

# **Exhibit E**

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

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ORAL CLARKE, ROMANCE REED, GRACE  
PEREZ, PETER RAMON, ERNEST TIRADO,  
and DOROTHY FLOURNOY,

Plaintiffs,

-against-

Index No:  
EF002460/2024

TOWN OF NEWBURGH and TOWN BOARD OF  
THE TOWN OF NEWBURGH,

Defendants.

- - - - -x

VIA ZOOM

August 5, 2024  
10:01 a.m.

EXAMINATION BEFORE TRIAL of GRACE  
PEREZ, a Plaintiff in the above-entitled  
action, held at the above time and place  
and taken before Elizabeth C. Swanson, a  
Notary Public of the State of New York.

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A P P E A R A N C E S

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## STIPULATIONS

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IT IS HEREBY STIPULATED, by and  
between the attorneys for the respective  
parties hereto, that:

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All rights provided by the C.P.L.R.,  
and Part 221 of the Uniform Rules for the  
Conduct of Depositions, including the  
right to object to any question, except as  
to form, or to move to strike any  
testimony at this examination is reserved;  
and in addition, the failure to object to  
any question or to move to strike any  
testimony at this examination shall not be  
a bar or waiver to make such motion at and  
is reserved to, the trial of this action.

This deposition may be sworn to by the  
witness being examined before a Notary  
Public other than the Notary Public before  
whom this examination was begun but the  
failure to do so or to return the original  
of this deposition to counsel, shall not  
be deemed a waiver of the rights provided  
by Rule 3116, C.P.L.R. and shall be  
controlled thereby.

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The filing of the original of  
this deposition is waived.

IT IS FURTHER STIPULATED, a copy  
of this examination shall be furnished to  
the attorney for the witness being  
examined without charge.

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2 G R A C E P E R E Z, after having first  
3 been duly sworn by a Notary Public of the  
4 State of New York, was examined and  
5 testified as follows:

6 EXAMINATION BY

7 MS. JACCARD:

8 Q. State your name for the record  
9 please.

10 A. Grace Perez.

11 Q. State your address for the  
12 record please.

13 A. 114 Heather Circle, Newburgh,  
14 New York 12550.

15 Q. Good morning, Ms. Perez. My  
16 name is Anais Jaccard, I represent the  
17 defendants in this case the Town of  
18 Newburgh and the Town Board of the Town of  
19 Newburgh. I also have my colleague Paris  
20 Kent with me here today. I know you just  
21 did this, but Ms. Perez, would be able to  
22 state your name and address?

23 A. Graze Perez, 114 Heather Circle,  
24 Newburgh, New York 12550.

25 Q. Good morning, Ms. Perez. First,

1 GRACE PEREZ  
2 we will go over some of the ground rules  
3 so we can make this an efficient and  
4 hopefully relatively speedy process for  
5 everybody.

6 First of all, I will be asking  
7 you a lot of questions today. Do you  
8 understand you have to answer those  
9 questions to the best of your ability  
10 unless your attorney specifically  
11 instructs you not to?

12 A. Yes.

13 Q. Thank you.

14 The stenographer will be  
15 recording everything we say today so  
16 please answer verbally, and by that I mean  
17 no nodding, no head shakes. We need the  
18 stenographer to understand what is  
19 actually being communicated; do you  
20 understand?

21 A. Yes.

22 Q. Thank you.

23 I will also ask that you let me  
24 finish my questions before you start  
25 answer just so that we don't talk over one

1 GRACE PEREZ

2 another. That will make the  
3 stenographer's life a lot easier, and I  
4 will do the same with your answers. Do  
5 you agree?

6 A. Yes.

7 Q. If you don't understand the  
8 question I'm asking, just let me know, and  
9 I can repeat it, rephrase it, or ask the  
10 stenographer to repeat it back to us. Do  
11 you understand?

12 A. Yes.

13 Q. Similarly, if you would like to  
14 take a break at any point, just ask. We  
15 ar more than accommodating for that. The  
16 only rule is that we will not take a break  
17 when there is a question pending. Do you  
18 understand?

19 A. Yes.

20 Q. Ms. Perez, you are currently  
21 under oath and are sworn to tell the  
22 truth. You will remain under oath for the  
23 entirety of the deposition. Do you  
24 understand?

25 A. Yes.

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1 GRACE PEREZ

2 Q. I will start by asking some  
3 general questions. We ask these at all  
4 depositions. They are not personal to you  
5 at all. Have you taken any medications  
6 today that would affect your ability to  
7 testify truthfully?

8 A. No.

9 Q. Have you consumed any alcohol  
10 today?

11 A. No.

12 Q. Are there any circumstances that  
13 would prevent you from answering my  
14 questions truthfully to the best of your  
15 ability?

16 A. No.

17 Q. Thank you.

18 We are going to go over a couple  
19 of definitions before we get started.

20 Throughout this deposition, I will refer  
21 to the Town of Newburgh as the Town. I  
22 will also refer to the Town Board of the  
23 Town of Newburgh as the Town Board.

24 Do you understand those  
25 definitions?

1 GRACE PEREZ

2 A. Yes.

3 Q. If, at any time, you are unclear  
4 about which entity I'm speaking about and  
5 who I mean when I say the Town or the Town  
6 Board, please let me know because it's  
7 imperative that you understand.

8 A. Yes.

9 Q. Setting that aside, we can get  
10 started. First, have you ever been a  
11 party to a civil case or an arbitration?

12 A. Yes.

13 Q. Do you know how many?

14 A. One.

15 Q. Was it a civil case or  
16 arbitration?

17 A. Civil.

18 Q. Do you know what the name of the  
19 case was?

20 A. Graze Perez versus the Violence  
21 Intervention Program.

22 Q. When did that case start?

23 A. 2010.

24 Q. Has that case been -- go ahead.

25 A. I don't know exactly recall the

1 GRACE PEREZ

2 year but either 2010 or the year before or  
3 the year after.

4 Q. And is that case still pending  
5 or has it been resolved?

6 A. Resolved.

7 Q. What Court was that case in?

8 A. New York -- New York City.

9 Q. What was that case about?

10 A. Related to employment.

11 Q. Were you the plaintiff in that  
12 case?

13 A. Yes.

14 Q. And you mentioned that that case  
15 was resolved. How was that case resolved?

16 A. I withdrew.

17 Q. Have you ever been charged of a  
18 crime?

19 A. Never.

20 Q. Have you ever testified in a  
21 civil trial or arbitration besides the one  
22 that you just referred in which you were  
23 the plaintiff?

24 A. No.

25 Q. Have you ever submitted an

1 GRACE PEREZ

2 affidavit or sworn statement in connection  
3 with a case or arbitration, again besides  
4 the one in which you were the plaintiff  
5 that you just spoke about?

6 A. No.

7 Q. Have you ever had your  
8 deposition taken before?

9 A. Yes.

10 Q. How many times?

11 A. In the matter that I just  
12 previously mentioned, about seven times.

13 Q. Do you recall when the first  
14 deposition was in that case?

15 A. 2009, 2010.

16 Q. What was your testimony about  
17 during that deposition?

18 A. It was related to employment.

19 Q. Can you expand a little bit  
20 about that case? You said it was related  
21 to employment.

22 A. Defamation of employment.

23 Q. You as the plaintiff claimed  
24 that your employer had defamed you; is  
25 that correct?

1 GRACE PEREZ

2 A. Correct.

3 Q. Who was the employer in that  
4 case?

5 A. Violence Intervention Program.

6 Q. And you dismissed that case in  
7 the end?

8 A. I did not continue, yes.

9 Q. When was that?

10 A. 2012 approximately. I don't  
11 exactly recall.

12 Q. Turning now to this case, what  
13 did you do to prepare for this deposition?

14 A. I had a meeting this past  
15 Friday, August the 2nd with our attorneys.

16 Q. Did you just have that one  
17 meeting or were there others?

18 A. Just that one meeting.

19 Q. How long was that meeting  
20 approximately?

21 A. Approximately an hour.

22 Q. When you met with your  
23 attorneys, did you review any documents?

24 MR. STILL: Before you answer,  
25 at this point I object to the extent

1 GRACE PEREZ

2 this might call for any  
3 attorney-client privileged  
4 information.

5 Grace, you can answer to the  
6 extent -- you can answer that you did  
7 review certain documents. Just be  
8 careful not to divulge the contents of  
9 what you might have discussed with us  
10 but go ahead. You can answer.

11 A. Yes. We reviewed some  
12 documents.

13 Q. What documents did you review?

14 A. The complaint, the actual  
15 filing, and one other document whose title  
16 I don't recall right now.

17 Q. Did you review any motion papers  
18 or legal briefs?

19 A. No. I don't think those were.

20 Q. Did you review any other  
21 documents in connection --

22 A. No.

23 Q. Do you know if the documents you  
24 reviewed, particularly the second one that  
25 you can't quite recall, was that a

1 GRACE PEREZ

2 document that was produced in this  
3 litigation by any of the parties?

4 A. Yes.

5 Q. Ms. Perez, did you receive a  
6 litigation hold instructing you to  
7 preserve any documents related to the  
8 claims in this litigation?

9 A. Yes. That's actually the  
10 document -- the second document. I  
11 couldn't remember the name of it but that  
12 was it, yes.

13 Q. Thank you.

14 Do you have any documents  
15 related to the issues in this litigation  
16 whether digital or physical?

17 A. No.

18 Q. Do you have any communications,  
19 and by that I mean emails, text messages,  
20 social media messages related to the  
21 issues in this litigation?

22 MR. STILL: I am going to object  
23 to the extent there may be  
24 attorney-client privileged information  
25 she has.

1 GRACE PEREZ

2 Don't answer, Grace, in terms of  
3 attorney-client privileged  
4 communications, but otherwise you can  
5 answer.

6 A. No. I have no documents either  
7 mail, email, text messages, voice messages  
8 on this matter at all.

9 Q. Thank you.

10 Let's talk about the complaint  
11 briefly, and we'll go into more detail  
12 later. You said you reviewed the  
13 complaint in preparation for this  
14 deposition; is that correct?

15 A. We looked it over. We didn't go  
16 line by line. Just reminded me of what it  
17 was.

18 Q. Did you review the complaint  
19 before it was filed?

20 A. Yes.

21 Q. Have you reviewed any motion  
22 papers or legal briefs filed in this case  
23 after the complaint was filed?

24 MR. STILL: Objection. I'm not  
25 sure -- the witness is not a lawyer.

1 GRACE PEREZ

2 Not sure she entirely understands what  
3 a legal brief or motion papers are.  
4 Can you clarify what you mean?

5 MS. JACCARD: Yes.

6 EXAMINATION BY

7 MS. JACCARD:

8 Q. Ms. Perez, in addition to the  
9 complaint have you reviewed anything else  
10 that was filed in this case -- anything  
11 else your attorneys or the other side has  
12 presented to the Court?

13 A. Just the letter that was sent  
14 requesting documents that I may have.

15 Q. Okay, thank you.

16 Did you meet with anybody else  
17 in preparation for your deposition besides  
18 your attorneys?

19 A. No.

20 Q. Did you tell anybody else that  
21 you were being deposed today?

22 A. No.

23 Q. At this point, I would like to  
24 shift the focus a little bit and talk  
25 about your background. Did you go to

1 GRACE PEREZ

2 college?

3 A. Yes.

4 Q. Where did you go to college?

5 A. I went to undergrad in Puerto  
6 Rico, and I did a grad level program here  
7 in New York.

8 Q. What was the name of the school  
9 in Puerto Rico?

10 A. Interamericana.

11 Q. What did you study there?

12 A. Social work.

13 Q. Did you graduate?

14 A. Yes.

15 Q. When was that?

16 A. 1981.

17 Q. What degree did you receive from  
18 that institution?

19 A. A bachelor's in social work.

20 Q. And you said you went to a  
21 graduate program in New York?

22 A. Yes.

23 Q. What was the name of that  
24 school?

25 A. Columbia.

1 GRACE PEREZ

2 Q. What did you study at Columbia?

3 A. Public administration.

4 Q. Did you graduate from that  
5 program?

6 A. Yes.

7 Q. When was that?

8 A. '94.

9 Q. What degree did you receive?

10 A. Master's in public  
11 administration.

12 Q. Do you have any certifications  
13 or professional licenses?

14 A. No.

15 Q. What is your currently  
16 occupation?

17 A. I'm retired.

18 Q. What was your previous  
19 occupation before your retirement?

20 A. I was executive director of a  
21 nonprofit organization.

22 Q. What was the nonprofit  
23 organization?

24 A. Violence Intervention Program.

25 Q. How long were you in that role?

1 GRACE PEREZ

2 A. 17 years.

3 Q. What were your responsibilities  
4 in that position?

5 A. Program development, funding  
6 development, human resources, everything.

7 MR. STILL: Can you all hear the  
8 -- I will close the window. I think  
9 there is noise in the background.  
10 Give me one moment.

11 Okay. I'm sorry about that. We  
12 can continue.

13 EXAMINATION BY

14 MS. JACCARD:

15 Q. Where was that job located?

16 A. New York City.

17 Q. When did that job start?

18 A. 1985.

19 Q. Ms. Perez, how did you identify  
20 your race on the 2020 census?

21 A. Latina.

22 Q. Ms. Perez, do you currently  
23 reside in the Town of Newburgh, and as a  
24 reminder, when I refer to the Town moving  
25 forward, I'm referring to the Town of

1 GRACE PEREZ

2 Newburgh.

3 A. Yes.

4 Q. How long have you lived in the  
5 Town?

6 A. 32 years. I had to do the math.

7 Q. Are you registered to vote?

8 A. Yes.

9 Q. How long have you been  
10 registered to vote?

11 A. Since I was 18.

12 Q. Do you vote in every election?

13 A. Yes.

14 Q. So every presidential election?

15 A. Yes.

16 Q. State and local elections as  
17 well?

18 A. Yes.

19 Q. Are you registered with a  
20 political party?

21 A. Yes.

22 Q. Which party?

23 A. Democratic Party.

24 Q. Has that ever changed?

25 A. No.

1 GRACE PEREZ

2 Q. Are you a member of any  
3 political organizations or groups?

4 A. Yes.

5 Q. Which ones?

6 A. The Orange County Democratic  
7 Committee and the Town of Newburgh  
8 Democratic Committee.

9 Q. Are there any other political  
10 organizations you are a part of?

11 A. No.

12 Q. Do you volunteer for any of  
13 these political organizations?

14 A. Repeat that question.

15 Q. Do you volunteer with any  
16 political organizations?

17 A. Yes.

18 Q. Which political organizations?

19 A. The Town of Newburgh Democratic  
20 Committee.

21 Q. What does volunteering for the  
22 Town of Newburgh Democratic Committee look  
23 like? What are your responsibilities?

24 MR. STILL: Before she answers,  
25 I will just object to the extent this

1 GRACE PEREZ

2 may call for information protected by  
3 the First Amendment associational  
4 privilege.

5 Grace, you can answer the  
6 question to the extent you are doing  
7 in a public facing roles or tasks. In  
8 terms of internal things with the  
9 party organization, that's privileged,  
10 but you can answer subject to that  
11 instruction.

12 A. Voter registration, community  
13 canvassing.

14 Q. We disagree with the scope of  
15 the privilege that your attorney asserted,  
16 but in any event, do you volunteer for any  
17 particular candidate or have you  
18 volunteered for any particular candidate?

19 A. Yes.

20 Q. In what capacity? What have  
21 your responsibilities been when you have  
22 volunteered for particular candidates?

23 MR. STILL: I make the same  
24 objection.

25 Grace, you can answer to the

1 GRACE PEREZ

2 extent of your public facing duties.

3 More private internal workings of the  
4 campaign you don't have to answer  
5 that, but you can answer public  
6 facing.

7 A. Community canvassing.

8 Q. What does community canvassing  
9 mean?

10 A. Going to party members to inform  
11 them of a candidate's candidacy.

12 Q. Which candidates have you  
13 volunteered for?

14 A. Okay. Vanessa Tirado, Miriam  
15 Bowser, Mary Olivera, and one or two  
16 others right now I can't remember. It's  
17 been a while.

18 Q. And were those individuals  
19 running for the Town Board at the time you  
20 volunteered for them?

21 A. Yes.

22 Q. Ms. Perez, has your level of  
23 political involvement changed over the  
24 years?

25 A. No.

1 GRACE PEREZ

2 Q. Have you ever run for a  
3 political office?

4 A. No.

5 Q. Have you ever considered running  
6 for a political office?

7 A. The thought has crossed my mind.  
8 I have been approached as well.

9 Q. Who have you been approached by?

10 A. Committee members.

11 Q. When you say committee, do you  
12 mean the Town of Newburgh Democratic  
13 Committee?

14 A. Yes.

15 Q. Can you describe the structure  
16 of the Town of Newburgh's government?

17 A. Yes. We have a town supervisor.  
18 We have a -- what is that position called  
19 -- the tax receiver, and we have town  
20 council members.

21 Q. What is the entity that runs the  
22 Town?

23 A. The Town Board.

24 Q. Do you know who makes up the  
25 Town Board at present?

1 GRACE PEREZ

2 A. At this moment I can't tell you  
3 their names.

4 Q. Can you name any previous Town  
5 Board members?

6 A. Elizabeth Green. She just  
7 recently passed.

8 Q. Is that only name that comes to  
9 mind?

10 A. Yes.

11 Q. Is it your opinion that  
12 typically all Black residents of the Town  
13 vote for the same candidates of the Town  
14 Board?

15 A. Repeat that question please.

16 MS. JACCARD: Elizabeth, can you  
17 read that question back?

18 (Whereupon, a portion of the  
19 testimony was read back.)

20 THE WITNESS: I can't answer  
21 that with a yes or no. I don't have  
22 those statistics.

23 EXAMINATION BY

24 MS. JACCARD:

25 Q. Is it your opinion that

1 GRACE PEREZ

2 generally Latino residents vote for the  
3 same candidates of the Town Board?

4 A. Same answer. I don't have those  
5 statistics.

6 Q. Maybe speaking more generally,  
7 is it your opinion that all Black  
8 residents vote for the same candidates in  
9 local elections, not just for the Town  
10 Board?

11 A. If I am understanding your  
12 question correctly, are you asking if all  
13 Black or all Latinos will vote for the  
14 same candidate. Am I right? Is that your  
15 question?

16 Q. Let me think of how to rephrase  
17 it. I think yes. You are understanding  
18 my question correctly.

19 A. Then my answer is no.

20 Q. Thank you. I want to circle  
21 back to one thing. You mentioned you had  
22 been approached by the Democratic  
23 Committee to run for office. What office  
24 were you approached about running for?

25 A. To consider -- to consider

1 GRACE PEREZ

2 running.

3 Q. Yes.

4 A. The council member or the  
5 supervisor's position.

6 Q. And you decided not to run; is  
7 that correct?

8 A. Correct.

9 Q. Why did you decide not to run?

10 A. The politics and the likelihood  
11 of victory seemed impossible to me.

12 Q. When you say the politics, what  
13 do you mean?

14 A. The lack of representation, the  
15 lack of support, lack of welcoming.

16 Q. The lack of welcoming from who?

17 A. Local elected folks.

18 Q. Now I would like to talk a  
19 little bit about this lawsuit  
20 specifically. Ms. Perez, how did you come  
21 to be a plaintiff in this action?

22 A. Throughout the years that I have  
23 lived here, it was obvious to me the lack  
24 of representation within the Latino and  
25 African-American communities and then

1 GRACE PEREZ

2 conversations throughout years with other  
3 same minded people, and that was my  
4 decision when I was spoken to about the  
5 possible lawsuit.

6 Q. When did you learn about this  
7 possible lawsuit?

8 A. A little over a year ago more or  
9 less.

10 Q. How did you learn about the  
11 lawsuit?

12 A. Vanessa Tirado.

13 Q. Did she approach you and ask  
14 whether you wanted to be involved?

15 A. She approached me and told me  
16 about that this was conversations that  
17 were being had, and would I be interested,  
18 and I said yes.

19 Q. How do you know Vanessa Tirado?

20 A. She is a resident of the Town of  
21 Newburgh. I met her years ago here in the  
22 Town, and she is also active in the Town  
23 Democratic Committee as well as currently  
24 the president of the Town Democratic  
25 Committee.

1 GRACE PEREZ

2 Q. Do you know why Ms. Tirado  
3 approached you in particular?

4 MR. STILL: Objection to the  
5 extent that calls for speculation, but  
6 you can answer.

7 A. She and I had conversations  
8 throughout the years as I said already  
9 about this issue.

10 Q. Is that your understanding? She  
11 approached you because you have had  
12 conversations about this issue with her in  
13 the past?

14 A. I believe so.

15 Q. Ms. Perez, what is your  
16 understanding of this litigation from a  
17 high level?

18 A. That as I mentioned a few times,  
19 unfortunately we reside in a town where  
20 the African-American and Latino  
21 communities have not had adequate  
22 representation by its county  
23 representatives or its town  
24 representatives.

25 Q. So why did you file this

1 GRACE PEREZ

2 complaint? What is your goal?

3 MR. STILL: Objection to the  
4 extent that calls for legal  
5 conclusions, but you can answer.

6 A. Twofold: bring to the attention  
7 in a formal manner the lack of  
8 representation and second to have  
9 representation.

10 Q. You previously testified that  
11 you reviewed this complaint before it was  
12 filed; is that correct?

13 A. Yes.

14 Q. And did you understand the  
15 complaint at the time it was filed?

16 A. Yes.

17 MS. JACCARD: Paris, can you  
18 pull up the complaint filed in Clarke  
19 versus Town of Newburgh which I will  
20 be marking Perez Exhibit 1.

21 (Whereupon, complaint was marked  
22 as Perez Exhibit 1 for Identification,  
23 as of this date.)

24 MS. JACCARD: Paris will advise  
25 when it's ready.

1 GRACE PEREZ

2 MS. KENT: It should be  
3 available now.

4 MR. STILL: Yes. I see the  
5 exhibit marker. Okay. What specific  
6 section.

7 MS. JACCARD: First we are going  
8 to talk about it generally so page two  
9 which is the first page of the...

10 MR. STILL: Okay. We are there.

11 EXAMINATION BY

12 MS. JACCARD:

13 Q. Ms. Perez, do you recognize this  
14 document?

15 A. Yes.

16 Q. What is this document?

17 A. This is the actual filing.

18 Q. If I represent to you this is  
19 the complaint filed in Oral Clarke et al.  
20 versus Town of Newburgh et al, index  
21 number EF002460-2024 filed March 26, 2024,  
22 would you agree with that representation  
23 of this document?

24 A. Yes.

25 Q. Thank you. First, let's scroll

1 GRACE PEREZ  
2 to pages 30 through 34, which I will  
3 represent to you are verifications  
4 executed by Oral Clarke, Romance Read,  
5 Peter Ramon, Ernest Tirado, and Dorothy  
6 Flournoy affirming they read the complaint  
7 and the matters contained in the complaint  
8 are true.

9 Do you agree with my  
10 representation of those pages?

11 MR. STILL: Just a second. We  
12 are going through.

13 A. Yes.

14 Q. Did you execute a verification?

15 A. Yes.

16 Q. In executing that verification,  
17 did you attest that you believed all of  
18 the allegations in the complaint to be  
19 true?

20 A. Yes.

21 Q. Do you know why your  
22 verification was not included when the  
23 complaint was filed?

24 A. I was out of town and unable to  
25 personally sign, but I gave my

1 GRACE PEREZ

2 authorization to the attorneys -- verbal  
3 authorization.

4 Q. Thank you, Ms. Perez.

5 Have you ever heard of the John  
6 R. Lewis Voting Rights Act?

7 A. Yes.

8 Q. What is the John R. Lewis Voting  
9 Rights Act?

10 A. I can't explain it to you in  
11 legal terms, but it is the right for all  
12 communities to be represented.

13 Q. When did you first hear about  
14 the John R. Lewis Voting Rights Act?

15 A. I don't recall. A few years  
16 ago.

17 Q. Have you read the law -- the  
18 John R. Lewis Voting Rights Act?

19 A. No.

20 Q. Ms. Perez, do you understand  
21 what an at-large voting system is?

22 A. Somewhat.

23 Q. Can you explain to me to the  
24 best of your understanding what an  
25 at-large voting system is?

1 GRACE PEREZ

2 MR. STILL: I am going to object  
3 to the extent she is not a lawyer and  
4 thus may not be fully familiar with  
5 the legal terminology.

6 Grace, you can answer to your  
7 understanding.

8 A. I was about to say the same.  
9 I'm not a lawyer. I can't explain it in  
10 those terms.

11 Q. Do you understand generally, not  
12 in any sort of legal terms but generally  
13 what an at-large voting system is?

14 A. Yes.

15 Q. Can you explain it to me to the  
16 best of your ability and understanding  
17 that you are not a lawyer?

18 A. The right for all citizens to  
19 vote.

20 Q. Maybe let's take a step back.  
21 Do you understand how members to the Town  
22 Board are elected?

23 A. Yes.

24 Q. How are members of the Town  
25 Board elected?

1 GRACE PEREZ

2 A. The residents of the Town vote  
3 on election day for their representative  
4 or for the folks that are on the ballot.

5 MS. JACCARD: I would like to  
6 direct your attention to paragraph  
7 three of the complaint that's on page  
8 two.

9 MR. STILL: One moment. Okay.  
10 All right. We are there.

11 EXAMINATION BY

12 MS. JACCARD:

13 Q. Please take a moment to just  
14 read through paragraph three, and let me  
15 know or I can read it out loud actually.  
16 A portion of paragraph three that I would  
17 like us to focus on states lacking any  
18 representation on the Town Board, members  
19 of the Town's Black and Hispanic  
20 communities have been demoted to second  
21 class citizens whose concerns are ignored  
22 by the Town Board.

23 Did I read that correctly?

24 A. Yes.

25 Q. What is the basis for that

1 GRACE PEREZ

2 allegation?

3 A. Well, in legal terms I can't  
4 explain it once again, but if you don't  
5 have a candidate that is from the Black or  
6 Latino community, then you don't have the  
7 opportunity to elect or vote for those  
8 candidates.

9 Q. What do you mean by members of  
10 the Town's Black and Hispanic communities  
11 have been demoted to second class  
12 citizens?

13 A. When you don't have again that  
14 representation, when you don't have the  
15 option to vote for that a candidate of  
16 color, what else are you if not a second  
17 class citizen.

18 Q. Do you have any evidence to  
19 support the allegation in paragraph three  
20 that concerns of the Town's Black and  
21 Hispanic communities are ignored by the  
22 Town Board?

23 A. I see that there is no person of  
24 color on the Town Board that is the  
25 evidence that I have.

1 GRACE PEREZ

2 Q. Paragraph three alleges as I  
3 just read that the concerns of the Town's  
4 Black and Hispanic communities -- quote --  
5 are ignored by the Town Board. Do you  
6 have any evidence to support that  
7 particular portion of paragraph three?

8 A. Based on decisions that have  
9 been made by the Town.

10 Q. What particular decisions?

11 A. There was a power plant that was  
12 of great concern not just for the Town but  
13 in other areas, health concerns, and the  
14 Town voted against what the community was  
15 opposing.

16 Q. Ms. Perez, I would like to  
17 direct your attention then to paragraphs  
18 90 through 95 of the complaint.

19 MR. STILL: Okay. We are at  
20 paragraph 90 so just specify what  
21 specific paragraph.

22 MS. JACCARD: Just generally I  
23 would ask that she take a moment to  
24 read through paragraphs 90 through 95.

25 A. Okay. It's taking me a while

1 GRACE PEREZ

2 because the print is very tiny.

3 Q. I understand.

4 A. Yes. This is what I was  
5 referring to.

6 Q. How did you first hear about the  
7 proposed expansion of the Danskammer Power  
8 Plant?

9 A. I don't recall at this time. An  
10 article in the paper perhaps,  
11 conversations definitely among neighbors.

12 Q. A portion of paragraph 91 states  
13 Black and Hispanic groups quickly opposed  
14 the expansion arguing that increased  
15 emissions would adversely impact  
16 disproportionately minority communities  
17 around the plant.

18 Did I read that correctly?

19 A. Yes.

20 Q. Were you specifically opposed to  
21 the expansion of the Danskammer Power  
22 Plant?

23 A. Yes.

24 Q. Why were you opposed to the  
25 expansion of the Danskammer Power Plant?

1 GRACE PEREZ

2 A. Because of the harmful chemicals  
3 and the history of these emissions, the  
4 documented health issues.

5 Q. Did you publicly manifest  
6 opposition to the expansion of the power  
7 plant?

8 A. In conversations with other  
9 residents.

10 Q. Did you ever speak to the Town  
11 Board about your opposition to the  
12 expansion of the power plant?

13 A. No.

14 Q. Did you convey your concerns  
15 about the power plant to anyone in town  
16 government?

17 A. No.

18 Q. So you said you voiced your  
19 opposition to other members of the Town;  
20 is that correct?

21 A. Yes.

22 Q. Do you recall who those  
23 individuals or organizations might have  
24 been?

25 A. Individuals? My family, my

1 GRACE PEREZ

2 neighbors, the Town Democratic Committee  
3 folks. I believe a conversation was held  
4 with the assembly member of the Town state  
5 assembly Jacobs, Jonathan.

6 Q. Do you know when that would have  
7 been?

8 A. About three years ago. I don't  
9 recall exactly.

10 Q. You spoke about a conversation  
11 with the state assembly person. Who had  
12 that conversation?

13 A. He attended a town committee  
14 meeting where several of the folks in  
15 attendance raised concerns, myself  
16 included.

17 Q. To clarify, that would be the  
18 Democratic Committee of the Town of  
19 Newburgh?

20 A. Yes.

21 Q. And you were in attendance at  
22 that meeting?

23 A. Yes.

24 Q. What did you say at that  
25 meeting?

1 GRACE PEREZ

2 A. I don't recall exactly but I  
3 expressed my objection and why.

4 Q. Are you aware of other  
5 individuals, other residents of the Town  
6 who expressed their concerns directly to  
7 the Town Board?

8 A. Directly to the Town Board, no.

9 Q. Are you aware of other residents  
10 who expressed their concerns to other  
11 individuals of town government?

12 A. No.

13 Q. Did the Democratic Committee of  
14 the Town of Newburgh have a formal  
15 position on the Danskammer Power Plant  
16 Expansion?

17 MR. STILL: You can answer  
18 public position and just anything else  
19 that's kind of internal but you can  
20 answer to the extent there was a  
21 public position.

22 A. Yes. The public position was  
23 they voted in favor of the expansion.

24 Q. My question was about the  
25 Democratic Committee of the Town of

1 GRACE PEREZ

2 Newburgh. Did the Democratic Committee of  
3 the Town of Newburgh have a public  
4 position on the proposed expansion?

5 A. Yes. It was opposing it.

6 MS. JACCARD: We have been going  
7 for almost an hour. I'm more than  
8 happy to be keep going in the interest  
9 of efficiency, but I also wanted to  
10 offer a break to the extent Ms. Perez  
11 you would like one.

12 MR. STILL: Do you want to take  
13 a five, ten minute break?

14 THE WITNESS: I'm good. We can  
15 continue.

16 EXAMINATION BY

17 MS. JACCARD:

18 Q. So circling back to your  
19 involvement with the Town Board, a while  
20 ago we were talking about this allegation  
21 in paragraph three that members of the  
22 Town's Black and Hispanic communities have  
23 been demoted to second class citizens  
24 whose concerns are ignored by the Town  
25 Board, and you mentioned the expansion of

1 GRACE PEREZ

2 the the Danskammer Power Plant as  
3 evidence that the Town Board ignored the  
4 concerns of the Black and Hispanic  
5 communities.

6 Do you have any other examples  
7 that you can point to that illustrate the  
8 Town Board's ignoring the concerns of  
9 Black and Hispanic communities in the  
10 Town?

11 A. To me, again, the lack of people  
12 of color during the past 30 years that I  
13 have been a resident of this town not  
14 being represented on the Town Board is the  
15 evidence to me when we have had qualified  
16 individuals who have run for office.

17 Q. Who were those qualified  
18 individuals?

19 A. Mary Olivera, Vanessa Tirado,  
20 there was another person of color, male  
21 whose name right now I'm not remembering,  
22 Vanessa Tirado. Those are the names I am  
23 recalling right now.

24 Q. Thank you. You also testified a  
25 moment ago that you were opposed to the

1 GRACE PEREZ

2 expansion of the Danskammer Power Plant,  
3 and you voiced that opposition to members  
4 of your community and to the Democratic  
5 Committee of the Town of Newburgh but not  
6 directly to the Town Board; is that  
7 correct?

8 A. Yes.

9 Q. Have you ever voiced concerns to  
10 the Town Board about any matter?

11 A. Yes, I have.

12 Q. What concerns have you brought  
13 to the Town Board's attention?

14 A. I don't recall right now  
15 specifics, but I have spoken before at  
16 town hall or Town Board meetings.

17 Q. Do you recall when you spoke at  
18 Town Board meetings generally?

19 A. Years ago.

20 Q. In the last ten years would you  
21 say?

22 A. Yes. Or no. Before ten years  
23 because I haven't been to a meeting in the  
24 past five years perhaps due to COVID and  
25 my increase in travel, and I'm not

1 GRACE PEREZ

2 available to attend, but I used to attend  
3 at least three a year.

4 Q. When was the last time you think  
5 you attended a town hall meeting?

6 A. Six years ago.

7 Q. Would you routinely speak at  
8 town hall meetings?

9 A. No.

10 Q. What motivated you to go to town  
11 hall meetings?

12 A. My interest in wanting to know  
13 what was happening in the Town.

14 Q. How many times would you say you  
15 spoke at a town hall meeting?

16 A. Perhaps three.

17 Q. And when you spoke at those  
18 meetings, were you speaking on behalf of  
19 yourself or behalf of an organization or  
20 entity?

21 A. On behalf of my myself.

22 Q. Do you recall generally what you  
23 spoke about at any of those meetings?

24 A. Asking questions. There was  
25 construction occurring not far from my

1 GRACE PEREZ

2 residence, and I was asking questions  
3 about water overflow. I think that was  
4 one, if not the last one.

5 Q. Do you recall at all the subject  
6 matter of the other two meetings where you  
7 spoke?

8 A. I think one was about sidewalks,  
9 and one was questioning a bid for a  
10 construction of a bridge or, you know, the  
11 reconstruction of a bridge, the repair,  
12 replacement of a bridge that I found the  
13 cost or the process to be questionable.

14 Q. Can you speak a little more to  
15 that? What do you mean the process was  
16 questionable?

17 A. At one meeting it was announced  
18 that bids were going to go out, and I then  
19 attended another meeting where it was  
20 announced that a contractor had been  
21 selected, but there was no mention of the  
22 bids being opened, and I questioned that  
23 process.

24 Q. What was the Town Board's  
25 response to the concerns you raised at

1 GRACE PEREZ

2 that meeting?

3 A. It was something to the effect  
4 of they had selected not the lowest bid  
5 but the most qualified bid, and this is a  
6 good 15 or more years ago so I don't  
7 remember specifics, but that was the  
8 answer.

9 Q. Do you remember anything about  
10 the Town Board's response in the two other  
11 meetings that you raised concerns?

12 A. No.

13 Q. Setting aside participation in  
14 town hall meetings, have you voiced  
15 concerns about anything going on in the  
16 Town of Newburgh to anybody else in town  
17 government?

18 A. The assembly member Jonathan  
19 Jacobs.

20 Q. And that concern that you are  
21 referencing -- is that the concern about  
22 the expansion of the Danskammer Power  
23 Plant?

24 A. Yes.

25 Q. Have you spoken with that

1 GRACE PEREZ

2 assembly member about any other concerns  
3 you might have?

4 A. One having to do with Central  
5 Hudson. That's not directly related to  
6 the Town Board.

7 Q. What do you mean by concerns  
8 with Central Hudson?

9 A. Central Hudson is our power  
10 company, and right after COVID there was  
11 this large increase in rates, and many  
12 residents were concerned about that,  
13 myself included, and I had the opportunity  
14 -- he was in attendance at a meeting, and  
15 he discussed what he was working on to get  
16 that reduced, and we talked about that.

17 Q. Was he successful in those  
18 efforts?

19 A. Yes.

20 Q. Does he often attend committee  
21 meetings?

22 A. I wouldn't say often but he does  
23 attend. I don't attend often myself, but  
24 I have seen him there several times.

25 Q. How often does the Democratic

1 GRACE PEREZ

2 Committee of the Town of Newburgh hold  
3 meetings?

4 MR. STILL: Objection to the  
5 extent we are gets close to internal  
6 workings of the Democratic Party, but  
7 I think you can answer that question,  
8 Grace.

9 A. Could be once a month.

10 Q. How often do you typically  
11 attend those meetings?

12 A. During the past few years I have  
13 been traveling, not -- I have been out of  
14 town so I do not attend every month.  
15 Every other month I try to attend.

16 Q. When is the last meeting that  
17 you attended?

18 A. June I believe.

19 Q. June of this year 2024?

20 A. Yes.

21 Q. To your recollection are your  
22 opposition to the expansion of the power  
23 plant and your opposition to Central  
24 Hudson's rate increase the two  
25 circumstances where you vocalized a

1 GRACE PEREZ

2 concern to a member of the government?

3 A. The state government, yes.

4 Q. Are there any other instances  
5 where you think you have raised or  
6 vocalized opposition to a member of  
7 government that we haven't covered today?

8 A. I don't recall.

9 MS. JACCARD: Can I direct your  
10 attention to paragraph 122 and 123 of  
11 the complaint?

12 MR. STILL: One moment. Okay.  
13 We're there. Go ahead.

14 EXAMINATION BY

15 MS. JACCARD:

16 Q. We'll start with paragraph 122  
17 which states the Town Board has shown  
18 little regard for the particularized  
19 concerns of the Black or Hispanic  
20 communities.

21 Did read that correctly?

22 A. Yes.

23 Q. Do you agree with that  
24 allegation?

25 A. Yes.

1 GRACE PEREZ

2 Q. What is the basis for that  
3 allegation?

4 A. I'm going to go back to my  
5 response of the lack of representation.

6 Q. Do you have any evidence to  
7 support the allegation that the Town Board  
8 has shown little regard for the Black and  
9 Hispanic communities?

10 A. No. Not in legal terms but in  
11 my, again, personal experience of not  
12 having any person of color representing  
13 the concerns of the community of color.

14 Q. Do you -- again from your  
15 perspective solely -- do you have examples  
16 of what those concerns might be?

17 A. I am going to reference the  
18 power plant, the other things that right  
19 now I can't -- it's -- that have been  
20 ignored. Employees that don't speak  
21 language. I have accompanied several  
22 people to the Town to conduct business,  
23 and I have accompanied them for the  
24 purpose of translation.

25 Q. That actually is a perfect segue

1 GRACE PEREZ

2 to paragraph 123 which states information  
3 and belief the Town routinely ignores  
4 concerns raised by Hispanic residents,  
5 that the Town does not employ enough  
6 Spanish speaking employees.

7 Did I read that correctly?

8 A. Yes.

9 Q. Do you agree with that  
10 allegation?

11 A. Yes.

12 Q. Do you have evidence to support  
13 the allegation that the Town routinely  
14 ignores concerns raised by Hispanic  
15 residents, that the Town does not employ  
16 enough Spanish speaking employees?

17 A. Documented, no. But personal  
18 experience, again, accompanying neighbors  
19 that do not speak English and have needed  
20 to conduct business with the Town, and I  
21 have accompanied them for the purpose of  
22 translation.

23 Q. What kind of business have those  
24 individuals tried to carry out with the  
25 Town?

1 GRACE PEREZ

2 A. One I recall having to do with a  
3 permit for the renovation of a deck, and  
4 the documents were submitted in English  
5 because they don't have the documents  
6 translated in Spanish particularly, and  
7 the Town denied the permit, and I  
8 accompanied the homeowner, and the  
9 documents were resubmitted exactly the way  
10 they were submitted originally. They were  
11 then approved.

12 Q. Do you recall what department of  
13 state government you were working with or  
14 of the Town government you were working  
15 with in that specific instance?

16 A. I don't recall. It was not  
17 zoning. I don't remember the name of the  
18 department. I know where it's at.

19 Q. Well, where is it?

20 A. I said I don't remember the  
21 name. I don't want to give a name that I  
22 think. Department of -- not works --  
23 permits. The permit department.

24 Q. That would make sense. Did you  
25 assist the resident, the owner of the home

1 GRACE PEREZ

2 in preparing the documents a second time  
3 or in what capacity did you help?

4 A. Translation, explaining to the  
5 permit department.

6 Q. Are there other instances where  
7 you have been confronted with the Town's  
8 purported lack of employing enough Spanish  
9 speaking employees?

10 A. There was another resident with  
11 an issue with a water bill -- water sewer  
12 bill, and I accompanied them so that the  
13 clerk explained why they were receiving  
14 two bills.

15 Q. You helped the resident  
16 understand?

17 A. I translated for the resident or  
18 rather I translated between the resident  
19 and the Town clerk and the Town clerk and  
20 the resident.

21 Q. Do you know how that issue  
22 resolved itself?

23 A. The resident was explained and  
24 the resident understood, and the payment  
25 was made.

1 GRACE PEREZ

2 Q. Are there any other instances  
3 where you helped a member of the Town of  
4 Newburgh community with the Town of  
5 Newburgh?

6 A. I don't recall any others right  
7 now.

8 Q. Have you ever raised your  
9 concerns about the Town's purported  
10 failure to employ enough Spanish speaking  
11 employees with members of the Town Board?

12 A. Directly, no.

13 Q. Have you raised those concerns  
14 indirectly?

15 A. Indirectly to the Town Board  
16 members, no.

17 Q. How have you vocalized the  
18 concern if at all?

19 A. To neighbors, residents of the  
20 Town, folks I know.

21 Q. Do you know of anybody who has  
22 raised this issue with members of the Town  
23 Board?

24 A. I can't say that I do.

25 Q. Do you know of anybody who has

1 GRACE PEREZ

2 raised this concern with anybody in

3 government more generally?

4 A. With the town, no.

5 Q. Do you know of anybody who has

6 raised this issue with political actors

7 outside of the Town?

8 A. In the county level, yes.

9 Q. Who has raised that opposition

10 or raised that concern?

11 A. I can't say exactly who, but I

12 do know that there was an issue that was

13 raised legally on the lack of documents in

14 Spanish.

15 Q. What do you mean by the issue

16 was raised legally?

17 A. I did read that there was a suit

18 filed on a county level related to

19 documents not being -- county documents

20 not being in Spanish.

21 Q. By the county, are you referring

22 to Orange County?

23 A. Yes.

24 Q. How did you learn about this

25 lawsuit?

1 GRACE PEREZ

2 A. It was in the news.

3 Q. When was that lawsuit roughly?

4 A. 15 years ago more or less.

5 Q. Do you know how that lawsuit was  
6 resolved?

7 A. There was an order for documents  
8 to be translated.

9 MS. JACCARD: At this point, I  
10 would like to take a very quick break  
11 if that's okay.

12 MR. STILL: No problem. We can  
13 go off the record.

14 (Whereupon, a discussion was  
15 held off the record.)

16 (Whereupon, a recess was taken.)

17 EXAMINATION BY

18 MS. JACCARD:

19 Q. Ms. Perez, we were just talking  
20 about kind of your involvement in voicing  
21 concerns to town government, and I did  
22 have one followup question about that.

23 Even earlier in this deposition  
24 we talked about the allegations in the  
25 complaint concerning the Town Board's use

1 GRACE PEREZ

2 of an at-large voting system for the  
3 election of Town Board members, and I  
4 would like to direct your attention to  
5 paragraph 35 of the complaint.

6 MR. STILL: One moment. Go  
7 ahead.

8 Q. Paragraph 35 reads the Town has  
9 at large elections which means that every  
10 registered voter residing within the Town  
11 is eligible to vote for each town office  
12 in every town election.

13 Did I read that correctly?

14 A. Yes.

15 Q. Do you agree with that  
16 allegation?

17 A. Yes.

18 Q. In your opinion, how does this  
19 lawsuit relate to the Town's at-large  
20 voting system?

21 MR. STILL: I'm just going to  
22 note my objection to the fact that my  
23 client is not a lawyer or expert in  
24 any relevant area, but, Grace, go  
25 ahead and answer based on your

1 GRACE PEREZ

2 understanding.

3 A. I don't know honestly how to  
4 respond to that.

5 Q. Are you concerned with the  
6 at-large voting system in the Town of  
7 Newburgh?

8 A. Not in the sense of me feeling  
9 that folks can't vote.

10 Q. Are you concerned with the way  
11 that members of the Town government are  
12 elected?

13 A. No. I wouldn't say that I am.

14 Q. So have you ever raised concerns  
15 about the way members of the Town Board  
16 are elected to the Town Board or other  
17 government officials?

18 A. The way that they are elected,  
19 no.

20 Q. Now I would like to direct your  
21 attention to paragraphs 69 through 75 of  
22 the complaint?

23 A. 69 through what?

24 Q. 75.

25 A. Yes.

1 GRACE PEREZ

2 Q. Do you believe that the  
3 allegations contained in paragraphs 69 to  
4 75 are true?

5 A. Yes.

6 Q. Paragraph 69 specifically says  
7 voting is consistently racially polarized  
8 in the Town of Newburgh. Did I read that  
9 correctly?

10 A. Yes.

11 Q. What is your basis for that  
12 allegation?

13 MR. STILL: Just objection to  
14 the extent of my client is not a  
15 lawyer and the term racially polarized  
16 is a legal term.

17 You can answer, Grace.

18 A. In nonlegal terms, I will say  
19 again that when you have the  
20 representation that we have or have had,  
21 then there is no -- there hasn't been in  
22 the 30 years that I have been a resident  
23 here any person of color on that board.

24 Q. I think my question is a little  
25 bit more about voting itself and less

1 GRACE PEREZ  
2 about the outcome of who is sitting on the  
3 Town Board. The question is really kind  
4 of asking for the basis for your belief  
5 that voting is racially polarized, and I  
6 understand that that's a legal term. What  
7 supports the allegation in the complaint  
8 that voting in the Town of Newburgh is  
9 kind of racially polarized?

10 A. I can best answer this saying  
11 that there has not been an elected person  
12 of color on this board in the 30 years  
13 that I have been a resident here.

14 Q. Okay. Paragraph 70 says Black  
15 voters in the Town of Newburgh  
16 consistently vote cohesively for the same  
17 candidates. Did I read that correctly?

18 A. Yes.

19 Q. Again, what is the factual basis  
20 for this allegation?

21 A. I can only answer that within  
22 the last 30 years that I have been a  
23 resident of this town, there has not been a  
24 person of color on this board despite the  
25 fact that there have been candidates.

1 GRACE PEREZ

2 Q. Again, my question I think is  
3 more about the way that particular  
4 communities vote. So is it your opinion  
5 that Black voters in the Town of Newburgh  
6 consistently vote cohesively for the same  
7 candidates?

8 A. Yes.

9 Q. On what are you basing that  
10 opinion?

11 A. As I have said before, at the  
12 end of the election the official elected  
13 is not a person of color.

14 Q. So my question is not whether  
15 there has been a Black or Hispanic  
16 individual elected to office. Has there  
17 been an individual that Black voters have  
18 consistently or cohesively supported?

19 A. I don't know how else to answer  
20 that. I'm sorry.

21 Q. No problem. It's probably a  
22 problem with the way I'm phrasing  
23 question.

24 The allegation in paragraph 70  
25 is that Black voters vote for the same

1 GRACE PEREZ

2 candidates. Is that your opinion?

3 A. I don't know. I don't know that  
4 to be a fact. If there are other  
5 candidates, then there is options, and if  
6 you don't have other candidates, then your  
7 options are limited.

8 Q. Relatedly, paragraph 71 says  
9 Hispanic voters in the Town of Newburgh  
10 vote cohesively for the same candidates.  
11 Did I read that correctly?

12 A. Yes.

13 Q. What is the basis for the  
14 allegation that Hispanic voters in the  
15 Town of Newburgh consistently vote  
16 cohesively for the same candidates?

17 A. The same as the statement or my  
18 answer for the statement on 70. I don't  
19 know.

20 Q. Paragraph 72 says Black and  
21 Hispanic voters in the Town of Newburgh  
22 are also politically cohesive with each  
23 other. Did I read that correctly?

24 A. Yes.

25 Q. What is the basis for that

1 GRACE PEREZ

2 allegation?

3 A. I can't answer that in legal  
4 terms.

5 Q. Can you answer it in nonlegal  
6 terms?

7 A. No, no.

8 Q. Is it your opinion that Black  
9 and Hispanic voters in the Town of  
10 Newburgh vote cohesively for the same  
11 candidates?

12 A. We vote for the person who is  
13 running, who is on the ballot.

14 Q. In your recollection, has there  
15 been an individual that Hispanic voters  
16 have cohesively supported that have been  
17 elected to the Town Board?

18 A. No. Many of us supported for  
19 example Vanessa Tirado. She didn't win.

20 Q. Paragraph 73 reads white voters  
21 in the Town of Newburgh consistently vote  
22 cohesively for the same candidates who are  
23 not the candidates preferred by Black and  
24 Hispanic voters.

25 Did I read that correctly?

1 GRACE PEREZ

2 A. Yes.

3 Q. Again, what is the factual basis  
4 for this allegation?

5 A. Personally for me, in the last  
6 30 years that I have been a resident here,  
7 there has not been a candidate elected to  
8 the Town Board that has been a person of  
9 color.

10 Q. Is it your opinion that white  
11 voters in the Town of Newburgh always vote  
12 cohesively for the same candidates?

13 A. I'm sorry. Repeat that.

14 Q. Is it your opinion that white  
15 voters in the Town of Newburgh  
16 consistently vote cohesively for the same  
17 candidates?

18 A. I don't know who votes for who  
19 honestly. I know who I vote for. I'm not  
20 comfortable saying yes or no to that. I  
21 just know that at the end of the election,  
22 there isn't a person of color elected  
23 ever.

24 Q. Just to be clear, is it your  
25 testimony that you have no factual basis

1 GRACE PEREZ

2 to support the allegations in the  
3 complaint related to how minority  
4 communities in the Town of Newburgh vote?

5 MR. STILL: Objection to the  
6 extent that factual basis could be a  
7 little bit ambiguous.

8 Go ahead and answer.

9 A. No. I don't have the data for  
10 those results.

11 Q. Do you speak to other members of  
12 the community about voting preferences and  
13 voting patterns?

14 A. Only to the extent of the  
15 candidate we were supporting -- the  
16 candidate of color that we were supporting  
17 did not win.

18 Q. Do you speak to people in the  
19 community about who they are going to vote  
20 for?

21 A. No. I never asked anyone who  
22 are you voting for. I speak to them about  
23 who I am voting for and who I support and  
24 why. That's my extent of the  
25 conversation.

1 GRACE PEREZ

2 Q. Do you have those conversations  
3 in your capacity as a volunteer for  
4 certain candidates or kind of on your own  
5 behalf?

6 A. Both.

7 Q. Paragraph 75 of the complaint  
8 says no candidate preferred by Black or  
9 Hispanic voters has been elected to office  
10 in recent memory. Did I read that  
11 correctly?

12 A. Yes.

13 Q. What is the basis for this  
14 allegation?

15 A. That's what I have been saying.  
16 The basis is that I have not seen a person  
17 of color elected to the Town Board.

18 Q. Is it your position that members  
19 of the Black and Hispanic communities  
20 would only vote for other candidates of  
21 color?

22 A. No, no. I wouldn't say that  
23 because I don't know that to be a fact,  
24 but I do know that there are often times  
25 no options.

1 GRACE PEREZ

2 Q. Have you ever seen, read,  
3 consulted, or heard any analysis of voting  
4 patterns in the Town of Newburgh?

5 A. No.

6 Q. Do you believe that the town's  
7 at-large voting system, and by that I mean  
8 the method that is used to elect members  
9 of Town Board, do you believe that system  
10 is unlawful?

11 MR. STILL: Objection to the  
12 extent that that calls for a legal  
13 conclusion.

14 You can answer to your ability,  
15 Grace.

16 A. I don't feel comfortable in  
17 answering that because I don't understand  
18 how that legally is.

19 MS. JACCARD: I would like to  
20 turn now to paragraph 82 of the  
21 complaint.

22 MR. STILL: We are there.

23 EXAMINATION BY

24 MS. JACCARD:

25 Q. Paragraph 82 reads there is a

1 GRACE PEREZ

2 long history of discrimination against the  
3 Black and Hispanic communities in the  
4 Town. Did I read that correctly?

5 A. Yes.

6 Q. Is that consistent with your  
7 opinion?

8 A. I will agree.

9 Q. What is the basis for this  
10 allegation?

11 A. For me, representation clearly  
12 in all levels of government despite the  
13 community itself, the population.

14 Q. By representation, you mean  
15 representation on the Town Board?

16 A. Yes.

17 Q. Are there other examples of  
18 representation that you refer to with  
19 respect to the allegations in  
20 paragraph 82?

21 A. Employment at the Town offices,  
22 departments.

23 Q. What do you mean by that?

24 A. There is a lack of employees of  
25 color.

1 GRACE PEREZ

2 Q. Are there other things you can  
3 point to as evidence of the long history  
4 of discrimination that is referenced in  
5 paragraph 82?

6 A. No.

7 Q. Now I would like to turn your  
8 attention to paragraphs 83 through 89 of  
9 the complaint, and if you want to the take  
10 your time to read those.

11 MR. STILL: Yeah. Take your  
12 time to read paragraphs 83 through 89.

13 A. Yes.

14 Q. Would you agree these paragraphs  
15 83 through 89 concern the arrival of  
16 asylum seekers in the Town of Newburgh in  
17 May of 2023?

18 A. Yes.

19 Q. Prior to reviewing the complaint  
20 for this lawsuit, were you aware of asylum  
21 seekers in the Town?

22 A. Yes.

23 Q. How did you first hear of the  
24 arrival of these asylum seekers in the  
25 Town of Newburgh?

1 GRACE PEREZ

2 A. It was in the news.

3 Q. Did you have an opinion about  
4 the arrival of the asylum seekers?

5 A. Repeat that.

6 Q. Did you form an opinion about  
7 the asylum seekers in the Town of Newburgh  
8 when you first heard about it?

9 A. Personally, no.

10 Q. How did the allegation in the  
11 complaint about the asylum seekers in  
12 paragraphs 73 through 89 relate to your  
13 other allegations in this lawsuit?

14 MR. STILL: Again, objection to  
15 the extent that it calls for a legal  
16 conclusion, and my client is not a  
17 lawyer, but you can answer, Grace.

18 A. It was clear to me that it was  
19 blatant discrimination because these were  
20 folks that was Latinos.

21 Q. When you say it was  
22 discrimination, what are you referring to?

23 A. To behavior, the actions, the  
24 lack of action to what went on during that  
25 time was blatant discrimination.

1 GRACE PEREZ

2 Q. What actions or lack of actions  
3 specifically are you referring to?

4 A. There was no support by the Town  
5 Board to accommodate these folks, support  
6 them, and then when the rumors that were  
7 being said -- one was -- rumor that is --  
8 that veterans had been kicked out to  
9 accommodate the migrants, the board knew  
10 the facts and did not step forward to  
11 denounce the information that was being --  
12 that was going around on a local, on a  
13 county, on a state, and on a national  
14 level.

15 Q. Was there anything else with  
16 respect to the Town Board that you believe  
17 demonstrates the Town Board's  
18 discrimination against these asylum  
19 seekers?

20 A. I'm sorry. Repeat that.

21 Q. Are there any -- is there  
22 anything else you can point to as evidence  
23 of the discrimination against the asylum  
24 seekers on behalf of the Town Board?

25 A. This occurred over several

1 GRACE PEREZ

2 months, and the Town Board, although it  
3 was happening right here, I did not hear,  
4 see that they were intervening in support  
5 of these folks.

6 Q. What is the basis for your  
7 statement that the Town Board knew that  
8 the statements being made about the asylum  
9 seekers were false?

10 A. Repeat that.

11 Q. Movements ago I believe you  
12 testified that the Town Board knew that  
13 statements being made about the asylum  
14 seekers were false. Is that consistent  
15 with your testimony?

16 A. Yes.

17 Q. What is the basis for that?

18 A. They knew that veterans had not  
19 been displaced in order to house migrants.

20 Q. How did the Town Board know  
21 that?

22 A. They are in the position of  
23 knowing in my opinion the inner workings  
24 of the Town. That's their responsibility.

25 Q. Are you --

1 GRACE PEREZ

2 (Crosstalk.)

3 A. And my expectations of a  
4 representative and a lawmaker of my town.

5 Q. Are you aware of the lawsuit  
6 filed by the Town that is referenced in  
7 footnote six to paragraph 83 of the  
8 complaint, Town of Newburgh, New York  
9 versus Newburgh ELM, LLC, et al.?

10 A. Yes. I did hear something to  
11 the effect that the Town had filed a suit  
12 to halt the housing of immigrants in the  
13 Town.

14 Q. How did you learn about that  
15 lawsuit?

16 A. The news.

17 Q. Do you know when you became  
18 aware of that lawsuit?

19 A. No. Honestly the date, no.

20 Q. Did you have an opinion about  
21 that lawsuit when you first heard about  
22 it?

23 A. I felt it was disgraceful and  
24 clearly, to me, discriminatory.

25 Q. Do you have a different opinion

1 GRACE PEREZ

2 about that lawsuit today?

3 A. No.

4 Q. Were you surprised based on your  
5 experience as a resident of the Town that  
6 the Town had filed this lawsuit?

7 A. I will say appalled, but I  
8 wouldn't say I was surprised. As a Latino  
9 I felt embarrassed.

10 Q. Do you think that the Town's  
11 treatment of the asylum seekers is  
12 emblematic of the treatment of minorities  
13 in the Town of Newburgh?

14 A. Yes.

15 MS. JACCARD: Switching gears a  
16 little bit, I would like to direct you  
17 to paragraph 96 of the complaint.

18 MR. STILL: Okay. We're there.

19 EXAMINATION BY

20 MS. JACCARD:

21 Q. Paragraph 96 reads no Black or  
22 Hispanic has ever been elected to town  
23 office. Did I read that correctly?

24 A. Yes.

25 Q. I understand some of these

1 GRACE PEREZ

2 questions might seem a little bit  
3 repetitive but thank you for bearing with  
4 me. How did you make this assessment?

5 A. I have been a resident of the  
6 Town for a little over 30 years. I have  
7 attended several town meetings throughout  
8 those years, and I have never seen a Town  
9 Board member or official that has been of  
10 color.

11 Q. So is the allegation in  
12 paragraph 96 based on just personal  
13 recollection?

14 A. Facts to my knowledge, yes.

15 MS. JACCARD: Paragraph 100. I  
16 will give you a moment to scroll  
17 there.

18 MR. STILL: We're there.

19 EXAMINATION BY

20 MS. JACCARD:

21 Q. Paragraph 100 states Republican  
22 and Democratic candidates for the Town  
23 Board are nominated by respectively the  
24 Newburgh Republican Committee and the  
25 Newburgh Democratic Committee.

1 GRACE PEREZ

2 Did I read that correctly?

3 A. Yes.

4 Q. Is that consistent with your  
5 understanding of how candidates are  
6 nominated for Town Board positions?

7 A. I believe so, yes.

8 Q. As a member of the Newburgh  
9 Democratic Committee, have you ever  
10 participated in that process?

11 MR. STILL: I'm going to object  
12 to the extent we are getting close  
13 again to the internal workings of the  
14 Democratic Party, but that question I  
15 believe you can answer, Grace.

16 A. Yes.

17 Q. When was that?

18 A. I cannot honestly say what  
19 years, but I have been a part of those  
20 discussions quite a few times.

21 Q. Paragraph 101 reads typically  
22 the party approaches potential candidates  
23 for office or interested residents  
24 approach a member of a local party. Did I  
25 read that correctly?

1 GRACE PEREZ

2 A. Yes.

3 Q. And is that consistent with your  
4 understanding?

5 A. Yes.

6 Q. What does it mean typically?  
7 Does this nomination process sometimes  
8 happen in other ways?

9 A. Not that I am aware of.

10 MS. JACCARD: Paris, could we  
11 mark as Perez Exhibit 2 the  
12 notification letter sent on behalf of  
13 plaintiffs on January 26, 2024.

14 (Whereupon, notification letter  
15 was marked as Perez Exhibit 2 for  
16 Identification, as of this date.)

17 MS. KENT: I will let you know  
18 as soon as that's up.

19 MR. STILL: Sure.

20 MS. KENT: You should see that  
21 in your marked exhibits folder.

22 MR. STILL: Okay, yes. We see  
23 Exhibit 2. Okay. Go ahead.

24 EXAMINATION BY

25 MS. JACCARD:

1 GRACE PEREZ

2 Q. Ms. Perez, have you seen this  
3 document before?

4 A. I believe so.

5 Q. Do you know what this document  
6 is?

7 THE WITNESS: You have to make  
8 it just a little bit bigger.

9 MR. STILL: Okay, yes. Just  
10 take your time to read it.

11 A. Yes. I have seen this document  
12 before.

13 Q. What is this document?

14 A. This is the first notice to the  
15 Town Board of the concerns.

16 MS. JACCARD: And if I can  
17 direct you back to paragraph 65 in  
18 Exhibit 1 which is the complaint.

19 MR. STILL: Just one moment. We  
20 are there.

21 EXAMINATION BY

22 MS. JACCARD:

23 Q. Paragraph 65 states the Town  
24 Board's March 15, 2024 resolution was --  
25 I'm so sorry. I'm getting ahead of

1 GRACE PEREZ

2 myself.

3 MR. STILL: I was going to say.

4 Q. Going back to Exhibit 2 which is  
5 the notification letter as you stated,  
6 what involvement did you have in the  
7 preparation of this letter, Ms. Perez?

8 MR. STILL: Objection to the  
9 extent that that calls for  
10 attorney-client communications. I  
11 think I'm going to direct Grace not to  
12 answer that particular question. If  
13 you want to ask it another way, go  
14 ahead.

15 EXAMINATION BY

16 MS. JACCARD:

17 Q. Ms. Perez, did you review this  
18 document before it was sent to the Town?

19 A. I'm sorry. Would you repeat  
20 that? I did not hear the question.

21 Q. Did you review this document  
22 before it was sent to the Town?

23 A. Yes.

24 Q. Were you involved in its  
25 preparation at all?

1 GRACE PEREZ

2 MR. STILL: Again, I think  
3 that's the same objection to  
4 attorney-client privilege grounds --  
5 that that would call for  
6 attorney-client privileged  
7 information. I will direct my client  
8 not to answer that one.

9 EXAMINATION BY

10 MS. JACCARD:

11 Q. Ms. Perez, do you understand  
12 your attorney is directing you not to  
13 answer this question?

14 A. Yes.

15 Q. Are you refusing to answer on  
16 that basis?

17 A. Yes.

18 Q. Did you speak to anybody other  
19 than your attorneys about this letter at  
20 the time?

21 A. I'm sorry. Repeat that.

22 Q. Did you speak to anyone other  
23 than your attorneys about this letter at  
24 the time?

25 A. Other than the attorney present

1 GRACE PEREZ

2 here right now or the attorneys on the  
3 lawsuit?

4 Q. The attorneys in general. Did  
5 you speak to anybody --

6 A. No.

7 Q. I'm sorry. I spoke over you.

8 A. No. I just want to clarify I  
9 spoke with two attorneys on this matter.  
10 That's my answer.

11 MS. JACCARD: Understood. Thank  
12 you.

13 Paris, can you please introduce  
14 and mark as Perez Exhibit 3 the Town  
15 Board resolution dated March 23, 2024?

16 (Whereupon, Town Board  
17 resolution dated March 23, 2024 was  
18 marked as Perez Exhibit 3 for  
19 Identification, as of this date.)

20 MS. KENT: Go ahead and refresh  
21 your marked exhibit folder. It should  
22 be there.

23 MR. STILL: Okay, yes. Marked  
24 Exhibit 3 yes. Okay. We're here. Go  
25 ahead.

1 GRACE PEREZ

2 EXAMINATION BY

3 MS. JACCARD:

4 Q. Ms. Perez, have you seen this  
5 document before?

6 A. Yes.

7 Q. What is this document?

8 A. This is the Town's response to  
9 that previous letter.

10 MS. JACCARD: So here is where I  
11 got ahead of myself earlier. If I  
12 could direct you to paragraph 65 of  
13 the complaint.

14 MR. STILL: Okay. We are at  
15 paragraph 65.

16 EXAMINATION BY

17 MS. JACCARD:

18 Q. Paragraph 65 states the Town  
19 Board's March 15, 2024 resolution was  
20 insufficient to require the plaintiffs to  
21 wait an additional 90 days before  
22 commencing this action.

23 Did I read that correctly?

24 A. Yes.

25 Q. Do you have any personal

1 GRACE PEREZ

2 knowledge concerning how this resolution  
3 was adopted?

4 MR. STILL: Objection to the  
5 extent that my client is not a lawyer  
6 and is not familiar with the  
7 intricacies of election law, but to  
8 the extent you have knowledge, you can  
9 answer.

10 A. It says in the letter they had a  
11 meeting, and they voted against it.  
12 That's the extent of my knowledge.

13 Q. Do you have any personal  
14 knowledge concerning why the resolution  
15 was insufficient as alleged in  
16 paragraph 65?

17 A. No.

18 Q. You testified moments ago that  
19 the board voted against it. When you say  
20 it, what are you referring to?

21 A. What was presented in Exhibit A.  
22 Actually, I don't know if it's Exhibit A,  
23 but what you had me look at before.

24 Q. Are you referring to what is  
25 currently marked as Exhibit 2, the

1 GRACE PEREZ

2 notification letter?

3 A. Yes, I apologize, yes.

4 Q. So is it your understanding that  
5 the Town Board voted against adopting a  
6 resolution that would remedy the issues  
7 outlined in the notification letter?

8 A. Yes.

9 MS. JACCARD: To the extent it  
10 would be helpful for planning  
11 purposes, I'm inclined to power  
12 through but wanted to offer another  
13 break if anyone would like one.

14 MR. STILL: If you need a break,  
15 Grace.

16 THE WITNESS: No, I don't need  
17 it.

18 EXAMINATION BY

19 MS. JACCARD:

20 Q. Ms. Perez, can I direct you back  
21 to Exhibit 3, which again is the Town  
22 Board resolution, and particularly I would  
23 like you to review section one which  
24 starts on page three of the PDF through 5?

25 A. Yes.

1 GRACE PEREZ

2 Q. Based on your review of sections  
3 one through five, is it still your  
4 understanding that the Town Board voted  
5 against a resolution that would remedy the  
6 alleged issues outlined in the  
7 notification letter?

8 A. Yes.

9 MS. JACCARD: I now would like  
10 to mark as Perez Exhibit 4 Ms. Perez's  
11 Responses and Objections to  
12 Defendants' First Set of  
13 Interrogatories dated July 1, 2024.

14 Paris, let us know when that's  
15 done.

16 (Whereupon, Responses and  
17 Objections to Defendants' First Set of  
18 Interrogatories dated July 1, 2024 was  
19 marked as Perez Exhibit 4 for  
20 Identification, as of this date.)

21 MS. KENT: That should be  
22 available now in the marked exhibits  
23 folder.

24 MR. STILL: Yes. Let me just  
25 make it bigger. Okay. Go ahead.

1 GRACE PEREZ

2 EXAMINATION BY

3 MS. JACCARD:

4 Q. Ms. Perez, have you seen this  
5 document before?

6 A. Yes.

7 Q. What is this document?

8 A. This is the one that pertains  
9 directly to me, the response.

10 Q. Please review the last page of  
11 the exhibit.

12 A. Yes.

13 Q. Did you sign this document?

14 A. No.

15 Q. Did you sign this document  
16 electronically?

17 A. Yes.

18 Q. Did your attorneys ask you to  
19 provide any information to answer these  
20 interrogatories?

21 MR. STILL: Objection to the  
22 extent that calls for attorney-client  
23 privileged information.

24 You can generally answer.

25 A. We had a conversation prior to

1 GRACE PEREZ

2 the document coming to me and then after.

3 Q. Did your attorneys ask you to  
4 provide information in response to these  
5 interrogatories?

6 A. Yes.

7 Q. Did you provide information in  
8 response to these interrogatories?

9 A. I didn't have anything saved. I  
10 didn't have any emails or anything.

11 Q. You did not provide -- is it  
12 true that you didn't provide information  
13 in response to these interrogatories?

14 MR. STILL: Objection. I think  
15 the witness might be confusing this  
16 interrogatories with the, you know,  
17 discovery request for production of  
18 documents.

19 THE WITNESS: Yes.

20 MR. STILL: I think that's just  
21 kind of a legal terminology that's  
22 getting a little confusing. Can we  
23 have you just clarify exactly what you  
24 mean by interrogatories as opposed to  
25 the document demands?

1 GRACE PEREZ

2 MS. JACCARD: Yes.

3 EXAMINATION BY

4 MS. JACCARD:

5 Q. How about Ms. Perez, can you  
6 take a few minutes just to familiarize  
7 yourself with this document?

8 A. I had a conversation with the  
9 lawyer. Then the document was sent to me.  
10 I reviewed the document. I was unable to  
11 physically sign. I was out of town, and I  
12 did it electronically.

13 Q. In connection with your  
14 responses to the specific interrogatories  
15 numbers one through seven, did you provide  
16 any information?

17 MR. STILL: Why don't you review  
18 this part of the document? If you  
19 could take a moment to review what  
20 those interrogatories were.

21 A. Yes.

22 Q. My question, Ms. Perez, is did  
23 you provide any information in response to  
24 these interrogatories.

25 A. The information that I did not

Page 90

1 GRACE PEREZ  
2 have information specific to who or the  
3 questions.

4 MS. JACCARD: Now I would like  
5 to mark as Perez Exhibit 5 Ms. Perez's  
6 Responses and Objections to  
7 Defendants' First Request For the  
8 Production of Documents also dated  
9 July 1st.

10 (Whereupon, Responses and  
11 Objections to Defendants' First  
12 Request For the Production of  
13 Documents was marked as Perez Exhibit  
14 5 for Identification, as of this  
15 date.)

16 MS. KENT: Should be available  
17 now.

18 MR. STILL: Okay. I see it.  
19 Okay. Go ahead.

20 EXAMINATION BY

21 MS. JACCARD:

22 Q. If you want to the take a moment  
23 to scroll through and familiarize yourself  
24 with this document, please go ahead.

25 A. Yes.

1 GRACE PEREZ

2 Q. Have you seen this document  
3 before?

4 A. Yes.

5 Q. What is this document?

6 A. This is the -- what do you call  
7 it -- the production of documents.

8 Q. Did you provide any documents in  
9 response to these requests?

10 A. No.

11 Q. Did you search for any documents  
12 in response to these requests?

13 A. Yes.

14 Q. And is it your testimony that  
15 you didn't have any documents that were  
16 responsive to these requests?

17 A. No, I did not have any  
18 documents.

19 MS. JACCARD: I think at this  
20 time I would like to take five minutes  
21 to review my notes.

22 MR. STILL: Okay. That sounds  
23 fine.

24 (Whereupon, a recess was taken.)

25 EXAMINATION BY

1 GRACE PEREZ

2 MS. JACCARD:

3 Q. I just have a few questions to  
4 wrap up here but we are almost done.

5 Ms. Perez, could I direct you  
6 back to Exhibit 1, page one, which is  
7 going to be the summons to the complaint.  
8 I want to direct your attention to the  
9 caption of the complaint and the name of  
10 the case, which I will read as Oral  
11 Clarke, Romance Reed, Grace Perez, Peter  
12 Ramon, Ernest Tirado, and Dorothy  
13 Flournoy, plaintiffs, against Town of  
14 Newburgh and Town Board of the Town of  
15 Newburgh, defendants.

16 Are you familiar with Oral  
17 Clarke, Romance Reed, Peter Ramon, Ernest  
18 Tirado, or Dorothy Flournoy?

19 A. I'm familiar with Ernesto Tirado  
20 and Dorothy.

21 Q. How do you know let's start with  
22 Mr. Tirado?

23 A. Neighbors.

24 Q. How long have you been neighbors  
25 with Mr. Tirado?

1 GRACE PEREZ

2 A. 30 something years. Well, I'm  
3 sorry. I want to clarify. He is a  
4 resident of the Town of Newburgh, and  
5 Ms. Dorothy is an actual neighbor of mine.

6 Q. So Mr. Tirado is not your  
7 neighbor?

8 A. No. He is a resident of the  
9 Town of Newburgh as I am.

10 Q. As how long have you known Mr.  
11 Tirado?

12 A. Close to 30 years.

13 Q. Do you know how Mr. Tirado  
14 became involved in this lawsuit?

15 MR. STILL: Objection.

16 Speculation.

17 You can answer.

18 A. I speculate that it was the same  
19 way that I became involved. I was  
20 informed of the intent or the concerns and  
21 I agreed to participate.

22 Q. Earlier -- I apologize. Please  
23 finish your thought.

24 A. I honestly don't know how he  
25 became involved.

1 GRACE PEREZ

2 Q. Earlier today you testified that  
3 you were approached about joining this  
4 lawsuit by Vanessa Tirado; is that  
5 correct?

6 A. Yes.

7 Q. Is there a relationship between  
8 Vanessa and Ernest Tirado?

9 A. Yes.

10 Q. What is their relationship?

11 A. Spouse.

12 Q. Do you know why Vanessa Tirado  
13 is not a plaintiff in this lawsuit?

14 A. No, I do not.

15 Q. Now let's talk about Ms.  
16 Flournoy. You testified that Dorothy  
17 Flournoy is your neighbor; is that  
18 correct?

19 A. Yes.

20 Q. How long has she been your  
21 neighbor?

22 A. Over 30 years.

23 Q. Just a few last questions,  
24 Ms. Perez.

25 Is it your testimony that the

1 GRACE PEREZ

2 Town Board has not committed to remedying  
3 any of the problems in response to the  
4 allegations you raised in your  
5 January 26th notification letter?

6 A. Repeat that please.

7 MS. JACCARD: Elizabeth, can you  
8 read that back please?

9 (Whereupon, a portion of the  
10 testimony was read back.)

11 THE WITNESS: Yes.

12 Q. Ms. Perez, is it also your  
13 testimony that you have never raised  
14 concerns about the lack of representation  
15 on the Town Board to members of the Town  
16 Board or any other member of local  
17 government?

18 A. Yes.

19 Q. Is it your testimony that you  
20 have never raised concerns with the way  
21 Town Board members are elected to members  
22 of the Town or any other members of local  
23 government?

24 A. Yes.

25 Q. One last question. How did you

1 GRACE PEREZ

2 meet Mr. Tirado?

3 A. Honestly, I don't remember. It  
4 was so long ago, and I have known him for  
5 so many years. I don't remember how or  
6 when I met him frankly.

7 MS. JACCARD: Let me review my  
8 notes for one moment.

9 Q. Just to clarify, you are not  
10 familiar or know Mr. Oral Clarke, Romance  
11 Reed or Peter Ramon; is that correct?

12 A. By name, I'm sorry. I can't say  
13 that I do. I may have met them, either  
14 one of them, but not -- the name is not  
15 sticking out, and honestly, I'm just  
16 terrible with names.

17 MS. JACCARD: All right. I  
18 think that's all the questions I have  
19 for you today, Ms. Perez. Thank you  
20 very much for your time this morning.

21 THE WITNESS: Thank you. Thank  
22 you to all.

23 MR. STILL: If I can just have  
24 five minutes to check if we have any  
25 redirect. Give me one moment. Come

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GRACE PEREZ

back at 12:53 and hopefully wrap it  
up. Give me one moment.

(Whereupon, a recess was taken.)

MR. STILL: At this time we have  
no further questions so I think we're  
satisfied, and we can wrap it up here  
so very good.

MS. JACCARD: Thank you very  
much.

(Whereupon, the deposition  
concluded at 12:53 p.m.)

1 ORAL CLARKE, et al. v. TOWN OF NEWBURGH, et al.

2 8/5/2024 - GRACE PEREZ

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, GRACE PEREZ, do hereby declare

5 that I have read the foregoing transcript,

6 I have made any corrections, additions, or

7 changes I deemed necessary as noted on the

8 Errata to be appended hereto, and that the

9 same is a true, correct and complete

10 transcript of the testimony given by me.

11

12

\_\_\_\_\_

13 GRACE PEREZ

Date

14 \*If notary is required

15

16 SUBSCRIBED AND SWORN TO BEFORE ME THIS

17 \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

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C E R T I F I C A T E  
STATE OF NEW YORK )  
:  
COUNTY OF RICHMOND )

I, ELIZABETH C. SWANSON, a Notary  
Public within and for the State of New  
York, do hereby certify:

THAT GRACE PEREZ, the witness  
whose deposition is hereinbefore set  
forth, was duly sworn by me and that such  
deposition is a true record of the  
testimony given by such witness.

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage; and that I am  
in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 5th day of  
August, 2024.

*Elizabeth C. Swanson*

ELIZABETH C. SWANSON

1 ORAL CLARKE, et al. v. TOWN OF NEWBURGH, et al.

2 8/5/2024 - GRACE PEREZ

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[cohesively - correct]

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[perez - probably]

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[problem - recording]

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## New York Code

## Civil Practice Law and Rules

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