

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO COURTHOUSE

DENNIS RICHARDS, an individual,
RACHEL SWANN, an individual,
and SIX DOGS, LLC, a California
Limited Liability Company,

Plaintiffs,

vs.

Case No. 3:20-CV-01242JCS

CITY AND COUNTY OF SAN FRANCISCO,
a Municipal Corporation; EDWARD
SWEENEY, an individual; and
MAURICIO HERNANDEZ, an individual,
Defendants.

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VIDEOTAPED DEPOSITION OF

RODRIGO SANTOS

August 6, 2021

Reported By:	HANNAH KAUFMAN & ASSOCIATES, INC.
RENEE SERA	Certified Shorthand Reporters
	150 Executive Park Blvd., Suite 4600
CSR No. 7435	San Francisco, California 94134
	(415) 337-2077

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

2 MOSCONE, EMBLIDGE & RUBENS, LLP, represented by
3 G. SCOTT EMBLIDGE, Attorney at Law, 220 Montgomery
4 Street, Suite 2100, San Francisco, California 94104,
5 appeared via video conference as counsel on behalf of
6 the plaintiffs.

7 OFFICE OF THE SAN FRANCISCO CITY ATTORNEY,
8 represented by RYAN C. STEVENS, Deputy City Attorney,
9 1390 Market Street, 6th Floor, San Francisco, California
10 94102, appeared via video conference as counsel on
11 behalf of the defendants.

12 COLLINS AND COLLINS, LLP, represented by DAVID
13 A. ERICKSEN, Attorney at Law, 2175 N. California Blvd.,
14 Suite 835, Walnut Creek, California 94596, appeared via
15 video conference as counsel on behalf of the deponent.

16 Also Present via video conference: Rio
17 Morales, videographer; Dennis Richards.

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1	QUESTIONS NOT ANSWERED ON INSTRUCTION OF COUNSEL		
		PAGE	LINE
2	Other than what your attorneys have told		
3	you, what knowledge do you have about		
4	the lawsuit that we are here about today	9	8
5	I want to ask you some questions about a		
6	series of projects in San Francisco.		
7	The first one is at 3847 18th Street.		
8	Are you familiar with any construction		
9	projects at that address	13	22
10	Are you familiar with a project at 125 Crown		
11	Terrace	14	13
12	I would like to ask you if are aware of a		
13	project at 49 Hopkins in San Francisco	14	23
14	Are you familiar with a project at 2869 San		
15	Bruno Avenue	15	7
16	Are you familiar with any projects that have		
17	occurred at 655 Alvarado Street	15	24
18	Are you familiar with a project at 214		
19	States Street	16	8
20	Are you familiar with a project at 908		
21	Broadway in San Francisco	16	17
22	Are you familiar with a project at 1335		
23	Holloway in San Francisco	17	1
24	Are you familiar with a project at 2650 to		
25	2652 Hyde Street	17	10
26	Are you familiar with a project at 1089		
27	Chestnut Street	17	19
28	Are you familiar with a project at 1		
29	McCormack Street in San Francisco	18	3
30	Are you familiar with a project at 25 17th		
31	Avenue in San Francisco	18	12
32	Are you familiar with a project at 1945		
33	Green Street in San Francisco	18	21
34	Are you familiar with a project at 1228		
35	Funston Avenue	19	5
36	Funston Avenue	19	5

1	QUESTIONS NOT ANSWERED ON INSTRUCTION OF COUNSEL		
		PAGE	LINE
2	Are you familiar with a project the 846 34th	19	14
3	Avenue		
4	Are you familiar with a project at 235		
5	Jersey Street in San Francisco	19	23
6	Are you familiar with a project at 2067 to		
7	2070 Pine Street	20	7
8	Are you familiar with a project at 7 Seymour		
9	Street	20	16
10	Are you familiar with a project at 3660 21st		
11	Street	20	25
12	Are you familiar with a project at 457		
13	Roosevelt Way	21	9
14	Have you in your work at Santos & Urrutia or		
15	at RS Engineering ever requested that a		
16	particular DBI employee be assigned to		
17	plan check or inspect any project you		
18	have been associated with	21	18
19	Have you ever contributed money to the San		
20	Francisco Building Inspectors Association	22	5
21	Have you ever been a member of the		
22	Residential Builders Association	22	22
23	Have you ever met Mr. Richards	23	18
24	Have you ever communicated with Ed Sweeney		
25	about Mr. Richards	23	22
26	Have you ever communicated with Mauricio		
27	Hernandez about Mr. Richards	24	2
28	Have you ever communicated with anyone at		
29	the Department of Building Inspection		
30	about Mr. Richards	24	7
31	Have you ever communicated with anyone		
32	associated with the Residential		
33	Builders Association about Mr. Richards	24	13
34	How did you first come to be aware of the		
35	Six Dogs project	24	24
36	Six Dogs project	24	24

1	QUESTIONS NOT ANSWERED ON INSTRUCTION OF COUNSEL		
		PAGE	LINE
2	Have you ever communicated with Ed Sweeney		
3	about the Six Dogs project	25	4
4	Have you ever communicated with Mauricio		
5	Hernandez about the Six Dogs project	25	9
6	Have you ever communicated with anyone at		
7	the Department of Building Inspection		
8	about the Six Dogs project	25	14
9	Have you ever communicated with anyone		
10	associated with the Residential		
11	Builders Association about the Six Dogs		
12	project	25	20
13	Did you have any role whatsoever in filing		
14	complaints at the Department of		
15	Building Inspection about the Six Dogs		
16	project	26	1
17	Did you conspire with Ed Sweeney to file		
18	complaints about the Six Dogs project		
19	in retaliation for comments made or		
20	actions taken by Mr. Richards while he		
21	was on the Planning Commission	26	7
22	In the close to ten thousand projects you		
23	have worked on that have gone through		
24	the process at the San Francisco		
25	Department of Building Inspection, has		
26	the Department of Building Inspection		
27	ever revoked permits that you have been		
28	associated with	27	8
29	How would you describe your relationship		
30	with Mr. Pollard	28	1
31	What is your relationship with Mr. Kantor	28	15
32	How would you describe your relationship		
33	with Mr. Brown	29	3
34	How would you describe your relationship		
35	with Mr. Sweeney	29	16
36	How would you describe your relationship		
37	with Mr. Hernandez	30	5

1	QUESTIONS NOT ANSWERED ON INSTRUCTION OF COUNSEL		
		PAGE	LINE
2	How would you describe your relationship		
	with Mr. Curran	30	23
3			
	How would you describe your relationship		
4	with Joseph Duffy	31	12
5	How would you describe your relationship		
	with Mr. McCarthy	32	1
6			
	How would you describe your relationship		
7	with Mr. Keighran	32	16
8	How would you describe your relationship		
	with Sia Consulting or Sia, himself	33	10
9			
	How would you describe your relationship		
10	with Mr. Buscovich	33	25
11	Did you file or cause to be filed complaints		
	about the Six Dogs project because Mr.		
12	Buscovich was associated with that		
	project	34	5
13			
	Do you have any sort of a grudge against Mr.		
14	Buscovich for any reason	34	11
15	How would you describe your knowledge of or		
	relationship with Ms. Swann	35	2
16			
	How would you describe your relationship		
17	with Mr. Honda	35	17
18	Have you ever heard or do you have any		
	knowledge that anyone at the Department		
19	of Building Inspection gives certain		
	contractors, engineers or project		
20	sponsors better treatment than other		
	contractors, engineers or project		
21	sponsors	36	3
22			
23			
24			
25			

1 BE IT REMEMBERED THAT, pursuant to Notice of
2 Deposition, on Friday, August 6, 2021, commencing at the
3 hour of 2:19 p.m. thereof, at the office of RENEE SERA,
4 CSR, 792 Grand Avenue, South San Francisco, California
5 94080, via video conference appeared

6 RODRIGO SANTOS
7 called as a witness herein, and the said witness, having
8 been duly sworn, was thereupon examined and testified as
9 is hereinafter set forth:

13:48

10 THE VIDEOGRAPHER: Good afternoon, we are on
11 the record on Friday, August 6, 2021, and the time is
12 2:19 p.m. My name is Rio Morales, I am the legal
13 videographer, and the court reporter today is Renee Sera
14 representing Hannah Kaufman & Associates in
15 San Francisco, California. This is the beginning of
16 disk one for the deposition of Rodrigo Santos in the
17 matter of Dennis Richards and others versus City and
18 County of San Francisco and others. It is being before
19 the United States District Court, Northern District of
20 California, San Francisco Courthouse, case number
21 3:20-CV-01242. This is a virtual Zoom deposition.
22 Counsel, would you please identify yourself for the
23 record.

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24 MR. EMBLIDGE: Scoot Emblidge on behalf of the
25 plaintiffs.

14:20

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1	MR. STEVENS: Good afternoon, Ryan Stevens,	14:20
2	San Francisco City Attorney's office, on behalf of the	14:20
3	defendants.	14:20
4	MR. ERICKSEN: David Ericksen of Collins and	14:20
5	Collins on behalf of the witness.	14:20
6	THE VIDEOGRAPHER: The court reporter may swear	14:20
7	in the witness.	14:20
8	(Witness sworn.)	14:20
9	EXAMINATION BY MR. EMBLIDGE	14:20
10	MR. EMBLIDGE: Q.: Mr. Santos, could you state	14:20
11	and spell your name for the record?	14:20
12	A. Rodrigo, R-O-D-R-I-G-O, last name Santos,	14:20
13	S-A-N-T-O-S.	14:21
14	Q. What is your address?	14:21
15	A. 118 Chatanooga Street, San Francisco,	14:21
16	California 94114.	14:21
17	Q. Could you please tell me what e-mail addresses	14:21
18	you currently use?	14:21
19	A. Rsantos, R-S-A-N-T-O-S, @rsengineeringsf.com.	14:21
20	Q. Do you have a personal e-mail address that you	14:21
21	use currently or have used in the last five years?	14:21
22	A. I don't.	14:21
23	Q. Have you ever had your deposition taken before?	14:21
24	A. I have.	14:21
25	Q. You understand that the oath you just took is	14:21

1	the same oath you would take in a court of law, correct?	14:21
2	A. Correct.	14:21
3	Q. Is there any reason you are not capable today	14:21
4	of giving your best testimony or best recollection of	14:21
5	events that I ask you about?	14:22
6	A. No reason.	14:22
7	Q. Could you tell me, please, what knowledge --	14:22
8	other than what your attorneys have told you, what	14:22
9	knowledge do you have about the lawsuit that we are here	14:22
10	about today?	14:22
11	MR. ERICKSEN: Mr. Santos, I will advise you	14:22
12	not to answer that question based on your Fifth	14:22
13	Amendment rights.	14:22
14	THE WITNESS: I decline to answer based on my	14:22
15	Fifth Amendment rights.	14:22
16	MR. EMBLIDGE: Q.: Did you review any	14:22
17	documents in preparation for testifying today?	14:22
18	MR. ERICKSEN: Go ahead.	14:22
19	THE WITNESS: I did not.	14:22
20	MR. EMBLIDGE: Q.: This lawsuit concerns a	14:22
21	project at 3426 22nd Street in San Francisco which we	14:22
22	have been referring to in this case as the Six Dogs	14:22
23	project. If I ask you about the Six Dogs project, you	14:22
24	understand it's about a construction project at 3426	14:23
25	22nd Street?	14:23

1	A. Correct.	14:23
2	Q. You are a licensed engineer, is that correct?	14:23
3	A. I am a licensed civil engineer, I am a licensed	14:23
4	structural engineer.	14:23
5	Q. How long have you been a licensed civil	14:23
6	engineer?	14:23
7	A. Since 1985 and a licensed structural engineer	14:23
8	since 1987.	14:23
9	Q. Where are you currently employed?	14:23
10	A. Self-employed, RS Engineering.	14:23
11	Q. Do you have a staff of some sort at RS	14:23
12	Engineering?	14:23
13	A. I don't.	14:23
14	Q. Previously you were employed at Santos &	14:23
15	Urrutia, is that correct?	14:23
16	A. That's correct.	14:23
17	Q. When did you transition from Santos & Urrutia	14:23
18	to RS Engineering?	14:24
19	A. September of 2020.	14:24
20	Q. Have you ever been employed by the Department	14:24
21	of Building Inspection in San Francisco?	14:24
22	A. I have not.	14:24
23	Q. Have any families members of yours been	14:24
24	employed by the Department of Building Inspection?	14:24
25	A. No, no family members have been employed at the	14:24

1	Department of Building Inspection.	14:24
2	Q. Have you ever hired employees at either Santos	14:24
3	& Urrutia or at your current firm who worked at DBI?	14:24
4	A. Ask the question again.	14:24
5	Q. Have you ever hired employees who worked at	14:24
6	DBI, either at RS Engineering or at Santos & Urrutia?	14:24
7	A. Employees that have worked for Santos & Urrutia	14:25
8	ultimately ended up working at DBI.	14:25
9	Q. Okay, let's go with that.	14:25
10	MR. ERICKSEN: Mr. Santos, this is where you	14:25
11	need to listen to the questions very carefully. The	14:25
12	question as phrased was people who had previously worked	14:25
13	at DBI, not people that worked later at DBI, okay? So	14:25
14	just make sure you listen to the questions very	14:25
15	carefully.	14:25
16	THE WITNESS: Thank you.	14:25
17	MR. EMBLIDGE: Q.: The question I was asking	14:25
18	was in the opposite direction of what you answered. The	14:25
19	question I am asking right now is have you hired people	14:25
20	who worked at DBI, whether it's DBI employees that come	14:25
21	to work for you either at Santos & Urrutia or at RS	14:25
22	Engineering?	14:25
23	A. No.	14:25
24	Q. It sounds like it's correct that employees of	14:25
25	Santos & Urrutia or RS Engineering have gone to work at	14:25

1	DBI, is that correct?	14:25
2	A. Correct.	14:25
3	Q. Who would those people be?	14:25
4	A. James Lo.	14:26
5	Q. How do you spell Mr. Lo's last name?	14:26
6	A. L-O. Jason Hui.	14:26
7	Q. H-U-I?	14:26
8	A. Correct. I believe others have gone to work	14:26
9	for other than the Department of Building Inspection but	14:26
10	not the San Francisco DBI.	14:26
11	Q. Is Mr. Hui, Jason Hui, any relation to Tom Hui?	14:26
12	A. Yes, the son of Tom Hui.	14:26
13	Q. Other than Jason Hui, have you ever hired	14:26
14	family members of current or former DBI employees? I	14:27
15	can't tell whether the screen is frozen or you are	14:27
16	thinking.	14:27
17	A. I am thinking. Yes, Tina Hui. T-I-N-A, last	14:27
18	name Hui, H-U-I.	14:27
19	Q. Tina --	14:27
20	A. Like Tina Turner.	14:27
21	Q. I am sorry, Ms. Hui's first name is Gina, with	14:27
22	a G?	14:27
23	A. Tina, T-I-N-A.	14:27
24	Q. Did you just identify another employee?	14:27
25	A. I identified one, Jason Hui, and the next	14:27

1	employee is Tina Hui.	14:28
2	MR. ERICKSEN: Counsel, he was giving you the	14:28
3	reference to Tina Turner as the reference for the	14:28
4	spelling of the name, that was the other name identified	14:28
5	there. I don't believe Tina Turner has been in Santos &	14:28
6	Urrutia's employment, although that might be fun.	14:28
7	MR. EMBLIDGE: Q.: Is Tina Hui also a child of	14:28
8	Tom Hui?	14:28
9	A. Yes.	14:28
10	Q. Are there any other family members of current	14:28
11	or former DBI employees that you hired at RS Engineering	14:28
12	or at Santos & Urrutia?	14:28
13	A. No.	14:28
14	Q. Do you have any professional licenses besides	14:28
15	the civil engineering and the structural -- is it	14:28
16	structural?	14:28
17	A. Structural.	14:28
18	Q. Do you have any other professional licenses?	14:28
19	A. Since I became a civil engineer in '85, that	14:29
20	license gave me the ability to act as a surveyor, as	14:29
21	well.	14:29
22	Q. I want to ask you some questions about a series	14:29
23	of projects in San Francisco. The first one is at 3847	14:29
24	18th Street. Are you familiar with any construction	14:29
25	projects at that address?	14:29

1	MR. ERICKSEN: Objection. I am going to advise	14:29
2	you not to answer that question based on the Fifth	14:29
3	Amendment.	14:29
4	THE WITNESS: I decline to answer based on my	14:29
5	First Amendment rights.	14:29
6	MR. ERICKSEN: Your Fifth Amendment rights.	14:29
7	THE WITNESS: Fifth Amendment.	14:29
8	MR. EMBLIDGE: Q.: Mr. Santos, if I ask you	14:29
9	anything else about a project at 3847 18th Street, will	14:29
10	you similarly refuse to answer based on your Fifth	14:29
11	Amendment rights?	14:29
12	A. That's correct.	14:29
13	Q. Are you familiar with a project at 125 Crown	14:30
14	Terrace?	14:30
15	MR. ERICKSEN: Same instruction.	14:30
16	THE WITNESS: Same answer, I decline to answer	14:30
17	based on my Fifth Amendment rights.	14:30
18	MR. EMBLIDGE: Q.: If I ask you any other	14:30
19	questions associated with a project at 125 Crown	14:30
20	Terrace, will you similarly assert your Fifth Amendment	14:30
21	rights?	14:30
22	A. That's correct.	14:30
23	Q. I would like to ask you if are aware of a	14:30
24	project at 49 Hopkins in San Francisco?	14:30
25	MR. ERICKSEN: Same advice, Mr. Santos.	14:30

1	THE WITNESS: I decline to answer based on my	14:30
2	Fifth Amendment rights.	14:30
3	MR. EMBLIDGE: Q.: I ask you any other	14:30
4	questions about 49 Hopkins, will you similarly decline	14:30
5	to answer?	14:30
6	A. That is correct.	14:30
7	Q. Are you familiar with a project at 2869	14:30
8	San Bruno Avenue?	14:31
9	MR. ERICKSEN: Same advice.	14:31
10	THE WITNESS: I decline to answer based on my	14:31
11	Fifth Amendment rights.	14:31
12	MR. EMBLIDGE: Q.: If I ask you any other	14:31
13	questions about a project at 2869 San Bruno Avenue, will	14:31
14	you similarly decline to answer?	14:31
15	A. That is correct.	14:31
16	Q. I have about eighteen of these here, I have to	14:31
17	go through them. I would like to ask you about a	14:31
18	project at 655 Alvarado Street.	14:31
19	MR. ERICKSEN: You would like to ask him? As	14:31
20	phrased counsel, I don't think that is the question you	14:31
21	want to ask. You said you would like to ask him about	14:31
22	it. Why don't you ask the question just to make a good	14:31
23	record.	14:31
24	MR. EMBLIDGE: Q.: Are you familiar with any	14:31
25	projects that have occurred at 655 Alvarado Street?	14:31

1	MR. ERICKSEN: Same advice.	14:31
2	THE WITNESS: I decline to answer based on my	14:31
3	Fifth Amendment rights.	14:31
4	MR. EMBLIDGE: Q.: If I ask you any additional	14:31
5	questions about a project at 655 Alvarado Street, will	14:31
6	you similarly decline to answer?	14:31
7	A. That is correct.	14:32
8	Q. Are you familiar with a project at 214 States	14:32
9	Street?	14:32
10	MR. ERICKSEN: Same advice.	14:32
11	THE WITNESS: I decline to answer based on my	14:32
12	Fifth Amendment rights.	14:32
13	MR. EMBLIDGE: Q.: If I ask you any additional	14:32
14	questions about a project at 214 States Street, will you	14:32
15	similarly decline to answer?	14:32
16	A. That is correct.	14:32
17	Q. Are you familiar with a project at 908 Broadway	14:32
18	in San Francisco?	14:32
19	MR. ERICKSEN: Same advice.	14:32
20	THE WITNESS: I decline to answer based on my	14:32
21	Fifth Amendment rights.	14:32
22	MR. EMBLIDGE: Q.: If I ask you additional	14:32
23	questions about a project at 908 Broadway, will you	14:32
24	similarly decline to answer?	14:32
25	A. Correct.	14:32

1	Q. Are you familiar with a project at 1335	14:32
2	Holloway in San Francisco?	14:32
3	MR. ERICKSEN: Same advice.	14:32
4	THE WITNESS: I decline to answer based on my	14:32
5	Fifth Amendment rights.	14:32
6	MR. EMBLIDGE: Q.: And if I ask you any	14:32
7	additional questions relating to a project at 1335	14:32
8	Holloway, will you decline to answer?	14:32
9	A. That is correct.	14:33
10	Q. Are you familiar with a project at 2650 to 2652	14:33
11	Hyde Street?	14:33
12	MR. ERICKSEN: Same advice.	14:33
13	THE WITNESS: I decline to answer based on my	14:33
14	Fifth Amendment rights.	14:33
15	MR. EMBLIDGE: Q.: And if I ask you any	14:33
16	additional questions about a project at 2650 to 2652	14:33
17	Hyde Street, will you similarly decline to answer?	14:33
18	A. That is correct.	14:33
19	Q. Are you familiar with a project at 1089	14:33
20	Chestnut Street?	14:33
21	MR. ERICKSEN: Same advice.	14:33
22	THE WITNESS: I decline to answer based on my	14:33
23	Fifth Amendment rights.	14:33
24	MR. EMBLIDGE: Q.: And if I ask you additional	14:33
25	questions about a project at 1089 Chestnut Street, will	14:33

1	you similarly decline to answer?	14:33
2	A. Correct.	14:33
3	Q. Are you familiar with a project at 1 McCormack	14:33
4	Street in San Francisco?	14:33
5	MR. ERICKSEN: Same advice.	14:33
6	THE WITNESS: I decline to answer based on my	14:33
7	Fifth Amendment rights.	14:33
8	MR. EMBLIDGE: Q.: And I if ask you additional	14:33
9	questions about a project at 1 McCormack Street, will	14:33
10	you similarly decline to answer my questions?	14:33
11	A. That's correct.	14:34
12	Q. Are you familiar with a project at 25 17th	14:34
13	Avenue in San Francisco?	14:34
14	MR. ERICKSEN: Same advice.	14:34
15	THE WITNESS: I decline to answer based on my	14:34
16	Fifth Amendment rights.	14:34
17	MR. EMBLIDGE: Q.: If I ask you additional	14:34
18	questions about a project at 17th Avenue, will you	14:34
19	similar decline to answer?	14:34
20	A. Correct.	14:34
21	Q. Are you familiar with a project at 1945 Green	14:34
22	Street in San Francisco?	14:34
23	MR. ERICKSEN: Same advice.	14:34
24	THE WITNESS: I decline to answer based on my	14:34
25	Fifth Amendment rights.	14:34

1	MR. EMBLIDGE: Q.: And if I ask you additional	14:34
2	questions about a project at 1945 Green Street, will you	14:34
3	similarly decline to answer?	14:34
4	A. That is correct.	14:34
5	Q. Are you familiar with a project at 1228 Funston	14:34
6	Avenue?	14:34
7	MR. ERICKSEN: Same advice.	14:34
8	THE WITNESS: I decline to answer based on my	14:34
9	Fifth Amendment rights.	14:34
10	MR. EMBLIDGE: Q.: And if I ask you additional	14:34
11	questions about a project at 1228 Funston Avenue, will	14:34
12	you similarly decline to answer?	14:34
13	A. That's correct.	14:35
14	Q. Are you familiar with a project the 846 34th	14:35
15	Avenue?	14:35
16	MR. ERICKSEN: Same advice.	14:35
17	THE WITNESS: I decline to answer based on my	14:35
18	Fifth Amendment rights.	14:35
19	MR. EMBLIDGE: Q.: And if I ask you additional	14:35
20	questions about a project at 846 34th Avenue, will you	14:35
21	similarly decline to answer?	14:35
22	A. That's correct.	14:35
23	Q. Are you familiar with a project at 235 Jersey	14:35
24	Street in San Francisco?	14:35
25	MR. ERICKSEN: Same advice.	14:35

1	THE WITNESS: I did decline to answer based on	14:35
2	my Fifth Amendment rights.	14:35
3	MR. EMBLIDGE: Q.: And if I ask you additional	14:35
4	questions about a project at 235 Jersey street, will you	14:35
5	similarly decline to answer?	14:35
6	A. That is correct.	14:35
7	Q. Are you familiar with a project at 2067 to 2070	14:35
8	Pine Street?	14:35
9	MR. ERICKSEN: Same advice.	14:35
10	THE WITNESS: I decline to answer based on my	14:35
11	Fifth Amendment rights.	14:35
12	MR. EMBLIDGE: Q.: And if I ask you additional	14:35
13	questions about a project at 2068 to 2070 Pine Street,	14:36
14	will you similarly decline to answer?	14:36
15	A. That is correct.	14:36
16	Q. Are you familiar with a project at 7 Seymour,	14:36
17	S-E-Y-M-O-U-R, Street?	14:36
18	MR. ERICKSEN: Same advice.	14:36
19	THE WITNESS: I decline to answer based on my	14:36
20	Fifth Amendment rights.	14:36
21	MR. EMBLIDGE: Q.: And if I ask you additional	14:36
22	questions about a project at 7 Seymour Street, will you	14:36
23	similarly decline to answer?	14:36
24	A. That is correct.	14:36
25	Q. Are you familiar with a project at 3660 21st	14:36

1	Street?	14:36
2	MR. ERICKSEN: Same advice.	14:36
3	THE WITNESS: I decline to answer based on my	14:36
4	Fifth Amendment rights.	14:36
5	MR. EMBLIDGE: Q.: And if I ask you additional	14:36
6	questions about a project at 3660 21st street, will you	14:36
7	similarly decline to answer?	14:36
8	A. That is correct.	14:36
9	Q. Last one. Are you familiar with a project at	14:36
10	457 Roosevelt Way?	14:36
11	MR. ERICKSEN: Same advice.	14:36
12	THE WITNESS: I decline to answer based on my	14:36
13	Fifth Amendment rights.	14:37
14	MR. EMBLIDGE: Q.: And if I ask you additional	14:37
15	questions about a project at 457 Roosevelt Way, will you	14:37
16	similarly decline to answer?	14:37
17	A. That is correct.	14:37
18	Q. Have you in your work at Santos & Urrutia or at	14:37
19	RS Engineering ever requested that a particular DBI	14:37
20	employee be assigned to plan check or inspect any	14:37
21	project you have been associated with?	14:37
22	MR. ERICKSEN: Same advice.	14:37
23	THE WITNESS: I decline to answer based on my	14:37
24	Fifth Amendment rights.	14:37
25	MR. EMBLIDGE: Q.: Are you familiar with an	14:37

1	organization called the San Francisco Building	14:37
2	Inspectors Association?	14:37
3	MR. ERICKSEN: You can answer that one.	14:37
4	THE WITNESS: I am.	14:37
5	MR. EMBLIDGE: Q.: Have you ever contributed	14:37
6	money to the San Francisco Building Inspectors	14:37
7	Association?	14:37
8	MR. ERICKSEN: Same instruction, same advice.	14:37
9	THE WITNESS: I decline to answer based on my	14:37
10	Fifth Amendment rights.	14:37
11	MR. EMBLIDGE: Q.: If I ask you any additional	14:37
12	questions about any relationship you might have with the	14:38
13	San Francisco Building Inspection Association or any	14:38
14	knowledge you might have about the operations of the	14:38
15	San Francisco Building Inspectors Association, will you	14:38
16	similarly decline to answer?	14:38
17	A. That is correct.	14:38
18	Q. Are you familiar with an organization called	14:38
19	the Residential Builders Association?	14:38
20	MR. ERICKSEN: You can answer.	14:38
21	THE WITNESS: I am.	14:38
22	MR. EMBLIDGE: Q.: Have you ever been a member	14:38
23	of the Residential Builders Association?	14:38
24	MR. ERICKSEN: Same advice.	14:38
25	THE WITNESS: I decline to answer based on my	14:38

1	Fifth Amendment rights.	14:38
2	MR. EMBLIDGE: Q.: If I ask you any additional	14:38
3	questions about any relationship you might have or any	14:38
4	knowledge you might have about the operations of the	14:38
5	Residential Builders Association, will you similarly	14:38
6	decline to answer?	14:38
7	A. That is correct.	14:38
8	Q. Do you know Dennis Richards?	14:38
9	MR. ERICKSEN: You can answer.	14:39
10	THE WITNESS: I know of him.	14:39
11	MR. EMBLIDGE: Q.: What do you mean by that?	14:39
12	MR. ERICKSEN: Go ahead.	14:39
13	MR. EMBLIDGE: Q.: I am sorry, did you answer,	14:39
14	Mr. Santos?	14:39
15	A. I know just that he was a planning	14:39
16	commissioner, he was a planning commissioner for a few	14:39
17	years.	14:39
18	Q. Have you ever met Mr. Richards?	14:39
19	MR. ERICKSEN: Mr. Santos, same instruction.	14:39
20	THE WITNESS: I decline to answer based on my	14:39
21	Fifth Amendment rights.	14:39
22	MR. EMBLIDGE: Q.: Have you ever communicated	14:39
23	with Ed Sweeney about Mr. Richards?	14:39
24	MR. ERICKSEN: Same instruction.	14:39
25	THE WITNESS: I decline to answer based on my	14:39

1	Fifth Amendment rights.	14:39
2	MR. EMBLIDGE: Q.: Have you ever communicated	14:39
3	with Mauricio Hernandez about Mr. Richards?	14:39
4	MR. ERICKSEN: Same instruction.	14:39
5	THE WITNESS: I decline to answer based on my	14:39
6	Fifth Amendment rights.	14:39
7	MR. EMBLIDGE: Q.: Have you ever communicated	14:39
8	with anyone at the Department of Building Inspection	14:39
9	about Mr. Richards?	14:40
10	MR. ERICKSEN: Same instruction.	14:40
11	THE WITNESS: I decline to answer based on my	14:40
12	Fifth Amendment rights.	14:40
13	MR. EMBLIDGE: Q.: Have you ever communicated	14:40
14	with anyone associated with the Residential Builders	14:40
15	Association about Mr. Richards?	14:40
16	MR. ERICKSEN: Same instruction.	14:40
17	THE WITNESS: I decline to answer based on my	14:40
18	Fifth Amendment rights.	14:40
19	MR. EMBLIDGE: Q.: If I ask you any additional	14:40
20	questions about Mr. Richards or anyone you communicated	14:40
21	with about Mr. Richards, will you similarly decline to	14:40
22	answer my questions?	14:40
23	A. That is correct.	14:40
24	Q. How did you first come to be aware of the Six	14:40
25	Dogs project?	14:40

1	MR. ERICKSEN: Same instruction.	14:40
2	THE WITNESS: I decline to answer based on my	14:40
3	Fifth Amendment rights.	14:40
4	MR. EMBLIDGE: Q.: Have you ever communicated	14:40
5	with Ed Sweeney about the Six Dogs project?	14:40
6	MR. ERICKSEN: Same instruction.	14:40
7	THE WITNESS: I decline to answer based on my	14:40
8	Fifth Amendment rights.	14:40
9	MR. EMBLIDGE: Q.: Have you ever communicated	14:40
10	with Mauricio Hernandez about the Six Dogs project?	14:40
11	MR. ERICKSEN: Same instruction.	14:40
12	THE WITNESS: I decline to answer based on my	14:41
13	Fifth Amendment rights.	14:41
14	MR. EMBLIDGE: Q.: Have you ever communicated	14:41
15	with anyone at the Department of Building Inspection	14:41
16	about the Six Dogs project?	14:41
17	MR. ERICKSEN: Same instruction.	14:41
18	THE WITNESS: I decline to answer based on my	14:41
19	Fifth Amendment rights.	14:41
20	MR. EMBLIDGE: Q.: Have you ever communicated	14:41
21	with anyone associated with the Residential Builders	14:41
22	Association about the Six Dogs project?	14:41
23	MR. ERICKSEN: Same instruction.	14:41
24	THE WITNESS: I decline to answer based on my	14:41
25	Fifth Amendment rights.	14:41

1	MR. EMBLIDGE: Q.: Did you have any role	14:41
2	whatsoever in filing complaints at the Department of	14:41
3	Building Inspection about the Six Dogs project?	14:41
4	MR. ERICKSEN: Same instruction.	14:41
5	THE WITNESS: I decline to answer based on my	14:41
6	Fifth Amendment rights.	14:41
7	MR. EMBLIDGE: Q.: Did you conspire with Ed	14:41
8	Sweeney to file complaints about the Six Dogs project in	14:41
9	retaliation for comments made or actions taken by Mr.	14:41
10	Richards while he was on the Planning Commission?	14:41
11	MR. ERICKSEN: Same instruction. Further	14:42
12	objection to assumes facts not in evidence, lacks	14:42
13	foundation, calls for speculation. Go ahead, Rodrigo.	14:42
14	THE WITNESS: I decline to answer based on my	14:42
15	Fifth Amendment rights.	14:42
16	MR. EMBLIDGE: Q.: If I ask you any additional	14:42
17	questions about your knowledge of or any communications	14:42
18	you have had relating to the Six Dogs project, will you	14:42
19	similarly decline to answer?	14:42
20	A. That's correct.	14:42
21	Q. Can you estimate for me the number of projects	14:42
22	that you have worked on that have gone through	14:42
23	permitting at the Department of Building Inspection? I	14:42
24	estimate more than a hundred, more than a thousand,	14:42
25	between X number and Y number, however you can best	14:42

1	estimate it.	14:42
2	MR. ERICKSEN: You are talking San Francisco	14:42
3	Department of Building Inspection?	14:42
4	MR. EMBLIDGE: That is correct.	14:42
5	MR. ERICKSEN: You can answer that one,	14:42
6	Rodrigo.	14:43
7	THE WITNESS: Very close to ten thousand.	14:43
8	MR. EMBLIDGE: Q.: In the close to ten	14:43
9	thousand projects you have worked on that have gone	14:43
10	through the process at the San Francisco Department of	14:43
11	Building Inspection, has the Department of Building	14:43
12	Inspection ever revoked permits that you have been	14:43
13	associated with?	14:43
14	MR. ERICKSEN: Objection, same instruction.	14:43
15	THE WITNESS: I decline to answer based on my	14:43
16	Fifth Amendment rights.	14:43
17	MR. EMBLIDGE: Q.: And if I ask you any	14:43
18	additional questions about how the Department of	14:43
19	Building Inspection has treated the permits on projects	14:43
20	that you have been associated with, will you similarly	14:43
21	decline to answer?	14:43
22	A. That's correct.	14:43
23	Q. Do you know John Pollard?	14:43
24	MR. ERICKSEN: You can answer.	14:43
25	THE WITNESS: I do.	14:43

1	MR. EMBLIDGE: Q.: How would you describe your	14:43
2	relationship with Mr. Pollard.	14:43
3	MR. ERICKSEN: Same instruction.	14:43
4	THE WITNESS: I decline to answer based on my	14:44
5	Fifth Amendment rights.	14:44
6	MR. EMBLIDGE: Q.: If I ask you any additional	14:44
7	questions about your relationship with Mr. Pollard or	14:44
8	your communications with Mr. Pollard, will you similarly	14:44
9	decline to answer my questions?	14:44
10	A. That's correct.	14:44
11	Q. Do you know an individual named John Kantor,	14:44
12	K-A-N-T-O-R?	14:44
13	MR. ERICKSEN: You can answer.	14:44
14	THE WITNESS: I do.	14:44
15	MR. EMBLIDGE: Q.: What is your relationship	14:44
16	with Mr. Kantor?	14:44
17	MR. ERICKSEN: Same instruction, same advice.	14:44
18	THE WITNESS: I decline to answer based on my	14:44
19	Fifth Amendment rights.	14:44
20	MR. EMBLIDGE: Q.: If I ask you additional	14:44
21	questions about your relationship with Mr. Kantor or any	14:44
22	communications you have had with Mr. Kantor, will you	14:44
23	similarly decline to answer my questions?	14:44
24	A. That's correct.	14:44
25	Q. Do you know an individual named Tim Brown?	14:44

1	MR. ERICKSEN: You can answer.	14:44
2	THE WITNESS: I do.	14:44
3	MR. EMBLIDGE: Q.: How would you describe your	14:44
4	relationship with Mr. Brown?	14:45
5	MR. ERICKSEN: Same instruction, same advice.	14:45
6	THE WITNESS: I decline to answer based on my	14:45
7	Fifth Amendment rights.	14:45
8	MR. EMBLIDGE: Q.: And if I ask you any	14:45
9	additional questions about your relationship with Tim	14:45
10	Brown or communications you have had with Mr. Brown,	14:45
11	will you similarly decline to answer?	14:45
12	A. That's correct.	14:45
13	Q. Do you know Ed Sweeney?	14:45
14	MR. ERICKSEN: You can answer.	14:45
15	THE WITNESS: Yes.	14:45
16	MR. EMBLIDGE: Q.: How would you describe your	14:45
17	relationship with Mr. Sweeney?	14:45
18	MR. ERICKSEN: Same instruction, same advice.	14:45
19	THE WITNESS: I decline to answer based on my	14:45
20	Fifth Amendment rights.	14:45
21	MR. EMBLIDGE: Q.: And if I ask you any	14:45
22	additional questions about your relationship with Ed	14:45
23	Sweeney or communications you may have had at any time	14:45
24	with Ed Sweeney, will you similarly decline to answer my	14:45
25	questions?	14:45

1	A. That is correct.	14:45
2	Q. Do you know Mauricio Hernandez?	14:45
3	MR. ERICKSEN: You can answer.	14:45
4	THE WITNESS: I do.	14:45
5	MR. EMBLIDGE: Q.: How would you describe your	14:45
6	relationship with Mr. Hernandez?	14:45
7	MR. ERICKSEN: Same instruction, same advice.	14:45
8	THE WITNESS: I decline to answer based on my	14:46
9	Fifth Amendment rights.	14:46
10	MR. EMBLIDGE: Q.: And if I ask you any	14:46
11	additional questions about your relationship with Mr.	14:46
12	Hernandez or communications you have had with Mr.	14:46
13	Hernandez at any time, would you similarly decline to	14:46
14	answer my questions?	14:46
15	A. That is correct.	14:46
16	Q. Do you know Bernie Curran?	14:46
17	MR. ERICKSEN: Could you spell that for us,	14:46
18	please?	14:46
19	MR. EMBLIDGE: First name -- it's probably	14:46
20	Bernard. B-E-R-N-I-E, Bernie, Curran, C-U-R-R-A-N.	14:46
21	MR. ERICKSEN: You can answer.	14:46
22	THE WITNESS: I do.	14:46
23	MR. EMBLIDGE: Q.: How would you describe your	14:46
24	relationship with Mr. Curran?	14:46
25	MR. ERICKSEN: Same instruction, same advice.	14:46

1	THE WITNESS: I decline to answer based on my	14:46
2	Fifth Amendment rights.	14:46
3	MR. EMBLIDGE: Q.: And if I ask you any	14:46
4	additional questions about your relationship with Mr.	14:46
5	Curran or communications you have had with Mr. Curran at	14:46
6	any time, will you similarly decline to answer my	14:46
7	questions?	14:46
8	A. That's correct.	14:46
9	Q. Do you know Joseph Duffy?	14:46
10	MR. ERICKSEN: You can answer.	14:47
11	THE WITNESS: Yes, I do.	14:47
12	MR. EMBLIDGE: Q.: How would you describe your	14:47
13	relationship with Joseph Duffy?	14:47
14	MR. ERICKSEN: Same instruction, same advice.	14:47
15	THE WITNESS: I decline to answer based on my	14:47
16	Fifth Amendment rights.	14:47
17	MR. EMBLIDGE: Q.: And if I ask you any	14:47
18	additional questions about your relationship with Joe	14:47
19	Duffy or communications you have had with Joe Duffy at	14:47
20	any time, will you similarly decline to answer my	14:47
21	questions?	14:47
22	A. That is correct.	14:47
23	Q. Do you know Angus McCarthy?	14:47
24	MR. ERICKSEN: You can answer.	14:47
25	THE WITNESS: I do.	14:47

1	MR. EMBLIDGE: Q.: How would you describe your	14:47
2	relationship with Mr. McCarthy?	14:47
3	MR. ERICKSEN: Same instruction, same advice.	14:47
4	THE WITNESS: I decline to answer based on my	14:47
5	Fifth Amendment rights.	14:47
6	MR. EMBLIDGE: Q.: And if I ask you any	14:47
7	additional questions about your relationship with Angus	14:47
8	McCarthy or any communications you have had with Mr.	14:47
9	McCarthy at any time, will you similarly decline to	14:47
10	answer my questions?	14:48
11	A. That is correct.	14:48
12	Q. Do you know Sean Keighran, I believe it's	14:48
13	K-E-I-G-H-R-A-N?	14:48
14	MR. ERICKSEN: You can answer.	14:48
15	THE WITNESS: I do.	14:48
16	MR. EMBLIDGE: Q.: How would you describe your	14:48
17	relationship with Mr. Keighran?	14:48
18	MR. ERICKSEN: Same instruction, same advice.	14:48
19	THE WITNESS: I decline to answer based on my	14:48
20	Fifth Amendment rights.	14:48
21	MR. EMBLIDGE: Q.: And if I ask you any	14:48
22	additional questions about your relationship with Mr.	14:48
23	Keighran or communications you have had with Mr.	14:48
24	Keighran at any time, will you similarly decline to	14:48
25	answer my questions?	14:48

1	A. That's correct.	14:48
2	Q. Are you familiar with a company called Sia,	14:48
3	S-I-A, Consulting?	14:48
4	MR. ERICKSEN: You can answer.	14:48
5	THE WITNESS: I am familiar.	14:48
6	MR. EMBLIDGE: Q.: Are you familiar with an	14:48
7	individual named Sia associated with that company?	14:48
8	MR. ERICKSEN: You can answer.	14:48
9	THE WITNESS: Yes, I am.	14:49
10	MR. EMBLIDGE: Q.: How would you describe your	14:49
11	relationship with Sia Consulting or Sia, himself?	14:49
12	MR. ERICKSEN: Same instruction, same advice.	14:49
13	THE WITNESS: I decline to answer based on my	14:49
14	Fifth Amendment rights.	14:49
15	MR. EMBLIDGE: Q.: And if I ask you additional	14:49
16	questions about your relationship with Sia Consulting or	14:49
17	Sia or communications you have had with Sia Consulting	14:49
18	or Sia at any time, would you similarly decline to	14:49
19	answer my questions?	14:49
20	A. That is correct.	14:49
21	Q. Are you familiar with an individual named	14:49
22	Patrick Buscovich?	14:49
23	MR. ERICKSEN: You can answer.	14:49
24	THE WITNESS: Yes.	14:49
25	MR. EMBLIDGE: Q.: How would you describe your	14:49

1	relationship with Mr. Buscovich?	14:49
2	MR. ERICKSEN: Same instruction, same advice.	14:49
3	THE WITNESS: I decline to answer based on my	14:49
4	Fifth Amendment rights.	14:49
5	MR. EMBLIDGE: Q.: Did you file or cause to be	14:49
6	filed complaints about the Six Dogs project because Mr.	14:49
7	Buscovich was associated with that project?	14:49
8	MR. ERICKSEN: Same instruction, same advice.	14:49
9	THE WITNESS: I decline to answer based on my	14:49
10	Fifth Amendment rights.	14:50
11	MR. EMBLIDGE: Q.: Do you have any sort of a	14:50
12	grudge against Mr. Buscovich for any reason?	14:50
13	MR. ERICKSEN: Same instruction, same advice.	14:50
14	THE WITNESS: I decline to answer based on my	14:50
15	Fifth Amendment rights.	14:50
16	MR. EMBLIDGE: Q.: And if I were to ask you	14:50
17	any other questions about your relationship with Mr.	14:50
18	Buscovich or communications you have had with Mr.	14:50
19	Buscovich at any time, would you similarly decline to	14:50
20	answer?	14:50
21	A. That is correct.	14:50
22	Q. Are you familiar with an individual, one of the	14:50
23	plaintiffs in this case, named Rachel Swann? Swann is	14:50
24	with two Ens.	14:50
25	MR. ERICKSEN: You can answer.	14:50

1	THE WITNESS: Yes.	14:50
2	MR. EMBLIDGE: Q.: How would you describe your	14:50
3	knowledge of or relationship with Ms. Swann?	14:50
4	MR. ERICKSEN: Same instruction, same advice.	14:50
5	THE WITNESS: I decline to answer based on my	14:50
6	Fifth Amendment rights.	14:50
7	MR. EMBLIDGE: Q.: And if I ask you any	14:50
8	additional questions about your relationship with Ms.	14:50
9	Swann or your knowledge of her or communications you may	14:50
10	have had with her, will you similarly decline to answer	14:51
11	my questions?	14:51
12	A. That is correct.	14:51
13	Q. Are you familiar with an individual named	14:51
14	Darryl, D-A-R-R-Y-L, Honda?	14:51
15	MR. ERICKSEN: You can answer.	14:51
16	THE WITNESS: I am.	14:51
17	MR. EMBLIDGE: Q.: How would you describe your	14:51
18	relationship with Mr. Honda?	14:51
19	MR. ERICKSEN: Same instruction, same advice.	14:51
20	THE WITNESS: I decline to answer based on my	14:51
21	Fifth Amendment rights.	14:51
22	MR. EMBLIDGE: Q.: And if I ask you any	14:51
23	additional questions about your relationship with Darryl	14:51
24	Honda or any communications you may have had with Darryl	14:51
25	Honda at any time, will you similarly decline to answer	14:51

1	my questions?	14:51
2	A. That is correct.	14:51
3	Q. Have you ever heard or do you have any	14:51
4	knowledge that anyone at the Department of Building	14:51
5	Inspection gives certain contractors, engineers or	14:51
6	project sponsors better treatment than other	14:51
7	contractors, engineers or project sponsors?	14:51
8	MR. ERICKSEN: Same instruction, same advice.	14:52
9	THE WITNESS: I decline to answer based on my	14:52
10	Fifth Amendment rights.	14:52
11	MR. EMBLIDGE: Q.: And if I ask you any other	14:52
12	questions about your knowledge of the treatment that DBI	14:52
13	provides to any particular contractors, engineers or	14:52
14	project sponsors, will you similarly decline to answer	14:52
15	my questions?	14:52
16	A. That is correct.	14:52
17	Q. I have no further questions.	14:52
18	MR. STEVENS: Nothing from me.	14:52
19	THE VIDEOGRAPHER: This concludes the	14:52
20	deposition and we are going off the record at 2:53 p.m.	14:53
21	(Whereupon, at 2:53 p.m. thereof, the	14:53
22	deposition was concluded.)	14:53
23		14:53
24		14:53
25	----- RODRIGO SANTOS	14:53

1 STATE OF CALIFORNIA

14:53

2 I do hereby certify that the witness in the
3 foregoing deposition was by me duly sworn to testify the
4 truth, the whole truth, and nothing but the truth in the
5 within- entitled cause; that said deposition was taken
6 at the time and place therein stated; that the testimony
7 of the said witness was reported by me, a Certified
8 Shorthand Reporter and a disinterested person, and was
9 under my supervision thereafter transcribed into
10 typewriting; that thereafter, the witness was given an
11 opportunity to read and correct the deposition
12 transcript, and to subscribe the same; that if unsigned
13 by the witness, the signature has been waived in
14 accordance with stipulation between counsel for the
15 respective parties.

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16 And I further certify that I am not of counsel or
17 attorney for either or any of the parties to said
18 deposition, nor in any way interested in the outcome of
19 the cause named in said caption.

14:53

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20 IN WITNESS WHEREOF, I have hereunto set my hand the
21 17th day of August, 2021.

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Certified Shorthand Reporter
CSR No. 7435



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