

## **Law Firm Hiring Partner Accused of Harassing Summer Associate**

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Benjamin Siegel, a third-year law student and former summer associate at Winkin, Blinkin, & Norwich, P.A., filed a lawsuit this week accusing Rebekah Mandle, the law firm's main hiring partner, of sexual harassment and discrimination.

The suit was filed following notice that Siegel would not be invited back as a full-time associate. It contends that he was "regularly subjected to unwelcome sexual comments, behavior, and advances" by Mandle during his time at the firm.

In particular, the suit says that in June, during Siegel's first week at the firm, Mandle made repeated comments about his physique while he stood at the copy machine. These comments ultimately turned into a "tirade" about men in general, focused on the gender as being "good for nothing more than heavy lifting."

According to the suit, the behavior increased in severity over the summer. Some of Mandle's alleged activities include staring at Siegel during summer associate luncheons, purposely spilling her drink on him during a firm happy hour, repeatedly questioning him about his workout regimens and his relationship status, asking him on at least one occasion whether he "fancied more mature women," and referring to him as her "boy toy" during meetings with clients.

The lawsuit also claims that there are witnesses to similar treatment by Ms. Mandle of former summer associates, though none of these associates have come forward as of yet.

Ms. Mandle, via her private attorney, has issued a statement calling these allegations "baseless and outrageous." She refers to the suit as a "last-ditch effort by a power-hungry law student to climb the corporate ladder," and cites Siegel's continued efforts to hit on her in order to get ahead. Further, she points to the firm's zero-tolerance sexual harassment policy and her spotless record as proof that this lawsuit has "no basis in reality."

Ms. Mandle has worked at Winkin, Blinkin, & Norwich for over fifteen years. She began her career as a summer associate there and accepted an associate position upon graduation. Since that time, she has risen through the ranks quickly and was named

main hiring partner two years ago. She has also been twice named among the state's top fifty family lawyers, making her an "easy target," in her own words, for jealousy and animosity. While Mr. Siegel claims that because of Ms. Mandle's high profile attorney status, he was not offered a permanent position Winkin, Blinkin, & Norwich for fear that he would ultimately file suit and tarnish the reputation of the firm's star family law attorney.

Ms. Mandle could not be further reached for comment. The cases against the parties will be tried separately in New Jersey Superior Court in Essex County.

**Exhibit B**  
**DEPOSITION OF BENJAMIN SIEGEL**

Q: Would you please state your full name and spell it for the record?

A: My name is Benjamin Siegel B-E-N-J-A-M-I-N S-I-E-G-E-L

Q: What is your home address, Mr. Siegel?

A: Please, call me Benjamin, my address is 1238 Washington Street, Hoboken, NJ 07030.

Q: Alright, Benjamin, what is your occupation?

A: Currently I am student at Rutgers Law School. I'm in my third and final year.

Q: And did you hold a job over the summer?

A: Yes.

Q: Where did you work?

A: I worked at a law firm, Winkin, Blinkin, & Norwich, P.A.

Q: Where is Winkin, Blinkin, & Norwich, P.A.?

A: It's at 2048 Becker Farm Road, Roseland, NJ

Q: And what was your position at the firm?

A: I was a summer associate.

Q: What sort of work did you do during your time at Winkin, Blinkin, & Norwich?

A: A lot of research, some writing based on that research, mostly memos. I helped draft a few motions, went to some client meetings, nothing that intense.

Q: Who did you work for while you were at the firm?

A: The partners I worked for were: Gerald Grossman, Rebekah Mandle, Bob Snider, and Steve Goodrich. I worked side by side with varying groups of associates, and only did one or two assignments in conjunction with the other summer associates.

Q: Who would you say you worked for the most?

A: Rebekah Mandle. I did a lot of work for her on this complex case the firm got about a month into the program.

Q: Upon completing the program, were you offered a permanent position at Winkin, Blinkin, & Norwich?

A: No, I wasn't.

Q: That aside, do you feel that you had a good experience there?

A: No I don't.

Q: Why is that?

A: There are a number of reasons, but first and foremost I was continuously sexually harassed by the head hiring partner, Rebekah Mandle. It was an uncomfortable situation that I didn't know how to deal with while it was happening.

Q: What do you mean by sexually harassed, what sort of things did Ms. Mandle do?

A: It's hard to explain, it upsets me.

Q: Try to start at the beginning.

A: Ok, I'll try. I was assigned to a project with Ms. Mandle in the first week that this client came to the firm with the case. I was really excited because Ms. Mandle is the head hiring partner and I thought this would be my chance to show her that I would be a great choice for hire.

Q: How was it working for her in the beginning?

A: The first week or so everything was fine. Pretty simple really, she'd give me an assignment, I'd do it, she would tell me it was wrong or needed corrections, I would do it again.

Q: When did things start to change?

A: In the second week of working for Ms. Mandle she loosened up a lot, told me to call her Rebekah, started making really crass, but funny jokes. I started to let my guard down too. I had been so nervous in the beginning, with her being the head hiring partner and all. I really wanted her to like me.

Q: Did you want her to like you to better your chances of being hired?

A: I'd be lying if I said I didn't want her to like me so that Winkin, Blinkin, & Norwich would hire me. Of course that was part of it. But also, she is a good person to know, a powerful attorney, with a great reputation. Hiring aside, Ms. Mandle is someone that I wanted to know and be known by.

Q: What happened after the second week?

A: The jokes stopped being generally inappropriate, instead they seemed more like they were directed at me.

Q: How so?

A: She would say something about one of the clients; she typically defends these guys trying to get out of their prenuptial agreements or to get favorable divorce settlements. Ms. Mandle would remark about how she was out there, every day, defending the scum of the earth, keeping their wives poor and their children confused, but that men made sure that was the state of things even without her help. That sort of thing. But then she might go on a tirade about how men should be strong, so they could do what they were meant for, like lifting boxes.

Q: And she would direct that at you?

A: Yes, she would go on one of these tirades and then only minutes later would have me bending over to pick up heavy stacks of books off the floor. Or tell me to be a "good man" and carry the file boxes to her desk.

Q: How would you respond to her comments?

A: At first I tried to laugh it off or make some sort of witty response about how she was just trying to punish me for being late.

Q: Did Ms. Mandle's behavior escalate?

A: Yes, it was as if, the more comfortable she became with me, the more pronounced her advances became.

Q: What else would she do?

A: She started making comments about my body when I would carry books into her office or be making copies at the copy machine. She said that I was a "fine specimen" and asked if I worked out.

Q: How would you react to those comments?

A: I always tried to make light of the situation.

Q: How would you try to make light of the situation?

A: I would joke back. Say something like "yea, well a lot of work goes into this body." I guess that was a bad move on my part because it led to her telling me about her husband being a part-time physical trainer and her making me feel her biceps.

Q: Did Ms. Mandle ever touch you in ways that made you uncomfortable.

A: She did, but was sneaky about it. She was always brushing things off of me, giving me a lint roller and then offering to do my back, putting her hand on my shoulder when she spoke to me, adjusting my shirt collar and tie, and if she had something to show me she would get so close to me that if were to sneeze, I'd knock her over.

Q: Any other behaviors of Ms. Mandle's that bothered you?

A: The comments were persistent, she was always telling me how good I looked, to "turn around and give her a spin," she would often stare at me, ask me if I found myself a nice girlfriend yet, and if I preferred "more mature women." She'd use these little pet names for me like "boy toy" and "tiger," telling me that I was her office strong man or body guard, and once we were at a firm event and I could just swear she spilled her drink on me on purpose so she could touch me and act like she was cleaning it off.

Q: Any other behaviors you can think of that made you feel uncomfortable?

A: She was always trying to get me alone with her. When I would meet with her in her office she would close the door and get very close to me while showing me something in a book or on the computer. We would be working on the case and she would have me stay late sometimes so she'd have me all to herself.

Q: Did you ever do anything to make Ms. Mandle believe that her comments and behavior were well received?

A: What do you mean?

Q: Did you in any way condone her behavior.

A: Look, I never hit on Ms. Mandle.

Q: But did you joke back, or respond favorably to her comments?

A: I don't think so, I mean I was never rude to her, and I didn't call her out on what she was doing, but I wasn't telling her to grab my biceps. Tried to laugh it off, move on.

Q: Do you consider yourself a friendly person

A: I'm very friendly.

Q: Would you say that you are eager to be liked?

A: Anybody at the beginning of their career, in this economy, is eager to be liked in the workplace. So yes, I am eager to be liked. I want to keep a job.

Q: Would you tell Ms. Mandle, on occasion, that she looked good?

A: Sure, if I liked her suit or she got a haircut or something. That is the cordial, polite thing to do.

Q: Did you often joke around with Ms. Mandle?

A: I joked around and made pleasant conversation with everybody at Winkin, Blinkin, & Norwich. It's important to put yourself out there.

Q: Did you tend to give more attention to Ms. Mandle than other people working at Winkin, Blinkin, & Norwich?

A: That is a strong possibility considering that I spent a huge portion of my time doing work for her and being monopolized in her office.

Q: And you never said or did anything to let Ms. Mandle know that she was making you uncomfortable.

A: It was hard to say anything, but I did finally say something to her, in the second to last week of the program

Q: What happened?

A: It was toward the eleventh week of the program. I was just wrapping up a memo I had done for her, and she had made some corrections to my first draft. Ms. Mandle called me into her office. I sat in the chair opposite her desk, and she approached me, corrected memo in hand. She handed me the memo, leaned in really close and said, "For being such a tough guy, you didn't do a half bad job this time." Then she touched my arm and moved closer and I just lost it.

Q: What did you say?

A: I told her that enough was enough and I'd had it with her making coy little comments at me, teasing me, and touching me. That it was just too much and I didn't like it.

Q: How did Ms. Mandle react?

A: She just told me to calm down and acted like she didn't know what I was talking about. That she couldn't believe I would even suggest that she would act that way.

Q: Besides this one instance did you speak out to any other attorney, or human resources?

A: No.

Q: Why not?

A: The competition to get one of these jobs from a summer associate program is intense. Sure, I didn't like the way that Ms. Mandle was treating me, but you know what I like even less, having over \$100,000.00 in student loans. I really wanted the job, even if it meant me feeling degraded and harassed. I figured that worst comes to worst, I'll stick it out for two years, swallow my pride, pay off the loans, and have a strong enough

resume to move on to a different firm. I knew that if I was the summer associate that spoke out against the head hiring partner I could just kiss that associate position goodbye.

Q: Yet you still didn't get the associate position?

A: No, I'm pretty sure we covered that before.

Q: Why did you wait until after knowing you were rejected for the associate position to file this suit?

A: Because now I have nothing to lose. Sure, I should have been braver and addressed the issue or brought this suit before, but I wasn't. I'm bringing it now because no matter how you cut it, what happened to me at Winkin, Blinkin, & Norwich is wrong, and it shouldn't happen to summer associates in the future.

Q: Why do you think that you weren't asked back to Winkin, Blinkin, & Norwich?

A: I believe it is because everyone saw what was going on and I was more dispensable than Ms. Mandle. Not to mention, Ms. Mandle gave me a terrible review after the incident in her office. She probably wanted to get even with me for calling her out on her actions.

Q: You think that both of your behavior was a problem?

A: No, I think that they saw that I was unhappy with her comments and behavior, and that it would only be a matter of time before I raised the issue with human resources. They can't afford to lose Rebekah Mandle, she is one of the most valuable partners there. They probably just hoped that I would disappear and it would be one less problem for them to deal with.

Q: You don't think it was in any way a reflection of your work product?

A: No, and I let Ms. Mandle know that I didn't appreciate her comments and that I knew what she was about.

Q: During your time as a summer associate, where you punctual?

A: Most of the time, they didn't really give us a particular arrival time, so I came at 9:00 - 9:30

Q: And at what time did you typically leave?

A: 5:00 or a little before.

Q: Did the other summer associates arrive and leave at similar times?

A: I'm not really sure, they may have arrived a little earlier or left a little later, but these people were nuts.

Q: Nuts?

A: Ok, not nuts, but living in a constant state of terror, neurotic is probably a better word. When a place is paying you on salary, to essentially work 9:00 to 5:00 it seems ridiculous to stay any longer than that.

Q: Ok, is 9:00-5:00 the typical work day at Winkin, Blinkin, & Norwich?

A: Not for the attorneys who bill by the hour, but for salary workers, yes it is.

Q: And your work product, did you feel that the attorneys you worked for were pleased with your performance?

A: I thought so.

Q: Did they ever give you any feedback?

A: Sure, and I tried to be as responsive as possible, I'm only through 2 years of law school.

Q: Besides working for Winkin, Blinkin, & Norwich, did you hold any other responsibilities outside that of your law school classes?

A: Yes, I worked as a research assistant for a professor at school, Professor Maryanne Lockey.

Q: Were you pleased with that experience?

A: Yes, very.

Q: Exactly what was your position as research assistant?

A: I was head research aide.

Q: How did you rise to the position of head research aide?

A: I wasn't originally head research aide because Professor Lockey already had one when I applied for the position. But when the original head research aide got sick and couldn't keep up with the work, I ended up stepping in for her.

Q: Do you consider yourself a team player?

A: Yes.

Q: Do you tend to try and separate yourself from the group?

A: I am in a very competitive field, so yes, I do try to set myself apart from the group.

Q: Would you say that you sometimes try to use charm and your appearance to win over your superiors?

A: Just because I take care of myself, and I'm friendly does not mean that I'm trying to bamboozle my superiors into liking me.

Q: How do you feel about the roles of men and women in society?

A: What do you mean?

Q: Do you consider yourself old fashioned?

A: I believe in common courtesy.

Q: Define common courtesy.

A: Look, I'm all for gender equality, equal pay for equal work, whatever, but I do think that men should open doors for ladies, should pull the out the chair, wait for the ladies to sit at the table before sitting, that's just the way I was brought up.

Q: Do you believe that women should behave a certain way as well?

A: I think they should allow men to act like gentlemen but other than that, I can't really speak to that question.

Q: Do you consider yourself a competitive person?

A: If I wasn't competitive, I wouldn't be in law school.

Q: Thank you for your time Benjamin.

A: Thank you.

**Exhibit C**  
**DEPOSITION OF BETHANY PRUIT**

Q: Would you please state your full name and spell it for the record?

A: My name is Bethany Pruit B-E-T-H-A-N-Y P-R-U-I-T

Q: What is your home address, Ms. Pruit?

A: My home address is 365 Main Avenue, Westfield, NJ 07066.

Q: Ms. Pruit, what is your occupation?

A: I am an associate at the law firm Piper, Marron, and Walschenski, LLC.

Q: Did you once work at the law firm, Winkin, Blinkin, & Norwich, P.A.?

A: Yes.

Q: For how long did you work there and what position did you hold?

A: I worked there for 5 years, from 2000-2005, and held an associate position.

Q: During your time there did you work with Rebekah Mandle?

A: I did, I worked with her quite frequently.

Q: What sort of assignments did you work with her on?

A: I worked with Ms. Mandle on most of her assignments, entering Winkin, Blinkin, & Norwich, she emulated what I would hope to become in the next ten years. A strong female attorney working primarily on criminal and family law matters. I worked on anything with her were she needed an extra set of hands.

Q: You admired her?

A: I used to.

Q: Why the change, was it the caliber of her work?

A: She is more reliant on the work of associates than I would have thought, but she is, hands down, an excellent attorney

Q: Then why did your attitude towards her change?

A: Because of her behavior in the office.

Q: What was wrong with her office behavior?

A: She is very insensitive to the feelings of others.

Q: How so?

A: She makes discriminatory comments, her sense of humor is simply inappropriate, but what bothered me the most was how she would behave with the young men in the office.

Q: How would she act?

A: Ms. Mandle creates sexually charged situations that make the men in the office uncomfortable. For instance, they would carry boxes to the office for her, and instead of just saying thank you, she would comment on how muscular and strong they were. She would often comment on their bodies and talk about her workout regimen with them; in turn drawing attention to her body.

Q: What else?

A: Ms. Mandle would try to isolate the young male associates and summer associates by keeping them working for her all of the time, making sure that they needed to work late. She would openly stare at them during meetings. Make derogatory jokes about men that were clearly directed towards the men she was targeting.

Q: Do you think any of the things Ms. Mandle was doing were meant to be in jest?

A: Even though she is a female attorney dealing with some very colorful, male, criminal and family law clients does not mean that making derogatory, sexually offensive jokes about men is acceptable. Particularly when those jokes are being made in the workplace and are directed male co-workers. Her behavior clearly made the male associates and summer associates uncomfortable.

Q: Do you feel that her behavior rose to the level of sexual harassment under the Winkin, Blinkin, & Norwich "Our Commitment to Each Other" policy?

A: Yes.

Q: How do you know that Ms. Mandle's behavior made these men uncomfortable?

A: Some of them would approach me or talk to me about it.

Q: But you never told human resources about the situation, or confronted Ms. Mandle about it?

A: I sort of confronted Ms. Mandle about it.

Q: How did you "sort of" confront Ms. Mandle about it?

A: I often told her, towards the end of my time at Winkin, Blinkin, & Norwich, that I didn't agree with her comments and that I thought she was being insensitive.

Q: Did you ever tell her that what she was doing rose to the level of sexual harassment.

A: No.

Q: Why not?

A: She was my superior, I suppose I was intimidated and it wasn't really my battle to fight.

Q: When the men at the office would come and talk to you about Ms. Mandle's behavior, did they seem hurt by what she was doing.

A: I thought so, but it is hard to tell when men are upset. Some were openly distressed by Ms. Mandle's actions, while others, I don't know if they were making light of the situation to seem tough or if they were trying to show that they were manly and didn't care about the things Ms. Mandle said. But only they can know the answers to those questions.

Q: Did Ms. Mandle's behavior seem to be directed at any particular group of people?

A: Yes, it was always directed at either the male summer associates or the young male associates.

Q: She didn't have the same demeanor with women or older men in the office.

A: I'll admit that she did have the same casual manner with everyone, Ms. Mandle, despite the gravity of her work, likes to make light of pretty much everything. But, the jokes and the comments she made directed at the younger men in the office were very derogatory, and meant to make them feel lesser because of their sex. She would say things that would objectify these young professional men.

Q: Did her behavior make you feel uncomfortable?

A: Yes, I find that sort of behavior unacceptable.

Q: You no longer work at Winkin, Blinkin, & Norwich, what prompted you to leave the firm?

A: I didn't like the environment. I clearly didn't mesh with Rebekah Mandle, and didn't mesh with the environment she created. I worked with her all the time and her demeanor really affected me. I didn't want to be a part of that.

Q: Were you having any other problems at work, perhaps with client dissatisfaction.

A: For the most part no.

Q: For the most part?

A: There was one instance where a client was dissatisfied with the work conducted by Ms. Mandle and me in regards to the custody of her son.

Q: What happened?

A: The research we had was incorrect, it lead to us creating a complete, but perhaps not so impressive report for the court to view in consideration of the child's custody.

Q: Was that complaint filed on time?

A: No it wasn't, it was a week late.

Q: Do you think that affected the outcome for the client as well?

A: Possibly

Q: Where you happy with the outcome of the case?

A: No I wasn't, it was a blunder on both my part and Ms. Mandle's part.

Q: Do you feel that Ms. Mandle or you took more of the blame for this blunder or you?

A: I did, but that's to be expected.

Q: Why is that to be expected?

A: It was my responsibility to complete the research required for Ms. Mandle to complete her work for the case. Of course, it's her job to make sure the work is correct and see that everything is filed on time. However, Rebekah Mandle, and her reputation, is invaluable to the family law practice of Winkin, Blinkin, & Norwich, and at that time, compared to her, I was invisible. If she looks bad the firm looks bad, if I look bad, I just look inexperienced.

Q: When did this incident occur?

A: March 2005.

Q: When did you leave Winkin, Blinkin, & Norwich?

A: I left in April of 2005.

Q: Thank you for your time Ms. Pruit.

**Exhibit D**

**DEPOSITION OF REBEKAH MANDLE**

Q: Would you please state your full name and spell it for the record?

A: My name is Rebekah Mandle R-E-B-E-K-A-H M-A-N-D-L-E

Q: What is your home address, Ms. Mandle?

A: 3 Flushing Road, Montclair, New Jersey 07042.

Q: Ms. Mandle, are you married?

A: Yes, Chris and I have been married for 10 years now.

Q: So the two of you were married in 1998?

A: Yes, we were married in August 1998.

Q: How did the two of you meet?

A: Actually, I settled his divorce, it was a very long, drawn out settlement, it took two years for the matter to close.

Q: So you two were seeing each other while settling the divorce?

A: No! Of course not! After helping someone through one of the most difficult times in his life for about two years, you get to know that person very well. We did not begin dating until after the divorce was completely settled and our professional relationship had come to a close.

Q: So I take it you are an attorney Ms. Mandle?

A: Yes, I am.

Q: Where do you work?

A: I am a partner at the law firm of Winkin, Blinkin, & Norwich, P.A..

Q: And where is Winkin, Blinkin, & Norwich located?

A: The firm is located at 2048 Becker Farm Road, Roseland, NJ.

Q: How long have you been practicing law at Winkin, Blinkin, & Norwich?

A: I've been with the firm for 18 years.

Q: Is Winkin, Blinkin, & Norwich a large firm?

A: I'd say we are a mid-size firm, there are 29 attorneys

Q: What sort of legal work do you do at the firm?

A: I am a partner who practices primarily family law, but I branch out into criminal law and medical malpractice cases.

Q: Do you have much interaction with attorneys outside your practice areas?

A: I have more interaction with certain folks than I do with others, but we're not a terribly large firm, so I know everyone's name and probably interact with every attorney at least on a bi-weekly basis.

Q: Do you have any other specific responsibilities at the firm? That is besides your practice in the areas of family law, criminal law, and medical malpractice?

A: Yes, I am also the head hiring partner.

Q: What does a hiring partner do exactly?

A: I help recruit top-notch attorneys to work at Winkin, Blinkin, & Norwich.

Q: Are these hiring, and recruitment responsibilities tied to the Winkin, Blinkin, & Norwich summer associate program?

A: Yes

Q: How does that work exactly?

A: Well, Winkin, Blinkin, & Norwich does all of its summer associate hiring through On Campus Interview Programs throughout the tri-state area.

Q: What is an On Campus Interview Program?

A: Essentially, law students who have completed their first year law school curriculum apply to the firm for a summer associate position, usually through an online system. We receive

their application materials and then select a certain number, usually 25 or so from each school, for the first round of interviews. The 15 we like the most out of all those interviews come in for a call back interview, and the four that the interview panel thinks would be the best fit are invited to work at Winkin, Blinkin, & Norwich for the 12 week summer program.

Q: So is the job just for the summer, or is there an opportunity to continue working at the firm after the summer?

A: That depends.

Q: Depends on what?

A: Of the four summer associates that we ultimately select, only two of those summer associates will be offered associate positions at Winkin, Blinkin, & Norwich to commence after their graduation and completion of the Bar Exam.

Q: Are the summer associates expected to work as a team?

A: At times yes.

Q: But they are in fact competing against each other for permanent positions.

A: That's also true.

Q: Do summer associates tend work with just one attorney or all of the firm's attorneys?

A: We try our best to have the summer associates work with most if not all of our attorneys so they can get a more rewarding experience.

Q: Do summer associates ever work with one attorney more than others?

A: Sometimes, if a big case comes through, and that summer associate starts working on it from the beginning, it's often useful to keep that summer associate on that case while they do other work.

Q: In this sort of situation, would you say that the partners become a sort of mentor to the summer associate?

A: Yes, you could say that, sort of an informal mentor.

Q: Let's switch gears a little, tell me, do you know Benjamin Siegel?

A: Yes I do.

Q: How do you know him?

A: He was a summer associate at Winkin, Blinkin, & Norwich this past summer, summer 2008.

Q: Did you work on any assignments with Benjamin Siegel?

A: Yes.

Q: Did you work at any great length with Benjamin Siegel?

A: Yes, this was an instance where the firm received a big case that proved to be extremely research intensive. Mr. Siegel was put on the case in the fourth week of the summer associate program; he remained on the case, while doing other work, until the end of the program.

Q: So you saw a lot of Mr. Siegel?

A: Not a tremendous amount, but in a given week I would say 3 out of the 5 days in the work week he would spend working on the case with me.

Q: Was he ever alone with you in the office?

A: Of course, at certain times, typically when I would instruct him on the research, or writing assignment I would like him to complete for me.

Q: Did you ever close the door to the office during these meetings

A: Occasionally.

Q: Why?

A: Because it was a necessity.

Q: Why was it a necessity?

A: There are several reasons, could be that there were clients in the halls of the firm and I didn't want them to hear the confidential information of other clients, there were certain attorneys who needed to be screened from the workings of this case, and sometimes, it was just plain loud. On top of this, after 18 years of working at that firm I don't need to justify choosing to close the door to my office when speaking to someone.

Q: Did you and Benjamin Siegel ever stay late together to work on the case?

A: Mr. Siegel did not like to stay late. But on the rare occasion that he did he was typically working for me, accompanied by other associates, on that particular case.

Q: Did you develop a personal relationship with Benjamin Siegel?

A: Over time, yes I would say that we did, in fact I was a bit of a mentor to Benjamin, at least, he liked to say that I was his mentor.

Q: Did the two of you get along?

A: It's hard not to get along with Benjamin.

Q: How so?

A: Benjamin is a very charming character. He has a lot of charisma, and clearly desires to be liked by everyone around him.

Q: Did you think he was sincere?

A: At first I did, but ultimately I began to wonder if he was laying on the charm in hopes of making up for some of this other shortcomings. You know, to try and ensure that he would receive one of the permanent positions.

Q: Where you unhappy with his work?

A: Mr. Siegel's work was often average to sub-par. He just hadn't developed the sort of skills he needed to successfully complete more cerebral assignments. It wasn't awful work.

Q: If you were displeased with his work, why did you continue to work with him for 8 weeks of the 12 week program?

A: Because I liked Benjamin, I liked him as a person. He's entertaining and funny. The purpose of the program is for the summer associates not only to show their potential, but to learn and grow as well. I was just trying to give him room to grow.

Q: Did he show improvement?

A: Not as much as I would have liked. In fact it was somewhat the opposite. It seemed like the more comfortable he became working with me, the less professional and the worse his work became.

Q: He became comfortable with you, how so?

A: You know, more willing to joke around, be less formal with me, share personal anecdotes.

Q: Did you often joke around in an informal way with Benjamin?

A: Sure, I tried to lighten the atmosphere a bit. I am the head hiring partner after all, and I know that doing any work for me is stressful for the summer associates. I want to show them that I can be lighthearted and that I'm not analyzing every move they make.

Q: How did you try to try to lighten the mood with Benjamin?

A: By making jokes, talking about funny things that happened in my personal life, that sort of thing.

Q: Did you ever make jokes about men?

A: What do you mean?

Q: About men generally, as a group?

A: Sometimes. I am a family law attorney, and I deal with a lot of questionable characters who are more often than not male. I wasn't trying to be offensive.

Q: Did you ever make comments to Benjamin, about his physicality or him personally.

A: I would tell him he looked nice on occasion, Mr. Siegel is a very well put together young man.

Q: Did you ever discuss his fitness regimen?

A: Maybe once, but I myself exercise a great deal, and my husband is a part-time physical trainer. I thought it was a point of interest for both of us.

Q: Did he seem responsive to your comments.

A: More than responsive.

Q: Did you ever call him pet names, like "Boy Toy" in front of a client?

A: I would never say something like that in front of a client.

Q: In front of anyone else?

A: I can't think of any specific "pet names" I used when I referred to Mr. Siegel. But if there were any I assumed he knew that they were used completely in jest. Mr. Siegel is after all an extremely casual individual, I'd never dream he would be offended by playful comments.

Q: Did he ever mention to you that he made you uncomfortable?

A: Towards the end of the summer, he did have this random outburst.

Q: What sort of outburst.

A: It was the eleventh week of the program, I was going over some corrections I made to the memo. I often stand next to people when I speak to them about this sort of thing. And I made some comment, like, "you did a nice job this time tough guy," and he just started saying how he couldn't take it any more and wanted me to stay away from him.

Q: Did you often call him "tough guy"

A: Once in a while, but he would joke around and call me things like "boss lady" and "head honcho," I didn't think much of it, I was just trying to lighten the mood.

Q: In this particular instance, did you touch Benjamin?

A: Actually yes, that was what spurred all the yelling I think. As I was speaking to him, and leaning over a bit to show him the corrections, he was sitting and I was standing, the pointy part of my shoe caught in the carpet. I caught myself by grabbing Benjamin's arm, I guess he didn't realize what happened and it just set him off for some reason.

Q: Were you often close to Benjamin when you spoke to him?

A: Define Close.

Q: Within a foot of his person?

A: Only on occasions where I was showing him something on his computer, or I was showing him something in a book, you know, so both of us could see what I was talking about.

Q: What about in normal discussion?

A: No, not normally. I mean, I don't have "space issues" so I don't feel the need to talk to people from across the room, but I think we were an appropriate distance from one another.

Q: Is it true that you spilled a drink on Benjamin Siegel while at a firm event?

A: That was an accident! I felt terrible for staining his shirt.

Q: Did Benjamin have any other outbursts during his time at Winkin, Blinkin, & Norwich.

A: Only in one other instance. It was at the very end of the program. I was, overall, unhappy with his work, and towards the end he had become more difficult to work with. I expressed my feelings in his evaluation and he saw it. I could understand why he was upset knowing that he wasn't one of the two summer associates to get a permanent position. He told me that he would get even with me if it was the last thing he did.

Q: Ok, let's move away from Benjamin for a bit. Are you aware of Winkin, Blinkin, & Norwich's policy on abuse and harassment?

A: Absolutely I am aware of that policy.

Q: Do you believe that you have violated this policy?

A: No I do not.

Q: Have you ever been accused of violating this policy?

A: No I have not

Q: I would like to discuss your relationship with an ex-employee at Winkin', Blinkin', & Norwich. Did you ever work with an associate named Bethany Pruit?

A: Yes.

Q: Did the two of you work together often.

A: Yes, she was somewhat of a rising star in the fields of family and criminal law at the firm.

Q: Did you like working with her.

A: For the most part yes, she was usually very capable and astute. Unfortunately, as people, the two of us were miserably incompatible.

Q: What do you mean?

A: Bethany was, and I suppose still is, a very formal person. She doesn't like to joke around, she's always politically correct, and hypersensitive to any sort of discriminatory issue out there.

Q: And you're not that sort of person?

A: No I'm not. I know that I am professional; however, I also believe in telling it like it is. The world is not a fair place, and when I'm in company that I comfortable with, I crack jokes about it.

Q: Bethany didn't like that.

A: No she didn't. She constantly thought that I was making people feel uncomfortable. I think she just felt uncomfortable. She wanted the world to read like a culturally diverse children's story.

Q: Does Ms. Pruit still work at Winkin', Blinkin', and Norwich?

A: No. She resigned, I believe it's about 3 years ago now.

Q: Why did she leave?

A: She left all in a huff. Ranting about how she couldn't tolerate another moment working with such, I believe she used the term, "depraved individuals." Personally, I think, in fact, I know that she left because she fell apart on a custody case we were working on together.

Q: What happened?

A: It was her responsibility to make sure that we had a complete body of up to date research on the issue of law that we were focusing on. She just sort of dropped the ball. I trusted her work.

Q: Where there consequences?

A: Yes, there were terrible consequences, not only did we not get the client what she wanted but she received much less than she deserved. The client was unable to even visit the child with out supervision. The client wrote a very harsh letter that put most of the blame on Bethany and stated that she would not use Winkin, Blinkin, & Norwich as her firm in the future.

Q: How did Ms. Pruit react?

A: She was crushed of course. And she should have been. There is no excuse for dropping the ball in when you are dealing with a client's family life and happiness.

Q: In your opinion, do you think she deserved to take the blame?

A: Yes, she didn't do her job, and I did my job by trusting her and working with the research she gave me.

Q: Thank you for your time Ms. Mandle, I have no further questions.

**Exhibit E**  
**DEPOSITION OF TRENT SCHILLER**

Q: Would you please state your full name and spell it for the record?

A: My name is Trent Schiller T-R-E-N-T S-C-H-I-L-L-E-R

Q: What is your home address, Trent Schiller?

A: I live at 1524 Commonwealth Avenue in New York, NY.

Q: What is your current occupation?

A: I am currently president of Herstory Consulting.

Q: And what sort of work organization is Herstory Consulting?

A: My team and I provide mentoring and consulting to females in executive, management, and other entrepreneurial positions, to overcome the unique challenges that women in positions of power encounter while carrying out their leadership duties in today's changing workplace.

Q: When are your services typically needed?

A: Typically my organization is contracted by women in leadership roles who are having a difficult time asserting authority while at the same time achieving acceptance by the men who work with and for them. Women who feel pressure to be recognized as "one of the guys," as most leaders in the public and private sectors are men, while being mindful of the gender issues a co-ed workplace has the potential to create.

Q: How do you help rectify the situation?

A: In an optimum situation, we are able to observe the behaviors in the workplace, but often we are unable to do that because it would create friction in the workplace.

Q: So when the optimum situation does not present itself, what do you do?

A: We have the individual who reaches out to us come in, fill out forms and reports so we can assess the situation in the work place, we create a report outlining the current issues that need to be addressed in that work environment, and then we work with and coach that woman to deal with the unique set of issues she faces in her leadership position.

Q: Do you do independent research in this area as well?

A: Yes, recently I have been doing a great deal of research on the diverse views of men and women as to what constitutes sexual harassment in the workplace.

Q: Who hired you in this particular instance?

A: Rebekah Mandle contacted me.

Q: Why did she contact you?

A: She saw my research and knew that I assessed the male-female dynamic in the workplace. She said that she wanted me to present the findings of my research and assess the workplace environment at Winkin, Blinkin, & Norwich.

Q: Did you address the issue of sexual harassment?

A: Yes.

Q: Then what was going on here?

A: I think that Ms. Mandle was partaking in very normal workplace behaviors. That based on his reaction and the responses of many men to my research, Benjamin Siegel did not feel harassed by Ms. Mandle's actions, it's more likely that he felt like he was in a good position with the boss.

Q: Thank you, that's all for now.

\*\*\* Please see the Report of Trent Schiller for more information \*\*\*

Exhibit F

**OUR COMMITMENT TO EACH OTHER**

We expect each employee to create a positive working environment for all.

**Equal Employment Opportunity**

It is the policy of Winkin, Blinkin & Norwich, P.A. to make all employment decisions based on individual qualifications, competence, and abilities to meet the qualifications of the job without regard to sex, race, color, religion, national origin, disability or age, sexual orientation, or marital status. This policy governs all areas of employment including hiring, advancement, assignment, compensation, and discharge.

**Abusive or Harassing Conduct Prohibited**

Winkin, Blinkin, & Norwich, P.A. prohibits and condemns harassment of any individual because of the individual's sex, race, color, religion, national origin, disability or age, sexual orientation, marital status, or any other characteristic protected by law.

**Harassment includes, but is not limited to:**

- Verbal harassment, such as epithets, derogatory comments, or slurs;
  
- Physical harassment, such as assault, impeding or blocking movement, or any physical interference with normal work or movement directed at an individual;
  
- Sexual harassment, such as unwelcome sexual advances, physical conduct of a sexual nature, requests for sexual favors, name calling, lewd jokes or suggestive comments, or any type of personal comments or conduct which make employees uncomfortable in their work environment.

Such conduct constitutes harassment if: (1) submission to such conduct is made a term or condition of working at Winkin, Blinkin, & Norwich, P.A.; (2) submission to or rejection of such conduct is the basis of employment decisions; or (3) such conduct interferes with the individual's work performance or has the effect of creating a hostile or offensive work environment.

If any employee believes that he or she has been the victim of harassment, he or she should immediately report the incident or behavior to his or her immediate supervisor. If the immediate supervisor is involved in the reported incident, the report should be made to the Human Resources Manager.

Winkin, Blinkin, & Norwich, P.A. will fully investigate any reports of sexual harassment and will take whatever corrective and remedial action is deemed necessary. Winkin, Blinkin, & Norwich, P.A. does not tolerate harassment of any kind and will take disciplinary action whenever such harassment is demonstrated. Any employee who engages in conduct contrary to this Policy may be personally liable in any resulting legal action.

Employees who oppose illegal harassment, make a complaint of illegal harassment, or otherwise participate in an investigation or other proceeding related to such complaint, will be protected against retaliation.

***End Of Summer Assessment*****D PERFORMANCE MANAGEMENT AT WBN**NAME: **Benjamin Siegel**DATE: **August 3, 2008**APPRAISERS: **Rebekah Mandle, Gerald Grossman, Thomas Winkin**OFFICE: **New Jersey****PERFORMANCE ACCOUNTABILITIES**

All summer Associates are apprised of their accountabilities for the duration of the Summer Associate Program. Accountabilities reflect objectives or standards of performance. They are the results expected in key areas of the summer associate's responsibility in the following criteria: Professionalism, Work Product, and Character. This assessment will be kept on record at Winkin, Blinkin, & Norwich, and shall be viewed and considered in the final assessment of each summer associate upon completion of the 12 week summer associate program. After the hiring committee has chosen the two summer associates that they would like to invite back as full associates, the firm will keep the assessments of the two rejected summer associates for consideration in future recruitments. Each appraiser must assign a rating (1-4) to each accountability.

**For Ratings, use:**

1= Outstanding

2= Exceeds Expectations

3= Meets Expectations

4= Fails Expectations

**A. APPRAISER 1: Rebekah Mandle**

ACCOUNTABILITY	RATING*	COMMENTS
<b>Professionalism</b>	<b>4</b>	Mr. Siegel has displayed a lack of professionalism. He is constantly late, and consistently fails to compensate for his tardiness. Instead of making up the hours, Mr. Siegel would use his cordial nature and charm to try to excuse his tardiness. He spends more time socializing during office hours, instead of focusing on his assigned tasks. This area needs improvement. He has a long way to go before he becomes a polished attorney.
<b>Work Product</b>	<b>4</b>	Mr. Siegel's work product ranges from average to substandard. I have worked with Benjamin more than any other attorney this summer, and I am not happy with his work or overall improvement. While he completes most of his assigned tasks on time, and the information he does provide is typically correct, it often requires substantial revisions and lacks depth. It's easy to see that Mr. Siegel takes shortcuts to finish his work on time. I spend too much of my valuable time in ensuring that his work product is acceptable. While he takes constructive criticism gracefully, I have yet to see him take any of my suggestions and apply them in his work. This area needs the most improvement. Hopefully Benjamin can turn this around.
<b>Character</b>	<b>3</b>	Mr. Siegel is charming and magnetic. While such traits are valuable in establishing good client and colleague relationships, I cannot help but feel his charm is contrived, and driven by ulterior motives to obtain an offer for an associate position. Otherwise he is pleasant, complementary, and easy to work with.

**APPRAISER 2: Gerald Grossman**

ACCOUNTABILITY	RATING*	COMMENTS
<b>Professionalism</b>	<b>3</b>	He worked on my caseload early in the summer program. I find him to be responsible in understanding the requirements of the task but that he is sometimes under equipped to meet the task. He would push off the work, or pass it off to others by using his good looks and charisma. I would have liked to have worked with him at the end of the summer, to see his improvement, but never had the chance. Benjamin has what it takes to be a great attorney, but needs to improve his ability to handle situations he finds difficult.
<b>Work Product</b>	<b>2</b>	Even though working with Benjamin requires a lot of oversight, I believe that he has a lot of potential as an attorney. At this point in Benjamin's career his work product seems above average. He needs a mentor who will not only help him hone the talents he has, but also will set him straight when he tries to charm his way out of doing revisions or submitting an assignment where the research seems incomplete. I think Benjamin has a great deal of potential.
<b>Character</b>	<b>1</b>	Benjamin is personable, and a pleasure to converse with. He is a hard worker that is eager to please and seems to have good rapport with the people he interacts with.

**APPRAISER 3: Thomas Winkin**

ACCOUNTABILITY	RATING*	COMMENTS
<b>Professionalism</b>	<b>3</b>	I have limited interaction with this summer associate. My only observation of him is that he often comes in late and leaves early.
<b>Work Product</b>	<b>2</b>	This summer associate briefly and nominally assisted me in one of my transactions, along with other summer associates. His contribution was average.
<b>Character</b>	<b>1</b>	He seems very likeable, and appears to have good relationships with several people in the Firm. Benjamin has a wonderful presence.

Appraiser's Signature

By: Rebekah Mandle  
Rebekah Mandle

Date: 7/16/08

By: Gerald Grossman  
Gerald Grosman

Date: 7/16/08

By: Thomas Winkin  
Thomas Winkin

Date: 7/16/08

Please send original signed copy to the Human Resources Department. Appraisers must retain individual copies.

**TO THE NOTICE OF ATTORNEYS**

**SIGNATURE OF THIS FORM CERTIFIES**

Attorneys who have signed this form hereby certify receipt of the attached client letter assessing attorney performance. Signature affirms that attorneys have reviewed this letter and regardless of feedback being positive or negative shall take its comments into account when dealing with the clients of Winkin, Blinkin, & Norwich in the future.

Rebekah Mandle  
Attorney: Rebekah Mandle

3/20/2005  
Date

Bethany Pruitt  
Attorney: Bethany Pruitt

3/20/2005  
Date

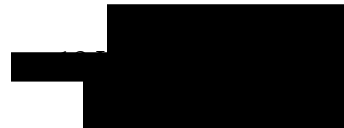
Thomas Winkin  
Attorney: Thomas Winkin

3/20/2005  
Date

Robert Norwich  
Attorney: Robert Norwich

3/21/2005  
Date

March 16, 2005



Winkin, Blinkin, & Norwich, P.A.  
2048 Becker Farm Road, 7<sup>th</sup> Floor  
Roseland, NJ 07068

To Whom it May Concern:

I went to Winkin, Blink & Norwich because it seemed like a prominent firm in the area of child custody. I read somewhere that Rebekah Mandle was an expert in the field, and in family law matters, so I felt comfortable going to them.

My husband and I were getting divorced and I wanted to make absolutely sure that I would get custody of our son. My husband had recently gotten a better job, and was planning to move to Englewood where he would be working as a doctor at the local hospital. Apparently, he had also applied to the local, expensive prep school and had gotten our son admitted. I was worried about these things because I don't make much money, and the school in the town where I live is ok, but not great, certainly not a pipeline to the Ivies like that prep school.

I asked Ms Pruitt if I should be concerned, if there was anything I should do, but she told me that they had it all covered. Later, I asked Ms Mandle the same question. She seemed a bit distracted, even tired, and she said that Ms Pruitt had reviewed my case very closely and that if she hadn't found any problems with it then I shouldn't worry. She had confidence in Ms Pruitt, so I did too.

We had a few hearings before the family court, but my husband and I still could not agree on custody. After the last hearing, the judge told us each to draw up plans that detailed our current addresses, our employment, what sort of custody we proposed, what the impact on moving might have on the child, medical records, stuff like that. It turns out that this plan was supposed to be filed seventy-five days after that hearing, but the law firm filed the thing a week late. I couldn't believe it. I asked Ms. Pruitt what had happened and she blamed some secretary, a person I had never met. Besides, she said, the courts are not really strict on this sort of thing, there are a million child custody cases in New Jersey. Don't worry, she said. When I finally got a hold of Ms Mandle she initially seemed at a loss for words, but then told me that she was sure everything was fine.

Well, it wasn't fine. When the judge rendered her decision, she specifically mentioned my husband's recent actions to benefit our son, the tardiness of my filing, and that where my ex-husband's report was expansive, complete with all sorts of information on how our son would benefit from his new life up in Englewood, the report filed by Winkin, Blinkin, & Norwich was sparse to the point of being misleading. My husband was awarded custody, while I only get supervised visitations with my son.

Later, I went to a friend who is in law school. She did a quick Westlaw search and said New Jersey law seemed pretty clear: R.5.8-5(a) specified "the parties must each submit a Custody and Parenting Time/Visitation Plan to the court no later than seventy-five (75) days after the last responsive pleading which the court shall consider in awarding custody and fixing a parenting time or visitation schedule." I plan on appealing, of course, but I will do so with a different firm.

I felt it necessary that the firm of Winkin, Blinkin, & Norwich know that I am extremely dissatisfied with its services, and that the attorneys at Winkin, Blinkin, & Norwich should put more effort into matters involving their clients' children.

Sincerely,


## Exhibit I

### **Trent Schiller Reporting: Assessment of the Work Environment at Winkin, Blinkin, & Norwich and Relevant Research**

#### **Introduction**

I have been retained by defendant as a gender behavior expert, and submit this declaration in her support. This declaration includes some of the facts and opinions that are relevant to this case. In addition, I have submitted my qualifications, background, and names of articles I have published over the last twenty-five years.

The way men see themselves and their egos makes it impossible to apply a genderless “reasonable person” standard to sexual harassment cases. It is highly unlikely men and women would react identically to a sexually harassing situation. While women see sexually charged behaviors by male supervisors as insulting and demeaning, men often see these behaviors as attractive and exciting when perpetrated by a female supervisor.

#### **Sexual Harassment Survey**

For my 2004 article, I surveyed a group of 400 random, self-declared professional men about opposite-sex sexual harassment. I presented to these men, five potentially sexually harassing behaviors by female supervisors. I asked them to select the behaviors they found to qualify as sexual harassment.

The five selected behaviors: 1) cheesy pick-up lines; 2) date requests; 3) following around the office; 4) exchanges of personal e-mails and; 5) detailed discussions of private sex-life. These behaviors were the top five responses from a separate survey of 400 random women, where I asked them to identify sexual harassment by a male supervisor. Only 37 of the 400 men found more than two behaviors sexual harassment.

The entire group determined that behavior 5 was potential sexual harassment. Of that group, thirty-four added the exception that if the supervisor were attractive, then the behavior would not be harassment. Other exceptions were: if the details were “hot” (nineteen responses) and if the supervisor initiated the discussion (eleven responses). Five wanted to know where they could find a job where that kind of conversation happened. Thirty-one men concluded these kinds of detailed discussions were inappropriate and sexually harassing without any exception.

While this survey is far from absolute, it provides a sampling of the differing mentality that goes on in the workplace regarding sexual harassment. Men and women simply do not react in the same way to encounters with identical sexually charged behavior. While all of the women viewed the above behaviors as unequivocally inappropriate, most of the men viewed the behaviors as only possibly offensive, and many even considered them complementary. Then, after this initial determination, the men proceeded to create scenarios in which the behavior would be justified. Interestingly, the men were not justifying *their* behavior, but the behavior of the female harasser. Through this thought process, the men were actually increasing the sexuality of the situation by infusing in it their own boyhood fantasies of the naughty female boss. It appears then, that most of the men surveyed would actually enjoy a sexually charged workplace.

### **Male View of Power in the Workplace**

Generally speaking, covert flirting and sexual banter between male and female coworkers is a staple of any workplace. However, in a male-dominated workplace, such as in a law firm, these interactions are more dominant. With less pressure to conceal hyper-masculine behavior, those who are perceived to be weak or less masculine, bear the brunt of sexually overt words and actions. These sexualized behaviors serve as socialization tools to coach men into proliferating male superiority. This idea of superiority consists of the view that men are of higher status and more worthy of professional success, while women are sexual creatures built for male domination.

Since the basic male-centric opinion is that men are superior to women, sexual advances by a female supervisor would not turn off a “reasonable man”. A man would see these advances as fuel to his ego- he is so irresistible and powerful that even those women who professionally surpass him are disarmed by his masculine wiles. Even when a man encounters negative professional consequences from his refusal of his female supervisor, the man views himself as still being in the better position. His masculine mystique has so befuddled her; he believes her inability to maintain composure is further proof that he is both the stronger sex and employee. While at any given point, a man might find certain behaviors by a woman unwelcoming or annoying, he will most likely weigh the preservation of his masculinity heavier than his dignity.

### **What is Sexually Harassing Behavior for Men**

While it seems that the majority of men do not mind, or even enjoy sexuality in the workplace, men do view certain behaviors as unacceptable. Behaviors that negate their struggle to be the best, brightest, and most desirable offend them. As mentioned previously, most men view their female supervisor’s sexual pursuit as flattery; however, if that same woman offends their masculinity, then her behavior transforms into disrespect. Since most men view masculinity as inseparable from power and success, behaviors that detract from this directly assault their role in the workplace. It makes sense then, that sexual advances from a female superior inflate their egos, and in turn make them feel positive about their work environment. However, no matter how attractive a female supervisor is, how short her skirt, or how many different ways she asks her employee to sleep with her; if that woman creates an environment where her male employee feels like a “sissy,” she is completely out of line. Simply speaking, most men only react negatively towards emasculating behaviors, and sexual advances are not in this category.

### **Conclusion**

It is impossible to hold men and women to the same “reasonableness” standard because they view themselves differently. Most men are fueled by a masculine ego; only words and behaviors that detract from this are offensive, harmful, and objectionable. Behaviors, even sexually charged behaviors, work to build the masculine ego, they will not deem them harassment. Ms. Mandle’s words and actions towards Benjamin Siegel do not rise to the level of harassment. Much of her behavior is easily identified as a woman in a leadership position trying to relate to the men that work for her, for instance when she was discussing her exercise regimen. Benjamin Siegel clearly misinterpreted these remarks as Ms. Mandle showing him favor, now that he is offended by the fact that he did not get the job and was not in her favor, he is reacting negatively. Benjamin Siegel has suffered a hard hit to his ego by not being hired at Winkin, Blinkin, & Norwich, and finding out that he was not the favorite of his female employer.

Exhibit J

Trent Schiller

87 Maiden Lane, NY, NY 10011 ♦ [expert@herstory.com](mailto:expert@herstory.com) ♦ 1-800-HRSTORY

*Professional  
Experience*

HERSTORY CONSULTING, New York, NY

*Founder and President, 1999- Present*

Provide mentoring and consulting to female executives and entrepreneurs in overcoming gender biases, challenges, and sexual harassment within their workplaces.

BARNARD COLLEGE, New York, NY

*Professor of Women's Studies, 1992-1999*

Taught graduate and undergraduate classes in women studies, sexuality, and gender constructs.

INSTITUTE FOR WOMAN AND WORK, New York, NY

*Director, 1989-1992*

Ran institute, which initiated, fostered, and implemented research programs focused on women and their relationship to employment, politics, and education.

INSTITUTE FOR WOMEN'S POLICY RESEARCH, Washington D.C.

*Director of Employment and Work Program, 1982-1989*

Developed and facilitated sexual harassment training programs for female executives in male dominated industries.

*Education*

COLUMBIA UNIVERSITY New York, NY

*Certificate- Feminist Scholarship, 2000*

GEORGETOWN UNIVERSITY Washington D.C.

*PhD., Psychology, 1988*

GEORGE WASHINGTON UNIVERSITY Washington D.C.

*M.A., Public Policy with Concentration in Women's Studies, 1980*

NEW YORK UNIVERSITY, New York, NY

*B.A., Women's Studies, 1977*

*Publications*

2007, Trent Schiller "Apart from Being Sexy, What do You do for a Living? The Hyper-sexualization of Women in the Workplace" *Feminist Journal* 17, 64-82.

2005, Trent Schiller "Girls Behaving Badly: Can Women Really Sexually Harass Men?" *Feminist Review* 10, 21-38.

2004, Trent Schiller "Sexual Harassment at the Workplace: What Men Really Want" *Thirdspace* 4, 43-65.

1995, Trent Schiller "Threshold Variances between Men and Women Regarding Sexual Harassment at the Workplace" *Employment Quarterly* 56, 21-42.

1993, Trent Schiller "Why Men Don't Understand Sexual Harassment" *Psychology Today* 12, 22-30.

1991, Trent Schiller "Gender Difference and the Concept of Power" *Psychology of Women Quarterly* 3, 8-16.

1987, Trent Schiller "The Differences between Gender and Sex" *Women's Journal* 2, 4-10.

**Exhibit K**

Supervisor: Maryanne Lockey  
Research Assistant: Benjamin Siegel  
Date: April 19, 2008

**EMPLOYEE COMPETENCY/PERFORMANCE EVALUATION**

**TO THE EMPLOYEE:** This “Performance Evaluation” is intended to provide you with the opportunity to discuss your job performance with your supervisor and to establish performance goals to enhance advancement, growth, and progress in your job. You are requested to sign this form to indicate that you have seen the form and have had the occasion to discuss it with your supervisor and make written comments.

**Part 1. Standards of Behavior and General Standards** – Demonstrates commitment to conducting thorough research through compliance with the department’s standards of academic excellence and integrity.

**I. Standards of Behavior:**

- 1. Communication:** Demonstrates the understanding that communication plays an integral role in achieving excellence. Assures that information necessary for research objectives to be completed flows to the appropriate parties. **Meets Standards** – Mr. Siegel ensures that questions he has about the research topic were asked in reasonable time and also notifies me about issues that present themselves while completing his work.
- 2. Teamwork:** Demonstrates the understanding that in order to achieve excellence, we must come together and work as one and that the research team must act cohesively and seamlessly through dedication and teamwork. **Meets Standards** – Mr. Siegel works well with the other research assistants, as he shares information, and since he is particularly good at utilizing the Lexis and Westlaw systems often lends a hand to those who are stuck. Mr. Siegel does at times, make an effort to separate himself from the other research assistants to have more personal time with me. He asks me at least twice a week if he can “pick my brain.”
- 3. Advocacy:** Demonstrates commitment to solving complex legal issues by ensuring that they are researched with scrutiny. Values critical thinking; seeks to fully understand legal questions posed and committed to making sure the question is resolved. **Meets Standards** – Mr. Siegel produces excellent work. He does not gloss over tough questions and finds innovative ways to solve complex legal problems.
- 4. Service Recovery:** Demonstrates ownership of problems as they arise and takes action. **Needs Improvement to Meet Standards** – There was one incident during where Mr. Siegel did not take ownership of a problem he caused. According to my key research aide, who was ill with the flu one week, Mr. Siegel offered to conduct her portion of the research that was due. Although it was silly for my aide to accept the work product of another, she nonetheless handed it in. Needless to say that the work was trash. Mr. Siegel insists that he did not conduct the work for her. It was a he said/she said. I had to let my aide go, as she did admit to handing in the work. That is how Siegel became the head research aide.
- 5. Etiquette:** Creates a positive first impression. Recognizes and values the importance of courtesy. **Meets Standards** – Mr. Siegel is quite a charmer, especially with women. He often makes it known that chivalry is not dead and chastises his male colleagues often for not doing things like opening the door and carrying large boxes. Once, when it was raining very hard, he actually laid his coat down on the ground so that the Dean Reynolds, head of the Animal Rights Law Department, would not have to step in a puddle. It was cliché but also quite sweet.
- 6. Privacy:** Demonstrates the confidentiality of all research materials. Does not reveal any confidential information to inappropriate persons. Is committed to fostering a secure and trusting environment. Treats all information as confidential and only discusses these matters in situations where the information is necessary to current research. **Meets Standards** – Mr. Siegel has the utmost respect in regards to confidentiality of information.
- 7. Appearance:** Reflects a competent, professional and approachable attitude to colleagues. Demonstrates respect for colleagues by dressing appropriately. **Meets Standards** – Mr. Siegel is a very sharp dresser and is grooming himself to be a well-made lawyer. Many often comment on his daily appearance. It is

actually quite refreshing to see as I was so used to grungy students with ripped jeans and "MILF" t-shirts.

## II. General Standards

8. Assures that conduct conforms to the highest ethical standards and is in accordance with all applicable laws, rules, and regulations. **Needs Improvement to Meet Standards** – After the incident with my top aide, I started questioning Mr. Siegel's ethical standards.
9. Demonstrates a willingness to work towards improvement in work performance and stated objectives, or correction of performance deficiencies identified by immediate supervisor. **Meets Standards** – Because Mr. Siegel is eager to please, he is open to criticism and is willing to take the steps in the right direction to improve.
10. Demonstrates cost-effective behavior in the use of school resources through the monitoring of waste and proper use of equipment. **Meets Standards** – Due to budget cuts, we could no longer use the private recycling agency that would come to retrieve our reusable materials. Mr. Siegel offers to take this to the recycling center himself once a month. This gives us a fairly large rebate at the end of the year for participating in the city recycling program. However, I did once catch Mr. Siegel making about 100 copies of his resume and writing sample. He apologized and purchased toner for the machine.
11. Demonstrates compliance with departmental Attendance/Tardiness policy, adheres to work schedule (meals/breaks/etc.) **Needs Improvement to Meet Standards** - Mr. Siegel sometimes arrives very late to work without advance notification. This would cause key components of work to be delayed as Mr. Siegel would be the only person that had continued access to the information. Mr. Siegel often had car trouble, however, a good friend of mine, who also happens to be an attorney at an area law firm, told me that Siegel interviewed at her office for a librarian position, during the hours he was due at the office.

## Part 2. Performance Goals

1. *Share researching techniques with fellow research assistants.*
2. *Ensure that I get to work on time, and notify my supervisor if I am running late.*
3. *Be a better team member to my fellow colleagues.*

Supervisor Signature: Maryanne Lockey, Esq.

Research Assistant Signature: *Benjamin Siegel*

Exhibit L

**WINKIN, BLINKIN, & NORWICH P.A.**  
**Client Information**

**Date:**

January 8, 1995

**Client Name(s):**

Chris Mandle

**Phone:**

(973) 848 - 0176

**Referred by:**

Stephen Pastis

**Attorney of Record:**

Rebekah Hubbard

**Case Summary:**

Mr. Mandel sought counsel after being served with divorce papers by his wife. Wife charged mental and emotional cruelty and irreconcilable differences. Wife claimed Mr. Mandel was "never around and spent every available minute at the gym either working out or 'training' clients." She further claimed that he was emotionally distant and unavailable to him and his collection of pornography featuring 'older' women disgusted her. His wife also claimed that his constant requests for her to wear "granny nightgowns to bed really freaked her out."

Mr. Mandel countered that he was only trying to provide a better life for his wife by becoming a personal trainer at his local gym as a form of additional income. He explains that his clients mainly consisted of older women because "they had the money and time to spend and the commitment to improving their health and appearance." He countered that his wife lost interest in him as a person and become emotionally detached from him. He suspected she was having an affair with a stripper who lived in the same apartment complex when he found traces of glitter in their bed. No further proof of the affair was offered by Mr. Mandel other than a "gut feeling."

**Result of Case:**

A divorce was granted with a 50/50 split of the marital assets and no alimony was awarded.

**Case Work Concluded:**

November 23, 1997

