

Videotape Deposition of Patricia Norton

Date: June 26, 2013

Case: APPLEWHITE, et al. vs. COMMONWEALTH OF PA, et al.



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1 IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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3 VIVIETTE APPLEWHITE; WILOLA :
SHINHOLSTER LEE; GROVER FREELAND; :
4 GLORIA CUTTINO; NADINE MARSH; :
DOROTHY BARKSDALE; BEA BOOKLER; :
5 JOYCE BLOCK; HENRIETTA KAY :
DICKERSON; DEVRA MIREL ("ASHER") :
6 SCHOR; THE LEAGUE OF WOMEN VOTERS :
OF PENNSYLVANIA; NATIONAL :
7 ASSOCIATION FOR THE ADVANCEMENT :
OF COLORED PEOPLE, PENNSYLVANIA :
8 STATE CONFERENCE; HOMELESS :
ADVOCACY PROJECT, :
9

**CERTIFIED
TRANSCRIPT**

10 Petitioners, : C.A. No.

11 vs. : 330 M.D. 2012

12 THE COMMONWEALTH OF :
PENNSYLVANIA; THOMAS W. CORBETT, :
in his capacity as Governor; :
13 CAROLE AICHELE, in her capacity :
as Secretary of the Commonwealth, :
14

15 Respondents. :
_____ :

16

17

18 Videotape Deposition of PATRICIA NORTON

19 taken at 27 Front Street

20 Womelsdorf, Pennsylvania

21 Wednesday, June 26, 2013

22 2:27 p.m.

23

24

25 Gail L. Inghram Verbano, CSR, RDR, CRR

1 A P P E A R A N C E S

2 On behalf of Petitioners:

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15 ALSO PRESENT:

16 Rob Blum, Videographer

17

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1	C O N T E N T S	
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4	By Mr. Geffen (Direct)	4
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11	EXHIBITS REFERENCED:	
12	EXHIBIT	PAGE
13	Trial Exhibit 4130	19

1 (An opening statement was made by the
2 videographer re the caption of the case; the time;
3 the address of the office location; the name of the
4 videographer and the court reporter. All counsel
5 identified themselves on the record and stated the
6 parties they represent.)

7 DIRECT EXAMINATION

8 - - -

9 BY MR. GEFFEN:

10 Q Okay. Good afternoon. Would you
11 please state your name for the record.

12 A Patricia Norton.

13 Q And Mrs. Norton, where do you live?

14 A 27 South Front Street, Womelsdorf,
15 Pennsylvania, Berks County.

16 Q And that's where we are right now?

17 A That's where we are.

18 Q How long have you lived in this home?

19 A 48 years.

20 Q And how long have you lived in Berks
21 County?

22 A All my life.

23 Q Are you currently married?

24 A No. I'm a widow.

25 Q And do you have any family who live

1 nearby?

2 A Yes. I have two sons.

3 Q And I noticed when I came in, there was
4 a photograph of a young man in, I think, a Navy
5 uniform.

6 A Yes.

7 Q Who is he?

8 A He's also my son. I have trouble with
9 this. I'm sorry.

10 He was in the military, and he was in
11 Hong Kong and he got hit by a taxi cab. And they
12 drug him 75 feet and put the car in reverse and
13 reversed for 75 feet.

14 So he had major surgeries. He came
15 home. But he was never himself again, and he
16 passed away.

17 Q I'm sorry to hear that.

18 Do you need a moment?

19 A No. Go on to something else quickly.

20 Q Do you have any grandchildren?

21 A Yes, I do. I have a step-granddaughter
22 and a granddaughter.

23 Q And do you have any
24 great-grandchildren?

25 A I have a total of five, four girls and

1 one boy.

2 Q Congratulations.

3 A Thank you.

4 Q I notice you're sitting in a wheelchair
5 right now. How often do you use a wheelchair?

6 A Most every day.

7 Q Do you ever use a walker?

8 A Yes.

9 Q And how far can you travel using a
10 walker?

11 A Half a block -- I'll say half a block.

12 Q And do you drive a car?

13 A No.

14 Q I want to ask you a few questions about
15 voting. Are you currently registered to vote?

16 A Yes, I am.

17 Q And how often do you vote?

18 A As often as I can get to the poll.

19 Q Okay. And where is your polling place?

20 A At the corner of North Front in
21 Womelsdorf.

22 Q And what's the building called?

23 A The borough hall. I'm sorry.

24 Q And when I was driving into town, I saw
25 a building at the intersection at the corner of

1 your block that looked like a government building,
2 is that the borough hall?

3 A Yes, it is.

4 Q Okay. And does that building have any
5 steps or other barriers that would keep you from
6 getting there in a wheelchair?

7 MR. SCHMIDT: Objection to form.

8 THE WITNESS: It has a ramp.

9 MR. SCHMIDT: Objection to the term
10 "barriers." Can you rephrase it, please.

11 MR. GEFFEN: Sure.

12 BY MR. GEFFEN:

13 Q How do you get into that building,
14 given that you have a wheelchair?

15 A It has a ramp.

16 Q Okay. And are you able to use the
17 voting machine, even though you're in a wheelchair?

18 A Yes, I can.

19 Q And how does that work?

20 A They lower it for me.

21 Q And how do you get from your house to
22 borough hall to vote?

23 A Usually someone will drive me there.
24 Since it's just down at the corner really,
25 sometimes my son will just push me in my

1 wheelchair.

2 Q Okay. And what kind of a wait do you
3 encounter at the polling place to vote?

4 A Most times it goes very smoothly and I
5 don't have much wait at all.

6 Q Okay. And do you ever vote by absentee
7 ballot?

8 A No.

9 Q And if there were going to be an
10 election today, would you be able to -- would you
11 be physically able to get to borough hall to vote?

12 A Yes.

13 Q And today if there were going to be an
14 election, would you be able to sign a legal
15 declaration saying that you were unable to attend
16 because of illness or physical disability?

17 MR. SCHMIDT: Objection to the form of
18 the question. It's leading. Rephrase it.

19 MR. GEFFEN: I'll rephrase it.

20 BY MR. GEFFEN:

21 Q Do you currently have an illness that
22 would keep you from getting there today if there
23 were an election today?

24 MR. SCHMIDT: Objection; leading.

25 BY MR. GEFFEN:

1 Q Okay. I can rephrase this.

2 If there were an election today, do you
3 think that you would be able to vote in person or
4 not?

5 MR. SCHMIDT: Objection; leading.

6 MR. GEFFEN: Can we go off the record
7 for a moment.

8 THE VIDEOGRAPHER: Going off the
9 record. Time on video is 14:33.

10 MR. GEFFEN: I'm trying to save some
11 time here.

12 MR. SCHMIDT: No. I understand. But I
13 just don't want you to testify for her, so --

14 MR. GEFFEN: I don't think I am, but is
15 there some other way I could ask this question that
16 would satisfy you.

17 MR. SCHMIDT: How do you vote?

18 What's your health status currently?

19 Let her describe it. That's all I'm
20 asking for. I don't want you to testify. I don't
21 think you want that, either, on the record. You
22 don't want your testimony here.

23 MR. GEFFEN: Nobody wants that.

24 MR. SCHMIDT: I appreciate -- I really
25 do; I appreciate the fact that you're trying to

1 expedite things.

2 MR. GEFFEN: Okay. We'll do it that
3 way, then.

4 THE VIDEOGRAPHER: We're now back on
5 the record. Time on video is 14:34.

6 BY MR. GEFFEN:

7 Q Is there any reason that you would feel
8 differently about voting in person versus voting by
9 absentee ballot?

10 A Yes.

11 Q And what would that be?

12 A I like to vote in person because I want
13 to make sure that I'm being counted. If I would
14 send an absentee ballot in, possibly it could get
15 lost in the mail.

16 Q I may have already asked you: How long
17 have you been voting at borough hall?

18 A Ever since I lived in Womelsdorf,
19 48 years.

20 Q And do you see familiar people when you
21 go to vote?

22 A Indeed I do.

23 Q Now, did you vote in the November 2012
24 election?

25 A I did.

1 Q And when you went that time, did anyone
2 say anything to you about photo ID?

3 A We --

4 MR. SCHMIDT: Objection; hearsay.

5 MR. GEFFEN: I'm not asking her for the
6 truth of the matter asserted. I'm just asking her
7 whether anybody said anything to her.

8 MR. SCHMIDT: Okay.

9 BY MR. GEFFEN:

10 Q So you may answer the question.

11 A I'm sorry.

12 Q I'll repeat it.

13 When you went to vote in November of
14 last year, did anyone say anything to you about
15 photo ID?

16 A I asked them. They didn't bring it up.
17 I asked them. And at that point they didn't know
18 what I would have to do. They just said I was okay
19 then, because I didn't have to have one in
20 November.

21 Q And when you say you asked "them," whom
22 are you referring to?

23 A What do you --

24 Q The people --

25 A What do you call them?

1 Q Are you talking about people who were
2 at the borough hall?

3 A The people who are -- are asking me to
4 sign in.

5 Q Okay. The poll workers?

6 A Okay. There's a good word. Use that
7 one. I couldn't think of one.

8 Q And what did they say to you about --
9 did they say anything to you about what kind of ID
10 you could vote with?

11 A What kind of what?

12 Q Of ID you could vote with.

13 A They asked if I had a --

14 MR. SCHMIDT: Objection; hearsay.

15 MR. GEFFEN: Again, I'm not asking her
16 for the truth of the matter. I'm asking her what
17 somebody said to her for its effect on her.

18 MR. SCHMIDT: You asked her what they
19 said to her.

20 MR. GEFFEN: Right. I'm not -- I'm not
21 going to offer her testimony about what somebody
22 said to her as for the truth of what that person
23 said.

24 MR. SCHMIDT: I understand that. I
25 think you need to rephrase it.

1 BY MR. GEFFEN:

2 Q Did you learn anything when you went
3 there that day about what types of photo ID you
4 could use to vote with?

5 A Well, they did say if I had a passport,
6 I could use that; but I didn't really feel I needed
7 one to go to the corner.

8 Q Anything else they told you about, what
9 kind of photo ID?

10 A They asked about a driver's license.
11 But every -- see, everybody knows everybody, and
12 they all know my situation, you know. So they
13 already know that I can't drive. I'm not allowed
14 to drive because of my physical disabilities.

15 Q Okay. Well, let me ask you a few more
16 questions about your ID situation.

17 Have you ever had a Pennsylvania
18 driver's license?

19 A Yes.

20 Q And do you have one, an active driver's
21 license right now?

22 A No, I do not.

23 Q When was the last time you had an
24 active driver's license?

25 A Back in '95.

1 Q Okay.

2 A 1995.

3 Q And do you have a U.S. passport?

4 A No, I do not.

5 Q Do you have any other ID with your
6 picture on it?

7 A No, I do not.

8 Q And have you ever tried to get a new ID
9 from PennDOT?

10 A Yes, I have.

11 Q When did you do that?

12 A Before the election in November of
13 2012.

14 Q Do you remember how far before the
15 election? Was it a long time before the election
16 or --

17 A No. It was maybe the end of October,
18 beginning of November.

19 Q Okay. And where did you go to do that?

20 A I had to go to Shillington,
21 Pennsylvania.

22 Q Is that the nearest PennDOT location?

23 A I guess basically you could go to
24 Lebanon. I'm thinking it's probably six of one and
25 half dozen of another.

1 Q Do you know about how far away the
2 Shillington PennDOT location is?

3 A Well, it takes us about 45 minutes or
4 more to get there, depending, of course, on
5 traffic.

6 Q How did you get there?

7 A I had friends from Reading come up and
8 pick me up and take me there. We made a special
9 trip to try to get ID.

10 Q And how far away is Reading from here?

11 A 15, 20 miles.

12 Q Now, your two sons that you mentioned,
13 do they live here in Womelsdorf?

14 A Yes, they do.

15 Q And do you ever get rides from your
16 sons?

17 A Yes, I do.

18 Q Okay. And I think you mentioned that
19 you've gotten a ride from one son to the polling
20 place; is that right?

21 A Yes.

22 Q What about the grocery store? How do
23 you get groceries?

24 A My son shops.

25 Q Do you go to the grocery store too?

1 A No. I couldn't tell you the last time
2 I went.

3 Q Okay. What about doctors'
4 appointments? How do you get to doctors'
5 appointments?

6 A I often have to -- if my son is not
7 available, then I have to call friends who, like I
8 said earlier, have to come all the way up from
9 Reading and take me wherever I need to go.

10 Q Are your sons employed?

11 A Yes, they are.

12 Q And what kind of work do they do or
13 where do they work?

14 A My oldest son works at Reading Alloys,
15 which is located in Robesonia. And my youngest
16 son -- that's a hard one.

17 Q Maybe I should ask this way: What kind
18 of work does your youngest son do?

19 A He works construction.

20 Q What kind of hours does your son who
21 works construction work?

22 A He has horrendous hours. He oftentimes
23 will leave at 4:30, 5 o'clock in the morning and
24 doesn't get home until 9 o'clock at night, because
25 oftentimes -- I know I'm going on and on; but he

1 doesn't have one destination. He may have to go to
2 Jersey. He may have to go to Timbuktu to work that
3 day.

4 Q And the son who works at Reading
5 Alloys, what kind of hours does he work?

6 A I believe it's basically from 7:00 to
7 3:00.

8 Q And does that son have any family
9 members to take care of?

10 A Yes, he does. His wife at this point
11 is in a very bad place to be. She had a knee
12 replaced. Unfortunately, the knee was faulty, and
13 it was infected. And she had five surgeries in
14 less than four months.

15 And she -- she's home from the hospital
16 now, but she is in bed constantly -- well, the bed
17 is in the living room, but she -- she cannot get up
18 and walk around. She must stay in bed.

19 Q Now, your friends from Reading, do
20 they -- the ones who drove you to PennDOT that you
21 mentioned, do they often give you rides to places?

22 A Yes. They would like to take me a lot
23 more places, but they don't fully understand my
24 pain situation.

25 Q Okay. Do any of the people who give

1 you rides have a vehicle with a wheelchair lift?

2 A No, they do not.

3 Q So how do you get in and out of the
4 car?

5 A They put the wheelchair as close to the
6 door as we can. We have a little stepstool that I
7 step on first, and I kind of back into it. And I
8 have a cushion that swivels. You back in and you
9 sit down and swivel yourself into the seat.

10 Q Okay. And you mentioned that you went
11 to the PennDOT location in Shillington; is that
12 right?

13 A That's correct.

14 Q Is the process you just described how
15 you got in and out of the car on that trip?

16 A Yes.

17 Q Now, what happened when you went into
18 the Shillington PennDOT office?

19 A I told them that I was there to get an
20 ID card so I could vote. And the lady got a paper
21 and circled some stuff on this paper and handed me
22 the paper. And she said it would be \$13.50.

23 And I said, "I was under the impression
24 that it was for free."

25 But I started to get my money out. And

1 she said, "Oh, we don't take cash. You have to
2 either have a check or a money order."

3 Well, I didn't have either one. And I
4 asked her, "What's wrong with cash?" But they
5 don't accept cash.

6 So she told me that -- it's actually in
7 a mall where this PennDOT is. And she said I could
8 go up to the other end of the mall and get a money
9 order up there, which would entail getting in the
10 vehicle, driving up there, getting out, going in,
11 coming out, getting back in, and -- it's just too
12 much. I can't do all those things at one time.

13 Q You mentioned a piece of paper, and I
14 want to show you a document. This has been stamped
15 for production as Vote-2255 through '56. It's a
16 double-sided, single-paged document. And I believe
17 it's been identified as Trial Exhibit 4130.

18 Would you look at this document for a
19 moment.

20 A Uh-huh.

21 Q Is this the paper form you were
22 referring to?

23 A That's it.

24 Q And I noticed there's some circles and
25 an X written on this page.

1 A Correct.

2 Q Who wrote those?

3 A The lady down there did.

4 Q Okay. Did you get a new ID card on
5 that visit?

6 A No, I did not.

7 Q And have you subsequently gotten any
8 new ID card?

9 A No, I have not.

10 Q You mentioned that you were -- I think
11 you said you were under the impression that you
12 could get one for free?

13 A Correct.

14 Q What made you think that you could get
15 one for free?

16 A I heard it on TV.

17 Q And have you ever seen any
18 advertisements about the voter ID law?

19 A Yes.

20 Q And do you remember when you saw those
21 advertisements?

22 A Well, prior to me going and trying to
23 get one.

24 Q Okay. Have you seen any since the
25 November elections?

1 A I don't believe I have.

2 Q And have you heard of something called
3 the Department of State ID card?

4 A No. I have no idea what that is.

5 Q Have you ever had your driving
6 privileges suspended or revoked or disqualified?

7 A No.

8 Q When was the last time you drove,
9 roughly?

10 A Back in -- probably '94.

11 Q What did you think when the clerk told
12 you that it would cost 13.50 to get a new ID card?

13 A Well, at first I thought, Well, I guess
14 I heard wrong. But then I said to her, "I thought
15 they said on TV that it was free."

16 And she was -- she was not a happy
17 helper. She -- it was basically like, take it or
18 leave it. This is the way it is. Do you want it
19 or don't you? That's the feeling I got.

20 Q Okay. How long did this whole trip
21 take, from when you left your house to when you got
22 back into your house?

23 A I would say a little more than two
24 hours.

25 Q Okay. And how did you feel when you

1 got home?

2 A I was in great pain. I have a lot of
3 difficulty sitting and getting around. So --

4 Q And have you gone back to the
5 Shillington PennDOT to try again since then?

6 A No, I have not.

7 Q And why not?

8 A I guess I was just very frustrated,
9 because it was a painful trip and she was not a
10 pleasant, happy helper. And I guess probably in
11 the back of my mind I thought, well, perhaps one
12 day when -- like when I have a doctor visit
13 scheduled, maybe we can do two things in the same
14 day.

15 Q Has there ever been an occasion like
16 that since then?

17 A Actually, no.

18 Q Do you have access to the Internet?

19 A No, I do not.

20 Q Have you ever used the Internet?

21 A No, I have not.

22 Q Do you ever go to a public library?

23 A Not any longer. I used to be able to
24 get up to the one here in Womelsdorf, but I can't
25 go that far anymore.

1 Q Okay. Is voting important to you?

2 A Yes, it is.

3 Q Could you tell me why.

4 A I think it should be important to all
5 of us. We all have a stake in what's going on in
6 our life, and we need to respect the people who
7 went before us and went through all kinds of grief
8 to give us that right. We need to take advantage
9 of it.

10 MR. GEFFEN: Thank you. I have no more
11 questions at this time. I reserve the right to
12 redirect examination.

13 CROSS-EXAMINATION

14 BY MR. SCHMIDT:

15 Q Good afternoon, Ms. Norton. My name is
16 Kevin Schmidt. I just have a few follow-up
17 questions.

18 Ma'am, how did you become a witness in
19 this lawsuit?

20 A I'm sorry. I didn't hear you.

21 Q How did you become a witness in this
22 lawsuit?

23 A I don't know.

24 Q Did someone call you on the telephone?

25 A Yes. And we discussed the difficulty

1 of not being able to get an ID and -- it was a
2 young lady that I talked with.

3 Q Do you remember her name, ma'am?

4 A No. That I don't remember.

5 Q Do you remember how she identified
6 herself? Where she was from?

7 A No, I don't.

8 Q Did she tell you she was with any
9 organization, like the League of Women's Voters,
10 for example?

11 A I don't believe she said that.

12 Q What did you tell her during your
13 conversation?

14 A That I was trying to get an ID and I
15 was having difficulty doing it. And then she asked
16 what I meant I was having -- because apparently it
17 should not be this difficult.

18 And so I told her what I've just told
19 you people about what I went through and how I
20 tried to get one. And then she asked if I would
21 talk to this young man.

22 Q That's Attorney Geffen sitting to my
23 left?

24 A Correct.

25 Q At any time during your conversation,

1 did anyone offer to help you get identification to
2 vote?

3 A Well, they didn't actually say, Would
4 you like me to come and get you and take you
5 somewhere or something like that. Nothing like
6 that happened.

7 But she did say that he would talk with
8 me and perhaps we could get some things
9 straightened out. I'm trying to remember how she
10 worded it, you know. It's difficult.

11 But anyway...

12 Q But no one during that conversation
13 provided you an offer of assistance to get an
14 identification to vote?

15 A No, not really, no.

16 Q How about in your conversation with
17 Attorney Geffen? Was there any offer of assistance
18 to get identification to vote?

19 A Well, he discussed what we're doing
20 now, sitting and talking about it and kind of
21 airing my problems to see if we can't come up with
22 an answer, because there's a lot of people in the
23 same spot I'm in that you just -- you people who
24 drive, we don't -- when you can drive, you don't
25 think about it. You just do it. You hop in and

1 you go.

2 And you don't understand the problems
3 it creates when you can't do that. You hate to be
4 imposing on people. People will say to you,
5 "Anything I can do to help?" But nothing is handy.
6 Nothing is local. We don't have a taxicab. We
7 don't have a bus. I mean, if we had a bus, I
8 wouldn't be able to take a bus, you know.

9 It's -- I have to depend on other
10 people for everything, and I'm a stand-on-your-own
11 kind of guy. And it's very -- it's tough for me to
12 ask people for help, even though I know, if they
13 can, if they're available, they're more than happy
14 to do it. But I hate imposing on people.

15 Q So you have opportunities for people to
16 help you, like your sons and --

17 A Yes.

18 Q Hopefully when your daughter-in-law
19 heals up, she'll be able to help you as well;
20 correct?

21 A Yes.

22 Q At any time during your conversations
23 with your involvement in this lawsuit as a witness,
24 did anybody offer you assistance to help get an ID?

25 A Well, I assume that that's what our

1 meeting today is, to help me be able to get aimed
2 in the right direction. I mean, nobody actually
3 has come to me and said, Oh, it's simple. All you
4 have to do is thus and so. Nobody has done that,
5 no.

6 Q What's your understanding of why you're
7 testifying today?

8 A Well, hopefully to makes things easier
9 for everybody that has this type of a problem, to
10 make it more accessible. I mean, when you're on TV
11 telling me I need to have a voter ID, tell me right
12 then and there where to go and how to get it. That
13 would be helpful.

14 If I knew exactly where -- I mean, we
15 went to PennDOT, but that was a suggestion from my
16 friends. "Why don't we try going there?" We
17 weren't even sure that it was possible.

18 Q And did any of that information come
19 out to you in your conversations with Attorney
20 Geffen or the woman who called you in advance of
21 Attorney Geffen about where to go, about what to do
22 to get an ID, about how they could help you?

23 A No.

24 Q Ms. Norton, what is the furthest you
25 travel from your home here in Womelsdorf?

1 A To the doctor's, which is at the --
2 basically at the Reading Hospital. So that's 15,
3 20 miles, whatever it is.

4 Q And how long does that take you to get
5 there?

6 A Three quarters of an hour to an hour,
7 depending on the traffic.

8 Q Okay. So is it fair to say you don't
9 have any problem traveling in a car for an hour?

10 A I have problems, because it's very
11 painful for me to sit. And pain really rules your
12 life, you know. So -- but I get there.

13 Q You can do it, is what you're telling
14 me?

15 Now, during the course of your day, do
16 you have to stand up with your walker?

17 A Yes.

18 Q Or do you predominantly stay in your
19 wheelchair for the course of the day?

20 A Mostly I scoot around in my chair.

21 Q What are the ages of your sons?

22 A 40 and 50.

23 Q And you said you had a
24 step-granddaughter and a granddaughter; is that
25 correct?

1 A Yes.

2 Q Okay. And what are their ages?

3 A Well, my granddaughter is 25. And I'm
4 going to guess at the step-granddaughter. I'm
5 going to guess that she's probably 35.

6 Q Do they live local as well?

7 A At this point in time, I have no idea
8 where my granddaughter lives. My
9 step-granddaughter lives in Womelsdorf.

10 Q And does she drive?

11 A Yes.

12 Q And does she ever offer to drive you
13 around and take you places?

14 A No.

15 Q How come?

16 A She's got three girls, and she works.
17 And the girls are all -- you know, there is dance
18 classes. There's this, that, and the other thing.

19 Q Oh, I know. I know. I have a son and
20 a daughter that I cart around myself.

21 A So you know you spend half your life in
22 a vehicle.

23 Q So the last time you attempted to go --
24 excuse me. Strike that.

25 The last time you went to PennDOT was

1 in late October of 2012; is that correct, ma'am?

2 A Yes.

3 Q And you went to the Shillington
4 driver's licensing center?

5 A Yes.

6 Q Have you made any efforts since that
7 time to go back and try and get an identification
8 card to vote?

9 A No, I have not. Would you like to know
10 the reason?

11 Q Let me ask you another question.

12 A Okay.

13 Q Have you ever called PennDOT to see if
14 you can get special accommodations for your pain
15 and because you're in a wheelchair now?

16 A No, I haven't.

17 Q Have you ever called PennDOT to ask
18 them if you could send information through the mail
19 so that you didn't have to travel to a driver's
20 licensing center and get --

21 A No, I haven't done that. I assume you
22 have to be there if you're -- you have to get a
23 picture taken.

24 Q Are you willing to do that, ma'am?

25 A Well, I was there thinking that's what

1 would -- you know, that it was going to -- she was
2 going to say, "Okay. I'll take your picture.
3 Here's your thing and be on your way." But it
4 didn't pan out that way.

5 Q Are you willing to call them back and
6 see if they could make accommodations for you --
7 "they" being PennDOT -- so that you could get an
8 identification card to vote?

9 A Yes. I imagine that's what I'll have
10 to do. But the past -- this past year has been
11 very difficult for me. I've had many, many falls.
12 And I've in turn had setbacks.

13 Q When is your next doctor's appointment,
14 ma'am?

15 A I'm sorry?

16 Q When is your next doctor's appointment?

17 A Well, I was just there in June -- three
18 months.

19 Q So would that be September?

20 A Yes.

21 Q September? Okay.

22 And do you know how you'll get to your
23 doctor's appointment in September?

24 A Probably I'll have to ask my friends
25 from Reading to come and get me, because

1 unfortunately, the boys can't take me because they
2 work.

3 Q And these are the same friends that
4 took you to the Shillington driver licensing
5 center?

6 A Yes, yes.

7 Q Okay. Do you think that they would be
8 willing to do so again, ma'am?

9 A Yes.

10 Q Ma'am, has any doctor prohibited you
11 from traveling by car?

12 A No.

13 Q Has any doctor placed any physical
14 restrictions on you?

15 A They tell me to do what I can, what
16 little I can do. Try to keep moving.

17 Q Is there any -- have they ever advised
18 you to not sit for a certain amount of time or not
19 stand for a certain amount of time?

20 A Oh, yeah, they always tell me that.
21 You know, it's -- I spend most of my day laying
22 either on the sofa or on my bed, because sitting is
23 extremely painful for me. I have rods and pins in
24 my back, and it's not really conducive to sitting.

25 Q Ma'am, I want you to take a look at

1 that document that Attorney Geffen showed to you
2 earlier, which has been previously marked as
3 Vote-2255; and the second page of it has Vote-2256.

4 Is your name on there, ma'am?

5 A No.

6 Q Did you ever start to fill it out,
7 assuming this is the document you got when you went
8 to PennDOT in Shillington?

9 A No, I didn't fill anything out, because
10 we couldn't conclude our business because I didn't
11 have a check or a money order. I only had cash.
12 So I didn't bother filling the paperwork out.

13 Q So is it fair to say that none of the
14 writing on the document is yours?

15 A Correct.

16 Q Do you know whose it is?

17 A I have no idea.

18 MR. SCHMIDT: I have nothing further,
19 ma'am. Thank you very much.

20 THE WITNESS: You're welcome.

21 REDIRECT EXAMINATION

22 BY MR. GEFFEN:

23 Q I have just a few questions to follow
24 up on some of the things Mr. Schmidt discussed.

25 At one point Mr. Schmidt asked you a

1 question: Why haven't you made another attempt to
2 go back to PennDOT? And it sounded like there was
3 something you wanted to say. What is it that you
4 wanted to say?

5 A I thought I did say it. I've had many
6 falls, and I've been set back in my abilities to
7 get in and out.

8 Q And that all happened since the last
9 time you went to PennDOT?

10 A Yes.

11 Q Okay. And you mentioned a three-month
12 doctor appointment. Do you regularly visit the
13 doctor once every three months? Is that how I
14 should take that?

15 A Yes. That's my back doctor.

16 Q And are there other doctors you go to
17 on a regular basis?

18 A My family doctor, whatever you want to
19 call him.

20 Q Okay. How do you feel after you get
21 home from one of those doctor's appointments?

22 A Totally wiped out, exhausted, in pain.
23 You come in the door; you grab your pills and you
24 crash and burn.

25 Q And how often when you have one of

1 those doctor's appointments do you tack on an
2 additional errand while you're out and about?

3 A Very rarely. It's like, let's get
4 there and get home as fast as we can.

5 Q Okay. And --

6 A I didn't even do -- I know nobody
7 cares, but I didn't do one bit of Christmas
8 shopping, not one. Because I just -- I'm just not
9 up to it.

10 Q I understand.

11 The last thing I wanted to ask you
12 about, Mr. Schmidt asked you: Did you know whose
13 writing was on this form, this exhibit that we
14 showed you?

15 Do you know that -- do you know the
16 name of any of the PennDOT personnel you spoke with
17 that day?

18 MR. SCHMIDT: Objection to the form of
19 the question; assumes facts not on the record.

20 MR. GEFFEN: I asked her whether she
21 knows any -- I'll ask her this question.

22 BY MR. GEFFEN:

23 Q When you went to PennDOT in November or
24 October of last year, did you catch the names of
25 any of the PennDOT personnel you spoke with?

1 A No. I don't think she bothered
2 introducing herself. You knew who she was. She
3 said, "Next." You went up and you told her what
4 you wanted, and that was the end of our business.

5 Q Okay. And who gave you this form that
6 we've been looking at?

7 A The lady who was -- said "next."

8 Q And who wrote these circles and X on
9 this form?

10 A She did.

11 Q Okay. But you don't know her name?

12 A No, I have no idea what her name was.

13 Q Okay. I have no more questions.

14 A Okay.

15 RE CROSS-EXAMINATION

16 BY MR. SCHMIDT:

17 Q Ms. Norton, just one question. Did you
18 see her make these marks on the form?

19 A Yes, I did.

20 MR. SCHMIDT: Okay. No further
21 questions. Thank you very much.

22 THE WITNESS: You're welcome.

23 THE VIDEOGRAPHER: This concludes the
24 videotaped deposition of Patricia Norton. Time on
25 video is 15:07.

1 (Videotaped deposition concluded

2 at 15:07 p.m.)

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1 CERTIFICATE OF SHORTHAND REPORTER

2
3 I, Gail Inghram Verbano, Registered

4 Diplomat Reporter, Certified Realtime Reporter,

5 Certified Shorthand Reporter (CA) and Notary

6 Public, the officer before whom the foregoing

7 proceedings were taken, do hereby certify that the

8 foregoing transcript is a true and correct record

9 of the proceedings; that said proceedings were

10 taken by me stenographically and thereafter reduced

11 to typewriting under my supervision; and that I am

12 neither counsel for, related to, nor employed by

13 any of the parties to this case and have no

14 interest, financial or otherwise, in its outcome.

15
16
17 

18 _____
19 Gail Inghram Verbano, CSR, RDR, CRR
20 CA-CSR No. 8635

Patricia Norton

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