

Michael Anthony Findlay - September 11, 2020

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

MICHAELLA LYNN SURAT, Civil Action No.
19-cv-00901-WJM-NRN

Plaintiff,

vs.

RANDALL KLAMSER, in his individual capacity,
and CITY OF FORT COLLINS, a municipality,
Defendants.

VIDEO VIDEOCONFERENCED DEPOSITION OF
MICHAEL ANTHONY FINDLAY
September 11, 2020

EXH. D
Case No.
19CV00901

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1 Q. Can you state your full name for the
2 record, please.

3 A. Sure. Michael Anthony Findlay.

4 Q. And, Mr. Findlay, generally -- where
5 are you located? What state are you located in?

6 A. I'm in -- I'm in Portland, Oregon.

7 Q. Okay. And that's where you reside; is
8 that correct?

9 A. Correct.

10 Q. All right. And at some point -- well,
11 you're here with respect to a lawsuit filed by
12 Michaella Surat. Do you understand that?

13 A. I do.

14 Q. And do you know who Ms. Surat is or
15 what her involvement in this lawsuit might be?

16 A. I haven't -- I don't know the details
17 about it. I just know it was stemming from the
18 incident that happened three years ago.

19 Q. Okay. Did you witness an incident that
20 occurred on April 6th of 2017?

21 A. I did.

22 Q. And where did that incident take place?

23 A. Old Town Fort Collins in front of Bondi
24 Beach Bar in the circle area.

25 Q. And the incident that you're talking

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1 trying to deescalate the situation the entire time.
2 He tried to do everything that he possibly could
3 before putting that young lady in handcuffs.

4 Q. I think you said, if I heard you
5 correctly, Ms. Surat struck Officer Klamser a couple
6 of times; is that correct?

7 A. I know she swung, and from my vantage
8 point it looked like she connected on two -- two
9 separate occasions and then tried to do it a third
10 time, and Officer Klamser, after many warnings, had
11 her -- her arms.

12 And when she tried to hit him, he took
13 her weight, I guess to stop her from hitting, and the
14 combination of her and, I guess being unstable at
15 that time because of her condition and him
16 redirecting her energy in a different direction, she
17 went down and he went right on top.

18 Q. Did you, at any point, hear
19 Officer Klamser tell Ms. Surat that she was under
20 arrest?

21 A. While they were on the ground, yes.

22 Q. Okay. Prior to --

23 A. I mean --

24 Q. I'm sorry. Go ahead.

25 A. I -- I -- I heard him warn that she was

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