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BEFORE THE WORKERS' COMPENSATION APPEALS BOARD
FOR THE STATE OF CALIFORNIA

BENETIA A. JAMES-YOUNG,)
)
 Applicant,)
)
 vs.) CASE NO. ADJ12213522
)
 STAR VIEW ADOLESCENT CENTER,)
)
 Defendant.)
 _____)

DEPOSITION OF BENETIA A. YOUNG-JAMES,
an applicant herein, noticed by Stander,
Reubens, Thomas, Kinsey, taken at
200 North Pacific Coast Highway, Suite 1550,
El Segundo, California at 2:47 p.m., Wednesday,
October 9, 2019, before Terrie C. Barker,
CSR No. 12000.

1 APPEARANCES OF COUNSEL:

2

3 For Applicant:

4 LAW OFFICE OF NATALIA FOLEY

5 BY NATALIA FOLEY

6 8306 Wilshire Boulevard, Suite 115

7 Beverly Hills, California 90211

8

9 For Defendant:

10 STANDER, REUBENS, THOMAS, KINSEY

11 BY BETHE C. BARKLEY

12 200 North Pacific Coast Highway, Suite 1550

13 El Segundo, California 90245

14

15 Also Present:

16 ALDO JAN

17

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I N D E X

WITNESS: BENETIA A. YOUNG-JAMES

EXAMINATION BY:	PAGE
MS. BARKLEY	4, 52
MS. FOLEY	50

E X H I B I T S

DEFENSE	DESCRIPTION	IDENTIFIED	MARKED
EXH-A	Employment Application	20	20

1 EL SEGUNDO, CALIFORNIA;
2 WEDNESDAY, OCTOBER 9, 2019;
3 2:47 P.M.
4

5 BENETIA A. YOUNG-JAMES,
6 having been first duly sworn, testified as follows:
7

8 EXAMINATION

9 BY MS. BARKLEY:

10 Q Please state your full name for the record.

11 A Benetia Ann Young-James.

12 Q Do you spell Ann with or without an E?

13 A Without an E.

14 Q Is that your full birth name or is that a
15 married name?

16 A Married name.

17 Q At any time in your life, have you ever
18 utilized any other names?

19 A No.

20 Q My name is Bethe Barkley. I'm the attorney
21 representing Stars. I'm going to be asking you a
22 series of questions regarding the workers' compensation
23 case that you have filed.

24 At the risk of duplicating some of the
25 instructions your attorney may have already given you,

1 I'm going to briefly go over the ground rules for a
2 deposition.

3 Everything that will be said today will be
4 taken down by the court reporter. It will then be
5 transcribed and put into a booklet format. You will
6 have the opportunity to review your testimony and you
7 may make any changes or corrections that you would
8 like.

9 A Okay.

10 Q However, I do want to warn you that in the
11 event you make any material changes or corrections,
12 they can be commented on at the time of any trial that
13 may occur in your case.

14 A Okay.

15 Q Even though the setting here is informal, you
16 have been sworn in and the penalty of perjury does
17 apply. Your testimony today has the same force and
18 effect as if it were given in a court of law in front
19 of a judge.

20 Do you understand that?

21 A Absolutely.

22 Q All of your answers today must be verbal. Try
23 to stay away from nods of the head or things like
24 "uh-huh," "huh-uh."

25 Please also allow me to finish my questions in

1 their entirety before you answer, even though you may
2 anticipate what I'm going to be asking you.

3 If you do not understand any of my questions,
4 just say so. I will try to clarify them for you. I
5 may be asking you about things that happened years go.
6 I don't expect your memory to be perfect, but I am
7 entitled to your best estimate or best recollection.

8 With that in mind, we do not want you guessing
9 at any question. If you cannot provide us with your
10 best estimate or recollection, it's okay, just say so.
11 But, again, we do not want you guessing at any
12 question.

13 Do you understand the difference?

14 A Yes, I do.

15 Q If you need to take a break at any time for
16 any reason or wish to speak to your attorney at any
17 time for any reason, just say so and we will take a
18 break.

19 Do you understand?

20 A Yes, I do.

21 Q Have you had any alcohol in the last 24 hours?

22 A No.

23 Q Have you taken any drugs or medications in the
24 last 24 hours?

25 A No drugs, but medication.

1 Q Okay. How many different medications within
2 the last 24 hours?

3 A Two.

4 Q What's the first one?

5 A My high blood pressure medication.

6 Q Do you know the name?

7 A They just changed it. One second.

8 Q That's what happens when you have a really big
9 purse. Lots of stuff goes in it.

10 A I'm very organized, though.

11 MS. BARKLEY: So we'll note for the record the
12 applicant has produced a medication bottle. And the
13 name of the medication is a-m-l-o-d-i-p-i-n-e, 2.5
14 milligrams, generic for N-o-r-v-a-s-c.

15 BY MS. BARKLEY:

16 Q This appears to be from a Kaiser in Long
17 Beach; is that correct?

18 A Yes.

19 MS. BARKLEY: And the name of the prescribing
20 doctor -- I can't read the first name, but the last
21 name is C-h-u.

22 BY MS. BARKLEY:

23 Q Does that sound correct to you?

24 A Yes.

25 Q Is that your primary care doctor?

1 A Yes, it is.

2 Q How long would you say he's been your primary
3 care for?

4 A About six months.

5 Q And you take this medication on a daily basis?

6 A Yes, ma'am.

7 Q Any side effects you have from that
8 medication?

9 A Just dry mouth.

10 Q When was the very first time you recall being
11 told you had high blood pressure?

12 A Let me see. Before December. I believe,
13 December.

14 Q Of this year or 2018?

15 A 2018.

16 Q And that was the first time you had ever heard
17 that before?

18 A Yes.

19 Q And then were you prescribed medication right
20 away?

21 A Yes.

22 Q As far as you know, with the medication, has
23 your blood pressure been controlled?

24 A Yes.

25 MS. BARKLEY: And the second bottle here is

1 trazodone, generic for D-e-s-y-r-e-l, 50 milligram
2 tablets.

3 BY MS. BARKLEY:

4 Q What do you take this for?

5 A I told my primary that I can't sleep at night.

6 Q So is this to help you sleep?

7 A Yes.

8 MS. BARKLEY: Also prescribed by Dr. Chu. And
9 on this bottle I can see the first name. It is
10 K-e-n-n-e-a-t-h. This is also Kaiser Long Beach.

11 BY MS. BARKLEY:

12 Q When did you first tell him about the
13 difficulty sleeping?

14 A Probably, like, after the incident on April
15 the 18th.

16 Q Of this year?

17 A Yes.

18 Q And then did he prescribe this medication
19 right away?

20 A Right away.

21 Q Do you take it every night?

22 A Yes, ma'am.

23 Q Is this the first time in your life you've
24 ever been prescribed a medication to help with anything
25 sleep related?

1 A First time in my life.

2 Q Any other medications in the last 24 hours?

3 A None.

4 Q How much time did you spend with your attorney
5 preparing for the deposition today?

6 A 30 minutes.

7 MS. FOLEY: And a phone conversation.

8 THE WITNESS: Yesterday we had 30 minutes as
9 well.

10 BY MS. BARKLEY:

11 Q On the telephone or in person?

12 A Conference call.

13 Q I show you currently live at 20322 South
14 Amantha, A-m-a-n-t-h-a, Avenue in Carson, 90746; is
15 that correct?

16 A Yes, it is.

17 Q How long have you lived there?

18 A I lived there for nine months and my -- I'm
19 waiting on my daughter to finish the police academy.
20 So she has a place. I stay with her as well.

21 Q This is her place or this is the place you --

22 A That's my mom's place right there.

23 Q And you've been there for about nine months?

24 A Nine months.

25 Q And then where is your daughter's place at?

1 A She's in Long Beach.

2 **Q What street?**

3 A Wilton. 3310 West Wilton, Unit 3.

4 **Q Are you currently married?**

5 A No. I'm a widow.

6 **Q When did your husband pass away?**

7 A When my daughter was one month old. So she's

8 25. So about 25 years ago.

9 **Q And was that your only marriage?**

10 A No.

11 **Q How many other times have you been married?**

12 A Twice.

13 **Q You said your daughter's currently 25 years**

14 **old?**

15 A Yes.

16 **Q Do you have any other children?**

17 A No.

18 **Q So at the Amantha house, does your mom live**

19 **there with you?**

20 A Yes.

21 **Q Does anyone else live with the two of you?**

22 A My other siblings.

23 **Q How many others?**

24 A Two other siblings.

25 **Q And then when you stay at your daughter's**

1 residence, does anyone else live there --

2 A No.

3 Q -- other than the two of you?

4 A Just us.

5 Q I show that you were born on January 8th of
6 1965; is that correct?

7 A Correct.

8 Q Where were you born?

9 A Los Angeles.

10 Q Have you always lived in California?

11 A Yes, ma'am.

12 Q Do you have a driver's license?

13 A Yes, ma'am.

14 Q Can you take it out and show it to your
15 attorney, please?

16 MS. FOLEY: I got the document that looks like
17 driver's license, and I transfer it to the defense
18 counsel --

19 MS. BARKLEY: Thank you.

20 MS. FOLEY: -- for examination.

21 MS. BARKLEY: Blond hair in this one. A
22 little more blond.

23 THE WITNESS: Um-hmm.

24 MS. BARKLEY: We'll just note for the record
25 the applicant has produced a California driver's

1 license with her full name and current address. There
2 is a restriction of corrective lenses.

3 BY MS. BARKLEY:

4 Q Do you wear contacts?

5 A No.

6 Q Do you wear glasses only when driving?

7 A No. Only when I'm doing documentation.

8 Q Okay. The weight on your license is 145
9 pounds. Would you say that's currently accurate?

10 A I gained a little weight with the medication
11 and incident.

12 Q What do you think your weight is right now,
13 approximately?

14 A I want to say 165.

15 Q So the 20-pound difference, has that all been
16 subsequent to April of this year?

17 A Yes, ma'am.

18 Q I'll hand the license back to you. Thank you.
19 Has your driver's license ever been suspended
20 or revoked?

21 A Never.

22 Q What is the highest level of schooling you
23 have completed?

24 A Bachelor's.

25 Q In what?

1 A I want to say -- oh, God. I want to say -- I
2 have it in --

3 Excuse me for one second. I'm in pain a
4 little bit. Hold on one second.
5 -- behavioral science.

6 **Q Where are you in pain right now?**

7 A Right now it's just like -- it's all right in
8 here. Sometimes I'm in pain. I'm sorry for the delay.

9 **Q That's okay. Just when you're describing a
10 place, tell me where.**

11 A Oh, I'm sorry.

12 **Q That's okay.**

13 A It's all in my right cheek and right here in
14 my neck.

15 **Q And that's on the left side?**

16 A Yes.

17 Sorry about the delay, but I'm just in pain.
18 Sorry.

19 **Q That's okay. You let me know if you need to
20 take a break at any point in time.**

21 A I didn't bring any pain medicine. I do have
22 pain medicine from my doctor. I didn't bring that.
23 I'm so sorry.

24 **Q That's okay.**

25 **Where did you obtain your bachelor's from?**

1 A University of Phoenix.

2 Q Are you currently enrolled in any school or
3 taking any classes anywhere?

4 A No.

5 Q Have you ever been convicted of a felony?

6 A Never.

7 Q Did you drive here today?

8 A Yes, I did.

9 Q What type of vehicle do you drive?

10 A A 2015 Camry.

11 Q Do you own any other vehicles?

12 A Yes.

13 Q What else?

14 A 2019 Dodge Daytona.

15 Q Anything else?

16 A No.

17 Q Do you have any physical problems driving?

18 A No.

19 Q Have you ever had your deposition taken
20 before?

21 A Yes.

22 Q How many times?

23 A For this incident right here?

24 Q No, any time in your life.

25 A A deposition before?

1 Q With a court reporter.

2 A I would say no, because they had to cancel it.

3 Q Has one been scheduled for you before?

4 A Yes.

5 Q Have you ever testified in court?

6 A Let me see. Have I -- it's been a long time.

7 I don't remember, but I have. I can't remember a date

8 and time.

9 Q Did it involve any injury to you?

10 A No.

11 Q Have you ever been sued?

12 A Never.

13 Q Did you come from your Carson house today to
14 the deposition?

15 A No. I came from Long Beach.

16 Q Daughter's place or somewhere else?

17 A Daughter's place.

18 Q And where are you returning after the
19 deposition?

20 A I'm going to work.

21 Q What time are you scheduled to start?

22 A 3 o'clock.

23 Q Do they know that you're here today?

24 A Yes, they do.

25 Q At any time in your life have you been

1 involved in an automobile accident either as a
2 passenger, driver, or pedestrian?

3 A Not that I know of, no.

4 Q I believe you had a prior workers'
5 compensation case filed against an employer by the name
6 of Kedren, K-e-d-r-e-n, Community Los Angeles Youth
7 Network; is that correct?

8 A Yes.

9 Q When did you first start working for them?

10 A November the 18th, 2015 or '16.

11 Q And what was your job title with them?

12 A Case manager.

13 Q Where was your physical location of where you
14 worked?

15 A In an office.

16 Q What city was that in?

17 A Los Angeles.

18 Q When did your injury with them occur?

19 A Maybe like the third year I was working with
20 them. I'd been with them for eight years. The third
21 year.

22 Q You said you were first hired, though, in 2015
23 so that's not eight years.

24 A I don't mean to say eight years, seven years.
25 Well, you have the record right there, so. '16, '17 --

1 Q No, I don't know when you were hired by them.

2 A Let me see. '16, '17, '18 -- so it had to be
3 like maybe five years. Five or six years. Had to be
4 something like that because I was there for a while.

5 Q On your application for employment with Stars,
6 you said you were hired by them in October of 2009.

7 Does that sound more accurate?

8 A It could be.

9 Q Okay.

10 A It's been a long time, so like I said...

11 Q Now, on your employment application, it said
12 you stopped working for them in December of 2016; was
13 that correct?

14 A It had to be '16 because I was off for two
15 years. Okay, yes.

16 Q So do you go off work from them for a
17 work-related injury?

18 A No.

19 Q Why did you go off work for them?

20 A They had sent me a letter and said they
21 were -- the department had lost money because they --
22 somebody embezzled some money. So I kind of went off
23 like that. That's the only reason why. I think that's
24 what happened. Yeah.

25 Q So did they do a layoff?

1 A They did a layoff. I'm sorry.

2 Q **That's okay.**

3 A And may I say something, please?

4 Q **Yeah.**

5 A I only stayed with my mom for nine months and
6 now I stay with my daughter.

7 Q **Are you still getting mail at your mom's**
8 **address?**

9 A Yes. I still use her address there.

10 Q **But you're physically living with your**
11 **daughter?**

12 A Yes. I want to make that clear.

13 Q **So you think that the layoff with Kedren**
14 **occurs in 2016?**

15 A Around that time.

16 Q **Okay. Now, according to the workers'**
17 **compensation system, the case you filed against them**
18 **was for a period in 2018.**

19 **Do you know why that was?**

20 A I don't have documentation in front of me, so
21 the dates and time, it's kind of hard for me to say.
22 If I was at home and had my files, it would be a whole
23 different ball game. You have everything in front of
24 you so it's kind of easy for you to see it. So if I
25 don't see it, I can go from there.

1 **Q** **I'm handing your attorney your employment**
2 **application with Stars so you can take a look what you**
3 **put down for your prior work.**

4 MS. FOLEY: Will you include this attachment
5 to the deposition?

6 MS. BARKLEY: Sure. Yeah.

7 BY MS. BARKLEY:

8 **Q** **Does that look familiar to you?**

9 A Absolutely.

10 **Q** **So that page 3 is where you put down your**
11 **prior employment?**

12 A Right.

13 **Q** **And that's where you'll see the December 2016**
14 **is your last day of work at Kedren?**

15 A Yes.

16 **Q** **That's all your handwriting and everything?**

17 A Absolutely.

18 MS. BARKLEY: So we'll attach this as
19 Exhibit A, please.

20 (Exhibit A marked)

21 BY MS. BARKLEY:

22 **Q** **Now, this is the online system for workers'**
23 **compensation cases, and you'll see there is a column**
24 **that says, "Date of injury," which is what was alleged**
25 **against the employer.**

1 A Um-hmm.

2 Q But you'll see that that's technically a
3 couple years after you stopped working. Do you have
4 any idea why it was pled like that?

5 A I'm not sure.

6 Q Had you filed a workers' compensation against
7 them before the layoff or after the layoff?

8 A I believe it was after the layoff, because
9 they sent us a letter prior to that. So I was just --
10 I guess they was preparing us.

11 Q When you were working for them, did you have
12 any specific injuries during that time of, you said,
13 about ten years?

14 A Repeat the question or rephrase the question.

15 Q Yeah.

16 During the time you were actually working for
17 them, did you ever have any specific injuries? And by
18 "specific," I mean it would be a slip and fall or
19 something like what also happened at Stars, on a
20 specific date.

21 A No, not that I know of.

22 Q Okay. So what did you allege against
23 Kendren --

24 A Kedren.

25 Q -- Kedren as a workers' compensation case?

1 A Complaining just about my back. I sat at a
2 desk all day. So I -- my supervisor was aware.

3 Q **What part of the back was it?**

4 A My lower back.

5 Q **Did that case have any involvement of your
6 middle back?**

7 A When I say "my back," my back.

8 Q **There's all different levels of the back. So
9 I'm kind of talking around the bra line, which is
10 called the thoracic spine. Were you having any
11 problems there?**

12 A No, it was just mainly, like, the middle --
13 under my bra line and, like, down the back.

14 Q **Were you having any issues with your neck?**

15 A Just a tad bit from sitting.

16 Q **Were you having any issues in either of your
17 shoulders?**

18 A No, not that I know of.

19 Q **According to the online workers' compensation
20 system, you had hired the attorney that you have now
21 for that case as well; is that correct?**

22 A Yes.

23 Q **Did you, at some point, have your deposition
24 scheduled, but then it never went forward for that
25 case?**

1 A I had it scheduled, but -- we was there, but
2 they canceled. They didn't have this right here.

3 Q **Did you guys reach a settlement agreement at**
4 **that time?**

5 A Yes.

6 Q **And how much was the settlement agreement?**

7 A I believe it was 5,000.

8 Q **Do you recall the names of any doctors you saw**
9 **for that case?**

10 A I know it's in Long Beach. I think Isaac, I
11 believe.

12 Q **Was that the last name or first name?**

13 A I'm not sure.

14 MS. FOLEY: I apologize. It was Dr. Harold
15 Iseke. And Iseke is spelled I-s-e-k-e.

16 MS. BARKLEY: Thank you very much.

17 BY MS. BARKLEY:

18 Q **Do you know if your employer's attorney ever**
19 **sent you to be evaluated by a different doctor?**

20 A No.

21 Q **Now, was that the first time in your life you**
22 **had filed a workers' compensation case?**

23 A That's my first time.

24 Q **So then the one against Stars would be your**
25 **second case --**

1 A Yes.

2 Q -- in your life?

3 Let me finish. I know you know what I'm going
4 to ask you, so...

5 A Not really.

6 Q Then why are you answering before I finish?

7 A Because I don't -- you didn't ask the
8 question. You said "You know what I'm going to ask."
9 I don't know. I'm just in pain. And I'm just turning
10 this way, so...

11 I don't want you to assume.

12 Q Have you ever sustained an injury while
13 working for an employer but you didn't file a workers'
14 compensation case?

15 A Rephrase the question.

16 Q Yeah.

17 Have you ever had an injury while working, but
18 you didn't report it as a work-related injury or file a
19 formal claim?

20 A Not that I know of, and I didn't know that
21 question was next.

22 Q Have you ever sustained an injury outside of a
23 work environment? An example could be a slip and fall
24 in the grocery store.

25 A No.

1 Q Have you ever sustained an injury while
2 exercising or playing any sports?

3 A No.

4 Q You are currently working for Stars; is that
5 correct?

6 A It's Star View Adolescents.

7 Q Okay. I've been handling Stars' cases for a
8 long time. Stars is their umbrella. So I know the
9 location you work at is a separate entity, but they're
10 all under the umbrella of Stars. Okay.

11 Are you currently working modified duty or
12 regular duty?

13 A Regular.

14 Q What days of the week are you working?

15 A Tuesday through Saturday, 3 to 11.

16 Q 3 in the afternoon until 11 at night?

17 A Yes.

18 Q And what's your current hourly pay?

19 A It varies. Uh -- 22.

20 Q Dollars an hour?

21 A Yes.

22 Q Other than your income from working at Stars,
23 do you have money coming to you from anywhere else?

24 A No.

25 Q Have you ever applied for state disability

1 **benefits?**

2 A No.

3 **Q Have you ever applied for unemployment**
4 **benefits?**

5 A I believe so.

6 May I say something? May I say something?

7 **Q Okay.**

8 A No offense. When I say Star View Adolescents,
9 I wasn't, like, saying it to say that you're not doing
10 your job. I'm just saying -- you kept saying "Stars."
11 I was like, "No, it's Star View Adolescents." So you
12 kept saying "Kendren," so I said, "No, it's Kedren."
13 So I was just --

14 **Q Okay.**

15 A So I wasn't like --

16 **Q No, that's fine. I always refer to them as**
17 **"Stars" because that's their umbrella company.**

18 A I didn't know. So I'm saying, no disrespect
19 to you. I was just making sure that you know.

20 **Q No disrespect taken. So thank you.**

21 **So answer to the unemployment; you think so?**

22 A Unemployment? It was -- is unemployment
23 considered EDD?

24 **Q Yes.**

25 A Yes.

1 Q Do you think you applied after the layoff in
2 2016?

3 A Yes, I did.

4 Q And then how long did you receive benefits
5 for?

6 A Until the end. I guess they give it for -- I
7 think it was for six months or something like that.

8 Q I show that you were hired by Stars on
9 December 10th of 2018; is that correct?

10 A Yes.

11 Q And your job title was youth counselor?

12 A Yes.

13 Q And you worked at the adolescent center;
14 correct?

15 A Yes.

16 Q That's where you continue to work?

17 A Yes.

18 Q Who's your current supervisor?

19 A Johnny George.

20 Q And has he been your supervisor since you were
21 hired?

22 A Yes.

23 Q At any time while working at Stars, have you
24 had a second job or something you did on the side for
25 some added income?

1 A No.

2 Q During your employment, have you received any
3 verbal complaints against you for any reason?

4 A Never.

5 Q Have you received any written complaints
6 against you for any reason?

7 A Never.

8 Q Were you off work before Stars for about two
9 years, then?

10 A Um-hmm.

11 Q Is that a "yes"?

12 A Yes. I'm sorry.

13 Q That's okay.

14 During that time, were you looking for work?

15 A Absolutely.

16 Q Now, on this same application for employment,
17 it has a Early Strides Child Development Center.

18 A Right.

19 Q And at the time you applied at Stars, it
20 showed you had been employed there from August of
21 2018 --

22 A Correct.

23 Q -- until the present?

24 A Right. That was like a couple months -- say
25 those dates again.

1 Q August of 2018 until the present.

2 A Yes.

3 Q Which you signed this on November --

4 A Yes.

5 Q -- 12th.

6 A Yes, yes, yes.

7 Q Did you then quit that job to --

8 A Yes.

9 Q -- go work at Stars?

10 A Yes.

11 Q And the position you held, can you tell me
12 what your writing says there? It almost seems like a
13 B-I-I.

14 A Yes, it was like a intervention for students
15 that had problems with their behavior in class. So I
16 was at Brentwood Elementary School. I had fifth
17 graders.

18 Q Any injuries during that brief period of time?

19 A No.

20 Q Have you ever been hospitalized overnight?

21 A Only when I had my baby. That was 25 years
22 ago.

23 Q Have you ever had any surgeries?

24 A When I had my baby.

25 Q Any broken bones?

1 A Never.

2 Q **Have you ever received acupuncture treatment?**

3 A Yes.

4 Q **Currently or --**

5 A No, a while ago. With Dr. Iseke.

6 Q **Got it.**

7 **He sent you out for some acupuncture?**

8 A No. He has everything in his office.

9 Q **How many total treatments do you think you**
10 **received through him?**

11 A I can't remember.

12 Q **Ever been examined or treated by a**
13 **chiropractor?**

14 A No.

15 Q **Ever been to an emergency room as a patient?**

16 A Just to have a baby.

17 Q **Allergic to any medications?**

18 A No, ma'am.

19 Q **Other than the two medications that are in**
20 **front of us now -- I believe earlier you said you've**
21 **also been prescribed a pain medication?**

22 A Yes.

23 Q **Do you know the name of that?**

24 A No, I don't, sorry.

25 Q **Who prescribed that?**

1 A Dr. Chu.

2 Q When is the last time you took it?

3 A It's been a while.

4 Q More than a month?

5 A Say about 15 days.

6 Q Any other prescription medication you take on
7 a regular basis?

8 A No.

9 Q Any over-the-counter medication you take on a
10 regular basis?

11 A No.

12 Q Do you wear any brace or support on any part
13 of your body?

14 A No.

15 Q Other than the Long Beach Kaiser location,
16 what, if any, other Kaiser locations have you been to?

17 A That's the only one.

18 Q Is the Kaiser insurance through Stars, or do
19 you pay for that on your own?

20 A Through Stars.

21 Q So you've had that for less than a year, would
22 that be correct?

23 A Yes, ma'am.

24 Q At any of your prior jobs, did you have health
25 insurance?

1 A Yes.

2 Q Who were the providers? Aetna, Blue Cross,
3 Cigna?

4 A I don't remember.

5 Q Okay. Ever had Kaiser in the past before
6 being hired by Stars?

7 A Yes, when I had my daughter.

8 Q I want to talk about the incident that
9 happened at Stars. Is the correct date April 18th of
10 this year?

11 A Yes.

12 Q Describe for me how the injury occurred.

13 A My role is to YC. I was just doing my rounds,
14 going up and down the unit. And before I would turn
15 back around to do the rounds again to check on all the
16 youth, I noticed "client" and "client" was on the
17 opposite side of her room, and I was just passing by
18 doing my check --

19 Q I want to stop you real quickly.

20 Are they under 18?

21 A Yes.

22 Q Okay. I need to delete their names, please.
23 Because they are adolescents.

24 A Okay.

25 Q I don't want them referenced.

1 A Okay.

2 Q **Can we use the words "clients"?**

3 A Yes. I'm sorry.

4 Q **Okay. So as you were going down the unit --**

5 A -- the clients were -- two clients were to my
6 left and I was on the right side of the hallway walking
7 by. Next thing I know, I saw a quick dash towards me.
8 And the client grabbed the back of my hair and just
9 drug me to the ground about 15 feet. Just drug me
10 down, and then she turned around to bite me and hit me
11 in my face.

12 Q **Okay.**

13 A But the other client tried to protect me, but
14 she's really strong, so she was just doing the
15 punching.

16 Q **That was the same one that had grabbed your**
17 **hair?**

18 A Yes.

19 Q **Was your hair down at the time?**

20 A Yes, it was.

21 Q **And how long is your hair when it's down?**

22 A In the middle of my back.

23 Q **So did this client, in essence, grab, like, a**
24 **chunk of your hair?**

25 A Yes. All of this back here.

1 Q And do you recall the client being the one
2 that took you to the ground, or was it more of the
3 two -- the way the two of you were engaging, it brought
4 you down to the ground?

5 A She took me to the ground because she came
6 from my -- my left. And she grabbed me and just drug
7 me down like that, and pulled my all the way down the
8 hallway.

9 Q Now, when you made the reference to the 15
10 feet --

11 A Right.

12 Q -- you weren't talking about 15 feet from you
13 standing up to the ground?

14 A No.

15 Q Okay.

16 A From the floor -- I didn't even make it to the
17 floor. That grab was like -- she pulled me off of my
18 feet and once my body land on the floor, dragged
19 down -- because I know this table is 6 feet. So 6, 7,
20 8, 9 -- yeah, 15 feet.

21 Q So the 15 feet was in reference to once you
22 were actually on the ground, dragging you?

23 A I was on the ground; she was doing the
24 dragging.

25 Q But the 15 feet was the distance?

1 A Yes, yes.

2 Q As far as you're able to recall, was she able
3 to strike you with the punches or was she just trying
4 to?

5 A She struck me -- I was like this -- like,
6 twice, like, in my face.

7 Q On the left side or right side of your face?

8 A It was the left. And the client is known to
9 bite. So she was -- she bites people. That's her
10 mark. She was going for my face to bite, so that's
11 when I was trying to protect myself.

12 Q Did she ever bite you, though?

13 A God, no.

14 Q What witnesses do you recall there being
15 around from the employer's standpoint, not the
16 children?

17 A One employer, her name was Imani, but I don't
18 know her -- I can't recall her -- oh, Imani Ellis.

19 Q Do you recall any other witnesses that were
20 around?

21 A No. Just Imani Ellis.

22 Q Were you able to get up on your own?

23 A No.

24 Q How did you get up?

25 A Imani Ellis helped me.

1 Q And then where did you go from there?

2 A She carried me out the back door, and then I
3 passed out.

4 Q Now, when you say "carried," do you mean she's
5 holding you in her arms or kind of acting as a crutch
6 to walk with you?

7 A She had all my weight on her because I
8 couldn't -- I was, like, kind of out of it.

9 Q And then once you got outside the facility,
10 you actually passed out?

11 A I passed out.

12 Q What do you recall happening next?

13 A Next thing I know, Michael Trailor, which is
14 our house manager, he was just asking me, "Miss
15 Benetia, Miss Benetia, Miss Benetia."

16 Q If you were okay?

17 A Yeah, if I was okay.

18 Q Do you continue working that day?

19 A No.

20 Q Do you fill out any type of incident report
21 that day?

22 A Yes.

23 Q Do you then go to the company clinic that same
24 day?

25 A Yes.

1 **Q Does the company clinic take you off work at**
2 **all?**

3 A They just gave me pain medicine and asked me
4 did I want to be off. I was like, "I need to go to
5 Kaiser." That's what I told them, "I need to go to
6 Kaiser. I need to go to my primary so I can find out
7 why I'm feeling this way."

8 **Q So when is the first time you go see your**
9 **personal doctor at Kaiser?**

10 A Like a month later, because they kept on
11 giving me the runaround.

12 **Q Who's "they"?**

13 A I'm sorry. I'm sorry. Star View's -- they
14 changed the name of the clinic they sent us to. It
15 used to be U.S. HealthWorks. They changed it to
16 another company.

17 **Q Concentra?**

18 A Concentra, that's it.

19 So I was there and they kept on, like, giving
20 me -- I mean, Concentra kept giving me the runaround
21 saying, "You can't go to Kaiser just now, you have to
22 wait." Then they sent me to their therapist.

23 I was getting the runaround. So I just took
24 it upon myself, like, no, I'm going to my own doctor
25 because I feel uncomfortable.

1 Q When do you think that happened?

2 A It happened, like, maybe -- I can't remember
3 but it's, like -- it wasn't, like -- maybe --

4 Q Do you think it was in May or June?

5 A I don't remember, because I don't want to say
6 a date and you have something and it's not accurate.

7 Q Okay. You can't assume I have anything. I
8 have nothing from your Kaiser doctors at all. So I'm
9 asking what you remember.

10 A I don't remember. I'm sorry.

11 Q That's okay.

12 To this day, have you been taken off work by
13 any doctor?

14 A I believe the doctor took me off for a couple
15 of days. I talked with -- Miss Ounce [phonetic], which
16 is the administrator. I think it was a couple of days
17 because they were shocked I came back so soon. I think
18 it was a couple of days.

19 Q At that point, do you go back to regular full
20 duty or was it modified?

21 A It was modified.

22 Q And do you recall what the modified duty was?

23 A I couldn't go back on that unit because the
24 kid was still on there -- the client. They made me a
25 floater because I'm a shift lead.

1 Q And then how long did you do that modified
2 work for?

3 A Maybe four months.

4 Q And then returned to full duty?

5 A Probably after four months.

6 Q So that would have been right around either
7 maybe mid/late August, early September?

8 A Yes.

9 Q And then you've been doing the full duty ever
10 since then?

11 A Yes.

12 Q Are you back on the same unit as that child?

13 A Yes. Once the client was arrested, they gave
14 me my position back.

15 Q Was the client arrested for your incident or
16 something that happened afterwards? Was there another
17 incident --

18 A There was another incident, yes.

19 Q That client ends up being arrested for that?

20 A Yes.

21 Q Is the client still at the unit?

22 A No. She's no longer welcome.

23 Q So with her gone, you were able to go back
24 into the unit; is that correct?

25 A Yes, in my position as well.

1 **Q Yeah. When is the last time you had to do a**
2 **restraint?**

3 A Two days ago.

4 **Q Did you, from a physical standpoint, feel like**
5 **you were able to go into the restraint and do it?**

6 A I know I could do it, but I try to use crisis
7 communication first before I go into the restraint so
8 it can be less combative. They fight less when they in
9 they psychotic mode. So I kind of crisis communicate,
10 try to talk to them, talk them down.

11 **Q Did that --**

12 A It makes it easier for me.

13 **Q Did that happen two days ago?**

14 A Yes.

15 **Q So was there any type of physical struggle two**
16 **days ago?**

17 A No, because our proac is once the men have the
18 arms, they ask me to probably get the legs. And every
19 kid on that unit knows when I get their legs, they know
20 that Miss Benetia, don't play, so don't do that to me.
21 Don't hurt me. So they know.

22 **Q So the two-day-ago incident, the men were able**
23 **to get the arms of the client; is that correct?**

24 A Yes.

25 **Q And you were able to get the legs with no**

1 **injury to your body?**

2 A No.

3 **Q Do you want to continue working at Stars?**

4 A Absolutely.

5 **Q And you feel like you can do your full duty**
6 **work?**

7 A I can do my full duty work, and I talked to --
8 you know Dr. Spiteri?

9 **Q Um-hmm.**

10 A I committed to 25 years to her. That's what I
11 told her. Because I'm a supervisor -- not a
12 supervisor, but a shift lead. I just need my team to
13 get on board so that we can have less restraints and
14 behavior changes. So that's my goal.

15 **Q But, like, going into work today, you feel**
16 **entirely physically capable of doing your full duty**
17 **work; is that correct?**

18 A Yes. Yes, but the restraints and the behavior
19 changes from 0 to 1,000, so I just have to be prepared.
20 I have a team of seven, so they pretty much -- I make
21 the decision, like, code or no code or can I just do
22 crisis communication to decrease the behavior. So I
23 try to use that more so I can be safe.

24 **Q Is there any chance that what happened in**
25 **April of this year, though, could happen again if**

1 you're walking down the unit?

2 A Absolutely.

3 Q All right. If you were to be sprung with
4 something like that, you feel physically capable of
5 restraining right now?

6 A Oh, no. I wouldn't -- if I was -- you said if
7 I was physically?

8 Q If a similar incident happened to you now that
9 occurred back on April 18th, you're, in essence,
10 working full duty, so you would have to be able to
11 respond to that individual; right?

12 A Right.

13 Q Would you be able to do so?

14 A Only with the strategies that I just
15 explained. If I can do that, I can do it.

16 Q What symptoms in your body do you continue to
17 have, though, that you relate back to the April
18 incident?

19 A Just what I'm experiencing now. Like, I have
20 tingleness. All this -- tingleness right here. I'm in
21 pain, and, like, all right here is a tingle sensation.

22 Q So tell me if I'm correct in describing where
23 you're pointing to. You're talking about kind of the
24 left side of your face?

25 A Right.

1 Q Around the ear region and cheek, moving into
2 the left side of your head --

3 A Yes.

4 Q -- is that correct?

5 A Yes.

6 Q And when you say tingling, it's kind of that
7 feeling as if it's going to go numb?

8 A Right. Like a headache. You know when you
9 have a headache. This is what I've been experiencing
10 since the 18th.

11 Q And is that present at all times, like 24-7?

12 A Not all times, but most of the time. But I
13 love what I do so much, I just sometimes don't want to
14 let the kids down.

15 Q What about anything specifically in the neck
16 itself?

17 A Just from when she grabbed this part right
18 here.

19 Q Look where I'm pointing to. This is actually
20 your cervical spine. Is there any pain in that area?

21 A Not now.

22 Q Okay.

23 A Just --

24 Q When was the last time you had any, like, pain
25 in that area?

1 A If I had to think about it, it may have been a
2 couple weeks.

3 **Q What about anything in the upper back or**
4 **shoulder regions?**

5 A Just my left side, like right in here. Right
6 in here is my pain. Right now it's here. Like, it
7 travels, so it depends on what I'm doing.

8 **Q How far down the left side would it go? Does**
9 **it go into --**

10 A Just to my shoulder bones. Like, right there.

11 **Q But it always kind of starts in the head and**
12 **goes down --**

13 A It starts here. The numbness start here, and,
14 like, right -- it's just like a -- travel. It's like
15 a -- I can just feel it, like, all right here.

16 **Q Okay. With that, you got to describe for her.**

17 A It's all in my left side.

18 **Q Temple?**

19 A I'm sorry. My cheekbones, my temple, the back
20 of my left neck -- I don't know this part, the back of
21 my head.

22 **Q That's your head.**

23 A Okay. Well, I don't know my anatomy like she
24 does. I'm just saying, like, I appreciate you.

25 **Q Anything below the upper back or shoulders?**

1 A It depends. Like I said, it depends on what
2 I'm doing. It comes and goes.

3 **Q So when is the last time you had any symptoms**
4 **in the middle of your back around your bra line?**

5 A Maybe, like, a spasm. Probably, like, maybe a
6 couple days ago, like, a back spasm that made me
7 holler.

8 **Q Any symptoms in the lower back?**

9 A Not really.

10 **Q Okay. Any of the things you continue to have**
11 **now, did you ever have those while working at any of**
12 **the prior jobs?**

13 A No.

14 **Q Anything you can do to improve the symptoms,**
15 **like, make the headache go away?**

16 A Yes. I meditate in the morning. I do yoga.

17 **Q How often do you do yoga?**

18 A Four days a week.

19 **Q Anything else you do to help relieve your**
20 **symptoms?**

21 A I get a massage once a week, and I do water
22 aerobics four times a week. The water aerobics and the
23 yoga is together.

24 **Q Where do you go for that?**

25 A I go in Long Beach.

1 Q Like at a YMCA?

2 A It's like an aerobics for senior citizens.

3 I'm almost 55.

4 Q I don't think you're a senior citizen.

5 A Well, I'm trying to get benefits for the --
6 you know.

7 Q What's the name of the location where you go?

8 A It's called Hope.

9 Q Was there a point in time you did not show up
10 for your appointments with Concentra, maybe because you
11 didn't want to go there based on what you told me
12 earlier?

13 A Repeat your question.

14 Q Was there a point in time you stopped
15 following up with Concentra, and maybe because of what
16 you told me about earlier in your testimony, being
17 frustrated?

18 A Being frustrated, yes, because they were
19 giving me the runaround. And it's like -- I feel like
20 this happened to me and I feel like they should have
21 showed me more compassion. They didn't show me any
22 compassion. And I told the doctor -- I said, "I don't
23 think this is fair."

24 Q How many times, total, do you think you went
25 to Concentra?

1 A I probably went about five or six times
2 because I was getting tips from the lady in the front
3 about some shopping. I know it was about six times.

4 **Q And then how many times have you seen Dr. Chu,**
5 **your personal doctor, for this injury?**

6 A Maybe twice.

7 **Q And when was your last visit with him?**

8 A A couple of months ago. Two months ago.

9 **Q Have you been to any doctor, then, in the last**
10 **two months?**

11 A Two months? No.

12 **Q Do you have any future appointments scheduled**
13 **with any doctors?**

14 A I have to make one with them. So I'll make
15 one probably next month because just the way I have
16 been feeling.

17 **Q Is this with Dr. Chu?**

18 A Yes.

19 **Q When you're not working, what do you do during**
20 **the day?**

21 A When I'm not working, I check on my mother,
22 check on my siblings. My daughter's a police officer,
23 so I check on her, send her a book message and tell her
24 how much I love her and appreciate her.

25 On my off day, I contact all supervisors to

1 let them know what's going on in the unit and what's
2 the changes that I need. What else?

3 **Q Does your mom require any, like, physical help**
4 **from you?**

5 A No.

6 **Q Anything else you do on your days off?**

7 A Well, I have to do better because Dr. Spiteri,
8 she told me, "You have to let this place go on your off
9 day."

10 "They asked me" --

11 "Don't try to figure it out."

12 So I'm doing better. This is probably my
13 first week just really, like, staying at home and
14 doing -- I'm very meticulous and I like to have my
15 laundry done on certain days. So I just stayed at
16 home.

17 I said, Okay. I'm going to take her word,
18 just relax, learn to relax because I want -- I want a
19 change, I want to see a change in my unit.

20 **Q Are there any things at all or hobbies you may**
21 **have previously had that you are entirely unable to do**
22 **at the present time because of your symptoms?**

23 A Yes. I play racquetball. I play golf. I'm
24 not able to play at all.

25 **Q When was the very last time you played**

1 **racquetball?**

2 A It's been three years. The rackets are still
3 in my car.

4 Q **So because it was three years ago, did you**
5 **stop because of how you currently feel or stop because**
6 **of something else?**

7 A Three years ago, I just stopped because, like,
8 just wanted to stop. Sometimes the weather changes or
9 something like that, so I stopped.

10 Q **But you haven't tried to do so in three years?**

11 A No. I'm smarter than that.

12 Q **When was the last time you played golf?**

13 A I haven't played golf in about maybe six
14 years.

15 Q **Why did you stop doing that?**

16 A Because my brother couldn't afford to pay the
17 fees.

18 Q **Any other activities or things you're entirely**
19 **unable to currently do?**

20 A I like to bike ride, but I can't ride my bike.

21 Q **Why do you think you can't currently ride your**
22 **bike?**

23 A Like I said, sometimes -- well, it's just
24 sometimes I just feel kind of like a little like
25 fatigue a little bit. So I know it will help me with

1 my blood pressure.

2 I don't take chances. Anything that makes my
3 body feel a little different, I try to use wisdom and
4 not go that route.

5 **Q And you feel like riding a bike would be a**
6 **little, maybe, too dangerous at the present time?**

7 A Absolutely.

8 MS. BARKLEY: I have nothing further for her.

9 Do you have any questions of her today?

10 MS. FOLEY: I have just couple questions.

11 MS. BARKLEY: Sure.

12

13 EXAMINATION

14 BY MS. FOLEY:

15 **Q Do you have any memory issues right now?**

16 A I have some.

17 **Q How would you describe it?**

18 A I would describe it, like, since I've been on
19 this job for 10 months as of the 8th of this month,
20 it's just like my documentation, I know I can do it
21 faster, because I have 16 clients, and then I have to
22 do documentation on them, and it's just, like, I know I
23 was faster than this. And it's just been, like, a
24 little difficult, but I stay after work to complete my
25 work.

1 **Q How do you review the speed of performance to**
2 **the memory issue?**

3 A Well, like, for instance, like, where I work
4 at, it's just, like, sometimes I feel like I'm going to
5 be attacked again and I have to watch my back. I kind
6 of feel like -- you know, it's kind of hard to explain.
7 But I still do my job. It's just like --

8 Repeat the question again.

9 **Q Okay.**

10 **So you are addressing more your emotional**
11 **issues than memory issues; is that right?**

12 A Right.

13 **Q I have another question.**

14 **During the deposition, you've been asked if**
15 **you've ever been examined by the chiropractor. And you**
16 **said "No."**

17 **Are you aware that Dr. Iseke was a**
18 **chiropractor?**

19 A Oh, my stars. I'm sorry.

20 **Q I'm just wondering.**

21 A I'm sure he was, but I'm sorry that I forgot
22 that part. I'm sorry. I just knew he was a doctor, so
23 I didn't --

24 MS. BARKLEY: It's okay. A lot of people --

25 MS. FOLEY: Yeah, I'm just trying to figure

1 out.

2 I don't have any further questions.

3 THE WITNESS: May I add, as far as my memory,
4 I am 54, but I'm really, like, articulate. But I
5 honestly feel I know my job and I explained to
6 Dr. Spiteri the reason I committed to 25 extra years is
7 because this is my purpose. I know I can do it.

8 The second month, I became a supervisor, so
9 they know I can do the job. But after this incident,
10 it kind of made me feel like -- it made me -- it just
11 kind of -- I don't know -- I didn't want to lose my
12 purpose. Maybe I'm just trying too hard, like she
13 said. But I know I can do it because I love what I do.
14 I don't want it to be taken away from me, you know.

15 MS. FOLEY: Absolutely.

16

17 FURTHER EXAMINATION

18 BY MS. BARKLEY:

19 Q So when you made the comment -- did you say
20 October 8th you started feeling --

21 A No, no, no.

22 Q You made a reference to --

23 A I said this month -- this month is October,
24 right?

25 Q Yeah.

1 A October 8th makes the tenth month of me
2 working at Star View Adolescent.

3 **Q All right.**

4 A And I know I was hired December the 10th. So
5 I'm looking -- because I try to get perfect attendance
6 and I wanted to be the employee of the year. So I'm
7 always, like, counting, like, the times and the days
8 and I always communicate with the schedulers, like,
9 "Look, this is what's going on, I do extra hours."

10 Because I like -- I'm not perfect, but I like
11 to just be on my game.

12 **Q So when do you feel as though you maybe**
13 **started struggling with completing the documentation?**

14 A When I returned back to the unit. Because
15 they took me off that unit because of the young lady
16 that was on there. But I was a floater in three other
17 units. I was providing service for other kids.

18 **Q So do you -- if you think about it, is it more**
19 **memory or just maybe being a little more aware of your**
20 **surroundings such that your documentation takes a**
21 **little bit longer to complete?**

22 A I believe it's both.

23 **Q All right. And trying -- I mean, if you're**
24 **only -- if it's only been since you're back in the**
25 **unit, you're talking about two months or less; right?**

1 A Well, I have to do documentation on the other
2 unit, too, and the kids act up too. So I can say the
3 whole time. April to this day. I can say that.

4 **Q You feel as though the speed of your**
5 **documentation has gone down?**

6 A Yes.

7 MS. BARKLEY: I have nothing further.

8 Will you stipulate to relieve the reporter of
9 the requirements under the Code; that the deposition
10 will be signed under the penalty of perjury; that a
11 certified copy may be used with the same force and
12 effect as the original at the time of any trial that
13 may occur in the case; and that you will advise me of
14 any changes or corrections within 45 days of your
15 receipt?

16 MS. FOLEY: So stipulated.

17 (The deposition concluded at 3:46 p.m.)

18
19
20
21
22
23
24
25

1 STATE OF CALIFORNIA) ss

2 I, Terrie C. Barker, CSR No. 12000, do hereby
3 declare:

4

5 That prior to being examined, the witness named in
6 the foregoing deposition was by me duly sworn pursuant
7 to Section 2093(b) and 2094 of the Code of Civil
8 Procedure;

9

10 That said deposition was taken down by me in
11 shorthand at the time and place herein named and
12 thereafter reduced to text under my direction.

13

14 I further declare that I have no interest in the
15 event of the action.

16

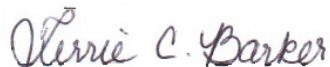
17 I declare under penalty of perjury under the laws
18 of the State of California that the foregoing is true
19 and correct.

20

21 WITNESS my hand this 12th day of November, 2019.

22

23



Terrie C. Barker, CSR No. 12000

24

25

1	ERRATA SHEET			
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