

UNITED STATES DISTRICT  
DISTRICT OF MAINE

ASSOCIATION TO PRESERVE AND	)	
PROTECT LOCAL LIVELIHOODS, et	)	
al.,	)	
	)	
Plaintiffs,	)	
	)	Civil Action
PENOBSCOT BAY AND RIVER PILOTS	)	No. 1:22-cv-416-LEW
ASSOCIATION	)	
	)	
Plaintiff-Intervenor,	)	
	)	
v.	)	
	)	
TOWN OF BAR HARBOR, a municipal	)	
corporation of the State of	)	
Maine,	)	
	)	
Defendant,	)	
	)	
CHARLES SIDMAN,	)	
	)	
Defendant-Intervenor	)	

ZOOM DEPOSITION OF: CHARLES SIDMAN

BEFORE: Lisa Fitzgerald, Notary Public, via Zoom on  
May 30, 2023 beginning at 3:04 p.m.

Maine Court Reporting Services  
60 Starlight Drive  
Brewer, Maine 04412  
207-989-3264  
Lisa@MeCRS.com

1            qualifications as an expert here. One is my academic  
2            background. You probably or should have a copy of my  
3            CV. I don't know if you've seen that yet or not. My  
4            educational, employment, and institutions which I've  
5            spoken at are top institutions in the world and the  
6            first rank of excellence. My teachers and colleagues  
7            have been Nobel laureate category and their peers. I  
8            have published in the highest impact journals, and I've  
9            been an expert and teacher on the scientific and  
10           research methodology specifically. So those are my  
11           academic qualifications.

12                    In the business and financial world, I have many,  
13           many years of real-world experience in business,  
14           finance, and investment and their organizations and made  
15           a particular focus on the nonfinancial, as well as the  
16           financial metrics of business activity.

17                    I have a recognized global expertise in teaching  
18           about these subjects and corporate social  
19           responsibility, environment sustainability governance,  
20           the SDG, sustainability development goals of the United  
21           Nations impact in general, and in fact, I'm in Europe  
22           having given a series of presentations on just these  
23           topics to European investors and businesspeople.

24                    And I have an active background and involvement in  
25           public policy at the State and the Federal levels. I've

1 research as well.

2 All of these fields of research and publication  
3 have common principles of rigor, and you cannot separate  
4 one out and say it doesn't follow or it doesn't have to  
5 follow the general principles of rigor.

6 White mice/black mice operate under the same rules.

7 Q. So, again, Professor Gabe's testimony, he noted that one  
8 of his reports was relying on methodology rather than  
9 applied by another set of researchers, are you aware of  
10 that?

11 A. I am.

12 Q. Did you review the underlying research?

13 A. I know what he's talking about.

14 Q. Did you review the underlying research?

15 A. I did not.

16 Q. And so you're here to testify that the methodology that  
17 he employed was improper even though he cited another  
18 authority for the soundness of that method, and you,  
19 yourself, have not reviewed that method; is that  
20 correct?

21 A. That doesn't suffice. What counts is what you report as  
22 an independent researcher, and you don't get a pass by  
23 saying I did what somebody else did. You must report  
24 what you, yourself, did specifically so that someone  
25 else can reproduce it. That's the standard in rigorous

1 science.

2 Q. Right. But you don't know --

3 MR. PAPA ZIAN: I'm going to object.

4 BY MR. WOODCOCK:

5 Q. You don't know what the underlying researcher found; is  
6 that correct?

7 A. That is correct. In Dr. Gabe's report --

8 MR. PAPA ZIAN: I'm going to object. That is  
9 mischaracterizing Professor Gabe's research.

10 MR. WOODCOCK: Well, it isn't, but you can go  
11 ahead. He knows what I'm talking about, so you can go  
12 ahead and answer, Mr. Sidman.

13 BY MR. WOODCOCK:

14 Q. You recall that Dr. Gabe said -- he testified that for  
15 part of his methodology, he relied on a research model  
16 that had been done by others, and he relied on that  
17 model; correct?

18 MR. PAPA ZIAN: Again, I will object. That  
19 mischaracterizes his research.

20 MR. WOODCOCK: It's a question, Mr. Sidman. Can  
21 you answer the question?

22 THE WITNESS: That's not a sufficient explanation  
23 or justification. You don't get a pass for just  
24 referring to another piece of soft science. You have to  
25 be judged on what you, yourself, as a researcher do,

CERTIFICATE

I, Lisa Fitzgerald, a Notary Public in and for the State of Maine, hereby certify that on May 30, 2023, appeared via Zoom CHARLES SIDMAN, the within-named deponent, who was sworn to testify to the truth, the whole truth, and nothing but the truth, in the cause of action ASSOCIATION TO PRESERVE AND PROTECT LOCAL LIVELIHOODS, et al. v. TOWN OF BAR HARBOR, et al., now pending in the UNITED STATES DISTRICT COURT, DISTRICT OF MAINE; and that this deposition was stenographically reported by me and later reduced to typewritten form with the aid of computer-aided transcription; and the foregoing is a full and true record of the testimony given by the witness.

I further certify that I am a disinterested person in the event or outcome of the above-named cause of action.

I further certify that the adverse party was duly notified according to law to attend at the taking of said deposition and did attend.

IN WITNESS WHEREOF, I subscribe my hand and affix my seal this May 31, 2023.



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LISA FITZGERALD, NOTARY PUBLIC  
Court Reporter

My commission expires: May 10, 2025