

Exhibit 93

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BETTY DUKES and PATRICIA SURGESON,
Vs. WAL-MART STORES, INC.

Case No. C-01-2252 MJJ

VIDEOTAPED DEPOSITION OF JAMES ONEIL CLARK

TAKEN ON BEHALF OF THE PLAINTIFFS

WEDNESDAY, DECEMBER 11, 2002

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09:46:06 1 change at all?

09:46:07 2 A. No.

09:46:10 3 Q. And then in April of 2001, it looks like you moved
09:46:14 4 from position of director personnel to just simply
09:46:17 5 director. What job did you take in April 2001?

09:46:21 6 A. Became the director of training and development
09:46:23 7 for Wal-Mart Stores, the operations piece of
09:46:28 8 Wal-Mart Stores.

09:46:30 9 Q. Did your job responsibilities change at all in
09:46:49 10 January 2002?

09:46:54 11 A. No, they did not. I can't answer why that's on
09:46:57 12 there. It's the same department number.

09:46:59 13 Q. It's actually the exact same number, it's just
09:47:01 14 listed twice. That's why I wasn't sure if
09:47:03 15 anything changed.

09:47:04 16 A. No. Nothing had changed in regards to my
09:47:07 17 responsibilities.

09:47:08 18 Q. So now your exact title is director of training
09:47:14 19 and development for Wal-Mart Stores?

09:47:16 20 A. Director of training and development for Wal-Mart
09:47:18 21 Supercenters. It's the -- any training and
09:47:23 22 development would fall under the operations
09:47:26 23 umbrella. It's not corporate training.

09:47:29 24 Q. How do you distinguish operations umbrella versus
09:47:38 25 corporate training?

16:27:02 1 Q. And does Wal-Mart have any policy setting forth a
 16:27:07 2 specific mechanism the district manager is
 16:27:11 3 supposed to use to keep track of who's expressed
 16:27:14 4 an interest in the assistant manager program?
 16:27:15 5 A. There is no specific guideline that I'm aware of.
 16:27:18 6 Q. Do you know if this policy set forth in Exhibit 23
 16:27:21 7 is still being used today?
 16:27:22 8 A. This is not a policy. This is a recommendation.
 16:27:25 9 Q. Fair enough. I'm sorry. Do you know if the
 16:27:27 10 action plan here, this diversity plan of action,
 16:27:29 11 is this still happening today?
 16:27:31 12 A. I would have no idea.
 16:27:34 13 Q. Okay. Is Kendall Schwindt still in charge of 1A?
 16:27:44 14 A. No, he's not. Kendall Schwindt retired about a
 16:27:48 15 year ago.
 16:27:50 16 Q. Does Wal-Mart have a formal mentoring program now?
 16:27:55 17 A. We have always had a mentoring program. It's not
 16:27:58 18 something that has been created recently.
 16:28:00 19 Q. I mean is there a formal mentoring program that's
 16:28:03 20 like sponsored by Wal-Mart corporate?
 16:28:06 21 A. There is not a mentoring program that is a policy.
 16:28:10 22 There is mentoring guidelines that we have. I
 16:28:18 23 have each management associate was to choose three
 16:28:22 24 individuals that they would mentor following I
 16:28:28 25 believe it was the year-beginning meeting in