

EXHIBIT A-2

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UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CAT BROOKS and RASHEED SHABAZZ)
individually and on behalf of)
all others similarly situated,)
)
Plaintiffs,)
) Case No.:
v.) 3:21-cv-1418-EMC
)
THOMSON REUTERS CORPORATION,)
)
Defendant.)

CONFIDENTIAL

DEPOSITION OF CAT BROOKS

AUGUST 10, 2022

10:17 a.m.

505 Howard Street, Suite 1000

San Francisco, California

REPORTED BY:

Siew G. Ung, CSR No. 13994, RPR, CSR

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1 most people feel the same way. I -- stop there.

2 Q. When you say "information about me," what
3 information are you referring to?

4 A. All of it.

5 Q. Including your name?

6 A. I -- again, not being cute, I find that to be
7 an absurd question.

8 Q. Why?

9 A. Because we introduce ourselves by our names.

10 Q. And so?

11 A. Because that's identifying -- that -- it -- I
12 find the question to be absurd.

13 Q. Why?

14 A. Because that's -- that -- that is how we
15 engage with each other publicly, right? Like -- it
16 would depend on how my name was being used in
17 conjunction with other information, I suppose, not just
18 my name by itself.

19 Q. Okay. And that's what I'm trying to
20 understand, is where that line is drawn. So understood,
21 you use other people's names without asking them
22 permission. I would introduce Kayla, who's in this

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1 need to make sure that we find them and we look in the
2 right places for them. So we don't need to talk about
3 that much right now, but -- but would you be willing to
4 work with your counsel to make sure that we can go find
5 whatever -- if you have any PrivacyDuck reports about
6 their findings about your information online and other
7 reports that they sent you, that we -- that you
8 testified to earlier, would you be willing to go look
9 for those and provide them to your counsel, who can then
10 have a conversation with me about whether they need to
11 be produced?

12 A. Yes.

13 Q. Great. Perfect.

14 Now, let's talk about information about you
15 that you've made available online. So an area of
16 knowledge.

17 You've made some of your personal information
18 available online, correct?

19 A. I have.

20 Q. You have a website, catbrooks.org; is that
21 right?

22 A. I do.

1 Q. What's on that website generally?

2 A. Sure.

3 My bio, my professional bio. Information
4 about events that I am speaking at or performing at or
5 directing. Articles that I've written and/or that I'm
6 featured in.

7 Q. Uh-huh.

8 A. And there's images of me in work settings.
9 And I think that's it.

10 Q. Okay. And that website is publicly available,
11 correct?

12 A. It is.

13 Q. And why did you create that -- well, did you
14 create the website?

15 A. I did not manually create it, no. I am not
16 gifted in that regard. I did have it created.

17 Q. And so you -- you approved the content of the
18 website?

19 A. I did.

20 Q. Why did you have the website created?

21 A. To help facilitate being hired for work,
22 primarily.

1 Q. What sort of work?

2 A. Both theatrical, but also speaking

3 engagements.

4 Q. In connection with your activism?

5 A. Primarily.

6 Q. What other purposes are the speaking

7 engagements? What other -- speaking engagements in

8 connection with your activism was one purpose of having

9 your website created. Were there other speaking

10 engagements you had in mind?

11 A. I'm primarily hired to speak as an organizer.

12 Sometimes I'm hired to speak as an artist --

13 Q. I see.

14 A. -- or to sit on panels as an artist.

15 Q. I see. And when was catbrooks.org created,
16 roughly?

17 A. A year and a half ago, roughly.

18 Q. Why a year and a half ago? What -- was there
19 a trigger for that?

20 A. Not a specific trigger. My -- my career
21 shifted.

22 Q. Career shifting from what to what?

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1 A. A lot more focused on art.

2 Q. I've heard you refer to it as activism?

3 A. Yes.

4 Q. And what does that mean?

5 A. It's a combination. It's an intersection of
6 activism and art, so using art as a tool for social
7 change.

8 Q. I also heard you have a one-woman show?

9 A. I do.

10 Q. And was that show -- do you -- is it currently
11 running?

12 A. It's not right now. Will be soon. Tasha.

13 Q. Has it -- I thought it might have run in July.
14 Has it yet to be yet --

15 A. It was supposed to be at three -- at Z Below
16 in July. COVID has pushed it out to the summer.

17 Q. Okay. And so it's yet -- it's -- tell me just
18 a little bit about that show.

19 A. Sure. So Tasha is a 45-minute, six-character,
20 one-woman show about the in-custody death of Tasha
21 McKenna, who was tased to death in Fairfax County Jail
22 in 2015.

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1 Q. And where is that going to play?

2 A. It will be at the Z Below in San Francisco.

3 Q. In San Francisco.

4 Going back to the website, Cat Brooks -- well,
5 let me back up a step and just finish the -- the
6 questioning about the -- the reason for creating the
7 website. You created catbrooks.org in part because you
8 were shifting focus from strictly activism to your work
9 in the art -- in the field of art?

10 A. Yes.

11 Q. And your experience in the -- in the -- in the
12 arts is -- is extensive, correct?

13 A. Yes.

14 Q. You were -- you actually have an IMDB page.

15 A. I do, yes.

16 Q. You've been in documentaries, both in film and
17 on television, correct?

18 A. I have, yes.

19 Q. You have been on CNN, correct?

20 A. I have.

21 Q. That wasn't in connection with your art. It
22 was in connection with your activism.

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1 A. Yes.

2 Q. But still...

3 You also have a Wikipedia page, correct?

4 A. I do.

5 Q. Did you contribute to that page?

6 A. I fixed some things on that page.

7 Q. I see. What did you fix on that page?

8 A. They were minor details. I -- I don't -- I
9 don't remember exactly, but it -- it was not created by
10 me or at my behest.

11 Q. But you -- but you reviewed the web page?

12 A. But once it was out there, I was like, well,
13 this is not right. I -- I -- I really don't remember.
14 I do remember they were minor details. Yeah, yeah.

15 Q. And you're okay with it now?

16 A. I haven't looked at it in a while, but I
17 believe so.

18 Q. Okay. The catbrooks.org website has a press
19 page, correct?

20 A. It does.

21 Q. Let's get that.

22 A. Okay.

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1 (Whereupon, Exhibit 4 was marked for
2 identification.)

3 MS. MENALDO: I'm going to try to call back
4 in. It's still not working.

5 MR. TROUTMAN: Thanks. I'll let Zeke know
6 you're working on it. He just said he'd wait till a
7 break, but...

8 And Cat, make sure you let Susan finish her
9 questions. Couple of times you were anticipating. She
10 wants you to get the whole question, I'm sure.

11 THE WITNESS: I'm sorry.

12 BY MS. FAHRINGER:

13 Q. My questions weren't that important and you've
14 correctly guessed where they were going, so I have no
15 problem with that, but...

16 MR. TROUTMAN: Nicola, if it helps, Zeke says
17 he got the -- the ding, the chime when he called in, but
18 we didn't hear it for some reason, and then he could
19 just hear, like, typing. So that doesn't make too much
20 sense to me, but...

21 MS. FAHRINGER: Do you want us to wait, Mark?

22 MR. TROUTMAN: No.

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1 MS. FAHRINGER: Okay. And this exhibit -- oh,
2 this is 4.

3 (Discussion held off the record.)

4 BY MS. FAHRINGER:

5 Q. So Ms. Brooks, showing what's been marked as
6 Exhibit 4, do you recognize this as the press page from
7 catbrooks.org? Can you read it okay?

8 A. I -- yeah. Yes, I can.

9 Q. I need my glasses too.

10 And this is -- this is a list of press that
11 you wrote or that featured you; is that right?

12 A. Yes.

13 Q. And I see the CNN, the lead with Jake Tapper
14 is the third bullet point down. That was when you were
15 on CNN, correct?

16 A. Yes.

17 Q. And there are several entries for the San
18 Francisco Chronicle. You're a regular contributor to
19 the Chronicle?

20 A. I am.

21 Q. To the opinion pages of the Chronicle?

22 A. I am.

1 Q. And you've been interviewed many times,
2 correct?

3 A. I have.

4 Q. Including by Teen Vogue.

5 A. Yes.

6 Q. And in those interviews, you discussed
7 personal information about yourself, correct?

8 A. I imagine so.

9 Q. On the Wiki page which we have -- the Wiki
10 page that you approved -- Wiki page on Cat Brooks that
11 you approved, do you recall that it identified your
12 former name, Sheilagh Polk?

13 A. I would not say I approved it. It was done
14 and put up without my consent. I did look at it and
15 make corrections. I just wanted to attach that I did
16 not create that page nor did I ask anybody to create
17 that page.

18 Q. I see. Well, focusing just on the fact that
19 it included -- included your former name, Sheilagh Polk,
20 is that one of the things you corrected on that?

21 A. I don't recall what I corrected.

22 Q. Okay. But you didn't object to the fact that

1 it had Sheilagh Polk on that page.

2 A. I did not.

3 Q. I'm sorry?

4 A. I did not.

5 Q. Okay.

6 MR. WALD: Hi, all. Ezekiel Wald from Gibbs

7 just joined.

8 MS. FAHRINGER: This is the Wikipedia page

9 that will be marked.

10 THE REPORTER: 5.

11 (Whereupon, Exhibit 5 was marked for

12 identification.)

13 MS. FAHRINGER: This is 5?

14 THE REPORTER: Uh-huh.

15 BY MS. FAHRINGER:

16 Q. Yeah, I'm sorry the type is so small. There

17 won't be many questions on this one. Just a couple.

18 A. I do want to take a look at it, though. I

19 haven't --

20 Q. Oh, gosh, take your time.

21 A. Okay.

22 Q. Let me know when you're done.

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1 A. Okay.

2 Q. Is this the Wiki page on you that you
3 identified earlier as having reviewed and made some
4 edits to?

5 A. Yes.

6 Q. Is there anything -- now that you've read the
7 page, is the -- I guess the page to its end, Exhibit 5,
8 is there anything in this page that is currently
9 inaccurate?

10 A. I don't -- I know this is going to sound odd.
11 I don't know. There -- there's a sentence that I'm --

12 Q. That you're struggling with?

13 A. Yeah.

14 Q. Which sentence is that?

15 A. That I was arrested in 2015 protesting Libby's
16 curfew.

17 Q. Oh.

18 A. I did protest the curfew. I don't believe I
19 was arrested, but anyway.

20 Q. And it looks like there is a cite for that,
21 Footnote 1 and Footnote 4. Footnote 1 says that comes
22 from Matthew Arts' article of July 7, 2015, Black Lives

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1 Q. Okay. Let's -- and -- and so are you -- are
2 you testifying that you are assuming that the website
3 isn't public because you're not aware that you're --
4 continued to pay for domain space?

5 A. I'm saying I don't know.

6 Q. You just don't know?

7 A. I have not -- I do not interact with that
8 website.

9 Q. Okay. Any --

10 A. I -- as we have established, I have a new
11 website.

12 Q. Yes. So you just don't know one way or
13 another whether the website is public or not?

14 A. I do not.

15 Q. Okay. Focusing on that website,
16 catbrooksforsakland.com, did you author the content of
17 the website?

18 A. I did not.

19 Q. Did you approve the content of the website?

20 A. As much of a -- as a candidate has control of
21 what your team puts out, yeah.

22 Q. So it was your team that put it out?

1 A. Hired consultant.

2 Q. I see. So you hired consultants to create the
3 website?

4 A. I hired consultants to manage my campaign.

5 Q. I see. And as part of that management, they
6 created that website?

7 A. Yes.

8 Q. And you -- you -- you say you approved the
9 content and it -- it sounded like there was some caveats
10 to that. Did you -- did you not approve the content of
11 that website?

12 A. Yes, with the support of the expertise from my
13 consultants.

14 Q. I see. I see. Okay. Let's take a look at
15 that website.

16 (Whereupon, Exhibit 6 was marked for
17 identification.)

18 BY MS. FAHRINGER:

19 Q. Ms. Brooks, I've been -- I'm showing you
20 what's been marked as Exhibit 6, which is -- I didn't --
21 we didn't have all of the pages of this website copied,
22 just some of them, so I'll represent to you that -- that

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1 this is not the entirety of the website. But do you
2 recognize this as some of the pages from the Cat Brooks
3 for Oakland website?

4 A. One second, please.

5 MR. TROUTMAN: Susan, while she's looking at
6 that, just for housekeeping, do you know if this was
7 turned over in discovery at all?

8 MS. FAHRINGER: Oh, this is a publicly
9 available website.

10 MR. TROUTMAN: Okay. So --

11 MS. FAHRINGER: So --

12 MR. TROUTMAN: -- those materials weren't on
13 file?

14 MS. FAHRINGER: -- same as the Wiki and the
15 IMDB stuff, that's all public.

16 MR. TROUTMAN: Okay.

17 MS. FAHRINGER: And I'm pretty sure it's still
18 up today, although it didn't show up yesterday.

19 BY MS. FAHRINGER:

20 Q. And take your time, Ms. Brooks. I know the
21 writing is tiny.

22 MR. TROUTMAN: For what it's worth, it says

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1 domain, not claimed.

2 MS. FAHRINGER: Yeah. Well, that -- that was
3 a recent development. This was printed November 29,
4 2021 from the URL indicated.

5 MR. TROUTMAN: Yes, it's about nine months
6 ago, eight and a half.

7 MS. FAHRINGER: Yeah, I mean, it was -- it --
8 right.

9 THE WITNESS: Okay.

10 BY MS. FAHRINGER:

11 Q. Do you recognize these as pages from the
12 catbrooksforsOakland.com website?

13 A. I do.

14 Q. I'm going to focus your attention on what is
15 page 7, just the Meet Cat page on that website.

16 A. Yep.

17 Q. Are you there?

18 A. Yep.

19 Q. Take your time and read that and just let --
20 let me know if anything on that page is inaccurate.
21 Take as much time as you need.

22 A. Okay.

1 Q. Is anything in there inaccurate?

2 A. No.

3 Q. Okay. Going back to your run for mayor of
4 Oakland.

5 A. Uh-huh.

6 Q. That occurred in around -- in 2018; is that
7 right?

8 A. Correct.

9 Q. You came in second, correct?

10 A. Correct.

11 Q. You were the closest -- closest runner to the
12 incumbent, correct?

13 A. Correct.

14 Q. That's on the Wiki page in fact.

15 A. Correct.

16 Q. You -- in connection with that run for mayor,
17 you parti- -- you were interviewed many times in public
18 interviews, correct?

19 A. Correct.

20 Q. And you also had to complete candidate
21 questionnaires, correct?

22 A. Correct.

1 Q. For a number of organizations?

2 A. Correct.

3 Q. Which were made public, correct?

4 A. Correct.

5 Q. Some of them still are public, correct?

6 A. I don't know.

7 Q. All right. In those public interviews and
8 questionnaires in connection with your run for mayor, is
9 it fair to say that you disclosed your age, your
10 hometown, your occupation, your educational background,
11 your employer, the fact that you have a husband and
12 13-year-old daughter at the time -- she's older now, of
13 course -- and also notable affiliations? Is that fair
14 to say?

15 A. Correct.

16 Q. Okay. And that was all publicly available
17 information?

18 A. Disclosed by me, yes.

19 Q. Disclosed by you publicly?

20 A. By me, yes.

21 Q. You also -- moving away from that, you also
22 had or have a morning radio show?

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1 A. I'm in between shows.

2 Q. Okay. You had a morning radio show?

3 A. Correct.

4 Q. On what station?

5 A. KPFA.

6 Q. And what was the content of that radio show?

7 A. It's a daytime news drive show -- day --
8 day -- drive time morning news show.

9 Q. And in that show, you've in the past discussed
10 the following topics: living in West Oakland; COVID-19
11 and its impact on your daughter's return to school; your
12 ex-husband's experience as an immigrant; your personal
13 efforts to quit smoking; and your daughter's attendance
14 of a charter school. Correct?

15 A. Yes.

16 Q. And you're going to have a radio show coming
17 up.

18 A. Correct.

19 Q. What's the title of that one?

20 A. Law and Disorder.

21 Q. When does that start?

22 A. August 15th.

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1 Q. On what station?

2 A. KPFA.

3 Q. On that other -- the morning drive time show
4 that has now concluded with, are past episodes online
5 available?

6 A. They are.

7 Q. Publicly?

8 A. Yes.

9 Q. Is the same going to be true for your -- your
10 upcoming morgan -- morning -- your upcoming radio show,
11 that the episodes will be available online publicly?

12 A. Yes.

13 Q. Okay. We've talked about you being an
14 actress. You were actually trained in London, correct?

15 A. For a bit, yes.

16 Q. Okay. Moving to your social media accounts.
17 How many social media accounts have you had, would you
18 say, roughly?

19 A. Ever?

20 Q. Let's just say in the past ten years.

21 A. That's kind of like ever for social media.

22 Q. Yeah, that's actually true.

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1 Does about ten sound right?

2 A. Approximately.

3 Q. Okay. And all of them are public or are some
4 of them private? Let me ask that an easier way.

5 Do you have any social media accounts that are
6 private?

7 A. I don't know.

8 Q. You don't know?

9 A. I don't utilize all of -- you said how many
10 have I had ever.

11 Q. Yeah.

12 A. Some of those I don't engage with anymore.

13 Q. I see. By "private," I mean sort of not
14 publicly available, whether or not you posted content on
15 them. What I'm -- what I'm talking about is just the --
16 the -- the setting. Is it private to friends and
17 followers, or is it publicly available? That's the
18 setting I'm talking about.

19 A. I'm clear that that's the setting you're
20 talking about.

21 Q. Okay.

22 A. I -- and my answer remains I don't know.

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1 Q. So you don't -- you can't think of any
2 right -- any social media accounts right now that you
3 have that are private?

4 A. I'm thinking of one account in particular that
5 I don't know what the setting [sic].

6 Q. Okay. Which account is that?

7 A. Facebook, Sheilagh Polk.

8 Q. Okay. Is that S-H-E-I-L-A-G-H P-O-L-K?

9 A. Yes.

10 Q. All right. Let's focus on the other ones for
11 now --

12 A. Sure.

13 Q. -- your public accounts. Is it true you have
14 over 10,000 followers on Twitter?

15 A. Yes.

16 Q. What is your Twitter name for that account?

17 A. CatsCommentary.

18 Q. And what do you post on that account?

19 A. Primarily political statements and/or
20 responses.

21 Q. And that's public?

22 A. It is.

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1 Q. The profile as well as the content?

2 A. It is.

3 Q. And you've -- you've tweeted over 11,000
4 times. Does that sound -- does that sound right?

5 A. Sure.

6 Q. Okay. The content that you have posted on --
7 on your -- I'm going to broaden it to everything but --
8 just your publicly available accounts, just the ones
9 that are public. You've posted your name on those
10 accounts, correct?

11 A. Correct.

12 Q. And your former name, Sheilagh Polk, correct?

13 A. Correct.

14 Q. Okay. And photographs of you, correct?

15 A. Correct.

16 Q. And some -- some members of your family,
17 correct?

18 A. Correct.

19 Q. Your employment history, correct?

20 A. Correct.

21 Q. And some other personal details, correct?

22 MR. TROUTMAN: Objection to form.

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1 Q. In fact, 191 of them, it looks like, correct?

2 A. Yes.

3 Q. And the earliest post on that one, at least
4 that was still available on Facebook, was July 31st,
5 2017, correct? Very last.

6 A. Yes.

7 Q. There we go.

8 I'm actually not going to ask you any
9 questions about any of those pages. But you do
10 recognize that as your Facebook posts, I take it, to
11 that account?

12 A. To this account.

13 Q. Correct?

14 A. Correct.

15 Q. I will, though, direct your attention to the
16 first page of the exhibit --

17 A. Yep.

18 Q. -- where it says catbrooks@therealcatbrooks.
19 Are you there?

20 A. I am.

21 Q. Do you see how next to that it says the words
22 "public figure"?

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1 A. I do.

2 Q. Do you see why that -- those words show up
3 there?

4 A. I do.

5 Q. Why is that?

6 A. Because it's a public figure page.

7 Q. And what does that mean?

8 A. It means that it's used primarily, almost
9 solely, for political commentary and/or promotion of my
10 artistic endeavors.

11 Q. And is that a designation that you chose or
12 that Facebook chose? Was that an automatic designation
13 or something that you opted for?

14 A. No. You have to create a public figure page.

15 Q. I see. And you created a public figure page
16 for what purpose?

17 A. I'm a public figure.

18 Q. Okay. Why do you consider yourself a public
19 figure?

20 A. I make my living, my professional living, as a
21 political commentator. I have a following and -- I
22 mean, that's basically it.

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1 Q. Yep.

2 A. I got a base and I -- I -- I spend a lot of
3 time talking publicly about political matters.

4 Q. Understood.

5 Next exhibit.

6 (Whereupon, Exhibit 8 was marked for
7 identification.)

8 BY MS. FAHRINGER:

9 Q. This is Exhibit 8. Do you recognize this as
10 your LinkedIn page?

11 A. Oh. Sure.

12 Q. And you posted this, correct? Or you -- what
13 is it called with LinkedIn? You created this page?

14 A. I believe -- I mean, yes.

15 Q. And you approved the content, correct?

16 A. Sure.

17 Q. And it's all true, I take it?

18 A. Yes.

19 Q. Okay. And this is publicly available,
20 correct?

21 A. It is.

22 Q. Next is --

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1 A. Hmm.

2 Q. Aha.

3 A. I -- I -- I'm going to say I believe it is
4 publicly available. I -- I -- I don't -- I don't use
5 LinkedIn and I can't remember if you need to assign the
6 people to access your stuff or not. Yeah.

7 Q. You don't know one way or another whether it's
8 publicly available?

9 A. I don't much use the platform.

10 Q. Okay. Next exhibit in order is Exhibit 9.

11 (Whereupon, Exhibit 9 was marked for
12 identification.)

13 BY MS. FAHRINGER:

14 Q. Do you recognize this as the Instagram -- your
15 Instagram page @therealcatbrooks?

16 A. I do.

17 Q. And who are the photographs of just in the --
18 well, it's a photograph of you on the first row -- well,
19 the profile photo. That's -- so who is that of?

20 A. Me and my daughter.

21 Q. And the first row is you, of course, correct?

22 A. Uh-huh.

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1 to ask what did you tell your legal counsel about that.

2 MS. FAHRINGER: Mr. Troutman, I am really good
3 at not asking for attorney-client privileged
4 information. My questions are going to be good in that
5 regard.

6 MR. TROUTMAN: Okay.

7 BY MS. FAHRINGER:

8 Q. Ms. Brooks, I don't want to hear any
9 communications you had with your counsel about legal
10 advice. I don't care about that. I don't want to know
11 about that. So my questions are going to be really,
12 really specific and if you'd just answer the questions,
13 you'll be fine. Mr. Troutman won't need to give any
14 speeches.

15 A. Thank you.

16 Q. So let's go to the -- how many searches are
17 you aware have been run on your name or your identifying
18 information with CLEAR?

19 A. I -- I don't know the exact number.

20 Q. Do you know if it's fewer than ten?

21 A. I don't know the exact number.

22 Q. What searches are you aware of that have been

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1 run on your name in CLEAR? And let me say your name or
2 other identifying information in CLEAR. What searches
3 are you aware of?

4 A. Well, I know that we worked with an expert,
5 QRI, to run that search.

6 THE REPORTER: Q -- QRI?

7 THE WITNESS: QRI, I believe, is the name of
8 that expert.

9 BY MS. FAHRINGER:

10 Q. And when you say "we worked with an expert,"
11 you mean you and your counsel?

12 A. I do.

13 Q. Worked with QRI to run a search for your
14 information in CLEAR?

15 A. Yes.

16 Q. And what is CLEAR -- I'm sorry, QRI?

17 A. What I know about QRI is that they were the
18 experts that were hired via counsel to run this search.

19 Q. Did -- in connection with this case?

20 A. Yes.

21 Q. To help prepare for this case?

22 A. Yes.

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1 Q. Okay. Now, again, cautioning you, I don't
2 want the -- I don't want the legal advice between you
3 and your counsel. What I'm ask- -- what I'm going to
4 ask you is: What do you know about the searches that
5 were run by Quest on your name or other identifying
6 information in CLEAR?

7 A. I don't -- I've never run a search in CLEAR,
8 so I don't know how that works. I know that a search
9 was done to see what of my information at that time was
10 inside of CLEAR.

11 Q. Okay. And focusing just on the QRI searches,
12 do you recall how many searches they ran?

13 A. I don't recall.

14 Q. And I take it the searches run by QRI were run
15 with your consent?

16 A. They were.

17 Q. Did you sign a document with QRI indicating
18 that consent, do you recall?

19 A. I don't recall if I signed a document.

20 Q. If you did, I would want to know more about
21 that document, but if you don't recall having signed a
22 document, that's fine.

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1 A. Correct.

2 MS. FAHRINGER: Those are all my questions on
3 these reports. We can take a break and reconvene in --
4 did you want 15 minutes? Should we go reconvene at the
5 top of the hour?

6 BY MS. FAHRINGER:

7 Q. My phone is off. What is the top of the hour,
8 6:00?

9 A. Good.

10 Q. Six. We can go off the record for the court
11 reporter's fingers.

12 (Recess taken.)

13 (Kayla Lindgren enters the deposition room.)

14 BY MS. FAHRINGER:

15 Q. Ms. Brooks, you described or testified to the
16 fact that you believe CLEAR invades your privacy,
17 correct?

18 A. Yes.

19 Q. And that it -- how -- what other ways does
20 CLEAR harm you?

21 A. By using the invasion of that privacy to
22 compile reports on me that -- and then are for sale to

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1 entities without my knowledge or permission.

2 Q. And is the nature of the harm you are
3 experiencing an invasion of privacy?

4 A. Yes.

5 Q. And are there any other -- is there any other
6 harm, other than an invasion of privacy, that -- that
7 CLEAR causes you?

8 What I'm trying to do now is make sure I have
9 a full list, and then I'm going to ask about each item.

10 A. Sure.

11 Q. Well --

12 A. Well, there's the potential harm --

13 Q. Okay.

14 A. -- depending on who that information gets sold
15 to and what they use it for.

16 Q. Okay.

17 A. And -- and there is the -- it -- it -- what
18 feels very much like surveillance and contributing to
19 the surveillance state, which is harmful.

20 Q. And would -- would you put that under the
21 category of invasive -- it's harmful because it invades
22 your privacy?

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1 A. You could.

2 Q. Okay. So it's got a current harm in that it
3 invades your privacy, and it has got a potential harm in
4 the future that it might invade your privacy depending
5 on who uses CLEAR and what the information is used for.

6 A. And then it's harmful in general because it
7 does not belong to them to do what they are doing with
8 it.

9 Q. Okay. And how would you characterize that
10 harm? Is it a harm to your ownership interest in the
11 information?

12 How does that hurt you?

13 A. Because it's mine. I decide what information
14 I put out about myself or my family or my day-to-day
15 activities, where -- I have the right to that
16 information.

17 Q. To make that decision?

18 A. Yes.

19 Q. So it hurts your -- it harms your -- it
20 harms -- I don't want to put words in your mouth, but I
21 want to make sure I understand you. So let me try and
22 tell you what I think you are saying, and you tell me if

1 I'm wrong.

2 It harms your ability to decide who can access
3 your information. Is that fair?

4 A. Yeah. It takes away my right to do that. My
5 agency.

6 Q. It takes away your right to decide who sees
7 your information?

8 A. Or to deny certain entities the right to see
9 my information.

10 Q. And that right to decide who sees your
11 information or not, you believe that right exists even
12 if the information is already public?

13 A. Yes.

14 Q. Okay.

15 A. The information never stops belonging to me.

16 Q. Got it.

17 So we have got invades your privacy and
18 potential future invasion of privacy, that's number one.
19 Number two, potential future invasion of privacy
20 depending on who accesses -- accesses CLEAR and what
21 they use it for. And the third harm you have -- you
22 have identified is that CLEAR takes away your right to

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1 decide who sees your information or not even as to
2 public information, correct?

3 A. Correct. As it is compiled into a full-on
4 report, complete with a risk factor score about my life.

5 Q. Understood.

6 We have got those three -- three types of harm
7 you have identified.

8 Can you identify any other ways in which --
9 before we explore those further, can you identify any
10 others that we should add to to this list of ways in
11 which you believe CLEAR harms you?

12 A. And others, not just me.

13 Q. I understand, but I'm just going to ask you
14 because you are the one we have here and who is
15 testifying.

16 So the question is: Other than those three
17 that we have just discussed, can you identify any other
18 ways in which CLEAR harms you?

19 A. I think those are the three big buckets.

20 Q. Okay. I'm going to now ask a couple of
21 questions that I think the answer is no, but I need to
22 make sure the answer is no in -- in order to know

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1 whether I need to ask follow-up questions.

2 So these are other types of harms that exist
3 in the world. I want to make sure we know whether you
4 believe Thompson Reuters or the CLEAR platform has
5 caused you these types of harms.

6 So one is going to be physical injury. Has
7 CLEAR caused you -- say CLEAR or Thompson Reuters caused
8 you any -- let me withdraw that question and ask it in a
9 neater way.

10 Has the CLEAR platform caused you to
11 experience any physical injury?

12 A. Like to my physical person?

13 Q. Yes, like to your physical person.

14 A. No.

15 Q. Has -- have you sold your personal information
16 to your knowledge to anyone previously?

17 A. No.

18 Q. Okay. Do you know whether -- do you know
19 whether your personal information has monetary value or
20 not? Do you know whether it does or not? And I --
21 that's a very abstract question.

22 Do you want me to make it a smaller question?

1 A. Please.

2 Q. What I'm asking -- what I'm trying to do is
3 make sure that I am in a position to ask a question
4 whether you think that the CLEAR platform has caused the
5 value of your personal information to be decreased or
6 diminished in any way -- the monetary value of that
7 information?

8 A. I don't -- I don't know. That's something I
9 would probably ask my attorneys.

10 Q. But not -- to your knowledge, the answer is
11 no?

12 A. It's -- it's I don't know.

13 Q. Oh, I'm sorry. The -- yeah, I meant to ask
14 the question: Do you know? And so the answer to that
15 question would be no?

16 A. Correct.

17 Q. Okay. So you don't know whether the value of
18 your personal information has been diminished as a
19 result of CLEAR, correct?

20 A. I do not, with the exception of the value that
21 I, and I believe others, probably place on the right to
22 control that information.

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1 Q. Are you talking about a monetary value?

2 A. Value in general. You're asking about
3 monetarily?

4 Q. Yeah, I'm just asking about mon- --

5 A. Yeah, I don't know.

6 Q. You don't know as to monetary value. Okay.
7 The question -- I was intending the -- the question to
8 be limited to the monetary value.

9 So limiting it to monetary value, the answer
10 would be that you don't know whether the monetary value
11 of your personal information was impacted in any way as
12 a result of CLEAR, is that -- is that fair?

13 A. Other than CLEAR having the ability to profit
14 off of it, no.

15 Q. So has CLEAR -- I'll now have to ask follow-up
16 questions on that.

17 Has the ability to profit -- has -- has what
18 you believed to be the ability to profit from your
19 information, has that hurt the monetary value of your
20 personal information to you in any way?

21 A. I don't know.

22 Q. Okay. Did you pay any money that you wouldn't

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1 otherwise have paid as a result of the CLEAR platform?

2 A. I don't believe so.

3 Q. Did you lose any property that you -- that you
4 otherwise would have had because of the CLEAR platform?

5 A. No, not to date.

6 Q. Did anything -- so we covered physical injury.
7 Did -- other than the availability of your
8 information in CLEAR, has anything bad happened to you
9 as a result of the CLEAR platform?

10 A. I don't know.

11 Q. Okay. That's fine.

12 A. I don't know who has accessed it. I don't
13 know what other profiles it's been attached to. I don't
14 know what my information is being used for. I don't
15 know.

16 Q. So you don't know whether anything bad has
17 happened to you as a result of the CLEAR platform?

18 A. In addition to me being in the CLEAR platform,
19 which I consider bad -- something bad happening to me,
20 no, I don't know.

21 Q. Okay. And do you know whether something bad
22 will happen in the future or not?

1 MR. TROUTMAN: Objection to form.

2 You can answer that question.

3 BY MS. FAHRINGER:

4 Q. Do you understand that question? Do I need to
5 rephrase it?

6 A. Yes, please.

7 Q. Okay. Yeah. I was -- I was trying to ask
8 whether you can tell -- whether you know whether the
9 CLEAR platform will cause you any injury in the future.

10 Do you understand that question?

11 A. I do.

12 Q. Do you know whether it will or whether it
13 won't in the future?

14 A. I believe it is a possibility.

15 Q. So it might?

16 A. Perhaps, yeah.

17 Q. Do you know when that will happen?

18 A. No.

19 Q. Could it happen many years from now or
20 tomorrow as far as you know?

21 A. Yes.

22 Q. You have no idea either way?

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1 A. No, especially given the fact that what's in
2 there changes, and who may want to access it, for
3 whatever purposes at any time, could shift between
4 tomorrow and next month or next year.

5 Q. Okay. Is there any other way in which you
6 think you have been injured by the CLEAR platform other
7 than the three that we have discussed already. That is,
8 that it invades your privacy and that it might, in the
9 future, cause you, potentially, an invasion of privacy
10 depending on who uses the platform, what they use the
11 platform for, and that it takes away your right to
12 decide who sees your information, even as to public
13 information.

14 Other than those three harms, can you think of
15 any other harm that the CLEAR platform cause -- causes
16 you?

17 A. I think those are the three big buckets.

18 Q. Okay. When did you first realize that you had
19 experienced the -- well, let me -- you said you think
20 that they are the three big buckets, and I'm still going
21 to tie it to the question to make sure I've got an
22 answer to the question.

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1 And you can't think of any other harms today
2 that the CLEAR platform has caused you?

3 A. Not at this moment, no.

4 Q. Okay. The reason I'm asking is if there are
5 other harms, I want to hear about them. I want to
6 understand what the basis is and -- and how the harm
7 occurred and when it occurred, and so forth.

8 And so now I'm going to -- I'm going to focus
9 on these first three harms that you have identified.

10 When did you first realize that the CLEAR
11 platform caused you these harms?

12 A. When I first realized or learned that I was
13 inside of CLEAR.

14 Q. And at what point did you believe that harm
15 actually happened to you? When did that harm -- I know
16 -- I get that you realized it when you first learned
17 your information was available in CLEAR, but when did
18 the harm occur to you? When did it happen?

19 A. Whenever CLEAR first collected and stored and
20 aggregated information about me.

21 Q. Okay. At the moment of collision then?

22 A. Yes.

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1 DEPOSITION OFFICER'S CERTIFICATE

2 I, the undersigned, a Certified Shorthand
Reporter of the State of California, do hereby certify:3 That the foregoing proceedings were taken
before me at the time and place herein set forth; that
4 any witnesses in the foregoing proceedings, prior to
testifying, were duly sworn; that a record of the
5 proceedings was made by me using machine shorthand,
which was thereafter transcribed under my direction;
6 that the foregoing transcript is a true record of the
testimony given.7 Further, that if the foregoing pertains to the
original transcript of a deposition in a federal case,
8 before completion of the proceedings, review of the
transcript [X] was [] was not requested.9 I further certify I am neither financially
interested in the action nor a relative or employee of
10 any attorney or party to this action.IN WITNESS WHEREOF, I have this date
11 subscribed my name.

12 Dated: 8/12/2022

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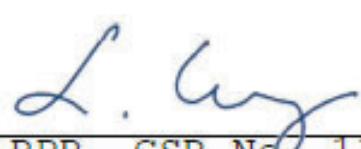
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3
4 SIGNATURE PAGE
Case: Cat Brooks and Rasheed Shabazz, et al. v. Thomson Reuters Corp.
5 Witness Name: Cat Brooks
Deposition Date: August 10, 2022

6
I do hereby acknowledge that I have read
7 and examined the foregoing pages
of the transcript of my deposition and that:

8
9 (Check appropriate box):
() The same is a true, correct and
10 complete transcription of the answers given by
me to the questions therein recorded.
11 (X) Except for the changes noted in the
attached Errata Sheet, the same is a true,
12 correct and complete transcription of the
13 answers given by me to the questions therein
14 recorded.

15
16 9/9/2022 Cat Brooks
17 DATE WITNESS SIGNATURE

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21 9/9/2022 * see attached *
22 DATE NOTARY

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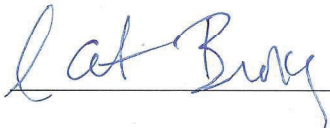
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6 ERRATA SHEET
7

8 Case: Cat Brooks and Rasheed Shabazz, et al. v. Thomson Reuters Corp.
9 Witness Name: Cat Brooks
10 Deposition Date: August 10, 2022

11	Page No.	Line No.	Change
12	172	21	change "weight" to "weigh"
13	184	12	MS. BROOKS is speaking
14	234	3-4	insert "know" after "didn't"
15	277	21	change "collision" to "acquisition"

16
17
18
19

20
21 
22 Signature

9/9/2022
Date

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Alameda

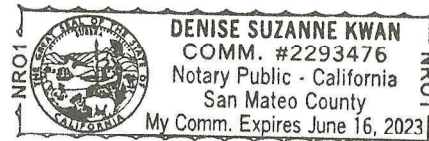
On Sept. 9, 2022, before me, Denise Suzanne Kwan, Notary Public, personally appeared Cat Brooks,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



Attached to Cat Brooks Deposition Transcript and
Errata Sheet (Name of Document)