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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 910163-TL 920260-TL
FILED: June 16, 1993

In re: Petition on behalf of
CITIZENS OF THE STATE OF FLORIDA
to initiate investigation into integrity of
SOUTHERN BELL TELEPHONE & TELEGRAPH COMPANY'S
repair service activities and reports.

DEPOSITION OF: RAYMOND R. KASSIM
DATE: June 30, 1993
TIME: Commenced at: 10:25 a.m.
Concluded at: 11:35 a.m.
PLACE: Southern Bell Telephone and Telegraph Co.
666 Northwest 79th Avenue, Room 674
Miami, Florida 33126
REPORTED BY: AMAR KREDI
Registered Professional Reporter,
Notary Public, State of Florida At Large
Suite 1014, Ingraham Building
25 Southeast 2nd Avenue
Miami, Florida 33131
TAKEN BY: The Citizens of Florida, by and through
Janis Sue Richardson,
Associate Public Counsel
PURSUANT TO: Florida Rule of Civil Procedure
1.310 (b) (6)

DOCUMENT NUMBER-DATE

08803 AUG 16 88

APPEARANCES:

OFFICE OF PUBLIC COUNSEL
(BY: JANIS SUE RICHARDSON, ESQ.)
Associate Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400
(904) 488-9330

FLORIDA PUBLIC SERVICE COMMISSION
Division of Legal Services
(BY: ROBERT J. PIERSON, ESQ.)
101 East Gaines Street
Tallahassee, Florida 32399-0863
(904) 487-2740

FLORIDA PUBLIC SERVICE COMMISSION
Division of Communications
(BY: STAN L. GREER, Engineer)
101 East Gaines Street, Room G-28
Tallahassee, Florida 32399-0866
(904) 488-1280

THE FLORIDA LEGISLATURE
Office of the Public Counsel
(BY: WALTER W. BAER,
Regulatory Analyst)
111 West Madison Street
Tallahassee, Florida 32399-1400
(904) 488-9330

SOUTHERN BELL TELEPHONE & TELEGRAPH COMPANY
(BY: ROBERT G. BEATTY, ESQ.)
Suite 1910, Museum Tower Building
150 West Flagler Street
Miami, Florida 33130
(305) 530-5561

BAKER & MOSCOWITZ
(BY: JEANNE BAKER, ESQ.)
One Southeast Third Avenue
Suite 1230
Miami, Florida 33131
Attorney for Raymond Kassim
(305) 329-6700

I-N-D-E-X

WITNESS

DIRECT CROSS REDIRECT RECROSS

Raymond R. Kassim

(By Ms. Richardson)

4 -- -- --

EXHIBITS

(None)

1 THEREUPON:

2 RAYMOND R. KASSIM,

3 having been first duly sworn, was

4 examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MS. RICHARDSON:

7 Q. Mr. Kassim, would you please state your name and spell
8 it for the court reporter?

9 A. Name is Raymond R. Kassim, spelled K-A-S-S-I-M like in
10 Mary.

11 Q. I apologize for mispronouncing it, Mr. Kassim.
12 Would you please give us your address?

13 A. 8610 Southwest 107th Avenue, Miami, Florida, 33173.

14 Q. And your phone number?

15 A. 598-4809.

16 Q. Thank you.

17 Are you represented by an attorney here today?

18 A. Yes, ma'am.

19 MS. RICHARDSON: I'll ask her to place her appearance
20 on the Record.

21 MS. BAKER: Yes. I'm here representing Mr. Kassim,
22 Jeanne Baker, J-E-A-N-N-E, B-A-K-E-R, with the law firm of
23 Baker and Moscowitz, M-O-S-C-O-W-I-T-Z.

24 MS. RICHARDSON: Thank you.

25 BY MS. RICHARDSON:

1 Q. Mr. Kassim, have you discussed this deposition here
2 today with anyone other than Ms. Baker or the attorneys for
3 Southern Bell?

4 A. Nobody except my attorney.

5 Q. Okay. Has anyone advised you that you would not be
6 disciplined based upon whatever you tell us here today?

7 A. Yes, ma'am.

8 Q. Has anyone discussed with you the possible criminal
9 penalties that could apply if you perjure your testimony here
10 today?

11 A. Yes, ma'am.

12 Q. Have you given a statement to the company in the past?

13 A. Yes, ma'am.

14 Q. Do you remember when that was?

15 A. About two and a half years.

16 Q. Okay. Do you remember who was present in the room with
17 you when you made that statement?

18 A. A security and a company attorney.

19 Q. Are you a member of the Union?

20 A. Yes, ma'am.

21 Q. Was there someone from the Union with you?

22 A. No, ma'am, I don't believe so.

23 Q. Okay. Did you tell anyone about that statement?

24 A. No, ma'am.

25 Q. Okay. What's your present position with the company?

- 1 A. Maintenance administrator. MA as short.
- 2 Q. Okay. And how long have you held that position?
- 3 A. 1984.
- 4 Q. And where are you located, which IMC?
- 5 A. South Florida.
- 6 Q. Is that South Dade?
- 7 A. South Dade.
- 8 Q. Have you been in South Dade since 1984?
- 9 A. Yes, ma'am.
- 10 Q. When did you first start with the company?
- 11 A. 1972 up in New York.
- 12 Q. In New York?
- 13 A. Yes, ma'am.
- 14 Q. Okay. When did you move to Florida?
- 15 A. In 1978, September.
- 16 Q. And what was your position when you first moved to
- 17 Florida?
- 18 A. Test desk technician.
- 19 Q. Did you test repair reports in that position?
- 20 A. Yeah, we test lines, right.
- 21 Q. Was that also in South Florida?
- 22 A. Yes.
- 23 Q. Who's your first level supervisor right now?
- 24 A. Maria Smoak.
- 25 Q. And that's S-M-O-A-K?

1 A. S-M-O-A-K.

2 Q. And how long has Ms. Smoak been your first level
3 supervisor?

4 A. About four years.

5 Q. Okay. Who was it before Ms. Smoak?

6 A. Prudence Taylor.

7 Q. Do you know how long Ms. Taylor was your supervisor?

8 A. About three years.

9 Q. And do you recall who it was before Ms. Taylor?

10 A. Yes, a fellow by the name of Hank Kapetish.

11 Q. Can you spell his last name?

12 A. I'm afraid not.

13 Q. Petish?

14 A. Hank Kapetish.

15 Q. Kapetish.

16 Okay. Who's your present second level supervisor?

17 A. April Ivy.

18 Q. And how long has Ms. Ivy been your second level
19 supervisor?

20 A. About six years.

21 Q. And do you recall who it was before Ms. Ivy?

22 A. Bob Brown.

23 Q. R-O-U-N-G?

24 A. Brown, B-R-O-W-N.

25 Q. Oh, Brown. I'm sorry.

1 And about how long was Mr. Brown your second level
2 supervisor?

3 A. About four years.

4 Q. Okay. Who is your operations manager right now?

5 A. Tad Rubin.

6 Q. And about how long has Mr. Rubin been your operations
7 manager?

8 A. About two years now.

9 Q. And do you know who it was before Mr. Rubin?

10 A. I can't remember his name. I know he transferred to
11 West Palm or something.

12 Q. Was it Mr. Perera?

13 A. No.

14 Q. No. Okay.

15 A. I can't remember his name.

16 Q. Who is your Union Steward in your shop, in your
17 center?

18 A. We have Laurie Johnson.

19 Q. Okay. Do you know who your Union President is down
20 here?

21 A. Betty Diamond.

22 Q. Mr. Kassim, what do you do as a maintenance
23 administrator?

24 A. Analyze trouble.

25 Q. And when you analyze trouble, how do you do that?

1 A. We look into the computer and see what type of trouble
2 the customers report and see what kind of trouble they have on
3 their line and call them back, things like that.

4 Q. Is there some kind of test that you can get through
5 the computer?

6 A. Yes, ma'am.

7 Q. And what does the test indicate generally? I mean,
8 what kinds of things can you find out from the test?

9 A. Well, you can test whether the line is okay or the
10 line have trouble on it, stuff like that nature.

11 Q. All right. And is part of your job to decide whether
12 a report is out of service or not out of service?

13 A. Yes.

14 Q. And on what do you base that decision?

15 A. Well, if you can't talk to the customers, it's out of
16 service; if the line tests hard trouble, it's automatic it
17 becomes out of service.

18 Q. Do you know if the company requires out of service
19 reports to be cleared within 24 hours?

20 A. Say that again, please.

21 Q. Sure.

22 And any time if you don't understand a question, I'll
23 be glad to try to rephrase it or repeat it. And if at any time
24 you feel like you need to speak to Ms. Baker off the record
25 when we're not taking it down, just tell me and we'll give you

1 time to do that.

2 Is that okay?

3 A. Yes, sure.

4 Q. Okay. Do you know if on out of service reports the
5 company requires that they be completed, repaired, within 24
6 hours?

7 A. Yes, ma'am.

8 Q. Do you know if the Commission, the Public Service
9 Commission requires at least 95 percent of the out of service
10 reports to be repaired within 24 hours?

11 A. No, ma'am.

12 Q. Do you know if a customer is due a rebate if they're
13 out of service more than 24 hours?

14 A. Yes, ma'am.

15 Q. Okay. And how long have you known that?

16 A. Well, I've known that for quite awhile now, quite
17 awhile.

18 Q. Okay. If a report is statused affecting service, what
19 does that mean?

20 A. That means that they have service.

21 Q. Of some sort?

22 A. Some sort or the other.

23 Q. Can you give me an example of an affecting service
24 report?

25 A. Well, they might report noise on the line and they

1 still have service.

2 Q. Okay. Do you know if affecting service reports affect
3 the company's ability to meet their out of service over 24-hour
4 requirement at all?

5 A. Not to my knowledge.

6 Q. Okay. Have you ever had a manager tell you don't
7 status any out of services today?

8 A. No, ma'am.

9 Q. Have you ever seen on a message board or a bulletin
10 board in your center a message don't status out of services
11 today?

12 A. No, ma'am.

13 Q. Do you work with single line residential and business
14 customers?

15 A. Yes, ma'am.

16 Q. What other activities do you do -- well, before I get
17 there, let me do two more questions on this.

18 Have you ever had a manager direct you to take a stack
19 of service affecting reports and status them as out of service
20 on close out?

21 A. No, ma'am.

22 Q. Do you know of anyone who's done that?

23 A. Not to my knowledge ma'am, no.

24 Q. Okay. I think you mentioned a test okay test when we
25 talked about testing, the line could test okay?

1 A. Yes, with the computer, yes.

2 Q. Is that an affecting service report or an out of
3 service report?

4 A. That's affecting service if it tests okay.

5 Q. Do you know of anyone who's taken a group of test okay
6 reports and closed them out as out of service?

7 A. No, ma'am.

8 Q. Have you ever heard of that being done?

9 A. Not to my knowledge, no.

10 Q. Has anyone ever given you a definition of out of
11 service as being only those reports that were out of service
12 but were cleared within 24 hours? In other words, it would
13 only be out of service if we had completed the repair on it in
14 under 24 hours?

15 A. No, ma'am.

16 Q. Has anyone ever asked you not to status a particular
17 individual out of service report as out of service?

18 A. No, ma'am.

19 Q. What else do you do besides the analization of reports
20 in your position?

21 A. Just about a little bit of everything. Mainly it's
22 just analyzing troubles that comes in. That's about it.

23 Q. Do you also clear and close troubles?

24 A. Yes, we close troubles out, yeah.

25 Q. Okay. Do you work with STs in the field who have gone

1 out to repair reports?

2 A. Yes, ma'am.

3 Q. Do they close troubles through you?

4 A. Yes, ma'am.

5 Q. Do the STs that you work with also have CAT terminals,
6 C-A-T?

7 A. Yes, ma'am.

8 Q. How long have they had those, do you know?

9 A. I would say about six years or so.

10 Q. Okay. And before they had those, they had to call you
11 every time to close a report, didn't they?

12 A. Yes.

13 Q. Okay. Now, when you close a report, what kind of
14 information do you put on it?

15 A. Whatever information they give us.

16 Q. Okay. Do you have to use certain disposition and
17 cause codes to get a report closed?

18 A. Yes, ma'am.

19 Q. Can you explain what a disposition code is?

20 A. Well, a disposition is when -- what they find outside
21 is what they give you.

22 Q. Can you give me an example?

23 A. For example, if they change a cable pair, they have to
24 give you a code, a specific code to put in the computer or else
25 it will not take. 0401 is a change pair.

1 Q. Is there a disposition code for inside wire problems
2 if it's inside the customer's house?

3 A. Yes, ma'am.

4 Q. Okay. Have you ever heard of the 320 or multiple
5 failure cable code?

6 A. 320?

7 Q. Yes.

8 A. Yes, ma'am.

9 Q. Okay. What's a cause code?

10 A. Well, a cause code, for instance, 0600 or 600 is
11 unknown. What causes the trouble, we don't know or he don't
12 know.

13 Q. Okay. Are there cause codes for when the problem has
14 been caused by weather like Hurricane Andrew?

15 A. That's mother nature. No, not as far as I know.

16 Q. Okay. Is there a cause code when the damage is caused
17 by lightning?

18 MR. BEATTY: If you know.

19 A. Lightning? I think there is a code for that.

20 BY MS. RICHARDSON:

21 Q. Okay. What about when the problem has been caused by
22 another Southern Bell workman? Is there a code for that,
23 do you know?

24 A. Yes.

25 Q. Okay. Is there one for when the problem is caused by

1 the customer himself?

2 A. Yes.

3 Q. Okay. Do you know if any of these disposition or
4 cause codes when placed on an out of service report would keep
5 that report from counting as a miss against the company if it
6 went over 24 hours?

7 A. No.

8 Q. Do you know of anyone who has used a disposition or
9 cause code when it did not apply?

10 A. No, ma'am.

11 Q. Have any of your managers ever given you a specific
12 disposition or cause code to use on out of service report?

13 A. No, ma'am.

14 Q. When the ST calls in, does the ST tell you which
15 disposition and cause codes to use?

16 A. Yes, ma'am.

17 Q. Okay. Have you ever had a manager tell you to use a
18 different code from what the ST gave you?

19 A. No, ma'am.

20 Q. Can you tell me when you close out a report, do you
21 also put certain times on that report?

22 A. No, we don't put a time. The computer will put the
23 time on there.

24 Q. Okay. How long has the computer been putting the
25 times on the report?

1 A. It's been a long time. Since I came to Florida, they
2 had the computer been doing that.

3 Q. Okay. Do you have a clearing time that goes on an out
4 of service report when it's closed out?

5 A. Yeah. The computer puts a clearing time, yeah.

6 Q. Have you ever had occasion to put a different clearing
7 time on the report?

8 A. No, ma'am.

9 Q. Do you have a closing time that goes on an out of
10 service report when it gets cleared out?

11 A. Yes, ma'am.

12 Q. All right. And is that also put by the computer?

13 A. Yes, ma'am.

14 Q. Have you ever had occasion to put in a different
15 closing time on a report?

16 A. No, ma'am, no.

17 Q. When an ST was calling in before they had their CAT
18 terminals and the service techs were calling you to clear
19 reports, did you ever have a manager tell you on the reports
20 that had gone over 24 hours to be sure and ask the service
21 techs when he actually restored service?

22 A. No, ma'am. I can't recall, no.

23 Q. Did you ever have a service tech tell you that he had
24 restored service 30 minutes before he was calling you to report
25 the problem cleared?

1 A. No, I can't say.

2 Q. Do you know of anyone else who has ever put an earlier
3 time as a clearing time than the time the computer would put?

4 A. No, ma'am.

5 Q. Have you ever heard of backing up the time?

6 A. Somewhat, yes.

7 Q. And what have you heard?

8 A. Well, I heard people mention that, you know, at
9 certain time they will have to back it up a little bit.

10 Q. Back up a clearing time a little bit? Is that what
11 you mean?

12 MR. BEATTY: Objection to the form of the question.

13 It's leading. That's not what he said.

14 BY MS. RICHARDSON:

15 Q. I'm asking a yes or no on that or any other answer you
16 want to give me.

17 MR. BEATTY: Is the question then what do you mean?

18 MS. RICHARDSON: Yeah.

19 BY MS. RICHARDSON:

20 Q. Did you understand my question?

21 A. Repeat the question.

22 Q. Sure.

23 When you said that you had heard that people had
24 backed up times on things --

25 A. No. I heard people say that they had to back the

1 time. Like sometimes the computer go down and they will have
2 to, when the computer come back up, they will have to go back
3 into the computer and put the right time because we do have a
4 lot of failures on the computer a lot of times, yeah.

5 Q. All right. Is that the only way that you've heard
6 backing up the time used?

7 A. Yes, ma'am.

8 Q. Do you know what a no access report is?

9 A. Yes, ma'am.

10 Q. Is you briefly explain a no access report?

11 A. Yes. A no access is when we dispatch a service tech
12 outside or a cable guy and we do everything possible to give
13 service and we go to the premise and we can not get service --
14 access into the premise, we normally no access. We leave a
15 card and no access.

16 Q. Do you know if that no access would stop that 24-hour
17 repair clock on an out of service?

18 A. Yes, ma'am.

19 Q. Do you know of anyone who has no accessed an out of
20 service report just to stop that 24-hour repair?

21 A. No, ma'am.

22 Q. Do you know of anyone who has no accessed an out of
23 service report before it was dispatched?

24 A. No, ma'am, I can't say.

25 Q. Do you know of anyone who no accessed an out of

1 service report when they really did have access to the
2 premises?

3 A. No, ma'am.

4 Q. Do you know what the CON code, the C-O-N, carry over
5 no code is?

6 A. Slightly, yes, ma'am.

7 Q. Can you explain your understanding of that?

8 A. I'm going to have to ask you to explain that to me a
9 little bit more.

10 Q. Have you ever heard of a future date request?

11 A. Yes.

12 Q. Okay. Does that have anything to do with the CON
13 code, do you think?

14 A. Yes, I think it does.

15 Q. Can you tell me what a CON code is used for then?

16 MR. BEATTY: If you can.

17 A. I don't think I can explain that, ma'am. No, I don't
18 think.

19 BY MS. RICHARDSON:

20 Q. Do you remember if you've ever used a CON code on a
21 report?

22 A. No.

23 Q. Can you recall whether or not a CON code would stop a
24 24-hour clock, repair clock on an out of service?

25 A. No.

1 Q. Do you know how to exclude a report?

2 A. Yes.

3 Q. Can you tell me how that's done?

4 A. Well, an exclude is wrong information or they called
5 the network center, which is the maintenance center, for yellow
6 page, a tree limb is touching the wire, you know, stuff of that
7 nature or debris in the yard left behind or stuff like that,
8 you know.

9 Q. Okay. Can you exclude an out of service report?

10 A. No, ma'am.

11 Q. All right. Do you know of anyone who has excluded out
12 of service reports?

13 A. No, I can't say.

14 Q. Has anyone ever asked you to exclude an out of service
15 report?

16 A. No, ma'am.

17 Q. Do you know what an employee originated report is?

18 A. Yes, ma'am.

19 Q. Can you explain that to me?

20 A. If they're reported a trouble and the trouble is not
21 on that line and it's on another line, we can -- we used to
22 make up a report on the other number.

23 Q. An employee report?

24 A. No, a CD report.

25 Q. A CD report?

1 A. A CD report.

2 Q. Have you ever had occasion where a service technician
3 phoned in a report that a customer had told the service
4 technician about?

5 A. Yeah.

6 Q. All right. And is that an employee report?

7 A. No.

8 Q. What kind of report is that?

9 A. That's a customer direct report.

10 Q. Do you know of anyone who has made those kind of
11 reports, employee reports?

12 A. Yes.

13 Q. All right. Can you tell me what you know about that?

14 A. When we close on our troubles, the service tech might
15 say, hey, listen, there's a neighbor next door just told me
16 about the phone; can you see if there's a report on it. And if
17 there is not, they usually ask to make up a report so that he
18 can work on the trouble. And that's a customer direct report
19 because somebody reported to him.

20 Q. Okay. Do you know any of those types of referrals
21 from a service tech that were entered as employee reports and
22 not customer reports?

23 A. No, ma'am.

24 Q. Okay. Do you know of any out of service reports that
25 were about to go out over 24 hours that were closed and then

1 reopened as employee reports in order to finish the repair and
2 close it out?

3 A. No, ma'am.

4 Q. Do you know of any employees who have phoned in phony
5 trouble reports as employee reports?

6 A. No, ma'am.

7 Q. Mr. Kassim, I'm going to show you a document here, and
8 it's called Citizens Third Set of Interrogatories.

9 An interrogatory is a question I put down in writing
10 and I mailed it to the company, and the company sent me a
11 written answer back. And this one is dated June 6th, 1991.

12 And I asked the company to give me the names of
13 employees who knew about fictitious repair reports.

14

15

16

17 And what I'll do at this time is go off the record and
18 give you a chance to read this, okay, and you can discuss it
19 with Ms. Baker. And then when your ready, we'll go back on the
20 record and I'll have a few questions for you. Okay?

21 A. Okay.

22 (Discussion off the record, with the agreement of the
23 witness and all parties present)

24 BY MS. RICHARDSON:

25 Q. What do you know about fictitious customer direct

1 reports shown as test okays?

2 A. I have no knowledge of that.

3 Q. Do you know of anyone who has created a false trouble
4 report?

5 MR. BEATTY: Objection to the form of the question.

6 It's been asked and answered. This is now the third time
7 that question has actually been asked. I would object.

8 It's repetitious.

9 A. No, ma'am.

10 BY MS. RICHARDSON:

11 Q. Mr. Kassim, I'm going to show you another document,
12 and this one is titled Southern Bell's Response to Preliminary
13 Order Number PSC-93-0263-PCO-TL entered on February 19th, 1993.
14 This was filed by Southern Bell in the rate case before the
15 Commission on April 1st, 1993. And your name appears as number
16 288 on page ten.

17 Have you seen this document?

18 A. Yes.

19 Q. Okay. By your name appears number 24; is that
20 correct?

21 A. Yes, ma'am.

22 Q. All right. 24 indicates that you may have some
23 knowledge about improper activities with special services or
24 special circuits.

25 MS. BAKER: I think I want to object to that question.

1 Can you hang on a moment?

2 MS. RICHARDSON: Certainly.

3 MS. BAKER: Yes, I do object to that question as it
4 misstates what 24 --

5 MS. RICHARDSON: 24 says special services or special
6 circuits.

7 BY MS. RICHARDSON:

8 Q. What information can you give me about any improper
9 activities associated with special services or special
10 circuits?

11 MS. BAKER: Object to the form.

12 You can go ahead and answer if you can.

13 A. Well, I don't know about any improper information but
14 I was doing circuits, special circuits and services but nothing
15 that I know of improper.

16 BY MS. RICHARDSON:

17 Q. Were you ever asked to back up time on special service
18 reports?

19 A. No, no.

20 Q. Were you ever asked to enter a time other than the
21 present time on a special service report?

22 A. No, ma'am.

23 Q. Were you ever asked to place a code on a special
24 service report that you felt did not apply?

25 A. No, ma'am.

1 Q. Were you ever asked to status an affecting special
2 service report as an out of service?

3 A. No, ma'am.

4 Q. Were you ever asked to leave an out of service special
5 service report as affecting service?

6 A. No, ma'am.

7 Q. Do you know of anyone who has put incorrect
8 information on a special service or special circuit report?

9 A. Not as far as I know.

10 Q. Number 28 is by your name and it mentions three names,
11 Falsetti, F-A-L-S-E-T-T-I, D'Alessio, D apostrophe
12 A-L-E-S-S-I-O and Lesko, L-E-S-K-O.

13 Do you know any of these three individuals?

14 A. Falsetti.

15 Q. Is that Mr. Frank Falsetti?

16 A. Yes, ma'am.

17 Q. And did you work with Mr. Falsetti?

18 A. Yes, ma'am.

19 Q. Did Mr. Falsetti ever speak to you about activities
20 that were going on in the center that he felt were improper?

21 A. Yes, ma'am, he did.

22 Q. What did he tell you?

23 A. Well, not directly sit and talk to me, but we sit
24 opposite one another working. He mentioned about, you know,
25 he's just tired about this place, everybody wants him to do

1 this and do that, you know, complained about just about
2 everything I can think of.

3 Q. Okay. Can you recall any specific allegation that
4 Mr. Falsetti made about an improper activity?

5 A. Well, he did mention a few things. Like I said, we
6 were doing circuits. He was doing circuits also, too. And,
7 you know, he keeps saying that, you know, he have to do this
8 and do that.

9 I said, Frank, you don't have to do it if you don't
10 want to. I said, I don't do what I don't want to. If you
11 think what they're telling you to do you don't like it, just
12 ask them to move, shift down the line, go do something else.

13 Q. What was he being asked to do with special circuits
14 that he didn't like to do?

15 MR. BEATTY: I'm going to object to the form that
16 question because it presupposes this witness has an
17 independent knowledge of instructions to do something that
18 Falsetti did not feel proper. This witness has indicated
19 that he was told by Falsetti about various things. And so
20 I want the record to be clear in that respect.

21 MS. RICHARDSON: That's fine.

22 BY MS. RICHARDSON:

23 Q. Go ahead and answer my question.

24 A. Well, for one thing, he was bitter about being
25 downgraded from a test desk technician to an MA, and a lot of

1 people was bitter about that. But as far as I'm concerned, you
2 know, it's a job. So he naturally didn't like being downgraded
3 from a higher position down to a lower position, as they say.
4 And because of that, you know, he had this attitude. Anybody
5 tells him to do something, he just thinks it's improper for
6 him, you know.

7 Q. I'd like a specific if you can recall a specific
8 action that he told you he was supposed to do with special
9 circuits that he thought was improper?

10 A. I can't say if there was any kind of specific order
11 for him to do something and he didn't do. He always does it.
12 I mean, does the trouble, test it, dispatch out and everything
13 like that, but, you know, he just always complained about
14 things.

15 Q. Okay. When you said do this, do that --

16 A. I mean --

17 Q. -- give me a specific example.

18 A. Clear a trouble, you know. We usually have the
19 troubles, you know, and you got to take it out and analyze it
20 and see what's happening, you know. They have a lot of people
21 just like to sit and some like to work.

22 Q. Do you recall a specific action that Mr. Falsetti told
23 you about in regard to either statusing or coding or timing of
24 special circuits that he told you he didn't want to do because
25 he thought it was improper but that he did anyway?

1 MS. BAKER: I'm going to object to the form, but you
2 should go ahead and answer.

3 A. No, ma'am.

4 MS. BAKER: Can I have a moment, a brief recess?

5 (Thereupon the deposition was recessed briefly and was
6 thereafter resumed, with the agreement of the witness and
7 all parties present)

8 MR. BEATTY: One of the previous questions asked by
9 counsel was something to this effect: It was with respect
10 to Mr. Falsetti. Has Mr. Falsetti ever told you that he
11 was instructed to do anything improper? That was the gist
12 of the question.

13 To which the answer that Mr. Kassim gave was no.

14 Out of fairness, there is -- out of fairness the
15 witness wants to relate a circumstances where he was not
16 told directly by Mr. Falsetti but he was in the company of
17 Mr. Falsetti when Mr. Falsetti made some comments about
18 specific things that he was instructed.

19 Mr. Kassim, will you make your statement, please?

20 A. Yes, sir. Yes. He never tell me directly. You know,
21 we sat around and we worked or talked and he might say, you
22 know, you know, they want him to do this or back up the time or
23 whatever but not directly to me. I overheard him saying things
24 like that.

25 BY MS. RICHARDSON:

1 Q. Okay. Was Mr. Falsetti the only one in the group that
2 made an indication that he was asked to back up the time?

3 A. Yes, ma'am.

4 Q. Did any of the other people in the group add comments
5 that indicated to you that they had also been asked?

6 A. No, ma'am.

7 Q. Ms. D'Alessio's name also appears. Do you know
8 Ms. D'Alessio?

9 A. No, I never heard of him.

10 Q. Mr. Lesko's name also appears.

11 Do you know a Mr. Joseph Lesko?

12 A. No, ma'am, I've never heard of him.

13 Q. How many MAs worked in the South Dade Maintenance
14 Center in the late 1980s, approximately?

15 A. About 45.

16 Q. Okay. And if you can give me an approximate, how many
17 first level managers would there have been to manage those 45
18 MAs?

19 A. About ten.

20 Q. Did you know all ten of those managers?

21 A. No, I can't recall their names.

22 Q. At the time that you worked there, say between '88 and
23 1990, did you know who all the first level managers were at
24 that time?

25 A. A few of them I can recall.

1 Q. How many managers, first level managers are there in
2 your center right now?

3 A. About seven.

4 Q. Have you met all those people?

5 A. Yes, ma'am.

6 Q. And do you know all of them?

7 A. Yes, ma'am.

8 Q. Okay. How many second level managers are there where
9 you work right now?

10 A. One.

11 Q. Just one?

12 A. Yes, ma'am.

13 Q. Okay. In 1990, how many second level managers were in
14 the South Dade Center where you work?

15 A. One.

16 Q. Just one. And who was that?

17 A. April Ivy.

18 Q. Do you know of anyone who has used somebody else's
19 employee code?

20 A. No, ma'am.

21 Q. Has anyone ever used your employee code?

22 A. No, ma'am, not as far as I know.

23 Q. Do you know of anyone who has placed false information
24 on a customer trouble record?

25 A. No, ma'am.

1 Q. Have you ever been asked to do so yourself?

2 A. No, ma'am.

3 Q. Have you ever heard of that being done?

4 A. No, ma'am.

5 Q. Do you know of any improper activities generally in
6 the South Dade Maintenance Center from 1984 to present?

7 A. No, ma'am.

8 MS. BAKER: Object to the form.

9 BY MS. RICHARDSON:

10 Q. Have you ever been disciplined for your handling of
11 trouble reports?

12 A. No, ma'am, I can't say I have.

13 Q. Have you ever filed a grievance?

14 A. No, ma'am.

15 Q. Do you know of anyone who has filed a grievance for
16 managers doing craft work?

17 A. I can't say I have.

18 Q. Do you know of any managers who have processed trouble
19 reports themselves?

20 A. No, ma'am.

21 Q. Other than your conversations with Mr. Falsetti or
22 whatever else you may have already told me this morning,
23 do you know of any incidents where the actions taken in your
24 opinion in handling trouble reports were questionable?

25 MS. BAKER: I'm going to object to the form.

1 But please go ahead and answer.

2 A. Repeat that one more time, please?

3 BY MS. RICHARDSON:

4 Q. Be glad to.

5 Other than what we may have already discussed this
6 morning, do you know of any activities in directing or handling
7 customer trouble records that in your opinion were
8 questionable?

9 A. No, ma'am.

10 MR. BEATTY: I join in the objection to form. It's
11 certainly ambiguous.

12 And you can answer that if you can.

13 MS. RICHARDSON: He did. He already said no.

14 BY MS. RICHARDSON:

15 Q. Have you ever heard of building the base?

16 A. Yes.

17 Q. And what does that mean to you?

18 A. It means to me to like meet the commitment time, make
19 sure everything is done, don't miss the commitment or things
20 like that. You know, make sure that everything is done
21 properly.

22 Q. Does it have any meaning for you of improper activity?

23 A. No, ma'am.

24 Q. Do you know of any instances of managers attempting to
25 manipulate their out of service over 24-hour results?

1 A. No, ma'am, I can't say I have.

2 Q. Mr. Kassim, have you ever been asked to help sell
3 products or services for the company?

4 A. No, ma'am.

5 Q. Do you know of anyone who has?

6 A. Not in my department, no.

7 Q. Okay. Do you know of anyone who has recorded a false
8 sale to a customer or a service that the customer didn't order?

9 A. No, ma'am, I can't say.

10 Q. Okay.

11 MS. RICHARDSON: That's all the questions I have. I
12 want to thank you for coming today. I appreciate it.
13 There may be one or two from these gentlemen.

14 MR. PIERSON: No questions.

15 MS. BAKER: I would like to confer, if I might.

16 Let me state on the record that one of the questions
17 Ms. Richardson asked dealt with the subject of whether or
18 not Mr. Kassim was ever asked to put false information on
19 a trouble report.

20 And although Mr. Kassim's answer to that question as
21 worded remains, I would like to ask him to provide the
22 information that he does have with respect to whether
23 anyone ever asked him not to put false information on a
24 trouble report but to add trouble reports that hadn't --
25 you know, that otherwise weren't in existence. I hope

1 I've stated it in a way that you understand it right.

2 Can you please share just briefly that
3 conversation?

4 THE WITNESS: Yeah. Well, what happened I had a
5 supervisor in Central. He used to work
6 outside in the field and he came inside, which they
7 alternate supervisor ever so often. I was doing circuit
8 with Frank and whoever else was there. He came in and one
9 day. We were sitting down. His desk was like on the side
10 of me.

11 And, you know, he says, I want you guys to make me
12 look good. You know, I hear you guys can do a lot of
13 things inside here.

14 So I says, what do you mean by that?

15 He says, well, you know, I want you guys to make my
16 base look good so that, you know, I can look good.

17 I said well, you know, you're talking to the wrong
18 person because I don't do that.

19 MS. BAKER: Did he make any reference to the word
20 "trouble reports" or "troubles" in that conversation?

21 THE WITNESS: He said troubles.

22 MS. BAKER: What did he say about troubles?

23 THE WITNESS: He says make some troubles up and things
24 like that so you can make my base look good.

25 And I says, you know, I don't know what you're talking

1 about. You're talking to the wrong fellow.

2 Frank was sitting on the other side and he did
3 mention, you know, he says, well, you see, this is what I
4 can't handle. This is what I'm talking about. This is
5 what -- you know, they want you to do these type of things
6 and you're not supposed to.

7 I said, well, Frank, you don't have to do it. I just
8 told him. That's it.

9 BY MS. RICHARDSON:

10 Q. Okay. Do you know if anyone else did assist
11 in creating false trouble reports?

12 A. No, ma'am. That was the last conversation and that
13 was it. We never discussed that again. He never said anything
14 to me about that.

15 Q. Okay. Did you report to the second level supervisor
16 conversation with you?

17 A. No, ma'am.

18 Q. And this is strictly a hypothetical and it's going to
19 call for speculation on your part and I'll announce it in
20 advance.

21 MS. BAKER: So we can object in advance

22 MR. BEATTY: And so therefore, I appropriately object
23 at this point prior to hearing the question.

24 MS. BAKER: Me to.

25 BY MS. RICHARDSON:

1 Q. If a first level manager came to you today and asked
2 you to create fictitious trouble reports to help them with
3 their base, what would your response be?

4 A. Would be no.

5 MR. BEATTY: Of course I do object.

6 BY MS. RICHARDSON:

7 Q. Okay. And would you report that to anyone else in the
8 company, that conversation?

9 A. Yes, ma'am.

10 Q. And who would you report it to?

11 A. I would take it to my second level.

12 Q. Do you know if _____ was disciplined in any way
13 for his conversation with you?

14 A. No, ma'am.

15 MR. BEATTY: No, you don't know or no he was not?

16 THE WITNESS: No, I don't know.

17 BY MS. RICHARDSON:

18 Q. Can you tell me approximately when this happened?

19 A. It was sometime in '86, '85, '86, somewhere in there.

20 Q. Is _____ the only manager that you've had that
21 has had this type of discussion with you at any time that you
22 have been in the South Dade Center?

23 A. He didn't have the discussion with me. He just said
24 it.

25 Q. Generally, okay, i _____ the only manager that

1 you've had that has made this kind of general pronouncement?

2 A. Yes, ma'am.

3 Q. Have you ever had a direction from Prudence Taylor
4 either generally or to you personally to handle a trouble
5 report in a manner that you felt was improper?

6 MS. BAKER: I'll object to the question.
7 Go ahead and answer it.

8 A. No, ma'am.

9 MS. RICHARDSON: I have no further questions unless
10 Staff wants to do any follow-up with that.

11 (Thereupon the deposition was concluded at 11:35 a.m.)

12
13 _____
14 (Date) RAYMOND R. KASSIM

15
16 Sworn to and subscribed before me this _____
17 day of _____, 1993.

18
19 _____
20 Notary Public, State of Florida At Large

21 My Notary Commission No. _____

22 Expires:
23
24 _____
25

