

28 March 1980

To: Judge
From: Walter
Re: Williams v. Bell, Civil Action No. 74-186

This Title VII case is before the Court for trial.

The essential issue in the case is very simple. Diane Williams claims she was driven from her job because she refused the sexual advances of her supervisor. Her supervisor claims she brought this claim because he broke off their sexual relationship. If you believe Williams she wins her case. If you believe Brinson she loses.

Find out if the plaintiff's counsel objects to government's counsel's request to voir dire Lella Candea (Smith), Janice Anderson, or Geneva Murray. If not let government counsel voir dire. If plaintiff's counsel does object make him proffer their testimony. Then determine whether it is relevant and material. (Err on side of letting it in).

With respect to plaintiff's proposed exhibits 1-4. If the plaintiff is going to testify her affidavit should not be admitted. It can be used for impeachment or to refresh recollection but cannot be admitted without such a foundation. So, do not admit ¶ ex 1 & 2. Plaintiff's proposed exhibit 3 is an affidavit of plaintiff's attorney. Do not admit it either. The attorney cannot testify. As to exhibit 4 of the plaintiff, it is an recommendation of a complaints examiner in the discrimination complaint not of the plaintiff. It is irrelevant and hearsay. Do not admit. Therefore, do not admit plaintiff's exhibits 1-4. (unless plaintiff's counsel comes up with some overriding reason at the trial). (err on side of letting it in).

(103)

Walter