IN THE SUPERIOR COURT FOR
THE DISTRICT OF COLUMBIA

MARIE WALCEK,   )
)
          Plaintiff,   )
)
     v.   )   **Civil Action No. 2016 CA 003287 B**
)   **Judge Michael L. Rankin**
THE EMBASSY ROW HOTEL, et al.,   )
)
          Defendants.   )

<u>DECLARATION OF BRANDON THOMAS GARDNER</u>
(pursuant to D.C. Superior Court Civil Rule 9-I)

I, Brandon Thomas Gardner, hereby state as follows:

1.   I am over the age of 18 and reside in St. Mary's County, Maryland.

2.   I was employed by the Embassy Row Hotel for approximately five years, including in May 2015. My title was Director of Engineering. My responsibilities included overseeing the hotel's engineering, operations, plumbing, heating, air conditioning and electrical systems. I left in August or September 2015 to take a new job.

3.   On May 18, 2015, Vany Sudjana, Director of Rooms at the Embassy Row Hotel, copied me on an email that she sent to Mark Martin of Triton Security (attached as Exhibit A). It states, in relevant part:

> We have 2 complaints this morning (from last night) in regards to people pushing guest rooms' doors. Can we please have the security officer to be more diligent in checking the guest rooms' doors as he is patrolling the corridor?

> The complaints came from 718 and 716.

4.   I assisted Ms. Sudjana in her effort to investigate these complaints, by conducting a lock interrogation on the lock of Room 718.

5.   A lock interrogation reveals which keys have been used to open the electronic

lock on a hotel room door. To perform the lock interrogation of Room 718, I took an encoder machine to the lock, downloaded the data, and uploaded it to my laptop so I could review it and print it out. The data revealed that the lock on Room 718 had been opened using the hotel guest's key, and also by keys issued to hotel housekeeping staff during the guest's stay, but not by any other key. I gave Ms. Sudjana a printed hard copy of this information.

6. Apart from performing the lock interrogation, I did not personally take any further action to investigate the complaint from Room 718. However, I believe that hotel managers began walking around guest room floors more frequently at night, to make sure no one was there who was not supposed to be.

7. To my knowledge, we did not find any unauthorized person in the hotel on May 18, 2015.

8. On several occasions prior to May 18, 2015, people had gotten into the hotel and gone up the stairwells to the guest room floors. From there, they would go onto a floor and push on all the doors, testing to see if the doors were latched properly. When they found one that was open, they would go in, either to steal things, or to sleep there. This happened sporadically, a handful of times during the time that I was employed at the Embassy Row Hotel. For example, we occasionally found homeless people sleeping in a guest room, or in a meeting room or the housekeeping closets throughout the hotel.

9. I discussed these incidents with Ms. Sudjana and we both knew about them. Therefore, when we discussed the two complaints from Room 716 and Room 718, it appeared to me that someone had again gotten into the hotel, gone to the 7th floor, and pushed on all the guest room doors. I believe Ms. Sudjana reached the same conclusion.

10. The doors of the guest rooms at the Embassy Row Hotel had a spring-loaded

hinge, which made them close automatically. They also had a smoke seal around them. Sometimes the smoke seal would prevent the door from latching properly. The spring-loaded hinge would swing the door closed, so that it appeared to be locked, but the smoke seal would prevent the lock from engaging. As a result, guests sometimes left their doors closed, but not locked, without realizing it.

11.   We knew that the smoke seals were preventing the spring-loaded hinges from closing and latching guest room doors properly before May 2015, and were working on solutions. My recommendation was either to replace the smoke seals, or to remove them entirely. When I left the Embassy Row Hotel in August or September 2015, the smoke seals were still in place.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _5/9/2017_

Brandon Thomas Gardner