

COPY

In the Matter Of:

ISRAYELYAN vs DTDVC

ADJ16774442, ADJ17187099

ARTHUR ISRAYELYAN

June 27, 2023



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1 BEFORE THE WORKERS' COMPENSATION APPEALS BOARD

2 OF THE STATE OF CALIFORNIA

3
4 ARTHUR ISRAYELYAN,

5 Applicant,

6 vs.

Case Number: ADJ16774442,
ADJ17187099

7 DOOR TO DOOR VALET CLEANERS,
8 INC.;
9 TECHNOLOGY INSURANCE
COMPANY, administered by
10 AMTRUST NORTH AMERICA,

11 Defendant.

12
13 REMOTE DEPOSITION OF

14 ARTHUR ISRAYELYAN

15
16
17
18 June 27, 2023

19 10:12 a.m.

20
21
22 Los Angeles, California

23
24
25 Cecilia Davitt, CSR No. 12051

APPEARANCES OF COUNSEL

On Behalf of the Applicant:

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Also Present:

Kseiina Lee, Russian Interpreter #520882

Joshua Oshima, Video Technician

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EXAMINATION

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(None marked)

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1 REMOTE DEPOSITION OF ARTHUR ISRAYELYAN

2 June 27, 2023

3
4 THE COURT REPORTER: Hello. This is the court
5 reporter. I need to read a statement onto the record before
6 we begin. My name is Cecilia Davitt, certified shorthand
7 reporter for the State of California, and this deposition is
8 being held via videoconferencing equipment. The witness and
9 reporter are not in the same room. The witness will be sworn
10 in remotely, pursuant to agreement of all parties. The
11 parties stipulate that the testimony is being given as if the
12 witness was sworn in person.

13 KSEIINA LEE,

14 was sworn to interpret from English to Russian and Russian to
15 English the following proceedings:

16 ARTHUR ISRAYELYAN,

17 having been first duly sworn, testified as follows:

18 EXAMINATION

19 BY MR. HARR:

20 Q. Good morning. My name is Gary Harr. I'm an
21 attorney for Llarena, Murdock in representing the interests
22 of AmTrust North America, in regards to the workers'
23 compensation claim against Door to Door Valet Cleaners, with
24 a date of injury alleged as follows: September 13, 2021
25 through September 12, 2022.

1 My purpose here today is to get some information
2 regarding your claim. I'm not here to trick or confuse you;
3 therefore, any question I ask that you don't understand, I'd
4 like you to tell me you don't understand it, or ask me to
5 rephrase the question, and I'll attempt to do so.

6 Do you understand?

7 Before we begin, there are a few rules I need to
8 go over with you. Have you ever had your deposition taken
9 before?

10 A. I don't recall.

11 Q. Okay. The court reporter -- the person who swore
12 you in is a court reporter. She's going to take down every
13 word that is said during the deposition today. For that
14 reason, only one person at a time may speak; therefore,
15 please allow me to ask my questions, and I'll allow you to
16 respond without any interruption.

17 The court reporter's taking down your every word;
18 therefore, please speak up. A verbal response is necessary,
19 because the court reporter is unable to record a shake of the
20 head. If you can answer the question with a yes or no,
21 please do so.

22 Do you understand?

23 A. (In English:) Yes.

24 Q. Once your deposition is typed into a booklet
25 form, you'll have an opportunity to review your testimony and

1 to make any corrections you feel are necessary; however, I
2 must caution you that any changes you do make to the
3 deposition booklet may be commented on by myself or another
4 attorney at a later date. This, in turn, may prove to be
5 embarrassing to your case.

6 Do you understand?

7 The oath that court reporter administered today
8 has the same force and effect as in a court of law;
9 therefore; despite the informal setting of the Zoom
10 deposition, the same penalties of perjury apply in the
11 proceeding as it would in a court of law.

12 Do you understand?

13 A. I understand.

14 Q. If you can't recall the information which I'm
15 asking you, don't guess, but try to give your best estimate.
16 Do you know the difference between a guess and an estimate?

17 A. I understand.

18 Q. Here's a little test. Okay? What is the color
19 of my shirt?

20 A. Red.

21 Q. Okay. That's good. It's what you see. It's
22 what you perceive. What are the color of my shoes?

23 A. I don't know.

24 Q. Exactly. You've never seen it. You can only
25 answer the questions that you know the answer to, so I think

1 you know the difference between a guess and an estimate.

2 Are you under any medications or substances to
3 prevent you from testifying today?

4 A. No.

5 Q. Okay. May you please state your full name for
6 the record.

7 A. Arthur Israyelyan.

8 Q. Do you go by any nicknames, by chance, or any
9 other names?

10 A. No.

11 Q. Okay. Do you have a social security number?

12 A. Yes.

13 MR. HARR: Okay. Off the record.

14 (Discussion held off the record.)

15 BY MR. HARR:

16 Q. Mr. Israyelyan, the number you provided to me
17 regarding your social security number, is that number valid?

18 A. Yes.

19 Q. What is your address?

20 A. (In English:) 11515 Rochester Avenue, Number
21 204, L.A., California 90025.

22 Q. Okay. How long have you lived at this address?

23 A. Over two years.

24 Q. Okay. How much time did you spend discussing the
25 procedures for the deposition with your attorney today?

1 A. About one hour, approximately.

2 Q. Okay. Do you have health insurance?

3 A. Yes.

4 Q. What's the name of your health insurance?

5 A. I think it's Medi-Cal.

6 Q. Medi-Cal?

7 A. (In English:) Yes.

8 Q. Okay. Mr. Israyelyan, it's very important, I
9 know you understand and speak English. Do you require a
10 Russian interpreter?

11 A. Yes. I do.

12 Q. Okay. So it's very important. Okay? You can
13 only answer the questions in Russian and have the Russian
14 interpreter interpret to you in Russian, just because there's
15 no misunderstandings or miscommunications. Okay? It's for
16 your benefit only. Okay?

17 A. I understand.

18 Q. Okay.

19 A. I would like to add that my insurance is L.A.
20 Care.

21 Q. L.A. Care? Okay. How long have you had L.A.
22 Care?

23 A. I don't recall.

24 Q. Okay. Did you have any insurance before L.A.
25 Care?

1 A. Many, many years ago.

2 Q. Okay. Have you ever filed for workers'
3 compensation benefits, other than this injury?

4 A. Never.

5 Q. You've never had a prior work injury before?

6 A. Before, when?

7 Q. When was this?

8 THE INTERPRETER: I'm sorry. There was a lot of
9 background noise. Could you repeat that, please?

10 BY MR. HARR:

11 Q. When was your prior work injury?

12 A. Before what? I don't understand.

13 Q. Do you have a prior work injury?

14 A. No, not before.

15 Q. Okay. Do you have any -- were you ever involved
16 in a motor vehicle accident?

17 THE INTERPRETER: Could you repeat that, please?

18 BY MR. HARR:

19 Q. Were you ever involved in a motor vehicle
20 accident?

21 A. Nothing serious, just small scratches.

22 Q. What is the name of your car insurance?

23 A. Wawanesa.

24 Q. While working for Door to Door Valet Cleaners,
25 what was your income?

1 A. Every year, it was different.

2 Q. Okay. Before you got injured, at the time of
3 your injury, how much were you making?

4 A. Around over 60,000 per year.

5 Q. Okay. Are you working right now?

6 A. Yes.

7 Q. While working for Door to Door Valet, or Door to
8 Door Valet Cleaners, are you working for anybody else?

9 A. No.

10 Q. What's the name of your supervisor?

11 A. Sajid.

12 Q. What? Can you repeat that?

13 A. Sajid.

14 Q. How do you spell that?

15 A. S-a-j-i-d.

16 Q. And what is your job title?

17 A. I'm a seamstress and the customer relations, CSR.

18 Q. What are your duties?

19 A. So I would greet the customer. I would take them
20 in, take measurements, put all the information in the
21 computer. I would do the actual work. I would, you know,
22 cut the material or sew, whatever needed to be sewn or fixed.

23 I would help the customers when they come. I
24 would take the clothes off them, put it in the bag, and when
25 they come to pick it up, I would bring the clothes from the

1 conveyor and take their money. And occasionally I would help
2 them bring it to their cars, to the elderly or to the
3 disabled.

4 Q. Okay. Besides getting money from your employer,
5 are you receiving any other sources of income right now?

6 A. No.

7 Q. Are you receiving social security benefits?

8 A. No.

9 Q. State disability benefits?

10 A. No.

11 Q. Are you married?

12 A. Yes.

13 Q. And you live with your wife, correct?

14 A. Yes.

15 Q. Besides your wife, who else do you live with?

16 A. Only with my wife.

17 Q. Does your wife have any type of physical
18 handicap?

19 A. No.

20 Q. Do you have any children?

21 A. Yes.

22 Q. And how old are they?

23 A. 33 and 30.

24 Q. Okay. Do you exercise?

25 A. Yes.

1 Q. What do you do?

2 A. I stand on needles. I swim. I walk, and I move
3 my hands, like so, a little bit.

4 Q. You said you stand on needles?

5 A. Well, it's the plastic applicator with sharp
6 thingies, needles.

7 Q. Do you have hobbies?

8 A. I used to play piano and guitar, but I can't do
9 it right now.

10 Q. How come?

11 A. My hands, my fingers hurt, and I can't sit. My
12 neck starts hurting.

13 Q. Do you clean your house?

14 THE INTERPRETER: Could you repeat that, please?

15 BY MR. HARR:

16 Q. Do you clean your house?

17 A. No.

18 Q. Okay. Do you go grocery shopping?

19 A. No.

20 Q. When did you start working for Door to Door Valet
21 Cleaners?

22 A. In February of 2017.

23 Q. Were you always a seamstress?

24 A. No.

25 Q. Do you need to take a break, Mr. Israyelian?

1 A. Yes, please.

2 MR. HARR: Okay. Let's take a five-minute break.

3 That's fine.

4 MS. FOLEY: Okay. Thank you.

5 MR. HARR: Off the record.

6 (Break taken.)

7 BY MR. HARR:

8 Q. Okay. Before you started working for Door to
9 Door Valet Cleaners, who did you work for?

10 A. Wetherly Cleaners.

11 Q. And you had the same job title and job duties?

12 A. So I had seamstresses working for me, so I would
13 greet the client, take the measurements, write down on the
14 piece of paper what needs to be done. The seamstresses would
15 do the work, and then I would pick it up.

16 Q. Were you ever injured while working for this
17 company?

18 A. In Wetherly Cleaners? No.

19 Q. When did you start working for Wetherly Cleaners?

20 A. In 1996.

21 Q. And when did you stop?

22 A. In December of 2016.

23 Q. Why did you stop working?

24 A. Company has closed.

25 Q. Did you work for another company before Wetherly

1 Cleaners?

2 A. Yes.

3 Q. Who did you work for?

4 A. Swan Cleaners.

5 Q. As a seamstress?

6 MS. FOLEY: I need two minutes, short break. I
7 apologize.

8 MR. HARR: Okay. Let's take a five-minute break.

9 (Break taken.)

10 BY MR. HARR:

11 Q. So, Mr. Israyelyan, did you work as a seamstress?

12 A. I didn't sew well at that time, so I was just an
13 understudy, basically.

14 Q. Okay. Were you ever injured while working for
15 Swan Cleaners?

16 A. No.

17 Q. Okay. You're alleging an injury against Door to
18 Door Valet, and the date of injury is September 13, 2021 to
19 September 12, 2022; is that correct?

20 A. Yes.

21 Q. What did you injure?

22 A. So during this period, I injured my middle
23 finger. I basically sewn through it with a needle. I have
24 pain in my neck, in my lower spine, in my hands. My fingers
25 become cold. After sewing through my middle finger, I

1 started to get pus over there, and also my sight
2 deteriorated.

3 Q. Did you report your injury to anybody?

4 THE INTERPRETER: Could you repeat that, please?

5 BY MR. HARR:

6 Q. Did you report the injury to anybody?

7 A. Yes.

8 Q. Who did you report it to?

9 A. I told the CSR who was working with me that day
10 and two drivers.

11 Q. Did you report it to any of your supervisors?

12 A. Not that day, no. No.

13 Q. Did you have to go to see a doctor?

14 A. Not right away, much later.

15 Q. Why much later?

16 A. So I poured hydrogen peroxide over my finger.

17 The bleeding has stopped. I put the tape over me. And the
18 next day, it was -- I believe it was Sunday. It was a
19 weekend, so on Monday, I saw that there was no bleeding. I
20 put the gauze over my finger and just continued working.

21 Q. Are you seeing a doctor right now?

22 A. Yes.

23 Q. Who are you seeing?

24 THE INTERPRETER: Could you repeat that, please?

25 BY MR. HARR:

1 Q. What doctor are you treating with?

2 A. Eric Gofnung, Daldalyan.

3 Q. When was the last time you saw Dr. Gofnung?

4 MS. FOLEY: I apologize, just helping the
5 transcriber. It's Gofnung. I put it in the chat.

6 BY MR. HARR:

7 Q. When was the last time you saw Dr. Gofnung?

8 A. A week or two ago.

9 Q. And when's your next appointment?

10 A. I have it written down on a schedule, but I can't
11 recall right now.

12 Q. Okay. What type of treatment does he give you?

13 A. So he applies electric current to my scapular, to
14 my hands, my back. He gives me massages. He also adjusts my
15 spine and my neck, manually, and with a device.

16 Also, he gives me physiotherapy, and there is a
17 mechanical sort of massage that a lady in his office gives
18 me.

19 Q. Has he prescribed you any medications?

20 A. Yes.

21 Q. What kind of medications has he prescribed you?

22 A. I have the meds at home. I don't remember right
23 now. I put the meds in this thing --

24 THE INTERPRETER: That the witness is showing.

25 THE WITNESS: -- but I don't remember the names.

1 BY MR. HARR:

2 Q. Do you have it on you?

3 A. That's how they look, the thing is.

4 Q. What's the name, what are the names on the
5 bottle?

6 A. It's not names. It's just the containers.

7 Q. Okay. So you put --

8 A. The containers with the names are at home.

9 Q. Okay.

10 MS. FOLEY: Counsel, I apologize. I'm not sure
11 that my client understood the question, because Dr. Gofnung
12 is a chiropractor. I don't think he can prescribe anything.
13 The other doctor is Dr. Daldalyan. He is medical doctor, but
14 I just want to make sure that -- I don't know who prescribed.

15 BY MR. HARR:

16 Q. Okay. Mr. Israyelyan, who prescribed your
17 medication? Was it Dr. Gofnung or Dr. Daldalyan? I'm sorry.
18 What did he say?

19 A. These meds, you know when gangrene started, I
20 turned to Dr. Weissman -- Dr. Vizel, and he's the one who
21 prescribed the meds to me.

22 Q. Mr. Israyelyan, I'm going to leave some space for
23 you in the deposition, and when you have a chance to review
24 it with your attorney, can you fill out the name of the
25 prescription medication, please?

1 A. Yes. Yes. I will.
2 (Information requested: _____
3 _____
4 _____.)

5 BY MR. HARR:

6 Q. Okay. So right now, what kind of pain are you
7 feeling to your middle finger?

8 A. It's in constant pain. The pain is not going
9 away. It's always in pain. And, also, I can't feel the tip
10 of the finger. It's always cold. There is no sensitivity,
11 and if I touch something or -- because a piece of the finger
12 is missing.

13 Q. What about your neck, what kind of pain do you
14 feel to your neck?

15 A. Well, when I sit for a long time in one position,
16 that's when I start getting pain, but if I change the
17 position, the pain goes away. So I need to change positions
18 quite often, but I cannot really say what is hurting. I
19 don't know. I'm not a medical doctor, but I assume it's a
20 vertebrae. And, also, my neck is cracking when I'm moving
21 it, cracking sound.

22 Q. Okay. Has the doctor given you work
23 restrictions?

24 THE INTERPRETER: Could you repeat that, please?

25 BY MR. HARR:

1 Q. Did the doctor give you work restrictions?

2 A. Yes. He told me not to lift heavy things, not to
3 bring anything to the clients' cars, and at every certain
4 period of time, I need to get up or walk. Also, he told me
5 to take off my glasses and look further out for a few
6 seconds.

7 But basically the main recommendation is not to
8 sit for a long time and not to lift heavy things. And also
9 he suggested that I need to do a little workout with my
10 fingers, like to press and to move them to do little
11 exercises.

12 Q. Okay. Are you still working full-time with Door
13 to Door Valet Cleaners?

14 A. Well, now I'm trying to leave earlier, because I
15 get tired.

16 Q. Are you able to do all the same duties?

17 A. No.

18 Q. Okay. What duties can't you do anymore?

19 A. Well, mainly works that I used to do. I guess
20 sewing works that I used to do with the help of my eyes, now
21 I'm doing by hands. It's very difficult for me to sew
22 leather materials or any heavy fabrics. I try to choose and
23 take only the lighter fabrics.

24 I cannot cut with scissors. I cannot cut jeans
25 or any heavy fabrics. I try not to take any very heavy

1 materials or fabrics, which results in my fewer earnings,
2 because I cannot do everything I used to do. And also when I
3 take measurements from my clients for pants, for example, I
4 cannot kneel anymore.

5 It's very hard for me to bend. It causes pain in
6 my back, so oftentimes I roll out my chair with the wheels,
7 and I try to measure that way, in order to avoid bending.
8 Also, I need to take walks, and I need to take them more
9 often, so I lose time that way.

10 And those are basically my limitations, and also
11 I started to take one day off for rest, and I do this more
12 often now.

13 Q. Okay. Have you ever been hospitalized?

14 A. Yes.

15 Q. How many times have you been hospitalized?

16 A. A few times, two or three times, maybe.

17 Q. Okay. The first time you were hospitalized, what
18 happened?

19 A. I had an outbreak of gangrene on my finger.

20 Q. What finger?

21 A. On my middle finger.

22 Q. Did you have to get it amputated?

23 A. They cut a little bit.

24 Q. The next time you've been hospitalized, what was
25 that for?

1 THE INTERPRETER: Could you repeat that, please?

2 BY MR. HARR:

3 Q. The next time you were hospitalized, what was it
4 for?

5 A. It was all about the finger, my hands, basically,
6 so ...

7 Q. Okay. Since September of 2022 until now, have
8 you been suffering any injury in any way?

9 A. Since September 2022, I did not get injured.

10 MR. HARR: I've got no further questions.

11 Counsel, do you have any questions?

12 MS. FOLEY: No. I don't have any questions.

13 MR. HARR: Okay. Counsel, do you stipulate to
14 relieve the court reporter of her duties under the Code of
15 Civil Procedure? Applicant to sign the deposition booklet
16 under penalty of perjury, advise my office of changes within
17 45 days of receipt of the original. A copy and condensed
18 copy to our office, original to applicant's attorney's
19 office.

20 And if an original is not available at the time
21 of trial, a certified copy can be used in lieu of the
22 original.

23 MS. FOLEY: So stipulated.

24 (Proceedings concluded at 11:17 a.m.)

25

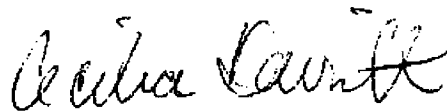
REPORTER'S CERTIFICATION

I, Cecilia Davitt, a Certified Shorthand Reporter in
and for the State of California, do hereby certify:

That the foregoing witness was by me duly sworn;
that the deposition was then taken remotely, via Zoom
videoconference, before me at the time herein set forth;
that the testimony and proceedings were reported
stenographically by me and later transcribed into typewriting
under my direction; that the foregoing is a true record of
the testimony and proceedings taken at that time.

I further certify that I am not a relative or
employee of any attorney of the parties, nor financially
interested in the action.

IN WITNESS WHEREOF, I have subscribed my name this
3rd day of July, 2023.



Cecilia Davitt, CSR No. 12051

CERTIFICATE OF READER-INTERPRETER

I, _____,
whose address is _____,

a person who speaks the language of the deponent;
namely Russian, do hereby certify that on the

_____ day of _____, 20____,

I did translate the foregoing deposition from the
English language into the Russian language, reading
same to the deponent in his native tongue, to the
best of my ability;

That all corrections and changes requested by the
deponent were made and initialed by the deponent;

That upon completion of said reading, the deponent
did confirm to me that he had understood the
reading.

READER-INTERPRETER

DEPOSITION ERRATA SHEET

Our Assignment No. J9733290
Case Caption: Arthur Israyelyan
vs. Door to Door Valet Cleaners, Inc.

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury
that I have read the entire transcript of
my Deposition taken in the above captioned matter
or the same has been read to me, and
the same is true and accurate, save and
except for changes and/or corrections, if
any, as indicated by me on the DEPOSITION
ERRATA SHEET hereof, with the understanding
that I offer these changes as if still under
oath.

Signed on the _____ day of

_____, 20____ ,

Arthur Israyelyan

DEPOSITION ERRATA SHEET

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Arthur Israyelyan

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Arthur Israyelyan

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