Series?

4 **A. I don't recall.**

5 Q. Am I right that the only decision
6 that would be left to be made on October 16,
7 2015, would be who from the Division Series is
8 going into the World Series, correct?

9 **A. Seems like the time frame that you
10 would be deciding World Series assignments.**

11 Q. Because the subject says, "World
12 Series totals."

13 So was Angel on a list to be
14 selected for World Series and then taken off?

15 MR. LUPION: Objection.

16 BY MR. MURPHY:

17 **A. I don't recall the discussion around
18 the World Series in 2015. I don't think we have
19 a list that's on or off.**

20 Q. Keep that either in your mind or
21 handy as you look at the next one, if you would,
22 please.

23 (Plaintiff's Exhibit 141, Document
24 Bates stamped DEF 15451, marked for
25 identification, as of this date.)

1 P. Woodfork - 6/21/19

2 BY MR. MURPHY:

3 Q. This is 141, Defendants' Exhibit
4 15451.

5 MR. LUPION: Bates number.

6 MR. MURPHY: Yes, sorry, Bates; it's
7 Exhibit No. 141.

8 My apologies.

9 BY MR. MURPHY:

10 Q. This is a text from you, is that
11 right?

12 **A. I assume that this is pulled from my**
13 **text messages and you're providing me that,**
14 **so...**

15 Q. And you sent the text to Joe Torre,
16 correct?

17 **A. That appears to be Joe's cell phone**
18 **number.**

19 Q. "Angel is going to be" -- first look
20 at the date, the date is the same day as the
21 Rich Rieker email on Exhibit 140.

22 Do you see that?

23 **A. I do.**

24 Q. And you tell Joe Torre in the
25 afternoon, "Angel is going to be a no for Rob.

1 P. Woodfork - 6/21/19

2 I am headed home to have my birthday dinner, and
3 will be on my cell."

4 So you can see that I already knew
5 when your birthday was.

6 How did you know that Angel was
7 going to be a no for Rob?

8 **A. I don't recall sending the text.**

9 Q. You may not recall typing out a text
10 on your phone. Do you recall the content and
11 what you were conveying to Joe Torre?

12 **A. I can see here on the piece of paper**
13 **what the content says, but I don't recall the**
14 **situation or the discussion we were having.**

15 Q. Did the Commissioner tell you that
16 he did not want Angel in the World Series?

17 **A. Not to my recollection.**

18 Q. Is this based on previous knowledge
19 about what the Commissioner feels about Angel
20 Hernandez?

21 **A. This was, again, based on probably**
22 **my presumption, my presumption, I took a**
23 **presumption on the situation. I don't recall**
24 **having conversation with the Commissioner about**
25 **Angel Hernandez and the World Series in 2015.**

1 **P. Woodfork - 6/21/19**

2 Q. Do you recognize that the types of
3 things that Kinsler said about Mr. Hernandez can
4 harm him from an integrity standpoint?

5 MR. LUPION: Object to the form.

6 **A. Like I said, I don't remember the**
7 **exact comments that were made by Mr. Kinsler; I**
8 **do remember that he crossed the line.**

9 Q. Mr. Kinsler was not suspended, am I
10 correct?

11 **A. Correct.**

12 Q. And did Joe Torre agree with what
13 you said here?

14 **A. I don't recall.**

15 **(Plaintiff's Exhibit 144, email from**
16 **McKendry, to Woodfork, dated 9/15/13,**
17 **Bates stamped DEF 15068, marked for**
18 **identification, as of this date.)**

19 BY MR. MURPHY:

20 Q. This is Exhibit 144, Bates stamp
21 15066. It's an email from Matt McKendry to
22 Mr. Woodfork, subject post season, "Here is the
23 information you were asked about last night."

24 Would you explain to me what you
25 were asked about and who did the asking.

1 P. Woodfork - 6/21/19

2 **A. I don't recall.**

3 Q. Is there one thing that these
4 umpires have in common?

5 **A. These are the people of color that
6 are umpires, people of diversity.**

7 Q. Right.

8 Do you know why you were asked --

9 **A. Again --**

10 Q. -- about this information?

11 **A. -- I don't recall.**

12 Q. When it says season, "2013 Number on
13 Staff: 7. Number Assigned: 2."

14 Would you explain what those numbers
15 are, sir?

16 **A. I didn't do the umpire -- I didn't
17 write this email, but from what I can infer from
18 it, it seems like there's seven on staff and two
19 assigned to the post season.**

20 Q. I see. Seven on staff means seven
21 minority umpires?

22 **A. Again, if I take -- if I an infer
23 from it. I didn't write the email, so I can't
24 say that 100 percent. But we did, if I do
25 recall correctly, we did make two hires that,**

1 **P. Woodfork - 6/21/19**

2 **between '12 and '13 of people of color.**

3 Q. You will note that in 2004, Chuck
4 Meriwether umpired the World Series, correct?

5 **A. According to this email.**

6 Q. Do you know who had Joe Torre's
7 current position back then in 2004?

8 **A. I do not.**

9 Q. Angel Hernandez had the World Series
10 in 2005, do you see that?

11 **A. Yes.**

12 Q. Marquez had the World Series in
13 2006, do you see that did?

14 **A. Yes.**

15 Q. Danley had the World Series in 2008,
16 and so did Laz Diaz, do you see that?

17 **A. Yes.**

18 Q. Evidently, the people in your
19 positions previously thought that Marquez, Diaz,
20 Hernandez and Danley, were capable enough to
21 umpire the World Series, would you agree?

22 MR. LUPION: Object to the form.

23 BY MR. MURPHY:

24 **A. Agree that those umpires worked the**
25 **World Series during these years.**

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2 Q. Would you agree that by selecting
3 them, they were confident that they could handle
4 the World Series stage?

5 MR. LUPION: Objecting to the form.

6 **A. I don't know what thought process**
7 **they put in TO their selections.**

8 Q. But in spite of the fact that the
9 individuals that were in the position to select
10 World Series candidates prior to the people
11 coming onboard in 2011 thought that these
12 candidates, Hernandez and Danley, could be in
13 the World Series, you, Joe Torre, and the others
14 have thought that they're not worthy enough to
15 be in the World Series, correct?

16 MR. LUPION: Objection.

17 BY MR. MURPHY:

18 **A. You're asking me about the two**
19 **years, the three years on this sheet, '11, '12,**
20 **and '13?**

21 Q. '14, '15, and '16, too.

22 **A. You're asking me about the three**
23 **years that are on this sheet, Marquez worked the**
24 **World Series and he tried again. We put the**
25 **umpires that we feel best are going to perform.**

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2 humiliates them that they have less years than
3 the crew chief they work under?

4 MR. LUPION: Objection. Asked and
5 answered. You can answer again.

6 **A. Yes, I'm not going to project or try**
7 **to predict what their response is; I know that,**
8 **as you said, they respect people that they work**
9 **with regardless of race.**

10 Q. But you have had memos about the
11 conversations with the umpires in Arizona where,
12 both, [REDACTED] and Hernandez conveyed that they
13 were upset about being passed over, so when it
14 comes to how they feel about certain things, you
15 are, in fact, made aware at times, correct?

16 MR. LUPION: Objection.

17 **A. I am aware that they're upset about**
18 **not being selected as crew chiefs.**

19 **(Plaintiff's Exhibit 146, email from**
20 **Freedman to Woodfork, Sword, 2013 Umpiring**
21 **Department Overview DEF 15067 through**
22 **15149, marked for identification, as of**
23 **this date.)**

24 BY MR. MURPHY:

25 **A. Kevin, that's a big one, I'm going**

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to run to the restroom before we get to that.

MR. MURPHY: Sure.

(Whereupon, a recess was taken.)

THE VIDEOGRAPHER: Off the record,
time 1:56.

(Whereupon, a recess is taken.)

THE VIDEOGRAPHER: Stand by, please.

The time 2:08 p.m., back on the
record.

BY MR. MURPHY:

Q. In front of you, I have a document
15067 to 15149.

Do you recognize this document?

A. Yes.

Q. Is this something you reviewed in
preparation for your deposition?

A. I did see this, yes.

Q. Scott Freedman in August of 2013,
what position did he hold with Major League
Baseball?

**A. I don't recall his exact position.
He worked in the Labor Relations and Strategy
Department.**

Q. Did he have any particular expertise

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2 as it related to Minor League and Major League
3 umpiring that would cause you to ask him to do
4 this?

5 MR. LUPION: Object to the form.

6 **A. I'm not -- I don't recall him being**
7 **any more than researching information for us.**

8 Q. And --

9 **A. Actually, can I take that -- can I**
10 **add to that? I think actually, in this case, in**
11 **Scott's case, this was actually just an update**
12 **of a document that -- of a presentation that**
13 **previously had been done.**

14 Q. And do you know, when was that
15 previous presentation done?

16 **A. If I recall correctly, 2011.**

17 Q. Sorry?

18 **A. If I recall correctly, it was 2011**
19 **is my best.**

20 **REQ**

21 MR. MURPHY: I'm going to request
22 that document and there was one other, the
23 Employee Handbook that has a diversity
24 policy that he mentioned earlier.

25 BY MR. MURPHY:

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2 Q. All right, who asked Mr. Freedman to
3 do this update?

4 **A. I don't recall.**

5 Q. By that answer, does that eliminate
6 you from being the person who asked Scott
7 Freedman to do the update?

8 **A. I don't recall directly asking Scott
9 Freedman to do this update.**

10 Q. O.K.

11 Who is Morgan Sword?

12 **A. Morgan is a peer in the labor
13 relations department who Scott Freedman reported
14 to.**

15 Q. Did Freedman also do the original
16 version in 2011?

17 **A. I don't recall who worked on the
18 original one. I know it was done through the
19 Strategy and Labor Group, which has a number of
20 people in it.**

21 Q. This report told Major League
22 Baseball that there was a diversity problem
23 within the umpire staff, correct?

24 MR. LUPION: Objection. The
25 document speaks for itself.

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2 **A. I don't recall the specifics of each**
3 **-- I don't recall the specifics of each page of**
4 **this document.**

5 Q. All right, but that wasn't about a
6 specific page.

7 Isn't it true that this report told
8 Major League Baseball that there was a diversity
9 problem within the umpire staff?

10 MR. LUPION: Object to the form; the
11 document speaks for itself.

12 **A. Again, I don't recall the specifics**
13 **of it; I can read through it and see specifics;**
14 **I know it did discuss diversity and diversity**
15 **numbers.**

16 Q. And that those diversity numbers
17 were inadequate, correct?

18 MR. LUPION: Object to the form.
19 Document speaks for itself.

20 BY MR. MURPHY:

21 **A. Again, I think it showed the**
22 **numbers, how you interpret those numbers, and I**
23 **felt we could have improvement in that area.**

24 Q. All right.

25 We're going to go through some of

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2 these pages. I will show you a page or two to
3 orient you?

4 **A. O.K.**

5 Q. So, let's start at 15068, it's
6 called an Umpiring Department Overview and then
7 15069, you'll see the Table of Contents. It
8 starts with the Demographics and Life of an
9 Umpire.

10 On 15070, he has listed that of the
11 total number of umpires, only 7 percent were
12 people of color, correct?

13 **A. 7 percent of minorities?**

14 Q. Yes.

15 **A. Yes.**

16 Q. And would you agree that that's not
17 an acceptable number?

18 MR. LUPION: Object to the form.

19 **A. I would say that our diversity**
20 **efforts, we need to increase that number, that**
21 **is a goal.**

22 Q. So by saying that you need to
23 increase the number, this number was not
24 acceptable, would you agree?

25 MR. LUPION: Object to the form.

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2 Mischaracterizes testimony.

3 A. I would say that the number is the
4 number of how many -- the percentage of diverse
5 umpires we had at the time, and that the goal
6 was to increase that number.

7 Q. In 2013, were you satisfied that the
8 amount of umpires of color were only 7 percent?

9 A. I think we needed to, again, looking
10 at the number, we needed to increase that
11 number.

12 Q. Does that mean that you were not
13 satisfied?

14 A. It's not satisfaction -- for me,
15 that's not how I -- I'm more analytic. I look
16 at that number, it's not, for me it was not high
17 enough and it's something we need to improve on.

18 Q. Between 2013 and the present, has
19 that number gone up or down?

20 A. Percentagewise, I would have to look
21 at it. I don't know off the top of my head what
22 the percentage is. I think between -- think the
23 number, total number has increased.

24 Q. 15071, while the total number of
25 minority umpires has increased, so has the