

Exhibit 33

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BETTY DUKES, PATRICIA SURGESON,)
on behalf of themselves and all)
others similarly situated,)
 Plaintiffs,)
 vs.) No. C-01-2252 MJJ
WAL-MART STORES, INC.,)
 Defendant.)

Deposition of SANDY ELLISON, taken before
Rhonda K. Weiland, CSR, Notary Public, pursuant to
the Federal Rules of Civil Procedure for the United
States District Court pertaining to the taking of
depositions, at Suite 1850, 122 South Michigan
Avenue, in the City of Chicago, Cook County,
Illinois, commencing at 9:30 o'clock a.m., on the
21st day of June, 2002.

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| 1 | (Exhibits Nos. 1, 2, and 3 | 08:54:02 |
| 2 | marked as requested.) | 09:09:20 |
| 3 | (Witness sworn.) | |
| 4 | SANDY ELLISON, | |
| 5 | after being first duly sworn, testified as follows: | |
| 6 | EXAMINATION | 09:30:43 |
| 7 | BY MS. THOMAS: | 09:30:54 |
| 8 | Q Could you please state your name and | 09:30:54 |
| 9 | address for the record, please. | 09:30:57 |
| 10 | A My name is Sandy Ellison. Address is 2956 | 09:30:58 |
| 11 | Thomas Avenue in Cheyenne, Wyoming 82009. | 09:31:03 |
| 12 | Q What is your date of birth? | 09:31:09 |
| 13 | A 7-14-69. | 09:31:15 |
| 14 | Q You have a birthday coming up? | 09:31:17 |
| 15 | A Unfortunately. | 09:31:21 |
| 16 | Q Who is your current employer? | 09:31:22 |
| 17 | A My employer is Wal-Mart Stores, | 09:31:26 |
| 18 | Incorporated. | 09:31:30 |
| 19 | Q How long have you been employed there? | 09:31:30 |
| 20 | A Slightly over 11 years. | 09:31:34 |
| 21 | Q What's your hire date? | 09:31:36 |
| 22 | A It is 5-20 of '91. | 09:31:40 |
| 23 | Q What is your current position? | 09:31:44 |
| 24 | A District manager. | 09:31:47 |
| 25 | Q How long have you been a district manager? | 09:31:50 |

| | | | |
|----|---|--|----------|
| 1 | Q | Mr. Clark is still with the company; is | 11:34:00 |
| 2 | | that correct? | 11:34:10 |
| 3 | A | That is correct. | 11:34:10 |
| 4 | Q | Is he still in the training position? | 11:34:11 |
| 5 | A | Yes, ma'am. | 11:34:13 |
| 6 | Q | Did you continue to provide itineraries | 11:34:13 |
| 7 | | for travel and follow up with him -- with Ms. Ruiz | 11:34:20 |
| 8 | | about your -- what you observed in the stores? | 11:34:24 |
| 9 | A | Yes. | 11:34:28 |
| 10 | Q | Did you continue to get special | 11:34:28 |
| 11 | | assignments from her? | 11:34:31 |
| 12 | A | Yes. | 11:34:33 |
| 13 | Q | And you would return them to her? | 11:34:33 |
| 14 | A | Yes. | 11:34:35 |
| 15 | Q | Were there any other ways in which you | 11:34:35 |
| 16 | | reported to Ms. Ruiz? | 11:34:43 |
| 17 | A | No. I would participate with her in other | 11:34:50 |
| 18 | | activities like meetings and such but that basically | 11:34:54 |
| 19 | | would have been my responsibilities in reporting to | 11:34:58 |
| 20 | | her. | 11:35:00 |
| 21 | Q | In what way did you report to the regional | 11:35:00 |
| 22 | | vice president? | 11:35:05 |
| 23 | A | More of a partnership level. I was | 11:35:05 |
| 24 | | responsible for the people side of the region for | 11:35:09 |
| 25 | | the most part and he oversees all the operational | 11:35:14 |

1 duties of the region. If we were trying to fill a 11:35:18
2 store manager position within the region, he 11:35:23
3 definitely would be involved. If there were issues 11:35:26
4 people wise going on within the region, I would 11:35:31
5 involve him. 11:35:36

6 Q How was he involved in the selection of 11:35:36
7 employees? 11:35:39

8 A He along with the divisional vice 11:35:39
9 president would make the decisions and the 11:35:44
10 selection. 11:35:47

11 Q At what level? 11:35:54

12 A Store manager, comanager, district 11:35:55
13 manager. I guess that would be it. 11:36:00

14 Q Would the regional vice president and the 11:36:06
15 divisional vice president have any role in the 11:36:17
16 selection of regional personnel managers? 11:36:21

17 A Yes. Yes, they would. 11:36:25

18 Q So would they also be included in addition 11:36:26
19 to the store managers, comanagers, and district 11:36:30
20 managers they would also make the selection for 11:36:32
21 regional vice presidents -- I mean regional 11:36:36
22 personnel managers? 11:36:40

23 A They would be involved with that, yes. 11:36:40

24 Q In what way would they be involved in the 11:36:43
25 selection of a regional personnel manager? 11:36:55