

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

3 NORTH CAROLINA STATE CONFERENCE )  
4 OF THE NAACP, )  
5 et al., )

6 Plaintiffs, )

7 vs. )

Case No: 1:13-CV-658

8 PATRICK LLOYD MCCRORY, in his )  
9 official capacity as the )  
10 Governor of North Carolina, )  
11 et al., )

12 Defendants. )

13 \_\_\_\_\_ )  
14 LEAGUE OF WOMEN VOTERS OF )  
15 NORTH CAROLINA, et al., )

16 Plaintiffs, )

17 vs. )

Case No: 1:13-CV-660

18 THE STATE OF NORTH CAROLINA, )  
19 et al., )

20 Defendants. )

21 \_\_\_\_\_ )  
22 UNITED STATES OF AMERICA, )

23 Plaintiff, )

24 vs. )

Case No: 1:13-CV-861

25 THE STATE OF NORTH CAROLINA, )  
et al., )

Defendants. )

30(b)(6) VIDEOTAPED DEPOSITION OF  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
DIVISION OF MOTOR VEHICLES  
BY  
VADIM VASHCHENKO

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30 (b) (6) VIDEOTAPED DEPOSITION OF  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
MOTOR VEHICLES DIVISION

BY

VADIM VASHCHENKO

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9:06 A.M.

FRIDAY, FEBRUARY 6, 2015

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OGLETREE DEAKINS NASH SMOAK & STEWART  
4208 SIX FORKS ROAD  
SUITE 1100  
RALEIGH, NORTH CAROLINA

By: Denise Myers Byrd, CSR 8340, RPR, CLR 102409-02

1 09:10 1 come to equating the plaintiff attorneys in any  
2 09:10 2 setting so far in the case so --

3 09:10 3 MR. BOWERS: We wanted to document  
4 09:10 4 that.

5 09:10 5 BY MS. RYAN:

6 09:10 6 Q. Mr. Vashchenko, you are currently employed by  
7 09:10 7 the North Carolina Department of  
8 09:10 8 Transportation; is that right?

9 09:10 9 A. That's correct.

10 09:10 10 Q. How long have you worked at the Department of  
11 09:10 11 Transportation?

12 09:10 12 A. The first time from '99 -- '98 to 2000 for two  
13 09:10 13 years, and then I came back and I worked for --  
14 09:10 14 currently I've been working for eight years  
15 09:10 15 since I came back.

16 09:10 16 Q. Okay.

17 09:10 17 A. So it makes, if my arithmetic is perfect, ten  
18 09:11 18 years.

19 09:11 19 Q. What is your current position at the Department  
20 09:11 20 of Transportation?

21 09:11 21 A. My position is called business and technology  
22 09:11 22 specialist, journey level. That means -- it  
23 09:11 23 means mid level, I would say, not highest, not  
24 09:11 24 lowest.

25 09:11 25 Q. Okay. In what division or office is that at

1 09:11 1 the Department of Transportation?

2 09:11 2 A. I am working in the Department of Motor Vehicle

3 09:11 3 IT, IT which is information technology office.

4 09:11 4 I'm working mostly, but not 100 percent during

5 09:11 5 this eight years, mostly on the SADLS

6 09:12 6 application which is State Automated Driver

7 09:12 7 License System.

8 09:12 8 Q. Okay. And your current position, business and

9 09:12 9 technology specialist. Did I get that right?

10 09:12 10 A. Yes, ma'am.

11 09:12 11 Q. How long have you held that position?

12 09:12 12 A. Year and a half or two years. I don't remember

13 09:12 13 when it happened, ma'am --

14 09:12 14 Q. Okay.

15 09:12 15 A. -- exactly. I was promoted a little bit.

16 09:12 16 Before that my position was exactly the same if

17 09:12 17 you change the word specialist to the word

18 09:12 18 analyst.

19 09:12 19 Q. Can you please tell me generally what your job

20 09:12 20 responsibilities are in your current position?

21 09:12 21 A. My job responsibilities are to do what I am

22 09:12 22 told to do and that would be making software

23 09:13 23 changes or new coding as far as maintaining of

24 09:13 24 the current SADLS system, and mostly for the

25 09:13 25 last years -- last couple of years I worked on

1 09:13 1 performing change -- not change -- data  
2 09:13 2 requests from the DMV clients. So whenever  
3 09:13 3 they request a statistics or other information  
4 09:13 4 on our system, I and other people definitely  
5 09:13 5 worked on this inquiring SADLS database and  
6 09:13 6 reporting the results to our DMV clients.

7 09:14 7 Q. Okay.

8 09:14 8 A. Also I worked on the changes and additions to  
9 09:14 9 the current processes handled by my team, which  
10 09:14 10 is the SADLS team. That's it.

11 09:14 11 Q. I didn't understand that last part, that you  
12 09:14 12 mentioned. Can you explain that a little bit  
13 09:14 13 more.

14 09:14 14 A. The system is -- we have a function system, a  
15 09:14 15 lie and batch -- batch means something that  
16 09:14 16 executed without interference of a human. You  
17 09:14 17 start it and it's automatically done.

18 09:14 18 This system is constantly changing  
19 09:14 19 mostly due to the new legislation or when the  
20 09:15 20 client -- and our client is DMV driver license  
21 09:15 21 and other DMV clients -- needs us to upgrade  
22 09:15 22 the system in accordance with their business  
23 09:15 23 needs. So then we receive a Change Request,  
24 09:15 24 so-called CR.

25 09:15 25 Q. Okay.

1 09:15 1 A. Or if there is a big change, like an upgrade,  
2 09:15 2 technological advancement, things like that, it  
3 09:15 3 could be a project, but mainly the CRs, that's  
4 09:15 4 what I mentioned.

5 09:15 5 In accordance with this CR, Change  
6 09:15 6 Request, which is created and prioritized by  
7 09:15 7 our client, we develop project documentation,  
8 09:16 8 which is technical documentation which tells  
9 09:16 9 the programmer how to perform the task and what  
10 09:16 10 to code exactly. Then we code, test it  
11 09:16 11 definitely and submit to our clients for their  
12 09:16 12 acceptance client testing.

13 09:16 13 Our clients test the results of our  
14 09:16 14 work and either accept it or, God forbid,  
15 09:16 15 return it to us for fixing whatever faults they  
16 09:16 16 find with our work.

17 09:16 17 Q. Okay.

18 09:16 18 A. About CR part, I believe I already explained  
19 09:16 19 that's whenever they need any kind of  
20 09:16 20 information, mostly statistics, they send us a  
21 09:17 21 request and we create the database, create  
22 09:17 22 reports and return the reports to them.

23 09:17 23 Q. And when they -- well, first let me ask, you  
24 09:17 24 mentioned your DMV clients.

25 09:17 25 A. Yes.

1 09:31 1 for sure there is about 12 and a half million  
2 09:31 2 rows in our current driver table, but the  
3 09:31 3 system is designed the way that the law is,  
4 09:31 4 that you can have up to three issuances  
5 09:31 5 simultaneously in this state.

6 09:31 6 So I don't know how many real drivers  
7 09:32 7 are in North Carolina for the simple reason  
8 09:32 8 they might have a card or two or three, but the  
9 09:32 9 status of this card might be different because  
10 09:32 10 if the card is expired and not renewed or the  
11 09:32 11 status of the card is cancelled or suspended or  
12 09:32 12 whatever, I don't know if I should count this  
13 09:32 13 person as a driver.

14 09:32 14 BY MS. RYAN:

15 09:32 15 Q. Right.

16 09:32 16 A. So I don't have statistics -- exact statistics  
17 09:32 17 for you.

18 09:32 18 Q. Okay.

19 09:32 19 A. I assume there's about 8 million people behind  
20 09:32 20 the bills, but don't hold me accountable.

21 09:32 21 Q. Okay. If you -- if you had to report the

22 09:33 22 number of currently licensed drivers in

23 09:33 23 North Carolina, how would you go about finding

24 09:33 24 that information?

25 09:33 25 A. So please define currently licensed.

1 09:33 1 Q. Okay.

2 09:33 2 A. Because of what I said that I might be licensed

3 09:33 3 but my license is suspended or revoked or

4 09:33 4 whatever.

5 09:33 5 So if you are talking about active

6 09:33 6 drivers, I will do the following: I am going

7 09:33 7 to the driver ID table and driver history

8 09:33 8 table, because the current information for the

9 09:33 9 drivers are stored in these two tables. Or if

10 09:34 10 you deal with a motorcycle permit, you would

11 09:34 11 check the motorcycle table as well.

12 09:34 12 You extract all the information about

13 09:34 13 the drivers you're interested in from these

14 09:34 14 tables and verify this information against the

15 09:34 15 status table. That mentions status table

16 09:34 16 contains drivers and the status of their

17 09:34 17 issuances. So if I see that this particular

18 09:34 18 issuance corresponds to the row on the status

19 09:35 19 table which has value of the driver status code

20 09:35 20 equal to 1, it tells me that this driver is

21 09:35 21 active.

22 09:35 22 Q. Okay.

23 09:35 23 A. Am I talking clearly enough?

24 09:35 24 THE REPORTER: You are.

25 09:35 25 THE WITNESS: Again, I apologize for my



1 09:35 1 accent.

2 09:35 2 BY MS. RYAN:

3 09:35 3 Q. In the -- you mentioned that you would need to

4 09:35 4 look -- let's put motorcycle permits aside for

5 09:35 5 a minute, so just -- and put commercial

6 09:35 6 driver's licenses aside. Just ordinary

7 09:35 7 driver's licenses, would you need to start with

8 09:35 8 the driver ID table?

9 09:35 9 A. And driver history table.

10 09:35 10 Q. And driver history. Can you tell me what

11 09:35 11 information you would need to pull from each of

12 09:35 12 those two tables.

13 09:35 13 A. You see, our system, like every relational

14 09:36 14 database, I'm talking about database, is driven

15 09:36 15 by the key, and the key of our system is driver

16 09:36 16 ID or customer ID, how we call it, which means

17 09:36 17 that every person whoever was recorded in our

18 09:36 18 system is assigned with a unique ID.

19 09:36 19 Then to identify the driver, I will

20 09:36 20 look on the driver tables into the group code

21 09:36 21 which means that if the group code is equal to

22 09:36 22 "I," single letter, we are dealing not with a

23 09:36 23 driver but with a card holder, and the card

24 09:37 24 does not give the holder any driving

25 09:37 25 privileges.

1 09:37 1 If the group is not "I," all other  
2 09:37 2 values possibly in this column, that might be  
3 09:37 3 present in this column, tell me that I'm  
4 09:37 4 dealing with a driver license, permit -- or  
5 09:37 5 permit issuance.

6 09:37 6 Q. Okay.

7 09:37 7 A. That's how I identify the drivers.

8 09:37 8 Now, you mentioned that I should put  
9 09:37 9 aside the motorcyclists and the commercial  
10 09:37 10 drivers. To identify a commercial driver, I  
11 09:37 11 will check their indicator on the mentioned  
12 09:38 12 tables, which is a CDL license indicator. If  
13 09:38 13 the value of the mentioned indicator is set to  
14 09:38 14 Y, which means yes, obviously the person we are  
15 09:38 15 talking about happens to be a commercial  
16 09:38 16 driver.

17 09:38 17 Q. Okay.

18 09:38 18 A. If the value is set to N, and the class is C  
19 09:38 19 classified, that's not a commercial driver.  
20 09:38 20 Then to my knowledge and I'm precise, to my  
21 09:38 21 knowledge, the State of North Carolina does not  
22 09:38 22 issue motorcycle licenses any more, but the  
23 09:38 23 motorcyclist should hold at least a C class  
24 09:39 24 driving license in order to obtain a motorcycle  
25 09:39 25 permit and then motorcycle endorsement.

1 09:39 1 Q. Okay.

2 09:39 2 A. The endorsement, like restrictions, are printed  
3 09:39 3 at the back of the card up to five of each.

4 09:39 4 That's about it. That's how I identify what  
5 09:39 5 kind of driver I am dealing with.

6 09:39 6 Q. And the driver history -- I'm just trying to  
7 09:39 7 understand which information is in which table.

8 09:39 8 A. So that's very technical, but I would try to  
9 09:39 9 explain to you the following:

10 09:40 10 The system is built the following way:

11 09:40 11 The driver ID table contains only the latest  
12 09:40 12 issuance.

13 09:40 13 Q. Okay.

14 09:40 14 A. But since the North Carolina driver can have up  
15 09:40 15 to three issuances -- valid issuances, I mean,  
16 09:40 16 simultaneously, as soon as the driver is issued  
17 09:40 17 with a current card, the old card is being  
18 09:40 18 moved to the history table. Therefore the  
19 09:40 19 current information could reside in both  
20 09:40 20 tables.

21 09:40 21 However, the history table also  
22 09:40 22 contains all the issuances that all the drivers  
23 09:41 23 ever had in this state. That's why every time  
24 09:41 24 I'm mentioning the driver ID table, I have to  
25 09:41 25 mention the driver history table because I

1 09:41 1 always check if there is an active issuance in

2 09:41 2 the history.

3 09:41 3 More than that, the issuance process,

4 09:41 4 as you know well, starts with an application,

5 09:41 5 and until the application is completed, their

6 09:41 6 driver license is not issued, but the row is

7 09:41 7 already created in the driver ID table and the

8 09:42 8 preceding row is moved to the driver history

9 09:42 9 table.

10 09:42 10 Please note I use the word row because

11 09:42 11 that's a technical word and, for your

12 09:42 12 understanding, that's a record.

13 09:42 13 Q. Yes, I understand.

14 09:42 14 A. But in DB2 terms, that's a row.

15 09:42 15 Q. Okay.

16 09:42 16 A. And if that is an application only, there are

17 09:42 17 fields, columns in the driver table and those

18 09:42 18 columns are application date, issue date and

19 09:42 19 expiration date. If I'm dealing with

20 09:42 20 application only, the application date has been

21 09:42 21 populated already, but the other two days --

22 09:43 22 dates, which are issue and expiration, still

23 09:43 23 not populated yet.

24 09:43 24 They are -- for you, they're empty.

25 09:43 25 For me, they are null. Sounds beautiful.

1 09:43 1 So when I look into the database --  
2 09:43 2 excuse me -- and I see application date only  
3 09:43 3 present, I will definitely go to the history  
4 09:43 4 table for the most current issue and see if it  
5 09:43 5 is valid because except the status, I will be  
6 09:43 6 definitely looking at expiration date because a  
7 09:43 7 status may be not yet reflecting, let's say,  
8 09:43 8 that the driver license has expired. It will  
9 09:44 9 be updated during the process, but the process  
10 09:44 10 hasn't ended yet, the examiner is still typing.  
11 09:44 11 Q. Okay.  
12 09:44 12 A. So that's how I recognize the application from  
13 09:44 13 the issued license. And when I look into the  
14 09:44 14 history, mostly the history is required for  
15 09:44 15 driving records. And you know many employers  
16 09:44 16 require driving records, courts require driving  
17 09:44 17 records, citizens -- I have my driving records  
18 09:44 18 on the wall in a frame. So all the  
19 09:44 19 information, as I have said more than once, is  
20 09:44 20 kept forever.  
21 09:45 21 Q. Right. A few minutes ago you mentioned  
22 09:45 22 different kinds of identification cards --  
23 09:45 23 A. Yes, ma'am.  
24 09:45 24 Q. -- that are not for drivers.  
25 09:45 25 A. Yes.

1 11:43 1 that are in there?

2 11:43 2 A. No. I am innocent.

3 11:43 3 Q. So I would like to stay with Exhibit 210.

4 11:43 4 A. Okay.

5 11:43 5 Q. Go to Question Number 4 which talks about the

6 11:43 6 driver status code fields or -- excuse me, the

7 11:43 7 driver status code field and the various codes.

8 11:43 8 I'd like to talk about the Status 7 for

9 11:43 9 suspended licenses.

10 11:43 10 A. Uh-huh.

11 11:43 11 Q. If you wanted to figure out how many customers

12 11:43 12 had a driver's license in suspended status, how

13 11:43 13 would you go about doing that?

14 11:43 14 A. The easiest way would be to interrogate the

15 11:44 15 status table and just count the number of

16 11:44 16 suspensions without definitely recognizing the

17 11:44 17 kind of suspension because people could be

18 11:44 18 suspended for various reasons.

19 11:44 19 Q. And when you say count the number of

20 11:44 20 suspensions, do you mean you would -- how would

21 11:44 21 you do that?

22 11:44 22 A. The number of statuses.

23 11:44 23 Q. Okay.

24 11:44 24 A. Seven, yes.

25 11:44 25 Q. And you mentioned earlier that many of these

1 11:44 1 tables have as a key the customer ID.

2 11:44 2 A. And definitely status table has a customer ID

3 11:44 3 as the left most column.

4 11:44 4 Q. So would you be able to use that customer ID

5 11:44 5 column to then relate to another table that

6 11:44 6 would give you information about that customer?

7 11:45 7 A. Yes, ma'am.

8 11:45 8 Q. Okay. Would you need to look at any other

9 11:45 9 tables or fields in order to determine how many

10 11:45 10 customers have a suspended license?

11 11:45 11 A. I don't think so. I believe that -- you see,

12 11:45 12 we're already currently suspended. I don't

13 11:45 13 believe I need to look to any other place.

14 11:45 14 Q. You mentioned that customers' licenses may be

15 11:45 15 suspended for any number of reasons. If you

16 11:45 16 wanted to know the reason why a customer's

17 11:45 17 license was suspended, where would you need to

18 11:45 18 look in SADLS to find that information?

19 11:45 19 A. Again, we are going from two different

20 11:45 20 directions. If you remember, an examiner, you

21 11:46 21 are going to the screen which shows you all the

22 11:46 22 suspensions. If from the database point of

23 11:46 23 view, I would go to the suspension table,

24 11:46 24 conviction table and other adjudication related

25 11:46 25 tables.

1 12:06 1 was cancelled?

2 12:06 2 A. Conviction. I would go to the best of my  
3 12:06 3 knowledge again.

4 12:06 4 Q. And is it -- do you know which particular  
5 12:06 5 fields in the conviction table I would need to  
6 12:06 6 look at?

7 12:06 7 A. No, ma'am. As I said before, I can judge on  
8 12:07 8 the columns' names, but I can't be sure. I  
9 12:07 9 very rarely work in this area.

10 12:07 10 Q. Okay. If I wanted to know whether a cancelled  
11 12:07 11 license had been turned in, where would I look  
12 12:07 12 for that information?

13 12:07 13 A. I would say, again, without 100 percent  
14 12:07 14 certainty, but I would say the same, turned-in  
15 12:07 15 indicator.

16 12:07 16 Q. Turning back to Exhibit 210, to the list of  
17 12:07 17 status codes --

18 12:07 18 A. Okay.

19 12:07 19 Q. -- number -- or excuse me, letter E for  
20 12:07 20 inactive, if I wanted to figure out whether a  
21 12:08 21 customer's driver's license was in an inactive  
22 12:08 22 status, how would I go about doing that?

23 12:08 23 A. I would go to the MVD\_STATUS table to the  
24 12:08 24 DRVR\_STA\_CD.

25 12:08 25 Q. And look for the code E?



1 12:08 1 A. Absolutely.

2 12:08 2 Q. Okay. And if I wanted to know the reason why a  
3 12:08 3 customer's license was coded as inactive, where  
4 12:08 4 would I look for that information?

5 12:08 5 A. This question I cannot answer. It would  
6 12:08 6 require analysis looked into the driver's  
7 12:08 7 history, and the easiest way would be, for  
8 12:09 8 example, to look into the driver record. There  
9 12:09 9 is an application that looks into all the  
10 12:09 10 relevant tables and produce driver record,  
11 12:09 11 which has been already mentioned, and it would  
12 12:09 12 contain all the things of this person.

13 12:09 13 Q. Is that the driver ID?

14 12:09 14 A. This application, not table I mentioned,  
15 12:09 15 inquires a lot -- dozens of SADLS tables to  
16 12:09 16 give the client, the requester, the driver's  
17 12:09 17 history. This would include driver record, a  
18 12:09 18 lot of things, issuances, convictions,  
19 12:10 19 suspensions, et cetera. It exists for a  
20 12:10 20 certain period of time. It can be produced for  
21 12:10 21 a certain period of time, and that's all I know  
22 12:10 22 about this application.

23 12:10 23 Q. The driver status code field that we've been

24 12:10 24 talking about, which I think is in the driver

25 12:10 25 status table --

1 12:10 1 A. Yes, ma'am.

2 12:10 2 Q. How -- how is that field populated?

3 12:10 3 A. This field is populated by the system

4 12:10 4 automatically. And there is also a process,

5 12:10 5 actually a key on several screens which allows

6 12:11 6 the customer, the examiner, to verify and fix

7 12:11 7 the status if he has any -- how to say it, any

8 12:11 8 reasons to believe the status is not the latest

9 12:11 9 one. That's it.

10 12:11 10 Q. Okay. So how does the system know what code to

11 12:11 11 put into the driver status code field?

12 12:11 12 A. Every time when the status needs to be changed,

13 12:11 13 there is -- automatic change is going on. If

14 12:11 14 the DMV help desk, or whoever does it -- I

15 12:11 15 don't know all the groups at DMV -- figures

16 12:11 16 out -- gets indication that a customer is

17 12:11 17 deceased, so they have screens that they have

18 12:12 18 to put a deceased information into the system.

19 12:12 19 And the system, among other things,

20 12:12 20 automatically updates the status. That's just

21 12:12 21 one example.

22 12:12 22 Q. Okay.

23 12:12 23 A. Everything else comes with it. If the person

24 12:12 24 is medically cancelled, et cetera.

25 12:12 25 Q. Okay. To just go through the three statuses we