

DEPOSITION OF STEPHEN E. SANDHERR
CONDUCTED ON MONDAY, SEPTEMBER 30, 2002

Page 43

1 Q. And did you speak yourself to any of
2 those individuals or members?

3 A. Frequently, yes.

4 Q. How many of your members asked those
5 sorts of questions?

6 A. I would say probably at least -- well,
7 let me go back a second. After getting a number
8 of phone calls and questions when I would be on
9 the road making presentations to our chapters --
10 when I say to our chapters, it was in a public
11 forum where we would have, you know, a large
12 sampling of members of the association that were
13 in attendance, and I would get the question.

14 After a few times of getting the question
15 will our contributions be anonymous, I put it out
16 there publicly before the question was asked. You
17 know, I had a number of phone calls from people
18 that were contemplating making a contribution, and
19 I assured them their contributions would not be
20 disclosed.

21 Q. Let's see if we can try and arrive at at
22 least an approximate number. Can you give me your
23 best estimate of the number of members who
24 expressed concerns about anonymity?

25 A. Oh, I would say directly at least a dozen

1 if not two dozen. But after getting those calls,
2 it became pretty clear that in making public
3 presentations would nip the -- would alleviate any
4 concern of members by offering that their
5 contributions would not be disclosed.

6 Q. So it was something you would put out to
7 the public before the question --

8 A. Exactly.

9 Q. -- even was asked?

10 A. Yes, that's correct.

11 In other words, what I was trying to do
12 was to make it easy for members to make
13 contributions and to alleviate any concerns they
14 might have about the propriety of making a
15 contribution and whether or not somebody would
16 know that they did.

17 Q. Now of the dozen to two dozen members who
18 you said explicitly raised the concern, did they
19 all raise the concern with you personally?

20 A. Yes, some in telephone calls, some in
21 pulling me aside, some in asking a question in a
22 public forum.

23 Q. Do you know if anyone else expressed
24 similar concerns to anyone else at the AGC?

25 A. I do not know firsthand.

DEPOSITION OF STEPHEN E. SANDHERR
CONDUCTED ON MONDAY, SEPTEMBER 30, 2002

Page 48

1 would guess -- no, I wouldn't guess. I would say
2 about 25.

3 Q. 25 percent?

4 A. Well, 25 out of 100, so yes, 25 percent.

5 Q. Incidentally, what proportion of the
6 AGC's members were union shops as opposed to
7 non-union shops?

8 A. It's about 40 percent, 35 to 40 percent.

9 Q. 35 to 40 percent unionized?

10 A. Correct.

11 Q. Of those members who approached you with
12 concerns for anonymity of contributions, were all
13 of those members union shops?

14 A. The vast majority of them were, yes.

15 Q. Some were not?

16 A. Some were not.

17 Q. What concerns did they express as to
18 anonymity?

19 A. The ones that were not?

20 Q. That's right.

21 A. They did not. They just wanted to make
22 sure that their contributions were not disclosed
23 for whatever reason.

24 Q. Of the union shops, did any of them
25 express any concern for -- strike that.

DEPOSITION OF STEPHEN E. SANDHERR
CONDUCTED ON MONDAY, SEPTEMBER 30, 2002

Page 55

1 Q. -- from any of its contributors?

2 A. Yes, we do.

3 Q. Do you have any idea as to what
4 percentage of contributors contribute more than
5 \$200 a year to the PAC?

6 A. Yes. The lion's share of our
7 contributors is about 500 to 550 at that time were
8 \$1,000 contributions.

9 Q. And in fact, you had various clubs set up
10 for PAC contributors who contribute various
11 amounts over \$200?

12 A. That's true.

13 Q. Did any member ever voice to you any
14 concern as to whether their contributions to AGC's
15 PAC would be anonymous or not?

16 A. No.

17 Q. Did any contributor ever communicate to
18 you that they planned not to contribute more than
19 \$200 to the PAC because that would require
20 disclosure of their identities?

21 A. No.

22 MR. PAOLELLA: Let's go off the record
23 here.

24 (Brief recess.)

25 BY MR. PAOLELLA:

DEPOSITION OF STEPHEN E. SANDHERR
CONDUCTED ON MONDAY, SEPTEMBER 30, 2002

Page 56

1 Q. Just a couple of quick follow-ups,
2 Mr. Sandherr.

3 Did any member of the AGC ever
4 communicate to you that they had been subject to
5 retaliation from any union for giving money to
6 your PAC?

7 A. No.

8 Q. Did any member ever report to you that
9 they had been subject to retaliation from a union
10 for funding any other sort of public issue
11 campaign?

12 A. No.

13 I would like to draw a distinction
14 between contributions to The Coalition and the
15 PAC, though.

16 Q. Understood. I'm just asking in my first
17 question about contributions to your PAC. I
18 understand they are two very separate things.

19 A. Well, I mean contributions to our PAC, I
20 mean let's face it, you can give \$1,000 to our
21 PAC, and you have no idea what candidate's race
22 that \$1,000 goes to.

23 So there are obviously candidates that we
24 support that the building trade supports as well,
25 both Republicans and Democrats. So to that