

Deposition of
George Soohoo
September 04, 2020
Volume III

Soohoo
vs.
State of California



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WORKERS' COMPENSATION APPEALS BOARD
FOR THE STATE OF CALIFORNIA

GEORGE SOOHOO,)
)
Applicant,)
)
vs.) Case No.
) ADJ
STATE OF CALIFORNIA, DEPARTMENT OF) 11815610
CORRS-INST MEN, Legally Uninsured;)
STATE COMPENSATION INSURANCE FUND/STATE)
CONTRACT SERVICES, Adjusting Agent,)
)
Defendants.)
_____)

TELEPHONIC
DEPOSITION OF GEORGE SOOHOO
VOLUME III

Date and Time: Friday, September 4, 2020
2:15 p.m. - 5:35 p.m.

Reported By:
Terri S. Chicoine, CSR
Certificate No. 10680
Job No. 10071244

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) ADJ
 STATE OF CALIFORNIA, DEPARTMENT OF) 11815610
 CORRS-INST MEN, Legally Uninsured;)
 STATE COMPENSATION INSURANCE FUND/STATE)
 CONTRACT SERVICES, Adjusting Agent,)
)
 Defendants.) VOLUME III
_____)

Telephonic deposition of George Soohoo,
taken before Terri S. Chicoine, CSR, a Certified
Shorthand Reporter for the State of California, with
principal office in the County of Orange, and
located in Costa Mesa, California, commencing on
Friday, September 4, 2020, at 2:15 p.m.

1 APPEARANCES OF COUNSEL:

2

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EXHIBITS

DEFENDANTS '	PAGE
(NONE .)	

1 THE REPORTER: Good afternoon. My name is
2 Terri Chicoine. I am a California certified
3 shorthand reporter and the deposition officer for
4 today's deposition. My CSR license number is 10680.
5 Due to the recent order issued by the Judicial
6 Council, I am authorized to administer a binding
7 oath to a witness not appearing personally before
8 me. Barring any objection, I will now swear in the
9 witness.

10

11 GEORGE SOOHOO,
12 called as a witness and having been first affirmed
13 by the Certified Shorthand Reporter, was examined
14 and testified as follows:

15

16 MR. TAYLOR: This is Steven Taylor with
17 State Fund Insurance, State Compensation Insurance
18 Fund Legal Department, and I'm going to be
19 cross-examining Mr. Soohoo today for volume three of
20 our deposition to pick up where we left off on
21 February 21st of 2020.

22 And, first, I want to establish for the
23 record that this deposition is telephonic and that
24 each participant is actually in their own location,
25 so Mr. Soohoo is at home or his location, Mr. Cohen,

1 his attorney, is not with Mr. Soohoo, Mr. Cohen is
2 in his own office, I'm at my home office in San
3 Diego, and Terri, our court reporter, is in her
4 office in Orange County in Costa Mesa, so all
5 parties are doing this by the telephone, and nobody
6 is in the same room with anybody else.

7 We left off this deposition on February
8 21st, and one of the agreements that we made on the
9 record with the witness, Mr. Soohoo, and Mr. Cohen
10 back when we were doing depositions traditionally
11 all in the same room in Mr. Cohen's office was that
12 there was a number of documents that's Mr. Soohoo
13 had discussed during the ending portion of that
14 volume two deposition on February 21st that we
15 didn't have, we meaning State Fund, and so I made a
16 statement on the record about an off-the-record
17 discussion we had at that time about wanting to get
18 those documents. And I am now going to read from
19 page 177 of volume two of Mr. Soohoo's deposition
20 and then remind Mr. Soohoo that we still have that
21 situation facing us, so I'm going to go ahead and
22 read from it.

23 At page 177 at line 12 I stated the
24 following:

25 "We had an off-the-discussion

1 record" -- verbatim -- "about the fact
2 that there are now still unobtained
3 documents that go right to the heart of
4 some of the main issues in this case that
5 Mr. Soohoo is and Mr. Cohen are going to
6 provide to us to finish the deposition,
7 volume three. They're going to try to get
8 copies of the questions and answers that
9 came on the computer to Mr. Soohoo related
10 to the internal investigations, and they
11 are going to advise us in writing either
12 enclosing those documents or telling us
13 why we can't get them.

14 "We're going to reschedule this
15 deposition for a volume three. It is our
16 intent to finish it on that day, to talk
17 about these matters that relate to the
18 letters and internal investigations, as
19 well as the body parts that we have not
20 yet covered. We're going to agree, then,
21 to have volume two of the deposition
22 transcribed into a draft form, like volume
23 one was, and provided to me by e-mail
24 attachment, just like volume one was, so
25 that we can use volumes one and two to

1 make sure that we complete the deposition
2 of volume three."

3 Okay. So that's -- that's just reading
4 from page 177 to 178.

5 Mr. Soohoo and Mr. Cohen, there are the
6 questions, computer questions, that came in to Mr.
7 Soohoo related to one of the internal
8 investigations, and then there was also some letters
9 that came to Mr. Soohoo about internal
10 investigations that we don't have. We did have one
11 letter, but there's other letters to him about the
12 internal investigations that we did not have back on
13 February 21st, 2020, and there was also, I believe,
14 the internal investigation reports.

15 Now, I realize that Mr. Soohoo may not
16 have those yet. We're not aware that any have been
17 produced, so, Mr. Cohen and Mr. Soohoo, could you
18 explain to me what we've got to do about those
19 things that we still need?

20 MR. COHEN: Mr. Soohoo would be the one in
21 possession of the documents, so let's see what he --
22 what kind of clarification he needs.

23 ///

24 ///

25 ///

EXAMINATION

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BY MR. TAYLOR:

Q Okay. Mr. Soohoo, did you hear everything that I read and what I've just now explained about documents that we still need?

A Yes.

Q Okay. What can you tell us about those computer questions and your answers and about the letters, these internal investigation letters, and the internal investigation reports?

A I have copies of the computer questions, and I will submit them to Mr. Cohen.

Q Do you have your answers as well?

A Yes. There were questions that were asked of me, and I don't have the first part, and then he generated some questions to me on the computer. I thought he was going to give me an interview, but, instead, it says the interview's on the computer, so he sent me, like, 20-something questions to answer.

Q And you answered those 20 questions?

A Yeah. I have copies of them.

Q All right. And then just now you said he started off by sending you some questions. What about those first preliminary questions?

1 A I don't have those. I mean, like, he
2 didn't send me -- it's just that when I filed the
3 report he generated some questions from that report,
4 and it was about Mr. Escobell at that time.

5 Q **Mr. Escobell?**

6 A Yes, the CEO.

7 MR. TAYLOR: Terri, that is E-S-C-O-B-E-L
8 [sic], Mr. Escobell.

9 THE WITNESS: B-E-L-L. BE-L-L.

10 MR. TAYLOR: B-E-L-L? Okay.

11 BY MR. TAYLOR:

12 Q Well, Mr. Soohoo, we're going to need
13 copies of the 20 questions and answers that you do
14 have, but, also, if you can get those other
15 questions that he sent you that don't have, or at
16 least tell us why you can't get them so that we can
17 maybe go to CDCR and get them if we have to.

18 There's also some other letters related to
19 the EEOC for the other investigations, and we
20 already have a copy of at least one of those letters
21 that came back from some complaints filed against
22 you, and there's a memorandum -- that letter, it's
23 actually a memorandum dated July 5th, 2019, from
24 Healthcare Services to you and signed by Robert
25 Herrick, H-E-R-R-I-C-K, and there's three items that

1 were investigated, complaints made against you by
2 employees, and in each one of them there was a
3 finding that those complaints were not sustained, so
4 we already have that, but in our discussions back on
5 volume two of your deposition on February 21st, I
6 remember you saying that there was more letters, and
7 we didn't have those. That's why at the end we were
8 talking about getting those letters.

9 Do you know what letters I'm referring to
10 now?

11 A Well, it's kind of long and drawn-out, but
12 this investigation took them years because basically
13 they divided my investigation, which they never --
14 they informed me about the first investigation, that
15 I was cleared by Mr. Herrick, but, the second part
16 of the investigation, they never -- they've never
17 given me what the allegations were on the second
18 investigation because some of the complaints came in
19 after they came back to work, but some of the
20 employees were -- they were in collusion to come
21 after me. Okay? So when they came back to work
22 these people talked to them and filed another --
23 after I found out that I was cleared from the first,
24 they filed another one, I think, and tried to get me
25 into trouble and came back with a lot of other stuff

1 from the same people and addressed other staff
2 members, so...

3 Q And did you ever get letters on those
4 follow-up investigations?

5 A I never -- I never was even notified what
6 the allegations were until I was served on, I think,
7 somewhere around November or December of 2019 saying
8 that they wanted to interview me on these
9 allegations. I was never even told about these
10 allegations.

11 Q So just for this moment I'm trying to pin
12 down every document that might be out there that we
13 don't have yet because that's what part of this
14 deposition is about, is discovery, so are you
15 telling me that on those additional follow-up
16 investigations that you later learned about you
17 don't have any memos or letters or reports from
18 those investigations that I was thinking about when
19 we last deposed you in February? Is that correct?

20 A No.

21 Q It's not correct?

22 A No, because --

23 Q Okay. Then explain it to me. Do you have
24 letters or memos from those follow-up investigations
25 or not?

1 A I have a whole copy of investigations
2 because I'm back at work, and they have to submit to
3 it, and they have to give me the whole package,
4 including the tapes and everything.

5 Q Okay. What would you call that so that
6 when we discuss this with your attorney there's a
7 way we can describe that so there's no confusion
8 about what we're asking for? That stuff that you --
9 that you have now received, what would you call it?
10 Is it one big package? Is it a report? Is it
11 multiple documents?

12 A It's a whole package, and basically
13 they've given me -- they gave me a package that said
14 "Internal Affairs Investigation Closure, Case
15 Number," and so they did two investigations. The
16 first one they cleared me, and the second
17 investigation they thought I was cleared, so they
18 came after me with the same people, pretty much
19 adding more people, and came back after me again,
20 and they gave me a list of maybe seven allegations
21 against me, and then they gave me -- they closed it
22 and gave me a notice of adverse action stating that
23 they gave me -- "You are officially reprimanded,
24 lower level of adverse actions," so they gave me a
25 reprimand. That's it.

1 Q When did that all come out? Give me a
2 month and a year.

3 A It was dated May 5th, 2020.

4 Q Okay. So what we're going to do is we're
5 going to use the May 5th, 2020, internal
6 investigations report packet. That's what we're
7 going to call it. Is that fair enough?

8 A I did have an attorney through CCOF Net
9 basically who was my attorney with this case through
10 my -- through my union, and I appealed the verdict
11 to go to FCB to appeal it, to get it removed,
12 because, even though it's an adverse -- okay? -- at
13 the lowest level, I didn't feel that it was correct.
14 It was -- it was just a reprimand, but part of my
15 job was -- what I was doing, I was doing was my job,
16 and --

17 Q Okay.

18 A -- so, you know --

19 Q Let me stop you there, Mr. Soohoo. You're
20 going off on a different question than what I just
21 tried to ask you.

22 Right now --

23 A Okay.

24 Q -- for the purposes of discovery and
25 because we're all on a telephonic conference call,

1 I'm trying to verbally describe the documents that
2 you said that you received in May of 2020 related to
3 follow-up investigations and claims made against you
4 because we don't have those documents. I'm trying
5 to find a way to describe them so that it will be
6 easy for me and your attorney to discuss you
7 providing me those documents so that he's done his
8 job and I've done my job.

9 So I am still going to ask you again. If
10 we call this investigation report packet the May
11 2020 follow-up investigation report packet, do you
12 know what I'm talking about?

13 A Yes.

14 Q Okay. What I want to know --

15 (Simultaneous speaking.)

16 (Interruption in proceedings by the court
17 reporter.)

18 BY MR. TAYLOR:

19 Q I'm going to ask you to provide that to
20 your attorney, and I'm going to ask your attorney to
21 provide that to me in writing under a cover letter
22 so that I know that I've received that.

23 MR. COHEN: What I'm going to ask is this:
24 This 5/5/2020 packet that we're talking about, how
25 many pages is it?

1 BY MR. TAYLOR:

2 Q Mr. Soohoo, how many pages is it?

3 A At least 50. I don't have it right here,
4 but I know where it's at. I have it.

5 Q Okay.

6 MR. COHEN: The pages are numbered? Mr.
7 Soohoo, are the pages numbered?

8 THE WITNESS: I do not know.

9 MR. COHEN: All right. Well, tell you
10 what. Before you send them count how many pages
11 there are, and so when you send it you'll say you're
12 sending the May 5th, 2020, investigation packet and
13 how many pages it is.

14 Okay?

15 THE WITNESS: Can you give me a break? I
16 can go get it. It's in a box.

17 MR. COHEN: Why don't we do that.

18 MR. TAYLOR: All right.

19 MR. COHEN: Let's take a break, and we'll
20 know what we're talking about.

21 MR. TAYLOR: Here's what we'll do.

22 Terri, I want to do this in a way that
23 freaks you out the least. Okay? Can I give --
24 Terri, can I give you my cell number, and you call
25 me when they call you back?

1 (A discussion was held off the record with
2 the court reporter.)

3 MR. TAYLOR: I think it will be better if
4 we disconnect and reconnect because we don't know
5 how long it's going to take Mr. Soohoo to find that
6 stuff.

7 MR. COHEN: Terri, is the best way to do
8 it just to stay on the phone if it's going to take
9 ten minutes?

10 THE REPORTER: Yes.

11 MR. TAYLOR: Mr. Soohoo, when you come
12 back in the room with the documents, just yell out
13 that you're back.

14 Okay?

15 MR. COHEN: Before he goes, we earlier
16 talked about, I think it was, the first packet of
17 investigations. Is that my -- is my understanding
18 correct?

19 MR. TAYLOR: Well, the -- we have one
20 letter from him on at least one investigation. I've
21 already given you the date. It was a letter from
22 Mr. Herrick that was --

23 MR. COHEN: We talked about that. My
24 question is what exactly from that investigation did
25 you want?

1 MR. TAYLOR: Well, I've already got that
2 letter, that memo, so I don't know if there's
3 anything more related to that. If there is, of
4 course we want that, but I'm not aware of any
5 documents related to that. If there is, yes, we
6 want those too, but the other things that we're
7 going to talk about in this deposition is also the
8 two major internal investigation process/proceedings
9 that were ongoing when we deposed, last deposed, Mr.
10 Soohoo in February 2020 at your office where there
11 was complaints made by Mr. Soohoo against CDCR, and
12 then there was counter-complaints made by CDCR
13 against Mr. Soohoo, and as of February of 2020
14 during his deposition those were still ongoing, so
15 those are yet additional investigations.

16 MR. COHEN: Okay. But I'm talking about
17 at the beginning of this deposition you were talking
18 about some documents you wanted Mr. Soohoo to
19 produce before we got to this --

20 MR. TAYLOR: Yeah.

21 MR. COHEN: -- packet of 5/5/2020, so I'm
22 still --

23 MR. TAYLOR: Yeah. There was the computer
24 questions that they sent him and he answered on the
25 computer in relation to one of the first

1 investigations, and we didn't have those either, so
2 he's already talked about that. He has those. He's
3 going to giving those to us.

4 MR. COHEN: So right now we have two sets
5 of documents you want: The computer questions and
6 answers and this packet he's going to give us more
7 information about from 5/5/20; is that correct?

8 MR. TAYLOR: That is correct, unless there
9 is anything related to that November 2019 memo that
10 I'm not -- that I don't know about, if there's
11 anything else related to that letter that he got
12 clearing him of those three allegations, that memo
13 he got, because I have the memo, but I don't know if
14 there's any documents that he has that are related
15 to it, so it would be that as well.

16 MR. COHEN: Okay.

17 THE WITNESS: Can I make a clarification
18 on the documents?

19 MR. TAYLOR: Yeah, please.

20 MR. COHEN: Sure. Please do, George.

21 THE WITNESS: The computer questions and
22 answers were -- the computer questions and answers
23 were related to the EEO filing against Mr. Escobell
24 and Mr. Jason Bishop.

25 MR. TAYLOR: Okay. That's fine.

1 THE WITNESS: It has -- it does not have
2 anything to do with the allegations from any staff
3 against me.

4 MR. TAYLOR: That's fine. We still want a
5 copy. We still want them all, so it doesn't matter.
6 I mean, when we get that it will become apparent,
7 and we'll question you on them, but we still want it
8 all.

9 MR. COHEN: Yeah. But I want to know how
10 many pages we're talking about, questions and
11 answers.

12 MR. TAYLOR: Okay.

13 MR. COHEN: Can you tell me that, George?
14 Are you going to look that up too?

15 THE WITNESS: No. The questions and
16 answers that Mr. Vicente Cuison sent me was a total
17 of 33 questions.

18 MR. COHEN: Not how many questions, how
19 many pages.

20 MR. TAYLOR: How many pages.

21 THE WITNESS: One, two, three, four, five,
22 six -- seven.

23 MR. COHEN: Seven pages?

24 MR. TAYLOR: Does that include your
25 answers too? Are there additional pages for your

1 answers?

2 THE WITNESS: That includes my answers.

3 MR. TAYLOR: So the seven pages is both
4 the questions and your answers; is that correct?

5 THE WITNESS: Yes.

6 MR. TAYLOR: Okay. So right now we're
7 going to --

8 MR. COHEN: If he has more documents,
9 we'll get into them, but right now we're talking
10 about two documents, seven pages of questions and
11 answers, and now we're going to find out how many
12 pages relate to the 5/5/20 investigation, right?

13 MR. TAYLOR: And --

14 THE WITNESS: And I also have, I think,
15 the e-mail that he requested these questions, the
16 questions to answer.

17 MR. TAYLOR: Okay. So that would be eight
18 pages related to the questions and answers?

19 THE WITNESS: And I have to find that
20 e-mail, but...

21 MR. TAYLOR: Okay. All right.

22 So why don't you go and get that May 5th,
23 2020, investigation report packet, and then let us
24 know when you're back.

25 THE WITNESS: Okay. All right.

1 (Recess taken.)

2 BY MR. TAYLOR:

3 Q You're back, Mr. Soohoo?

4 A Yes.

5 Q Okay. What did you find, please?

6 Describe what you found. Describe it to us in terms
7 of documents, like, how many pages and the names of
8 the documents, like, is it a report, an e-mail, a
9 letter; if it's a letter, tell us the date of the
10 letter and who sent the letter, things like that.

11 A Okay. I got a proof of service of May
12 6th, 2020, from Kiara Swann. It's three pages.
13 It's just a proof of service of the documentation
14 that was sent, and then the Internal Affairs
15 Investigation Report is from -- there's a cover
16 page, Internal Affairs Investigation Report with
17 Allegations, and then it's from page 2 through 69.

18 Q So are we talking about 69 pages?

19 A Yes.

20 Q Okay. That's --

21 MR. COHEN: And what --

22 (Simultaneous speaking.)

23 MR. TAYLOR: Hold on.

24 THE WITNESS: And then in this package it
25 also has witness statements, which doesn't have

1 numbers on them, but whoever -- it was the -- Mr.
2 Bishop, he was doing the internal investigation at
3 the institution, and this was at a meeting, and he
4 handed out paperwork for people to file to write
5 allegations against me, which is pretty much
6 illegal.

7 BY MR. TAYLOR:

8 **Q All right. So how many pages of**
9 **statements do you have?**

10 A There's a lot.

11 **Q Can you count them for us?**

12 MR. COHEN: I'll be right back.

13 MR. TAYLOR: Hold on, Mr. Soohoo.

14 THE WITNESS: Yes.

15 BY MR. TAYLOR:

16 **Q Mr. Soohoo, are you there?**

17 A Yes.

18 **Q What is the date of that 69-page**
19 **investigation report?**

20 A The front page says 1/6/2020.

21 **Q Say that again. We can't hear you.**

22 A The front page of the Internal Affairs
23 Investigation Report says the date was 01/06/2020.

24 **Q So January 6th of 2020?**

25 A Yes.

1 Q Okay. And you can't tell us how many
2 pages of witness statements there are?

3 A Let me put it this way. You have one
4 witness statement, then you've got EEO paperwork
5 that they filled out, and then they have a signature
6 of who did their interview, was it a hostile work
7 condition, harassment, whatever it is, signed by one
8 of the EEO counselors, so it's all mixed in.

9 Q Fair enough.

10 And, just in line with what you and me and
11 Mr. Cohen were discussing before you went to look
12 for the documents, this is part of that May 5th,
13 2020, investigation report packet that we were
14 discussing; is that correct?

15 A I'm not sure what you said, the May 5th,
16 2020, package.

17 Q Well, just before you went to look for the
18 documents you and me and Phil were describing the
19 investigation packet, report packet, that you
20 received, and you said you got it back in May of
21 2020, and so that's what we -- that's one of the
22 things we sent you to go find.

23 You don't remember that?

24 MR. COHEN: I thought he said it was a
25 69-page document plus witness statements.

1 MR. TAYLOR: Right.

2 BY MR. TAYLOR:

3 Q But I'm just trying to pin down that
4 that's part of the May 5th, 2020, investigation
5 report packet that you received that we were just
6 talking about 20 minutes ago.

7 A Yes. Uh-huh. Yes.

8 Q Is that Mr. Soohoo? You said yes?

9 A Uh-huh. Yeah.

10 Q Okay. So the 69 pages with the cover
11 document being a January 6th, 2020, and the included
12 witness statements, that is the May 5th, 2020,
13 investigation report packet that we were just
14 discussing in this deposition about 20 minutes ago?

15 MR. COHEN: Well, I want to say my
16 understanding is there's 69 pages, plus the witness
17 statements, and he was going to tell us how many
18 additional pages for the witness statements.

19 MR. TAYLOR: I understand, but before we
20 find out how many pages we have to describe the
21 items he went to look for. So can we establish that
22 he went and looked for the May 5th, 2020,
23 investigation report packet that he received in May?

24 Is that what we're talking about?

25 MR. COHEN: My understanding is that's

1 exactly what we're talking about, but, George, can
2 you answer that with a yes or no?

3 THE WITNESS: Yes.

4 BY MR. TAYLOR:

5 Q Okay. George, talk close to your phone,
6 please. You're too far from it.

7 A Okay. I have my hearing aid. My hearing
8 aid is attached to my phone. I'm sorry.

9 Q Okay. All right.

10 So we have that May 5th, 2020,
11 investigation report packet, including the 69 pages,
12 and also the witness statements; is that right?

13 A Yes, and the witness statements mixed in
14 with a lot of other stuff.

15 Q You're walking away from your phone. We
16 can't hear you.

17 A Okay. The witness statement is mixed in
18 with a lot of other stuff.

19 Q Understood. Okay.

20 Now, were you also able to find the copies
21 of the computer questions and the answers that we
22 were discussing a few minutes ago?

23 A Yes. And those involved my filing the
24 complaint against Mr. Escobell and Mr. Bishop.

25 Q I understand. Okay.

1 Then are there any other letters that
2 go to investigations that you got, letters or memos
3 that you got that are not part of that May 5th,
4 2020, investigation packet? Are there any other
5 letters or memos?

6 MR. COHEN: Well, I will have to say I'll
7 object because I think that's ambiguous of what you
8 mean, are there any other memos. Are you saying is
9 there anything else connected with the 5/5/2020
10 investigation packet other than the witness
11 statements?

12 MR. TAYLOR: No. No.

13 MR. COHEN: I thought you were asking
14 about something else.

15 MR. TAYLOR: It's my understanding from
16 looking at our discussion back on February 21st that
17 there were some letters that Mr. Soohoo referred to
18 that had to do with complaints against him that were
19 not part of this May 5th, 2020, investigation
20 packet, but we didn't have them back on volume two
21 of his deposition in February, and so we were going
22 to ask that now, so I'm just asking if there's any
23 additional letters other than that November 2019
24 letter, the memo that we've already discussed -- I'm
25 sorry -- not November -- it was the July 5th, 2019,

1 memorandum.

2 THE WITNESS: Are you referring to -- are
3 you asking me as referring to memos that came from
4 Internal Affairs, or...

5 BY MR. TAYLOR:

6 Q Yes. Yes, either CDCR directly or
7 Internal Affairs to you. When we last deposed you,
8 you gave me the idea that there was other letters
9 that we didn't have yet. That's all I'm asking
10 about.

11 A Of the second investigation I never
12 received any letter until they asked me for the
13 interview for the second time.

14 Q Okay. All right.

15 So, as far as you know, there's no
16 outstanding letters or memos that you haven't given
17 us yet other than, again, the July 5th, 2019, memo
18 to you from Robert Herrick and the May 5th, 2020,
19 investigation report packet, including the 69 pages
20 of the report, plus the witness statements, and the
21 computer questions and answers that were related to
22 the other investigation, other internal
23 investigation; is that right?

24 A Yes.

25 MR. TAYLOR: Okay. So let's go off the

1 record for a second with just me and Phil.

2 So, Terri, I want to go off the record,
3 and Phil and I will talk about logistics of what we
4 should do with these documents that Mr. Soohoo just
5 turned up.

6 Can we go off the record, please?

7 (A discussion was held off the record.)

8 BY MR. TAYLOR:

9 Q Mr. Soohoo, what was the date of the proof
10 of service that Kiara Swann signed?

11 A On the proof of service, on the paper, it
12 says May 6th, 2020.

13 MR. TAYLOR: Okay. So, Phil, that's going
14 to be part of the document production too is that
15 proof of service.

16 Okay?

17 MR. COHEN: All right.

18 BY MR. TAYLOR:

19 Q Okay. Mr. Soohoo, now I'm going to, like,
20 resume with some questioning now that we've got some
21 of the documentation production out of the way.

22 We last deposed you on February 21st,
23 2020. Have you stayed living in the same house in
24 North Park in San Diego since then and up to today?

25 A Yes.

1 Q Okay. Have your living arrangements
2 changed any at that living arrangement, like, has
3 anybody moved in with you or anybody else living
4 with you?

5 A Yeah, my brother.

6 Q So your brother is living with you in
7 addition to your wife?

8 A Yes.

9 Q Anybody else besides your brother and your
10 wife living with you?

11 A His wife.

12 Q Okay. So there are two couples now living
13 in that house in North Park?

14 A Yes.

15 Q Okay. And, other than that, your
16 residence address is the same as it was when we were
17 deposing you in February of 2020?

18 A Yes.

19 Q Okay. Are you still working full time,
20 full duty in the same place that you were working
21 when we last deposed you in February 2020?

22 Mr. Soohoo, can you hear me?

23 A Can you repeat that question?

24 Q Okay. Is there something in the
25 background there that's distracting you? Because

1 you're taking a lot of time answering these
2 questions. Is there something that you are getting
3 distracted by?

4 MR. COHEN: We did tell him to take the
5 time so we can get a clear record.

6 MR. TAYLOR: I understand that we're
7 taking time, but these are just basic -- some of
8 these are basic questions, and I'm just concerned
9 that he's being distracted somehow. I appreciate
10 you taking the time, though.

11 THE WITNESS: I just want to make sure I
12 understand your answers.

13 BY MR. TAYLOR:

14 Q Okay. So are you still working in the
15 same place with the same job duties and full time as
16 you were working when we last deposed you in
17 February 2020?

18 A No.

19 Q Okay. When did you stop working at that
20 last place after we deposed you in February of 2020?

21 A I got redirected back to CIM.

22 Q When you say CIM, is that C, as in cat, I,
23 as in indigo, and M, as in Mary?

24 A Yes.

25 Q Okay. And that is the California

1 Institute for Men in Chino?

2 A Yes.

3 Q When did you get redirected to Chino?

4 A I do not remember at this time.

5 Q Well, doing your best and giving an
6 approximation of the date, we last deposed you in
7 February of 2020, which was about seven months ago,
8 give or take, you know, a week, and when was it,
9 then, after that deposition? Was it two months
10 later? Was it one month ago? Give us your best
11 approximation of when you were redirected to work at
12 Chino prison.

13 Did you hear my question, Mr. Soohoo?

14 A Yes. Approximately maybe end of May or --
15 end of May approximately.

16 Q End of May of 2020?

17 A Yes.

18 Q Okay. And how did you get redirected?

19 What process came up or what was used to redirect
20 you to go back to the California Institute for Men
21 in Chino?

22 A When I got the investigation closure.

23 Q You got the what?

24 A The May 5th, 2020, letter.

25 Q Okay. So the May 5th, 2020, letter, which

1 was part of the May 5th investigation report packet
2 we've been discussing, that May 5th, 2020, letter
3 also redirected you to change working back to
4 California Institute for Men in Chino; is that
5 correct?

6 A It didn't come with the packet. I got a
7 separate letter, and I have to find it. I think
8 after this package I was to report back to work
9 maybe two weeks later --

10 Q And --

11 A -- approximately.

12 Q -- who sent you that letter?

13 A Mr. McElroy.

14 Q Spell Mr. McElroy's name, please.

15 A M-C-E-L-R-O-Y.

16 Q And his first name is Donald?

17 A Yes.

18 Q Had you ever known Mr. McElroy before you
19 got that letter dated May 5th, 2020? Did you know
20 who he was, or had you ever heard from him before?

21 A No.

22 Q Who is Mr. McElroy? What is his position?

23 A He's the regional healthcare executive,
24 region two. He's up north. There's four regions.
25 He's up north.

1 Q Can you tell us -- I mean, we're going to
2 ask that you produce a copy of that letter as well,
3 but can you tell us basically what that letter said?

4 A I have a copy somewhere, but I have to
5 find it. It basically told me I was to report back
6 to duty answering to Mr. Louie Escobell on a certain
7 date. That's it.

8 Q All right. Did it explain why they were
9 directing you back to CIM in Chino?

10 A No.

11 Q Okay. Was that a surprise to you? Given
12 everything else that's happened in the past,
13 especially in relation to Mr. Escobell, did it
14 surprise you that you got a letter directing you to
15 report back to him?

16 A Yes. And I requested that if I reported
17 back to CIM that I answer to a different supervisor,
18 but headquarters never answered back.

19 Q How did you make that request when you
20 said you requested that you answer to a different
21 supervisor? By letter? E-mail? Phone call? All
22 three? What?

23 A My attorney requested that.

24 Q Which attorney?

25 A He was the attorney to represent me in the

1 CCOF Net.

2 Q The attorney that represented you in the
3 investigations?

4 A Yes.

5 Q Okay. So, you know, you're rattling off
6 names and letters there. We don't know who that is.
7 Can you give me that attorney's name and, for the
8 record, spell out the name of the law firm and where
9 they're located, please?

10 A I'm trying to -- I have to look it up.
11 His name is Mike McCoy.

12 Q Spell McCoy, please, slowly.

13 A M-C capital C-O-Y.

14 Q Okay. M-C-C-O-Y, like, the real McCoys?

15 A Like the real McCoys.

16 Q Yeah. Okay.

17 What's the name of the --

18 A There's --

19 Q What's the -- excuse me.

20 A If you let me finish. If you let me
21 finish, you will get it.

22 Q Okay.

23 A I was trying to slow down so the
24 transcriber can get the information. That's why I'm
25 going slow. Their e-mail address, you want their

1 e-mail address? Is that what you want?

2 Q First give me the full name of their law
3 firm name and where they're located, and then give
4 me their e-mail address.

5 A Castillo Harper Law Firm.

6 Q Spell Castillo.

7 A C, like in cat, A-S-T-I-L-L-O and
8 H-A-R-P-E-R, Castillo & Harper Law Firm.

9 MR. TAYLOR: Terri, did you get that?

10 THE REPORTER: Yes, Castillo & Harper.

11 BY MR. TAYLOR:

12 Q Okay. So it's -- is it Castillo & Harper,
13 H-A-R-P-E-R?

14 A Yes, sir.

15 Q Okay. Castillo & Harper Law Firm, where
16 are they located?

17 A 6848 Magnolia Avenue, Suite 100,
18 Riverside, California 92506.

19 Q And speak very close to your phone,
20 please, and give me their e-mail address.

21 A The attorney's e-mail address is
22 mike@castilloharper.com.

23 Q All one word?

24 A Mike@castilloharper, all one word,
25 castilloharper.com.

1 Q And Castille is C-A-S-T-I-L-L-E?

2 A C-A-S-T-I-L-L-O, Castillo.

3 Q Oh, Castillo. Okay.

4 A C-A-S-T-I-L-L-O.

5 Q Okay. So, to your knowledge, Mr. McCoy
6 sent a letter to CIM in Chino that you be allowed to
7 report to a different supervisor other than Mr.
8 Escobell?

9 A That was requested through headquarters
10 through the EEO officer at headquarters, a lady
11 named Natalie Frost.

12 Q Natalie?

13 A Frost.

14 Q Spell that, please.

15 A F-R-O-S-T.

16 Q Like Jack Frost?

17 A Yes.

18 Q Okay. So your attorney -- my question,
19 though, is your attorney, Mike McCoy, made that
20 request by, what, sending a letter or an e-mail or
21 phone call?

22 A I don't know. He didn't share that with
23 me, but I think he had a phone call with that
24 McElroy, region two, and Natalie Frost, and they
25 said headquarters has to make that decision, not

1 locally.

2 Q Okay.

3 A That's all I know.

4 Q And you found that out through your
5 attorney, Mr. McCoy?

6 A Yes, sir.

7 Q And, as far as you know, to this day they
8 have not responded to your request to report to a
9 different supervisor?

10 A Yes.

11 Q Okay. Although it may be obvious to all
12 of us because we've been discussing this case for
13 two depositions now, can you state for the record
14 why you wanted to be allowed to report to a
15 different supervisor other than Mr. Escobell?

16 A I have a history of basically him -- being
17 treated unfairly and from battery and assault.

18 Q Okay. Did you by any other means, whether
19 through your attorneys or not, did you ever approach
20 anybody else at CDCR or anywhere within the
21 organization as to why they would redirect you back
22 to reporting to Mr. Escobell considering the history
23 that you had with him? Did you ever ask anybody
24 else?

25 A I -- no, because basically I didn't know

1 who to ask really, you know.

2 Q Okay. So, as far as you know, you have
3 not heard, as of today in this deposition you have
4 no idea what their thinking is or what their
5 reasoning is or why they're redirecting you back to
6 CIM in Chino to report to Mr. Escobell?

7 A Right.

8 Q Okay. And you say that that was sometime
9 in May or June that they redirected you back there?

10 A Yes, sir.

11 Q So did that mean that you had to
12 physically go to work in Chino, or did you work
13 remotely from home?

14 A No. I go in every day.

15 Q When did you first start reporting to
16 Chino, physically going there every day?

17 A Hold on one second. I have to -- let me
18 see if I can get a date on that. I don't know the
19 exact date, but I will get it for you.

20 Q Don't talk until you come back to the
21 phone, sir. We can't hear you.

22 A I have to get back to you if you want the
23 exact date. I have to get back to you on the exact
24 date. I don't have it.

25 MR. COHEN: I have --

1 BY MR. TAYLOR:

2 Q Okay. But it was --

3 A It was around either the 18th or 19th or
4 anytime in the last two weeks of May.

5 Q The 18th or 19th or the last two weeks of
6 May?

7 A Yeah. I think it was the 18th.

8 Q Okay. And so you've been driving up
9 physically to their office every day for work since
10 then?

11 A Yes. And sometimes, you know, like I said
12 before, I also have a home too, yes, over here.

13 Q What does that mean? Sometimes you work
14 at home?

15 A I can barely hear you. I'm sorry.

16 Q Did you say that sometimes you work at
17 home, that you don't go into the office in Chino?

18 A No. They don't allow us to do that, not
19 the dental department anyway.

20 Q Okay. So my question is since around May
21 18th of 2020 every day for work you've been driving
22 up to Chino?

23 A Yes.

24 Q Okay. And I don't know -- I forgot. How
25 far away is it from North Park to Chino?

1 A About 100 miles, 110 miles.

2 Q Okay. And you've been keeping regular
3 full-time, full-duty office hours since they
4 directed you back to work at Chino?

5 A Yes.

6 Q Okay. And what is your current title or
7 classification or job status, the name of your job
8 status?

9 A Supervising dentist.

10 Q Have they changed your salary any from
11 where it was before you went back to Chino?

12 A No.

13 Q Have you had a 10-percent pay cut because
14 of the overall California State Government
15 10-percent pay cut for all State employees?

16 A Yes, sir.

17 Q Okay. And what have you -- do you have a
18 direct supervisor besides Mr. Escobell, or just he's
19 the only one that supervises you?

20 A He's my supervisor.

21 Q Okay. So you have no other supervisors or
22 managers besides Mr. Escobell?

23 A I have a clinical supervisor. He's at
24 regional, but he works from home.

25 Q What's his name?

1 A Jeff Lissy.

2 Q Say that slowly and spell it, please.

3 A J-E-F-F, last name is Lissy, L-I-S-S-Y.

4 Q Okay. So that is the -- Mr. Lissy is
5 the -- that is Mr. Lissy that you discussed with me
6 in your last deposition; is that correct?

7 A I don't remember.

8 Q Okay. Well, Mr. Lissy was -- he was in
9 some way in management over you in the past, right?
10 When working at Chino before you stopped working
11 there the last time, wasn't Mr. Lissy one of your
12 management people?

13 A Dr. Lissy was my supervisor at region four
14 when I was not redirected.

15 Q Okay. So he --

16 A He -- the dentists have a clinical
17 supervisor they answer to and an administrator
18 supervisor at the institution, so I answer to both
19 of them.

20 Q All right. So Mr. Lissy is your
21 administrative supervisor?

22 A No. Dr. Lissy is my dentist that deals
23 with clinical.

24 Q All right. So he's your clinical
25 supervisor?

1 A Right.

2 Q And Mr. Escobell, then, is your
3 administrative supervisor?

4 A Yes.

5 Q Have you had frequent contact with Mr.
6 Escobell, either by e-mail or phone or in person,
7 since you started back at work at Chino after May of
8 2020?

9 A Yes.

10 Q Describe that. How often do you see him
11 or speak to him and under what circumstances? Just
12 we're trying to get an idea of how much you interact
13 with him and how you interact with him. Is it by
14 phone? E-mail? Personal meetings? All three?

15 A E-mail quite often because we're on a
16 modified program right now. Until we get out of
17 modified program, we only see emergent/urgent
18 patients, so basically I only see him at meetings
19 that he calls maybe twice a week.

20 Q And when you say you see him --

21 A That's the time.

22 Q So when you say you see him, you mean you
23 physically see him only at meetings about twice a
24 week?

25 A Right.

1 Q Okay. Everything else is by e-mail?

2 A Yes, sir.

3 Q And you said you're on a modified program.

4 Is that because of the COVID-19 lockdown?

5 A Yes, because CIM has the highest COVID-19
6 patients.

7 Q Okay. So have you had any problems with
8 Mr. Escobell since you were redirected back to work
9 under his supervision at Chino?

10 A He gave me an LOI on the second day.

11 Q He gave you a what?

12 A A letter of --

13 MR. COHEN: The question can be answered
14 with a yes or no. Answer the question yes or no
15 first.

16 THE WITNESS: Yes.

17 BY MR. TAYLOR:

18 Q Okay. And what kind of problems did you
19 have with him?

20 A He gave me an LOI.

21 Q When you say LOI, you mean L, as in Larry?

22 A Letter of instruction.

23 Q And he gave that to you on the second day
24 that you went back to work at Chino?

25 A Yes, sir.

1 Q Did he hand that personally to you, or did
2 he send it to you in a memo packet, or did he e-mail
3 it to you?

4 A He gave it to me two weeks later in front
5 of an EEO officer.

6 Q Do you have a copy of that LOI?

7 A Yes, sir.

8 Q What's the date of it?

9 A June 10th, 2020.

10 Q And you said he gave that to you in the
11 presence of an EEOC officer?

12 A Yeah. She's an EEO officer in charge of
13 CIM and CIW.

14 Q She's an EEO officer?

15 A Yes.

16 Q What's her name?

17 A Natalie Frost.

18 Q Okay. Natalie Frost.

19 And was that, like, a set-up meeting, or
20 was it just by coincidence that she happened to be
21 standing there, or was there an arrangement for Mr.
22 Escobell to serve you with this letter of intent in
23 front of Natalie Frost?

24 A That was arranged.

25 Q It was arranged by Mr. Escobell?

1 A Yes. She was on the -- she was on the
2 conference call, she was on a phone, and he was
3 there.

4 Q She wasn't personally there; he had her on
5 a conference call on a speaker phone in his office
6 when you were there?

7 A Yes.

8 Q Now, I forget. There's been so many names
9 and so many things that have happened. I forget
10 where Natalie Frost comes in in your history here.
11 Is Natalie Frost somebody that you have dealt with
12 in all these investigations and who is supportive of
13 you, or do you consider her to be antagonistic
14 towards you? Describe that to me.

15 A She's the EEO officer in Sacramento, but
16 she's --

17 Q I know. You said that.

18 A Okay.

19 Q But is she -- with all of these things
20 that have gone on, I have no idea how many times Ms.
21 Frost might have crossed your path with all these
22 investigations, and I don't know if she -- has she
23 come out appearing to be supportive of you and fair
24 to you, or, in your opinion, is she antagonistic to
25 you? I need to know that because you do have a

1 psych claim here.

2 A She represents the managers in Sacramento
3 headquarters.

4 Q I get that. Can you tell me whether or
5 not you consider her to be fair and supportive of
6 you or whether you consider her to be someone that
7 you don't trust because you believe she's
8 antagonistic towards you? Can you please answer
9 that?

10 MR. COHEN: I'm going to object. It
11 assumes facts not in evidence. I'll say "Or neutral
12 and you have no opinion on that?"

13 MR. TAYLOR: That's fine. If you --

14 MR. COHEN: If it's neutral, you can say
15 so.

16 THE WITNESS: I have no opinion.

17 BY MR. TAYLOR:

18 Q You have no opinion? All right.

19 So when Mr. Escobell handed you this LOI,
20 this letter of intent, and it was dated June the
21 10th, did you read it there in front of him, or did
22 you just take it and walk away?

23 A He read it to me, and I disagreed with it.

24 Q You disagreed with him verbally?

25 A And I sent -- and I sent him -- I wouldn't

1 sign it, so I sent him a rebuttal.

2 Q Okay. So tell me what the letter of
3 intent said.

4 A Can you repeat your question, please?

5 Q I'm sorry. Tell me what the letter of
6 intent said, the one we're talking about from June
7 10th, 2020.

8 A It had to do with the dentists on call.

9 Q What's that?

10 A He claims it had to do with the -- the
11 issue was the dentists on call.

12 Q Okay.

13 A The dentists tend to get paid for being on
14 call every week they're there. They get eight hours
15 of time, and when I came back I asked the question
16 because when I left I was included in the on call,
17 and then he claimed that one of the dentists
18 complained that I took away their on call that week
19 and that I changed the schedule, and I rebuttaled
20 him in saying that I could not have changed the
21 schedule because I do not have access to the
22 computer, and the schedules are made by the dentists
23 themselves, not by me, because it is a dentist
24 benefit, and he claimed that basically the MOU was
25 changed in 2016, that the supervising dentists can

1 no longer be on call, and I said --

2 Q When you say he claimed the MOU was
3 changed, when you said "he," you mean Mr. Escobell?

4 A Yes. He contacted Dr. Jeff Lissy, and Dr.
5 Lissy, Dr. Jeff Lissy, told him that the -- there
6 was an MOU that was changed in 2016 that does not
7 permit -- that supervising dentists no longer can be
8 on call unless all the dentists turned it down, and
9 then the supervising dentist can be on call.

10 Q Okay.

11 A And I informed him -- and I informed him
12 that when I got back there, I'd been gone for two
13 and a half years, two years, and basically I was not
14 aware of the MOU change, and I said that basically
15 when I got back I asked the dentist was I still on
16 call, I didn't ask to be on call, but they gave me
17 the phone anyway, and one of the dentists who was
18 supposed to be on call that week got mad and
19 reported to Escobell that I changed the schedule and
20 put myself on call and they gave me the phone, which
21 I did not put myself on call. They gave me the
22 phone, so there was a misunderstanding --

23 Q Okay. Who was this --

24 A -- but...

25 Q Who was this on-call dentist that reported

1 **you to Mr. Escobell? What's his name or her name?**

2 A Dr. Patty Dong and Dr. Spencer supposedly.
3 I don't know those two. I don't know. I don't know
4 which one. One of them had to.

5 **Q Okay. Is Patty a man or a woman?**

6 A Woman.

7 **Q And is it P-A-T-T-Y?**

8 A Yes.

9 **Q And her last name is Dong, D-O-N-G?**

10 A Yes. So when I found that out, when I
11 found that out the next morning I was on call that
12 one day, I found out she was upset, I handed her the
13 phone as soon as I came in. I said "Here. I
14 shouldn't be on call. Take the phone." So I said
15 "When I asked I didn't ask about being on call. I
16 just asked am I still on call. I didn't ask to be
17 on call, so there was a misunderstanding." So she
18 was fine after that because to her that was money to
19 her, and I understand, but, as far as my intent was
20 concerned, it was a misunderstanding because
21 basically all I asked was the question "Am I still
22 on call anymore?" I was asking the dentist that,
23 and somehow or another she got upset, and she went
24 and reported to Escobell, and Escobell decided to
25 write me up and checked with Dr. Lissy that I

1 violated the MOU by putting myself on call, and I
2 was honest with him, and I said "I wasn't aware of
3 the change to the MOU. I have been gone for two
4 years."

5 And then he didn't accept that, and later
6 on after I rebuttaled him he said "Instead of
7 keeping this on your file for a year, I'm going to
8 take it out in six months, and then you're fine."

9 Q Okay. Who was the other on call.

10 A I didn't even --

11 (Simultaneous speaking.)

12 BY MR. TAYLOR:

13 Q Mr. Soohoo, stop, please.

14 Who was the other on-call dentist besides
15 Patty Dong that you think might have reported you on
16 this?

17 A Dr. Spencer, Tiffany Spencer.

18 Q Tiffany Spencer? Okay.

19 A Yes.

20 Q And do you have a copy of your --

21 A But the person that was supposed to -- the
22 person that was supposed to be on call was Dr. Patty
23 Dong.

24 Q I get it.

25 Do you have a copy of the rebuttal letter

1 that you sent to Mr. Escobell?

2 A Yes, I do.

3 Q What's the date on it?

4 A There's no date on it, but basically it
5 says "This is a memorialization of our conversation
6 held in your office on June 12th, 2020, at 9:00
7 a.m."

8 Q So it's after the June 12th conversation?

9 A Yes.

10 Q Well, we're going to ask you to print that
11 out. Is that an e-mail or a letter?

12 A That was an e-mail I sent to Mr. Escobell
13 and to Natalie Frost.

14 Q If it's an e-mail, how can there not be a
15 date on it?

16 A It was an -- it was a letter. It was an
17 attachment.

18 Q What's the date of the e-mail?

19 A I don't know, sir.

20 Q Are you looking at it? I hear you on your
21 computer there. Aren't you looking it up on your
22 computer?

23 A No. I'm not on the computer, sir.

24 Q Okay. Will you please produce -- we're
25 going to need a copy of that e-mail and also the

1 letter that you sent, the rebuttal letter that you
2 sent to Mr. Escobell and copied Natalie Frost on.

3 Okay?

4 A I'll try to retrieve that, but I have a
5 copy of that e-mail, the attachment. I printed
6 that. That's about it.

7 Q But there's no date on this letter?

8 A It's a -- it was, like I said, a letter.
9 It was an attachment. I guess I didn't put a date
10 on it.

11 Q Okay. So how did that end up working out?
12 That LOI, letter of intent, just went into your file
13 and stayed there, and, according to Mr. Escobell,
14 it's going to be there for six months?

15 A And then I have to request through him to
16 get it removed in six months.

17 Q Please answer my question yes or no first.
18 Mr. Escobell told you that letter of
19 intent would be in your file for six months?

20 A Yes.

21 Q And then to have it removed he's going to
22 require you to request that it be removed?

23 A Yes.

24 Q And is it your intent -- I guess the six
25 months will be up, like, at the end of this year.

1 Is it your intent that you will do that, you will
2 follow through and request that he remove that LOI
3 from your file?

4 A Yes.

5 Q Do you have any reason to believe that he
6 will not remove it when you ask him?

7 A Neutral.

8 Q What's that?

9 A I do not know.

10 Q Okay. Other than that -- let's see. I'm
11 asking you about problems with Mr. Escobell since
12 you were redirected to go back up to Chino. You
13 said on the second day he gave you this letter of
14 intent. Have there been other problems with Mr.
15 Escobell since then and up to today?

16 A No.

17 Q Have you by any means, whether just your
18 own personal observations or by things people have
19 told you or things that you read or you have seen,
20 do you believe that Mr. Escobell has changed his
21 attitude towards you from where it was when you told
22 us about all the hostility he seemed to have towards
23 you?

24 A Can you repeat your question again,
25 please?

1 Q I'm going to say it a different way.
2 I think it's fair to say by what you've
3 testified to in the two deposition sessions we've
4 had, plus the notes, the handwritten -- I mean, the
5 typed-out notes that you gave us dated November 7th
6 of 2018 -- it's fair to say that you were describing
7 Mr. Escobell's attitude and relationship with you as
8 one of basically being antagonistic and hostile
9 towards you, so now that you have been transferred
10 away to work elsewhere and now returned, redirected
11 to go back working for him, have you noticed any
12 changes in Mr. Escobell as far as how he treats you?

13 A Same. No.

14 Q I'm sorry?

15 A The same.

16 Q Say that again, please.

17 A I said -- can you just ask your question
18 so I can answer it? You know...

19 Q Well, that's what I did. I asked you if
20 Mr. Escobell, to your observations or belief, is
21 acting differently towards you or treating you
22 differently now than the way he used to treat you
23 before you were transferred away from Chino.

24 A No.

25 Q Okay. So he's treating you the same?

1 A Yes.

2 Q And by that I'm asking you if there was
3 other problems with Mr. Escobell. Has there been
4 any other specific incidents? Has there been any
5 communications? Has he taken any kind of management
6 or supervisor actions against you or done anything
7 personal against you, whether physically or
8 verbally, that you believe is hostile and
9 antagonistic?

10 A No.

11 Q Then what makes you say that? I mean, I'm
12 not arguing with you. You may be right, but if he
13 hasn't done anything like that, what makes you say
14 that he's the same towards you as he was before?

15 A We're on a modified program right now, so
16 we have less interaction.

17 Q You have less interaction? Is that what
18 you're saying?

19 A Yes, because pretty much our institution
20 closed except for dealing with the urgent/emergent
21 conditions. We don't have all the meetings. We
22 don't have the meetings we had where all those
23 issues were.

24 Q During the meetings that you have had
25 since you were redirected back there to Chino, has

1 he been in any way hostile or abusive to you in
2 these meetings?

3 A Lately the majority of the meetings are on
4 conference call.

5 Q Okay. Well, that's not what I asked you.
6 I mean, if you've been to some meetings with him,
7 has he acted in any way hostile or antagonistic
8 towards you or belligerent in any way?

9 A No.

10 Q Okay. Has anybody given you information,
11 like, you know, gossip or communications or e-mails
12 or any phone calls, you know, telling you that Mr.
13 Escobell still has a real attitude problem toward
14 you?

15 A No.

16 Q Okay. So other than -- right now if
17 someone were to ask you to prove that you believe
18 Mr. Escobell's attitude hasn't really changed toward
19 you since you went back to Chino, besides that
20 letter of intent that we've discussed, what would
21 you say to them? What gives you the idea that he
22 hasn't changed?

23 A He is very moody and unpredictable.

24 Q Is he moody and unpredictable with
25 everybody or just you?

1 A I can't answer for anyone else. I do not
2 know.

3 Q Is there anybody that you would have --
4 right now, like, if I -- and I'm going to give you a
5 hypothetical, and I'm not asking you to speak for
6 your attorney, but I'm asking you this question
7 because I'm trying to get you to identify everybody
8 that might be a witness. Okay? Hypothetically if
9 you were going to go to an investigative hearing
10 right now or a trial and try to prove how Mr.
11 Escobell still treats you or has an attitude toward
12 you, is there any other witnesses that you know of
13 at Chino right now that you would ask to be your
14 witnesses to help you prove it?

15 A Would it have to be someone who has
16 witnessed the incidents, or is it someone that might
17 feel the same way as I do?

18 Q Either one. Just give us the name, and
19 explain how they might be a witness and why you
20 think they're a witness. Just tell us that.

21 A Adel Hanna.

22 Q Spell Adel, please.

23 A A-D-E-L H-A-N-N-A.

24 Q And is Adel Hanna a dentist?

25 A An M.D.

1 Q She's an M.D.?

2 A Psychiatrist.

3 Q Oh, she's a psychiatrist?

4 A It's a he.

5 Q Is Adel Hanna one of your treating

6 psychiatrists?

7 A At CIM, yes.

8 Q She works in the clinic at CIM?

9 A It's a he. He's a chief psychiatrist.

10 Q Oh, Adel Hanna. Okay.

11 So he's a chief psychiatrist. All right.

12 And so let me get this straight. Is he actually

13 treating you, like, in a clinic, or is he on staff

14 there as a chief psychiatrist?

15 A Staff.

16 Q Okay. So would you consider him --

17 MR. COHEN: I'm sorry. I did not get the

18 answer. Could the court reporter read it back,

19 please?

20 THE REPORTER: He said "Staff."

21 BY MR. TAYLOR:

22 Q Okay. So, Mr. Soohoo, would you consider

23 Dr. Hanna more or less a coworker that might be a

24 witness to Mr. Escobell's behavior?

25 A Yes.

1 MR. COHEN: I'd like -- excuse me. I'd
2 like to clarify one thing. Maybe I was confused,
3 but I'd like to clarify. Is Dr. Hanna -- I think
4 you said it's a male, not a female; is that correct?

5 THE WITNESS: Yes, sir.

6 MR. COHEN: And are you saying that you
7 receive any treatment from that psychiatrist, or
8 just that psychiatrist treats patients, but not you?

9 THE WITNESS: He treats patients, not me.

10 MR. COHEN: Okay. All right. Thank you.

11 BY MR. TAYLOR:

12 Q Considering that you are a dentist
13 involved in Chino and he's a psychiatrist, more or
14 less you would consider him a coworker, correct?

15 A Yes, sir.

16 Q Okay. Would you say -- how long have you
17 known Dr. Hanna?

18 A Ten years, 11 years.

19 Q Okay. So you knew him before you were
20 redirected back to Chino?

21 A Yes.

22 Q And was Dr. Hanna involved as a witness in
23 any way in any of the other investigations, internal
24 investigations, that you were involved in when there
25 were complaints by your staff or when there were

1 complaints against you by management or against
2 management by you? Was Dr. Hanna in any way a
3 witness to any of those investigations?

4 A No.

5 Q Would you consider -- I'm sorry. Do you
6 see Dr. Hanna outside of work? I mean, do you guys
7 socialize together ever or see each other socially?

8 A Maybe one time.

9 Q Have you had any discussions with Dr.
10 Hanna about Mr. Escobell and the way Mr. Escobell
11 behaves?

12 A He talked to me, but I haven't shared the
13 way -- you know, my feelings, no.

14 Q How long ago did he talk to you, as you
15 just put it?

16 A Approximately two to three months ago.

17 Q Mr. Soohoo, is there something that you're
18 referring to every time I ask you a question before
19 you answer?

20 A No. I am taking my time to make sure I
21 answer your questions.

22 Q Okay. I just noticed that you seem to
23 respond to your attorney's questions pretty quickly,
24 but mine you seem to take a lot of time each one, so
25 you're not referring to anything?

1 A No.

2 Q Okay. When Dr. Hanna mentioned something
3 to you about Mr. Escobell, was it on the phone? Was
4 it in the hallways at work? In the lunch room? Was
5 it somewhere else?

6 A I don't remember.

7 Q What did he say? What did Dr. Hanna say
8 about Mr. Escobell?

9 A He was stressed out.

10 Q Dr. Hanna said he was stressed out
11 himself?

12 A Yes, that he just got out of the hospital.

13 Q And that -- did that have to do with Mr.
14 Escobell according to what Dr. Hanna said?

15 A I really don't know because I really
16 didn't get into it, but he referred that he stressed
17 him out.

18 Q Dr. Hanna said that Mr. Escobell stressed
19 him out?

20 A Yes.

21 Q Okay. But you didn't offer any
22 responding -- offer any opinions or information back
23 to Mr. Hanna about Mr. Escobell?

24 A No.

25 Q Okay. Would you have -- would you

1 consider Dr. Hanna to be a witness that would
2 support you if you asked him to be one?

3 A I don't know.

4 Q Okay. Well, if you were right now talking
5 to your treating psychologist or psychiatrist about
6 the difference in Mr. Escobell's behavior toward you
7 from the prior time when you worked at Chino and
8 then this second time around when you got redirected
9 back there, what would you say about how Mr.
10 Escobell's behavior compares?

11 A The same.

12 Q Okay. Do you ever intend to make any
13 further complaints or reports about Mr. Escobell to
14 try to change him being your supervisor?

15 A I asked the attorney again, and he said it
16 had to be -- I asked him twice, and he said it had
17 to come from Sacramento. That was it.

18 Q Okay. Now, as far as your job duties and
19 job description since you've been redirected back to
20 Chino over the past six months, what is it that you
21 do every day?

22 MR. COHEN: Can you hear me?

23 THE WITNESS: Yes, I hear you.

24 MR. COHEN: So I would just like to go
25 ahead and interpose an objection that any

1 communications between you and your attorney should
2 be subject to the attorney-client privilege and
3 should not be disclosed when they're asking for
4 information.

5 THE WITNESS: Okay.

6 MR. TAYLOR: Right now I'm asking about
7 his job duties and job title and job description of
8 what he's doing since he's been back at Chino.

9 MR. COHEN: I understand.

10 BY MR. TAYLOR:

11 Q So, Mr. Soohoo, can you explain that for
12 us, please?

13 A Ensuring that all four yards are covered
14 under the modified program under urgent/emergent
15 conditions that we treat patients.

16 Q Well --

17 (Technical difficulty. Reporter
18 clarification.)

19 THE WITNESS: Headquarters requests that
20 we be under a modified program and we only treat
21 emergent/urgent conditions. So, since CIM is one of
22 the largest institutions, I have four yards I have
23 to ensure that we follow headquarters' policies in
24 making sure that we follow the guidelines with
25 COVID-19 emergent/urgent conditions.

1 BY MR. TAYLOR:

2 Q Okay. So let's get real basic here. What
3 you're doing is mostly administrative office work,
4 like, e-mails and preparing documents, calling
5 people on the phone, meetings with people, things
6 like that?

7 A Yes. And then --

8 Q So you're doing office work at a desk and
9 on a computer and on the phone and all that --

10 A And in the --

11 Q -- is that correct?

12 A And in the clinic as well.

13 Q What do you -- what do you actually do in
14 the clinic? Describe physically what kind of
15 activities you have to do in the clinic.

16 A 602s, we interview the patient, determine
17 if they're emergent/urgent condition, and if they
18 need to have the extractions, we'll do the
19 extractions if they're not a COVID-19. There's a
20 whole list of things we have to do to ensure that
21 staff is protected. That's why we're in shutdown
22 right now unless we really know that the patient is
23 not COVID-19 positive.

24 Q What is a 602, please?

25 A It's a grievance form that the inmates

1 file a grievance for work to be done.

2 Q Are you doing any clinical dental
3 practices, though? That's what I'm getting at. Are
4 you actually acting as an actual dentist, you know,
5 clinician, or is everything you're doing
6 administrative paperwork and management?

7 A As necessary.

8 Q Okay. That doesn't answer my question.
9 You know, when you say "as necessary," I don't know
10 what that means. Are you doing any type of dental
11 work where you're actually working on patients as
12 a -- in a clinical sense, or is all of your work
13 just administrative paperwork, communications,
14 filling out forms, and office work?

15 A Right now all of it is basically doing
16 clinical administrative work and interviewing
17 patients, and basically we are doing some clinical,
18 but it has not and cannot be clinical that has to be
19 aerosol driven.

20 Q What you said, clinical administrative,
21 what does that mean? That seems to be in
22 contradiction. When I say clinical, I mean are you
23 acting as an active --

24 A That's the reason why I don't understand
25 why you do this because it has no relation to it.

1 Okay?

2 Q Because you have -- sir, you have to go
3 with my questions. I have a reason for asking them.
4 And you have multiple claims about your --
5 physically about your different body parts, your
6 back, your neck, your hands, and so I need to know
7 physically what you're actually doing. And, as you
8 already explained to us in your previous
9 depositions, there's a difference between actually
10 acting as a clinical dentist and working on the
11 patients themselves and doing paperwork and office
12 work, so that's what I'm trying to get at.

13 So when you say clinical administrative,
14 what does that mean? Are you working on patients,
15 or are you just doing paperwork and office work in
16 the clinic?

17 A If we screen the patient and we find that
18 he has not caught COVID-19 and he is in severe pain
19 and we've COVID-19 tested them and they came out
20 negative, then we usually will extract the tooth
21 that is giving him the pain. So that --

22 Q Okay. Now, when you say "we," when you
23 say "we," are you literally extracting the tooth as
24 the dentist, or is it somebody else?

25 A Yes.

1 Q Okay.

2 A It can be me if it's -- if I'm the only
3 one in the clinic --

4 Q Okay.

5 A -- it can be me --

6 Q All right.

7 A -- or it can be somebody else.

8 Q Okay. So since COVID-19 and all the
9 screening you guys do, can you tell me, let's say,
10 in the months of June, July, and August how often
11 you've actually had to do clinical dental practice
12 such as tooth extractions and other dental work as
13 opposed to just administrative office work?

14 A In the months you're stating it's all
15 administrative.

16 Q All administrative? When is the last time
17 you actually did dental work on a patient as a
18 practicing clinical dentist?

19 A Maybe a month ago when I delivered a
20 denture.

21 Q When you say you delivered a denture, does
22 that mean you implanted it, put it in the patient's
23 mouth, or you just brought the dentures to the
24 patient?

25 A Delivery of a denture is basically it came

1 from the lab, we delivered the dentures. I'm
2 relearning the system. I was out of the system for
3 two years. They set up a new computer system. I
4 was working with a dentist to relearn the computer
5 system that they have.

6 Q Okay. What I'm asking you about is your
7 physical activities of what you're doing at work.
8 When you say "deliver dentures," does that mean you
9 personally brought dentures in your hands in a box
10 and delivered it to the office, or does that mean
11 that you actually put the dentures in the patient's
12 mouth?

13 A The other dentist put the dentures in the
14 mouth. I was observing and assisting him.

15 Q Okay. All right.

16 So when you say "deliver the dentures,"
17 you brought the dentures to the clinic and provided
18 them to the other dentist who put them in the
19 patient's mouth?

20 A Right, because I was trying to learn
21 what -- the system's different after two years.
22 They have a whole new -- before it was all paper.
23 Now it's all computers, so --

24 Q All right.

25 A -- I'm relearning the system where it's

1 all paperless now.

2 Q Okay. So that was just recently you did
3 that, delivered the dentures?

4 A Maybe about a month, month and a half ago,
5 but yeah.

6 Q Okay. Other than that, as you've already
7 testified, the months of June, July, and August have
8 all been administrative office work for you; is that
9 right?

10 A Yes.

11 Q Are you planning on -- I don't want to
12 hear about COVID-19. I understand the lockdown. I
13 get it. Okay? Let's say, setting aside all the
14 conditions created by this lockdown policy, do
15 you -- are you planning on -- are you going to be
16 put into more clinical dental practice anytime in
17 the near future as opposed to just being
18 administrative office work?

19 A Yes.

20 Q When is that going to happen?

21 A When they open up. When they get out of
22 the modified program.

23 Q Okay. So when they open up there's going
24 to be a lot more work to do, and that's when you
25 believe you'll start back to doing actual clinical

1 dental practice as opposed to just being an
2 administrative office worker?

3 A Yes.

4 Q Okay. Have you been having any troubles
5 since you've been back to Chino as far as being able
6 to physically do your job? All the job duties you
7 have in administrative office work that you're
8 required to do, have you had any problems doing your
9 duties?

10 A No.

11 Q All right. Since your last deposition in
12 February have you been going to medical or
13 psychiatric or psychological treatment of any kind?

14 A Yes.

15 Q What kind of medical treatment have you
16 been going through since your last deposition in
17 February of 2020?

18 A The psychiatrist.

19 Q Okay. And who have you been going to see?

20 A With the VA, Shawn Cheung.

21 Q Spell that, please.

22 A S-H-A-W-N C-H-E-U-N-G.

23 Q Okay. Shawn Cheung, M.D.; is that
24 correct?

25 A M.D.

1 Q And that's at the VA. Where is that? In
2 Buena Park?

3 A Long Beach.

4 Q Long Beach? Is that where the VA is, in
5 Long Beach?

6 A There's a lot of VAs.

7 Q I just asked you, though, is Long Beach
8 the VA office where Shawn Cheung is?

9 A Yes.

10 Q Okay. But haven't you been seeing Dr.
11 Cheung for a while, not just since your last depo?

12 A Yes.

13 Q How long altogether have you been seeing
14 Dr. Cheung?

15 A Approximately maybe two years.

16 Q How many?

17 A Maybe a couple, maybe two years. I do not
18 remember.

19 Q And you actually -- so you drive up to
20 Long Beach to see Dr. Cheung?

21 A Yes.

22 Q Have you been seeing him by video Zoom or
23 actually physically going to his offices?

24 A Lately video Zoom.

25 Q How many times have you seen him over

1 video Zoom?

2 A Once.

3 Q Okay. And is Dr. Cheung also prescribing
4 medications for you?

5 A Yes.

6 Q What is he prescribing?

7 A Hydroxyzine.

8 Q Say that again.

9 A Hydroxyzine.

10 Q Spell that, please, slowly.

11 A H-Y-D-R-O-X-Y-Z-I-N-E H-D-L.

12 Q I'm sorry. Hydroxyzine hydrochloride?

13 A Yes.

14 Q And what is your understanding of -- I
15 know you're not a doctor, but as the patient you
16 must have some idea what that is. Is that an
17 anti-depressant or anti-anxiety drug, or what is it?
18 What's your understanding?

19 A Anti-anxiety.

20 Q How much do you take? Do you take it
21 every day?

22 A Yes.

23 Q What's your dosage every day?

24 A Twice a day.

25 Q Have you tried going off of it just to see

1 what would happen?

2 A No.

3 Q Do you believe -- do you feel like it's
4 helping you?

5 A Yes.

6 Q What is it that you're feeling or what is
7 happening to you or what are your problems that this
8 anti-anxiety drug is helping?

9 A Headaches.

10 Q Headaches?

11 A Yes. Yes. Stress, grinding my teeth.

12 Q When you say grinding your teeth, is that
13 something that's happening at night when you sleep?

14 A No. Sometimes when I'm awake as well.

15 Q You do it during the day?

16 A Yes.

17 Q When you grind your teeth is that usually
18 when you're thinking of something that's disturbing
19 you or causing you stress?

20 A Yes.

21 Q Is there any particular thing, you know,
22 over these past six months that you seem to be
23 thinking about a lot or, you know, obsessing over or
24 any kind of mental processes that are causing you
25 stress and anxiety?

1 A I try to avoid my meetings with Mr.
2 Escobell and other staff members as little as
3 possible. That causes me stress with the staff.

4 Q What is it about -- I mean, I know it may
5 seem obvious to you, but we have to get this on the
6 record. What is it about avoiding a meeting with
7 Mr. Escobell that you think would help to make you
8 feel better?

9 A Probably a better understanding of what
10 transpired, his bizarre behavior.

11 Q I'm not sure what you mean by that answer.
12 Better understanding for who?

13 A Me.

14 Q Okay. So my question was what is it about
15 avoiding these meetings that would make you feel
16 better, and you said a better understanding of Mr.
17 Escobell. How does avoiding meetings with him help
18 you understand him better?

19 A Because I don't know what to expect.

20 Q Okay. So would it be fair to say that
21 you're avoiding the meetings because you don't want
22 to face up to his behavior and you don't want to
23 deal with his behavior?

24 A Yes.

25 Q Okay. And you also said coworkers,

1 avoiding meetings with these coworkers, would help
2 you feel less stress. Did you say that as well?

3 A Yes.

4 Q Do you have certain coworkers that you see
5 at these meetings or at the workplace that you
6 believe cause you stress or anxiety?

7 A Yes.

8 Q Who?

9 A Just people that, you know --

10 Q Say that again.

11 A The ones that made allegations against me.

12 Q Please give me their names. Let's do this
13 the easy way. Just give me their names.

14 A Rowena Sam, but she's retired now. She's
15 gone, but, like, Dee Mata, you know.

16 Q Say that again.

17 A They don't report to me anymore, so
18 basically it's just they are just around. Okay?
19 They're just around, and it stresses me out.

20 Q I get it. Give me the names, please. Who
21 is the other one besides Rowena Sam?

22 A Dee Mata.

23 Q Spell that name slowly.

24 A D-E-E M-A-T-A.

25 Q Is that a man or a woman?

1 A Woman.

2 Q **And is she a hygienist or a nurse or what?**

3 A Dental assistant.

4 Q **Is she still working there at Chino?**

5 A Yes.

6 Q **Who else? Anybody else?**

7 A Joy Martin.

8 Q **Okay. Is she a dental assistant?**

9 A Yes.

10 Q **Is she still working there?**

11 A Yes.

12 Q **Anybody else?**

13 A Thidarat.

14 Q **Say that again.**

15 A Thidarat, T-H-I-D-A-R-A-T, Jaensgribong.

16 Q **T-H-I- --**

17 A D-A-T.

18 Q **C-A-D?**

19 A D, like in dog, A, like in apple, T, like

20 in Tom, Thidarat.

21 Q **Thidarat?**

22 A Last name is Jaensgribong,

23 J-A-E-N-S-G-R-I-B-O-N-G.

24 Q **Jaensgribong? Is that a man or a woman?**

25 A Woman.

1 Q She's a dental assistant?

2 A Hygienist.

3 Q Oh, hygienist. Okay.

4 And --

5 A And Nichelle Davis.

6 Q That's with an N, as in Nancy?

7 A Yes.

8 Q Davis. And she's a --

9 A Hygienist.

10 Q -- hygienist? Okay.

11 Now, are all of these part of those

12 coworkers that they had a meeting with you a couple

13 years ago, and they gave them all pieces of paper

14 and had them write out complaints about you?

15 A Yes.

16 Q Okay. So are these people --

17 A And then -- and Tiffany Spencer. She's a

18 dentist.

19 Q Okay. So are you actually still working

20 with these people?

21 A Yes.

22 Q Are they on your staff in any way, or you

23 just see them around the building?

24 A They're on my staff.

25 Q Okay. Have you had any problems, you

1 know, direct problems or run-ins or difficulties,
2 with any of them since you've been back at Chino
3 these past six months?

4 A No.

5 Q Okay. So when you say that part of the
6 anxiety is, you know, that you want to avoid and get
7 away from these coworkers, is it because of the way
8 they treated you the last time you were at Chino?

9 A Yes.

10 Q All right. So you're just -- you
11 believe -- and you may be right. I'm not arguing
12 with you -- but you believe that they probably still
13 feel the same way about you, and you could still
14 have problems with them, as far as you know?

15 A Yes.

16 Q But none of them -- since you've been back
17 at Chino, none of them have actually had a run-in or
18 problem or difficulties with you or reporting you or
19 anything; is that right?

20 A Because we're on a modified program, so
21 basically --

22 Q First you have to give me a yes or no.
23 You have to give me a yes or no first.

24 A Yes.

25 MR. COHEN: George, listen carefully to

1 the questions. If you can answer it yes or no, just
2 answer it yes or no. If he wants to ask you more
3 questions, he can ask the questions.

4 BY MR. TAYLOR:

5 Q So, Mr. Soohoo, what you're saying is
6 since you've been back at Chino you haven't had
7 actually any problems or arguments or difficulties
8 or them reporting on you from these coworkers; it's
9 just you remember the way they treated you the last
10 time you were at Chino. Is that fair to say?

11 A Yes.

12 Q Okay. And, as far as you know, if they
13 haven't changed their attitude toward you, they
14 might do it again? Is that what you're saying?

15 A Yes.

16 Q Okay. Because I'm just looking at all the
17 reasons that you might be having anxiety and stress,
18 and, since I don't go to work with you every day, I
19 have to ask you these questions. So are you
20 discussing all these people with Dr. Cheung?

21 A Some.

22 Q What does that mean? Is there some things
23 you're deciding not to tell Dr. Cheung?

24 A I only had one meeting with him since that
25 I remember --

1 Q Well, you told me that Dr. Cheung --

2 A -- since I got back.

3 Q You told me that Dr. Cheung has been
4 treating you regularly, so what does that mean?
5 Does that mean you're just getting prescriptions
6 from him and you're not seeing him and discussing,
7 like, having any sessions with him, or what?

8 A No. We -- I think I have another meeting
9 every three months.

10 Q All right. And you only met with him once
11 in the last three months or last six months?

12 A Yes. Yes.

13 Q Was that by video Zoom, or did you
14 actually drive there to the office and meet with him
15 in person?

16 A Video.

17 Q And that was the one that just happened
18 recently?

19 A Yes.

20 Q Okay. So all the other treatment you got
21 through Dr. Cheung has just been him prescribing
22 these medications for you?

23 A No.

24 Q Okay. What else has he done for you for
25 treatment besides prescription medications and this

1 one video Zoom meeting you had with him recently?

2 A Previously I had sessions with him.

3 Q Right. Wasn't that back in 2019, though?

4 A I don't remember.

5 Q What I've been asking you about is
6 everything you've done since your last deposition in
7 February of this year. Okay? So have you -- you've
8 only had one meeting, a Zoom meeting, with Dr.
9 Cheung since February of 2020 where you discussed --
10 you know, you discussed your situation with him?

11 A I don't remember.

12 Q You might have had more than one meeting
13 with him since February of 2020; you just don't
14 remember?

15 A I don't remember.

16 Q What kinds of things are you discussing
17 with Dr. Cheung when you meet with him?

18 A My stress.

19 Q I know. What about your stress? We need
20 to know what you're telling him in detail.

21 A Headaches.

22 Q Okay. I know about the headaches. What
23 is causing you -- what are you talking to him about
24 that you think is causing you these stress
25 headaches?

1 A Getting ready to go back to work. That's
2 all.

3 Q **What is that?**

4 A When I spoke to Dr. Cheung it was mostly
5 about preparing myself going back to CIM.

6 Q **Okay. And what is it that you needed to
7 discuss with him to prepare yourself to go back to
8 work at CIM in Chino?**

9 A All the things that we've been doing in
10 sessions, breathing exercises, relaxing and things
11 like that, trying to stay focused with my work.

12 Q **Are you telling him the things about the
13 people at CIM Chino that are the reason for you
14 having to prepare yourself?**

15 A I might have. I may not. I'm not -- I
16 don't remember.

17 Q **All right. Well, how about when you saw
18 Dr. Cheung back in 2019? Were you telling him about
19 all the problems we've been discussing that happened
20 at Chino?**

21 A I don't remember what I discussed, but I'm
22 pretty sure I did.

23 Q **Well, that was your reason for seeing him,
24 right?**

25 A I saw Dr. Cheung, and I saw a psychologist

1 too.

2 Q That's not what I asked you. I didn't ask
3 you who else you saw. I asked you the reasons for
4 seeing Dr. Cheung, and that was what you told me
5 previously, that it was because of the problems you
6 were having that we've been discussing at Chino; is
7 that right?

8 A Yes.

9 Q Okay. Is there any other problems in your
10 life, whether in the past or recent times up to
11 today, that you've been discussing with Dr. Cheung
12 that are not related to your work at Chino?

13 A My health, my stress, my blood pressure.

14 Q I understand your health. What have you
15 been discussing about your health with Dr. Cheung?

16 A My blood pressure and my headaches and my
17 --

18 Q Those are symptoms, Mr. Soohoo. I'm
19 really going to try to focus you here. Okay? I've
20 obviously been asking you for the last 20 minutes
21 about what things you're telling Dr. Cheung that are
22 problems in your life. Okay? I understand you have
23 symptoms, but, obviously, you're going to a
24 psychiatrist or psychologist because you are
25 discussing problems that you're having in your life

1 causing these symptoms. That's what I've been
2 asking you about.

3 What have you been telling Dr. Cheung
4 about the problems in your life, whether it's at
5 Chino or anywhere else?

6 A I've been having sleep problems and
7 nightmares.

8 Q Okay. Those are symptoms again.

9 All right. What is it about -- is there
10 something about Chino that's causing you to have
11 nightmares and sleeping problems?

12 A The people and the staff.

13 Q Okay. And in the Zoom meeting you had
14 with Dr. Cheung this year did you discuss the same
15 types of problems with him this time as you were the
16 last time you were at Chino, the people and the
17 staff?

18 A It was a very short meeting basically
19 because -- no.

20 Q Okay. Are there any other problems in
21 your life -- and I'm not asking about symptoms. I'm
22 asking you about problems you might be having in
23 your life -- that are causing these symptoms? As
24 far as you know, is there any other problems in your
25 life, like, personal problems, marital problems,

1 financial problems, problems around the house,
2 problems with your family, your brother that you've
3 been discussing with Dr. Cheung that are not related
4 to your work at Chino?

5 A No.

6 Q All right. So if I -- if we look at the
7 records that come from Dr. Cheung, we're not going
8 to see anything there that you discussed about other
9 problems you had in your life other than working at
10 Chino; it's all about Chino. Is that correct?

11 A I'm not sure.

12 Q So does that mean that you might have
13 discussed other things with him besides your
14 problems at Chino; you just don't remember?

15 A I just don't remember because it goes back
16 to some of my things maybe in the military.

17 Q Okay. Do you have any other treating
18 psychiatrists or psychologists besides Dr. Cheung
19 that you've been seeing?

20 A Just at the VA and who I gave you
21 previously, the names in Carlsbad.

22 Q Right now I don't remember who in Carlsbad
23 you were seeing.

24 A I don't remember his name right off the
25 bat.

1 Q When is the last time you saw that doctor
2 in Carlsbad?

3 A I don't remember.

4 Q Would you please agree to work with your
5 attorney and provide us the full length of
6 information of either the psychiatrist or
7 psychologist that you were seeing in Carlsbad?

8 A Yes. I gave it to you guys in the
9 beginning, sir. You asked me his name. We found
10 his name, address, and everything, but I will give
11 it to you again.

12 Q When is the last time you saw that
13 psychiatrist or psychologist in Carlsbad? How many
14 years ago?

15 A Maybe just a year, 2019.

16 Q Okay. But since 2020 it's all been just
17 Dr. Cheung?

18 A No. I think I've seen some psychologists
19 in sessions with -- at the VA in Long Beach, and
20 they have a full record of it over there.

21 Q What kinds of things are you talking about
22 when you have those sessions with those
23 psychologists? What kind of things are you talking
24 about? I know that you have symptoms, but what are
25 the problems you're discussing with them that are

1 related to those symptoms?

2 A We have -- we have group sessions on how
3 to deal with -- you know, group sessions --

4 Q Group sessions?

5 A -- like, for anxiety.

6 Q Okay. Do you discuss in those group
7 sessions the things that are actually happening in
8 your life or, like, problems at Chino or elsewhere?

9 A They do not want us to discuss our
10 individual ones, you know. We just discuss in
11 general how to deal with anxiety.

12 Q Okay. And how often have you gone to
13 these group sessions in 2020 on a, let's say, weekly
14 or monthly basis?

15 A I don't remember. They're, like, sessions
16 in each group, you can just fade in, so I attended
17 maybe two or three group sessions.

18 Q Okay. Since your last deposition in
19 February of 2020 have you also been going to any
20 other doctors' appointments or getting any other
21 medical treatment up until today?

22 A Yes.

23 Q Please describe that to me. What other
24 doctors and treatments and medical appointments have
25 you had in 2020?

1 A I've seen a urologist for my kidneys, I've
2 seen a nephrologist, and then for my lungs.

3 Q **A nephrologist for your kidneys?**

4 A Yes.

5 Q **Did you also say that you had a lung
6 problem? Did you say lungs?**

7 A Yes. I have some nodules in my lungs.

8 Q **Who have you been seeing -- the urologist
9 that you have been seeing for your kidney, where is
10 that? Where is their office?**

11 A All with Kaiser.

12 Q **Where is the office?**

13 A Sand Canyon.

14 Q **Sand Canyon?**

15 A In Irvine.

16 Q **Did you say Sand Canyon in Irvine?**

17 A Yes.

18 Q **Okay. And then the nephrologist is also
19 in Kaiser at Sand Canyon?**

20 A Yes.

21 Q **What's going on with your kidneys right
22 now that you need to see a urologist and a
23 nephrologist?**

24 A I had my kidney removed. I had kidney
25 cancer.

1 Q I'm not sure if you told me about that.

2 A And I had --

3 Q I'm sorry.

4 A I've been going back because renal failure
5 tends to go to the other organs, so they monitor me
6 every six months.

7 Q How long ago did you have that kidney
8 removed?

9 A June of last year.

10 Q June of 2019?

11 A Yes.

12 Q Is it your -- again, I'm not asking for a
13 medical opinion or legal opinion or a mix of those,
14 just as the patient and as an employee of the
15 Department of Corrections in Chino, do you believe
16 that your kidney problems have anything to do with
17 your work, your work experiences, or your work
18 environment?

19 A Sure. Stress --

20 Q So you believe that your --

21 A -- high blood pressure, it drives up my
22 blood pressure. It drives up my blood pressure.

23 Q Okay. So has any doctor told you that
24 your blood pressure has caused your kidney problems?

25 A They're all related.

1 Q That's not what I asked you. I asked you
2 if any doctors told you that.

3 A I don't remember.

4 Q What makes you think they're all related,
5 then?

6 A Just studying the science of kidney cells
7 and hypertension, they're all related, and from what
8 I know of kidney cancer.

9 Q All right. So that's what you're saying,
10 is, based on your own research, you believe that
11 stress and high blood pressure is related to your
12 kidney problems, your kidney cancer?

13 A Yes.

14 Q Okay. When is the last time you had any
15 kidney treatment appointments or kidney treatment of
16 any kind?

17 (Technical difficulty.)

18 (A discussion was held off the record.)

19 MR. TAYLOR: The way I remember it, Terri
20 is correct, the last thing said was my question to
21 Mr. Soohoo about his kidney treatment, and, Terri,
22 if you could read that back, get it into the record
23 again for Mr. Soohoo, so he can answer the question,
24 please.

25 "Question: When is the last time you

1 had any kidney treatment appointments or
2 kidney treatment of any kind?"

3 THE WITNESS: I had another MRI taken a
4 month ago.

5 BY MR. TAYLOR:

6 Q Where was that MRI?

7 A At Sand Canyon in Irvine, California.

8 Q That was at the VA -- I mean -- the Kaiser
9 at Sand Canyon?

10 A Yes.

11 Q And that was an MRI of your kidney?

12 A He did a --

13 Q It's a yes-or-no question. Just answer
14 the question yes or no.

15 A No.

16 Q What was it an MRI of?

17 A Can you ask your question again, please?

18 Q If the MRI was not on your kidney, what
19 was the MRI of?

20 A I think it was of my abdomen, my chest,
21 and my pelvis area.

22 Q Okay. I'm no oncologist, but I'm guessing
23 that you're looking to see if the cancer has
24 metastasized to other parts of your body; is that
25 correct?

1 A Yes. Yes.

2 Q Okay. First of all, before this MRI had
3 you had any doctors of any kind tell you that your
4 kidney cancer was metastasizing to any other parts
5 of your body or your organs?

6 A They were afraid that it was. The one
7 that they had was close to my lung.

8 Q I understand that.

9 A They were afraid that --

10 Q I understand what they were afraid of.
11 That's why I asked you the question, but that wasn't
12 my question. My question was has anybody told you,
13 any doctors told you, that your cancer had
14 metastasized to other parts of your body or other
15 organs?

16 A No.

17 Q And what about the MRI that you just had?
18 What were the results of that? Was there any
19 metastasizing to any other parts of your body or
20 other organs?

21 A No.

22 Q All right. So, as far as you know as the
23 patient based on the medical treatment you've had
24 for your kidney cancer, including the recent MRI, as
25 far as you know as of now, your kidney cancer has

1 not metastasized in any other parts of your body or
2 any other organs; is that correct?

3 A No.

4 Q Why is that not correct?

5 A They're not sure.

6 Q Who told you that they're not sure?

7 A The pulmonologist, and that's why they
8 want to take a chest x-ray to see, to find out, if
9 it moved up to my lungs.

10 Q Who is your -- is your pulmonologist also
11 at Kaiser on Sand Canyon?

12 A Yes.

13 Q Okay. So is it your -- again, I'm never
14 asking you about a medical opinion, but you have
15 experience and knowledge going as the patient who's
16 very interested in his own condition, so has the
17 pulmonologist said anything to you that you have
18 some kind of signs or symptoms that makes him
19 believe it might have metastasized to your lungs?

20 A Yes.

21 Q What has he said that he's seen in your --
22 in his examination or your medical records or your
23 tests that makes him suspect it might have
24 metastasized to your lungs?

25 A From an old CT scan to a new CT scan they

1 saw an increase of 3 millimeters?

2 Q Increase of what?

3 A Increase of the nodule.

4 Q The nodule in your kidney?

5 A In my lung.

6 Q Okay. So there is a nodule in your lung.

7 As you sit here now -- you might have said something
8 about the nodule before. I just don't remember --
9 as you sit here now how long have you known about
10 the nodule in your lung, looking back, how many
11 months or years?

12 A Well, since they last did the CT scan
13 maybe last year. I had a CT scan, and they said --
14 and they took another one. They said "Come back in
15 six months." They took another one in six months,
16 and they saw that it grew 3 millimeters.

17 Q So you've had at least two CT scans on
18 your lungs?

19 A Yes.

20 Q And when was the last one? About how long
21 ago was the last CT scan on your lungs?

22 A A couple months.

23 Q Do you actually have an oncologist of some
24 type treating you besides a pulmonologist?

25 A Yes.

1 Q Who is your oncologist?

2 A I have to get his name. It's George Yuen.

3 Q George. Spell the last name, please.

4 A Y-U-E-N.

5 Q Is he with Kaiser on Sand Canyon?

6 A Yes.

7 Q How long have you been seeing Dr. Yuen,
8 the oncologist?

9 A Maybe the last year.

10 Q Okay. And do you have an appointment to
11 go see Dr. Yuen anytime soon?

12 A Right now, no.

13 Q What did Dr. -- what has Dr. Yuen told you
14 so far about what he sees in your cancer situation?

15 A He told me that it just is right next to
16 my liver and that basically the only way he can tell
17 if it's cancer is he would have to remove it and --
18 but it's in a -- he couldn't do a needle biopsy of
19 it because of the location, so they would have to go
20 in and do surgery to remove it, and they would have
21 to go through my ribs --

22 Q Okay.

23 A -- because of the location of where the
24 nodules at. It's right on top of my liver.

25 Q Okay. And --

1 A And he says "The only way I can tell if
2 it's cancer is I have to remove it and do a biopsy
3 of it."

4 Q And how long have you had that
5 information? Was that something they told you last
6 month or three months ago or...

7 A About three months ago, three or four
8 months ago, yeah.

9 Q So have you gotten plans to have that
10 biopsy done, or are you thinking about it? You're
11 not sure what you're going to do? What's the status
12 of that?

13 A He wants to take another CT scan every
14 three to six months.

15 Q The oncologist?

16 A Maybe the pulmonologist.

17 Q Pulmonologist? Okay.

18 A Yes.

19 Q So I take it that the oncologist and your
20 nephrologist and pulmonologist are all working
21 together on this cancer in your kidneys and the
22 nodule on your lung; is that correct?

23 A Yes, sir.

24 Q What is your -- you know, sometimes people
25 don't want to go through operations, even though the

1 doctors tell them they need one. What is your idea
2 or your plan or your thinking on having the biopsy
3 done?

4 A I want to have it done if I need it
5 because I still feel like I'm able to go through a
6 tough surgery, but as I get older, you know --

7 Q Yeah.

8 A -- my, you know --

9 Q Okay. Are you taking any kind of
10 medications that are related to the kidney cancer
11 and the nodule on your lung?

12 A Not right now, but they're more concerned
13 with my blood pressure. They really monitor my
14 blood pressure with my one kidney.

15 Q Okay. So is it your belief that the
16 problems with your kidney cancer and the nodule on
17 your lung are related to your blood pressure?

18 A A part of it, yes, and being a diabetic as
19 well.

20 Q And you've been a diabetic for decades,
21 right?

22 A Yes.

23 Q Who is treating you for your high blood
24 pressure?

25 A My primary care and Dr. Chen, my

1 pulmonologist. He's having me monitored, and I've
2 been submitting my blood pressure and getting it
3 checked, you know, at home and also very often
4 making sure it's monitored.

5 Q Okay. Has your -- who is your primary
6 care doctor?

7 A Dr. Berdy, B-E-R-D-Y, Alexander Berdy.

8 Q That's P, as in Paul, A-R-D-Y?

9 A B, like boy, E-R-D-Y, Berdy.

10 Q Dr. Berdy. Okay.

11 And is Dr. Berdy with Kaiser?

12 A Yes.

13 Q At Sand Canyon?

14 A No. He's in -- he's in Irvine.

15 Q Why do you go to a primary doctor at
16 Kaiser in Irvine when the other doctors are all at
17 Sand Canyon?

18 A My primary care when I used to live in
19 Corona del Mar stayed in Corona del Mar. It was
20 basically because it's at a clinic, and Sand Canyon
21 is a hospital.

22 Q Okay. So, as far as your blood pressure
23 goes, have you seen any -- are you aware of or have
24 you seen any difference in your blood pressure from
25 between the times you first were at Chino working

1 and then you were away from Chino for a few years
2 and then you went back to Chino?

3 A Yes, because I'm living my life a little
4 bit differently than I was previously.

5 Q You said you're living your life
6 differently now than when you were previously
7 working at Chino?

8 A Yes.

9 Q Okay.

10 A I make sure I eat right, I exercise, I
11 monitor my blood pressure, I get my sleep, and I try
12 to reduce my stress, but exercising, doing breathing
13 exercises, and all the things I've been taught
14 through my programs.

15 Q Okay. And you have kept up -- you're
16 regularly taking your blood pressure medication too,
17 right?

18 A Yes, sir.

19 Q Have you gone off your blood pressure
20 medication for any reason in the last ten years?

21 A No.

22 Q Okay. So are you telling me now that --
23 it's very admirable that you're doing these
24 things -- these changes to things are better for
25 your blood pressure now, even though you're working

1 at Chino, than they were before when you previously
2 worked there?

3 A Yes, because I deal with those situations
4 very different. I don't allow them to get to me
5 like they, you know -- I -- I'm a different manager.

6 Q Okay. Is Dr. -- is your psychiatrist
7 helping you with that?

8 A No more. It's more me taking classes and
9 learning how to deal with different situations, how
10 to deal with people and stress.

11 Q Okay. How about the group sessions? Are
12 those helping you with your blood pressure and your
13 stress and anxiety?

14 A Oh, yes.

15 Q Okay. So we've talked about your
16 psychiatric treatment this past six months and your
17 treatment for your kidneys through your nephrologist
18 and urologist, and we talked about your
19 pulmonologist and your oncologist, so, with all that
20 in mind, in the past six months have you had any
21 problems doing your, what we call, activities of
22 daily living, you know, around the house or with
23 your regular personal life as far as doing what you
24 need to do for things around the house and all the
25 things you need to do in your daily living?

1 A No.

2 Q Okay. How about at work? Are you kept
3 from doing anything at work because of the --
4 because of any of your medical problems or
5 psychological problems?

6 A No, because we're not fully operational.

7 Q Is it your belief -- and I know that, you
8 know, this is somewhat speculative, but I still need
9 to know your state of mind because you have a
10 psychological case -- do you believe that if you
11 went back to the full workload you had before the
12 COVID-19 lockdown that, based on what you see at
13 your job at Chino now, that your stress would go up
14 again? Is it just the workload that makes a
15 difference?

16 A My job is stressful as it is, on top of
17 seeing patients, you know. Dentistry is very
18 stressful, but when you add in all the other
19 stressors from staff and supervisors, it
20 sometimes -- and especially CIM is one of the
21 biggest institutions -- sometimes if you don't know
22 how to handle it, you know, take it one step at a
23 time, or how to manage the stress in your life, it
24 can -- I can't say it will not, but I have to be --
25 I have to be able to manage it better.

1 Q Okay. I'm also going to ask you about --
2 I know that you made complaints for your hearing
3 loss, for your hands, your back, and your neck, as
4 far as I know. What is the problem with -- also
5 you've made a claim for your right hip. What is the
6 problem with your bilateral hands, both your hands,
7 that you believe is related to your work?

8 A My hand tends to lock up in the morning
9 when I wake up. I have to open it up. Okay?
10 That's from using your hands a lot. Some months
11 it's good, some months it's bad. I put a heat pad
12 on it.

13 Q Are both hands the same as far as how bad
14 the problems are, or is one hand worse than the
15 other?

16 A Some months my right hand's worse than my
17 left hand, so it -- I've been getting treatment at
18 Kaiser through the therapist there and the physical
19 therapy.

20 MR. COHEN: He didn't ask you about your
21 treatment. Just listen to the question, and answer
22 the question. Is one hand worse than the other?
23 That's a yes-or-no question.

24 BY MR. TAYLOR:

25 Q Okay. So you said your --

1 A No.

2 Q When you say no, you think they're both as
3 bad, or did you say sometimes your right hand is
4 worse?

5 A Both.

6 Q All right. And you're getting therapy at
7 Kaiser?

8 A I'm done.

9 Q You're done with what?

10 A Yes. I had therapy at Kaiser.

11 Q When did you stop having therapy?

12 A Maybe two months ago.

13 Q Did you stop because things got -- your
14 hands got better, or was there some other reason you
15 stopped?

16 A You only get so many sessions.

17 Q Okay. So you stopped with the therapy
18 because you ran through all the sessions allowed
19 under your HMO plan?

20 A Yes.

21 Q And what kind of therapy was this?

22 A Different types of exercises. They had me
23 put my hand in the wax, and they wrapped it, put on
24 heat pads, different types of things.

25 Q Did that help?

1 A Yes.

2 Q When is the first time you remember having
3 these hand problems looking back?

4 A A long time.

5 Q Well, that doesn't really help us. I
6 mean, is that -- a long time, is that 30 years, or
7 is that three years?

8 A Approximately 15 years.

9 Q Okay. So where were you working when you
10 first noticed that maybe approximately 15 years ago?

11 A DJJ maybe or Ironwood.

12 Q Okay. So either that was with the
13 Juvenile Justice Department or at Ironwood Prison?

14 A Yes.

15 Q And that's the first time in your life you
16 remember having these problems with your hands?

17 A Yes.

18 Q Okay. What is it, do you believe, that's
19 causing these hand problems? Is it something at
20 work?

21 A The type of work I do, yes.

22 Q Well, again, what is it about the work? I
23 need you to be specific. What is it literally,
24 physically about the type of work you do that you
25 believe is related to your hand problems at work?

1 A Dentistry, actually having my hands and
2 fingers in people's mouths, and basically --

3 **Q Okay.**

4 A -- I have to -- I have to grip people's
5 teeth, you know. I have to grab certain instruments
6 and hold them tight around forceps and things like
7 that. That's all part of my job, my work.

8 **Q All right. Have you begun doing any --**
9 **besides this physical therapy that you were getting**
10 **at Kaiser, have you had any other doctors treating**
11 **you, any kind of therapists, doctors, chiropractors,**
12 **acupuncturists, anybody treating you for your hand**
13 **problems?**

14 A A long time ago I had an M.D. give me a
15 shot of steroids that froze my hand, so back in --
16 you know --

17 **Q Where was that?**

18 A -- a long time ago.

19 **Q Was that through Kaiser?**

20 A No.

21 **Q Where was that at?**

22 A In San Diego. I don't even remember the
23 guy's name anymore. He was an M.D.

24 **Q But he gave you a shot of steroids in your**
25 **hands, in both hands, or just one hand?**

1 A One hand.

2 Q And that was your right hand?

3 A Yes.

4 Q By the way, what is your dominant hand?

5 Is it right or left?

6 A Right.

7 Q Okay. And did that shot of steroids help
8 you in your right hand?

9 A Yes.

10 Q Is there any reason why you haven't had
11 since then more medical treatment for your hands
12 that you had long ago with the shot of steroids?

13 A I don't like steroids.

14 Q Well, but the doctors -- I mean, there's
15 all kinds of medical treatment. Is there any reason
16 you haven't gotten any medical treatment in your
17 hands since the shot of steroids you got in your
18 hands in San Diego a long time ago and the physical
19 therapy?

20 A No.

21 Q Okay. Are your hands keeping you from
22 doing anything at work now?

23 A No.

24 Q How about around the house or in your
25 activities of daily living, like, you know, driving

1 a car, going out shopping, hobbies, athletic
2 activities? Are your hands keeping you from doing
3 anything right now?

4 A No.

5 Q Do you plan on getting any other treatment
6 for your hands anytime in the future?

7 A No.

8 Q Okay. Would you say that, if you had any
9 treatment for your hands, it would most likely --
10 besides the shot of steroids in San Diego a long
11 time ago, that it would all be through Kaiser?

12 A Yes. And I think I had another shot in my
13 hand at Kaiser, but Dr. Tran at Kaiser as well.
14 That was so painful I never went back.

15 Q Was that on your right hand or left hand?

16 A I think it was on my right also.

17 Q Okay. But that hurt so bad you didn't go
18 back for more; is that right?

19 A Yes.

20 Q Okay. Let's talk about your ears. Are
21 you now wearing hearing -- what do you call it?

22 A Hearing aids.

23 Q -- hearing aids?

24 A Yes.

25 Q In both ears?

1 A Yes.

2 Q How long have you been wearing hearing
3 aids?

4 A Three years maybe, approximately.

5 Q Is there something that led you to getting
6 hearing aids? You know, sometimes people start
7 losing some hearing, but they don't run out
8 immediately and do something about it. They just
9 wait until it gets bad enough. What is your
10 situation?

11 A I had some a couple years ago.

12 Q What's that?

13 A I had some a couple years ago, and I paid
14 for them, and they didn't help me at all. I don't
15 know. The technology wasn't there, you know. And
16 even the one I'm wearing now, the technology,
17 they're better than the one I had previously, but
18 they're improved.

19 Q Are you -- are you being treated by a
20 hearing doctor, an -- I can't say the word -- you
21 know, an ear doctor --

22 A Audiologist.

23 Q -- audiologist?

24 A Yes.

25 Q Who is your ear doctor?

1 A I see the one at Kaiser. I also see the
2 one at the VA.

3 Q And which VA office do you go to?

4 A Long Beach.

5 Q How long have you been getting treatment
6 for your ears with either Kaiser or through the VA?

7 A Two, three years ago.

8 Q Did you say two or three years ago?

9 A Yes.

10 Q Okay. So going back ten years or 20 years
11 you never had any hearing problems?

12 A I have, but I never -- I -- I masked it,
13 you know. I just -- but it got worse.

14 Q Yeah. That happens a lot.

15 When is the first time you remember, like
16 what age were you, when you first started having
17 hearing problems?

18 A Maybe 30s.

19 Q When you were in your 30s?

20 A Maybe. I'm not sure.

21 Q Well, I remember you telling me that you
22 were a private dentist in Carlsbad -- or it was
23 either Carlsbad or Oceanside -- for a while.

24 Do you remember that?

25 A Uh-huh.

1 Q Is that a yes?

2 A Yes.

3 Q And was it Oceanside or Carlsbad?

4 A Carlsbad.

5 Q And was that when you were in your 30s?

6 A Somewhere around there. I don't remember.

7 Q Were you having hearing problems back then

8 when you were working as a private dentist in

9 Carlsbad?

10 A Not that bad at all, not that I remember.

11 Q Well, I didn't ask you how bad. I just

12 asked you the first time you remember having hearing

13 problems at all. Did you have that when you were a

14 private dentist in your 30s?

15 A No.

16 Q Is there something that you relate to as

17 the first time you started having hearing problems,

18 like something that caused it?

19 A Yes.

20 Q What is that?

21 A I believe it -- you know, in the clinic,

22 the hand pieces, they're high-friction hand pieces.

23 They cause -- it's an occupational hazard.

24 Q When you're talking about hand pieces, are

25 you talking about drills?

1 A Yes.

2 Q Use regular terms that me and Terri can
3 understand, not -- you're talking about dental
4 drills, right?

5 A We don't call them drills, but yes.

6 Q Okay. So you're saying the noise that
7 these, what you call, hand pieces or drills is what
8 you believe is causing your hearing problems?

9 A Partially.

10 Q What else is causing your hearing
11 problems, if that's only part of it?

12 A Military.

13 Q Oh, that's right. You told me that you
14 had a problem once with some ordnance going off near
15 your head, and it caused you some problems.

16 Do you remember that?

17 A Uh-huh. Yes.

18 Q And there was also other times in the
19 military training exercises that you were around a
20 lot of noise; is that correct?

21 A Weapons qualifications.

22 Q Yeah. Okay.

23 So you think that, as far as what caused
24 your hearing problems in connection with working as
25 a dentist, that was only part of it, but the other

1 parts were from the military; is that correct?

2 A Yes.

3 Q And, of course, you used -- how long were
4 you a private dentist in Carlsbad or wherever? How
5 long were you a private dentist before you ever went
6 to work for the State of California?

7 A Eight or nine years.

8 Q Okay. And you used dental drills and hand
9 pieces as a private dentist too, right?

10 A Yes.

11 Q Okay. So you said that the -- your
12 audiologist was at the VA and Kaiser, so if we got
13 records from the VA in Long Beach and Kaiser, that
14 would be all your medical treatment for your hearing
15 problems?

16 A Yes. Yes.

17 Q Have you noticed a change in your hearing
18 problems, I mean, setting aside your hearing aids, I
19 know that your hearing aids help you hear better,
20 but just putting that aside, do you believe that
21 your hearing problems have gotten any worse or any
22 better in the last year or two?

23 A Getting worse.

24 Q What makes you say that?

25 A I just have a -- when people talk I have a

1 harder time hearing.

2 Q Well, do you wear your hearing aids every
3 day all the time?

4 A As much as I can, but they don't work very
5 well.

6 Q Okay. So you believe that part of your
7 hearing problems are because of the work you do as a
8 dentist with the State of California?

9 A Yes.

10 Q And that's because of the hand pieces and
11 drills, things like that, that make the high-pitched
12 noises when you're using them?

13 A Yes, high-frequency.

14 Q High-frequency? Okay.

15 MR. TAYLOR: Let's go off the record for a
16 second.

17 (Recess taken.)

18 BY MR. TAYLOR:

19 Q So, Mr. Soohoo, I'm going to ask you some
20 questions, and you don't have to go into detail
21 about all the ins and outs of everything, but just
22 tell us on the record what the status is of the
23 various investigations so that we will have it on
24 the record for me and Phil to plan to finish,
25 finally finish, your deposition. Okay?

1 So go ahead, Mr. Soohoo. Tell us the
2 status, as far as you know, on the various
3 investigations so that the parties will have it on
4 the record as to how we plan on finishing your
5 deposition once and for all.

6 A Investigations on the allegation against
7 me is over. The one against Mr. Escobell and Mr.
8 Jason Bishop, they sent me a letter that, the case
9 from Sacramento, they did the investigation, and
10 it's been referred back to a lower-level authority
11 to render a decision, which I don't know what the --
12 I don't know where it's at. They don't share
13 anything with me.

14 Q So, as far as the investigations against
15 you, as far as we know, they're over, including you
16 decided not to appeal, and the investigations on
17 your claims against Mr. Escobell and Mr. Bishop,
18 CDCR has removed those to some other level, and you
19 don't know where that is? Is that what you're
20 saying?

21 A Yes, sir.

22 Q Okay. So Phil and I have that on the
23 record?

24 MR. TAYLOR: And, Phil, we are agreeing on
25 the record that, given the time right now, that

1 we've been going for over three and a half hours
2 today, and that Mr. Soohoo has an appointment at
3 6:00, which he's almost late for now, and the fact
4 that we still haven't gone through the documents
5 that we discussed at the beginning of this
6 deposition session that you are going to provide to
7 us in hard copy under a cover letter and that we
8 still have to go through those because we haven't
9 seen them yet, and I also have to still talk to Mr.
10 Soohoo about his back and his right hip and other
11 claims that he may be making that I'm not aware of,
12 we are going to go ahead and suspend the deposition
13 for today, call it volume three, picking up at the
14 page numbers where I told Terri we left off last
15 time, and Terri is going to send me a copy of the
16 exhibits separately by e-mail, and that we will not
17 have anything about reviewing the deposition at this
18 time or the signature because the record is still
19 open, and that our offices will reschedule the next
20 volume of his deposition with the idea that we will
21 definitely finish then.

22 Is that your understanding, Mr. Cohen?

23 MR. COHEN: Yes. Are you going to send
24 the copy of the deposition to Mr. Soohoo at this
25 time?

1 MR. TAYLOR: Well, that's what I said. So
2 far we haven't had him read and sign on any of them,
3 right?

4 MR. COHEN: Well, I don't remember that.
5 I thought we did send him all the deposition
6 transcripts so he could review them and see what
7 you're saying about what records you want him to
8 produce.

9 MR. TAYLOR: Okay. All right.

10 THE WITNESS: I haven't seen anything.

11 MR. COHEN: Oh, you haven't? You don't
12 have any depositions?

13 THE WITNESS: I don't have any
14 depositions.

15 MR. COHEN: Oh.

16 MR. TAYLOR: I didn't know that, but we've
17 got to cut this off because we're killing Terri
18 having all this discussion.

19 So, Terri, Mr. Cohen and I would
20 appreciate it if you guys would get volumes one,
21 two, and three and send them to Mr. Soohoo for his
22 review, and we're not going to ask him to sign it as
23 of yet because we still have to close out the record
24 when the next session, volume four, is finished.

25 (A discussion was held off the record with

1 the court reporter.)

2 MR. TAYLOR: My e-mail address is S, as in
3 Steven, P, as in Paul, Taylor@scif.com, so it's
4 sptaylor, all lower case, @scif.com. And put the
5 job number, please, and the date of the deposition
6 in the subject line and all that. Okay?

7 All right. Mr. Soohoo, is there anything
8 you want to know so that we make sure that we do
9 everything that you need?

10 THE WITNESS: So let me get clear. Are we
11 going to have another meeting on the phone again?

12 MR. TAYLOR: Yeah. It will probably be by
13 phone because God knows when this lockdown is going
14 to stop, and we haven't been doing anything by Zoom.
15 Let's just finish it by phone, yes, but I hate to
16 say this, but I can almost promise you that it's not
17 going to take five hours next time. It will take
18 two and a half hours.

19 THE WITNESS: If we can do it, same thing,
20 like, start at 2:00 and end at 5:00, that would be
21 great.

22 MR. TAYLOR: That's fine. Phil and I will
23 work it out with our offices.

24 MR. COHEN: I don't remember. I'm
25 wondering if I got copies of the first two

1 transcripts. Were those done?

2 MR. TAYLOR: I don't know. I thought you
3 did. I mean, I don't remember back then. I just
4 assumed you did.

5 MR. COHEN: I could have, but -- so, then,
6 I'll get a copy anyhow of this deposition
7 transcript.

8 MR. TAYLOR: Yeah.

9 MR. COHEN: Have them mailed to me at my
10 address.

11 MR. TAYLOR: Just, Terri, mail them all to
12 Phil, and let Phil provide them to Mr. Soohoo.

13 Okay?

14 MR. COHEN: I won't provide it to him. I
15 want my copies. The originals, if you're not
16 sending them out, hold on to the originals, and
17 we'll send them out in one fell swoop to Mr. Soohoo.

18 THE REPORTER: So I'm holding the
19 originals and sending out the copies?

20 MR. COHEN: Correct.

21 MR. TAYLOR: Correct. And, by the way,
22 Terri, I say this every time. Tell Aptus I do not
23 want to join their clubs or some special little
24 secret chambers or their rooms. I just want copies,
25 PDF copies, sent to me as an e-mail attachment, and

1 I'll get the -- we'll deal with the originals later.
2 Send me a separate e-mail with exhibits, and also
3 attach them to the certified copies.

4 That's it.

5 MR. COHEN: I think that's it.

6 And, George, if you want to call me, you
7 can call me. I'll be here.

8

9 (WHEREUPON THE DEPOSITION WAS ADJOURNED AT
10 5:35 P.M.

11 (DECLARATION UNDER PENALTY OF PERJURY
12 ATTACHED ON FOLLOWING PAGE HEREOF.)

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1 STATE OF CALIFORNIA) ss:
2 COUNTY OF ORANGE)

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4

5 I, the undersigned, a Certified Shorthand
6 Reporter of the State of California, do hereby
7 certify:

8 That the foregoing proceedings were taken
9 before me at the time and place herein set forth;
10 that any witnesses in the foregoing proceedings,
11 prior to testifying, were placed under oath; that a
12 verbatim record of the proceedings was made by me
13 using machine shorthand which was thereafter
14 transcribed under my direction; further, that the
15 foregoing is an accurate transcription thereof.

16 I further testify that I am neither
17 financially interested in the action nor a relative
18 or employee of any attorney of any of the parties.

19 IN WITNESS WHEREOF, I have this date
20 subscribed my name.

21

22 Dated: September 10, 2020

23

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TERRI S. CHICOINE, CSR
Certificate No. 10680

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DECLARATION UNDER PENALTY OF PERJURY

Case Name: Soohoo vs. State of California

Date of Deposition: 09/04/2020

Job No.: 10071244

I, GEORGE SOOHOO, hereby certify
under penalty of perjury under the laws of the State of
_____ that the foregoing is true and correct.

Executed this _____ day of
_____, 2020, at _____.

GEORGE SOOHOO

NOTARIZATION (If Required)

State of _____

County of _____

Subscribed and sworn to (or affirmed) before me on
this _____ day of _____, 20____,
by _____, proved to me on the
basis of satisfactory evidence to be the person
who appeared before me.

Signature: _____ (Seal)

1 DEPOSITION ERRATA SHEET

2 Case Name: Soohoo vs. State of California
3 Name of Witness: George Soohoo
4 Date of Deposition: 09/04/2020
5 Job No.: 10071244
6 Reason Codes: 1. To clarify the record.
7 2. To conform to the facts.
8 3. To correct transcription errors.

9 Page _____ Line _____ Reason _____
10 From _____ to _____

11 Page _____ Line _____ Reason _____
12 From _____ to _____

13 Page _____ Line _____ Reason _____
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15 Page _____ Line _____ Reason _____
16 From _____ to _____

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19 From _____ to _____
20 Page _____ Line _____ Reason _____
21 From _____ to _____

22 _____ Subject to the above changes, I certify that the
23 transcript is true and correct
24 _____ No changes have been made. I certify that the
25 transcript is true and correct.

GEORGE SOOHOO

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