

EXHIBIT 1

1 B. CHARLES, JR.

2 UNITED STATES DISTRICT COURT

3 SOUTHERN DISTRICT OF NEW YORK

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4 NATIONAL ASSOCIATION FOR THE

ADVANCEMENT OF COLORED PEOPLE,

5 SPRING VALLEY BRANCH; JULIO

CLERVEAUX; CHEVON DOS REIS; ERIC

6 GOODWIN; JOSE VITELIO GREGORIO;

DOROTHY MILLER; HILLARY MOREAU;

7 and WASHINGTON SANCHEZ,

8 Plaintiffs,

Civil Action No.

9 vs.

17 Civ. 8943(CS))JC)

10 EAST RAMAPO CENTRAL SCHOOL

DISTRICT and MARYELLEN ELIA, IN HER

11 CAPACITY AS THE COMMISSIONER OF

EDUCATION OF THE STATE OF NEW

12 YORK,

13 Defendant.

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14
15 VIDEOTAPED DEPOSITION OF BERNARD L. CHARLES, JR.

16 New York, New York

17 October 22, 2018

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21
22
23 Reported by:

24 KATHY S. KLEPFER, RMR, RPR, CRR, CLR

25 JOB NO. 149474

1 B. CHARLES, JR.

2 MR. CRAVENS: William Cravens from
3 Morgan, Lewis & Bockius for the defendant.

4 THE VIDEOGRAPHER: Thank you.

5 Will the court reporter please swear 09:58
6 in the witness.

7 * * *

8 BERNARD L. CHARLES, JR., called as a
9 witness, having been duly sworn by a Notary
10 Public, was examined and testified as 09:58
11 follows:

12 EXAMINATION BY

13 MR. NOVAKOVSKI:

14 Q. Can you please state your name for the
15 record. 09:59

16 A. Bernard L. Charles, Jr.

17 Q. And you were just sworn in by the
18 court reporter. Do you understand that you are
19 now under oath and you must testify truthfully,
20 just as you would in front of a Court? 09:59

21 A. Yes.

22 Q. Okay. And are there any reasons you
23 might be unable to testify truthfully today?

24 A. No.

25 Q. Okay. And have you ever been deposed 09:59

1 B. CHARLES, JR.

2 did not share this goal?

3 A. They discredited my name.

4 Q. This was --

5 A. They said things that were not true. 02:36
6 This is their entire slate.

7 Q. And this is Mr. Forrest, Ms. Tuck and
8 Mr. Clerveaux?

9 A. That's right. It was a smear campaign
10 that they were trying to -- to bring to the 02:36
11 attention of the people in the community.

12 Q. Okay. And they -- they individually
13 said these things?

14 A. Yes.

15 Q. Do you recall when they said these 02:36
16 things?

17 A. I don't have dates, but they would say
18 things like, "He's not a member of our
19 community. We won't support him. He's all for
20 the Jews." This was their whole campaign. 02:36

21 Q. Do you know which one of the three
22 individuals said those specific things?

23 A. They all did. That was their
24 platform.

25 Q. And who did they say that to? 02:37

1 B. CHARLES, JR.

2 A. They said it to people in the
3 community who got back to me to tell me this is
4 what they're saying about you.

5 Q. And who are these people that told 02:37
6 you?

7 A. People in the community.

8 Q. Can you give me any --

9 A. People would walk up to me that I
10 didn't even know, saying, "Oh, people are 02:37
11 talking bad about you." I said, "What are they
12 saying?" They're saying, "Oh, you're not part
13 of this community," and I said, "Don't pay it
14 any attention." I said, "You know me. I've
15 lived here all my life. You know the things 02:37
16 that I do. Don't pay it any attention." I
17 said, "They're trying to win a campaign. They
18 can smear my name all day long. My name is
19 stronger than what they got, and you can tell by
20 the votes that my name is stronger than what 02:37
21 they got."

22 So they say whatever they want. It
23 doesn't matter to me. I didn't attack anybody
24 during this campaign, and I didn't need to. I'm
25 running on my good name, and that's it. 02:37

1 B. CHARLES, JR.

2 Q. Okay. So people on the streets told
3 you that they were --

4 A. Yes, this is a very, very racially
5 divided campaign because that's what they turned 02:38
6 it into. They turned it into a black and white
7 campaign.

8 Q. And how did -- what do you mean when
9 you say they're a racially divided campaign?

10 A. Because this is all about a black and 02:38
11 white campaign. I'm not considered black, as
12 you can see in your forms, and they are
13 considered the holy grail.

14 Q. Okay. Let's take a huge leap forward.
15 You also ran as a candidate in 2016, 02:38
16 right?

17 A. Yes.

18 Q. Do you recall when you decided to run
19 for 2016?

20 A. I decided to run in 2016 right after I 02:38
21 got elected in '13.

22 Q. So you decided you would -- you
23 were -- you were going to run in 2013?

24 A. Yes. I have kids in the district.

25 Q. Did you need anyone's encouragement at 02:39

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2
3 CERTIFICATE

4 STATE OF NEW YORK)

: SS

5 COUNTY OF NEW YORK)

6 I, Kathy S. Klepfer, a Registered
7 Merit Reporter and Notary Public within and
8 for the State of New York, do hereby
9 certify:

10 That BERNARD L. CHARLES, JR., the
11 witness whose deposition is herein before
12 set forth, was duly sworn by me and that
13 such deposition is a true record of the
14 testimony given by such witness.

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

19 In witness whereof, I have hereunto
20 set my hand this 1ST day of November, 2018.

21
22 _____
KATHY S. KLEPFER, RPR, RMR, CRR, CLR
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