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U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
SECURITY AND HAZARDOUS MATERIALS DIVISION

Date of Interview: March 21, 2007
Location of Interview: ATCT, Concord, CA.

I, Patricia Hardy, make the following statement freely and voluntarily to Special Agent James Austin who has identified himself to me as Special Agent of the Federal Aviation Administration. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me. I make this statement with full knowledge that it may be used in any administrative or civil proceeding.

I am employed as an Operations Supervisor at Concord ATCT. I have been advised that the FAA is conducting an investigation into inappropriate comments and hostile work environment.

I have asked Special Agent Austin to prepare this statement for me.

PH
On January 21, 2007, I was working in the office John Crabtree was leaving but told me he would talk to me later. He did say that it involved Jeffery Lewis and that Jeffery was racially mimicking Jason Ralph, Air Traffic Manager. He said that he was talking in a manner to mimic Mr. Ralph who is black.

On January 22, 2007, I was working in the cab and saw Mr. Lewis and Ken Moyer arguing over the way they were coordinating. I mentioned to Mr. Lewis that early in the day I had difficulty coordinating with him while he was on ground control. He became upset and told me I was siding with Ken Moyer. He then said that he was ill and wanted to take sick leave. I told him he could not have the sick just because he had an argument with another employee. He pushed the briefing button, to activate a recorded line, and made a statement about not being allowed leave because he was sick. In the past when he has had disagreements with other employees he has immediately taken sick leave. Later he received a call from Travis approach and told them he would try to help them but that he had a migraine headache. Also while he was on ground control he told a pilot that he would try to assist him but he had a migraine. Mr. Lewis sat down holding his head and rocking back and forth in the chair, I was not sure if he was ill.

On January 23, 2007 Mr. Lewis and I discussed his inappropriate comments to the pilot and to Travis approach. Mr. Lewis wanted to argue that he was sick but I reminded him that he became ill after he had an argument with another employee. Before he left, I asked Mr. Lewis if he had used racial slurs in the work area? He asked if we had listening devices in the tower cab. I said it didn't matter and asked him again. He said he

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PH
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Exhibit 4

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This 94-page ROI was the sole documentation used to support my removal, 21-months after I was locked out from my control tower at Concord, CA. I certify the truthfulness of my ROI sworn testimony as provided at Exhibit 11, and the memo I authored at Exhibit 12. Please note, this ROI was never substantiated, and all other allegations against me are strongly contradicted elsewhere in the ROI. My one misconduct, which I immediately admitted to, was to carelessly quote a song lyric with the n-word. I am hoping that by providing this ROI for Public review, key FAA officials will become able to recognize the errors within this ROI, as well as the mishandling of my case and the need to reform.

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PH was referring to a joke from the previous day. I told him he could not use this type language at work and we would talk about it later since he was leaving early that day.

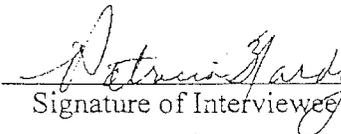
Bill Marks, the union rep, came to me later the same day and told me that John Crabtree had spoke to him about the racial comments Mr. Lewis had made. He said that Jeffery would mimic Jason Ralph and that he made the statement "us niggers can't get any leave". The next day I started an inquiry reference the allegations.

On January 24, 2007, I told Jason what Bill Marks had told me about Jeffery's racial remarks and we began an inquiry into the allegations.

On February 6, 2007, I gave Jeffery a Letter of Warning for the comments he made to Travis approach and the pilot on the ground on January 22, 2007. I also gave him a letter telling him he was under investigation for using racial slurs. He first acted like the notification was no big deal and signed the notification. He left the office but returned a few minutes later very angry demanding the notification back. He lunged at me and attempted to intimidate me into giving the letter back. I was fearful of my safety and called the cab and had Bill Marks come to the office. Mr. Marks tried to calm Jeffery down but he remained agitated. Mr. Marks tried to explain that the notification was a procedure but Jeffery would not accept that. They talked for a long period of time and when I had to close the office I asked them to continue in another room.

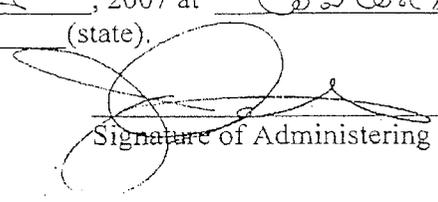
On February 13, 2007, Jason was talking on the telephone to HR about Jeffery and Jeffery began pounding on the door and yelling at Jason. PH

I have read this entire statement consisting of 2 pages. I have been given the opportunity to make any additions, deletions, or corrections. I have initialed each page and all corrections. This statement is the truth to the best of my knowledge and recollections.

 3-21-07
Signature of Interviewee Date

Subscribed and sworn before me a person authorized by law to administer oaths this 21 day of MARCH, 2007 at Cowana (city) CALIFORNIA (state).

Signature of Witness


Signature of Administering Agent

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