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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

RICHARD LOWERY,)
Plaintiff,)
v.) Case No. 1:23-cv-00129-DAE
LILLIAN MILLS, et al.,)
Defendants.)

ORAL and VIDEOTAPE DEPOSITION OF
SHERIDAN TITMAN
January 12, 2024
Volume 1

ORAL DEPOSITION OF SHERIDAN TITMAN, Volume 1,
produced as a witness at the instance of the Plaintiff,
and duly sworn, was taken in the above-styled and
numbered cause on January 12, 2024, from 9:02 a.m. to
4:06 p.m., before Dana Shapiro, CSR, in and for the
State of Illinois, reported by machine shorthand, at
100 Congress Avenue, Suite 1200, Austin, Texas 78701,
pursuant to the Federal Rules of Civil Procedure and
any provisions stated on the record or attached hereto.

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A P P E A R A N C E S

FOR THE PLAINTIFF:

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FOR THE DEFENDANTS:

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ALSO PRESENT:

MR. RICHARD LOWERY,
MR. RYAN POLANCO, the videographer

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1 the next page. I will read from the article and ask
2 you some questions about it. "As insane as this sounds
3 these are truly the beliefs at play. University
4 administrators who do not belong to a marginalized
5 group survive and thrive on campus by enacting their
6 'allyship' here; they would face constant attacks from
7 the racist elements on campus if they did not put as
8 many resources as possible into fighting for the policy
9 goals of the CRT activists.

10 Thus, self interested administrators find
11 themselves in the interesting position of working hard
12 to disadvantage in the admissions process people with
13 the same identity profile as their own children -
14 though, of course, this disadvantage seldom reaches to
15 their children themselves."

16 Is that what Richard wrote in this opinion
17 piece?

18 A. Correct.

19 Q. Have you -- strike that.

20 Is it fair to say that he's expressing an
21 opinion here that white university administrators end
22 up discriminating against white students in application
23 for -- for admission to the university?

24 MR. DOW: Objection, form, document speaks for
25 itself, speculation.

1 MR. KOLDE: Again, only objections to form are
2 appropriate. No speaking objections, please.

3 MR. DOW: I'm not making a speaking objection.
4 And your retort to me is not appropriate.

5 MR. KOLDE: Again --

6 MR. DOW: So file a motion.

7 MR. KOLDE: We many end up there at some point.

8 MR. DOW: Well, your response to me is not
9 appropriate.

10 MR. KOLDE: Counsel, now you are trying to
11 derail.

12 MR. DOW: I'm just responding to you.

13 BY MR. KOLDE:

14 Q. Could you answer the question, Professor
15 Titman?

16 A. You asked me -- again, just repeat it very
17 briefly.

18 MR. KOLDE: Could you read the question back,
19 please.

20 (WHEREUPON, the record was read
21 as requested.)

22 BY THE WITNESS:

23 A. That's a fair interpretation.

24 BY MR. KOLDE:

25 Q. Have you ever seen that yourself at the

1 University of Texas?

2 A. No.

3 Q. If we look at this next paragraph, is it
4 fair to say that Richard is expressing an opinion here
5 that administrators are somewhat hypocritical because
6 they are willing to discriminate against other people's
7 white kids, but not their own?

8 MR. DOW: Objection, form, speculation.

9 BY MR. KOLDE:

10 Q. You may answer.

11 A. I think it's -- you are speculating. Maybe
12 you are right, yes, but definitely involves
13 speculation.

14 Q. Do you agree that white university
15 administrators at the University of Texas sometimes
16 pull strings to get favorable treatment for their own
17 children in university admissions?

18 A. I would emphasize the word sometimes. I'm
19 sure it's happened. I don't know how often it's
20 happened.

21 Q. Are you aware of that happening at UT,
22 white administrators using state resources to obtain
23 admissions preference for their own children?

24 A. No, I'm not.

25 Q. Has Jay Hartzell ever asked you to do a

1 personal favor for a family member of his?

2 A. No.

3 Q. How about Nancy Brazzil, has she ever asked
4 you to do a personal favor for a family member of Jay
5 Hartzell's?

6 A. No.

7 Q. Would you agree that if Jay Hartzell used
8 state resources to obtain favorable treatment for a
9 family member in admission to a UT-Austin program that
10 would be inappropriate?

11 A. Yes. I need to take a two minute break. I
12 will be right back.

13 Q. Okay.

14 THE VIDEOGRAPHER: The time is 11:17 a.m. We are
15 off the record.

16 (WHEREUPON, a recess was had.)

17 THE VIDEOGRAPHER: All right. The time is 11:22
18 a.m. We are on the record.

19 BY MR. KOLDE:

20 Q. Wrapping up some questions here on Exhibit
21 5, the opinion article written by Richard Lowery. You
22 would agree it's appropriate for Richard to express his
23 opinion about white university administrators
24 discriminating against other white kids while not
25 discriminating against their own kids; is that correct?

1 A. Are you asking if I object to him writing
2 it?

3 Q. That's exactly what I'm asking.

4 A. No, I don't have any objections.

5 Q. You don't have any objection to him
6 expressing that in writing that is publicly available
7 to others?

8 A. That's fine.

9 Q. Okay. If we can look at the very end of
10 this opinion piece, it's been marked as Exhibit 5. He
11 ends with -- Richard ends with the statement, "I do not
12 have the answers to these questions, but I encourage
13 the people of Texas to seek them out."

14 Is that what Richard wrote?

15 A. Correct.

16 Q. Is it fair to say that it's a call for
17 Richard -- from Richard to Texas voters and taxpayers
18 to look into the issues that he's talking about in this
19 article?

20 MR. DOW: Objection, form. It misstates what's
21 actually written in Exhibit 5. Calls for speculation.

22 MR. KOLDE: Again, speaking objection.

23 BY MR. KOLDE:

24 Q. You may answer.

25 MR. DOW: It's not a speaking objection. It says

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RICHARD LOWERY,)
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v.) Case No. 1:23-cv-00129-DAE
LILLIAN MILLS, et al.,)
Defendants.)

REPORTER'S CERTIFICATION
ORAL DEPOSITION OF
SHERIDAN TITMAN
January 12, 2024

I, Dana Shapiro, a Certified Shorthand Reporter,
hereby certify to the following:

That the witness, SHERIDAN TITMAN, was duly sworn
by the officer and that the transcript of the oral
deposition is a true record of the testimony given by
the witness;

I further certify that pursuant to FRCP Rule
30(e)(1) that the signature of the deponent:
was requested by the deponent or a party before the
completion of the deposition and that the signature is
to be before any notary public and returned within 30
days from date of receipt of the transcript. If
returned, the attached Changes and Signature Pages
contain any changes and reasons therefore;

I further certify that I am neither counsel for,
related to, nor employed by any of the parties or
attorneys in the action in which this proceeding was
taken, and further that I am not financially or

1 otherwise interested in the outcome of the action.

2 Certified to by me this January 26, 2024.

3 *Dana Shapiro*

4
5 DANA SHAPIRO, Illinois CSR 84-3597
6 CSR Expiration: 5/31/25
7 Illinois Certified Shorthand Reporter
8 Registered Agent Solutions, Inc.,
9 A Lexitas Company, Firm No. 17
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11 Corporate Center One, Suite 400
12 Austin, Texas 78735
13 888-893-3767
14 Expires: 1/31/2025
15
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1 COUNTY OF TRAVIS)

2 STATE OF TEXAS)

3 I hereby certify that the witness was notified on
4 _____ that the witness has 30 days
5 after being notified by the officer that the transcript
6 is available for review by the witness and if there are
7 changes in the form or substance to be made, then the
8 witness shall sign a statement reciting such changes
9 and the reasons given by the witness for making them;

10 That the witness' signature was/was not returned
11 as of _____.

12 Subscribed and sworn to on this _____ day of
13 _____, 20____.

14 *Dana Shapiro*

15 _____
16 DANA SHAPIRO, Illinois CSR 84-3597
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