

BEFORE THE WORKERS' COMPENSATION APPEALS BOARD

STATE OF CALIFORNIA

ANISA CHANEY)
)
 Applicant,) Volume II
)
 vs.) Case No: ADJ13521045
) ADJ13521436
)
 SUNBRIDGE HALLMARK HEALTH)
 SERVICES DBA PLAYA DEL REY)
 CENTER and SEDGWICK CLAIMS)
 MANAGEMENT SERVICES)
)
 Defendants.)
 _____)

DEPOSITION BY ZOOM OF ANISA CHANEY

Huntington Beach, California

Friday, December 4, 2020

10:36 A.M. - 1:02 P.M.

BY:
ANGELA R. LUX
CSR No. 11095

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA

ANISA CHANEY)
)
 Applicant,) Volume II
)
 vs.) Case No: ADJ13521045
) ADJ13521436
)
 SUNBRIDGE HALLMARK HEALTH)
 SERVICES DBA PLAYA DEL REY)
 CENTER and SEDGWICK CLAIMS)
 MANAGEMENT SERVICES)
)
 Defendants.)
 _____)

Deposition of ANISA CHANEY, the Applicant,
taken on behalf of the Defendants,
commencing at 10:36 A.M. and ending at 1:02 P.M.,
on Friday, December 4, 2020, remotely
reported by ANGELA R. LUX, Certified Shorthand
Reporter No. 11095, in Huntington Beach,
California.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES OF COUNSEL:

FOR THE APPLICANT:

WORKERS' DEFENDERS LAW GROUP
BY: NATALIA FOLEY
Attorney at Law
8018 East Santa Ana Canyon Road
Suite 100-215
Anaheim Hills, California 92808
(714) 948-5054

FOR THE DEFENDANT SEDGWICK CLAIMS MANAGEMENT:

LAUGHLIN, FALBO, LEVY & MORESI
BY: MANUEL GARCIA
Attorney at Law
One Capitol Mall
Suite 400
Sacramento, California 95814
(714) 385-9400

FOR THE DEFENDANT AMERICAN HOME ASSURANCE COMPANY:

FLOYD SKEREN MANUKIAN LANGEVIN, LLP
BY: ILEEN KHANYAN
Attorney at Law
215 North Marengo Avenue
Suite 201
Pasadena, California 91101
(626) 316-5720

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

EXAMINATION	PAGE
MR. GARCIA	110, 159, 189
MS. KHANYAN	152, 161, 184
MS. FOLEY	178, 194

EXHIBITS

None

INFORMATION REQUESTED

None

QUESTIONS WITNESS INSTRUCTED NOT TO ANSWER

None

1 HUNTINGTON BEACH, CALIFORNIA, FRIDAY, DECEMBER 4, 2020

2 10:36 A.M. - 1:02 P.M.

3

4 THE REPORTER: Due to the need for this deposition
5 to take place remotely because of the coronavirus
6 pandemic and social distancing, the parties will
7 stipulate that there is no objection to this deposition
8 officer administering a binding oath to the witness by
9 videoconference. Please state your agreement on the
10 record.

11 MR. GARCIA: I agree.

12 MS. KHANYAN: I agree as well.

13 MS. FOLEY: Natalia Foley, applicant's attorney, I
14 agree. So stipulated.

15

16 ANISA CHANEY,
17 having solemnly stated to tell the truth
18 was examined and testified as follows:

19

20 EXAMINATION

21 BY MR. GARCIA:

22 Q All right. Please state your name.

23 A Is that me?

24 Q Yes.

25 A Anisa Chaney.

1 Q Okay.

2 A Excuse me, you all, one second. I'm going to
3 try to plug in my speaker, because I don't hear you well.
4 Let me see if I can make that work.

5 (Pause in the proceedings.)

6 MR. GARCIA: Back on.

7 Q So as you know, my name's Manuel Garcia. I'm
8 one of the defense attorneys in this matter that was
9 present at your last deposition, so today we're going to
10 continue.

11 So I want to briefly go over the rules again,
12 the same rules that were given to you last time, and
13 basically the same thing's going to happen today, what
14 happened last time.

15 Basically, I'm going to ask you some questions
16 about the claim that you filed against my client, and
17 hopefully you'll provide me some answers today.

18 Once again, my questions and your answers, as
19 well as anybody's questions and your answers, will be put
20 into a booklet form about the size of a magazine, and
21 you'll get a chance to review your testimony that you
22 give here today and make any changes that you feel are
23 necessary. But I should warn you that if you make any
24 substantial changes regarding your testimony, any party
25 can comment on that fact, so therefore, it's important

1 that you testify to the best of your ability today.

2 Do you understand that?

3 A Yes, I do.

4 Q Okay. Once again, a couple of rules; number
5 one, only answer verbally. Don't shake your head. Don't
6 point. Don't go, "uh-huh."

7 Do you understand that?

8 A I do. I'll try.

9 Q Okay. If you don't understand one of my
10 questions, let me know. I'll ask it again or I will ask
11 it in some different manner. I'm not here to trick you.
12 I'm just here to get information, okay?

13 A Yes.

14 Q In the past 24 hours, have you had any
15 medication?

16 A No.

17 Q In the past 24 hours, have you had any alcohol?

18 A No.

19 Q Do you feel you're able to testify truthfully
20 today?

21 A Yes.

22 Q Okay. All right.

23 Just like last time, if at any point you need to
24 take a break, just let us know and we'll take a break,
25 okay?

1 A Yes.

2 Q All right. So last time -- we're going to
3 pretty much start off -- where we finished off last time.

4 We were talking about your orthopedic
5 complaints, so I'm going to sort of start off there, and
6 then we'll move on, okay?

7 A Okay.

8 Q So just as a refresher to myself and everyone
9 else, if you could list just the body parts, your
10 orthopedic body parts, that you feel were injured as a
11 result of your employment.

12 A If I could list them; is that your question?

13 Q Yes.

14 A Um. My neck, my shoulders, my arm -- my left
15 arm -- my whole left arm, my back, my left leg -- hip,
16 leg down to my knee, foot, ankle.

17 Q Anything else?

18 Just orthopedically.

19 A Yes, I do have discomfort on my right side, but
20 it's light compared to my left side.

21 Q Discomfort where?

22 A In my left knee, my left shoulder.

23 Q Okay.

24 A I'm sorry. My right, excuse me.

25 My right hand and fingers. Yes.

1 Q All right. So -- anything else?

2 A My foot.

3 Q Right. I got that.

4 A My feet, yeah.

5 So -- okay, yes, that's -- I believe that covers
6 it.

7 Q Okay. So just so I'm clear, I have neck,
8 shoulder, left arm, back, left hip, left leg going down
9 to your foot and your knee. I also got right knee, right
10 shoulder and right hand and fingers, correct?

11 A Yes.

12 Q Okay. All right.

13 So I'm going to ask you one question that's
14 going to apply to each body part, okay? It's going to be
15 the same question but to each body part.

16 So in terms of the neck, when did you first
17 start getting those complaints?

18 A Okay. Um. Here's where I'll need to clarify,
19 um, something, what I recall from our last deposition. I
20 initially, um, hurt my left arm, shoulder in about 2017,
21 if I'm being accurate.

22 Um. Since then it kind of settled down, but
23 then it continued to progress upward over time.

24 Q Okay. So when you first hurt in 2017 the left
25 arm and left shoulder, were you working for this

1 employer?

2 A Yes.

3 Q Okay. And what happened in 2017 that caused you
4 to injure your left arm and shoulder?

5 A Handling a patient.

6 Q Okay. Tell me what happened. What do you mean
7 by "handling a patient"? What happened?

8 A I really can't recall exactly what happened, but
9 I do remember me having to catch someone, and I hurt my
10 arm. And it became intense pain to where I went to the
11 doctor.

12 Q Okay. All right.

13 Okay. So I'm going to focus on this right now,
14 and then we'll go back to the question I wanted to ask
15 you.

16 This 2017 one, did you report that?

17 A Yes.

18 Q Okay. And who did you report it to?

19 A To my director, Rose Mansel.

20 Q I'm sorry. What's the last name?

21 A Mansel.

22 Q How do you spell that?

23 A M-a-n-s-e-l.

24 Q Okay. And what's her title?

25 A She was the director of nursing.

1 Q Okay. Is she still employed at that company, if
2 you know?

3 A No, she isn't.

4 Q Okay. And you said you got medical treatment
5 after that incident?

6 A I went to the doctor because I was having some
7 pain in my arm, yeah, continual pain.

8 Q And where did you go?

9 A To Dr. Hernandez.

10 Q Okay. You mentioned him -- you mentioned
11 Dr. Hernandez at the last time, correct?

12 A Yes.

13 Q Okay. All right.

14 Did you file a workers' comp claim as a result
15 of that incident?

16 A No.

17 Q Did you miss time from work as a result of that
18 incident?

19 A I believe I called off a couple of days.

20 Q Other than Dr. Hernandez for this 2017 incident,
21 did you see any other medical providers?

22 A No. Oh, I'm sorry. I -- if that includes the
23 diagnostics, I had a x-ray, I believe, and an MRI at that
24 time.

25 Q Oh, okay.

1 Where did you have the x-ray and MRI done at?

2 A My brain...

3 Q Do you know if Dr. Hernandez reviewed those
4 x-rays or MRI?

5 A Yes, I believe so.

6 Q You don't remember if Dr. Hernandez told you
7 what the MRIs --

8 A Excuse me. No, I don't remember where I had the
9 MRI and the x-ray.

10 But now your next question, please.

11 Q Did Dr. Hernandez ever tell you what the MRIs --
12 what the MRI or x-ray showed?

13 A Yes, he did.

14 Q And what did he tell you?

15 A That they were all clear, negative, nothing.

16 Q Okay.

17 A Uh-huh.

18 Q Dr. Hernandez is the one that sent you out for
19 this MRI?

20 A Yes.

21 Q Was there an incident report written about this
22 2017 accident?

23 A I'm not sure.

24 Q Okay. All right.

25 And this incident, just so I'm clear, involved

1 the left arm and the left shoulder?

2 A Yes.

3 Q Okay.

4 All right. And I believe you stated that's when
5 the left arm and left shoulder condition started?

6 A Yes, that's when I initially had a problem
7 there.

8 Q Okay. From this incident, the left arm and left
9 shoulder, did those issues as to the left arm and left
10 shoulder ever go away?

11 A Yes. I felt like it did.

12 Q Okay. Around how long did it take for it to go
13 away?

14 A I don't recall exactly.

15 Q Was it within the year?

16 A Within the year, yes.

17 Q Okay.

18 Around 2018 the issues as to the left arm and
19 left shoulder from this 2017 incident disappeared?

20 A Yes.

21 Q Okay. All right.

22 A Can I elaborate? I wasn't -- I still had
23 discomfort, but it wasn't intense or anything, but I
24 still felt discomfort at times.

25 Q Okay. Did you have any -- let's say a year

1 out -- sorry.

2 Let's say a year out from that 2017 incident,
3 did you have any impairment as to that left arm or left
4 shoulder?

5 A No. No.

6 Q Okay.

7 So from 2000- -- I'm sorry. What was your last
8 day at work again?

9 A July 6, 2020.

10 Q Do you know what month this was in 2017?

11 A No, not exactly.

12 Q Okay. So from this incident in 2017 until your
13 last day of work this year, did you always work your
14 usual and customary job?

15 A No.

16 Q Okay. Was there a point in time when you worked
17 modified?

18 A Oh, no. Never.

19 Q Okay.

20 A No. Yes -- yes. I'm sorry. I don't want to...

21 MS. FOLEY: I apologize, Counsel. Let's clarify the
22 question, because it seems to me that my client didn't
23 understand exactly.

24 So what kind of duty are you specifically --

25 MR. GARCIA: Yes.

1 Q So from this incident in 2017 until your last
2 day at work July 2020, did you ever work with any kind of
3 restrictions?

4 A No.

5 Q Now, when I say without any restrictions, I mean
6 as to any body part, not necessarily left arm or left
7 shoulder.

8 Did you work with any restrictions for any body
9 part from 2017, that day of the incident, until your last
10 day of work in July 2020?

11 A No, not assigned restrictions. No.

12 Q Okay. So just so I'm clear -- so you remember
13 this 2017 incident. Are there any other incidents that
14 you recall now?

15 A Um.

16 You say incidents that I recall. About what? I
17 don't understand the question.

18 Q Well, this 2017 incident when you hurt your left
19 arm and shoulder, that was an incident at work where you
20 sustained an injury. Can you recall any other ones now?

21 A Any other injuries, other than the ones that
22 I've already...

23 Q Correct, at work.

24 A No, not other than the ones we've already
25 discussed.

1 Q Okay. All right.

2 Okay. Back to my original question as to
3 different body parts.

4 So the question I'm going to ask you as to each
5 one is when these symptoms first appeared, okay?

6 A month would be great. A month and a year
7 would be great. But if all you can give me is the year,
8 that's fine as well, okay?

9 A Okay.

10 Q So the neck, when did that start?

11 A Um. So that's in 2017, too, because that was
12 involving my shoulder. When you say my neck, this is
13 all -- my shoulder, my neck and my arm is like all -- I
14 consider that all a part of each other.

15 Q Okay.

16 All right. And how about -- so the next body
17 part was shoulder. Same thing, 2017?

18 A My neck, my shoulder, my left arm in 2017, yes.

19 Q Okay. So hold on. 2017. All right.

20 Okay. How about your back, when did that start?

21 A Um. My back, about 2019.

22 Q 2019, okay.

23 Do you recall the month?

24 A I don't, but I can say maybe around fall 2019.

25 Q Okay.

1 A Maybe no.

2 Yeah, somewhere mid 2019. Yeah. Uh-huh.

3 Q That's fine.

4 Okay. Now the left leg. When did that start?

5 A 2019.

6 Q Okay. Do you recall when?

7 A Uh, maybe early 2019.

8 Q Okay. How about the left hip, when did that
9 start?

10 A The same time.

11 Q Okay.

12 A Around that time, uh-huh.

13 Q And then the other areas when it went down to
14 your knee and your foot, the left, when did that start?

15 A Uh, in 2019.

16 Q Okay. All right.

17 And now we're to the right knee. When did that
18 start?

19 A My right knee.

20 I don't know. I don't recall. Maybe around the
21 same time.

22 Q Okay. How about the right shoulder?

23 A Uh. That was in about 2000- -- around in
24 2000- -- huh. I'm sorry. Excuse me.

25 I don't recall when exactly.

1 Q Okay.

2 And how about the right hand and fingers?

3 A Same. I can't recall exactly when it started,
4 that side started to hurt.

5 Q Okay. So I know last time other defense counsel
6 was asking you -- I think we all were -- about when these
7 things were reported.

8 So just the right knee, the right shoulder, the
9 right hand, you know, you stated you can't remember when
10 these started, but do you recall reporting those to
11 anybody?

12 A Yes. I recall reporting my pain and discomfort
13 several times, but not specific to body parts.

14 Q Okay. I think -- you always reported it to, I
15 think her name -- is it Mae?

16 A Yes. I had a report -- I did have to let Rose
17 Mansel know about my arm at that time. But since one --
18 since 2019, Mae has been the director, so that's who I've
19 been, um, having to communicate with.

20 Q Okay.

21 A As of 2019.

22 Q Okay.

23 Okay. Now, these body parts that you mentioned,
24 how do you think you sustained these injuries at work?

25 A Handling people and --

1 Q I'm sorry, what?

2 A Handling the residents, assisting the residents,
3 um, with mobility or positioning, lifting, pulling. The
4 med cart is very heavy. That was a big complaint that I
5 had. It was very hard for me to push it. I believe
6 that's how I hurt my back, pulling on that med cart.

7 Um. Yeah. So it's a lot of, um, physical work.

8 Q Okay.

9 Now, last time and just right now we went
10 through all your orthopedic complaints. Do you have any
11 other complaints that you're alleging as a result of your
12 employment?

13 A Yes, stress.

14 Q Okay.

15 Stress. Anything else?

16 A I've had some, um -- some discomfort, some
17 intestinal discomfort that, um, I'm still kind of
18 battling with. I'm just, um -- I'm seeing a doctor just
19 to make sure. I'm feeling better these days, actually.

20 Q Which doctor are you seeing for that?

21 A Um. I've been, um, able to see Dr. Daldalyan,
22 that I was able to get in.

23 Q Did you mention that doctor last time?

24 A Yes.

25 Q Okay. All right.

1 Okay. So stress --

2 MS. FOLEY: The name of the doctor, the last name,
3 Daldalyan.

4 BY MR. GARCIA:

5 Q Ms. Chaney, so stress, intestinal discomfort.
6 What else?

7 A I was having headaches. But, um, like I said,
8 these days I'm a little better, not so frequent or
9 anything, a lot better.

10 Q What else?

11 A As far as injury, no. I had other physical
12 conditions, but no -- I had episodes of chest pain and
13 shortness of breath. I don't know if you're referring to
14 that.

15 Q Are you saying those are work related?

16 A Oh, yes. That was involved with the COVID and
17 wearing those masks and no circulation. Yeah.

18 Q So I have stress --

19 A Doing CPR constantly. I mean, we had over 40
20 deaths in a few months. It was just -- yeah. It was a
21 lot of work and under stressful conditions.

22 Q So I have stress, intestinal discomfort,
23 headache --

24 A Uh-huh. Yes.

25 Q -- chest pain.

1 A Chest pain, shortness of breath.

2 Q What else?

3 A My blood pressure elevated, which initially sent
4 me to the doctor.

5 Q Which doctor?

6 A I had to go to the urgent care due to COVID. I
7 saw a Dr. -- oh, Dr. Allan.

8 Q Let me back up. Which urgent care?

9 A Dusk to Dawn.

10 Q Okay.

11 Was your blood pressure elevated temporarily or
12 is it still elevated?

13 A It was -- no. It is not now. At the time. No,
14 it's not elevated.

15 Q Okay. What else?

16 Anything else?

17 A No, not that I can recall.

18 Q Okay.

19 So again, I want to start off with this
20 question. It will be the same for each condition you
21 just mentioned. I want to talk about the start date,
22 okay?

23 A Okay.

24 Q So I'm going to skip over stress. I'll come
25 back to that.

1 But intestinal discomfort, when did that start?

2 A In about January of 2020.

3 Q Okay. And what caused, if you know, that
4 intestinal discomfort?

5 A I don't know. I'm thinking -- I don't know.
6 Maybe stress. I felt like -- I'm diagnosing myself here.
7 I don't know.

8 Q And how is that intestinal discomfort now?

9 A It's better.

10 Q You still have it?

11 A Occasionally when I'm -- yes, occasionally. Not
12 as frequent.

13 Q When you get it now, what causes it or what are
14 you doing or what are you experiencing?

15 A Things like stress. I don't know.

16 Q Okay. Are you taking any medication for the
17 intestinal discomfort?

18 A No.

19 Q So just so I'm clear, when you say "intestinal
20 discomfort," are you talking about stomach pain or are
21 you talking about more than that?

22 A More than that.

23 Q What do you mean by "more than that," then?

24 A When you say "stomach pain," like I have
25 diarrhea.

1 Q Okay.

2 A Um. My stomach pain, like abdominal pain.

3 Q Anything else regarding the intestinal
4 discomfort?

5 A No.

6 Q Okay. Did you go see a doctor for this
7 intestinal discomfort?

8 A Um. I mentioned it to my doctors during my
9 visits.

10 Q Which doctor?

11 A They related it to stress.

12 Um. I saw Dr. -- I don't know her name. At the
13 Behavioral Health Urgent Care, the Dusk to Dawn, both of
14 those. That's who I was able to see at the time.

15 Q Okay. Hold on.

16 So Behavioral Urgent Care, is that what you
17 said?

18 A It's called, um, Stars Behavioral Health Group.

19 Q What city is that in?

20 A Long Beach.

21 Q Okay.

22 And I'm sorry. You saw them and who else -- oh,
23 Dusk to Dawn, right?

24 A Yes.

25 Q Okay. All right.

1 Okay. Did you report these symptoms -- did you
2 report the intestinal discomfort to anyone at work?

3 A Um. Yes. I -- yes. I told Mae that my stomach
4 is upset, I'm stressed, yes, I don't feel good. Yes.

5 Q Okay. All right. And the headaches started
6 when?

7 A In about 2019.

8 Q When?

9 A Early -- maybe early. January.

10 Q In your opinion, what was the cause of the
11 headaches in early January 2019?

12 A Stress, in my opinion.

13 Q What kind of stress in early January 2019?

14 A Just overworked -- just overwhelmed with work
15 and the conditions, the environment, just a lot of
16 responsibilities.

17 Q So what kind of conditions in the environment
18 are you talking about that caused the headaches?

19 A Well, in my position I had a lot of
20 responsibilities, so just the patient care, dealing with
21 the staff, the responsibilities being put on me, my
22 dissatisfaction with what I was having to do and still
23 being forced to do it. I was stressed out. And -- yeah.

24 Q Did you report this to anybody?

25 A Yes.

1 Q Who?

2 A 2019, initially I spoke to Rose. I spoke to
3 Rose and possibly, um -- I'm not sure, but someone in
4 corporate, because some of the issues I kind of spoke to
5 corporate about, whoever was in charge there. I don't
6 recall. And then shortly into 2019 is when Mae -- Rose
7 left and Mae came in.

8 Q Okay. And how are the headaches now?

9 A They're better. They're less frequent, less
10 intense. I still get a little friction, but it's not as
11 bad.

12 Q Okay. And how about the chest pain, when did
13 that start?

14 A About -- January, February 2019.

15 No, 2020 I'm sorry. Excuse me.

16 Q Okay. Is that also when the shortness of breath
17 started?

18 A Yes.

19 Q Okay. So what do you think was causing that?

20 A Well, I didn't -- I don't know, but like I said,
21 we had to wear, um, the equipment, N95 mask, that was
22 hindering my breathing.

23 The chest pain, I just -- I don't know. I was
24 having heart palpitations, anxiety. That's why I went to
25 the doctor. Yeah. I was just overwhelmed.

1 Q The chest pain and the shortness of breath, you
2 also went to the same place, Dusk to Dawn and the
3 Behavioral place?

4 A Yes. Uh-huh. That's why I went to those
5 places.

6 Q So you're saying the -- sorry. The lights went
7 out here.

8 A lot of the problems, you're saying, were
9 caused because you had to wear the N95 mask; is that
10 right?

11 A Um.

12 I think that played a part. I don't know. I
13 think I was just kind of just stressed. And I don't know
14 if that was making my heart beat fast or what was making
15 my blood pressure go up. I don't know.

16 Q Let me ask you this: So what do you think -- I
17 mean, you listed a bunch of symptoms here.

18 So you had to wear -- you wore N95 masks. So
19 what do you think wearing that -- of these symptoms, what
20 do you think wearing N95 masks caused, which ones?

21 A Well, my shortness of breath. I think it
22 contributed, yes, to my shortness of breath.

23 Q Okay. Anything else?

24 A And my anxiety. It contributed, uh-huh.

25 Q Okay. Anything else?

1 A No. I can't...

2 Q Okay. So do you still have shortness of breath?

3 A No.

4 Q Okay. No. Okay.

5 Do you still have chest pain?

6 A No.

7 Q Okay.

8 Now, my understanding is that to wear the N95
9 mask is going to protect you; is that right?

10 A No. Well, it -- we lost 40-something residents,
11 I'm sure you're aware, or more by now. I don't know.

12 No, not to protect me, to protect everyone.

13 Q Right.

14 A Yes, that was necessary for every -- to protect
15 me and to protect the residents, the staff, everybody.

16 Q Okay. But you admit wearing the N95 mask was a
17 necessary safety measure?

18 A Necessary --

19 MS. FOLEY: Objection. You call for a specific
20 opinion. My client might not have the expertise. I
21 instruct her to answer to the extent she understands.

22 MR. GARCIA: Right.

23 Q In your opinion, you understand that wearing the
24 N95 mask is a reasonable safety measure?

25 A If you are exposed -- if you are in exposure to

1 COVID-19, in that position, yes.

2 Q Okay.

3 And when did you start wearing the N95 mask?

4 A About February. Yeah, late January 2020.

5 Q Right.

6 And so you wore it specifically for -- because
7 of COVID exposure --

8 A Yes.

9 Q -- correct?

10 A Yes.

11 Q Okay.

12 Okay. You started off just listing symptoms,
13 and I left this for last, but stress.

14 So --

15 A I'm sorry. You're breaking up. I didn't get
16 it.

17 Q Oh.

18 So now I'm going to go back to the first symptom
19 you mentioned. And I saved this for last for a reason,
20 because it will take a little bit longer. But you first
21 mentioned stress.

22 A Uh-huh.

23 Q So my first question for that is when did you
24 first start feeling stress?

25 A I had stress for several years during my time

1 there, but when it became unbearable, I'd say about 2019.

2 Q When?

3 A Early 2019, about January, February. It could
4 have went back to 2018.

5 Q Okay.

6 A I believe -- yeah, like 2018 it was going on.

7 Q Your attorney on your behalf filed a claim, an
8 application, for injuries starting January 6, 2020 until
9 June 30th 2020. And your attorney on your behalf alleged
10 "Stress and strain due to hostile work environment.
11 Applicant was forced to wear N95 mask that was causing
12 applicant difficulties of breathing, chest pain,
13 irritable bowel syndrome, headache and high blood
14 pressure."

15 Do you agree with those allegations?

16 A Yes.

17 Q Okay. So what started happening -- I mean, per
18 this pleading here, what started to happen on or about
19 January 6, 2020, that's causing these conditions?

20 A I believe the environment with the COVID and the
21 restrictions, and that added -- that just compounded on
22 top of everything else.

23 Q You're talking about the restrictions placed on
24 you by your employer created the hostile work
25 environment?

1 A No. No restrictions from my employer.

2 Q Okay. But you said -- in this it says,
3 "Applicant," you, "was forced to wear N95 mask" --

4 A Uh-huh.

5 Q -- "causing difficulties of breathing, chest
6 pain, irritable bowel syndrome, headache and high blood
7 pressure."

8 Are you saying wearing that N95 mask caused
9 these symptoms as well?

10 A I think it contributed. It's very
11 uncomfortable, suffocating. Yeah, it was hard to wear.
12 But not knowing where COVID was and who had it and even
13 having us working with staff that had it and they're
14 hiding it -- so many things were going on, so you had to
15 keep it on.

16 Q Right.

17 Did you not like wearing the mask?

18 A It was uncomfortable. But if I needed it, you
19 know, it was -- no, I didn't like it. No.

20 For a short time it was okay. But for a whole
21 shift, it's hard.

22 Q Now, for this time period, January 6, 2020,
23 until June 30th, 2020, this claim says, "Stress and
24 strain due to hostile work environment."

25 What hostile work environment are you talking

1 about during this time frame?

2 A What is the time frame? Can you give it to me?

3 Q January 6, 2020 through June 30th, 2020.

4 A It's hostile because my boss was not happy with
5 my constant complaining, and I was getting backlash from
6 that. Hostile because of the staff not cooperating, not
7 following the precautions, um, with the virus, um, yeah,
8 putting us in dangerous situations and my complaining
9 and, yes, my concerns.

10 Q What were you complaining about?

11 A I was complaining about pain, anxiety, the fear
12 of not knowing, the situations that were going on.

13 So, yes.

14 Q Okay. And then you were complaining about the
15 staff about what?

16 A Oh, I had many issues with staff and their
17 performance. And me having -- being a supervisor, I had
18 to delegate a lot of tasks that they a lot of times
19 resisted, because it was a lot of hard work that a lot of
20 times they refused or, yeah, half did or -- yes.

21 Q So would you go back to a similar setting for
22 employment?

23 A I would in my position being recognized -- in my
24 position, I would, but not with the -- having to do
25 everything. No, I can't do that.

1 Q So let me ask you this: Outside of your place
2 of employment, did you comply or -- did you comply with
3 various recommended restrictions put on individuals in
4 the state, like wearing masks, social distancing, all
5 that?

6 A Oh, when I had to, yes.

7 Q Okay.

8 So in your private life outside your place of
9 employment, did you -- when you stepped outside, would
10 you wear a mask?

11 A A regular mask, not an N95 mask.

12 Q Okay. Um.

13 Is there anything else that caused you the
14 stress during this period of January 6, 2020, through
15 June 30th, 2020, that you haven't mentioned yet?

16 A Uh.

17 MS. FOLEY: Objection. This is very bad question.
18 Can you be more specific?

19 BY MR. GARCIA:

20 Q Is there anything else, in your opinion, that
21 happened at work that caused you stress during this time
22 period that you have not stated already?

23 A That's -- it's hard for me to answer that
24 question. I believe so, yes.

25 Q Okay. There's more or there isn't more?

1 A Oh, there's more.

2 Q Okay. What else happened between this time
3 period that caused stress?

4 A Well, the different situations and the responses
5 or the no response, having to go to work and do three or
6 four people's jobs because of lack of staff, no staff,
7 um, being manipulated to work overtime, not being able to
8 go home on time, and have two days, a day and a half
9 there.

10 Just, yeah, a lot of things.

11 Get to work, don't know if someone's there, so I
12 have to just do everything because nobody showed up for
13 work.

14 It's a lot of stress.

15 Q All right. Have you ever had any -- besides for
16 work-related situations, have you ever had any kind of
17 psych counseling or treatment?

18 A Counseling? No.

19 Q Psychiatric counseling?

20 A No. No, not outside of work.

21 Q Okay.

22 Have you ever had any kind of mental health
23 counseling of any kind?

24 A I have had counseling due to a family situation.

25 Q Okay. When was that?

1 A Um.

2 I want to say maybe about 2014 or 2015,
3 pertaining to my daughter, yes.

4 Q Okay. Is that the only other time?

5 A Yes.

6 Q Okay. So regarding your daughter. How old was
7 your daughter at that time?

8 A She was about 22 I want to say.

9 Q And how long did you go to counseling for that
10 issue?

11 A Um. I -- maybe for a couple -- a few sessions
12 over a couple of months, maybe. I don't recall. It's
13 been a while.

14 Q And those issues were resolved?

15 A Yes.

16 MS. FOLEY: I apologize, Counsel --

17 Go ahead.

18 MR. GARCIA: Finish your thought, Ms. Chaney.

19 THE WITNESS: I'm sorry.

20 I'm saying I don't know to say that they were my
21 issues, you know.

22 MR. GARCIA: Ms. Foley.

23 MS. FOLEY: I just wanted to ask you guys for
24 five-minutes restroom break.

25 MR. GARCIA: Yes, of course.

1 We'll come back in five.

2 (Recess.)

3 MR. GARCIA: We're back on.

4 Q So I just want to go back to this mental health
5 counseling that you went with your daughter.

6 What were the issues that were being discussed?

7 A Uh. Just stress.

8 Q Your daughter's ongoing stress?

9 A My daughter was having a mental health crisis.

10 Q Okay. About what?

11 A I don't know how to answer that.

12 Q What was the problem? What was going on?

13 A She was having a mental health crisis.

14 Q What does that mean? Did she try to kill
15 herself? Was she --

16 A No, thank God.

17 She was having some psychotic episodes.

18 Q Does she have a psychiatric diagnosis?

19 A She did back then.

20 Q What was it?

21 A Um. They said she was bipolar schizophrenic.

22 She's fine today I would like to add.

23 Q Well, is she on medication for that?

24 A No, she's not, not anymore. That was making her
25 bipolar schizophrenic.

1 Q The medication was?

2 A Yes, I believe so.

3 Q Okay. Why was she put on medication to begin
4 with?

5 A Because she had -- there was an initial episode,
6 and then it -- it lingered. It was continual while she
7 was on the medication until she came off of it.

8 Q And how is your daughter now?

9 A She's fine, absolutely well. Thank you.

10 Q Okay.

11 A No meds.

12 Q I don't recall now. Do you have other children?

13 A I do. I have a son.

14 Q Okay. And how old is he?

15 A He's 14.

16 Q Oh, he's 14, so he's a high school freshman?

17 A Yes.

18 Q Does he live with you?

19 A Yes.

20 Q Okay.

21 Any -- does he have any physical or mental
22 disabilities?

23 A No.

24 Q Okay. He's not a special needs child?

25 A No, he's not.

1 Q Okay.

2 How's his health?

3 A His health?

4 Q Yes.

5 A He's in good health.

6 Q Okay. What kind of student has he been thus
7 far?

8 A He's a good student. I'm very proud of him.
9 Excellent.

10 Q Okay.

11 A Good boy.

12 Q I'll just ask you this: A good student, what
13 kind of grades does he get?

14 A Sometimes it could be challenging, but he --
15 he's above average.

16 Q Okay. So what kind of grades does he get?

17 A He gets Bs and Cs, and he might get a D or a F
18 around here and there, somewhere.

19 Q When he was in middle school, did he have any
20 disciplinary actions against him?

21 A No.

22 Q Okay. So right now he's in his first semester
23 of high school. Is he still getting Bs, Cs and Ds and
24 Fs?

25 A Actually, he hasn't gotten any Fs thus far.

1 He's only been in school a couple of months. His
2 progress reports are looking very well, more like Bs and
3 maybe a couple of Cs.

4 Q All right.

5 Has your daughter -- has she ever been a victim
6 of a violent crime?

7 A I'm not sure if that could have initiated her
8 mental health crisis, so I'm not sure.

9 Q I mean, to your knowledge, has she ever been
10 assaulted or raped?

11 A I haven't got a clear answer on that. I'm not
12 sure.

13 Q She's never mentioned this to you or...

14 A During some of the psychiatric issues, maybe.

15 Q Okay. So is that -- are you telling me she did
16 mention assaults or rapes to you or...

17 A She did when she was in another mental state I
18 should say.

19 Q When was this?

20 A This has been back in 2013/'14. And please,
21 let's move on from that. I don't know what it has to
22 do...

23 Q Unfortunately, because of the claim you filed,
24 I'm allowed to ask these questions. They're not made to
25 embarrass you or --

1 A No, I'm not embarrassed, but she's actually in
2 the next room and I'm discussing her business.

3 Q Unfortunately, I'm entitled to ask the
4 questions. I'm sorry.

5 A Okay. Go ahead.

6 Q Okay. So back in 2013/2014 she mentioned
7 possible -- she mentioned rapes or assaults, or both?
8 Which one was it?

9 A I'm not sure.

10 Q Okay.

11 Were these items, rapes or assaults, were they
12 discussed during these counseling sessions when you were
13 present?

14 A Not in my presence.

15 Q Okay. Were you aware of them being discussed
16 outside of your presence?

17 A I'm aware of her being asked the question.

18 Q Okay. Do you recall her response? Are you
19 aware of her response?

20 A No, not a good -- no.

21 Q At any time since that time until now, have you
22 ever talked to her about either rape or assault?

23 A No.

24 Q So why wouldn't you want to discuss that with
25 your daughter?

1 A Why would I?

2 Q Well, wouldn't you want to know if she's doing
3 okay from those incidents, if they occurred?

4 A She is doing okay. I watched her get better. I
5 don't even know if anything happened. Like I said, it
6 was a psychotic episode that happened, and things were
7 said. I'm not sure about it. It's not been a issue.
8 She knows she's able to come and talk to me. I offer
9 myself to her often, if she needs to talk to me. She has
10 a mentor.

11 Q She has a what?

12 A She has a mentor that she can -- if she doesn't
13 feel comfortable talking to me about anything, she can
14 express it to someone else, if not me, so...

15 Q Does your daughter work?

16 A Yes, she does.

17 Q She's 22. What does she do?

18 A She's not 22. She's 28 now.

19 She does -- she's in logistics and
20 transportation. She went to school and finished that
21 during her psychiatric episode also.

22 Q Was your daughter ever arrested?

23 A No.

24 Q Okay. Your daughter ever abuse drugs or
25 alcohol?

1 A No.

2 Q All right. Have you ever been arrested?

3 A No.

4 Q Okay. Have you ever abused drugs or alcohol?

5 A No.

6 Q Just so I can ask the question, has your son
7 ever been assaulted or been a victim of a violent crime?

8 A No.

9 Q Okay. Have you ever been assaulted or been a
10 victim of a violent crime?

11 A No.

12 Q So the last time you told us that you're not
13 divorced, but you're --

14 A Oh, I'm sorry. I did have -- we had a domestic
15 violence issue once upon a time.

16 Q You and your...

17 A Husband.

18 Q Okay.

19 A My estranged husband.

20 Q Right.

21 A Uh-huh.

22 Q When was that?

23 A I don't recall.

24 Q I mean, was it -- how long -- like what year,
25 how long ago, what time period?

1 A It's been years ago. I...

2 Q I think last time you told us you were separated
3 for -- you've been separated for three years, so --

4 A Yeah, so it was before that.

5 Q Okay.

6 Is that part of the reason why you guys got
7 separated?

8 A Um.

9 I don't know if I could say that's the reason.

10 Q Okay. But is that a reason?

11 A Um.

12 Q One of the reasons?

13 A No, because we've been back together since then,
14 so I guess not.

15 Q Oh, okay.

16 So by "domestic violence," again, what do you
17 mean by that? Did he physically abuse you, mentally
18 abuse you?

19 A We had a physical altercation.

20 Q Okay.

21 Okay. Was that several times, one time?

22 A It was one time.

23 Q One time.

24 Okay. Was anybody arrested for that incident?

25 A He was.

1 Q He was.

2 Was he given jail time, probation?

3 A Nothing.

4 Q Okay. After this incident, did you guys go to
5 marriage counseling?

6 A With our church.

7 Q Okay.

8 And how long was that marriage counseling?

9 A Maybe about -- I don't know. Maybe about eight
10 or nine months, less than a year.

11 Q Okay. Was that the only time you guys went to
12 marriage counseling?

13 A Yes.

14 Q Okay.

15 A We went way back before -- maybe 20 years ago we
16 had some counseling.

17 Q For what? Was there a domestic --

18 A Because we were getting married.

19 Q Oh, okay.

20 A Uh-huh.

21 Q So -- okay. You're separated for three years,
22 not divorced yet. And I can't recall if this was asked
23 last time or not, but is there a reason why you haven't
24 progressed to a divorce yet?

25 A No. I don't know -- no, there's no reason.

1 Q Okay.

2 Does he -- does your husband still live with you
3 guys?

4 A No, he doesn't.

5 Q Okay. When's the last time you saw him?

6 A Uh. This is -- uh. Maybe about August.
7 Physically, face-to-face, August. Myself, yes.

8 Q Okay.

9 Are you guys just friends or is there a
10 relationship again?

11 A Oh, you are just going, going, going.

12 Q Again, I'm entitled to ask the questions.

13 A He's my husband, so there it is.

14 Q Okay. So you guys are separated, you guys
15 aren't divorced, but you still have an ongoing
16 relationship with him?

17 A I do have a relationship with him. He's my
18 husband and the father of my son.

19 Q Okay.

20 So has your -- your husband, did he ever abuse
21 alcohol or drugs during your marriage?

22 A No.

23 Q During your marriage during that domestic
24 incident, was that the only time he was arrested?

25 A Yes.

1 Q Okay. And since your separation, has he been
2 arrested?

3 A No. No. Not to my knowledge.

4 Q Okay.

5 Where does your husband live at?

6 A I don't have his address.

7 Q What city?

8 A Los Angeles.

9 Q Okay.

10 So now that you're not working, what do you do
11 all day?

12 A Um. I'm actually a student. I'm looking for
13 work every day. Um. Yeah, I'm job searching and, um,
14 I'm studying.

15 Q Where are you a student at or...

16 A Capella University.

17 Q Okay.

18 And are you working on a degree, a certificate
19 or just taking classes or...

20 A I'm working on my bachelor's degree.

21 Q Okay. In what subject?

22 A Psychology, precounseling.

23 Q Okay. And when did you start that?

24 A Uh, just -- uh. November. Is this November?
25 Yes, the beginning of -- it just started here about a

1 month ago.

2 Q Okay.

3 A Uh-huh.

4 Q How many classes are you taking?

5 A Right now I'm enrolled in one. I'm registered
6 for two for next semester, winter semester, January.

7 Q And how's the online classes going?

8 A They're pretty intense for online, but it's
9 good. It's going.

10 Q Okay.

11 A If I -- I need the opportunity. I was thinking
12 about -- you were asking me about the hostile work
13 environment. I did have some things that I need to
14 express about that. I wasn't sure how to address --

15 Q Go ahead.

16 A Okay. So for some of the hostility that I
17 experienced there I felt like was discrimination, um,
18 because I was -- because I'm black. As a RN I was forced
19 to do duties that the other RNs in my position of other
20 races did not have to do. Um. There were some other
21 African-American RNs there that, um, ultimately left due
22 to the workload and the discrimination that was obvious
23 in the workplace.

24 Um. So that contributed a lot to the
25 hostility -- the hostile work environment I should say.

1 Um.

2 Yeah, I just, um -- all of that kind of -- I'm
3 sorry. Excuse me.

4 Yeah, so that was a big problem. And I felt
5 like that contributed to even when I complain and then my
6 pain and me addressing certain issues, then I got fired.
7 I got terminated after ten years. I worked there for ten
8 years.

9 And I really feel like that was retaliation.
10 And the discrimination was -- was very obvious.

11 And I hope I mentioned that I also received
12 threats, harassment from staff.

13 Q When was this?

14 A This is several times over several years, and it
15 should be documented there, and I have the documentation.
16 I have almost a year's worth of texts between me and Mae
17 with me complaining about my work, about the staff, about
18 my pain, her saying she's going to fix it, she's going to
19 give me a raise, you know, "Bear with me." You know. I
20 had documentation of all of that.

21

22 EXAMINATION

23 BY MS. KHANYAN:

24 Q Has that documentation been produced?

25 A Produced where?

1 Q To your attorney.

2 A She's aware of it.

3 Q Okay. I'm going to make a demand on the record
4 for all documentation related to your notations of
5 harassment at work over the years.

6 A You'll have to probably collect that from
7 Genesis to get it in a proper format. I have my own
8 notes and things like that that I have taken over the
9 years. I have a bag of notes pertaining to staff and
10 disciplinary issues.

11 Q Have you had any write-ups or disciplinary
12 actions during your employment with Genesis?

13 A Uh. I believe during one-year time when Rose
14 was the director we had some issues, and I think I ended
15 up -- she wrote me up about a few times in a short period
16 of time during the time she was there. Um. I believe
17 it. But I'm sure I rebut it or contested it, the
18 write-ups. I don't think it had anything to do with, uh,
19 staff. I don't think it had anything to do with staff.
20 I'm not sure. I don't recall. But I've been handed a
21 write-up for some reason or another that I've had to
22 dispute with the corporate. I think I was taken up lying
23 for something that they needed to cover up.

24 Q You're going to answer my question without me
25 asking it.

1 A I did answer.

2 Q Yeah, you answered my question without me asking
3 it. Like you answered before I even got to ask the next
4 question --

5 A Oh, okay. I'm sorry.

6 Q It's fine. You guessed my question. My
7 question was going to be do you recall what the write-ups
8 were for.

9 I know you said you've been written up a few
10 times, but can you give me examples of what you were
11 written up for?

12 A I believe they were being cited by the State,
13 and so I'm the supervisor. I was told that somebody has
14 to take the rap, somebody has to take the blame or take,
15 um, discipline for it, so it fell on me. I'm the
16 supervisor.

17 Q What was it? Like was it something that was
18 done to a patient or what was the problem that you were
19 taking the blame for?

20 A One incident, I believe, that I recall, there
21 was a patient that complained that he maybe didn't get
22 the attention, the care that he was supposed to get. I'm
23 not -- I believe it was something around -- something
24 happening with that situation.

25 And then like I'm the night nurse, I come in in

1 the middle of the night, and then everything got blamed
2 on me.

3 Another incident, I believe there was a
4 patient -- when I came in to work, there was a patient on
5 oxygen, on a certain level of oxygen that wasn't
6 prescribed. The State came in and noticed the patient
7 with the wrong oxygen prescription, or there was no
8 prescription. The patient was in distress.

9 So I came in. I'm the supervisor over the
10 night, so it got blamed on me again. I had no way to
11 take the lady off the oxygen that she was actually on,
12 and I couldn't contact the doctor. I couldn't transfer
13 her out. It was just a situation where I was stuck there
14 like so many times by myself in a situation that I just
15 had to, kind of, improvise.

16 And the State walked in in the morning, and so I
17 got written up.

18 Q Did you have any problems with Rose, the
19 director?

20 A Uh. Uh. Yes, we had some issues.

21 Q What were your issues between one another?

22 A It all go- -- went around my job duties, me
23 having to -- to do all this excessive work, duties that
24 weren't in my job description and my complaints about
25 that.

1 Q Did you guys have personal problems or were you
2 guys friendly?

3 A We were friendly. We've been out before. I've
4 been to her home and so forth.

5 I did have to report her to corporate before.

6 Q How about with Mae Young, how was your
7 relationship with her?

8 A Initially it was -- I felt like it was really
9 good when she first came aboard, you know. She really
10 presented herself well and that she had good intentions.
11 She was very -- seemed attentive and friendly.

12 And after I was complaining consistently, I
13 guess then she started to get a little different. A lot
14 different, actually. She told me, yeah, don't talk to
15 her, so she started to get rude and disrespectful,
16 actually.

17 Q Have you had any problems with other staff or
18 RNs?

19 A Not with an RN, only the staff that I was
20 supervising. I've never had a problem with anyone else,
21 other than those that I had to supervise.

22 Q And what problems did you have with those that
23 you had to supervise? Can you give me some examples?

24 A Just them complaining about my standards that I
25 required and -- well, the standards that just were

1 required, and I'm just trying to enforce them only. And
2 they refused to follow them, to try to work up to them,
3 because it was a lot -- I had a lot of sympathy for them
4 also. There's a lot of work to do.

5 But a lot of people just came and say, "Uh. I'm
6 not doing it."

7 But I'm the one responsible there, I'm the RN,
8 so it was on me.

9 Q So you being the RN, you supervised not other
10 RNs, you supervised maybe LVNs, or what do you mean by
11 staff?

12 A The LVNs and the CNAs and also I assisted with
13 supervising the housekeeping -- all the staff that was
14 there. I was the supervisor at night, so I was the only
15 supervisor there, so whoever was in the building.

16 Q Do you know of any incidents of these LVNs or
17 CNAs that you've supervised complaining of your attitude
18 towards them?

19 A Yes, a lot.

20 Q Did you have any meetings with corporate about
21 these complaints?

22 A Yes.

23 Q Do you recall how many there were or
24 approximately?

25 A Um. They were a few. I don't know if they were

1 with corporate, but with the director, the administrator
2 and so forth, finding myself initiating the complaints
3 and then they come back with something. I write them up,
4 then they complain.

5 Q So you would write them up and then they would
6 complain; is that what you're saying?

7 A Yes.

8 Q Do you know what their complaints were?

9 A Um. I've had them complain about several
10 things, say that I belittled them, say that I'm, um --
11 "I'm doing too much," asking them to do too much. Yeah.

12 Q And were you written up for this --

13 A No.

14 Q -- or --

15 A No, no. Never written up.

16 Actually, their behavior was acknowledged by the
17 supervisors also, and I just was asked to deal with it.
18 They're going to get them out of the way, they're going
19 to, you know, work it out some kind of way. I just was
20 asked to try to bear with it due to the population of
21 people that we had working there.

22 MS. KHANYAN: Sorry to cut you off, Manny. Go
23 ahead.

24 MR. GARCIA: No, go ahead. Go ahead. I think I'm
25 done.

1 Ileen, you can keep going.

2 MS. KHANYAN: I asked my question. I just wanted to
3 follow up on the hostile work environment.

4 MR. GARCIA: Okay. All right.

5 THE WITNESS: Yeah, I think I got that on.

6

7

FURTHER EXAMINATION

8

BY MR. GARCIA:

9 Q Just so I'm clear, which doctors have you seen
10 in the past 30 days?

11 A I've seen Dr. Daldalyan, Dr. Gofnung.

12 Thirty days. I believe that's it.

13 Q Dr. Goffner?

14 A It's Gofnung. G-o-f-n-u-n-g, Gofnung.

15 Q Did you mention that doctor last time?

16 A Yes.

17 Q Okay.

18 Oh, yeah, here it is. G-o-f-n-u-n-g?

19 A Yes.

20 Q Okay.

21 So these two physicians, what are they doing for
22 you right now?

23 A Well, Dr. Gofnung, they're doing therapy
24 sessions. I'm getting some kind of electrical
25 stimulation and some massage, different exercises that

1 they have me doing. I think they've helped. I feel a
2 lot better. Um. Along with the -- I got some cream --
3 Dr. Daldalyan, he gave me some creams for my neck,
4 shoulders and my back that's kind of soothing.

5 And yeah, I refuse the medication, so they --
6 that's the first thing is medicine, medicine, but no
7 medicine. I did get Ativan. I haven't had to use that
8 either. I haven't been taking Tylenol too often either,
9 but that's about it.

10 Q Are you taking any medication for your high
11 blood pressure?

12 A I don't -- no. My blood pressure is not high.

13 Q Are you taking any medication for your headache?

14 A I have taken a Tylenol for it, but, yeah, it's
15 been okay.

16 Q Are you taking any medication for your
17 intestinal discomfort?

18 A No. Sometimes I might take Pepto-Bismol or
19 Malox.

20 Q Are you taking medication for your chest pain?

21 A No.

22 Q Are you taking medication for your breathing?

23 A No.

24 Q Are you taking any medication for your stress or
25 anxiety?

1 A I have a prescription for Ativan.

2 Q But are you taking it?

3 A No, I don't need it.

4 Q Okay.

5 I think I'm done, Ileen.

6

7 FURTHER EXAMINATION

8 BY MS. KHANYAN:

9 Q I wanted to ask where the university was. I
10 probably didn't hear what university you're at.

11 A Capella University. It's online. They're
12 located in Minnesota.

13 Q Pellet?

14 MR. GARCIA: Capella.

15 THE WITNESS: Capella.

16 BY MS. KHANYAN:

17 Q Got it.

18 Where is the church that you and your husband
19 have your marriage counseling at?

20 A Central Baptist Church in Inglewood.

21 Q And you said you don't know where he lives?

22 A Um.

23 No, not -- I -- I don't know the add- -- the
24 address.

25 Q But you know where he lives?

1 A I understand that he lives with his brother, but
2 he's never there, so I don't know.

3 MS. FOLEY: Objection. Counsel, I want to clarify
4 we're talking about one particular person. Otherwise,
5 it's outside of context.

6 MR. GARCIA: Ms. Chaney.

7 THE WITNESS: What do I do? It's frozen.

8 BY MS. KHANYAN:

9 Q Now we hear you.

10 He lives with his brother but he's never there,
11 right?

12 A Well, I understand that's where --

13 MS. FOLEY: Don't answer. Don't answer.

14 Counsel, who's "he"? When you ask a question,
15 please be clear.

16 MS. KHANYAN: Ma'am, here you go again. Every time
17 I come to ask a question, you attack me. I'm asking her
18 to repeat --

19 MS. FOLEY: Every time you ask a question, be clear.
20 If you ask about her husband, say that, because when you
21 are saying "he," it might be whoever is in your fantasy.
22 And I don't know, maybe she knows, but whoever will be
23 reading the transcript will not be clear on that.

24 MS. KHANYAN: I'm actually asking her to repeat what
25 she said because the court reporter asked her to repeat.

1 Madame Court Reporter, did you ask her to repeat
2 her question -- her answer?

3 MS. FOLEY: If you ask court reporter to read back
4 your question, the question will say "he." Resolve
5 identification. Who's "he"?

6 MS. KHANYAN: I wasn't asking a question. I was
7 asking her to repeat what she said.

8 Court Reporter, did you get that answer that you
9 wanted?

10 THE REPORTER: Let me check. There's been a lot of
11 back and forth. Let me go back.

12 (Record read.)

13 MS. FOLEY: What was the last question by the
14 counsel when she asked about location of some person, how
15 that was phrased?

16 (Record read.)

17 MS. FOLEY: When we've been talking about "he,"
18 you've been talking about her husband.

19 MS. KHANYAN: Yes.

20 MS. FOLEY: Is that right?

21 Okay.

22 BY MS. KHANYAN:

23 Q And you said Central Baptist Church in
24 Inglewood; is that right?

25 A Yes.

1 Q Do you still go there?

2 A Yes, but due to COVID we're not in church,
3 uh-huh.

4 Q Okay. Perfect.

5 And then is your daughter -- you said your
6 daughter's doing much better mentally, but is she in
7 school now or is she working?

8 A She's working.

9 Q Perfect. Got it.

10 You have -- were you married previously, because
11 you said your husband is the father of your son?

12 A No, I wasn't married, but my daughter has
13 another father, a different father.

14 Q Do you have a relationship with her father?

15 A Yes, we're friends.

16 Q How's your daughter's relationship with him?

17 A Oh, they have a good relationship.

18 Q How's your daughter's relationship with your
19 son's father?

20 A They have a good relationship.

21 Q When you were working with Genesis, you were
22 concurrently working at -- I always forget what it was
23 called, Living...

24 A My Life Foundation.

25 Q My Life Foundation.

1 Were you required to do an N95 mask when doing
2 those visits?

3 A No.

4 I wasn't able -- if I can expand, there was -- I
5 wasn't able to go to work after being exposed to COVID.
6 I haven't been back to work there. If I was to go now, I
7 would assume I would need one if I went where there was
8 COVID present.

9 Q Okay. And I think you said you were exposed to
10 COVID in April 2020, right?

11 A Yeah, when you say "exposed," are you saying
12 that I contracted COVID or that it was just in the air,
13 because it was all over the building?

14 Q You said -- so let's clarify both of us. I
15 thought you said you were exposed -- I'm repeating what
16 you said.

17 You said, "I was exposed to COVID" -- "I stopped
18 working when I was exposed to COVID," right?

19 A Right. But -- okay. But when you say
20 "exposed," do you mean that I contracted COVID or that I
21 was going to a building where many, many people had COVID
22 and I was not aware of who had it and who didn't.

23 Q Oh, no. I'm just repeating what you said. You
24 said you were --

25 A Okay. I just want to make sure we make it

1 clear, though, because -- not because I had COVID, but
2 because I went to work at Playa Del Rey and they didn't
3 tell us who had COVID or who didn't. We didn't know
4 until they were dying that they had it after we cared for
5 them, so no, I couldn't hardly come home.

6 Q So when you -- at your last deposition you said
7 you stopped working for My Life Foundation in April 2020,
8 correct?

9 A Yes.

10 Q And why in April 2020?

11 A Because of the exposure to COVID at Playa Del
12 Rey, I couldn't cross-contaminate there. I couldn't go
13 from one place to the other.

14 Q What about in March and February?

15 A I still was working for My Life Foundation.

16 Q But wasn't COVID patients you said started --
17 you guys started January 2020 wearing masks and
18 preventatives for COVID at Genesis, right?

19 A Yes.

20 Q So it was okay for you to cross both jobs in
21 January, March -- January, February, March, but you
22 stopped in April?

23 A January -- January, it -- that's when -- we
24 weren't very clear. When we came to the knowledge that
25 we were being exposed to COVID, that's when I stopped

1 going to my other job.

2 Q Perfect.

3 So let's clarify that.

4 So you said you started wearing masks -- N95
5 masks in January of 2020 at Genesis; is that right?

6 A Yes.

7 Q Was that because of COVID?

8 A Yes, because we had a patient that we were
9 taking care of and we found out that he had COVID. One
10 patient.

11 Q And did you report that to My Life Foundation?

12 A I believe we discussed it.

13 Q And until -- what changed between January and
14 April that My Life said don't come back because --

15 A Well, they never told me don't come back. It
16 was because I had gone to Playa Del Rey and there's ten
17 people popping up dead or with COVID every day, so yes,
18 that made me stop.

19 Q Sorry to cut you off. I think we lost
20 codefendant counsel, so let's get off the record. Let's
21 make sure he's back on. I don't want to talk without
22 him.

23 THE WITNESS: Okay.

24 (Technical difficulties.)

25 ///

1 BY MS. KHANYAN:

2 Q Earlier you said you started feeling shortness
3 of breath because of wearing the masks, right?

4 A I believe that was the cause.

5 Q And you also said it contributed to the anxiety
6 that was already there, right?

7 A Yes.

8 Q Got it.

9 When did the anxiety -- I don't know if counsel
10 asked. I know I have chest pain. He asked about chest
11 pain, headaches.

12 When did your anxiety start?

13 A I was having anxiety a long time. I can't
14 pinpoint when, but at that point when it -- I started
15 being symptomatic that my chest -- my heart beating fast,
16 I felt short of breath, and that was around
17 January/February. It might have, yeah, started
18 escalating after those, that time.

19 Q So to understand you better, so you had anxiety
20 for a long time. What do you mean by "a long time," like
21 approximately?

22 A I had a lot of anxiety at that job. Outside of
23 there I didn't have any problems. I had anxiety before
24 going to work, at work and leaving work. Once I left, I
25 felt a lot better. But just thinking and having to go

1 back, um -- I really worked there almost every day out of
2 the week, yet it seemed to be ongoing, but it really was
3 to its point while I was there.

4 Q Got it.

5 THE REPORTER: One quick second.

6 (Pause in the proceedings.)

7 MS. KHANYAN: Okay. Ready?

8 THE REPORTER: Yes.

9 BY MS. KHANYAN:

10 Q So you felt it get worse in January when you had
11 to wear the mask because of chest pain and palpitation,
12 right?

13 A And also because --

14 MS. FOLEY: Objection. Compound question.

15 THE WITNESS: Yeah.

16 MS. FOLEY: You felt bad, plus because of something,
17 so it's unclear what exactly you are asking.

18 THE WITNESS: So yes, I felt bad because of having
19 to wear the mask. That was very stressful,
20 uncomfortable. I also was very -- I was -- my anxiety
21 and stress was elevating at that point because I'm still
22 having to do all this excessive work. I'm still -- they
23 still haven't made any changes, as far as my duties.

24 So there was a lot of things contributing to my
25 anxiety at that point. But wearing the mask definitely

1 was making me feel claustrophobic. Like yeah, many times
2 I went -- I had to go outside and just take it off and
3 breathe.

4 BY MS. KHANYAN:

5 Q Yeah. I've worn masks and I know that feeling
6 of the -- the feeling like you can't breathe.

7 But what I was trying to figure out was -- I did
8 figure out, you gave me the answer.

9 So you're saying you had anxiety and you just,
10 obviously, felt worse and you felt claustrophobic with
11 the mask?

12 A Right.

13 And I couldn't take the mask off inside the
14 building.

15 Q Got it. Makes sense.

16 A Uh-huh.

17 Q Had you had -- ever been diagnosed with anxiety
18 before?

19 A Uh. During the time that I mentioned with my
20 daughter, I believe that he said I was having some
21 generalized anxiety at that time.

22 Q Got it.

23 And again, you guessed my next question. I was
24 going to ask where was this counseling that you were
25 going in 2014?

1 A Yes, Dr. Milestone. Gelbart & Associates.
2 Q Gilhord & Associates?
3 A Gelbart. Gelbart & Associates.
4 Q Long Beach?
5 A No, Torrance.
6 Q Ah, Gelbart. I got it.
7 A Okay.
8 Q Gelbart, G-e-l-b-a-r-t.
9 A I think it's G-i-l.
10 Q That's what I thought, too, but I looked it up
11 on Google, and it says G-e-l.
12 A Oh, okay.
13 Q I see Dr. Ronald Milestone.
14 A Yes. He's a jewel.
15 Q When's the last time you saw Dr. Milestone?
16 A Oh. He's retired. I couldn't find him this
17 time. It's been back in -- yeah, about 2014, '15, maybe.
18 MS. KHANYAN: Maybe I'll take -- can we take like a
19 two-minute break. Let me review my notes, because I
20 think I'm almost done. I don't really have -- let's take
21 a two-minute break, and then we'll come back and we'll
22 probably be done by 12:45.
23 MS. FOLEY: I hope you realize that I have right for
24 my follow-up questions, which I didn't have in the first
25 two hours of this one.

1 MR. GARCIA: Yeah. Of course.

2 MS. KHANYAN: So let's take a three-minute break.

3 MR. GARCIA: Okay.

4 (Recess.)

5 MS. KHANYAN: Back on when you guys are ready.

6 Q When you had to wear N95 masks at Genesis, was
7 it -- did the whole building have to wear N95 masks?

8 A They were supposed to, yes.

9 Well, I need to clarify that, because, um,
10 they -- initially they started a COVID unit, so the COVID
11 patients were to be isolated to one portion of the
12 building, but that's not how it happened. We ended up
13 with COVID all around the whole building.

14 So there was a section that was -- that it was
15 mandatory to use those masks -- but how do I want to say
16 it -- in that unit. But we all -- when I say "we all,"
17 not myself personally, but the staff and the patients
18 were all coming up with COVID outside of that COVID unit,
19 so we all ended up having to wear the masks, even though
20 we weren't supposed to be in direct contact with the
21 COVID.

22 Q Got it.

23 So in one area they were mandatory and in -- but
24 then you're saying it spread. What did you mean -- what
25 do you mean --

1 A It was mandatory to wear N95 masks while being
2 in a atmosphere where COVID was present. The
3 transparency wasn't there with who was exposed and who
4 was contagious or not, so we ended up all having to wear
5 masks throughout the whole building, because everyone was
6 just coming up with COVID all throughout the building
7 outside of the COVID unit.

8 Q Makes sense. Got it.

9 So did you guys all -- when you mean we all had
10 to start wearing masks because of no transparency, is
11 that by choice or did it become mandated everywhere?

12 A It became mandated once the State mandated it,
13 once so many patients were coming up, yes, with COVID,
14 staff, COVID, yes, deaths due to COVID.

15 Q So what was Genesis' policy about N95 masks
16 first and at the time that you stopped working?

17 A Did you say first?

18 Q Like when it first --

19 A Is that before COVID?

20 Q No, no.

21 You said it started in January 2020, right?

22 A That's when I can recall the first person
23 passing away suspiciously, a few people back to back, so
24 we assumed, "Well, it's COVID."

25 Q And back then was it mandated to wear the N95 in

1 that one area that you said?

2 A No, no.

3 Q When did they make the COVID unit that you're
4 referring to?

5 A That might have been about -- maybe about -- I'm
6 not sure. Somewhere around February or March when we
7 started upping up the cases there.

8 Q And then, like you said, it was mandatory to
9 wear N95 in that COVID unit, right?

10 A Yeah, but they didn't wear them either. That's
11 why I really had to wear one, because they'd come right
12 out of there without one after they just treated a COVID
13 patient.

14 Q And by "they," you mean --

15 A The staff that was working over there. And
16 that's been reported to the State on several occasions.

17 Q So were you assigned to the COVID unit, though?

18 A No.

19 I still was working with COVID patients every
20 day, though, because they were out on the floor.

21 They were mixing people with COVID, not testing
22 them, symptomatic and ignoring them because they don't
23 want too many patients. They did a lot of things not
24 nice there.

25 Q So my question is I know -- again, to clarify,

1 you said it's mandated in the COVID unit, and you were
2 not in the COVID unit. Did it ever become mandated by
3 the company for you to wear N95 in the unit that you were
4 at?

5 A It became mandated by the State.

6 Q I'm talking about did your employer ever tell
7 you you're mandated to wear an N95 mask outside the COVID
8 unit?

9 A They did, as well as the State, yes.

10 Q Did they provide you the N95 masks?

11 A Eventually they began to after we complained a
12 lot about not having one.

13 Q So you're saying they were mandating everybody
14 to wear N95 masks in all units at one point?

15 A Yes.

16 Q And is that when they started giving N95 masks
17 to everyone?

18 A Yes. They gave us like one a week or something.
19 They started out like that, giving us one per week, I
20 believe.

21 Q Which unit were you assigned to?

22 A I was the supervisor, so I kind of did the whole
23 building. But I refrained from the COVID unit as much as
24 possible. I still had to go over there sometimes.

25 They left LVNs there at night without a nurse,

1 so yeah. Oof.

2 Q Was it part of your duty to be part -- at the
3 COVID unit?

4 A No. I wasn't assigned to that, nor did I agree
5 to that.

6 Q And then next question is did they give you
7 options for masks or there were only N95 masks?

8 A At a certain point it wasn't an option. N95 was
9 necessary with the face shield, N95 goggles. We had to
10 wear the whole PPE.

11 Q Before it was mandatory for it to be N95, did
12 they say you were free to wear like cloth ones, or never?

13 A Initially I believe we started with the surgical
14 masks, before the outbreak just went out, just got out of
15 control.

16 Q Did you ever tell them that you were having
17 problems breathing with the N95?

18 A Yes, absolutely.

19 Q And did they give you --

20 A They used a different N95. They gave us the
21 ones that suffocated us. And they had a whole different
22 kind for them, for their crew that they used that were
23 more comfortable, even though they still were un- -- you
24 know, a little caused distress, but they weren't as
25 stressful as the one that they would give to me I want to

1 say, or to us little people. I don't know what they
2 considered us.

3 Q So that's -- that's speaking of vagueness.

4 They gave us ones that would suffocate us, but
5 their crew was different. Who's "they"?

6 A Okay. Because Mae, the supervisor, came. When
7 she came to our facility, she came with staff from her
8 other facility, I imagine, that worked with her, so she
9 brought them in. And there was a lot of differences made
10 between them and me and other staff. There was a big
11 difference made, discrimination differences, favoritism,
12 the accommodations.

13 And these are LVNs, and I'm the RN, but they
14 were having -- they were having more priority, seniority
15 and everything than myself. Those were her friends.

16 Q So what I'm trying to clarify is -- because
17 you're saying different people were wearing different
18 N95 --

19 A Yes.

20 Q -- was -- is it by unit, like a different unit
21 had different N95 than you?

22 A The COVID unit where they had all the masks
23 stored up, where they sent them out to our facility, they
24 used the more comfortable ones over there. And then when
25 they'd have us sign out one for the week, it would be the

1 one that you really couldn't breathe in.

2 Q Did you request them to give you the
3 different -- the more comfortable one?

4 A Absolutely.

5 Q Who did you ask --

6 A I asked Mae, Renemar -- who is that other --
7 Kyle. That's who's in charge. That's who was in charge.

8 Q So I got Mae. Brenda what?

9 A Renemar. That was the assistant DON.

10 And then Kyle Colt, which kind of ran everything
11 with them. He's a LVN, but he was kind of with the
12 administration.

13 Q Got it.

14 I asked about the church, right? Yeah, I did.

15 I think that is all on my questions.

16 Yeah, that's all.

17 MS. FOLEY: Can I start my follow-up?

18

19 EXAMINATION

20 BY MS. FOLEY:

21 Q I don't have much questions, but I want to go
22 back to our first deposition volume and remind you that
23 there was a repeated question related to whether you
24 asked to be sent to the doctors when you complained about
25 your pain.

1 Do you remember that?

2 A Yes, I recall.

3 Q Do you remember your answer, how you responded
4 to that?

5 A Did you ask me the question?

6 Q Yeah.

7 So did you have time to review your transcript
8 of the volume -- first deposition?

9 A Yes, I did.

10 Q So there was a question whether you requested
11 your supervisors or superiors to be sent to the doctor in
12 regard to your pain.

13 Did you?

14 A Did I ask them?

15 Q Yes.

16 A No, I didn't know that I needed to ask them to
17 send me to the doctor.

18 Q So you've been telling us at several occasions
19 that you've been on supervising position; is that
20 correct?

21 A Yes.

22 Q And you also been referring to your duties, that
23 you perform duties different from supervising position.
24 Can you clarify what kind of duty you've been performing
25 that are different from what you understand was in your

1 job description as supervisor?

2 A Direct patient care, med pass, housekeeping.

3 A lot. Whatever needed to be done.

4 Q Was it more physical than a normal supervisor's
5 duty?

6 A Much more. I thought I went to school not to
7 have to work like that.

8 Q So are you saying that all other supervisors
9 were doing the same or it was only applicable to you?

10 A The other supervisors did not have to do the
11 duties that I had to do, at all. And they were all other
12 nationalities, all other races. And I brought that to
13 their attention, too, like -- yeah, they're making a
14 difference with me.

15 Q What do you mean you brought their attention?
16 Who are you referring to when you are saying that?

17 A I brought it to the attention of some of the RN
18 supervisors, like "You guys are not having to do this and
19 that like I have to do."

20 Q So what was the response?

21 A That they're not going to do it. If they had
22 to, they're leaving. If they were made to do it, they
23 would leave. And I brought it to Mae's attention also,
24 and like it's a difference being that here.

25 She's like, "Oh, just hang in there. We'll fix

1 it. We're fixing it. We're fixing it."

2 Yeah.

3 Q When you testified that you connect your pain in
4 your shoulders, for example, to the heavy-duty physical
5 work, was it performance of supervisor duty or outside of
6 your job description performances?

7 A Outside of my job description. As a supervisor,
8 I should not have had to do those physical hard duties
9 like that. I'm not saying it's good for the other
10 people, but it definitely was not in my job description.

11 Q As a supervisor, have you been given specific
12 training how to handle complaints of your staff regarding
13 their injuries?

14 A Specific training.

15 My staff injuries?

16 Q I'll rephrase.

17 As a supervisor, what would you do if people
18 will -- under your supervisor will complain about their
19 pain? What would you do?

20 A If they complained about pain?

21 If they were -- I would ask them the severity of
22 their pain, if they needed -- if they could continue
23 their work or did they need to be excused.

24 Q Are you -- do you hear us, because you are
25 freezing?

1 A Sorry.

2 Q Anisa, are you there?

3 A I'm here. Can you hear me?

4 Q Now we can.

5 A Okay. It's saying my -- it's saying something's
6 wrong. Can you hear me?

7 Q Yeah. I'll repeat my question.

8 What would you do as a supervisor if people
9 complaining to you about their physical pain at work?

10 A When you say "physical pain," I would -- I would
11 evaluate what their pain was. Did they need to -- is
12 it -- they're complaining to me about pain. If there's a
13 reason they needed to leave, that's what they would talk
14 to me about. Other than that, I wouldn't do anything.
15 That's not -- I would excuse them if they wanted to go
16 home.

17 Q Would you -- I apologize.

18 A I'm sorry.

19 Q Would you send them to the industrial clinic if
20 they complained about pain?

21 A No. I don't know anything about that. I
22 wouldn't have the authority to do that.

23 No, and I don't know.

24 Q When you complained about pain, what was your
25 expectation, what actions in your mind your supervisors

1 were supposed to do?

2 A About myself?

3 Q Yes.

4 A Tell my supervisor. I mean, I don't know what I
5 should have did. I told my supervisor. I complained to
6 her and let her know that it was getting overwhelming,
7 unbearable.

8 Q So were you aware of your rights to be sent to
9 industrial clinic if you complained about pain?

10 A No. I wasn't broken. No, I don't know about
11 that.

12 Q What if someone slip and fall at work, what
13 would be your action?

14 A Even still, that -- I would -- I would direct
15 them to my boss, to the director, to administration.
16 That's not my department.

17 Q Do you understand the difference between
18 specific injury and cumulative injury?

19 A I do now, since we've discussed it.

20 Q Did anyone explain to you your rights in regard
21 to cumulative or specific injury at work?

22 A No.

23 MS. FOLEY: I have no further questions.

24 ///

25 ///

1 FURTHER EXAMINATION

2 BY MS. KHANYAN:

3 Q I forgot to ask, have you ever filed for
4 bankruptcy?

5 A I did.

6 Q When was that?

7 A Uh. About two years ago.

8 Q So approximately 2018?

9 A I want to say '18. Was it '17 or '18?

10 '18.

11 Q Have you ever foreclosed on a house?

12 A No.

13 Q Have you been involved in any lawsuits other
14 than this specific claim?

15 A No. No.

16 Q Sorry.

17 In 2018, did you have problems paying off credit
18 card debt?

19 A 2018?

20 Well, I lost part of my income because me and my
21 husband were separated, so it was kind of -- yeah, I
22 guess I had less income.

23 Q Is that when you filed for bankruptcy?

24 A Yes. Yes. Around that time.

25 Q So you guys are still married in the state of

1 California, right?

2 A Yes.

3 Q Do you know that in the state of California when
4 you're married you have community property? Do you know
5 that one?

6 A Uh, yeah. Yes, I believe so. I'm not sure
7 about -- I mean, I don't have any property, so...

8 Q So when he makes income, you don't get any of
9 his income?

10 A Are you speaking about now?

11 Q Yeah.

12 A No. I do not take his -- I would take
13 assistance for my son, but not as far as his income, no.

14 Q When's the last time you took assistance from
15 him?

16 A Well, he does things between him and my son, his
17 brother -- my brother-in-law. They -- maybe a few weeks
18 ago he bought my son some shoes and things, or whatever.

19 Q I'm sorry. The question was when was the last
20 time you got assistance from him?

21 A Well, personally I don't ask him for assistance.
22 I'm pretty self-sufficient, but we do have a joint
23 responsibility.

24 Q In 2018 when you filed for bankruptcy, you were
25 still married, right?

1 A Yes.

2 Q And he -- was he not helping you with income,
3 because you said you lost income?

4 A Well, right, his income changed and we were
5 separated, two separate households, so yes, we had an
6 income change.

7 Q Are you still -- do you still struggle paying
8 off credit cards?

9 A No.

10 MR. GARCIA: You guys file joint taxes?

11 THE WITNESS: No.

12 We did in the past I should say. We did in the
13 past before we separated.

14 Okay.

15 BY MS. KHANYAN:

16 Q Has anybody in your immediate family passed away
17 in the past year?

18 A So many people died. Well, I have my uncle --
19 my uncle died and -- yeah, my cousin. I had a cousin and
20 a uncle die last year.

21 Q Sorry about that.

22 2000-

23 A 2019.

24 Q Both of them --

25 A It might have been 2020. 2019. Uh.

1 This is almost over. I'm sorry, I don't mean to
2 be -- so it was in 2020.

3 Q Both of them?

4 A Yes.

5 Q What month?

6 A My uncle just passed away about -- that must
7 have been June. Yes, because it's been during COVID.
8 And my cousin might have passed away maybe in the end of
9 2019.

10 Q What did your uncle --

11 A About December 2019.

12 Q What did your uncle pass away from? Did you say
13 COVID or you said during COVID?

14 A No, I said during COVID. He had some cancer.

15 Q Was he battling cancer for a long time?

16 A I'm not sure how long he was.

17 Q How old was he?

18 A My dad's little brother. Uh.

19 He might have been about 70.

20 MS. FOLEY: Counsel, I apologize. We might
21 stipulate to the Volume III, if you need, but I have
22 other arrangements after 1:00 p.m.

23 MS. KHANYAN: That's fine. I have a few questions
24 left.

25 Q Were you close to your uncle?

1 A Barely. I know him, yes. I mean not a close
2 relationship. Maybe when I was younger.

3 Q Did his death --

4 A When my dad was here.

5 Q Did his death cause a toll on you?

6 A Um. I mean, I was -- I was affected. But after
7 losing my mom and dad, I don't know if -- how affected I
8 could be by death.

9 Q Yeah. Obviously different.

10 A Except for seeing 40 people die in three months.
11 That's like, "Hu!"

12 Q When did your mother and dad pass away?

13 A My mother passed away in 1992, and my dad passed
14 away in 1996.

15 Q And those took a toll on you?

16 A I did good, thank God. But sure, my parents, I
17 miss them. God is good, though.

18 Q And what did your cousin pass away from in 2019?

19 A We haven't really found out. It was a sudden
20 death. Pretty young, just died.

21 Q How old was he?

22 A He's about my age -- he must have been 48. I
23 turned 47. He might have been 48.

24 Q And you weren't close to him?

25 A Um. We were in touch. I'm kind of to myself a

1 little bit. I work and I'm busy.

2 I usually work anyway.

3 Q And you said you did not find out what he passed
4 away from?

5 A No. We haven't -- they didn't give us -- I
6 believe it's undetermined still.

7 Q How did that death affect you?

8 A I don't -- I don't know how it affect me. I
9 mean, it was sad. It hurt to see him go so young. But
10 no, it didn't -- I still have to keep living, if that
11 answers the question.

12 Q Of course. Yeah.

13 A I feel bad for his dad and sister.

14 Q Are you closer to them?

15 A Yeah.

16 MS. KHANYAN: Um. That's all my questions that I
17 have.

18

19 FURTHER EXAMINATION

20 BY MR. GARCIA:

21 Q So I know you mentioned stress and anxiety
22 through your employment. Have there been other times in
23 your life where you have been under similar stress or
24 anxiety?

25 A No.

1 Q So the stress when you mentioned your parents
2 dying, was that more stress or was it more anxiety or
3 what was it?

4 A I don't know, but I didn't have to -- I wasn't
5 dysfunctional. I mean, I was hurt, but, yeah, I don't --
6 it hurt. Yes, I had stress, I'm sure, and anxiety,
7 heartache and pain. But yeah, I got through it, though.
8 I got through that very good.

9 I was pregnant with my daughter at the time my
10 mom died. And I raised my children my, little sister --
11 I raised her -- was five years old when my mom died. My
12 dad died a few years later. I've helped my brother.

13 THE REPORTER: Wait. I'm sorry. I'm so sorry.

14 (Pause in the proceedings.)

15 THE WITNESS: I took care of both of my grandparents
16 after my parents passed away for many years. I went to
17 nursing school, became an RN, married and raised my
18 children.

19 So it affected me, but I had to continue to
20 live.

21 So I don't -- I don't think it -- I don't want
22 to say it hasn't done anything to me, because that
23 wouldn't be true, but I'm able to function.

24 BY MR. GARCIA:

25 Q Okay. So --

1 A And that's by the grace of God, if I can add
2 that, too.

3 Q So despite all of that happening in your life,
4 you know, you said it didn't leave you dysfunctional and
5 you're still able to function, correct?

6 A That --

7 Q From all those things you just mentioned,
8 correct?

9 A Yes, I'm still able to function from that. Yes,
10 it hasn't -- I don't see any hindrance that it has made.
11 It's probably made me a stronger person, actually.

12 Q So what about the stress and anxiety you felt
13 from work, has that left you dysfunctional or not able to
14 function?

15 A It had me dysfunctional. At a period of time,
16 it did. Right know, even though I'm unemployed, I feel
17 relieved. I feel like a burden -- because I'm not having
18 to go there and deal with that every day. It was just --
19 it was wearing on me. It was wearing on my health. I
20 could feel it. But I had to go to work.

21 Q Right.

22 A So, yeah.

23 And if they didn't terminate me, I would
24 probably still be dealing with it to the best of my
25 ability. I was seeking care, but, yeah, I just did what

1 I had to do.

2 Q So the stress and anxiety you felt by working
3 there, was it just temporary? By that I mean now that
4 you're gone, it's gone.

5 A I feel a lot better, a lot better.

6 Q Do you still have stress and anxiety right
7 now --

8 A I have --

9 Q -- from your work?

10 A I don't have -- I'm not to that degree like I
11 was before. I do still have stress and anxiety, but it's
12 manageable.

13 Q So the stress and anxiety you feel now from your
14 employment, does it leave you -- are you still able to
15 function or are you dysfunctional?

16 A I haven't been back to work, but I believe I'm
17 functioning.

18 MS. FOLEY: Objection, Counsel. In this situation I
19 have to ask you to define word "dysfunctional."

20 MR. GARCIA: She used it, so just whatever her
21 definition is.

22 MS. FOLEY: So --

23 BY MR. GARCIA:

24 Q So let's --

25 MS. FOLEY: -- she might not understand that.

1 BY MR. GARCIA:

2 Q Let me ask you. You used the word "functional"
3 and "dysfunctional." What do they mean to you?

4 A Being able to carry out my daily routines,
5 necessary things, or not being able to do that.

6 Q Right. And I'm okay using that definition as
7 well, so...

8 A Okay.

9 Q Okay. So using that definition right now,
10 you're -- the definition you just described, which I'm
11 okay with, just so we're clear, you're functional and not
12 dysfunctional, correct?

13 A Right now I feel functional, aside of my body
14 aches, but I can still function with those, too, but, you
15 know --

16 Q Just from the stress and anxiety, from just
17 those -- that area, not the orthopedic stuff, the knees
18 and the back, whatever, just from the stress and anxiety,
19 are you functional and not dysfunctional, as you
20 described it?

21 A I feel like that I am functional.

22 Q Okay. Thank you.

23 It's one o'clock and just so I don't cut myself
24 short and not be able to come back, let's continue this
25 to a third volume, if necessary, if everybody stipulates

1 to that.

2 MS. FOLEY: I have one follow-up question.

3 MR. GARCIA: Okay.

4

5

FURTHER EXAMINATION

6 BY MS. FOLEY:

7 Q Ms. Chaney, you are going through psychology
8 study, right?

9 A I'm sorry?

10 Q You testified that you are going through the
11 psychology study, you are student of psychology, right?

12 A Yes, ma'am. Yes.

13 Q Are you aware that except stress and anxiety and
14 depression, there is also grief?

15 A Uh-huh.

16 Q Do you understand the meaning of grief?

17 A Yes.

18 Q When counsel asked you what -- did you
19 experience anxiety or stress as a result of death of your
20 close relatives, he didn't give you a choice of grief.

21 A Of grief.

22 Q If I ask you right now the same question and
23 I'll give you choice of stress, anxiety and grief, what
24 would you choose as your response to the death?

25 A Grief.

1 MS. FOLEY: Thank you. I have no further questions.

2 MR. GARCIA: Okay. All right. So we'll stipulate
3 to a third volume.

4 Does everybody stipulate?

5 MS. KHANYAN: Yup.

6 MS. FOLEY: So stipulated.

7 MR. GARCIA: Okay. At this point in time, the court
8 reporter is relieved of her duties under the Code of
9 Civil Procedure. The transcript is to go to applicant's
10 counsel's office to be reviewed and signed under penalty
11 of perjury by the applicant. Defendants will be notified
12 of any changes within 45 days of the making. If the
13 original is not produced at any hearing, a certified copy
14 may be used as if it were the signed original.

15 MS. FOLEY: So stipulated.

16 MS. KHANYAN: So stipulated.

17 THE REPORTER: Did you need a copy, Ms. Khanyan?

18 MS. KHANYAN: Yes, please.

19 THE REPORTER: Thank you.

20 (Deposition concluded at 1:02 p.m.)

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DECLARATION UNDER PENALTY OF PERJURY

I, ANISA CHANEY, the witness herein, declare under penalty of perjury that I have read the foregoing deposition in its entirety and that the testimony contained therein, as corrected by me, is a true and accurate transcription of my testimony elicited at said time and place.

Dated this _____ day of _____, 2020, at _____, California.

ANISA CHANEY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I, ANGELA R. LUX, CSR NO. 11095, a Certified Shorthand Reporter within and for the State of California, do hereby certify:

That prior to being examined, the witness named in the foregoing deposition solemnly stated that the testimony given in this deposition would be the truth, the whole truth, and nothing but the truth;

That said deposition was taken before me remotely at the time and place set forth and was taken down by me in shorthand and thereafter reduced to computerized transcription under my direction and supervision, and I hereby certify the foregoing deposition is a full, true, and correct transcript of my shorthand notes so taken;

I further certify that I am neither counsel for, nor related to, any party to said action, nor in any way interested in the outcome thereof.

Dated this 10th day of December, 2020, at Huntington Beach, California.

Angela R. Lux

ANGELA R. LUX, C.S.R. No. 11095

