



**Alena Khamenia vs. Macy's Inc DBA Bloomingdales LLC**

April 11, 2023

Alena Khamenia

ICR Job No. 270140





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1 SIMI VALLEY, CALIFORNIA; TUESDAY, APRIL 11, 2023

2 10:18 A.M.

3 -o0o-

4 LEONID VISHMID,

5 the interpreter herein, was duly sworn as an  
6 English/Russian interpreter.

7 -o0o-

8 ALENA KHAMENIA,

9 having been first duly affirmed under the penalty of  
10 perjury, was examined and testified as follows:

11 -o0o-

12 EXAMINATION

13 BY MS. RODERICK:

14 Q Ms. Khamenia, can you please state your full  
15 name for the record?

16 A Yes. It's Alena Khamenia.

17 Q Have you ever been known by any other names?

18 A Alena Khartanovich.

19 Q Can you spell that other last name for us?

20 A Yes. It's K-h-a-r-t-a-n-o-v-i-c-h.

21 Q Was that your birth name?

22 A It was my maiden name. My birth name, yes.

23 Q You married a gentleman with the last name  
24 Khamenia?

25 A Yes.

1 Q When did you get married?

2 A I married in July 19th, 2003.

3 Q Had you had any prior marriages?

4 A No.

5 Q Is it fair to say that you were known by your  
6 maiden name up until July of 2003?

7 A No. I changed my name later.

8 Q Okay. When did you change your name?

9 A I don't remember. Eight years ago. I don't  
10 remember exactly, but when I become American citizen.

11 Q Have you been known by any other names?

12 A No.

13 Q Have you ever had your deposition taken before?

14 A No.

15 Q Have you had a chance to speak to counsel before  
16 beginning today?

17 A Yes.

18 Q How long did you prepare with counsel?

19 A About an hour.

20 Q Because you've had an opportunity to prepare  
21 with Ms. Foley before beginning, most likely some of the  
22 things I'm about to say are going to seem very  
23 repetitive, but I need to make sure on the record that  
24 you understand what a deposition is and what your  
25 obligations are when you are in a deposition proceeding.

1 I'll attempt to go through the rules as quickly  
2 as possible. Of course, if you have any questions, just  
3 let us know.

4 A deposition is simply a series of questions  
5 mainly for discovery purposes. But our court reporter  
6 has placed you under oath. So what that means is you are  
7 obligated to tell the truth.

8 So even though we are here in a very casual  
9 environment -- I believe you are testifying from home; is  
10 that correct?

11 A Yes.

12 Q We are all in our respective areas and not in  
13 court, but because our court reporter has placed you  
14 under oath, your testimony has the same force and effect  
15 as if you were actually in a courtroom and testifying  
16 before a judge.

17 So what that means is you are obligated to tell  
18 the true. In fact, in California, under certain  
19 circumstances, not telling the truth when under oath  
20 can be considered a felony.

21 So it's important that you are honest this first  
22 time around.

23 A Yes, I understood.

24 Q Thank you. In an effort to assist you in  
25 telling the truth, we must ask you not to guess. If you



1 do not know the answer to a question, simply say you  
2 don't know and that's perfectly acceptable.

3 If you answer a question with a guess, you could  
4 be wrong, and it could look like you were intentionally  
5 not telling the truth. So if you don't know, simply say  
6 "I don't know," and that's fine.

7 With that said, however, we are entitled to your  
8 best estimate.

9 Do you understand the difference between an  
10 estimate and a guess?

11 A Yes.

12 Q Okay. I'm sure you do understand, but just to  
13 make sure it's clear on the record, an estimate is when  
14 you might not remember the exact details of the situation  
15 or of an event, you can nonetheless provide sufficient  
16 information to give an answer because you personally had  
17 experience.

18 In other words, with the date that you changed  
19 your name, you could not remember exactly, but you were  
20 the one that changed your name. Since you had experience  
21 with it, you could estimate, oh, it was about eight years  
22 ago.

23 Whereas if I were to ask you how long I've been  
24 known by my last name, you don't know me. You would have  
25 to just guess, and obviously you would probably be wrong.

1           If I asked you to make an estimate, it's going  
2 to be in regards to the date something occurred, like the  
3 date you changed your name, or it might be in regard to  
4 like the weight of an object. I wouldn't expect that you  
5 put that object on a scale, but if you personally lifted  
6 the object, you might be able to give an estimate of its  
7 weight.

8           If I ask you to make an estimate and you feel  
9 you have no basis to do so, then simply tell us.

10           Okay?

11           A     Yes.

12           Q     As we discussed off the record, we do have an  
13 interpreter here for you. And he is sitting by. So if  
14 you do not understand a question that I ask -- it could  
15 be my fault, that I just poorly phrased the question, or  
16 it could be a language barrier -- please tell us that you  
17 do not understand.

18           A     Okay.

19           Q     If you answer a question, it is going to be  
20 assumed by the reader of your testimony that you  
21 understood the question.

22           A     Okay.

23           Q     So please, if you don't understand, it's not  
24 going to embarrass anyone. Just say you don't understand  
25 and either I'll rephrase or Leo can jump in and help us.

1           A     Okay.

2           Q     Everything that is said here today will be  
3 transcribed by our court reporter and put into what we  
4 call a transcript.

5                     You'll be given the opportunity to read your  
6 testimony, make any changes you feel necessary, and then  
7 sign it under penalty of perjury.

8                     I need to caution you, however, that should you  
9 make any changes to your testimony of a substantive  
10 nature, such as a "yes" to a "no," those changes could be  
11 shown to a judge or to a medical or legal evaluator, and  
12 it and could affect your credibility.

13                    So it's important that you're accurate this  
14 first time around.

15           A     Got it.

16           Q     Please continue, as we have been, meaning, allow  
17 me to put my whole long-winded question on the record  
18 before providing an answer. I will do my best to allow  
19 you to finish your answer before moving on.

20                    In that way, we are not speaking over each  
21 other. If we speak over each other, it is difficult for  
22 our court reporter.

23           A     Okay.

24           Q     Okay. That's basically the rules in a nutshell.  
25 I do have to alert you that filing a worker's

1 compensation claim that is fraudulent is considered a  
2 felony. Just so you're aware of that admonition before  
3 we begin as well.

4 A Yes.

5 Q With that, do you have any questions for us  
6 before we begin?

7 A No.

8 Q Can you think of any reasons why you would not  
9 be able to give accurate testimony here this morning?

10 A No, I'm good, I think. Everything is accurate.  
11 I remember everything. I'm good. Good to go.

12 Q Did you take any medications within the past 24  
13 hours?

14 A Sleeping medication, yes.

15 Q What is the name of that medication?

16 A Hydroxyzine.

17 Q Can you spell it for us?

18 A Yes. It's H-y-d-r-o-x-y-z-i-n-e.

19 Q When did you take the medication?

20 A Last night about 10:00 in the evening.

21 Q Have you had any side effects from the  
22 medication?

23 A Sleeping. Fall asleep.

24 Q Other than that it causes you to sleep, anything  
25 else?

1 A No.

2 Q Who prescribed that for you?

3 A My doctor did. Daldalyan.

4 Q Could you spell your doctor's name?

5 A Yes. D-a-l-d-a-l-y-a-n. And his first name --

6 Q Do you --

7 A I'm sorry. What? Do you need his first name?

8 Q That would be great.

9 A Koruon, K-o-r-u-o-n.

10 Q Where is Dr. Daldalyan located?

11 Where is his office?

12 A His office on Riverside, Sherman Oaks.

13 Q How long has this doctor been your doctor?

14 A He has been -- I saw him just recently.

15 Q How did you locate him?

16 A A few weeks ago. I found him through my

17 lawyer.

18 (Reporter clarification.)

19 Q Do you have a primary care physician that you go

20 to in the event you have a cold and you need a physical

21 exam or something like that?

22 A I do have one. But I saw this one because my --

23 it was very long time to get to my doctor. I have to

24 wait for a long.

25 Q Who was your primary care physician?

1           A     I don't remember her name because they been  
2 changing every year.

3           Q     Do you go to a particular clinic or particular  
4 facility?

5           A     I go to particular clinic, which is located  
6 North Hollywood, I believe.

7           Q     Do you remember the name of the clinic?

8           A     No.

9           Q     How long have you been going to that clinic as  
10 your primary care location?

11          A     I went last year. Every year. I don't  
12 remember.

13          Q     Do you remember what you went to the clinic for  
14 last year?

15          A     Yes. I check for my general checkups and then  
16 they -- I went through to my gynecologist.

17          Q     If you had the opportunity to look through your  
18 records, would you be able to locate the name of that  
19 clinic?

20          A     Yes.

21          Q     Unless your counsel has an opposition, what I  
22 would suggest we do is just leave some lines blank in the  
23 transcript --

24          A     Uh-huh.

25          Q     -- and when reviewing your testimony, if you

1 could please fill in that information?

2 A Yeah. Yeah. Yeah. I can look it up. I have  
3 all the information. I know exactly. I just don't want  
4 to give you something wrong. I don't remember exactly  
5 the address.

6 REQUESTED INFORMATION \_\_\_\_\_  
7 \_\_\_\_\_  
8 \_\_\_\_\_.

9 Q BY MS. RODERICK: Okay. And when were you born?

10 A I was born February 18, 1981.

11 Q And where were you born?

12 A Belarus, Minsk.

13 Q When did you first come to the States to reside?

14 A I came first '99.

15 Q When you first came in 1999, did you come to the  
16 Southern California area?

17 A No. I came to Florida. Miami.

18 Q How long did you live in Florida?

19 A I live in Florida until 2004.

20 Q Where did you go at that point?

21 A I -- we moved to Los Angeles.

22 Q Have you lived in the Los Angeles area ever  
23 since 2004?

24 A Yes.

25 Q What is your current home address?

1           A     18444 Collins Street, Tarzana, California.  
2 Apartment number 3.

3           Q     How long have you lived there?

4           A     We live almost 16 years.

5           Q     Who lives at that residence with you?

6           A     My husband and my four kids.

7           Q     What is your husband's full name?

8           A     Val Khamenia.

9           Q     Could you spell that for us?

10          A     Yes.  It's V-a-l.  And last name is K-h -- just  
11 the same as mine, Khamenia.

12          Q     And what does Mr. Khamenia do for a living?

13          A     He is a basketball coach at Valley College.

14          Q     Does he have any disabilities of any nature?

15          A     Not -- no.

16          Q     How long has he worked for Valley College?

17          A     16 years.

18          Q     How old are your children?

19          A     My older one is 17.  Then I have a 16, 12 and  
20 almost five.

21          Q     Do any of your children have any disabilities?

22          A     No.

23          Q     Are they all good students?

24          A     Yes.  Two of them going to Harvard Westlake.  So  
25 they good students.



1 Q That's a great school.

2 Do you have a California driver's license?

3 A I do.

4 Q You do?

5 A Uh-huh.

6 Q Do you happen to have it on you?

7 A I can bring it.

8 Q That would be great.

9 A Yes.

10 Q Unless Ms. Foley has an opposition, what I would  
11 ask that you do --

12 MS. FOLEY: No objection.

13 Q BY MS. RODERICK: -- is hold it up to your  
14 camera --

15 A Okay.

16 Q -- and I'll take a screen shot. I won't put any  
17 numbers on the record.

18 A Okay. One second. I'm going to bring it now.

19 MS. RODERICK: Sure. Let's go off the record real  
20 fast.

21 (Off the record.)

22 MS. RODERICK: Back on the record.

23 Off the record, I confirmed that our deponent's  
24 social security number matches the pleadings that have  
25 been filed. And we took a snap shot -- a screen shot of

1 her California driver's license.

2 And I will represent, for the record, that the  
3 license contains a picture that depicts our deponent.

4 Q BY MS. RODERICK: Okay. All right. I  
5 understand you are no longer employed with Bloomingdales;  
6 is that correct?

7 A Yes.

8 Q When was your last day worked?

9 A My last day was at work on the January 2nd, but  
10 last day completely working, I -- it was January 18th.

11 Q So January 2nd was the last day that you were  
12 actually on the job site performing work, and January  
13 18th was your effective termination date?

14 A Yes.

15 Q Have you had any employment since Bloomingdales?

16 A No.

17 Q Are you currently receiving any income through  
18 any source?

19 A Yes. I receiving EDD.

20 Q When did the EDD benefits start?

21 A It start three weeks ago.

22 Q What doctor is certifying you for EDD?

23 A Dr. Mayya Kravchenko.

24 Q Is that the same doctor that you mentioned to us  
25 before?

1 A No, it's a different doctor.

2 Q Can you spell his name for us?

3 A Yes. Mayya Kravchenko. And last name I think  
4 it's K-h-a -- hold on. I can exactly look it up. I tell  
5 you one second.

6 MS. FOLEY: I put it in the chat.

7 MS. RODERICK: Oh, got it. Thank you.

8 C-r-a-v-c-h-e-n-k-o.

9 (Reporter clarification.)

10 MS. RODERICK: Sorry. I just misspoke. This is why  
11 I should not be reading it.

12 THE WITNESS: I can tell you exactly date when I  
13 start receiving EDD. It was March 9, 2023.

14 Q BY MS. RODERICK: Thank you. How did you find  
15 Dr. Kravchenko?

16 A I don't understand this question.

17 Q How did you locate that doctor in order to go to  
18 her to be certified for EDD benefits?

19 A I found through my lawyer.

20 Q What kind of doctor is she?

21 A She is chiropractor.

22 Q Where is Dr. Kravchenko located?

23 A She is located also on Sherman Oaks on  
24 Riverside.

25 Q Is she out of the same office as the other

1 doctor you mentioned to us?

2 A No. It's completely different doctors,  
3 different office.

4 MS. RODERICK: Counsel, I know you're not under oath,  
5 but can you confirm for us whether or not you have any  
6 reports from any doctors?

7 MS. FOLEY: That's the problem. I have one report  
8 from Dr. Daldalyan right now. And we requesting all the  
9 reports from Dr. Kravchenko. Hopefully I can get it --  
10 (Reporter clarification.)

11 MS. FOLEY: -- during the deposition. And I can email  
12 you what I have right now.

13 MS. RODERICK: That would be great.

14 MS. FOLEY: Can you give your mail? Maybe you can  
15 put it on chat.

16 MS. RODERICK: Sure. Sure. Sure.

17 (Discussion held off record.)

18 Q BY MS. RODERICK: What kind of doctor is he?

19 A He is regular doctor.

20 MS. FOLEY: I apologize for interrupting. He is  
21 internist.

22 THE WITNESS: Internist, yeah.

23 Q BY MS. RODERICK: And you found Dr. Daldalyan  
24 also through your attorney?

25 A Yes.

1 Q How long have you been seeing him?

2 A I saw him only once. And I have the next  
3 appointment to see him in May 2nd.

4 Q Okay. Since being terminated from Bloomingdales  
5 on January 18, 2023, I know you said that you have not  
6 had any other employment.

7 What are your activities that you do just to  
8 keep yourself busy?

9 A Take care of my kids.

10 Q Anything else?

11 A No.

12 Q Your children are in school or are they doing  
13 remote --

14 A In school. They in school.

15 Q What kind of ways or what activities do you do  
16 to take care of your children?

17 A Pick them up, drop them off.

18 (Reporter clarification.)

19 A Going to their basketball games. That's it.  
20 Taking them to activities.

21 Q While working, were you able to pick them up and  
22 drop them off?

23 A Sometimes I would go on my break and pick them  
24 up. Depends. Usually my husband would.

25 Q What is the last year of education that you have

1 completed?

2 A I completed college. University.

3 Q What university?

4 A Palm Beach Atlantic University.

5 Q I'm sorry?

6 A Palm Beach Atlantic University.

7 Q Did you have degree?

8 A Graphic design.

9 Q When did you obtain that degree?

10 A I didn't finish.

11 Q When was the last year that you attended?

12 A 2003.

13 Q Have you had any formal education since that  
14 time?

15 A No.

16 Q Why did you decide not to finish your degree in  
17 graphic design?

18 A We have to move. And I got -- lost the  
19 interest.

20 Q I understand that you have four children, but  
21 other than the birth of your children, have you ever been  
22 hospitalized?

23 A No.

24 Q Have you ever broken any bones?

25 A No.

1 Q Do you treat with any doctors, other than the  
2 doctors that you're seeing for your worker's compensation  
3 claim, which we will get into a little bit more?

4 Do you treat with any doctors on a regular basis  
5 for any medical condition?

6 A No.

7 Q What I mean by that is it could be diabetes,  
8 hypertension, high cholesterol -- anything like that?

9 A No.

10 Q When did you first start working at  
11 Bloomingdales?

12 A I start working July 7th -- no, July 9, 2019.

13 Q Before Bloomingdales, what was the job that you  
14 had immediately preceding starting with Bloomingdales?

15 A I was working at Bloomingdales, but as a vender.  
16 I was working for different company, but I was performing  
17 my jobs at Bloomingdales.

18 Q What was the vender?

19 A I was vender for Prada. I was vendor for  
20 Hermes.

21 (Reporter clarification.)

22 Q H-e-r-m-e-s.

23 A I was vender for fragrances for those companies.  
24 Then I become working for Bloomingdales as worker for  
25 Bloomingdales.

1 (Reporter clarification.)

2 A I was working before as a vender. Then they  
3 asked me to work for Bloomingdales and represent a  
4 company at Bloomingdales.

5 Q When you were you initially working as a vender,  
6 were you paid by the vender or were you paid by  
7 Bloomingdales?

8 A Vender.

9 Q So you first started actually as an employee  
10 with Bloomingdales on July 9, 2019?

11 A Yes.

12 Q Got it. When did you start working as a vender?

13 A As a vender, I was -- I think it was two or  
14 three years before I become employer of Bloomingdales. I  
15 don't remember exactly the dates. I don't want to give  
16 you wrong.

17 Q That's okay. When you first started working for  
18 Bloomingdales on July 9, 2019, were you hired to work  
19 full time?

20 A Part time.

21 Q When you were working as a vender, were you  
22 working part time or full time?

23 A As a vender, I was full time.

24 Q As Bloomingdales only offered you part-time  
25 work, were you still getting work as a vender as well to



1 keep your hours up or how did that work?

2 A No. I actually want to do part time because  
3 work for me, I have kids. That's why I took the  
4 position.

5 Q During the time you worked as a vender for those  
6 approximately two to three years before becoming part  
7 time with Bloomingdales, did you sustain any injuries?

8 A No.

9 Q Where did you work before starting work as a  
10 vender for Prada and Hermes?

11 A I work in the boutique at Anat B.

12 (Reporter clarification.)

13 A It's called Anat B.

14 Q Could you spell that for us?

15 A Yes. A-n-a-t dot B.

16 Q Where is that located?

17 A Sherman Oaks. Used to be one in Beverly Hills  
18 and the Sherman Oaks. So I start in Beverly Hills, move  
19 to Sherman Oaks.

20 Q What did you do for the boutique?

21 A I was managing the store.

22 Q How long did you work for Anat B in total?

23 A I work for them about seven years.

24 Q Why did you stop working for them?

25 A Their business went out. They closed the store.

1 The store closed.

2 Q When you were working for them, were you working  
3 full time or part time?

4 A Full time.

5 Q Was there a period of time that you were not  
6 working between Anat B and working as a vender for Prada?

7 A Yes. It's probably -- probably six, seven  
8 months I was off.

9 Q And you were receiving unemployment during that  
10 time?

11 A Yes.

12 Q Did you sustain any injuries while working for  
13 Anat B?

14 A No.

15 Q I'm horrible at math, but this takes you us, I  
16 think, back to like 2010.

17 Do you remember where you were working before  
18 Anat B?

19 A I was home. No, I was working at the Gap.

20 Q How long did you work at the Gap?

21 A I don't remember.

22 Q Can you estimate for us whether it was like a  
23 month or more like a year or --

24 A Maybe a year. Year or two maybe. Yeah.

25 Q Which Gap did you work at?

1           A     I start the one in -- the one Ventura, Tarzana.  
2     And then when the store closed down, they moved me to  
3     Sherman Oaks Fashion Square.

4           Q     What did you do for the Gap?

5           A     I was working as a sale person.

6           Q     Full time or part time?

7           A     I don't remember. I think it was part time.

8           Q     Why did you stop working for the Gap?

9           A     Because I moved to Anat B.

10          Q     Did you sustain any injuries while working for  
11     the Gap?

12          A     No.

13          Q     Where did you work before the Gap?

14          A     Before the Gap, I didn't work anywhere. I was  
15     in Florida. It was a boutique called Mannequine's on  
16     Melrose. That's where I work.

17          Q     How long did you work for Mannequine's?

18          A     Less than a year.

19          Q     As a sales associate?

20          A     Yes.

21          Q     Why did you stop working for Mannequine?

22          A     I was pregnant.

23          Q     I'm sorry?

24          A     I was pregnant. I stopped working.

25          Q     How long were you off work between Mannequine's

1 and Anat B? I'm sorry -- Mannequine's and the Gap?

2 A I was off the work for a while. Maybe three  
3 years.

4 Q Did you have any employment before Mannequine's?

5 A It was in Florida. I used to work at the  
6 restaurant called Zuccarelli's.

7 Q I'm sorry?

8 A I used to work in the restaurant called  
9 Zuccarelli's. It was in Florida, Palm Beach.

10 (Reporter clarification.)

11 A Z-u-c-c-a-r-e-l-i -- Zuccarelli.

12 Q How long did you work for that restaurant?

13 A Probably a year.

14 Q What did you do for the restaurant?

15 A Server.

16 Q Was your work at Mannequine's full time or part  
17 time?

18 A Part time.

19 Q Was your work at the restaurant full time or  
20 part time?

21 A Full time.

22 Q Did you stop working at the restaurant to move  
23 to Los Angeles?

24 A Yes.

25 Q Did you sustain any injuries while working at

1 Mannequine's?

2 A No.

3 Q Did you sustain any injuries while working at  
4 the restaurant?

5 A No.

6 Q Is that pretty much all of the jobs you can  
7 remember while in the States?

8 A Yes.

9 Q Have you had any periods of incarceration?  
10 Jail time.

11 A I don't understand.

12 Q Have you been in jail?

13 A No.

14 Q Have you been arrested at any time?

15 A No.

16 Q When you were first hired at Bloomingdales, you  
17 were hired part time.

18 And was that as a sales associate?

19 A Yes.

20 Q Which Bloomingdales store?

21 A Sherman Oaks.

22 Q Did you remain at the Sherman Oaks store for the  
23 full three years?

24 A Yes.

25 Q Did you remain part time the whole time?

1           A     No.  It was part time when they got hired.  
2  Then in February I got full time because my numbers were  
3  high.

4           Q     So you started in July, but as of the following  
5  February, you were made full time?

6           A     Yes.

7           Q     Were you working in a particular department?

8           A     Yes.  I was working for Hermes in fragrance  
9  department.

10          Q     Who was your supervisor?

11          A     My supervisor was Tammy Badger and Ann Ellis.

12          Q     Tammy --

13          A     Tammy Badger and Ann Ellis.

14          Q     Is Badger B-a-d-g-e-r?

15          A     Yes.

16          Q     And you said Ann --

17          A     Ellis.

18          Q     E-l-l-i-s?

19          A     Uh-huh.

20          Q     That's a "yes"?

21          A     Yes.

22          Q     To your knowledge.

23                   Was Tammy and Ann your supervisors throughout  
24  your employment or did it change?

25          A     Yes, through my employment.

1 Q And as an associate for Hermes in the fragrance  
2 department, what were your exact job duties?

3 A I was doing the stock, selling, helping clients,  
4 applying makeup, taking stock back, fixing the stock  
5 rooms.

6 Q Was there a particular shift that you worked or  
7 would it change?

8 A It would change. Sometimes you open. Sometimes  
9 you close.

10 Q When you said that you worked to perform stock,  
11 what kind of stock work did you do?

12 A You have to fix your stockroom as -- in the end,  
13 I was manager at Hermes company. So my duty was to --  
14 when we got stock, you put everything together. Then you  
15 have to move boxes and put them in the place where they  
16 supposed to be. So if somebody walk in they know where  
17 everything located when you not at work.

18 Q So would somebody bring the stock up from the  
19 loading dock --

20 A Yes.

21 Q -- to a particular place and then you would put  
22 that --

23 A Unload. You have to unload everything, cut the  
24 boxes, leave the boxes, put everything together. And  
25 then we are the one -- I am the one who have to put the

1 boxes back to the -- wherever they go to a particular  
2 stockroom.

3 I have two different stockrooms. I have a  
4 second floor and third floor.

5 Q Can you estimate for us the heaviest items you  
6 would have to lift in doing your stock work?

7 A Probably 25 to 30 pounds.

8 Q What would those items be?

9 A Fragrances. Bottles of the fragrance.

10 Q How often would you lift those boxes?

11 A We have to stock twice or once a week, sometimes  
12 three times.

13 Q Were there other sales associates that were also  
14 designated in the fragrance department to Hermes or was  
15 it just you?

16 A It was me and my coworker.

17 Q Who was your coworker?

18 A Aneta Gregorian.

19 Q And could you spell Aneta's last name for us?

20 A Yes. A-n-e-t-a. And Gregorian is  
21 G-r-e-g-o-r-i-a-n.

22 Q Do you keep in contact with Ms. Gregorian?

23 A I keep in contact with most of them, yeah.

24 Q Would you say that you and Ms. Gregorian are  
25 friends outside of work?



1 A We keep good relationship.

2 Q Do you socialize with her outside of work?

3 A No.

4 Q To your knowledge, does Ms. Gregorian still work  
5 for Bloomingdales?

6 A Yes. But she doesn't work for Hermes anymore.  
7 She doesn't work for Bloomingdales. She is in  
8 Bloomingdales, but she work for different company. She  
9 left Bloomingdales.

10 Q Do you know what company she now works for?

11 A She works for Bond No. 9.

12 Q What is it called?

13 A Bond No. 9.

14 Q I believe you said you still keep in contact  
15 with other of your prior coworkers?

16 A Yes.

17 Q Who else do you still keep in contact with?

18 A Afsoun Sharifi.

19 Q Anyone else?

20 A Lisa. A lot of coworkers. But close  
21 relationship, no. I don't see anybody or hang out with  
22 people off work.

23 Q So the only ones you can remember right now is  
24 Afsoun Sharifi and Lisa?

25 A Yes.

1 (Reporter clarification.)

2 A Afsoun Sharifi.

3 Q Can you spell that for us?

4 A Yes. A-f-s-o-u-n. And Sharifi is S-h-a-r-i --  
5 this one I cannot spell.

6 Q We will do it phonetic.

7 So when you said you keep in contact with them,  
8 do you socialize with them or you just have phone calls  
9 or text messages here and there?

10 A Yeah, here and there just saying hello to each  
11 other.

12 Q As your position, were you responsible for the  
13 management of any other associates?

14 In other words, did you act as a supervisor?

15 A I was a manager of the Hermes counter beauty.  
16 So I worked with Hermes.

17 Q So you managed your coworker, Aneta?

18 A Yes. But for the very short period of time  
19 because then she left the company. She works for  
20 Bloomingdales. I mean for -- she left the Bloomingdales.

21 Q Did she leave Bloomingdales while you were still  
22 employed?

23 A Yes.

24 Q Was her position replaced by someone?

25 A No. I was by myself.

1 Q How long were you by yourself?

2 A For probably five months.

3 Q And it was five months prior to your last day  
4 worked?

5 A Yes.

6 Q At the time of your last day worked, how much  
7 were you making per hour?

8 A I was making \$26.00 per hour plus three percent  
9 commission.

10 Q All right. Now I understand that you claim you  
11 sustained an injury while working at Bloomingdales?

12 A Yes.

13 Q Can you explain for us what that injury is?

14 A I have a lower back pain, my shoulder, my feet,  
15 my ankles, my legs, lower body parts, and my shoulder.

16 Q When did you first notice the pains that you had  
17 to your low back?

18 A I noticed probably the year when I start working  
19 little by little pain here and there. But in March --  
20 this is March of 2022, this is when my pain started going  
21 like worse.

22 Q I limited you to your low back, but would you  
23 say that your pains in March of 2022 became worse in all  
24 of the body parts you mentioned, meaning, your back, your  
25 shoulder, your feet, your leg?

1 A Yes. And my wrist also. My left wrist.

2 Q Did you report these pains to anybody at  
3 Bloomingdales?

4 A Yes.

5 Q Who did you report your pains to?

6 A I was complaining to my coworker and I was  
7 complaining to my manager, Tammy Badger.

8 Q When you say coworker, are you talking about  
9 Aneta?

10 A Aneta and also Stephanie. She was working at  
11 this time. Stephanie Cooper.

12 Q And what exactly did you say to your manager,  
13 Tammy?

14 A Which is I have my back pain. Like if I move  
15 the box, sometimes it's hard for me to -- if I lift  
16 something, then it's like -- take me a while to straight.  
17 My back hurts.

18 Q Did you specifically tell Tammy that your back  
19 hurt after lifting something at work?

20 A Yeah.

21 Q What did Tammy tell you?

22 A Nothing.

23 Q Did she tell you to fill out a worker's  
24 compensation claim form?

25 A No.

1 Q Can you remember anything she told you?

2 A She would tell me, "You can go ahead if you want  
3 to take your break. Go sit down."

4 Q In March of 2022, did you go to any doctor for  
5 the pains that you were feeling?

6 A No.

7 Q And why not?

8 A I was just trying to try everything on my own.  
9 Some medication. I will use the cream for my back.

10 Q What cream would you use?

11 A Some pain reliever.

12 Q I'm sorry?

13 A Pain reliever called Finalgon.

14 Q Could you spell that for us?

15 A Hold on. I think it's F-e-n-a-l-g-o-n.

16 Q Is that just an over-the-counter cream?

17 A This is something somebody bring me from Russia.  
18 It's for the back pain. It's like a heat kind of cream.  
19 You put it on. It gives you warm.

20 Q To your knowledge, is that cream sold here in  
21 the States?

22 A Something similar, I think, is selling, but not  
23 as powerful.

24 Q And --

25 A And I visit my regular doctor's office as well.

1 Q Did you tell your regular doctor about the pains  
2 you were having?

3 A Yes. I told him about the pains and I told him  
4 about my legs. And they say, "Yeah, because you been in  
5 your feet all day for like seven, eight hours at work."

6 Q When you say your regular doctor, are you  
7 talking about the doctor you told us about at the  
8 beginning?

9 A Yes. The one I don't remember. I know where is  
10 the office, but I don't remember physical address. But I  
11 know where it is and the name.

12 Q Okay. So it's the one that you were talking  
13 about that's in North Hollywood that you'll get for us?

14 A Yes.

15 Q Okay. What does your regular doctor tell you to  
16 do about the pains that you had?

17 A She said I have to stretch. I have to make sure  
18 I sit down. Don't stay too long.

19 Q Did your doctor ever take you off work?

20 A No.

21 Q Did your doctor prescribe for you any  
22 medications?

23 A No.

24 Q Did your doctor refer you to any physical  
25 therapy or acupuncture, chiropractic treatment?

1           A     No.

2           Q     I'll represent to you that an application for  
3 adjudication of claim, which is the pleading in a  
4 worker's compensation case, has been filed on your behalf  
5 alleging a cumulative trauma period of March 6, 2022 to  
6 January 15, 2023.

7                     And I understand it's a legal document. I don't  
8 want a legal opinion from you, but just from your own  
9 personal opinion, is that the period of time that you  
10 feel you were injured while working at Bloomingdales?

11          A     Yeah.

12          Q     During that time, other than speaking with your  
13 manager, Tammy, did you tell anybody else about the  
14 injuries?

15          A     I was -- you know, like we worked together. I  
16 wasn't hiding that. Many times my coworkers -- and they  
17 was like, "What happened to your ankle?" My ankle would  
18 swell up. So they see it.

19                     So I've been complaining. And for sure my other  
20 manager heard this and Lisa as well.

21          Q     When your ankles would swell, would you go get  
22 medical care?

23          A     No, I didn't.

24          Q     To your knowledge, were your coworkers having  
25 similar issues with their ankles?

1 A We all have some different issues, yes.

2 Q Okay. We will get into your subjective  
3 complaints as to each -- you know, the pains you feel as  
4 to each body part.

5 But I also note that a second application was  
6 filed on your behalf for claim of injury to the nervous  
7 system, head, body system, and skin.

8 Again, I know you're not a lawyer, but to your  
9 knowledge, what does that pertain to?

10 A Can you repeat the question? I don't understand  
11 this.

12 Q Other than -- let me rephrase it entirely.  
13 Other than the orthopedic pains that you've told us about  
14 as to your back pain, shoulder, feet, legs, lower body,  
15 and left wrist, do you also have pains to any other parts  
16 of your body?

17 A Yes, I have.

18 Q What are those?

19 A Yeah, I have eczema on my face from the stress.

20 (Reporter clarification.)

21 A I have eczema. I have patches on my face here.  
22 It is hard to see, but when you close you can see I have  
23 patches -- eczema on my face. I have allergies. I have  
24 stress and I cannot sleep.

25 I have issues with the sleeping. And when I was



1 stressed out, some things happen at work, so my hands  
2 shaking. Something on my hands.

3 Q What was the stress that occurred at work?

4 A We have a lot of stealing. People will come --  
5 run to the store. And the place where I'm located, I'm  
6 right under the -- right under escalators. So close to  
7 the door.

8 When people come, they will just push the stands  
9 of the bags and just sound like a gun shots. So every  
10 time you hear, you like go through the stress.

11 So I notice after some time when it happened, I  
12 start having anxieties -- anxiety. I will come home. I  
13 couldn't sleep. I have a stress. My hands will shake.

14 I will come to work next day and I will keep  
15 turning around, turning around. Like my hands will shake  
16 and stuff like that.

17 Bad headaches too. Wouldn't go away.

18 Q When you say that there was sounds that sounded  
19 like gun shots, do you know what was causing that sound?

20 A Yeah. It's the racks where the bags hang too.  
21 Like regular clothes racks, but for the purses.

22 Q So when someone grabbed a bag, it would make  
23 that rack sound like a gun --

24 A Yeah, because then sometimes it's attached with  
25 the rope -- with a little wire. So sometimes they will

1 cut and -- come and cut them. And sometimes they just  
2 pull them out. So when they pull, everything is usually  
3 falling on the floor.

4 Q Can you estimate for us how often these types of  
5 thefts occur?

6 A Oh, often. Lately, this last year has been very  
7 often. Sometimes they come twice a day. Sometimes  
8 nothing for a while and then every day. Sometimes it's  
9 morning. Sometimes it's in the evening right before we  
10 close. So very often. I would say in the past year I've  
11 been there, maybe 20, 25 time happen while I was working.

12 Q Were you personally ever held up by a thief --  
13 like actually held at gun point or have anything taken  
14 from you?

15 A Personally, yes. It happened not the last year.  
16 The year before it happened with somebody who came,  
17 opened the drawer where we have the stuff for sale. He  
18 start filling his personal atomizer.

19 Yeah, so when I come and approach him, he start  
20 calling me names. It was very awful. So I told the  
21 security. And what they did is, "Oh, let us know next  
22 time when he come." They didn't do nothing about it.

23 But I was afraid to be there because he was  
24 telling me how he is going to come after me outside and  
25 how -- like names and names and names. And, you know,

1 threatening stuff like this.

2 Q You said that occurred the year before your last  
3 year?

4 A It was -- I believe it was in summertime the  
5 year of 2022. It was about the year ago. Maybe more.  
6 Maybe less.

7 Q Can you think of any other stressful incidents  
8 that occurred while working at Bloomingdales?

9 A I think this is it.

10 Q Okay. Did these stressful incidents -- I  
11 understand you said that it made you have anxiety and it  
12 caused you to shake.

13 Did they cause you to need to go to a doctor for  
14 any kind of anxiety medication or something?

15 A Yes.

16 Q What doctor did you go to?

17 A Dr. Daldalyan.

18 Q What kind of treatment did Dr. Daldalyan give  
19 you?

20 A He give me sleeping pills. He said, "Let's  
21 start" -- because I never take any medications before.  
22 So he said, "Let me start the sleeping pills. See how  
23 you feel about it."

24 So sometimes they help. Sometimes it's not.  
25 Because now I'm home. I'm not working. But I'm going to

1 see him on May 2nd again.

2 Q Dr. Daldalyan was the doctor that you said you  
3 saw through your attorney?

4 A Yes.

5 Q So that was after your termination --

6 A Yes.

7 Q -- from Bloomingdales?

8 A Yes.

9 Q Did you seek any treatment for the stress that  
10 you felt during your employment?

11 A I haven't got a chance to go anywhere. I just  
12 went to my regular doctor and they never prescribed  
13 anything for me.

14 Q Did you tell your regular doctor about the  
15 stress?

16 A I told him about the stress, but they didn't ask  
17 me about all the details and stuff. But they know about  
18 the stresses.

19 Q An application for adjudication of claim that  
20 was filed that explained that you had symptoms due to an  
21 alleged hostile environment is for a date of July 16,  
22 2022 to January 2, 2023.

23 Again, I know you're not the lawyer, but can you  
24 explain to us why that period of time?

25 A Because this is when there is a lot of them

1 stealing was happening. It was a lot of stress, a lot of  
2 -- you know, some nights where I work by myself, we have  
3 to go in groups to the parking lot. Because when you  
4 would leave, you see people still hanging around, so.

5 Q Did you report your feelings of anxiety to  
6 anyone at Bloomingdales?

7 A They know. Yeah, we all talk about this openly.  
8 And we was telling security -- head of security just so  
9 they put somebody on the door. And there was ladies.  
10 And nobody was afraid of them. The stealing was still  
11 going on.

12 Q Did you tell anyone at Bloomingdales that you  
13 required medical care for any of -- either the orthopedic  
14 or non-orthopedic symptoms you were feeling?

15 A At Bloomingdales, no.

16 Q And why did you stop working for Bloomingdales?

17 A Because I got fired.

18 Q What was the basis for the termination?

19 A Termination, they say I was using somebody else  
20 card -- the promotional card, which is -- I never used.

21 Q You deny that you used the promotional card?

22 A I deny, yeah.

23 Q When you were accused of using the promotional  
24 card, was that accusation made by the asset protection or  
25 how did that happen?

1           A       Yes, it was made -- they say I used the card in  
2           October, but it wasn't my card. But the thing is because  
3           the card, where they located, it's -- my personal --  
4           probably -- probably me. I told them, "Honestly, it's  
5           maybe me the one who misplaced my personal with the  
6           customer." Because I have a lot of personal customers.

7                        So it happened on October. The card been used  
8           in October. But they wait until January and they let me  
9           go in January, not at the moment when it happen.

10          Q        So how were you even told that you were being  
11        investigated for this?

12                        How did that all happen?

13          A        So it happened in January 2nd. They call me to  
14        the back. And they told -- it was -- first of all, they  
15        was accusing "Oh, you know, a lot of things have been  
16        missing from the store. We have the shortage of a lot of  
17        fragrances. We have a shortage of a lot of stuff."

18                        So they come up first with something else. Then  
19        they asking me if I ever take a gift from any clients.  
20        If somebody give me any gift cards or somebody give me  
21        anything personal to me. I say, "No."

22                        And then they asked me when was the first time I  
23        used somebody else card -- gift card -- promotional card,  
24        which I never use anybody card.

25                        So she say -- she showed me the paper. And on

1 the paper she show it to me so the card been used. So  
2 what happened is that's what the lady told me. The lady  
3 purchased something from me with the promotional card.  
4 Once you use promotional card, card becomes zero. So she  
5 purchased from me something -- order glasses for her.

6 Once you purchase something, you put the card --  
7 we have an envelope next to the register -- right away.  
8 So you put the card. So we use the card. We put next to  
9 the -- we put it in the envelope. And the customer left.

10 And five or six days, her order get cancelled.  
11 I didn't know the order get cancelled. So basically this  
12 card has the money back, which is -- I was explaining  
13 asset protection. If I ring up somebody, I order and  
14 card becomes zero, how would I know five, six days the  
15 card or her order go to be -- I don't have track of it.  
16 I don't know who the lady is. I don't know.

17 So what happened is -- it could be me. And I  
18 told them honestly -- or somebody else who used the same  
19 register as me. Sometimes people take the cards out to  
20 clean the stickers we have on. And my personal drawer is  
21 right next to it. So maybe was misplaced.

22 Anyway, the card been used. And when I asked  
23 them, "My personal card, the one I use, the one I'm  
24 assuming get switched, what happened to it? I never used  
25 it. So you can see in the system my card never been

1 used." She said, "Yes."

2 But this is not what they keep saying. They  
3 said I shouldn't order anything with the card at the  
4 store. They can order online for themselves or they can --  
5 at home. Or they can use for the purchases online at  
6 home or in store, not to order.

7 So after I did this for one client, I used  
8 couple times cards for somebody else. Like they  
9 personally -- let's say you come to the store and you  
10 will use the card. And I will try to order. And order  
11 cancels. They cancel right away. I see it cancel.

12 They ask me, "Why did you do it? You know we  
13 are not supposed to." But the card in the back, it  
14 doesn't say you cannot order in the store. They say  
15 online orders, but doesn't say in the store.

16 So I keep ordering trying to help customers.  
17 "So you keep doing the same thing." And I asked them,  
18 "If you see me, you have a red flag I did something."  
19 "Why don't you come up to me and say, Alena, you make the  
20 mistake?" "So you wait for me to do it once. You wait  
21 for me to do it twice. And you fire me in January, not  
22 at the" -- because the promotional card work for two  
23 weeks.

24 Basically in these two weeks, this is when I was  
25 trying to do it. "So you see me doing this. You wait



1 for me to work holidays by myself on my own." Because  
2 I'm -- my coworker left to the other company. "And then  
3 you fire me after."

4 Q Before this happened, was there something else  
5 that occurred -- a disciplinary action -- something where  
6 were you written up for any reason?

7 A Never. I never was written up. I never have  
8 any issues. I was the top seller. Everything was fine.

9 Q When you say that you were taken to the back and  
10 spoken to, do you remember who it was that spoke to you  
11 -- what her name was?

12 A She is from -- she is not from our store. She  
13 was from other store. And her name was either -- her  
14 first name or last name was Martin, but I don't remember  
15 is it the first name. I think it was a last name,  
16 Martin. It was a lady.

17 Q Okay. So she was with asset protection, to your  
18 knowledge?

19 A She was with the manager, asset protection,  
20 which is belong to Sherman Oaks store.

21 Q Did anyone else speak to you or just Ms. Martin?

22 A Just Ms. Martin.

23 Q And so on January 2nd when she spoke to you,  
24 were you put on a suspension?

25 A Yeah. She told me, "We going to suspend you."

1 Make sure" -- she is like, "I understand things happen.  
2 You shouldn't have your personal belongings next to the  
3 work belongings," which is -- I told her -- I say, "I  
4 understand. I agree with this. I shouldn't."

5 And they told me to call the Bloomingdales. So  
6 happened I think on Monday. They told me to call on  
7 Wednesday. So I call them. Nobody call me back. Nobody  
8 answer.

9 Then I was writing emails and see what's going  
10 on. Nobody answer anything. But then somebody -- I  
11 think it was following week on Tuesday, somebody brought  
12 email from HR. And they say they were busy to contact to  
13 me. It's a lot of people. They contacted me finally.

14 They told me to come to the store. And  
15 meanwhile I was always talking -- not from people from  
16 the store. I deal with people from over the phone. I  
17 got basically fired over the phone.

18 Q You were told to come into the store?

19 A Yes, because they have to pay me my vacation  
20 time.

21 Q Okay. So before that, you had spoken to  
22 somebody on the phone who told you you were terminated?

23 A Yes.

24 Q Do you remember, was that on January 18th?

25 A It was January 18th, yes. It was -- her first

1 name was Heather. I don't remember last name. I have  
2 everything on my emails. I never delete my emails. I  
3 have stuff on my -- if you need it, I can look it up.

4 Q Do you know what Heather's position was?

5 A No. I know she is HR, but I don't know exactly  
6 her position.

7 Q When you had this telephone call with Heather,  
8 was there any email that confirmed the telephone call or  
9 was it just the call?

10 A No. I have a phone call and I have emails. I  
11 have everything on the report.

12 Q Would you be able to provide those emails to us?

13 A Yeah. I think I have the detail of them. I  
14 have it.

15 MS. RODERICK: Okay. Counsel, if you don't mind, I  
16 can send you a confirming letter or a formal demand for  
17 production -- whatever you would rather.

18 MS. FOLEY: Please provide the relevance. I don't  
19 see any.

20 MS. RODERICK: She has got a psyche claim. So it's  
21 relevant.

22 MS. FOLEY: Okay. Then we will develop that issue.

23 If you believe -- she claimed that she has  
24 stress because of the stealing and the dangerous to her  
25 health and well-being activity. That was her claim.

1           You want to go to that issue, we will see if  
2 there was any discrimination based on her nation or  
3 origin.

4                           (Reporter clarification.)

5           MS. RODERICK: Okay. Clearly, when it's a stress  
6 claim, the doors are wide open.

7           MS. FOLEY: No problem.

8           MS. RODERICK: Because, of course, the defendant has  
9 the opportunity also to build their defenses. And as you  
10 know, there is a 51 percent preponderance standard.  
11 There is also the good faith personnel defense. There is  
12 all these things that need to be built for both sides.  
13 So it is relevant.

14           It's probably one of the relevant things in this  
15 case. If you are saying you're not going to produce  
16 them, then just say.

17           MS. FOLEY: I'm not saying that. I said I'm not  
18 objecting, but I want to make sure you understand that  
19 you open the door.

20           MS. RODERICK: Oh, okay. Okay. That's absolutely  
21 fine. So do you need from me a demand for production --

22           MS. FOLEY: Sure.

23           MS. RODERICK: -- or a confirming letter?

24           MS. FOLEY: Any way you want to do it, most specific  
25 request for me. But I'll get your request in writing, we

1 will provide what you request.

2 MS. RODERICK: Okay. Perfect. Thank you.

3 Q BY MS. RODERICK: Ms. Khamenia, sorry about  
4 that.

5 You said that when you came into the store to  
6 get your vacation pay, that was after the termination  
7 call?

8 A I came to the store and they sent me in the room  
9 and they give me a phone number. I call the number. And  
10 this is how they did terminate me from work over the  
11 phone.

12 Q Just to make sure I'm clear, when you were  
13 contacted on the phone by Heather in human resources to  
14 say that you were terminated, that was a call to your  
15 home?

16 A She send me email. "Are you going to be  
17 available at that day on that January 18th to come to the  
18 store for last meeting?" I said, "Yes, of course. You  
19 tell me whatever, I will come."

20 So she told me the time. I think it was 11:00  
21 on January 18th. I came to the store. I came to the HR.  
22 We don't have HR in the store. So somebody walk me into  
23 the room. They set me in the office. I have to call the  
24 number. I call the number and then they terminate me  
25 over the phone.

1 Q Then did somebody have your final checks there  
2 available for you?

3 A Yes. Uh-huh.

4 Q And just so I'm clear, who you spoke to on the  
5 phone was Heather?

6 A Heather. All this times, emails and everything,  
7 I contact only one person.

8 Q During the phone call with Heather, did you talk  
9 about the injuries you sustained at Bloomingdales?

10 A No.

11 Q During the emails that you had with Heather, did  
12 you talk about the injuries you sustained at  
13 Bloomingdales?

14 A No. I just told her the way I been treated when  
15 I was on the phone with her -- when I call her first  
16 time.

17 It was something happened and -- before  
18 Christmas. Maybe a week or two weeks. The head of the  
19 security -- you know when you leave, security, you know,  
20 they check your bags.

21 And I purchased something. It was two different  
22 bags. I put one bag and there was two different  
23 companies. So I purchased from one company and another  
24 company. It's two separate receipts hanging on the bag.

25 And when he look at the bag, he ripped one of

1 the receipts. He looks through it. He says, "I have to  
2 take this receipt for the further investigation." I say,  
3 "Oh, okay." And I was like, I guess he doesn't see it's  
4 another receipt.

5 So he was so desperate to put me in trouble, he  
6 ripped one receipt off. He looked through it. He see  
7 small merchandise in the bag, more than on one receipt,  
8 but he didn't see the second one.

9 I said, "Are you looking for the receipt" -- he  
10 is like, "Oh." Right away he start like, "Oh, why you  
11 doing this to me?" I said, "I actually did it for you.  
12 Like you look at one thing. That's one company. You  
13 look at another. Just easy for you to check."

14 He was like, "Oh, okay." So he let me go. It  
15 starts like this. And from then I was like, "What's  
16 going on, you know?" They put me in very uncomfortable  
17 position.

18 Q Who was that? Was that also asset protection?

19 A Yeah. It's head of asset protection. His name  
20 is Severan.

21 Q Can you spell that for us?

22 A His name Severan. I think Severan Pic.  
23 Severan.

24 Q Severan?

25 A Yes.

1 Q Your counsel said something -- obviously she is  
2 not under oath, and again, you're not a lawyer. I don't  
3 want to know -- I don't want a legal opinion from you and  
4 I don't want to know anything your lawyer told you.  
5 That's privileged.

6 But she had mentioned that there might be an  
7 issue of your national origin.

8 Do you have a personal belief --

9 A Yes, I've been told before -- actually from  
10 securities -- that one guy who used to work there is  
11 like, "Oh, you Russian. Russians now the enemy of the  
12 Americans."

13 And it's many times you hear this from customers  
14 while you working there. And Bloomingdales never did  
15 anything about it.

16 Q Did you ever report to anyone that you were  
17 being --

18 A I didn't report. But I been saying like, "Why  
19 the people making that comment?" "Oh, just ignore this."

20 Q How often would you say a customer would make a  
21 comment?

22 A Not often. A lot of customer try to keep it,  
23 you know, away from the politics and stuff. But some  
24 customers will comment.

25 Q And when they commented, what kinds of things



1 would they say?

2 A "Are you Russian?" Or like a lot of racist  
3 things been from some other customers, you know, of the  
4 colors and stuff. But I been hurt people being -- saying  
5 to me personally, "Oh, you Russian." "Oh, you Russian?"  
6 I say, "Yeah." "Oh." And they just walk away.

7 Q So they didn't say anything derogatory, but you  
8 felt a tone in their voice?

9 A Yes. Yes.

10 Q Is it ever since the attack on Ukraine or was it  
11 before that?

12 A Yeah, it was the attack on Ukraine.

13 Q And you said that -- let me just ask you.

14 Do you feel that people at Bloomingdales, not  
15 customers, but your coworkers or management, were  
16 discriminatory because you were from Russia?

17 A I cannot say that. People try to be, you know,  
18 nice and polite, but you feel some stuff, you know.

19 Or sometimes when you say something -- I know I  
20 have an accent. I'm not afraid of my accent. I'm not  
21 afraid of anything. They will be like, "Excuse me. What  
22 did you say? Can you repeat this?" Like they don't  
23 understand me.

24 Q And you think that just occurred since the  
25 attack on Ukraine or did that occur before?

1           A     Before.

2           Q     Well, I will just represent to you, for the  
3 record, all the times that I've asked you to say it again  
4 today, it's not meant --

5           A     No. No.

6           Q     -- to be racist. We just need a clear record.

7                     Okay. So just to make sure I have everything,  
8 the stress that you have felt while working at  
9 Bloomingdales is because of the thefts primarily.

10                    But you also felt some stress due to the way  
11 that Severan handled your bags in December of 2022?

12          A     Uh-huh.

13          Q     And also maybe some stress because of the way  
14 customers would act when they were asking you if you were  
15 Russian?

16          A     Yeah.

17          Q     Is there anything else that caused you stress?

18          A     No.

19          Q     Okay. Currently, what are your -- the term of  
20 art we use is substantive complaints, meaning, where do  
21 you feel pain? What kind of emotional problems?

22                    What are all of the complaints that you  
23 currently have?

24          A     My complaints is my body hurts, you know, my  
25 lower body. My back hurts. Like when I sit down for a

1 while, I get up and it like took me a while to go  
2 straight back. My ankles hurt. My left knee, my left  
3 ankle. My veins pop up. And my wrist. Like mostly it's  
4 my left.

5 But if I lay down on my left side, I cannot  
6 sleep on the left because my hip hurts a lot. And when I  
7 went to the massage and to the doctor, they couldn't even  
8 pressure so much because my left hip is hurt a lot.

9 Q Since you have not been working since January,  
10 have some of these pains seemed to resolve or are they  
11 the same as they --

12 A You know, I went to the massages. It's getting  
13 better like day or two and then they go back to normal.  
14 It's like not normal, like regular pain.

15 Of course I'm not on my feet as much as I used  
16 to be. I try to elevate my legs up and stuff, but I  
17 still have the pain.

18 MS. RODERICK: All right. Thank you, Counsel, for  
19 emailing to me Dr. Daldalyan's report.

20 Q BY MS. RODERICK: It looks like, based on this  
21 report, that your first visit with Dr. Daldalyan was  
22 March 21st.

23 A Yes.

24 Q Before that, you had seen Dr. --

25 A Kravchenko.

1 Q Okay. When did you first see Dr. Kravchenko?

2 A Today was supposed to be the six week. So six  
3 weeks ago, seven.

4 Q What kind of treatment has that doctor been  
5 giving you?

6 A Chiropractor. Massages.

7 Q Do you feel that treatment has helped?

8 A It helps for day or two. Then I have pain  
9 again.

10 Q What kind of treatment did Dr. Daldalyan provide  
11 for you?

12 A It was the first time I visited him first time.  
13 He give me some prescriptions and he give me some pain  
14 medication for my back and for my ankles and for my knee.  
15 I can tell you which ones.

16 It's -- he gave me medication and he told me I  
17 have to come back and see him again on May 2nd.

18 Q Did he prescribe any medication?

19 A He told me he want to prescribe anxiety because  
20 I never took any pills. He is like, "Take the sleeping  
21 pills first and then we will see."

22 Q Okay. So you've given us subjective complaints  
23 of pain in your low back, your ankles. I believe you  
24 said both ankles or just the left ankle?

25 A It's my both, but my left one is the most. All

1 my left side.

2 Q Okay. Your left knee, but then you did also say  
3 that both knees pop?

4 A Yes. My left one is more my ankle -- my left  
5 ankle. Mostly it's my left side.

6 Q Okay. And then you said you also have pain in  
7 your left hip?

8 A Yes.

9 Q Do you have pains, orthopedic, or any other  
10 physical pain other than those body parts?

11 A No.

12 Q And then non-physical body parts like emotional,  
13 do you have any current emotional complaints?

14 A Yeah. I have headaches, which is -- they don't  
15 go away. The headaches, anxiety. I have these rashes on  
16 my face from -- I guess it's from stress. I don't know.  
17 I'm not a doctor. So -- and that's it. Sleeping.

18 Q When did the rashes first appear?

19 A It's from when I stressed out, next morning --  
20 like if I have a stressful day, something happened, I get  
21 stressed out, next day right away under my eyes I have  
22 patches.

23 Q When did you first notice those rashes?

24 A I cannot tell you exactly the date because I  
25 don't remember.

1 Q Would you say -- you had said that the stress  
2 from the thefts had started approximately in July of  
3 2022. So that would --

4 A Probably April, May I would say it start  
5 happening.

6 Q Of 2022?

7 A Uh-huh. Because I remember it start before  
8 summer -- summer heat -- like lots of heat. And I  
9 already have them before.

10 Because I have to cover my face. And they get  
11 like -- I get stressed out, they come up and I have to  
12 cover something when I go outside.

13 Q Did you go to your primary care physician for  
14 the rashes?

15 A Yes. I went for everything.

16 Q What did your primary care doctor tell you what  
17 was the cause of the rashes?

18 A She told me stress. She asked me if I itch when  
19 something happened, which is a rash. She is just like,  
20 "Try not to stress a lot. You know, drink the tea. Take  
21 a day. Relax. Don't stress."

22 Q All right. So for the -- just to make sure I  
23 have a full list for our physical complaints, I have your  
24 low back, ankles, both knees, but primarily left side,  
25 left knee, left hip, left ankle, headaches, anxiety,

1 rashes --

2 A And my left wrist. I don't think we put the  
3 left one.

4 (Reporter clarification.)

5 MS. RODERICK: -- rashes on face.

6 Our reporter has to write down everything we  
7 say. So it's hard for her to miss something.

8 Q BY MS. RODERICK: Okay. When did you first  
9 notice pains in your left wrist?

10 A August, I would say. August of 2022. I had it  
11 slightly before, but this is when I will come home and  
12 just put start -- doing icing and stuff.

13 Q I know you're not a doctor, but do you have an  
14 opinion as to what caused your left wrist pains?

15 A With the lifting. I'm right -- I'm usually  
16 right-handed, but when I do something, I usually push and  
17 do stuff with my left.

18 And on the third floor, what happened is it's a  
19 heavy -- it's a stockroom on the three levels. On the --  
20 it's shelving unit on the rail.

21 So to put your stuff, you have to move shelving  
22 unit. So will move with my left than with my right  
23 because my left is stronger.

24 So this is -- I'm not a doctor, but those are  
25 heavy. And I've been telling the security and I've been

1 complaining about this. Plus, when you move the rail,  
2 the rail going back. So you have to hold it. Sometime  
3 me and my coworkers, she will hold and I will do the  
4 stock. But it's very heavy.

5 Q And did you tell --

6 A It's on the third -- third floor stockroom.

7 Q Did you tell your primary care doctor about the  
8 pains you had in your left wrist as well?

9 A Yes. And I even was wearing something -- when I  
10 come home, I will have something on my hand to cover.  
11 She give me something for the hand.

12 Q So, again, I just want to make sure that we have  
13 a complete list. I think you corrected me with adding on  
14 the third -- the left wrist.

15 So let's just make sure we have everything,  
16 which is low back, ankles, both knees, left hip, left  
17 wrist, headaches, anxiety, rashes on face.

18 A Yes.

19 Q Can you think of any other current subjective  
20 complaints that you have that you believe is caused from  
21 your work at Bloomingdales?

22 A Yeah, my veins come out. My veins on the left  
23 -- on the legs, they come out. So when I come home after  
24 long shifts, I have like bad cramps and I have to take  
25 some -- also vitamins for that.



1 Q You mean like varicose veins?

2 A Yes.

3 Q When did you first experience those?

4 A Those come out when my bad, bad cramps with my  
5 legs happen. And it's -- I would say June.

6 Q Of 2022?

7 A Yes. Like I will have -- I couldn't sleep at  
8 nighttime.

9 Q Did you go to your primary care doctor for that  
10 as well?

11 A I went for everything altogether. I didn't go  
12 specific for one and then another one. When I went to  
13 the checkup, I was telling her about that.

14 And they told me it's because I been on my feet  
15 for the longest. And it's part of the body. You know,  
16 you stay for long, that's what happened. You have to  
17 elevate your feet.

18 Q Okay. So adding on to the list, the varicose  
19 veins and leg cramps.

20 When you say leg cramps, is it both right and  
21 left leg?

22 A Mostly left, but both of them.

23 Q And do you currently still have those problems,  
24 even after not being on your feet?

25 A You know, not -- not as much. Sometimes I will

1 have, but most of the time it's when I was working -- all  
2 day walking and staying, yeah.

3 Q All right. Do we now have a complete list or  
4 can you think of other subjective complaints that you  
5 have?

6 A No.

7 Q I asked you at the beginning of our deposition  
8 if you were ever hospitalized and you said, "No." So  
9 this is probably going to sound like a silly question,  
10 but just to make sure that I'm complete, have you ever  
11 had any surgeries?

12 A No.

13 Q Have you ever sustained any injuries in any  
14 types of accidents? And by that I'm being really broad  
15 on purpose. It could mean a car accident, which  
16 everybody --

17 A No.

18 Q But also --

19 A No.

20 Q Okay. No car accidents. But how about have  
21 you had an injury in a sports-related accident, a  
22 trip-and-fall -- anything like that?

23 A No.

24 Q Have you ever broken any bones?

25 A No.

1 Q Since 2019, have you had anything happen in your  
2 personal life that you would consider to be a personal  
3 stress factor like --

4 A No.

5 Q -- anything -- have you suffered the loss of  
6 anyone?

7 A No. Thanks God, no.

8 Q Are your parents both still alive?

9 A Yes.

10 Q And do they live in Russia or here in the  
11 States?

12 A In Russia.

13 Q Do you get to see them frequently?

14 A Yeah, they come visit.

15 Q Do you ever go back to Russia?

16 A No.

17 Q How often would you say they come to visit?

18 A They come every year.

19 Q Do your parents have any health concerns, to  
20 your knowledge?

21 A No, they don't have any. They good.

22 Q And you've already told me that your husband has  
23 no disability.

24 Does he have any health issues?

25 A No.

1 Q Other than your primary care doctor, that you've  
2 told us you'll get the name of and the clinic address for  
3 us, have you seen any actual psychologists or  
4 psychiatrists at any time in your life?

5 A No.

6 Q Do you have siblings?

7 A Yes.

8 Q How many brothers do you have?

9 A I don't have any brothers. I have one sister.

10 Q First I will go with brothers first.

11 You have one sister?

12 A Yeah.

13 Q Does she live here in the States or Russia?

14 A In Russia.

15 Q How often do you see your sister?

16 A Last time I saw her five years ago.

17 Q You said that you never go back to Russia. Why  
18 is that?

19 A My parents come. My sister come visit. My kids  
20 -- with four kids, it's hard to go all together. You  
21 know, too expensive. Never go on my own.

22 MS. RODERICK: Okay. All right. I think I am pretty  
23 much done.

24 Counsel, is there anything that you need to put  
25 on the record?

1 MS. FOLEY: Maybe I have just a couple questions.

2 MS. RODERICK: Maybe what we can do then is I'll just  
3 kind of transfer the questioning to you and I'll try to  
4 listen and at the same time look through my notes.

5 MS. FOLEY: Sure. Sure.

6 So I can ask?

7 MS. RODERICK: Please.

8 -o0o-

9 EXAMINATION

10 BY MS. FOLEY:

11 Q Okay. Alena, to your knowledge, did you have  
12 any other Russian --

13 (Reporter clarification.)

14 Q To your knowledge, did you have any other  
15 Russian workers at Bloomingdales?

16 A Yes. Russian speaking a lot.

17 Q Would you say their treatment was the same  
18 before the Ukrainian war and after the Ukrainian war or  
19 different?

20 A No difference. Some of them get fired.

21 (Reporter clarification.)

22 A No difference from me. I don't know how they  
23 been treated, but a lot of them got fired.

24 Q So does it mean that you relate your termination  
25 to you being Russian?

1 A I don't know. I cannot answer that.

2 MS. FOLEY: Okay. I have no further questions.

3 -o0o-

4 EXAMINATION

5 BY MS. RODERICK:

6 Q Who are the other coworkers that are Russian  
7 that were terminated?

8 A It was Russian speaking. It was Sona Atoian.

9 (Reporter clarification.)

10 Q Can you spell Sona's last name for us?

11 A I would say A-t-o-i-a-n.

12 (Reporter clarification.)

13 A S-o-n-a.

14 I know some other people, but I wasn't close  
15 with them, on the second floor. They were all Russian  
16 speaking. But I don't know nothing about them.

17 Q You cannot recall their names?

18 A No.

19 Q When did Sona get terminated?

20 A I believe maybe October.

21 Q Which department did Sona work in?

22 A Fragrance department.

23 Q So your department?

24 A Yeah.

25 Q And I know you said that -- well, let me strike

1 that and ask you --

2 Do you know the reason she was given for her  
3 termination?

4 A I don't know.

5 Q Do you still talk to Sona?

6 A No.

7 Q Did you talk to Sona at the time of her  
8 termination?

9 A The day she left.

10 Q I'm sorry?

11 A The day when she left she said, "I got fired."

12 Q Did she tell you why?

13 A I don't ask.

14 Q Are you aware of an employee by the name of Alan  
15 Gamino?

16 A No.

17 Q Are aware of an employee by the name of Ivan  
18 Androsov?

19 A Ivan? Oh, I think -- I think it's the -- he  
20 works in the beauty. I think I heard of his name, yes.

21 Q You've heard of him, but you do not know him?

22 A No. No. I know who he is, but I don't know him  
23 personally.

24 Q Have you ever spoken to him, to your knowledge?

25 A No. He works in the Bloomingdales, but

1 different area. I know who he is. Ivan.

2 Q To your knowledge, was he terminated?

3 A I know something happened, but I don't know  
4 nothing about him.

5 Q What do you mean, you know something happened?

6 A I heard of something happened once to him, but I  
7 don't know anything. I wasn't at work at this time. I  
8 was off.

9 Q Have you had any conversations with him?

10 A No. We are not friends. I don't talk to him.

11 MS. RODERICK: Okay. Counsel, do you have anything  
12 further?

13 MS. FOLEY: No.

14 MS. RODERICK: All right. If we could just take like  
15 two minutes -- a real quick break and I will just go  
16 through my records and make sure there isn't some glaring  
17 issue that I totally missed and then we should be done.

18 MS. FOLEY: Okay.

19 (Off the record.)

20 MS. RODERICK: Back on the record.

21 I just have one.

22 Q BY MS. RODERICK: I just wanted to confirm,  
23 Ms.Khamenia, that I have all the doctors that you have  
24 seen.

25 Can you just go through for us -- or I can relay



1 them back to you -- the ones we have already talked  
2 about, whichever is easiest. Or can you just give us a  
3 list of doctors that you have seen?

4 A Dr. Daldalyan and Mayya Kravchenko.

5 (Reporter clarification.)

6 Q And other than those two doctors, those are the  
7 only two you have seen in reference to your worker's  
8 compensation injuries --

9 A Yes.

10 Q -- other than your primary care physician --

11 A Yes.

12 Q -- whose information you're going to provide to  
13 us?

14 A Yeah.

15 MS. RODERICK: Okay.

16 Then with that, I propose the following  
17 stipulation; that we relieve our court reporter of her  
18 custodial duties for maintaining the transcript. And  
19 instead the transcript will be maintained by counsel for  
20 the applicant.

21 The defendant will be noticed of any changes  
22 made and the information that has been requested. Or  
23 simply that there are no changes, but with the  
24 information that has been requested within 45 days after  
25 receipt of the original transcript in counsel's office.

1           If the defendant is not noticed of the signing  
2 of the transcript, a certified copy may be used with the  
3 same force and effect at any trial or for a medical legal  
4 evaluation.

5           MS. FOLEY: So stipulated.

6                           (Time noted 12:06 p.m.)

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

3 Executed this \_\_\_\_day of \_\_\_\_\_, 2023,  
4 at \_\_\_\_\_, California,

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11 ALENA KHAMENIA  
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1 STATE OF CALIFORNIA )  
2 COUNTY OF LOS ANGELES ) ss.

3  
4 I, \_\_\_\_\_, a  
5 person who speaks the language of the witness, namely  
6 \_\_\_\_\_, and whose current address is

7 \_\_\_\_\_,  
8 do hereby certify that on the \_\_\_\_\_ day of  
9 \_\_\_\_\_, 2023, I did translate the within  
10 deposition from the English language into the  
11 \_\_\_\_\_ language, reading the same to the  
12 witness in her native tongue, to the best of my ability;

13 That all corrections and changes requested by the  
14 witness were made and initialed by the witness;

15 That upon completion of said reading, the witness did  
16 confirm to me that she had understood the reading.

17  
18  
19  
20 \_\_\_\_\_  
21 READER/INTERPRETER  
22  
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24  
25

1 STATE OF CALIFORNIA )  
2 COUNTY OF LOS ANGELES ) ss.  
3

4 I, Karyn Rexhepi, a certified shorthand reporter in  
5 and for the state of California, do hereby certify:  
6

7 That the foregoing proceedings were taken before me  
8 remotely via Zoom Videoconference at the time and place  
9 therein set forth, at which time the witness was put  
10 under oath by me;

11 That the deposition was recorded stenographically by  
12 me and was thereafter transcribed into typewriting under  
13 my direction and supervision and contains a true and  
14 correct transcript of my shorthand notes so taken.  
15

16 I further certify that I am not related to any party  
17 to said action, nor in any way interested in the outcome  
18 thereof.  
19

20 IN WITNESS WHEREOF, I have hereunto subscribed my  
21 name this 18th day of April, 2023.  
22

23 

24 KARYN REXHEPI, CSR NO. 10173  
25

