

Page 1

1 COMMONWEALTH OF MASSACHUSETTS  
2 SUFFOLK, SS. SUPERIOR COURT  
3  
4  
5 BENJAMIN EDELMAN  
6 Plaintiff CIVIL ACTION  
7 VS. 2384CV00395-BLS2  
8 PRESIDENT AND FELLOWS OF  
9 HARVARD COLLEGE  
10  
11  
12 Defendant  
13 DEPOSITION OF  
14 PROFESSOR JEFFREY T. POLZER  
15 JUNE 25, 2025  
16 10:00 A.M.  
17  
18  
19  
20  
21  
22  
Via Zoom Remotely  
Lisa L. Crompton, CSR (MA) (RI), RPR

<p style="text-align: right;">Page 14</p> <p>1 Q. In the context of the school's procedures for  2 promotion, what is a subcommittee?  3 A. A subcommittee is a group of four people,  4 typically. All the ones I've been on have been  5 four people. One of the members is ex officio.  6 It's the associate dean for promotions or  7 whatever that, you know, title is. And then  8 there are three tenured faculty members on the  9 subcommittee. The subcommittee typically  10 convenes in the spring in the typical promotions  11 season, if you will, or cycle, and is assigned  12 one or more promotion cases to review. And a  13 series of meetings commences in the spring. I  14 can go into more detail if you'd like. Over the  15 summer, typically, a lot of work gets done in  16 terms of reading, letter writing, all those  17 sorts of things, and then the subcommittee  18 typically reconvenes in the late summer and  19 early fall to do more work on the case. And the  20 output of the subcommittee is a report on each  21 promotion case, it includes a vote of the three  22 faculty members in the subcommittee, and a lot  23 of -- you know, some descriptive information  24 and -- about the case, about the person's work.  25 And I'll stop there.</p>	<p style="text-align: right;">Page 16</p> <p>1 A. No.  2 Q. When was a standing committee incorporated as  3 part of the process?  4 A. I don't know the exact timing. Prior to this  5 process, I would have said roughly 10 years ago,  6 plus or minus. In reading through some of these  7 documents, you know, I would still say roughly  8 10 years ago, plus or minus a year or two.  9 Q. And looking at the last sentence or the last  10 bullet point here in Exhibit 26, it says, the  11 FRB's conclusions on whether a candidate has  12 upheld the school's community values will be  13 provided to the appointment subcommittee or  14 standing committee and included with that  15 group's report to the full appointments  16 committee. Do you see that?  17 A. Yes.  18 Q. Can you tell me what the appointments committee  19 is in the context of a tenure case at HBS?  20 A. Yes. The appointments committee is comprised  21 of all full professors with tenure, and it meets  22 to discuss promotion cases, it occasionally  23 meets to discuss process issues or maybe for  24 other purposes occasionally, but its primary  25 role is to discuss promotion cases and then to</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. Okay. And then this sentence that I read to you  2 also describes a standing committee. In the  3 context of a promotions case at Harvard Business  4 School, what's the standing committee?  5 MR. MURPHY: Objection. He can  6 answer.  7 A. What's going on?  8 Q. You can answer --  9 MR. ALBANO: You can answer the  10 question. Objection for the record. You're  11 free to answer.  12 THE WITNESS: Okay. Okay.  13 A. A standing committee is a group of faculty,  14 larger than a subcommittee, and in fact composed  15 of the members of multiple subcommittees, that  16 does its work in the entire decision process,  17 after the subcommittees have produced their  18 reports, but before those reports go to the full  19 appointments committee, and the standing  20 committee has a, typically has a discussion  21 about each case, and then standing committee  22 members vote at the end of that discussion on  23 the case in question.  24 Q. When you received tenure at HBS, was a standing  25 committee part of the process?</p>	<p style="text-align: right;">Page 17</p> <p>1 have members provide their votes on those cases  2 that are recommendations to the dean about what  3 decision to make on a case.  4 Q. I'm going to ask that you close out of  5 Exhibit 26 and look at Exhibit 116 in the  6 Dropbox folder that we've provided.  7 A. Okay. I have it.  8 Q. So this appears to be an e-mail from Paul Healy  9 to some unlisted recipients on May 14th, 2015.  10 Is that right?  11 A. Yes.  12 Q. And this e-mail states: As I mentioned in my  13 recent e-mail, Youngme and I have been doing  14 extensive outreach across the faculty to  15 identify ways we might enhance the promotions  16 process and the experience of those who  17 participate in it.  18 Do you recall any outreach by  19 Paul Healy or Youngme Moon about the  20 appointments process in 2015?  21 A. No.  22 Q. Do you think that you received this e-mail in  23 2015?  24 A. I'm just looking at the rest of the e-mail to  25 see if it triggers anything.</p>

<p>1 minutes?</p> <p>2 THE WITNESS: Sure.</p> <p>3 MS. O'MEARA COSTELLO: All</p> <p>4 right. Let's go off the record. Thanks.</p> <p>5 (Recess taken at 11:16 a.m.)</p> <p>6 Deposition resumed at</p> <p>7 11:23 a.m.)</p> <p>8 MS. O'MEARA COSTELLO: All</p> <p>9 right. I think we're all here, so let's go back</p> <p>10 on the record.</p> <p>11 I don't have any further</p> <p>12 questions.</p> <p>13 MR. MURPHY: Was there one</p> <p>14 document we didn't mark? That's my only</p> <p>15 question.</p> <p>16 MS. O'MEARA COSTELLO: I</p> <p>17 thought that I asked to have the document ending</p> <p>18 105 marked as Exhibit 216. If I didn't say</p> <p>19 that, then let's do it now.</p> <p>20 MR. MURPHY: That's fine. Your</p> <p>21 memory is probably better than mine.</p> <p>22 MS. O'MEARA COSTELLO: No, no</p> <p>23 guarantees. But that definitely was my</p> <p>24 intention, was to have both of the unmarked</p> <p>25 exhibits marked today, so --</p>	Page 46	<p>1 memory, is that the semester, the fall semester</p> <p>2 and the spring semester during my time at the</p> <p>3 school have always remained approximately the</p> <p>4 same length, and that when we have had, you</p> <p>5 know, some sort of January term, it was, yes,</p> <p>6 shorter than the standard semester.</p> <p>7 Q. Do you have Exhibit 45 with you still,</p> <p>8 Professor Polzer?</p> <p>9 A. Yes.</p> <p>10 Q. So if you could scroll to Page 17 of that</p> <p>11 exhibit, which should have the numbers 18896 in</p> <p>12 the bottom right-hand corner.</p> <p>13 MR. ALBANO: 96 or 95?</p> <p>14 MR. MURPHY: 95. Thank you.</p> <p>15 A. Yes. I have that in front of me.</p> <p>16 Q. I'll represent to you, Professor Polzer, that</p> <p>17 this is a document that Ben Edelman provided to</p> <p>18 the FRB in 2017. And I'd ask you to take a</p> <p>19 look, if you would, at the fifth paragraph of</p> <p>20 that document, the one that starts with your</p> <p>21 name. Do you see that?</p> <p>22 A. Yes.</p> <p>23 Q. And Mr. Edelman said, Jeff Polzer was Field 3</p> <p>24 course head when I taught that course during</p> <p>25 winter 2015. Did I read that correctly?</p>	Page 48
<p>1 MR. MURPHY: Thanks. Well,</p> <p>2 we'll clean it up if you didn't.</p> <p>3 EXAMINATION BY MR. MURPHY:</p> <p>4 Q. Professor Polzer, my name is Marty Murphy. I'm</p> <p>5 one of the lawyers for Harvard in this case. I</p> <p>6 just have a couple of questions.</p> <p>7 First, in the 2015 to 2017 time</p> <p>8 period, did Harvard Business School have a</p> <p>9 winter term?</p> <p>10 A. Not to my recollection. Can I ask what you</p> <p>11 mean by "winter term" or what you're referring</p> <p>12 to?</p> <p>13 Q. Well, does Harvard Business School have a winter</p> <p>14 term or January session now?</p> <p>15 A. No.</p> <p>16 Q. Did it have one in the past?</p> <p>17 A. There have been some, some years where we</p> <p>18 had, yes, some version of a January -- I don't</p> <p>19 know if they called it -- not a semester, but a,</p> <p>20 a -- some sort of term, yeah. A pedagogical</p> <p>21 unit, let's call it.</p> <p>22 Q. And how long did that unit last?</p> <p>23 A. I don't recall specifically. Yeah.</p> <p>24 Q. Was it shorter than a regular semester?</p> <p>25 A. Yes. My recollection, to the best of my</p>	Page 47	<p>1 A. Yes.</p> <p>2 Q. Does that refresh your memory in any way about</p> <p>3 whether or not you taught a Field 3 with</p> <p>4 Ben Edelman in winter 2015?</p> <p>5 A. My assumption about that statement is that</p> <p>6 the semesters, the traditional full semesters</p> <p>7 are sometimes referred to by different names.</p> <p>8 So the fall semester I think universally is</p> <p>9 referred to as the fall semester, the second</p> <p>10 semester starts typically at the end of January</p> <p>11 and ends say in May, and so whether people refer</p> <p>12 to that as the winter semester or the spring</p> <p>13 semester, I think both terms get used. I am</p> <p>14 confident that this -- Like I didn't write this,</p> <p>15 apparently Ben did, but my understanding of that</p> <p>16 sentence is that it is referring to the full HBS</p> <p>17 semester that goes from the end of January to,</p> <p>18 you know, typically sometime in May.</p> <p>19 Q. Okay. Thank you.</p> <p>20 Ms. Costello asked you some questions about</p> <p>21 the -- a standing committee. Do you recall</p> <p>22 those questions?</p> <p>23 A. Yes.</p> <p>24 Q. As an HBS professor, are you familiar with</p> <p>25 something called a standing committee on</p>	Page 49

<p style="text-align: right;">Page 50</p> <p>1 professors of practice, management, and term  2 faculty?  3 A. Generally speaking -- I don't, I don't know  4 about that very specific term you just used.  5 But my assumption, when I hear that, my  6 assumption is that it refers to committees that  7 are typically convened to review the types of  8 faculty you just named, professors of  9 management, practice, for example. Whether  10 they're called standing or -- you know, whatever  11 is -- whatever the name used for the committee,  12 I don't have a clear view even now of what we,  13 what we call those or whether that has changed.</p> <p>14 Q. And the professors that are governed by that  15 committee are professors who are not on the  16 tenured track at Harvard Business School; is  17 that correct?</p> <p>18 A. Correct.</p> <p>19 Q. Have you ever served on the standing committee  20 on professors of practice, management, and term  21 faculty?</p> <p>22 A. No, not to my knowledge.</p> <p>23 MR. MURPHY: Thank you. I have  24 no further questions.</p> <p>25 MS. O'MEARA COSTELLO: I don't</p>	<p>1 COMMONWEALTH OF MASSACHUSETTS  2 BRISTOL, ss  3  4 I do hereby certify that I am expressly  5 approved as a person qualified and authorized to  6 take depositions pursuant to the Rules of Civil  7 Procedure of the Court, especially, but without  8 restriction thereto, under Rules 28 and 30(b)(4)  9 of said Rules; that the witness was first sworn  10 by me; that the transcript contains a true  11 recording of the proceedings.</p> <p>12  13 Reading and signing of the transcript  14 was not requested by the witness or any parties  15 involved upon completion of the deposition.</p> <p>16  17 IN WITNESS WHEREOF I have hereunto set  18 my hand this 9th day of July, 2025.</p> <p>19  20  21  22 <i>Lisa L. Crompton</i>  23 LISA L. CROMPTON  24 REGISTERED PROFESSIONAL REPORTER  25 MY COMMISSION EXPIRES 1/17/2031</p>
<p style="text-align: right;">Page 51</p> <p>1 have anything further.</p> <p>2 THE REPORTER: Would you like a  3 copy?</p> <p>4 MS. O'MEARA COSTELLO: Yes.</p> <p>5 Yeah. Regular copy.</p> <p>6 MR. MURPHY: We'll take one as  7 well.</p> <p>8 (The deposition concluded  9 at 11:32 a.m.)</p> <p>10  11  12  13  14  15  16  17  18  19  20  21  22  23  24  25</p>	<p>1 JONATHAN M. ALBANO, ESQ.  2 jonathan.albano@morganlewis.com  3 July 9, 2025  4 RE: Edelman, Benjamin v. President And Fellows Of Harvard  College, Et Al  5 6/25/2025, Jeffrey T Polzer (#7445605)  6 The above-referenced transcript is available for  7 review.  8 Within the applicable timeframe, the witness should  9 read the testimony to verify its accuracy. If there are  10 any changes, the witness should note those with the  11 reason, on the attached Errata Sheet.  12 The witness should sign the Acknowledgment of  13 Deponent and Errata and return to the deposing attorney.  14 Copies should be sent to all counsel, and to Veritext at  15 cs-ny@veritext.com  16 Return completed errata within 30 days from  17 receipt of testimony.  18 If the witness fails to do so within the time  19 allotted, the transcript may be used as if signed.  20  21  22 Yours,  23 Veritext Legal Solutions  24  25</p>

14 (Pages 50 - 53)