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STATE OF MICHIGAN
IN THE COURT OF CLAIMS

PETER J. HAMMER,
Plaintiff,

vs.

Case No.: 04-241MK
HON. JAMES R. GIDDINGS

BOARD OF REGENTS OF THE
UNIVERSITY OF MICHIGAN, a
body politic,
Defendants.

THE CONTINUED DEPOSITION OF STEVEN CROLEY
taken by the Defendant on the 3rd day of
February 2006, at 101 North Main, Ann Arbor,
Michigan, at 1:50 a.m.

APPEARANCES:

For the Plaintiff: PHILIP GREEN
Green, Green & Adams, P.C.
900 Victors Way, Suite 240
Ann Arbor, Michigan 48108
(734) 665-4036

For the Defendant: RICHARD J. SERYAK
Miller, Canfield, Paddock and
Stone, P.L.C.
150 West Jefferson Avenue
Suite 2500
Detroit, Michigan 48226
(313) 963-6420

Also Present: Evan H. Caminker
Peter Hammer

Reported By: Karen Klerekoper, CSR-4250, RPR

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1 of Corrections, Michigan Department of Corrections.

2 Q. How about the second one?

3 A. There were a few but mainly St. Joe's Hospital.

4 Q. Are those cases pending or --

5 A. No.

6 Q. They are both --

7 A. Resolved.

8 MR. GREEN: Okay. No further questions.

9 EXAMINATION

10 BY MR. SERYAK:

11 Q. Sir, from your prior answers, I believe you indicated

12 that in the year 2000, there was a straw vote taken on

13 a motion before there was any consideration of

14 deferral for Peter Hammer?

15 A. Yes, that's right.

16 Q. The outcome of the straw vote was what? Was it a

17 grant of tenure?

18 A. No. I just want to make sure I understand what you

19 are talking about. You are talking about in 2000?

20 Q. In 2000, right.

21 A. There was a straw vote before the -- there was a straw

22 vote at some point prior to the discussion of a motion

23 to defer.

24 Q. The outcome of the straw vote was what?

25 A. I don't remember -- I don't remember the exact count,

Page 3

1 Ann Arbor, Michigan

2 Friday, February 3, 2006

3 At 1:50 p.m.

4

5 STEVEN CROLEY

6 HAVING BEEN CALLED BY THE PLAINTIFF AND SWORN:

7 MR. GREEN: Back on the record in the

8 deposition of Steven Croley.

9 EXAMINATION (Con't)

10 BY MR. GREEN:

11 Q. Professor Croley, when we left we had an issue

12 regarding privilege. Irrespective of legal

13 interpretations, it's my understanding that you will

14 now provide me the names of the plaintiffs in the two

15 civil rights actions you filed in the U.S. District

16 Court in Detroit.

17 A. Yes.

18 Q. Who are the plaintiffs?

19 A. Randy Vailad and Marva Johnson. Those are the

20 plaintiffs in one case, co-plaintiffs. V-A-L-L-A-D.

21 Johnson, the usual way.

22 And the other case, Carlos Villalgran,

23 V-I-L-L-I-L-L-A-G-R-A-N.

24 Q. Who is the defendant in the first of those cases?

25 A. There were a bunch of them. Basically the Department

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1 but it was clear that -- it was clear that Professor

2 Hammer would not receive tenure, would be denied

3 tenure.

4 Q. Before faculty is hired at the University of Michigan,

5 at the law school, are the applicants ever taken out

6 to dinner by some of the law school faculty?

7 A. Almost always.

8 Q. Do you recall whether this was done with respect to

9 Peter Hammer?

10 A. Yes, it was, I do recall, yes.

11 Q. Did you attend that dinner?

12 A. Yes.

13 Q. From attending that dinner, did you come to know that

14 Peter Hammer is gay?

15 A. Yes.

16 Q. The faculty who attend those dinners, do you have any

17 input then as to whether an offer should be extended?

18 A. Yes. I mean, the faculty will have an input. Not so

19 much by virtue of the dinner, but those faculty will

20 be included among those who had an input.

21 Q. Did you have input in the hiring of Peter Hammer?

22 A. Yes.

23 Q. Did you approve or disapprove of his hiring?

24 A. I approved.

25 MR. SERYAK: That's all I have.