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COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT, SUFFOLK COUNTY
BUSINESS LITIGATION SESSION

BENJAMIN EDELMAN,
Plaintiff,

v.

Civil Action

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE,
Defendant.

2384CV00395-BLS2

DEPOSITION OF SHAWN A. COLE

DATE: Thursday, June 26, 2025

TIME: 2:20 p.m.

LOCATION: Remote Proceeding
Washington, DC 20007

REPORTED BY: Robert Lombardi

JOB NO.: 7445612

1 of discussion?

2 A I don't have a recollection of that. I try
3 to attend the faculty meetings. But because I divide
4 my time between Boston and D.C., I sometimes miss some
5 of the meetings.

6 Q Okay. Were you dividing your time between
7 Boston and D.C. in 2015 as well?

8 A Yes.

9 Q Okay. If you look at the previous page in
10 the document, which is page three, there's a section
11 titled "Notes on Promotions, Reviews, and
12 Reappointments." Do you see that?

13 A I see that, yes.

14 Q And in the third bullet point of that
15 paragraph, it says "If no serious questions about
16 conduct are raised, the promotion, review, and
17 reappointment case will proceed to the subcommittee or
18 standing committee." Do you see that?

19 A I see that, yes.

20 Q Okay. What is a subcommittee in the context
21 of promotions cases at Harvard Business School?

22 A My understanding is that's what we also call
23 an ad hoc committee, which is a head of three tenured
24 faculty members, along with an ex officio member who
25 is the chair of the promotions process, who sits in

1 all the meetings but doesn't get a vote, that meets to
2 review a candidate's cases prior to the school sending
3 out for letters.

4 Q And what is a standing committee?

5 A That was a --

6 MR. ALBANO: Objection.

7 BY MS. O'MEARA-COSTELLO:

8 Q You can answer unless there's an instruction
9 not to answer from your attorney.

10 A I thought I heard "objection."

11 Q You did hear "objection." We're reserving
12 objections to the time of trial. So if there's an
13 objection to the form of the question --

14 A I see.

15 Q -- then Harvard's counsel will say
16 "objection." But unless you're told otherwise, you
17 can go ahead and answer.

18 A Okay. Seeing Jon nonplussed, I will go
19 ahead and answer.

20 MR. ALBANO: No, yeah. No, you're
21 fine. Go ahead.

22 THE WITNESS: What is the standing
23 committee? That's the question? It was a -- so there
24 was a revision in the promotions. So my understanding
25 is previously it had gone from the subcommittee to the

1 appointments room directly, and the standing committee
2 was introduced to provide some additional vetting
3 between the subcommittee and the appointments
4 committee process. So anybody who was on one of the
5 subcommittees -- and I think at this time, it was only
6 for tenure cases, not for assistant-to-associate
7 cases.

8 Anybody who is serving on a
9 subcommittee would be a member of the standing
10 committee for that year. They would discuss the case
11 and vote and maybe make some comments, and then that
12 vote and comments would be appended to the record,
13 which would then go to the dean's reading room before
14 people read for promotion.

15 BY MS. O'MEARA-COSTELLO:

16 Q Okay. And in the final bullet-pointed
17 paragraph here, it says "The FRB's conclusions on
18 whether a candidate has upheld the school's community
19 values will be provided to the appointments
20 subcommittee or standing committee, and included with
21 that group's report to the full appointments
22 committee." Do you see that?

23 A Yes.

24 Q And is the full appointments committee
25 essentially all tenured faculty at HBS?